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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/CR	.	
05/06/2011 09:02 PM	.	
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The Conference Committee on SB 2152 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsection (17) is added to section 120.80,
7 Florida Statutes, to read:

8 120.80 Exceptions and special requirements; agencies.—

9 (17) DEPARTMENT OF TRANSPORTATION.—Sections 120.54(3)(b)
10 and 120.541 do not apply to the adjustment of tolls pursuant to
11 s. 338.165(3).

12 Section 2. Subsection (3) of section 338.26, Florida
13 Statutes, is amended to read



14 338.26 Alligator Alley toll road.-
15 (3) Fees generated from tolls shall be deposited in the
16 State Transportation Trust Fund, and any amount of funds
17 generated annually in excess of that required to reimburse
18 outstanding contractual obligations, to operate and maintain the
19 highway and toll facilities, including reconstruction and
20 restoration, ~~and~~ to pay for those projects that are funded with
21 Alligator Alley toll revenues and that are contained in the
22 1993-1994 adopted work program or the 1994-1995 tentative work
23 program submitted to the Legislature on February 22, 1994, and
24 to develop and operate a fire station at mile marker 63 on
25 Alligator Alley to provide fire, rescue, and emergency
26 management services to the adjacent counties along Alligator
27 Alley, may be transferred to the Everglades Fund of the South
28 Florida Water Management District. The South Florida Water
29 Management District shall deposit funds for projects undertaken
30 pursuant to s. 373.4592 in the Everglades Trust Fund pursuant to
31 s. 373.45926(4)(a). Any funds remaining in the Everglades Fund
32 may be used for environmental projects to restore the natural
33 values of the Everglades, subject to compliance with any
34 applicable federal laws and regulations. Projects shall be
35 limited to:
36 (a) Highway redesign to allow for improved sheet flow of
37 water across the southern Everglades.
38 (b) Water conveyance projects to enable more water
39 resources to reach Florida Bay to replenish marine estuary
40 functions.
41 (c) Engineering design plans for wastewater treatment
42 facilities as recommended in the Water Quality Protection



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43 Program Document for the Florida Keys National Marine Sanctuary.

44 (d) Acquisition of lands to move STA 3/4 out of the Toe of
45 the Boot, provided such lands are located within 1 mile of the
46 northern border of STA 3/4.

47 (e) Other Everglades Construction Projects as described in
48 the February 15, 1994, conceptual design document.

49 Section 3. Subsection (6) of section 343.805, Florida
50 Statutes, is repealed.

51 Section 4. Paragraph (b) of subsection (2) and paragraph
52 (a) of subsection (3) of section 343.835, Florida Statutes, are
53 amended to read:

54 343.835 Bonds of the authority.—

55 (2) Any such resolution or resolutions authorizing any
56 bonds hereunder may contain provisions that are part of the
57 contract with the holders of such bonds, as to:

58 (b) The completion, improvement, operation, extension,
59 maintenance, repair, or lease, ~~or lease-purchase agreement~~ of
60 the system, and the duties of the authority and others,
61 ~~including the department~~, with reference thereto.

62 (3) The authority may employ fiscal agents as provided by
63 this part or the State Board of Administration may, upon request
64 of the authority, act as fiscal agent for the authority in the
65 issuance of any bonds that are issued pursuant to this part, and
66 the State Board of Administration may, upon request of the
67 authority, take over the management, control, administration,
68 custody, and payment of any or all debt services or funds or
69 assets now or hereafter available for any bonds issued pursuant
70 to this part. The authority may enter into any deeds of trust,
71 indentures, or other agreements with its fiscal agent, or with



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72 any bank or trust company within or without the state, as
73 security for such bonds and may, under such agreements, sign and
74 pledge all or any of the revenues, rates, fees, rentals, or
75 other charges or receipts of the authority. Such deed of trust,
76 indenture, or other agreement may contain such provisions as are
77 customary in such instruments or, as the authority authorizes,
78 including, but without limitation, provisions as to:

79 (a) The completion, improvement, operation, extension,
80 maintenance, repair, and lease of ~~or lease-purchase agreement~~
81 ~~relating to~~ U.S. 98 corridor improvements and the duties of the
82 authority and others, ~~including the department,~~ with reference
83 thereto.

84 Section 5. Section 343.836, Florida Statutes, is amended to
85 read:

86 343.836 Remedies of the bondholders.—

87 (1) The rights and the remedies in this section conferred
88 upon or granted to the bondholders are in addition to and not in
89 limitation of any rights and remedies lawfully granted to such
90 bondholders by the resolution or resolutions providing for the
91 issuance of bonds or by a ~~lease-purchase agreement,~~ deed of
92 trust, indenture, or other agreement under which the bonds may
93 be issued or secured. If the authority defaults in the payment
94 of the principal of or interest on any of the bonds issued
95 pursuant to the provisions of this part after such principal of
96 or interest on the bonds becomes due, whether at maturity or
97 upon call for redemption, ~~or the department defaults in any~~
98 ~~payments under, or covenants made in, any lease-purchase~~
99 ~~agreement between the authority and the department,~~ and such
100 default continues for a period of 30 days, or if the authority



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101 ~~or the department~~ fails or refuses to comply with the provisions
102 of this part or any agreement made with, or for the benefit of,
103 the holders of the bonds, the holders of 25 percent in aggregate
104 principal amount of the bonds then outstanding may appoint a
105 trustee to represent such bondholders for the purposes hereof,
106 if such holders of 25 percent in aggregate principal amount of
107 the bonds then outstanding shall first give notice of their
108 intention to appoint a trustee to the authority ~~and to the~~
109 ~~department~~. Such notice shall be deemed to have been given if
110 given in writing, deposited in a securely sealed postpaid
111 wrapper, mailed at a regularly maintained United States post
112 office box or station, and addressed, ~~respectively,~~ to the chair
113 of the authority ~~and to the secretary of the department at the~~
114 ~~principal office of the department~~.

115 (2) Such trustee and any trustee under any deed of trust,
116 indenture, or other agreement may, and upon written request of
117 the holders of 25 percent or such other percentages as are
118 specified in any deed of trust, indenture, or other agreement
119 aforesaid in principal amount of the bonds then outstanding
120 shall, in any court of competent jurisdiction, in his, her, or
121 its own name:

122 (a) By mandamus or other suit, action, or proceeding at law
123 or in equity, enforce all rights of the bondholders, including
124 the right to require the authority to fix, establish, maintain,
125 collect, and charge rates, fees, rentals, and other charges
126 adequate to carry out any agreement as to or pledge of the
127 revenues or receipts of the authority to carry out any other
128 covenants and agreements with or for the benefit of the
129 bondholders, and to perform its and their duties under this



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130 part.

