

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Galvano offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 2466 and 2467, insert:

5 Section 54. Subsection (1) of section 120.52, Florida  
6 Statutes, is amended to read:

7 120.52 Definitions.--As used in this act:

8 (1) "Agency" means:

9 (a) The Governor in the exercise of all executive powers  
10 other than those derived from the constitution.

11 (b) Each:

12 1. State officer and state department, and each  
13 departmental unit described in s. 20.04.

14 2. Authority, including a regional water supply authority.

15 3. Board, including the Board of Governors of the State  
16 University System and a state university board of trustees when  
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17 acting pursuant to statutory authority derived from the  
18 Legislature.

19 4. Commission, including the Commission on Ethics and the  
20 Fish and Wildlife Conservation Commission when acting pursuant  
21 to statutory authority derived from the Legislature.

22 5. Regional planning agency.

23 6. Multicounty special district with a majority of its  
24 governing board comprised of nonelected persons.

25 7. Educational units.

26 8. Entity described in chapters 163, 373, 380, and 582 and  
27 s. 186.504.

28 (c) Each other unit of government in the state, including  
29 counties and municipalities, to the extent they are expressly  
30 made subject to this act by general or special law or existing  
31 judicial decisions.

32  
33 This definition does not include any legal entity or agency  
34 created in whole or in part pursuant to chapter 361, part II,  
35 any metropolitan planning organization created pursuant to s.  
36 339.175, any separate legal or administrative entity created  
37 pursuant to s. 339.175 of which a metropolitan planning  
38 organization is a member, an expressway authority pursuant to  
39 chapter 348 or any transportation authority under chapter 343 or  
40 chapter 349, any legal or administrative entity created by an  
41 interlocal agreement pursuant to s. 163.01(7), unless any party  
42 to such agreement is otherwise an agency as defined in this  
43 subsection, or any multicounty special district with a majority

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44 of its governing board comprised of elected persons; however,  
45 this definition shall include a regional water supply authority.

46 Section 55. Paragraph (a) of subsection (2) of section  
47 212.0606, Florida Statutes, is amended to read:

48 212.0606 Rental car surcharge.--

49 (2) (a) Notwithstanding the provisions of section 212.20,  
50 and less costs of administration, 80 percent of the proceeds of  
51 this surcharge shall be deposited in the State Transportation  
52 Trust Fund, 15.75 percent of the proceeds of this surcharge  
53 shall be deposited in the Tourism Promotional Trust Fund created  
54 in s. 288.122, and 4.25 percent of the proceeds of this  
55 surcharge shall be deposited in the Florida International Trade  
56 and Promotion Trust Fund. Of the proceeds subject to be  
57 deposited into the State Transportation Trust Fund, in fiscal  
58 year 2008-2009 and each year thereafter, the proceeds collected  
59 within each county within the service territory of the South  
60 Florida Regional Transportation Authority established under  
61 chapter 343 shall be deposited into an account of the authority.  
62 The Northwest Florida Transportation Corridor Authority and the  
63 Tampa Bay Area Regional Transportation Authority established  
64 under chapter 343 may receive the proceeds deposited into the  
65 State Transportation Trust Fund that are attributed to each  
66 county within the service territory of that authority, by  
67 notifying the department of such election in writing. The  
68 election shall not be effective until the first day of the month  
69 following 60 days after the department receives written  
70 notification from that authority. For the purposes of this  
71 subsection, "proceeds" of the surcharge means all funds

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72 collected and received by the department under this section,  
73 including interest and penalties on delinquent surcharges. The  
74 department shall provide the Department of Transportation rental  
75 car surcharge revenue information for the previous state fiscal  
76 year by September 1 of each year. Monthly proceeds due to each  
77 regional transportation authority under this paragraph shall be  
78 based upon the percentage attributable to each participating  
79 county as determined in this paragraph as of September 1 of the  
80 preceding fiscal year, which shall be used for the subsequent  
81 fiscal year.

