

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Fiscal Responsibility Council offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause  
and insert in lieu thereof:

Section 1. Subsection (2) of section 206.46, Florida Statutes, is amended to read:

206.46 State Transportation Trust Fund.--

(2) Notwithstanding any other provisions of law, from the revenues deposited into the State Transportation Trust Fund a maximum of 7 percent in each fiscal year shall be transferred into the Right-of-Way Acquisition and Bridge Construction Trust Fund created in s. 215.605, as needed to meet the requirements of the documents authorizing the bonds issued or proposed to be issued under ss. 215.605 and 337.276 or at a minimum amount sufficient to pay for the debt service coverage requirements of outstanding bonds. Notwithstanding the 7 percent annual transfer authorized in this subsection, the annual amount transferred under this subsection shall not exceed an amount necessary to provide the required debt

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1 service coverage levels for a maximum debt service not to  
2 exceed ~~\$200~~<sup>\$135</sup> million. Such transfer shall be payable  
3 primarily from the motor and diesel fuel taxes transferred to  
4 the State Transportation Trust Fund from the Fuel Tax  
5 Collection Trust Fund.

6 Section 2. Subsection (8) is added to section 332.007,  
7 Florida Statutes, to read:

8 332.007 Administration and financing of aviation and  
9 airport programs and projects; state plan.--

10 (8) Notwithstanding any other provision of law to the  
11 contrary, the department is authorized to provide operational  
12 and maintenance assistance to publicly owned public-use  
13 airports for the purposes of complying with enhanced federal  
14 security requirements or addressing related economic impacts  
15 that are a consequence of the events of September 11, 2001.  
16 For projects in the current adopted work program of the  
17 department or projects added using available budget of the  
18 department, airports may request that the department change  
19 the project purpose in accordance with the provisions of this  
20 subsection, notwithstanding the provisions of s. 339.135(7).  
21 For purposes of this subsection, the department may fund up to  
22 100 percent of eligible project costs that are not funded by  
23 the Federal Government. Prior to releasing any funds to an  
24 airport pursuant to this subsection, the department shall  
25 review and approve the expenditure plan for those funds  
26 submitted by the airport. This subsection shall expire on  
27 June 30, 2003.

28 Section 3. Section 337.107, Florida Statutes, is  
29 amended to read:

30 337.107 Contracts for right-of-way services.--The  
31 department may enter into contracts pursuant to s. 287.055 for

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1 right-of-way services on transportation corridors and  
2 transportation facilities, or the department may include  
3 right-of-way services as part of design-build contracts  
4 awarded pursuant to s. 337.11. Right-of-way services include  
5 negotiation and acquisition services, appraisal services,  
6 demolition and removal of improvements, and asbestos-abatement  
7 services.

8 Section 4. Paragraph (a) of subsection (7) of section  
9 337.11, Florida Statutes, is amended to read:

10 337.11 Contracting authority of department; bids;  
11 emergency repairs, supplemental agreements, and change orders;  
12 combined design and construction contracts; progress payments;  
13 records; requirements of vehicle registration.--

14 (7)(a) If the head of the department determines that  
15 it is in the best interests of the public, the department may  
16 combine the right-of-way services and design and construction  
17 phases of ~~any a building, a major bridge, or a rail corridor~~  
18 project into a single contract, except for a resurfacing or  
19 minor bridge project the right-of-way services and design and  
20 construction phases of which may only be combined under s.  
21 337.025. Such contract is referred to as a design-build  
22 contract. Design-build contracts may be advertised and awarded  
23 notwithstanding the requirements of paragraph (3)(c). However,  
24 construction activities may not begin on any portion of such  
25 projects for which the department has not yet obtained title  
26 until title to the necessary rights-of-way and easements for  
27 the construction of that portion of the project has vested in  
28 the state or a local governmental entity and all railroad  
29 crossing and utility agreements have been executed. Title to  
30 rights-of-way shall be deemed to have vested in the state when  
31 the title has been dedicated to the public or acquired by

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1 prescription.

2 Section 5. This act shall take effect upon becoming a  
3 law.

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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 remove from the title of the bill: everything before the  
9 enacting clause

10

11 and insert in lieu thereof:

12

A bill to be entitled

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An act relating to transportation economic  
14 stimulus; amending s. 206.46, F.S.; increasing  
15 the debt service cap with respect to the State  
16 Transportation Trust Fund; amending s. 332.007,  
17 F.S.; authorizing the Department of  
18 Transportation to provide operational and  
19 maintenance assistance to publicly owned  
20 public-use airports for certain purposes;  
21 authorizing airports to request the department  
22 to change the purpose of projects in or added  
23 to its current adopted work program; providing  
24 percentage of eligible project costs that may  
25 be funded by the department; requiring  
26 department review and approval of airport  
27 expenditure plans prior to release of funds;  
28 providing for expiration of provisions;  
29 amending s. 337.107, F.S.; allowing the  
30 Department of Transportation to include  
31 right-of-way services as part of design-build

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1           contracts; amending s. 337.11, F.S.; broadening  
2           the list of transportation projects that may be  
3           awarded as design-build contracts; specifying  
4           that construction of any portion of a project  
5           under a design-build contract may not begin  
6           until title to the necessary rights-of-way and  
7           easements for that portion has vested in the  
8           state or a local governmental entity and all  
9           railroad crossing and utility agreements have  
10          been executed; providing an effective date.

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