131 ~~(b) By mandamus or other suit, action, or proceeding at law~~
132 ~~or in equity, enforce all rights of the bondholders under or~~
133 ~~pursuant to any lease purchase agreement between the authority~~
134 ~~and the department, including the right to require the~~
135 ~~department to make all rental payments required to be made by it~~
136 ~~under the provisions of any such lease purchase agreement, to~~
137 ~~require the department to carry out any other covenants and~~
138 ~~agreements with or for the benefit of the bondholders, and to~~
139 ~~perform its and their duties under this part.~~

140 (b)~~(e)~~ Bring suit upon the bonds.

141 (c)~~(d)~~ By action or suit in equity, require the authority
142 ~~or the department~~ to account as if it were the trustee of an
143 express trust for the bondholders.

144 (d)~~(e)~~ By action or suit in equity, enjoin any acts or
145 things that may be unlawful or in violation of the rights of the
146 bondholders.

147 (3) Any trustee, when appointed as aforesaid or acting
148 under a deed of trust, indenture, or other agreement, and
149 whether or not all bonds have been declared due and payable, may
150 appoint a receiver who may enter upon and take possession of the
151 system or the facilities or any part or parts thereof, the
152 rates, fees, rentals, or other revenues, charges, or receipts
153 from which are or may be applicable to the payment of the bonds
154 so in default, and, ~~subject to and in compliance with the~~
155 ~~provisions of any lease purchase agreement between the authority~~
156 ~~and the department,~~ operate and maintain the same for and on
157 behalf of and in the name of the authority, ~~the department,~~ and
158 the bondholders, and collect and receive all rates, fees,



159 rentals, and other charges or receipts or revenues arising
160 therefrom in the same manner as the authority ~~or the department~~
161 might do, and shall deposit all such moneys in a separate
162 account and apply such moneys in such manner as the court shall
163 direct. In any suit, action, or proceeding by the trustee, the
164 fees, counsel fees, and expenses of the trustee and the
165 receiver, if any, and all costs and disbursements allowed by the
166 court shall be a first charge on any rates, fees, rentals, or
167 other charges, revenues, or receipts derived from the system or
168 the facilities or services or any part or parts thereof,
169 ~~including payments under any such lease-purchase agreement as~~
170 ~~aforsaid,~~ which rates, fees, rentals, or other charges,
171 revenues, or receipts may be applicable to the payment of the
172 bonds so in default. Such trustee, in addition to the foregoing,
173 possesses all of the powers necessary for the exercise of any
174 functions specifically set forth herein or incident to the
175 representation of the bondholders in the enforcement and
176 protection of their rights.

177 (4) This section or any other section of this part does not
178 authorize any receiver appointed pursuant hereto for the
179 purpose, ~~subject to and in compliance with the provisions of any~~
180 ~~lease-purchase agreement between the authority and the~~
181 ~~department,~~ of operating and maintaining the system or any
182 facilities or part or parts thereof, to sell, assign, mortgage,
183 or otherwise dispose of any of the assets of whatever kind and
184 character belonging to the authority. It is the intention of
185 this part to limit the powers of such receiver, ~~subject to and~~
186 ~~in compliance with the provisions of any lease-purchase~~
187 ~~agreement between the authority and the department,~~ to the



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188 operation and maintenance of the system or any facility or part
189 or parts thereof, as the court may direct, in the name and for
190 and on behalf of the authority,~~the department,~~ and the
191 bondholders. In any suit, action, or proceeding at law or in
192 equity, a holder of bonds on the authority, a trustee, or any
193 court may not compel or direct a receiver to sell, assign,
194 mortgage, or otherwise dispose of any assets of whatever kind or
195 character belonging to the authority. A receiver also may not be
196 authorized to sell, assign, mortgage, or otherwise dispose of
197 any assets of whatever kind or character belonging to the
198 authority in any suit, action, or proceeding at law or in
199 equity.

200 Section 6. Section 343.837, Florida Statutes, is repealed.

201 Section 7. Section 343.885, Florida Statutes, is repealed.

202 Section 8. Section 343.91(1)(h), Florida Statutes, is
203 repealed.

204 Section 9. Paragraph (b) of subsection (3) and paragraph
205 (a) of subsection (4) of section 343.94, Florida Statutes, are
206 amended to read:

207 343.94 Bond financing authority.—

208 (3) Any such resolution or resolutions authorizing any
209 bonds hereunder may contain provisions that are part of the
210 contract with the holders of such bonds, as to:

211 (b) The completion, improvement, operation, extension,
212 maintenance, repair, or lease of,~~or lease-purchase agreement~~
213 ~~relating to,~~ the system and the duties of the authority and
214 others, including the department, with reference thereto.

215 (4) The authority may employ fiscal agents as provided by
216 this part or the State Board of Administration may, upon request



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217 of the authority, act as fiscal agent for the authority in the
218 issuance of any bonds that are issued pursuant to this part, and
219 the State Board of Administration may, upon request of the
220 authority, take over the management, control, administration,
221 custody, and payment of any or all debt services or funds or
222 assets now or hereafter available for any bonds issued pursuant
223 to this part. The authority may enter into any deeds of trust,
224 indentures, or other agreements with its fiscal agent, or with
225 any bank or trust company within or without the state, as
226 security for such bonds and may, under such agreements, sign and
227 pledge all or any of the revenues, rates, fees, rentals, or
228 other charges or receipts of the authority. Such deed of trust,
229 indenture, or other agreement may contain such provisions as are
230 customary in such instruments or as the authority authorizes,
231 including, but without limitation, provisions as to:

232 (a) The completion, improvement, operation, extension,
233 maintenance, repair, and lease of, ~~or lease-purchase agreement~~
234 ~~relating to~~, highway, bridge, and related transportation
235 facilities and appurtenances and the duties of the authority and
236 others, ~~including the department~~, with reference thereto.

237 Section 10. Section 343.944, Florida Statutes, is amended
238 to read:

239 343.944 Remedies of the bondholders.—

240 (1) The rights and the remedies in this section conferred
241 upon or granted to the bondholders are in addition to and not in
242 limitation of any rights and remedies lawfully granted to such
243 bondholders by the resolution or resolutions providing for the
244 issuance of bonds or by a ~~lease-purchase agreement~~, deed of
245 trust, indenture, or other agreement under which the bonds may



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246 be issued or secured. If the authority defaults in the payment
247 of the principal of or interest on any of the bonds issued
248 pursuant to the provisions of this part after such principal of
249 or interest on the bonds becomes due, whether at maturity or
250 upon call for redemption, ~~or the department defaults in any~~
251 ~~payments under, or covenants made in, any lease-purchase~~
252 ~~agreement between the authority and the department,~~ and such
253 default continues for a period of 30 days, or if the authority
254 or the department fails or refuses to comply with the provisions
255 of this part or any agreement made with, or for the benefit of,
256 the holders of the bonds, the holders of 25 percent in aggregate
257 principal amount of the bonds then outstanding may appoint a
258 trustee to represent such bondholders for the purposes hereof,
259 if such holders of 25 percent in aggregate principal amount of
260 the bonds then outstanding shall first give notice of their
261 intention to appoint a trustee to the authority ~~and to the~~
262 ~~department~~. Such notice shall be deemed to have been given if
263 given in writing, deposited in a securely sealed postpaid
264 wrapper, mailed at a regularly maintained United States post
265 office box or station, and addressed, respectively, to the chair
266 of the authority ~~and to the secretary of the department at the~~
267 ~~principal office of the department.~~

