

By Representative Valdes

1                                   A bill to be entitled  
2           An act relating to economic development  
3           infrastructure; creating s. 288.064, F.S.;  
4           creating the Florida Economic Infrastructure  
5           Program; providing an effective date.  
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7 Be It Enacted by the Legislature of the State of Florida:  
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9           Section 1. Section 288.064, Florida Statutes, is  
10 created to read:

11                   288.064 Florida Economic Infrastructure Program.--

12                   (1) LEGISLATIVE FINDINGS AND DECLARATIONS.--The  
13 Legislature recognizes that Florida's economic backbone is a  
14 strong interconnected transportation system which provides for  
15 the efficient movement of commerce within and through the  
16 state. In order for Florida to respond to increased  
17 competition in trade, the Legislature hereby establishes the  
18 Florida Economic Infrastructure Program, which shall establish  
19 a statewide multiagency planning and prioritization process  
20 with a dedicated funding stream for  
21 economic-development-related infrastructure.

22                   (2) MANAGEMENT.--The Florida Economic Infrastructure  
23 Program shall be managed by the Florida Trade Council and its  
24 resulting Transportation Improvement Plan shall be developed  
25 consistent with chapter 339, and implemented by the Department  
26 of Transportation consistent with chapter 339.

27                   (3) AUTHORITY AND RESPONSIBILITY OF THE COUNCIL.--The  
28 authority and responsibility of the council is to manage a  
29 continuing, cooperative, and comprehensive transportation  
30 planning process that results in the development of plans and  
31 programs which are consistent, to the maximum extent feasible,

1 with approved local government comprehensive plans. The  
2 council shall be the forum for cooperative decisionmaking by  
3 officials of affected governmental entities in the development  
4 of the plans and programs required by subsections (4), (5),  
5 (6), and (7).

6 (4) POWERS, DUTIES, AND RESPONSIBILITIES.--The powers,  
7 privileges, and authority of the council relating to  
8 transportation planning are those specified in this section or  
9 incorporated in an interlocal agreement authorized under s.  
10 163.01. The council shall perform all acts required by  
11 federal or state laws or rules, now and subsequently  
12 applicable, which are necessary to qualify for federal aid.  
13 Within urbanized areas of the state, the transportation plans,  
14 improvement programs, and project priorities of the council  
15 shall be reviewed by the metropolitan planning organization to  
16 ensure that they complement and support the metropolitan  
17 planning organization's approved long-range transportation  
18 plan, improvement program, and list or project priorities, as  
19 provided in s. 339.175. Metropolitan planning organizations  
20 shall assist the council in complying with all federal and  
21 state laws regarding transportation planning and air quality  
22 conformity requirements for each area designated as a  
23 metropolitan planning area under 23 U.S.C s. 134. It is the  
24 intent of this section that the council shall be involved in  
25 the planning and programming of transportation facilities,  
26 including, but not limited to, airports, intercity and  
27 high-speed rail lines, seaports, and intermodal facilities, to  
28 the extent permitted by state or federal law.

29 (a) The council shall, in cooperation with the  
30 department, develop:  
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- 1           1. A long-range transportation plan pursuant to the  
2 requirements of subsection (5); and
- 3           2. An annually updated transportation improvement  
4 program pursuant to the requirements of subsection (6).
- 5           (b) In developing the long-range transportation plan  
6 and the transportation improvement program required under  
7 paragraph (a), the council must, at a minimum, consider:
- 8           1. The enhancement of existing transportation  
9 facilities and, where practical, ways to meet transportation  
10 needs by using existing facilities more efficiently;
- 11           2. The consistency of transportation planning with  
12 applicable federal, state, and local energy conservation  
13 programs, goals, and objectives;
- 14           3. The programming of transportation enhancement  
15 activities as required by federal law;
- 16           4. The provision of access to seaports, airports,  
17 intermodal transportation facilities, major freight  
18 distribution routes, national and state parks, recreation  
19 areas, monuments and historic sites, and military  
20 installations;
- 21           5. Any available methods to enhance the efficient  
22 movement of freight; and
- 23           6. The overall social, economic, energy, and  
24 environmental effects of transportation decisions.
- 25           (c) The council may employ personnel or may enter into  
26 contracts with local or state agencies, private planning  
27 firms, or private engineering firms to accomplish  
28 transportation planning and programming duties required by  
29 state or federal law.
- 30           (5) LONG-RANGE PLAN.--The council must develop a  
31 long-range transportation plan that addresses at least a

1 20-year planning horizon. The plan must include both  
2 long-range and short-range strategies and must comply with all  
3 other state and federal requirements. The long-range plan  
4 must, at a minimum:

5 (a) Identify transportation facilities, including, but  
6 not limited to, major roadways, airports, seaports, commuter  
7 light rail systems, transit systems, and intermodal or  
8 multimodal terminals that will function as an integrated  
9 metropolitan transportation system. The long-range plan must  
10 emphasize those transportation facilities that serve national,  
11 statewide, or regional functions, and must consider the goals  
12 and objectives identified in the Florida Transportation Plan  
13 as provided in s. 339.155.

14 (b) Include a financial plan that demonstrates how the  
15 plan can be implemented, indicating resources from public and  
16 private sources which are reasonably expected to be available  
17 to carry out the plan, and recommends innovative financing  
18 techniques that may be used to fund needed projects and  
19 programs. Such techniques may include the assessment of  
20 tolls, the use of value capture financing, or the use of  
21 congestion pricing.

