

1 A bill to be entitled
 2 An act relating to transportation project funding;
 3 redirecting funds in the State Transportation Trust Fund
 4 and portions of amounts contracted for construction
 5 projects of the Department of Transportation to be used
 6 for prioritized projects; amending s. 212.0606, F.S.,
 7 relating to a rental car surcharge; revising the use of
 8 allocated proceeds; amending s. 334.044, F.S., relating to
 9 powers and duties of the department; revising the
 10 allocation of a certain percentage amount of contracted
 11 funds; directing unused portions of such funds be
 12 reallocated; amending s. 339.135, F.S., relating to the
 13 department's adopted work program; providing for certain
 14 unencumbered and available funds remaining in the adopted
 15 work program due to certain cost savings be reallocated;
 16 amending s. 339.55, F.S., relating to the state-funded
 17 infrastructure bank; directing the department to deposit
 18 certain funds into the bank; providing a contingent
 19 effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Subsection (2) of section 212.0606, Florida
 24 Statutes, is amended to read:

25 212.0606 Rental car surcharge.—

26 (2) (a) Notwithstanding the provisions of section 212.20,
 27 and less costs of administration, 80 percent of the proceeds of
 28 this surcharge shall be deposited in the State Transportation

29 Trust Fund, 15.75 percent of the proceeds of this surcharge
 30 shall be deposited in the Tourism Promotional Trust Fund created
 31 in s. 288.122, and 4.25 percent of the proceeds of this
 32 surcharge shall be deposited in the Florida International Trade
 33 and Promotion Trust Fund. For the purposes of this subsection,
 34 "proceeds" of the surcharge means all funds collected and
 35 received by the department under this section, including
 36 interest and penalties on delinquent surcharges. The department
 37 shall provide the Department of Transportation rental car
 38 surcharge revenue information for the previous state fiscal year
 39 by September 1 of each year.

40 (b) Notwithstanding any other provision of law, ~~in fiscal~~
 41 ~~year 2007-2008 and each year thereafter,~~ the proceeds deposited
 42 in the State Transportation Trust Fund shall be allocated on an
 43 annual basis in the Department of Transportation's work program
 44 to each department district, except the Turnpike District. The
 45 amount allocated for each district shall be based upon the
 46 amount of proceeds attributed to the counties within each
 47 respective district.

48 (c) Notwithstanding any other provision of law, in fiscal
 49 year 2016-2017 and each year thereafter, the funds allocated to
 50 the districts under paragraph (b) shall be cumulatively applied
 51 by the district secretary to fund the prioritized list of
 52 projects within the district as identified by the Trade
 53 Infrastructure Steering Committee.

54 Section 2. Subsection (26) of section 334.044, Florida
 55 Statutes, is amended to read:

56 334.044 Department; powers and duties.—The department

HB 1155

2011

57 shall have the following general powers and duties:

58 (26) To fund projects pursuant to this paragraph. No less
59 than 1.5 percent of the amount contracted for construction
60 projects shall be allocated by the department as follows:

61 (a) One percent shall be allocated to help fund priority
62 projects identified by the Trade Infrastructure Investment
63 Steering Committee pursuant to s. 340.101.

64 (b) One-half of one percent shall be allocated to provide
65 for the enhancement of environmental benefits, including air and
66 water quality; to prevent roadside erosion; to conserve the
67 natural roadside growth and scenery; and to provide for the
68 implementation and maintenance of roadside conservation,
69 enhancement, and stabilization programs. The department shall
70 allocate this amount ~~No less than 1.5 percent of the amount~~
71 ~~contracted for construction projects shall be allocated by the~~
72 ~~department~~ for the purchase of plant materials, with, to the
73 greatest extent practical, a minimum of 50 percent of these
74 funds for large plant materials and the remaining funds for
75 other plant materials. All such plant materials shall be
76 purchased from Florida commercial nursery stock in this state on
77 a uniform competitive bid basis. The department will develop
78 grades and standards for landscaping materials purchased through
79 this process. To accomplish these activities, the department
80 may contract with nonprofit organizations having the primary
81 purpose of developing youth employment opportunities. Any
82 unencumbered funds allocated pursuant to this paragraph on
83 January 1 or June 30 of each fiscal year shall be reallocated
84 for the purposes described in paragraph (a).

HB 1155

2011

85 Section 3. Paragraph (j) is added to subsection (7) of
 86 section 339.135, Florida Statutes, to read:

87 339.135 Work program; legislative budget request;
 88 definitions; preparation, adoption, execution, and amendment.—

89 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

90 (j) Notwithstanding any other provision of law, the
 91 portion of unencumbered and available funds remaining in the
 92 adopted work program due to cost savings on project procurement
 93 when the bid or negotiated amount is lower than the department's
 94 estimate for the project shall be made available for priority
 95 projects identified by the Trade Infrastructure Investment
 96 Steering Committee pursuant to s. 340.101; however, this shall
 97 not reallocate funds for uses outside the public transportation
 98 program that were previously allocated for a public
 99 transportation program in accordance with s. 206.46(3). The
 100 department shall review the cost savings from project
 101 procurements at the end of each quarter of the fiscal year to
 102 determine the availability of any funds generated by these cost
 103 savings. The department shall amend the work program to transfer
 104 at least 60 percent of such funds each year for priority
 105 projects identified pursuant to s. 340.101, provided the use of
 106 the funds under s. 340.101 must be in accordance with any
 107 limitations on the source of the funds as required by existing
 108 law.

109 Section 4. Subsection (11) is added to section 339.55,
 110 Florida Statutes, to read:

111 339.55 State-funded infrastructure bank.—

HB 1155

2011

112 (11) The department shall deposit no less than \$20 million
113 annually, in addition to scheduled project repayments from the
114 State Transportation Trust Fund, into the State Infrastructure
115 Bank beginning in fiscal year 2013-2014. The department shall
116 make this deposit in fiscal years 2011-2012 and 2012-2013 if the
117 revenue estimates from the Consensus Revenue Estimating
118 Conference increase the revenue estimate for the State
119 Transportation Trust Fund when compared to the prior revenue
120 estimate.

121 Section 5. This act shall take effect July 1, 2011, if
122 House Bill 1153 or substantially similar legislation is adopted
123 in the same legislative session or an extension thereof and
124 becomes law.