268 (2) Such trustee and any trustee under any deed of trust,
269 indenture, or other agreement may and, upon written request of
270 the holders of 25 percent or such other percentages as are
271 specified in any deed of trust, indenture, or other agreement
272 aforesaid in principal amount of the bonds then outstanding,
273 shall, in any court of competent jurisdiction, in his, her, or
274 its own name:



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275 (a) By mandamus or other suit, action, or proceeding at law
276 or in equity, enforce all rights of the bondholders, including
277 the right to require the authority to fix, establish, maintain,
278 collect, and charge rates, fees, rentals, and other charges
279 adequate to carry out any agreement as to or pledge of the
280 revenues or receipts of the authority, to carry out any other
281 covenants and agreements with or for the benefit of the
282 bondholders, and to perform its and their duties under this
283 part.

284 ~~(b) By mandamus or other suit, action, or proceeding at law~~
285 ~~or in equity, enforce all rights of the bondholders under or~~
286 ~~pursuant to any lease-purchase agreement between the authority~~
287 ~~and the department, including the right to require the~~
288 ~~department to make all rental payments required to be made by it~~
289 ~~under the provisions of any such lease-purchase agreement and to~~
290 ~~require the department to carry out any other covenants and~~
291 ~~agreements with or for the benefit of the bondholders and to~~
292 ~~perform its and their duties under this part.~~

293 (b)~~(e)~~ Bring suit upon the bonds.

294 (c)~~(d)~~ By action or suit in equity, require the authority
295 or the department to account as if it were the trustee of an
296 express trust for the bondholders.

297 (d)~~(e)~~ By action or suit in equity, enjoin any acts or
298 things that may be unlawful or in violation of the rights of the
299 bondholders.

300 (3) Any trustee, when appointed as aforesaid or acting
301 under a deed of trust, indenture, or other agreement, and
302 regardless of whether all bonds have been declared due and
303 payable, may appoint a receiver who may enter upon and take



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304 possession of the system or the facilities or any part or parts
305 thereof, the rates, fees, rentals, or other revenues, charges,
306 or receipts from which are or may be applicable to the payment
307 of the bonds so in default, ~~and, subject to and in compliance~~
308 ~~with the provisions of any lease-purchase agreement between the~~
309 ~~authority and the department,~~ operate and maintain the same for
310 and on behalf of and in the name of the authority, ~~the~~
311 ~~department,~~ and the bondholders, and collect and receive all
312 rates, fees, rentals, and other charges or receipts or revenues
313 arising therefrom in the same manner as the authority ~~or the~~
314 ~~department~~ might do, and shall deposit all such moneys in a
315 separate account and apply such moneys in such manner as the
316 court shall direct. In any suit, action, or proceeding by the
317 trustee, the fees, counsel fees, and expenses of the trustee and
318 the receiver, if any, and all costs and disbursements allowed by
319 the court shall be a first charge on any rates, fees, rentals,
320 or other charges, revenues, or receipts derived from the system
321 or the facilities or services or any part or parts thereof,
322 ~~including payments under any such lease-purchase agreement as~~
323 ~~aforesaid,~~ which rates, fees, rentals, or other charges,
324 revenues, or receipts may be applicable to the payment of the
325 bonds so in default. Such trustee, in addition to the foregoing,
326 possesses all of the powers necessary for the exercise of any
327 functions specifically set forth herein or incident to the
328 representation of the bondholders in the enforcement and
329 protection of their rights.

330 (4) This section or any other section of this part does not
331 authorize any receiver appointed pursuant hereto for the
332 purpose, ~~subject to and in compliance with the provisions of any~~



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333 ~~lease purchase agreement between the authority and the~~
334 ~~department,~~ of operating and maintaining the system or any
335 facilities or part or parts thereof to sell, assign, mortgage,
336 or otherwise dispose of any of the assets of whatever kind and
337 character belonging to the authority. It is the intention of
338 this part to limit the powers of such receiver, ~~subject to and~~
339 ~~in compliance with the provisions of any lease purchase~~
340 ~~agreement between the authority and the department,~~ to the
341 operation and maintenance of the system or any facility or part
342 or parts thereof, as the court may direct, in the name of and
343 for and on behalf of the authority, ~~the department,~~ and the
344 bondholders. In any suit, action, or proceeding at law or in
345 equity, a holder of bonds on the authority, a trustee, or any
346 court may not compel or direct a receiver to sell, assign,
347 mortgage, or otherwise dispose of any assets of whatever kind or
348 character belonging to the authority. A receiver also may not be
349 authorized to sell, assign, mortgage, or otherwise dispose of
350 any assets of whatever kind or character belonging to the
351 authority in any suit, action, or proceeding at law or in
352 equity.

353 Section 11. Section 343.945, Florida Statutes, is repealed.

354 Section 12. Section 343.946, Florida Statutes, is repealed.

355 Section 13. Subsection (11) of section 348.0002, Florida
356 Statutes, is repealed.

357 Section 14. Paragraph (a) of subsection (1), paragraph (e)
358 of subsection (2), and paragraph (d) of subsection (9) of
359 section 348.0004, Florida Statutes, are amended, present
360 paragraphs (f) through (l) of subsection (2) of that section are
361 redesignated as paragraphs (e) through (k), respectively, and



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362 present paragraphs (e) through (h) of subsection (9) of that
363 section are redesignated as paragraphs (d) through (g),
364 respectively, to read:

365 348.0004 Purposes and powers.—

366 (1) (a) An authority created and established pursuant to the
367 Florida Expressway Authority Act may acquire, hold, construct,
368 improve, maintain, operate, and own, ~~and lease~~ an expressway
369 system.

370 (2) Each authority may exercise all powers necessary,
371 appurtenant, convenient, or incidental to the carrying out of
372 its purposes, including, but not limited to, the following
373 rights and powers:

374 ~~(c) To enter into and make lease purchase agreements with~~
375 ~~the department until any bonds secured by a pledge of rentals~~
376 ~~thereunder, and any refundings thereof, are fully paid as to~~
377 ~~both principal and interest.~~

378 (9) The Legislature declares that there is a public need
379 for the rapid construction of safe and efficient transportation
380 facilities for traveling within the state and that it is in the
381 public's interest to provide for public-private partnership
382 agreements to effectuate the construction of additional safe,
383 convenient, and economical transportation facilities.

