

Amendment No. 002a (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Transportation offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause  
and insert in lieu thereof:

Section 1. Section 348.0012, Florida Statutes, is amended to read:

348.0012 Exemptions from applicability.--The Florida Expressway Authority Act does not apply:

(1) ~~To in a county in which~~ an expressway authority which has been created pursuant to parts II-IX of this chapter; or

(2) To a transportation authority created pursuant to chapter 349.

Section 2. Paragraph (b) of subsection (1) is amended and a new paragraph (o) is added to subsection (2), of section 348.754, Florida Statutes, to read:

348.754 Purposes and powers.--

(1)

(b) It is the express intention of this part that said

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1 authority, in the construction of said Orlando-Orange County  
 2 Expressway System, shall be authorized to acquire, finance,  
 3 construct, and equip any extensions, additions, or  
 4 improvements to said system or appurtenant facilities,  
 5 including all necessary approaches, roads, bridges, and  
 6 avenues of access as the authority shall deem desirable and  
 7 proper, together with such changes, modifications, or  
 8 revisions to of said system or appurtenant facilities ~~project~~  
 9 as the authority shall deem ~~be deemed~~ desirable and proper.

10 (2)

11 (o) To enter into agreements facilitating, and  
 12 implementing the use of electronic toll enforcement and  
 13 collection activities, and of intelligent transportation  
 14 systems.

15 Section 3. Section 348.7573, Florida Statutes, is  
 16 amended to read:

17 348.7543 Improvements, bond financing authority for.--

18 Pursuant to s. 11(f), Art. VII of the State  
 19 Constitution, the Legislature hereby approves for bond  
 20 financing by the Orlando-Orange County Expressway Authority  
 21 the cost of acquiring, constructing, equipping, improving, or  
 22 refurbishing any current or future extensions, additions, and  
 23 improvements to an expressway system, including improvements  
 24 to toll collection facilities and, interchanges to the  
 25 ~~legislatively approved expressway system, and any other~~  
 26 facility appurtenant, necessary, or incidental to the ~~approved~~  
 27 system, including all necessary approaches, roads, bridges,  
 28 and avenues of access, all as shall be deemed desirable and  
 29 proper by the authority pursuant to s. 348.754(1)(b). Subject  
 30 to terms and conditions of applicable revenue bond resolutions  
 31 and covenants, such costs financing may be financed in whole

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1 or in part by revenue bonds issued pursuant to s.  
2 348.755(1)(a) or (b) whether currently issued, issued in the  
3 future, or by a combination of such bonds.

4 Section 4. Section 348.7544, Florida Statutes, is  
5 amended to read:

6 348.7544 Northwest Beltway Part A, construction  
7 authorized; financing.--Notwithstanding s. 338.2275, the  
8 Orlando-Orange County Expressway Authority is hereby  
9 authorized to construct, finance, operate, own, and maintain  
10 that portion of the Western Beltway known as the Northwest  
11 Beltway Part A, extending from Florida's Turnpike near Ocoee  
12 north to U.S. 441 near Apopka, as part of the authority's  
13 20-year capital projects plan. This project may be financed  
14 with any funds available to the authority for such purpose or  
15 revenue bonds issued by the Division of Bond Finance of the  
16 State Board of Administration on behalf of the authority  
17 pursuant to s. 11, Art. VII of the State Constitution and the  
18 State Bond Act, ss. 215.57-215.83. This project may be  
19 refinanced with bonds issued by the authority pursuant to s.  
20 348.755(1)(d).

21 Section 5. Section 348.7545, Florida Statutes, is  
22 amended to read:

23 348.7545 Western Beltway Part C, construction  
24 authorized; financing.--Notwithstanding s. 338.2275, the  
25 Orlando-Orange County Expressway Authority is authorized to  
26 exercise its condemnation powers, construct, finance, operate,  
27 own, and maintain that portion of the Western Beltway known as  
28 the Western Beltway Part C, extending from Florida's Turnpike  
29 near Ocoee in Orange County southerly through Orange and  
30 Osceola Counties to an interchange with I-4 near the  
31 Osceola-Polk County line, as part of the authority's 20-year

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1 capital projects plan. This project may be financed with any  
2 funds available to the authority for such purpose or revenue  
3 bonds issued by the Division of Bond Finance of the State  
4 Board of Administration on behalf of the authority pursuant to  
5 s. 11, Art. VII of the State Constitution and the State Bond  
6 Act, ss. 215.57-215.83. This project may be financed or  
7 refinanced with bonds issued by the authority pursuant to s.  
8 348.755(1)(d).

9 Section 6. Subsection (1) of section 348.755, Florida  
10 Statutes, is amended to read:

11 348.755 Bonds of the authority.--

12 (1)(a) Bonds may be issued on behalf of the authority  
13 pursuant to the State Bond Act.

