

By the Committee on Transportation; and Senator Ring

596-02884-11

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

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

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

26 212.0606 Rental car surcharge.—

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

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

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

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

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

57 334.044 Department; powers and duties.—The department shall
58 have the following general powers and duties:

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

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

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

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;

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88 definitions; preparation, adoption, execution, and amendment.—

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

90 (j) Notwithstanding any other provision of law, the portion
91 of unencumbered and available funds remaining in the adopted
92 work program due to cost savings on project procurement when the
93 bid or negotiated amount is lower than the department's estimate
94 for the project shall be made available for priority projects
95 identified by the Trade Infrastructure Investment Steering
96 Committee pursuant to s. 340.101; however, this shall not
97 reallocate funds for uses outside the public transportation
98 program which 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.—

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 the 2013-2014 fiscal year. The department
116 shall make this deposit in the 2011-2012 and 2012-2013 fiscal

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117 years if the revenue estimates from the Consensus Revenue
118 Estimating Conference increase the revenue estimate for the
119 State Transportation Trust Fund when compared to the prior
120 revenue estimate.

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