384 ~~(d) The department may lend funds from the Toll Facilities~~
385 ~~Revolving Trust Fund, as outlined in s. 338.251, to public-~~
386 ~~private partnerships. To be eligible a private entity must~~
387 ~~comply with s. 338.251 and must provide an indication from a~~
388 ~~nationally recognized rating agency that the senior bonds for~~
389 ~~the project will be investment grade or must provide credit~~
390 ~~support, such as a letter of credit or other means acceptable to~~



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391 ~~the department, to ensure that the loans will be fully repaid.~~

392 Section 15. Paragraph (b) of subsection (2) of section
393 348.0005, Florida Statutes, is amended to read:

394 348.0005 Bonds.—

395 (2)

396 (b) The bonds of an authority in any county as defined in
397 s. 125.011(1), issued pursuant to the provisions of this part,
398 whether on original issuance or refunding, must be authorized by
399 resolution of the authority, after approval of the issuance of
400 the bonds at a public hearing, and may be either term or serial
401 bonds, shall bear such date or dates, mature at such time or
402 times, bear interest at such rate or rates, be payable
403 semiannually, be in such denominations, be in such form, either
404 coupon or fully registered, shall carry such registration,
405 exchangeability and interchangeability privileges, be payable in
406 such medium of payment and at such place or places, be subject
407 to such terms of redemption and be entitled to such priorities
408 on the revenues, rates, fees, rentals, or other charges or
409 receipts of the authority including any county gasoline tax
410 funds received by an authority pursuant to the terms of any
411 interlocal or lease-purchase agreement between an authority, ~~the~~
412 ~~department,~~ or a county, as such resolution or any resolution
413 subsequent thereto may provide. The bonds must be executed by
414 such officers as the authority determines under the requirements
415 of s. 279.06.

416 Section 16. Section 348.0006, Florida Statutes, is
417 repealed.

418 Section 17. Part II of chapter 348, Florida Statutes,
419 consisting of ss. 348.216, 348.217, 348.218, 348.219, 348.22,



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420 348.221, 348.222, 348.223, 348.224, 348.225, 348.226, 348.227,
421 348.228, 348.229, and 348.23, is repealed.

422 Section 18. Part III of chapter 348, Florida Statutes,
423 consisting of ss. 348.24, 348.241, 348.242, 348.243, 348.244,
424 348.245, 348.246, 348.247, 348.248, 348.249, and 348.25, is
425 repealed.

426 Section 19. Part VI of chapter 348, Florida Statutes,
427 consisting of ss. 348.80, 348.81, 348.82, 348.83, 348.84,
428 348.86, 348.87, 348.88, 348.89, 348.90, 348.91, 348.92, 348.93,
429 and 348.94, is repealed.

430 Section 20. Part VII of chapter 348, Florida Statutes,
431 consisting of ss. 348.9401, 348.941, 348.942, 348.943, 348.944,
432 348.945, 348.946, 348.947, 348.948, 348.949, and 348.9495, is
433 repealed.

434 Section 21. Part VIII of chapter 348, Florida Statutes,
435 consisting of ss. 348.95, 348.951, 348.952, 348.953, 348.954,
436 348.955, 348.956, 348.957, 348.958, 348.959, 348.96, 348.961,
437 348.962, and 348.963, is repealed.

438 Section 22. Part X of chapter 348, Florida Statutes,
439 consisting of ss. 348.993, 348.9931, 348.9932, 348.9933,
440 348.9934, 348.9935, 348.9936, 348.9938, 348.9939, 348.994,
441 348.9941, 348.9942, 348.9943, 348.9944, 348.9945, 348.9946,
442 348.9947, 348.9948, is repealed.

443 Section 23. Section 348.9955, Florida Statutes, is
444 repealed.

445 Section 24. Paragraph (d) of subsection (1) of s. 349.02,
446 Florida Statutes, is repealed.

447 Section 25. Paragraphs (e) and (g) of subsection (2) of
448 section 349.04, Florida Statutes, are amended, and present



449 paragraphs (f) through (u) of that subsection are redesignated
450 as paragraphs (e) through (t), respectively, to read:

451 349.04 Purposes and powers.—

452 (2) The authority is hereby granted, and shall have and may
453 exercise all powers necessary, appurtenant, convenient, or
454 incidental to the carrying out of the aforesaid purposes,
455 including, but without being limited to, the right and power:

456 ~~(c) To enter into and make lease-purchase agreements with~~
457 ~~the department for terms not exceeding 40 years, or until any~~
458 ~~bonds secured by a pledge of rentals thereunder, and any~~
459 ~~refundings thereof, are fully paid as to both principal and~~
460 ~~interest, whichever is longer.~~

461 (g)1. To borrow money and make and issue negotiable notes,
462 bonds, refunding bonds, and other evidences of indebtedness or
463 obligations, either in temporary or definitive form (hereinafter
464 in this chapter sometimes called "bonds"), of the authority, for
465 the purpose of funding or refunding, at or prior to maturity,
466 any bonds theretofore issued by the authority, or by the Florida
467 State Improvement Commission to finance part of the cost of the
468 Jacksonville Expressway System, and purposes related thereto,
469 and for the purpose of financing or refinancing all or part of
470 the costs of completion, improvement, or extension of the
471 Jacksonville Expressway System, and appurtenant facilities,
472 including all approaches, streets, roads, bridges, and avenues
473 of access for the Jacksonville Expressway System and for any
474 other purpose authorized by this chapter, such bonds to mature
475 in not exceeding 40 years from the date of the issuance thereof;
476 ~~and~~ to secure the payment of such bonds or any part thereof by a
477 pledge of any or all of its revenues, rates, fees, rentals, or



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478 other charges, including all or any portion of the Duval County
479 gasoline tax funds received by the authority ~~pursuant to the~~
480 ~~terms of any lease purchase agreement between the authority and~~
481 ~~the department~~; and in general to provide for the security of
482 such bonds and the rights and remedies of the holders thereof.

483 2. In the event that the authority determines to fund or
484 refund any bonds theretofore issued by the authority, or by the
485 commission as aforesaid, prior to the maturity thereof, the
486 proceeds of such funding or refunding bonds shall, pending the
487 prior redemption of the bonds to be funded or refunded, be
488 invested in direct obligations of the United States; and it is
489 the express intention of this chapter that such outstanding
490 bonds may be funded or refunded by the issuance of bonds
491 pursuant to this chapter notwithstanding that part of such
492 outstanding bonds will not mature or become redeemable until 6
493 years after the date of issuance of bonds pursuant to this
494 chapter to fund or refund such outstanding bonds.

