

1 A bill to be entitled
 2 An act relating to transportation projects; amending s.
 3 339.12, F.S.; revising provisions authorizing the
 4 Department of Transportation to enter into an agreement
 5 with another governmental entity to complete a project or
 6 project phase that is not in the department's adopted work
 7 program; specifying that the agreement may be long term;
 8 removing certain limitations and requirements; providing
 9 an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (4) of section 339.12, Florida
 14 Statutes, is amended to read:

15 339.12 Aid and contributions by governmental entities for
 16 department projects; federal aid.--

17 (4) (a) Prior to accepting the contribution of road bond
 18 proceeds, time warrants, or cash for which reimbursement is
 19 sought, the department shall enter into agreements with the
 20 governing body of the governmental entity for the project or
 21 project phases in accordance with specifications agreed upon
 22 between the department and the governing body of the
 23 governmental entity. The department in no instance is to receive
 24 from such governmental entity an amount in excess of the actual
 25 cost of the project or project phase. By specific provision in
 26 the written agreement between the department and the governing
 27 body of the governmental entity, the department may agree to
 28 reimburse the governmental entity for the actual amount of the

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29 | bond proceeds, time warrants, or cash used on a highway project
30 | or project phases that are not revenue producing and are
31 | contained in the department's adopted work program, or any
32 | public transportation project contained in the adopted work
33 | program. Subject to appropriation of funds by the Legislature,
34 | the department may commit state funds for reimbursement of such
35 | projects or project phases. Reimbursement to the governmental
36 | entity for such a project or project phase must be made from
37 | funds appropriated by the Legislature, and reimbursement for the
38 | cost of the project or project phase is to begin in the year the
39 | project or project phase is scheduled in the work program as of
40 | the date of the agreement. Funds advanced pursuant to this
41 | section, which were originally designated for transportation
42 | purposes and so reimbursed to a county or municipality, shall be
43 | used by the county or municipality for any transportation
44 | expenditure authorized under s. 336.025(7). Also, cities and
45 | counties may receive funds from persons, and reimburse those
46 | persons, for the purposes of this section. Such persons may
47 | include, but are not limited to, those persons defined in s.
48 | 607.01401(19).

49 | (b) Prior to entering an agreement to advance a project or
50 | project phase pursuant to this subsection and subsection (5),
51 | the department shall first update the estimated cost of the
52 | project or project phase and certify that the estimate is
53 | accurate and consistent with the amount estimated in the adopted
54 | work program. If the original estimate and the updated estimate
55 | vary, the department shall amend the adopted work program
56 | according to the amendatory procedures for the work program set

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57 | forth in s. 339.135(7). The amendment shall reflect all
58 | corresponding increases and decreases to the affected projects
59 | within the adopted work program.

60 | (c) The department may enter into agreements under this
61 | subsection for a project or project phase not included in the
62 | adopted work program. As used in this paragraph, the term
63 | "project phase" means acquisition of rights-of-way,
64 | construction, construction inspection, and related support
65 | phases. The project or project phase must be a high priority of
66 | the governmental entity. The authority contained in this
67 | paragraph is intended to permit the department to enter into
68 | long-term repayment agreements of up to 30 years with no
69 | requirement that the project or project phase be contained in
70 | the adopted work program ~~Reimbursement for a project or project~~
71 | ~~phase must be made from funds appropriated by the Legislature~~
72 | ~~pursuant to s. 339.135(5). All other provisions of this~~
73 | ~~subsection apply to agreements entered into under this~~
74 | ~~paragraph. The total amount of project agreements for projects~~
75 | ~~or project phases not included in the adopted work program may~~
76 | ~~not at any time exceed \$100 million. However, notwithstanding~~
77 | ~~such \$100 million limit and any similar limit in s. 334.30,~~
78 | ~~project advances for any inland county with a population greater~~
79 | ~~than 500,000 dedicating amounts equal to \$500 million or more of~~
80 | ~~its Local Government Infrastructure Surtax pursuant to s.~~
81 | ~~212.055(2) for improvements to the State Highway System which~~
82 | ~~are included in the local metropolitan planning organization's~~
83 | ~~or the department's long-range transportation plans shall be~~

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84 ~~excluded from the calculation of the statewide limit of project~~
85 ~~advances.~~

86 Section 2. This act shall take effect July 1, 2008.