82 Section 56. Paragraph (a) of subsection (4) of section  
83 341.303, Florida Statutes, is amended to read:

84 341.303 Funding authorization and appropriations;  
85 eligibility and participation.--

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

87 (a) The department may ~~is authorized to~~ fund up to 50  
88 percent of the net operating costs of any eligible intercity or  
89 commuter rail service development project that is local in  
90 scope, not to exceed the local match, except the department has  
91 no obligation to provide such funding to any regional  
92 transportation authority established pursuant to chapter 343 if  
93 such authority receives a recurring dedicated funding source  
94 that provides 80 percent of the amount of rental car surcharge  
95 proceeds collected pursuant to s. 212.0606(2)(c) in counties  
96 within the authority's service territory or an equivalent  
97 recurring funding source and after receipt of funds from such  
98 recurring dedicated funding source begins. If such receipt of  
99 funds begins in the middle of a fiscal year, the department's

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100 funding of any of the authority's operating costs pursuant to  
101 this paragraph shall be prorated. If the funding source is  
102 discontinued for any reason, the department shall have the same  
103 authorization to fund net operating costs of the authority as  
104 any other commuter rail service in the state.

105 Section 57. Section 343.58, Florida Statutes, is amended  
106 to read:

107 343.58 County funding for the South Florida Regional  
108 Transportation Authority.--

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

114 (2) ~~If At least \$45 million of a state-authorized, local~~  
115 ~~option recurring funding source is dedicated available to~~  
116 ~~Broward, Miami Dade, and Palm Beach counties is directed to the~~  
117 ~~authority to fund its capital, operating, and maintenance~~  
118 ~~expenses, which source provides at least 80 percent of the~~  
119 ~~amount of rental car surcharge revenues collected pursuant to s.~~  
120 ~~212.0606 in counties within the authority's service territory or~~  
121 ~~is an equivalent recurring funding source, counties within the~~  
122 ~~authority's service territory may be relieved of their funding~~  
123 ~~obligation under subsections (1) and (3). The funding source~~  
124 ~~shall be dedicated to the authority only if Broward, Miami Dade,~~  
125 ~~and Palm Beach counties impose the local option funding source.~~

126 (3) In addition, each county shall continue to annually  
127 fund the operations of the South Florida Regional Transportation

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128 Authority in an amount not less than \$1.565 million. Revenue  
129 raised pursuant to this subsection shall also be considered a  
130 dedicated funding source.

131 ~~(4) The current funding obligations under subsections (1)~~  
132 ~~and (3) shall cease upon commencement of the collection of~~  
133 ~~funding from the funding source under subsection (2).~~ If the  
134 funding under subsection (2) is discontinued for any reason, the  
135 funding obligations under subsections (1) and (3) shall resume  
136 when collection from the funding source under subsection (2)  
137 ceases. If counties are relieved of any funding obligations  
138 under subsections (1) and (3):

139 (a) Payment by the counties shall be on a pro rata basis  
140 the first year following collection cessation of the funding  
141 under subsection (2).

142 (b) The authority shall refund a pro rata share of the  
143 payments for the current fiscal year made pursuant to the  
144 current funding obligations under subsections (1) and (3) as  
145 soon as reasonably practicable after it begins to receive funds  
146 under subsection (2).

147

148 If, by December 31, 2015, the South Florida Regional  
149 Transportation Authority has not received federal matching funds  
150 based upon the dedication of funds under subsection (1),  
151 subsection (1) shall be repealed.

152 Section 58. Sections 343.71, 343.72, 343.73, 343.74,  
153 343.75, 343.76, and 343.77, Florida Statutes, are repealed.

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**T I T L E   A M E N D M E N T**

Remove line 210 and insert:

an exception; amending s. 120.52, F.S.; revising a definition;  
amending s. 212.0606, F.S.; requiring deposit into an account of  
the South Florida Regional Transportation Authority certain  
proceeds subject to being deposited into the State  
Transportation Trust Fund and collected within certain counties  
within the service area of the authority; authorizing certain  
other regional transportation authorities to elect to receive  
certain proceeds subject to being deposited into the State  
Transportation Trust Fund and collected within certain counties  
within the service area of such authorities; requiring notice to  
the Department of Revenue of such election; providing an  
effective date for such election; providing a method for  
determining amounts due to such authorities; amending s.  
341.303, F.S.; relieving the department's funding obligation to  
certain regional transportation authorities to conform; revising  
the department's obligation to fund certain regional  
transportation authorities under certain circumstances; amending  
s. 343.58, F.S.; relieving certain counties of certain funding  
obligations to the South Florida Regional Transportation  
Authority under certain circumstances to conform; repealing part  
III of chapter 343, F.S., relating to the Tampa Bay Commuter  
Transit Authority; providing an effective date.

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