495 Section 26. Subsections (2) and (3) of section 349.05,
496 Florida Statutes, are amended to read:

497 349.05 Bonds of the authority; bonds not debt or pledges of
498 credit of state.—

499 (2) Any such resolution or resolutions authorizing any
500 bonds hereunder may contain provisions, and valid and legally
501 binding covenants of the authority, which shall be part of the
502 contract with the holders of such bonds, as to:

503 (a) The pledging of all or any part of the revenues, rates,
504 fees, rentals, including the sales surtax adopted pursuant to s.
505 212.055(1) (including all or any portion of the county gasoline
506 tax funds received by the authority), or other charges or



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507 receipts of any nature of the authority, whether or not derived
508 by the authority from the Jacksonville Expressway System or its
509 other transportation facilities;

510 (b) The completion, improvement, operation, extension,
511 maintenance, repair, or lease, ~~or lease-purchase agreement~~ of
512 said system or transportation facilities, and the duties of the
513 authority and others, including the department, with reference
514 thereto;

515 (c) Limitations on the purposes to which the proceeds of
516 the bonds, then or thereafter to be issued, or of any loan or
517 grant, may be applied;

518 (d) The fixing, charging, establishing, and collecting of
519 rates, fees, rentals, or other charges for use of the services
520 and facilities of the Jacksonville Expressway System or any part
521 thereof or its other transportation facilities;

522 (e) The setting aside of reserves or sinking funds or
523 repair and replacement funds and the regulation and disposition
524 thereof;

525 (f) Limitations on the issuance of additional bonds;

526 (g) The terms and provisions of any lease-purchase
527 agreement, deed of trust, or indenture securing the bonds or
528 under which the same may be issued; and

529 (h) Any other or additional provisions, covenants, and
530 agreements with the holders of the bonds which the authority may
531 deem desirable and proper.

532 (3) The State Board of Administration may, upon request by
533 the authority, act as fiscal agent for the authority in the
534 issuance of any bonds that may be issued pursuant to this
535 chapter, and the State Board of Administration may, upon request



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536 by the authority, take over the management, control,
537 administration, custody, and payment of any or all debt services
538 or funds or assets now or hereafter available for any bonds
539 issued pursuant to this chapter. The authority may enter into
540 deeds of trust, indentures, or other agreements with a corporate
541 trustee or trustees, which shall act as fiscal agent for the
542 authority and may be any bank or trust company within or without
543 the state, as security for such bonds and may, under such
544 agreements, assign and pledge all or any of the revenues, rates,
545 fees, rentals, or other charges or receipts of the authority,
546 including all or any portion of local option taxes or county
547 gasoline tax funds received by the authority, thereunder. Such
548 deed of trust, indenture, or other agreement may contain such
549 provisions as are customary in such instruments or as the
550 authority may authorize, including, without limitation,
551 provisions as to:

552 (a) The completion, improvement, operation, extension,
553 maintenance, repair, and lease of, ~~or lease-purchase agreement~~
554 ~~relating to,~~ all or any part of transportation facilities
555 authorized in this chapter to be constructed, acquired,
556 developed, or operated by the authority and the duties of the
557 authority and others, ~~including the department,~~ with reference
558 thereto;

559 (b) The application of funds and the safeguarding of funds
560 on hand or on deposit;

561 (c) The rights and remedies of the trustee and the holders
562 of the bonds; and

563 (d) The terms and provisions of the bonds or the
564 resolutions authorizing the issuance of the same.



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565 Section 27. Section 349.07, Florida Statutes, is repealed.

566 Section 28. Section 349.15, Florida Statutes, is amended to
567 read:

568 349.15 Remedies; pledges enforceable by bondholders.—Any
569 holder of bonds issued under this chapter, except to the extent
570 such rights may be restricted by the resolution, deed of trust,
571 indenture, or other proceeding relating to the issuance of such
572 bonds, may by civil action, mandamus, or other appropriate
573 action, suit, or proceeding in law or in equity, in any court of
574 competent jurisdiction, protect and enforce any and all rights
575 of such bondholder granted under the proceedings authorizing the
576 issuance of such bonds and enforce any pledge made for payment
577 of the principal and interest on bonds, or any covenant or
578 agreement relative thereto, against the authority ~~or directly~~
579 ~~against the department, as may be appropriate. It is the express~~
580 ~~intention of this chapter that any pledge by the department of~~
581 ~~rates, fees, revenues, county gasoline tax funds, or other~~
582 ~~funds, as rentals, to the authority or any covenants or~~
583 ~~agreements relative thereto may be enforceable in any court of~~
584 ~~competent jurisdiction against the authority or directly against~~
585 ~~the department by any holder of bonds issued by the authority.~~

586 Section 29. Section 364.02, Florida Statutes, is amended to
587 read:

588 364.02 Definitions.—As used in this chapter, the term:

589 (1) "Basic local telecommunications service" means voice-
590 grade, single-line, flat-rate residential local exchange service
591 that provides dial tone, local usage necessary to place
592 unlimited calls within a local exchange area, dual tone
593 multifrequency dialing, and access to the following: emergency



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594 services such as "911," all locally available interexchange
595 companies, directory assistance, operator services, and relay
596 services, ~~and an alphabetical directory listing~~. For a local
597 exchange telecommunications company, the term includes any
598 extended area service routes, and extended calling service in
599 existence or ordered by the commission on or before July 1,
600 1995.

601 (2) "Broadband service" means any service that consists of
602 or includes the offering of the capability to transmit or
603 receive information at a rate that is not less than 200 kilobits
604 per second and either:

605 (a) Is used to provide access to the Internet; or

606 (b) Provides computer processing, information storage,
607 information content, or protocol conversion in combination with
608 the service.

609
610 The definition of broadband service does not include any
611 intrastate telecommunications services that have been tariffed
612 with the commission on or before January 1, 2005.

613 (3) "Commercial mobile radio service provider" means a
614 commercial mobile radio service provider as defined by and
615 pursuant to 47 U.S.C. ss. 153(27) and 332(d).

616 (4) "Commission" means the Florida Public Service
617 Commission.

618 (5) "Competitive local exchange telecommunications company"
619 means any company certificated by the commission to provide
620 local exchange telecommunications services in this state on or
621 after July 1, 1995.

622 (6) "Corporation" includes a corporation, company,



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623 association, or joint stock association.

624 (7) "Intrastate interexchange telecommunications company"
625 means any entity that provides intrastate interexchange
626 telecommunications services.

627 (8) "Local exchange telecommunications company" means any
628 company certificated by the commission to provide local exchange
629 telecommunications service in this state on or before June 30,
630 1995.

631 ~~(9) "Monopoly service" means a telecommunications service~~
632 ~~for which there is no effective competition, either in fact or~~
633 ~~by operation of law.~~

634 (9)~~(10)~~ "Nonbasic service" means any telecommunications
635 service provided by a local exchange telecommunications company
636 other than a basic local telecommunications service, ~~a~~ local
637 interconnection, resale, or unbundling pursuant to arrangement
638 ~~described in~~ s. 364.16, or a network access service described in
639 s. 364.163. Any combination of basic service along with a
640 nonbasic service or an unregulated service is nonbasic service.

641 (10)~~(11)~~ "Operator service" includes, but is not limited
642 to, billing or completion of third-party, person-to-person,
643 collect, or calling card or credit card calls through the use of
644 a live operator or automated equipment.