14 (b) Alternatively, the authority may issue its own  
15 bonds pursuant to the provisions of this part at such times  
16 and in such principal amount as, in the opinion of the  
17 authority, is necessary to provide sufficient moneys for  
18 achieving its purposes; however, such bonds shall not pledge  
19 the full faith and credit of the state. Bonds issued by the  
20 authority pursuant to paragraphs (a) or (b)~~The bonds of the~~  
21 ~~authority issued pursuant to the provisions of this part,~~  
22 whether on original issuance or on refunding, shall be  
23 authorized by resolution of the members thereof and may be  
24 either term or serial bonds, shall bear such date or dates,  
25 mature at such time or times, not exceeding 40 years from  
26 their respective dates, bear interest at such rate or rates,  
27 payable semiannually, be in such denominations, be in such  
28 form, either coupon or fully registered, shall carry such  
29 registration, exchangeability and interchangeability  
30 privileges, be payable in such medium of payment and at such  
31 place or places, be subject to such terms of redemption and be

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1 entitled to such priorities on the revenues, rates, fees,  
2 rentals or other charges or receipts of the authority  
3 including the Orange County gasoline tax funds received by the  
4 authority pursuant to the terms of any lease-purchase  
5 agreement between the authority and the department, as such  
6 resolution or any resolution subsequent thereto may provide.  
7 The bonds shall be executed either by manual or facsimile  
8 signature by such officers as the authority shall determine,  
9 provided that such bonds shall bear at least one signature  
10 which is manually executed thereon, and the coupons attached  
11 to such bonds shall bear the facsimile signature or signatures  
12 of such officer or officers as shall be designated by the  
13 authority and shall have the seal of the authority affixed,  
14 imprinted, reproduced or lithographed thereon, all as may be  
15 prescribed in such resolution or resolutions.

16 (c)(b) — Said Bonds issued pursuant to s. 348.755(1)(a)  
17 and (b) shall be sold at public sale in the same manner  
18 provided by the State Bond Act. However, if the authority  
19 shall, by official action at a public meeting, determine that  
20 a negotiated sale of such the bonds is in the best interest of  
21 the authority, the authority may negotiate the for sale of  
22 such the bonds with the underwriter or underwriters designated  
23 by the authority and Division of Bond Finance of the State  
24 Board of Administration, with respect to bonds issued pursuant  
25 to s.348.755(1)(a) or solely by the authority with respect to  
26 bonds issued pursuant to s. 348.755(1)(b). The authority's  
27 determination to negotiate the sale of such bonds may be  
28 based, in part, upon the written advice of the authority's  
29 financial advisor. Pending the preparation of definitive  
30 bonds, interim certificates may be issued to the purchaser or  
31 purchasers of such bonds and may contain such terms and

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1 conditions as the authority may determine.

2 (d) The authority may issue bonds pursuant to s.  
3 348.755(1)(b) to refund any bonds previously issued regardless  
4 of whether the bonds being refunded were issued by the  
5 authority pursuant to this chapter or on behalf of the  
6 authority pursuant to the State Bond Act.

7 Section 7. Section 348.765, Florida Statutes is  
8 amended to read:

9 348.765 This part complete and additional authority.--

10 (1) The powers conferred by this part shall be in  
11 addition and supplemental to the existing powers of said board  
12 and the department, and this part shall not be construed as  
13 repealing any of the provisions, of any other law, general,  
14 special or local, but to supersede such other laws in the  
15 exercise of the powers provided in this part, and to provide a  
16 complete method for the exercise of the powers granted in this  
17 part. The extension and improvement of said Orlando-Orange  
18 County Expressway System, and the issuance of bonds hereunder  
19 to finance all or part of the cost thereof, may be  
20 accomplished upon compliance with the provisions of this part  
21 without regard to or necessity for compliance with the  
22 provisions, limitations, or restrictions contained in any  
23 other general, special or local law, including but not limited  
24 to s. 215.821,and no approval of any bonds issued under this  
25 part by the qualified electors or qualified electors who are  
26 freeholders in the state or in said County of Orange, or in  
27 said City of Orlando, or in any other political subdivision of  
28 the state, shall be required for the issuance of such bonds  
29 pursuant to this part.

30 (2) This part shall not be deemed to repeal, rescind,  
31 or modify any other law or laws relating to said State Board

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1 of Administration, said Department of Transportation, or the  
2 Division of Bond Finance of the State Board of Administration,  
3 but shall be deemed to and shall supersede such other law or  
4 laws as are inconsistent with the provisions of this  
5 part, including but not limited to s.215.821.

6 Section 8. This act shall take effect upon becoming a  
7 law

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9  
10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 1, lines 1 through 17,

13  
14 insert in lieu thereof:

15 An act relating to expressway authorities;  
16 amending s. 348.0012, F.S.; providing that the  
17 Florida Expressway Authority Act does not apply  
18 to an expressway authority which has been  
19 created pursuant to parts II-IX of ch. 348,  
20 F.S.; amending s. 348.754, F.S.; revising  
21 language with respect to purposes and powers;  
22 amending s. 348.7543, F.S.; revising language  
23 with respect to bond financing; amending ss.  
24 348.7544 and 348.7545, F.S.; authorizing the  
25 refinancing of the Northwest Beltway Part A and  
26 the Western Beltway Part C with certain bonds;  
27 amending s. 348.755, F.S.; revising language  
28 with respect to bonds of the Orlando-Orange  
29 County Expressway Authority; amending s.  
30 348.765, F.S.; specifying bonding powers may  
31 supersede state bond act requirements;

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providing an effective date.