

By Representative Russell

1 A bill to be entitled
 2 An act relating to transportation economic
 3 stimulus; amending s. 206.46, F.S.; increasing
 4 the debt service cap with respect to the State
 5 Transportation Trust Fund; amending s. 332.007,
 6 F.S.; authorizing the Department of
 7 Transportation to provide operational and
 8 maintenance assistance to publicly owned
 9 public-use airports; specifying purposes of
 10 such assistance; authorizing airports to
 11 request the department to change the purpose of
 12 projects in its current adopted work program;
 13 providing percentage of eligible project costs
 14 that may be funded by the department; providing
 15 for expiration of provisions; amending s.
 16 337.107, F.S.; allowing the Department of
 17 Transportation to include right-of-way services
 18 as part of design-build contracts; amending s.
 19 337.11, F.S.; broadening the list of
 20 transportation projects that may be awarded as
 21 design-build contracts; specifying that
 22 construction of a project under a design-build
 23 contract may not begin until title to the
 24 necessary rights-of-way and easements has
 25 vested in the state or a local governmental
 26 entity, and all railroad crossing and utility
 27 agreements have been executed; providing an
 28 effective date.

29
 30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Subsection (2) of section 206.46, Florida
2 Statutes, is amended to read:

3 206.46 State Transportation Trust Fund.--

4 (2) Notwithstanding any other provisions of law, from
5 the revenues deposited into the State Transportation Trust
6 Fund a maximum of 7 percent in each fiscal year shall be
7 transferred into the Right-of-Way Acquisition and Bridge
8 Construction Trust Fund created in s. 215.605, as needed to
9 meet the requirements of the documents authorizing the bonds
10 issued or proposed to be issued under ss. 215.605 and 337.276
11 or at a minimum amount sufficient to pay for the debt service
12 coverage requirements of outstanding bonds. Notwithstanding
13 the 7 percent annual transfer authorized in this subsection,
14 the annual amount transferred under this subsection shall not
15 exceed an amount necessary to provide the required debt
16 service coverage levels for a maximum debt service not to
17 exceed ~~\$200~~^{\$135} million. Such transfer shall be payable
18 primarily from the motor and diesel fuel taxes transferred to
19 the State Transportation Trust Fund from the Fuel Tax
20 Collection Trust Fund.

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

23 332.007 Administration and financing of aviation and
24 airport programs and projects; state plan.--

25 (8) Notwithstanding any other provision of law to the
26 contrary, the department is authorized to provide operational
27 and maintenance assistance to publicly owned public-use
28 airports. Such assistance shall be provided for the purposes
29 of complying with enhanced federal security requirements or
30 addressing related economic impacts that are a consequence of
31 the events of September 11, 2001. For projects in the current

1 adopted work program of the department, airports may request
2 that the department change the project purpose in accordance
3 with the provisions of this subsection. For purposes of this
4 subsection, the department may fund up to 100 percent of
5 eligible project costs that are not funded by the Federal
6 Government. The department may amend the adopted work program
7 to implement the provisions of this subsection. This
8 subsection shall expire on June 30, 2003.

9 Section 3. Section 337.107, Florida Statutes, is
10 amended to read:

11 337.107 Contracts for right-of-way services.--The
12 department may enter into contracts pursuant to s. 287.055 for
13 right-of-way services on transportation corridors and
14 transportation facilities, or the department may include
15 right-of-way services as part of design-build contracts
16 awarded pursuant to s. 337.11. Right-of-way services include
17 negotiation and acquisition services, appraisal services,
18 demolition and removal of improvements, and asbestos-abatement
19 services.

20 Section 4. Paragraph (a) of subsection (7) of section
21 337.11, Florida Statutes, is amended to read:

22 337.11 Contracting authority of department; bids;
23 emergency repairs, supplemental agreements, and change orders;
24 combined design and construction contracts; progress payments;
25 records; requirements of vehicle registration.--

26 (7)(a) If the head of the department determines that
27 it is in the best interests of the public, the department may
28 combine the design and construction phases of any a building,
29 ~~a major bridge, or a rail corridor~~ project into a single
30 contract, except for resurfacing or minor bridge projects.
31 Such contract is referred to as a design-build contract.

1 Design-build contracts may be advertised and awarded
2 notwithstanding the requirements of paragraph (3)(c). However,
3 construction activities may not begin on any portion of such
4 projects until title to the necessary rights-of-way and
5 easements for the construction of such portion of the project
6 has vested in the state or a local governmental entity, and
7 all railroad crossing and utility agreements have been
8 executed. Title to rights-of-way vests in the state when the
9 title has been dedicated to the public or acquired by
10 prescription.

11 Section 5. This act shall take effect upon becoming a
12 law.

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15 HOUSE SUMMARY

16 For purposes of transportation economic stimulus,
17 increases the debt service cap with respect to the State
18 Transportation Trust Fund from \$135 million to \$200
19 million.

20 Authorizes the Department of Transportation to provide
21 operational and maintenance assistance to publicly owned
22 public-use airports for purposes of complying with
23 enhanced federal security requirements or addressing
24 related economic impacts that are a consequence of the
25 events of September 11, 2001. Authorizes airports to
26 request the department to change the purpose of projects
27 in its current adopted work program. Provides that the
28 department may fund up to 100 percent of eligible project
29 costs that are not funded by the Federal Government.
30 Provides for expiration of the provisions on June 30,
31 2003.

26 Permits the Department of Transportation to include
27 right-of-way service as part of design-build contracts on
28 transportation corridors and transportation facilities.
29 Broadens the list of transportation projects that may be
30 awarded as design-build contracts and specifies that
31 construction of a project under a design-build contract
may not begin until title to the necessary rights-of-way
and easements has vested in the state and local
governmental entity and all railroad crossings and
utility agreements have been executed.