645 (11)~~(12)~~ "Operator service provider" means a person who
646 furnishes operator service through a call aggregator.

647 (12)~~(13)~~ "Service" is to be construed in its broadest and
648 most inclusive sense. The term "service" does not include
649 broadband service or voice-over-Internet protocol service for
650 purposes of regulation by the commission. Nothing herein shall
651 affect the rights and obligations of any entity related to the



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652 payment of switched network access rates or other intercarrier
653 compensation, if any, related to voice-over-Internet protocol
654 service. Notwithstanding s. 364.013, and the exemption of
655 services pursuant to this subsection, the commission may
656 arbitrate, enforce, or approve interconnection agreements, and
657 resolve disputes as provided by 47 U.S.C. ss. 251 and 252, or
658 any other applicable federal law or regulation. With respect to
659 the services exempted in this subsection, regardless of the
660 technology, the duties of a local exchange telecommunications
661 company are only those that the company is obligated to extend
662 or provide under applicable federal law and regulations.

663 (13) ~~(14)~~ "Telecommunications company" includes every
664 corporation, partnership, and person and their lessees,
665 trustees, or receivers appointed by any court whatsoever, and
666 every political subdivision in the state, offering two-way
667 telecommunications service to the public for hire within this
668 state by the use of a telecommunications facility. The term
669 "telecommunications company" does not include:

670 (a) An entity that provides a telecommunications facility
671 exclusively to a certificated telecommunications company;

672 (b) An entity that provides a telecommunications facility
673 exclusively to a company which is excluded from the definition
674 of a telecommunications company under this subsection;

675 (c) A commercial mobile radio service provider;

676 (d) A facsimile transmission service;

677 (e) A private computer data network company not offering
678 service to the public for hire;

679 (f) A cable television company providing cable service as
680 defined in 47 U.S.C. s. 522; ~~or~~



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- 681 (g) An intrastate interexchange telecommunications company;
682 (h) An operator services provider; or
683 (i) An airport that provides communications services within
684 the confines of its airport layout plan.

685
686 However, each commercial mobile radio service provider and each
687 intrastate interexchange telecommunications company shall
688 continue to be liable for any taxes imposed under chapters 202,
689 203, and 212 and ~~any fees assessed under s. 364.025~~. Each
690 intrastate interexchange telecommunications company shall
691 continue to be subject to s. ss. 364.04, 364.10(3)(a) and (d),
692 364.163, 364.285, 364.336, 364.501, 364.603, and 364.604, shall
693 ~~provide the commission with the current information as the~~
694 ~~commission deems necessary to contact and communicate with the~~
695 ~~company,~~ and shall continue to pay intrastate switched network
696 access rates or other intercarrier compensation to the local
697 exchange telecommunications company or the competitive local
698 exchange telecommunications company for the origination and
699 termination of interexchange telecommunications service.

700 ~~(14)-(15)~~ "Telecommunications facility" includes real
701 estate, easements, apparatus, property, and routes used and
702 operated to provide two-way telecommunications service to the
703 public for hire within this state.

704 ~~(15)-(16)~~ "VoIP" means any service that:

705 (a) Enables real-time, two-way voice communications that
706 originate from or terminate to the user's location in Internet
707 Protocol or any successor protocol;

708 (b) Uses a broadband connection from the user's location;
709 and



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710 (c) Permits users generally to receive calls that originate
711 on the public switched telephone network and to terminate calls
712 to the public switched telephone network ~~the voice over Internet~~
713 protocol as that term is defined in federal law.

714 Section 30. (1) It is the intent of the Legislature that
715 purchases of new equipment, machinery, or inventory by any state
716 agency as a result of damage from fire, smoke, water, or any
717 other similar incident be limited to purchases that are
718 absolutely necessary because the damaged equipment, machinery,
719 or inventory is in irreparable condition.

720 (2) By January 1, 2012, each state agency shall develop and
721 adopt assessment protocols for evaluating and determining
722 whether equipment, machinery, or any other inventory must be
723 repaired or restored before any request to purchase replacement
724 equipment, machinery, or any other inventory is approved.

725 Section 31. Subsection (6) of section 196.012, Florida
726 Statutes, is amended to read:

727 196.012 Definitions.—For the purpose of this chapter, the
728 following terms are defined as follows, except where the context
729 clearly indicates otherwise:

730 (6) Governmental, municipal, or public purpose or function
731 shall be deemed to be served or performed when the lessee under
732 any leasehold interest created in property of the United States,
733 the state or any of its political subdivisions, or any
734 municipality, agency, special district, authority, or other
735 public body corporate of the state is demonstrated to perform a
736 function or serve a governmental purpose which could properly be
737 performed or served by an appropriate governmental unit or which
738 is demonstrated to perform a function or serve a purpose which



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739 would otherwise be a valid subject for the allocation of public
740 funds. For purposes of the preceding sentence, an activity
741 undertaken by a lessee which is permitted under the terms of its
742 lease of real property designated as an aviation area on an
743 airport layout plan which has been approved by the Federal
744 Aviation Administration and which real property is used for the
745 administration, operation, business offices and activities
746 related specifically thereto in connection with the conduct of
747 an aircraft full service fixed base operation which provides
748 goods and services to the general aviation public in the
749 promotion of air commerce shall be deemed an activity which
750 serves a governmental, municipal, or public purpose or function.
751 Any activity undertaken by a lessee which is permitted under the
752 terms of its lease of real property designated as a public
753 airport as defined in s. 332.004(14) by municipalities,
754 agencies, special districts, authorities, or other public bodies
755 corporate and public bodies politic of the state, a spaceport as
756 defined in s. 331.303, or which is located in a deepwater port
757 identified in s. 403.021(9)(b) and owned by one of the foregoing
758 governmental units, subject to a leasehold or other possessory
759 interest of a nongovernmental lessee that is deemed to perform
760 an aviation, airport, aerospace, maritime, or port purpose or
761 operation shall be deemed an activity that serves a
762 governmental, municipal, or public purpose. The use by a lessee,
763 licensee, or management company of real property or a portion
764 thereof as a convention center, visitor center, sports facility
765 with permanent seating, concert hall, arena, stadium, park, or
766 beach is deemed a use that serves a governmental, municipal, or
767 public purpose or function when access to the property is open



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768 to the general public with or without a charge for admission. If
769 property deeded to a municipality by the United States is
770 subject to a requirement that the Federal Government, through a
771 schedule established by the Secretary of the Interior, determine
772 that the property is being maintained for public historic
773 preservation, park, or recreational purposes and if those
774 conditions are not met the property will revert back to the
775 Federal Government, then such property shall be deemed to serve
776 a municipal or public purpose. The term "governmental purpose"
777 also includes a direct use of property on federal lands in
778 connection with the Federal Government's Space Exploration
779 Program or spaceport activities as defined in s. 212.02(22).
780 Real property and tangible personal property owned by the
781 Federal Government or Space Florida and used for defense and
782 space exploration purposes or which is put to a use in support
783 thereof shall be deemed to perform an essential national
784 governmental purpose and shall be exempt. "Owned by the lessee"
785 as used in this chapter does not include personal property,
786 buildings, or other real property improvements used for the
787 administration, operation, business offices and activities
788 related specifically thereto in connection with the conduct of
789 an aircraft full service fixed based operation which provides
790 goods and services to the general aviation public in the
791 promotion of air commerce provided that the real property is
792 designated as an aviation area on an airport layout plan
793 approved by the Federal Aviation Administration. For purposes of
794 determination of "ownership," buildings and other real property
795 improvements which will revert to the airport authority or other
796 governmental unit upon expiration of the term of the lease shall



