

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Galvano offered the following:

2
3 **Amendment to Amendment (615905) (with title amendment)**

4 Between lines 1988 and 1989, insert:

5 Section 48. 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
397119

4/24/2008 6:04 PM

Amendment No.

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

397119

4/24/2008 6:04 PM

Amendment No.

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

46 Section 49. 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

397119

4/24/2008 6:04 PM

Amendment No.

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 50. 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

397119

4/24/2008 6:04 PM

Amendment No.

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 51. 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

397119

4/24/2008 6:04 PM

Amendment No.

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 52. 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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397119

4/24/2008 6:04 PM

Amendment No.

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

Between lines 2171 and 2172, insert:

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;