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CHAMBER ACTION

Senate

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House

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1 Senator Alexander moved the following **amendment to amendment**
2 **(844108)** :

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

5 Between line(s) 2741-2742

6 insert:

7 Section 66. Paragraph (d) of subsection (10) of section
8 768.28, Florida Statutes, is amended to read:

9 768.28 Waiver of sovereign immunity in tort actions;
10 recovery limits; limitation on attorney fees; statute of
11 limitations; exclusions; indemnification; risk management
12 programs.--

13 (10)

14 (d) For the purposes of this section, operators,
15 dispatchers, and providers of security for rail services and rail
16 facility maintenance providers in the South Florida Rail
17 Corridor, or any of their employees or agents, performing such



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18 services under contract with and on behalf of the South Florida
19 Regional Transportation Authority or the Department of
20 Transportation shall be considered agents of the state while
21 acting within the scope of and pursuant to guidelines established
22 in said contract or by rule. This paragraph applies only to
23 contracts in effect on the effective date of this act and only to
24 the initial term of such contracts.

25
26 Section 67. Section 343.58, Florida Statutes, is amended to
27 read:

28 343.58 County funding for the South Florida Regional
29 Transportation Authority.--

30 (1) Each county served by the South Florida Regional
31 Transportation Authority must dedicate and transfer not less than
32 \$2.67 million to the authority annually. The recurring annual
33 \$2.67 million must be dedicated by the governing body of each
34 county before October 31 of each fiscal year.

35 ~~(2) At least \$45 million of a state authorized, local~~
36 ~~option recurring funding source available to Broward, Miami Dade,~~
37 ~~and Palm Beach counties is directed to the authority to fund its~~
38 ~~capital, operating, and maintenance expenses. The funding source~~
39 ~~shall be dedicated to the authority only if Broward, Miami Dade,~~
40 ~~and Palm Beach counties impose the local option funding source.~~

41 (2) ~~(3)~~ In addition, each county shall continue to annually
42 fund the operations of the South Florida Regional Transportation
43 Authority in an amount not less than \$1.565 million. Revenue
44 raised pursuant to this subsection shall also be considered a
45 dedicated funding source.

46 (3) ~~(4)~~ ~~The current funding obligations under subsections~~
47 ~~(1) and (3) shall cease upon commencement of the collection of~~



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48 ~~funding from the funding source under subsection (2). If the~~
49 ~~funding under subsection (2) is discontinued for any reason, the~~
50 ~~funding obligations under subsections (1) and (3) shall resume~~
51 ~~when collection from the funding source under subsection (2)~~
52 ~~ceases. Payment by the counties shall be on a pro rata basis the~~
53 ~~first year following cessation of the funding under subsection~~
54 ~~(2). The authority shall refund a pro rata share of the payments~~
55 ~~for the current fiscal year made pursuant to the current funding~~
56 ~~obligations under subsections (1) and (3) as soon as reasonably~~
57 ~~practicable after it begins to receive funds under subsection~~
58 ~~(2).~~ If, by December 31, 2015, the South Florida Regional
59 Transportation Authority has not received federal matching funds
60 based upon the dedication of funds under subsection (1),
61 subsection (1) shall be repealed.

62 Section 68. Paragraph (b) of subsection (4) of section
63 341.303, Florida Statutes, is amended to read:

64 341.303 Funding authorization and appropriations;
65 eligibility and participation.--

66 (4) FUND PARTICIPATION; SERVICE DEVELOPMENT.--

67 (b) The department is authorized to fund up to 100 percent
68 of the net operating costs of any eligible intercity or commuter
69 rail service development project that is statewide in scope or
70 involves more than one county if no other governmental unit of
71 appropriate jurisdiction exists. For commuter rail service, after
72 the 5th year of operation, the department's participation is
73 limited to a maximum of 50 percent of the net operating costs of
74 the service. For commuter rail service, after the 15th year of
75 operation, the department shall not fund any portion of the net
76 operating costs of the service.

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78 | ===== T I T L E A M E N D M E N T =====

79 | And the title is amended as follows:

80 | On line 3048, after the semicolon,
81 | insert:

82 | amending s. 768.28, F.S.; limiting the extension of
83 | sovereign immunity to commuter rail systems operating
84 | under a contract as of the effective date of this act;
85 | amending s. 343.58, F.S.; deleting provisions relating to
86 | state-authorized, local option recurring funding for the
87 | South Florida Regional Transportation Authority; amending
88 | s. 341.303, F.S.; limiting the funding of net operating
89 | costs for commuter rail service;