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797 be deemed "owned" by the governmental unit and not the lessee.
798 Providing two-way telecommunications services to the public for
799 hire by the use of a telecommunications facility, as defined in
800 s. 364.02(14) ~~s. 364.02(15)~~, and for which a certificate is
801 required under chapter 364 does not constitute an exempt use for
802 purposes of s. 196.199, unless the telecommunications services
803 are provided by the operator of a public-use airport, as defined
804 in s. 332.004, for the operator's provision of
805 telecommunications services for the airport or its tenants,
806 concessionaires, or licensees, or unless the telecommunications
807 services are provided by a public hospital.

808 Section 32. Subsection (1) of section 199.183, Florida
809 Statutes, is amended to read:

810 199.183 Taxpayers exempt from nonrecurring taxes.—

811 (1) Intangible personal property owned by this state or any
812 of its political subdivisions or municipalities shall be exempt
813 from taxation under this chapter. This exemption does not apply
814 to:

815 (a) Any leasehold or other interest that is described in s.
816 199.023(1)(d), Florida Statutes 2005; or

817 (b) Property related to the provision of two-way
818 telecommunications services to the public for hire by the use of
819 a telecommunications facility, as defined in s. 364.02(14) ~~s.~~
820 ~~364.02(15)~~, and for which a certificate is required under
821 chapter 364, when the service is provided by any county,
822 municipality, or other political subdivision of the state. Any
823 immunity of any political subdivision of the state or other
824 entity of local government from taxation of the property used to
825 provide telecommunication services that is taxed as a result of



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826 this paragraph is hereby waived. However, intangible personal
827 property related to the provision of telecommunications services
828 provided by the operator of a public-use airport, as defined in
829 s. 332.004, for the operator's provision of telecommunications
830 services for the airport or its tenants, concessionaires, or
831 licensees, and intangible personal property related to the
832 provision of telecommunications services provided by a public
833 hospital, are exempt from taxation under this chapter.

834 Section 33. Subsection (6) of section 212.08, Florida
835 Statutes, is amended to read:

836 212.08 Sales, rental, use, consumption, distribution, and
837 storage tax; specified exemptions.—The sale at retail, the
838 rental, the use, the consumption, the distribution, and the
839 storage to be used or consumed in this state of the following
840 are hereby specifically exempt from the tax imposed by this
841 chapter.

842 (6) EXEMPTIONS; POLITICAL SUBDIVISIONS.—There are also
843 exempt from the tax imposed by this chapter sales made to the
844 United States Government, a state, or any county, municipality,
845 or political subdivision of a state when payment is made
846 directly to the dealer by the governmental entity. This
847 exemption shall not inure to any transaction otherwise taxable
848 under this chapter when payment is made by a government employee
849 by any means, including, but not limited to, cash, check, or
850 credit card when that employee is subsequently reimbursed by the
851 governmental entity. This exemption does not include sales of
852 tangible personal property made to contractors employed either
853 directly or as agents of any such government or political
854 subdivision thereof when such tangible personal property goes



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855 into or becomes a part of public works owned by such government
856 or political subdivision. A determination whether a particular
857 transaction is properly characterized as an exempt sale to a
858 government entity or a taxable sale to a contractor shall be
859 based on the substance of the transaction rather than the form
860 in which the transaction is cast. The department shall adopt
861 rules that give special consideration to factors that govern the
862 status of the tangible personal property before its affixation
863 to real property. In developing these rules, assumption of the
864 risk of damage or loss is of paramount consideration in the
865 determination. This exemption does not include sales, rental,
866 use, consumption, or storage for use in any political
867 subdivision or municipality in this state of machines and
868 equipment and parts and accessories therefor used in the
869 generation, transmission, or distribution of electrical energy
870 by systems owned and operated by a political subdivision in this
871 state for transmission or distribution expansion. Likewise
872 exempt are charges for services rendered by radio and television
873 stations, including line charges, talent fees, or license fees
874 and charges for films, videotapes, and transcriptions used in
875 producing radio or television broadcasts. The exemption provided
876 in this subsection does not include sales, rental, use,
877 consumption, or storage for use in any political subdivision or
878 municipality in this state of machines and equipment and parts
879 and accessories therefor used in providing two-way
880 telecommunications services to the public for hire by the use of
881 a telecommunications facility, as defined in s. 364.02(14) ~~s.~~
882 ~~364.02(15)~~, and for which a certificate is required under
883 chapter 364, which facility is owned and operated by any county,



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884 municipality, or other political subdivision of the state. Any
885 immunity of any political subdivision of the state or other
886 entity of local government from taxation of the property used to
887 provide telecommunication services that is taxed as a result of
888 this section is hereby waived. However, the exemption provided
889 in this subsection includes transactions taxable under this
890 chapter which are for use by the operator of a public-use
891 airport, as defined in s. 332.004, in providing such
892 telecommunications services for the airport or its tenants,
893 concessionaires, or licensees, or which are for use by a public
894 hospital for the provision of such telecommunications services.

895 Section 34. Subsection (8) of section 290.007, Florida
896 Statutes, is amended to read:

897 290.007 State incentives available in enterprise zones.—The
898 following incentives are provided by the state to encourage the
899 revitalization of enterprise zones:

900 (8) Notwithstanding any law to the contrary, the Public
901 Service Commission may allow public utilities and
902 telecommunications companies to grant discounts of up to 50
903 percent on tariffed rates for services to small businesses
904 located in an enterprise zone designated pursuant to s.
905 290.0065. Such discounts may be granted for a period not to
906 exceed 5 years. For purposes of this subsection, the term
907 "public utility" has the same meaning as in s. 366.02(1) and the
908 term "telecommunications company" has the same meaning as in s.
909 364.02(13) ~~s. 364.02(14)~~.

910 Section 35. Subsection (3) of section 350.0605, Florida
911 Statutes, is amended to read:

912 350.0605 Former commissioners and employees; representation



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913 of clients before commission.-

914 (3) For a period of 2 years following termination of
915 service on the commission, a former member may not accept
916 employment by or compensation from a business entity which,
917 directly or indirectly, owns or controls a public utility
918 regulated by the commission, from a public utility regulated by
919 the commission, from a business entity which, directly or
920 indirectly, is an affiliate or subsidiary of a public utility
921 regulated by the commission or is an actual business competitor
922 of a local exchange company or public utility regulated by the
923 commission and is otherwise exempt from regulation by the
924 commission under ss. 364.02(13) ~~364.02(14)~~ and 366.02(1), or
925 from a business entity or trade association that has been a
926 party to a commission proceeding within the 2 years preceding
927 the member's termination of service on the commission. This
928 subsection applies only to members of the Florida Public Service
929 Commission who are appointed or reappointed after May 10, 1993.