22  
23 In the development of its long-range plan, the council must  
24 provide affected public agencies, representatives of  
25 transportation agency employees, private providers of  
26 transportation, other interested parties, and members of the  
27 general public with a reasonable opportunity to comment on the  
28 long-range plan. The long-range plan must be approved by the  
29 council.

30 (6) TRANSPORTATION IMPROVEMENT PROGRAM.--The council  
31 shall, in cooperation with the state and affected public

1 transportation operators, develop an economic transportation  
2 improvement program for the state. In the process of  
3 developing the transportation improvement program, the council  
4 must provide affected public transit agencies, representatives  
5 of transportation agency employees, private providers of  
6 transportation, other interested parties, and members of the  
7 general public with a reasonable opportunity to comment on the  
8 transportation improvement program.

9 (a) The council is responsible for developing,  
10 annually, a list of project priorities and a transportation  
11 improvement program. The transportation improvement program  
12 shall be used to initiate federally aided transportation  
13 facilities and improvements as well as other economic  
14 infrastructure improvements including transit, rail, aviation,  
15 and port facilities to be funded from the State Transportation  
16 Trust Fund in accordance with existing and subsequent federal  
17 and state laws and rules and regulations related thereto. The  
18 transportation improvement program shall be consistent, to the  
19 maximum extent feasible, with approved local government  
20 comprehensive plans.

21 (b) The council annually shall prepare a list of  
22 project priorities and shall submit the list to the Department  
23 of Transportation by October 1 of each year; however, the  
24 department and the council may, in writing, agree to vary this  
25 submittal date. The list of project priorities must be  
26 formally reviewed and approved by the council's board of  
27 directors before it is transmitted to the department. The  
28 approved list of project priorities must be used by the  
29 department in developing the transportation work program and  
30 must be used by the council in developing its transportation  
31 improvement program. The annual list of project priorities

1 must be based upon project selection criteria that, at a  
2 minimum, consider the following:  
3       1. The approved council long-range plan; and  
4       2. The council's public-involvement procedures.  
5       (c) The transportation improvement program must, at a  
6 minimum:  
7       1. Include projects and project phases to be funded  
8 with state or federal funds within the time period of the  
9 transportation improvement program and which are recommended  
10 for advancement during the next fiscal year and the four  
11 subsequent fiscal years. Such projects and project phases  
12 must be consistent, to the maximum extent feasible, with  
13 approved local government comprehensive plans. For  
14 informational purposes, the transportation improvement program  
15 shall also include a list of projects to be funded from local  
16 or private revenues.  
17       2. Provide a financial plan that demonstrates how the  
18 transportation improvement program can be implemented;  
19 indicates the resources, both public and private, that are  
20 reasonably expected to be available to accomplish the program;  
21 and recommends any innovative financing techniques that may be  
22 used to fund needed projects and programs. Such techniques  
23 may include the assessment of tolls, the use of value capture  
24 financing, or the use of congestion pricing. The  
25 transportation improvement program may include a project or  
26 project phase only if full funding can reasonably be  
27 anticipated to be available for the project or project phase.  
28       3. Group projects and project phases of similar  
29 urgency and anticipated staging into appropriate staging  
30 periods.  
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1           4. Indicate how the transportation improvement program  
2 relates to the long-range plan developed under subsection (5),  
3 including providing examples of specific projects or project  
4 phases that further the goals and policies of the long-range  
5 plan.

6           5. Indicate how the improvements are consistent, to  
7 the maximum extent feasible, with affected seaport and airport  
8 master plans.

9           (d) Projects included in the transportation  
10 improvement program and that have advanced to the design stage  
11 of preliminary engineering may be removed from or rescheduled  
12 in a subsequent transportation improvement program only by the  
13 joint action of the council and the department. Except when  
14 recommended in writing by the secretary for good cause, any  
15 project removed from or rescheduled in a subsequent  
16 transportation improvement program shall not be rescheduled by  
17 the council in that subsequent program earlier than the fifth  
18 year of such program.

19           (e) The Department of Community Affairs shall review  
20 the annual transportation improvement program of the council  
21 for consistency with the approved local government  
22 comprehensive plans and shall identify those projects that are  
23 inconsistent with such comprehensive plans. The Department of  
24 Community Affairs shall notify the council of any  
25 transportation projects contained in its transportation  
26 improvement program which are inconsistent with approved local  
27 government comprehensive plans.

28           (7) AGREEMENTS.--

29           (a) The council shall execute the following written  
30 agreements, which shall be reviewed, and updated as necessary,  
31 every 5 years.

1           1. An agreement with the department and the  
2 metropolitan planning organization, where applicable, clearly  
3 establishing the cooperative relationship essential to  
4 accomplish the transportation planning requirements of state  
5 and federal law.

6           2. An agreement with operators of public  
7 transportation systems, including transit systems, commuter  
8 rail systems, airports, and seaports, describing the means by  
9 which activities will be coordinated.

10           (b) The council may execute other agreements required  
11 by state or federal law or as necessary to properly accomplish  
12 its functions.

13           Section 2. This act shall take effect upon becoming a  
14 law.

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17           HOUSE SUMMARY

18           Creates the Florida Economic Infrastructure Program.  
19           See bill for details.  
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