

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representatives Zapata, Rubio, Cannon, and Sansom offered the
2 following:

3
4 **Amendment (with title amendment)**

5 On page 69, between lines 7 and 8, insert:

6 Section 31. Paragraph (d) of subsection (2) of section
7 348.0003, Florida Statutes, is amended to read:

8 348.0003 Expressway authority; formation; membership.--

9 (2) The governing body of an authority shall consist of
10 not fewer than five nor more than nine voting members. The
11 district secretary of the affected department district shall
12 serve as a nonvoting member of the governing body of each
13 authority located within the district. Each member of the
14 governing body must at all times during his or her term of
15 office be a permanent resident of the county which he or she is
16 appointed to represent.

886931
5/5/2006 7:50:38 PM

Amendment No. (for drafter's use only)

17 (d) Notwithstanding any provision to the contrary in this
18 subsection, in any county as defined in s. 125.011(1), the
19 governing body of an authority shall consist of seven voting ~~up~~
20 ~~to 13 members and two nonvoting members~~, and the following
21 provisions of this paragraph shall apply specifically to such
22 authority. One ~~Except for the district secretary of the~~
23 ~~department, the members must be residents of the county. Seven~~
24 ~~voting member members~~ shall be a county commissioner appointed
25 by the chair of the governing body of the county. One voting
26 member shall be a mayor of a municipality within the county at
27 all times while serving on the authority and shall be appointed
28 by the Miami-Dade County League of Cities. ~~At the discretion of~~
29 ~~the governing body of the county, up to two of the members~~
30 ~~appointed by the governing body of the county may be elected~~
31 ~~officials residing in the county. Five citizens of Miami-Dade~~
32 County or of its municipalities shall be appointed as voting
33 members of the authority, of which three shall be appointed by
34 the Governor and two shall be appointed by the county
35 commission. These citizen appointees shall not be elected or
36 appointed officials or employees of the county or of a
37 municipality within the county. ~~One member shall be~~ The district
38 secretary of the department serving in the district that
39 contains such county shall be a nonvoting member of the
40 authority. The chair of the Miami-Dade legislative delegation,
41 or another member of the delegation appointed by the chair,
42 shall be a nonvoting member of the authority. This member shall
43 ~~be an ex officio voting member of the authority. If the~~
44 ~~governing board of an authority includes any member originally~~
45 ~~appointed by the governing body of the county as a nonvoting~~

886931

5/5/2006 7:50:38 PM

Amendment No. (for drafter's use only)

46 ~~member, when the term of such member expires, that member shall~~
47 ~~be replaced by a member appointed by the Governor until the~~
48 ~~governing body of the authority is composed of seven members~~
49 ~~appointed by the governing body of the county and five members~~
50 ~~appointed by the Governor. The qualifications, terms of office,~~
51 ~~and obligations and rights of members of the authority shall be~~
52 ~~determined by resolution or ordinance of the governing body of~~
53 ~~the county in a manner that is consistent with subsections (3)~~
54 ~~and (4).~~

55 Section 32. Paragraph (f) of subsection (2) of section
56 348.0004, Florida Statutes, is amended to read:

57 348.0004 Purposes and powers.--

58 (2) Each authority may exercise all powers necessary,
59 appurtenant, convenient, or incidental to the carrying out of
60 its purposes, including, but not limited to, the following
61 rights and powers:

62 (f)1. To fix, alter, charge, establish, and collect tolls,
63 rates, fees, rentals, and other charges for the services and
64 facilities system, which tolls, rates, fees, rentals, and other
65 charges must always be sufficient to comply with any covenants
66 made with the holders of any bonds issued pursuant to the
67 Florida Expressway Authority Act. However, such right and power
68 may be assigned or delegated by the authority to the department.
69 Notwithstanding s. 338.165 or any other provision of law to the
70 contrary, in any county as defined in s. 125.011(1), to the
71 extent surplus revenues exist, they may be used for purposes
72 enumerated in subsection (7), provided the expenditures are
73 consistent with the metropolitan planning organization's adopted
74 long-range plan. Notwithstanding any other provision of law to
886931

5/5/2006 7:50:38 PM

Amendment No. (for drafter's use only)

75 | the contrary, but subject to any contractual requirements
76 | contained in documents securing any outstanding indebtedness
77 | payable from tolls, in any county as defined in s. 125.011(1),
78 | the board of county commissioners may, by ordinance adopted on
79 | or before September 30, 1999, alter or abolish existing tolls
80 | and currently approved increases thereto if the board provides a
81 | local source of funding to the county expressway system for
82 | transportation in an amount sufficient to replace revenues
83 | necessary to meet bond obligations secured by such tolls and
84 | increases.

85 | 2. Prior to raising tolls, whether paid by cash or
86 | electronic toll collection, an expressway authority in any
87 | county as defined in s. 125.011(1) shall publish a notice of the
88 | intent to raise tolls in a newspaper of general circulation, as
89 | defined in s. 97.021(18), in the county. The notice shall
90 | provide the amount of increase to be implemented for cash
91 | payment, electronic payment, or both, as applicable. The notice
92 | also shall provide a postal address, an electronic mail or
93 | Internet address, and a local telephone number for the purpose
94 | of receiving public comment on the issue of the toll increase.
95 | The notice shall be published two times, at least 7 days apart,
96 | with the first publication occurring not more than 90 days prior
97 | to the proposed effective date of the toll increase and the
98 | second publication occurring not fewer than 60 days prior to the
99 | proposed effective date of the toll increase. The provisions of
100 | this subparagraph shall not apply to any change in the toll rate
101 | for the use of any portion of the expressway system that has
102 | been approved by this authority prior to July 1, 2006.

886931

5/5/2006 7:50:38 PM

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103 Section 34. Section 2 of chapter 89-383, Laws of Florida,
104 is amended to read:

105 Section 2. Red Road is hereby designated as a state
106 historic highway. No public funds shall be expended for:

107 (1) The removal of any healthy tree which is not a safety
108 hazard.

109 (2) Any alteration of the physical dimensions or location
110 of Red Road, the median strip thereof, the land adjacent
111 thereto, or any part of the original composition of the
112 entranceway, including the towers, the walls, and the lampposts.

113 (3) Any construction on or along Red Road of any new
114 structure, or any building, clearing, filling, or excavating on
115 or along Red Road except for routine maintenance or alterations,
116 modifications, or improvements to it and the adjacent right-of-
117 way made for the purpose of enhancing life safety for vehicular
118 or pedestrian use of Red Road if the number of traffic lanes is
119 not altered ~~work which is essential to the health, safety, or~~
120 ~~welfare of the environment.~~

121
122

123 ===== T I T L E A M E N D M E N T =====

124 On page 9, between lines 3 and 4,
125 amending s. 348.0003, F.S.; revising the membership of
126 expressway authority governing bodies in certain counties;
127 amending s. 348.0004, F.S.; providing for public notice of
128 a proposed toll increase by certain expressway
129 authorities; amending s. 2, ch. 89-383, Laws of Florida;
130 providing for certain alterations to and along Red Road in
131 Miami-Dade County for transportation safety purposes;

886931
5/5/2006 7:50:38 PM