930 Section 36. Subsection (4) of section 364.602, Florida
931 Statutes, is amended to read:

932 364.602 Definitions.—For purposes of this part:

933 (4) "Originating party" means any person, firm,
934 corporation, or other entity, including a telecommunications
935 company or a billing clearinghouse, that provides any
936 telecommunications service or information service to a customer
937 or bills a customer through a billing party, except the term
938 "originating party" does not include any entity specifically
939 exempted from the definition of "telecommunications company" as
940 provided in s. 364.02(13) ~~s. 364.02(14)~~.

941 Section 37. Subsection (5) of section 489.103, Florida



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942 Statutes, is amended to read:

943 489.103 Exemptions.—This part does not apply to:

944 (5) Public utilities, including special gas districts as
945 defined in chapter 189, telecommunications companies as defined
946 in s. 364.02(13) ~~s. 364.02(14)~~, and natural gas transmission
947 companies as defined in s. 368.103(4), on construction,
948 maintenance, and development work performed by their employees,
949 which work, including, but not limited to, work on bridges,
950 roads, streets, highways, or railroads, is incidental to their
951 business. The board shall define, by rule, the term "incidental
952 to their business" for purposes of this subsection.

953 Section 38. This act shall take effect July 1, 2011.

954
955 ===== T I T L E A M E N D M E N T =====

956 And the title is amended as follows:

957 Delete everything before the enacting clause
958 and insert:

959 A bill to be entitled
960 An act relating to transportation; amending s. 120.80,
961 F.S.; providing that requirements relating to
962 rulemaking and statements of estimated regulatory
963 costs do not apply to the adjustment of tolls;
964 amending s. 338.26, F.S.; requiring that excess funds
965 generated from Alligator Alley tolls be used to
966 develop and operate a fire station to provide fire,
967 rescue, and emergency management services in adjacent
968 counties along Alligator Alley; repealing s.
969 343.805(6), F.S., relating to the definition of the
970 term "lease-purchase agreement" as it relates to the



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971 Northwest Florida Transportation Corridor Authority
972 and the Department of Transportation; amending s.
973 343.835, F.S.; deleting references to lease-purchase
974 agreements; amending s. 343.836, F.S.; deleting
975 references to lease-purchase agreements in remedies to
976 bondholders as they relate to the U.S. 98 Corridor
977 System; repealing s. 343.837, F.S., relating to lease-
978 purchase agreements that provide for the leasing of
979 the U.S. 98 Corridor System to the Department of
980 Transportation; repealing s. 343.885, F.S., relating
981 to the enforceability of pledges by bondholders;
982 repealing s. 343.91(1)(h), F.S., relating to the
983 definition of the term "lease-purchase agreement" as
984 it relates to the Tampa Bay Area Regional
985 Transportation Authority and the Department of
986 Transportation; amending s. 343.94, F.S.; deleting
987 references to lease-purchase agreements; amending s.
988 343.944, F.S.; deleting references to lease-purchase
989 agreements in remedies to bondholders as they relate
990 to the Tampa Bay Area Regional Transportation
991 Authority; repealing s. 343.945, F.S., relating to the
992 enforceability of pledges to the Tampa Bay Area
993 Regional Transportation Authority; repealing s.
994 343.946, F.S., relating to lease-purchase agreements
995 that provide for the leasing of projects of the Tampa
996 Bay Area Regional Transportation Authority to the
997 Department of Transportation; repealing s.
998 348.0002(11), F.S., relating to the definition of the
999 term "lease-purchase agreement" as it relates to



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1000 expressway authorities and the Department of
1001 Transportation; amending s. 348.0004, F.S.;
1002 authorizing authorities created pursuant to the
1003 Florida Expressway Authority Act to own expressway
1004 systems; deleting the power of such authorities to
1005 lease such systems; deleting obsolete provisions;
1006 amending s. 348.0005, F.S.; deleting a reference to
1007 the Department of Transportation to conform to changes
1008 made by the act; repealing s. 348.0006, F.S., which
1009 provides for lease-purchase agreements in the Florida
1010 Expressway Authority Act; repealing part II of ch.
1011 348, F.S., which provides for the creation and
1012 operation of the Brevard County Expressway Authority;
1013 repealing part III of ch. 348, F.S., which provides
1014 for the creation and operation of the Broward County
1015 Expressway Authority; repealing part VI of ch. 348,
1016 F.S., which provides for the creation and operation of
1017 the Pasco County Expressway Authority; repealing part
1018 VII of ch. 348, F.S., which provides for the creation
1019 and operation of the St. Lucie County Expressway and
1020 Bridge Authority; repealing part VIII of ch. 348,
1021 F.S., which provides for the creation and operation of
1022 the Seminole County Expressway Authority; repealing
1023 part X of ch. 348, F.S., which provides for the
1024 creation and operation of the Southwest Florida
1025 Expressway Authority; repealing s. 348.9955, F.S.,
1026 relating to the power of the Osceola Expressway
1027 Authority to enter into lease-purchase agreements with
1028 the Department of Transportation; repealing s.



1029 349.02(1)(d), F.S., relating to the definition of the
1030 term "lease-purchase agreement" as it relates to the
1031 Jacksonville Transportation Authority and the
1032 Department of Transportation; amending s. 349.04,
1033 F.S.; deleting the authority of the Jacksonville
1034 Transportation Authority to enter lease-purchase
1035 agreements; amending s. 349.05, F.S.; deleting
1036 authorization for lease-purchase agreements in bond
1037 agreements of the Jacksonville Transportation
1038 Authority; repealing s. 349.07, F.S., relating to
1039 lease-purchase agreements that provide for the leasing
1040 of the Jacksonville Expressway System to the
1041 Department of Transportation; amending s. 349.15,
1042 F.S.; deleting certain bond authority of the
1043 department; amending s. 364.02, F.S.; revising
1044 definitions; providing legislative intent; providing
1045 that any purchase of new equipment, machinery, or
1046 other inventory by state agencies as a result damage
1047 caused by fire, smoke, water, or any incident be
1048 limited to purchases that are absolutely necessary and
1049 are irreparable; requiring that all state agencies
1050 develop and adopt assessment protocols for evaluating
1051 and determining whether equipment, machinery, or other
1052 inventory needs repair or restored; amending ss.
1053 196.012, 199.183, 212.08, 290.007, 350.0605, 364.602,
1054 and 489.103, F.S.; conforming cross-references;
1055 providing an effective date.