

Bill No. SB 332

Amendment No. 1 Barcode 114430

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>
1	.	
2	.	
3	.	
4	.	
5		
6		
7		
8		
9		
10		

11 The Committee on Comprehensive Planning recommended the
12 following amendment:

14 **Senate Amendment (with title amendment)**

15 On page 1, between lines 9 and 10,

17 insert:

18 Section 1. Paragraph (b) of subsection (1) and
19 subsection (4) of section 206.60, Florida Statutes, are
20 amended to read:

21 206.60 County tax on motor fuel.--

22 (1) The proceeds of the county fuel tax imposed
23 pursuant to s. 206.41(1)(b) are appropriated for public
24 transportation purposes in the manner following:

25 (b)1. The Department of Revenue shall, from month to
26 month, distribute the amount allocated to each of the several
27 counties under paragraph (a) to the board of county
28 commissioners of the county, who shall use such funds solely
29 for the acquisition of rights-of-way; the construction,
30 reconstruction, operation, maintenance, and repair of
31 transportation facilities, roads, ~~and~~ bridges, bicycle paths,

Bill No. SB 332Amendment No. 1 Barcode 114430

1 and pedestrian pathways therein; or the reduction of bonded
2 indebtedness of such county or of special road and bridge
3 districts within such county, incurred for road and bridge or
4 other transportation purposes. In the event the powers and
5 duties relating to transportation facilities, roads, ~~and~~
6 bridges, bicycle paths, and pedestrian pathways usually
7 exercised and performed by boards of county commissioners are
8 exercised and performed by some other or separate county
9 board, such board shall receive the proceeds, exercise the
10 powers, and perform the duties designated in this section to
11 be done by the boards of county commissioners.

12 2. The board of county commissioners of each county,
13 or any separate board or local agency exercising the powers
14 and performing the duties relating to transportation
15 facilities, roads, ~~and~~ bridges, bicycle paths, and pedestrian
16 pathways usually exercised and performed by the boards of
17 county commissioners, shall be assigned the full
18 responsibility for the maintenance of transportation
19 facilities in the county and of roads in the county road
20 system.

21 3. Nothing in this paragraph as amended by chapter
22 71-212, Laws of Florida, shall be construed to permit the
23 expenditure of public funds in such manner or for such
24 projects as would violate the State Constitution or the trust
25 indenture of any bond issue or which would cause the state to
26 lose any federal aid funds for highway or transportation
27 purposes; and the provisions of this paragraph shall be
28 applied in a manner to avoid such result.

29 (4) It is hereby expressly recognized and declared by
30 the Legislature that all public roads, ~~and~~ bridges, bicycle
31 paths, and pedestrian pathways being constructed or built or

Bill No. SB 332Amendment No. 1 Barcode 114430

1 which will be hereafter constructed or built, including the
2 acquisition of rights-of-way as incident thereto, either by
3 the Department of Transportation or the several counties of
4 the state, were, are, and will be constructed and built as
5 general public projects and undertakings and that the cost of
6 the construction and building thereof, including the
7 acquisition of rights-of-way as incident thereto, was, is, and
8 will be legitimate, proper state expense incurred for a
9 general public and state purpose. And it is expressly
10 recognized and declared that the construction, reconstruction,
11 maintenance, and acquisition of rights-of-way of all secondary
12 roads are essential to the welfare of the state and that such
13 roads when constructed, reconstructed, or maintained, or such
14 rights-of-way when acquired, are and will be for a general
15 public and state purpose. And the Legislature has found and
16 hereby declares that for the proper and efficient construction
17 and maintenance of public highways designated state roads, it
18 is in the best interest of the state to further integrate the
19 activities of the Department of Transportation and the several
20 boards of county commissioners as provided in subsection (1)
21 in order that both state and local highway needs may be
22 adequately provided for.

23 Section 2. Subsection (2) of section 206.605, Florida
24 Statutes, is amended to read:

25 206.605 Municipal tax on motor fuel.--

26 (2) Funds available under this section shall be used
27 only for purchase of transportation facilities and road and
28 street rights-of-way;~~i7~~ construction, reconstruction, and
29 maintenance of roads, ~~and~~ streets, bicycle paths, and
30 pedestrian pathways; ~~for the~~ adjustment of city-owned
31 utilities as required by road and street construction;~~i7~~ and

Bill No. SB 332

Amendment No. 1 Barcode 114430

1 ~~the~~ construction, reconstruction, transportation-related
 2 public safety activities, maintenance, and operation of
 3 transportation facilities. Municipalities are authorized to
 4 expend the funds received under this section in conjunction
 5 with other cities or counties or state or federal government
 6 in joint projects.

7

8 (Redesignate subsequent sections.)

9

10

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

12 And the title is amended as follows:

13 On page 1, line 3, after the semicolon,

14

15 insert:

16 amending ss. 206.60 and 206.605, F.S.;

17 including bicycle paths and pedestrian pathways

18 within authorized uses of proceeds of county

19 and municipal taxes on motor fuel;

20

21

22

23

24

25

26

27

28

29

30

31