

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1297 Northeast Florida Regional Transportation
SPONSOR(S): Roads, Bridges & Ports Policy Committee; Gibson and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2470

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	10 Y, 0 N, As CS	Johnson	Miller
2)	Transportation & Economic Development Appropriations Committee	8 Y, 0 N	Fennell	Creamer
3)	Economic Development Policy Committee	13 Y, 0 N	Johnson	Tinker
4)				
5)				

SUMMARY ANALYSIS

The Jacksonville Transportation Authority (JTA) is an independent special district that provides regional transit services and roadway infrastructure connecting Northeast Florida.

In 2009, the Legislature required the Department of Transportation to direct a study to be conducted and funded by JTA to consider a framework for creating a transportation authority in the northeast region of Florida. The required report was completed and received by the Legislature on February 1, 2010. One of the report's recommendations is for the Legislature to form a Regional Transportation Study Commission to finalize the analysis in the report and to prepare draft legislation on forming the Regional transportation Authority (RTA).

The bill creates the Northeast Florida Regional Transportation Study Commission. The commission will be composed of citizens from Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns, with nonvoting representatives from the JTA, DOT, the Northeast Florida Regional Council, and the North Florida Transportation Planning Organization. The commission will be staffed and funded by JTA.

By December 31, 2012, the commission is required to prepare a report detailing its findings and making specific legislative recommendations, including:

- A regional transportation elements plan;
- The defining characteristics of transportation elements of regional significance;
- An implementation plan for undertaking a regional transportation elements plan, which may include the establishment of the regional transportation authority,
- Draft legislation consistent with this act; and
- Any other recommendations the commission deems appropriate.

The commission terminates upon the delivery of the final report.

The commission will be funded by JTA and does not have a fiscal impact on state government.

The bill has an effective date of July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Currently, there are five Florida regional transportation authorities created pursuant to ch. 343, F.S.: the South Florida Regional Transportation Authority; the Central Florida Regional Transportation Authority; the Tampa Bay Commuter Transit Authority; the Northwest Florida Regional Transportation Corridor Authority; and the Bay Area Regional Transportation Authority. One local transportation authority, the Jacksonville Transportation Authority, was created in ch. 349, F.S. These six authorities have various membership structures, powers and duties. All have some form of bond financing authority to allow for the implementation of their individual transportation missions.

The Jacksonville Transportation Authority (JTA) is an independent special district that provides regional transit services and roadway infrastructure connecting Northeast Florida. The governing body of the JTA consists of seven members. Three members are appointed by the Governor and confirmed by the Senate. Three members are appointed by the mayor of the City of Jacksonville and are subject to confirmation by the Jacksonville City Council. The seventh non-voting member is the district secretary of the Department of Transportation (DOT) for the district that contains the City of Jacksonville. Except for the district secretary, all members must be residents and qualified electors of Duval County and serve four-year terms.

In 2009, Section 20 of HB 1213 required DOT to direct a study to be conducted and funded by JTA to consider a framework for creating a transportation authority in the northeast region of Florida. The required report was completed and received by the Legislature on February 1, 2010.¹ One of the report's recommendations is for the Legislature to form a Regional Transportation Study Commission to finalize the analysis in the report and to prepare draft legislation on forming the Regional transportation Authority (RTA).

Proposed Changes

The bill creates the Northeast Florida Regional Transportation Study Commission. The commission will be composed of 20 members designated as follows:

¹ A copy of the report is available at <http://www.jtafla.com/Projects/showPage.aspx?Sel=213>

- Two citizens from each of the following counties; appointed by the County Commissioners of each county: Baker, Clay, Flagler, Nassau, Putnam, and St. Johns.
- Four citizens from Duval County appointed by the Jacksonville City Council.
- The chair of the JTA, who serves as chair of the commission.
- The Department of Transportation, District II Secretary, who is a nonvoting member.
- The chair of the Northeast Florida Regional Council, who is a nonvoting member.
- The chair of the North Florida Transportation Planning Organization, who is a nonvoting member.

Members serve until the work of the commission is complete and the commission is terminated. The chair of the JTA, the DOT District Secretary, the chair of the Northeast Florida Regional Council, and the chair of the North Florida Transportation Planning Organization stop being members if they no longer hold the position indicated in the bill. If this occurs, the members would be replaced by their successor in the position.

The members of the commission will serve without compensation, but will be reimbursed for all necessary expenses related to performing their duties, including travel expenses, pursuant to s. 112.061, F.S.

A county commission or the Jacksonville City Council may, for cause, remove or suspend a member it appoints, including, but not limited to, failure to attend two or more commission meetings during a 9-month period.

JTA's staff will act as the commission's staff and supply such information, assistance, and facilities as deemed necessary for the commission to carry out its duties. The commission will be funded by the JTA with its existing resources and by funds that may be provided by counties participating in the commission. This funding, including the cost of staffing, shall be determined by JTA's board.

The commission is to have committees with such membership, duties, and other matters as determined by the chair. The members of the committee do not need to be members of the commission and may include persons from airport authorities, port authorities, rail or other transportation industries, and others. All committees are required to report at each commission meeting and present their final reports for consideration by the commission at the direction of the chair.

The commission is to meet at the times and locations determined by the chair. The bill requires there to be regular monthly meetings, to the extent reasonably convenient, that are held in one or more central locations; however, at least one meeting must be held in each of the counties throughout the region. Each meeting must allow for public comments.

The commission is required to make available to the public its meeting minutes, reports, and recommendations upon request and to the extent feasible, shall publish its reports and recommendations electronically. JTA is required to make its Internet website available to the commission for this purpose.

The commission, by December 31, 2012, shall prepare and submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing its findings and making specific legislative recommendations, including:

- A regional transportation elements plan;
- The defining characteristics of transportation elements of regional significance;
- An implementation plan for undertaking a regional transportation elements plan, which may include the establishment of the regional transportation authority;
- Draft legislation consistent with this act; and
- Any other recommendations the commission deems appropriate.

The bill provides that a county's membership on the commission, and the participation of the county's appointees in the work of the commission, is not intended to constitute the county's consent to be included within the jurisdiction of a regional transportation authority.

The bill provides that the act expires and the commission terminates upon delivery of its final report.

The bill has an effective date of July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Creating the Northeast Florida Regional Transportation Study Commission; providing for membership and organization; providing for reimbursement of expenses; providing for removal and suspension of commission members; providing for staff of the JTA to act as staff to the commission; providing for the JTA to staff the commission, providing for funding of the commission; providing that the costs of staffing and the amount of funding are determined by the board of JTA; providing for committees within the commission; providing for commission meetings; providing for the commission to make available to the public its meeting minutes, reports, and recommendations and publish its reports and recommendations electronically; directing JTA to make its Internet site available for such purposes; requiring the commission to submit reports to the Governor and the Legislature; providing that a county's membership in the commission and participation of a county's appointees does not constitute consent of the county to inclusion within the jurisdiction of a regional transportation authority; providing for expiration of the act and termination of the commission.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

Primary funding for the commission will come from JTA and is subject to approval by the board of JTA. Other local funding for the commission could be provided at the option of the local governments in the affected counties. JTA estimates that the total cost for the commission will be approximately \$1.5 million.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 17, 2010, the Roads, Bridges & Ports policy committee adopted one amendment and reported the bill favorable as a committee substitute. The amendment clarifies that the commission is staffed and funded by JTA, with other participating counties being allowed to provide funds, as determined by JTA's board.