

1                   A bill to be entitled  
2           An act relating to the Jacksonville Transportation  
3           Authority; amending s. 349.02, F.S.; revising definitions;  
4           defining the term "transportation facilities"; amending s.  
5           349.03, F.S.; specifying that the authority is an agency  
6           of the state and not a unit of any other political  
7           subdivision; revising a requirement for membership on the  
8           governing body of the authority to provide that an  
9           appointed member must be a resident and elector of Duval  
10          County; amending s. 349.04, F.S.; revising scope of the  
11          authority to include certain services throughout Duval  
12          County; revising authority, powers, rights, and  
13          responsibilities of the authority to provide for planning,  
14          coordinating, developing, financing, refinancing,  
15          constructing, owning, leasing, purchasing, operating,  
16          maintaining, relocating, equipping, repairing, and  
17          managing described transportation projects intended to  
18          address needs or concerns in the Jacksonville, Duval  
19          County, metropolitan area; revising bonding provisions;  
20          providing for the authority to fix, alter, charge,  
21          establish, and collect rates, fees, rentals, and other  
22          charges for any transportation facilities of the  
23          authority; authorizing purchases under government  
24          contract; revising eminent domain provisions to include  
25          specified procedural powers; authorizing use of local  
26          option taxes or county gasoline tax funds to secure the  
27          payment of bonds; authorizing the authority to establish  
28          and fund reserve accounts, adopt an annual budget, use

29 purchasing schedules and master purchasing contracts,  
30 retain legal counsel and other consultants, construct and  
31 own and maintain transportation facilities outside the  
32 jurisdictional boundaries of Duval County, form public  
33 benefit corporations, require bid bonds and protest bonds,  
34 prequalify bidders or proposers, suspend or debar  
35 consultants and contractors, and create and operate an  
36 employees' benefit fund; providing for the authority to  
37 expand its service area and enter into a partnership with  
38 a contiguous county; providing that the powers and  
39 obligations of the authority shall not be subject to  
40 supervision, approval, or consent of any municipality or  
41 county except as agreed upon in an interlocal agreement;  
42 providing for certain contractual obligations and recovery  
43 of damages; providing for relocation of utility facilities  
44 interfering with transportation projects; authorizing the  
45 authority to enter lands, waters, and premises of another  
46 in the performance of its duties; amending s. 349.041,  
47 F.S.; revising provisions for funds appropriated by the  
48 City of Jacksonville to the authority; repealing s.  
49 349.042, F.S., relating to the Jacksonville area planning  
50 board review of construction and operation of the  
51 expressway and transit functions of the authority;  
52 creating s. 349.043, F.S.; requiring a public hearing  
53 prior to designation or relocation of transportation  
54 facilities or substantive changes thereto; providing  
55 procedures; requiring compliance with federal requirements  
56 related to new or altered transportation facilities or

57 services; amending s. 349.05, F.S.; authorizing bonds to  
58 be issued on behalf of the authority; revising provisions  
59 for issuance and sale of bonds; authorizing certain  
60 refunding bonds; revising provisions for resolutions  
61 authorizing bonds; revising provisions for fiscal agents;  
62 providing that bonds are not obligations of the state;  
63 repealing s. 349.06, F.S., relating to remedies of the  
64 bondholders; creating s. 349.061, F.S.; providing approval  
65 for bond financing by the authority; amending s. 349.07,  
66 F.S.; revising provisions authorizing the Department of  
67 Transportation to expend certain funds and use its  
68 resources for certain items related to the Jacksonville  
69 Expressway System; amending s. 349.10, F.S.; revising  
70 provisions for the authority to acquire lands and rights  
71 therein; limiting liability of the authority with respect  
72 to certain contamination of lands acquired; authorizing  
73 the authority and the Department of Environmental  
74 Protection to enter into agreements for the performance  
75 and funding of investigative and remedial acts; amending  
76 s. 349.12, F.S.; revising covenant of the state related to  
77 bonds of the authority; amending s. 349.13, F.S.;  
78 specifying conditions under which property leased by the  
79 authority is exempt from ad valorem taxes; amending s.  
80 349.15, F.S.; revising provisions for enforcement of  
81 rights by bondholders; amending s. 349.17, F.S.; revising  
82 provisions for application of and exemption from other  
83 laws relating to issuance of bonds; amending s. 349.21,  
84 F.S.; revising provisions for use of charter county

85 transit system surtax funds; creating s. 349.22, F.S.;

86 providing conditions for the authority to receive or

87 solicit proposals and enter into agreements with private

88 entities for the building, operation, ownership, or

89 financing of highways, bridges, multimodal transportation

90 systems, transit-oriented development nodes, transit

91 stations, or related transportation facilities; requiring

92 certain costs to be paid by the private entity;

93 authorizing the department to use state funds for projects

94 on or that increase mobility on the State Highway System;

95 requiring notice of proposals and providing procedures;

96 providing for agreements to authorize the public-private

97 entity to impose tolls; requiring public-private

98 transportation facilities to comply with laws,

99 comprehensive plans, and the authority's rules, policies,

100 procedures, standards, and conditions; authorizing the

101 authority to exercise its powers to facilitate public-

102 private projects; providing for application; providing an

103 effective date.

104

105 Be It Enacted by the Legislature of the State of Florida:

106

107 Section 1. Section 349.02, Florida Statutes, is amended to

108 read:

109 349.02 Definitions.--

110 (1) Except in those instances where the context clearly

111 indicates otherwise, whenever used or referred to in this

112 chapter, the following terms ~~whenever used or referred to in~~

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113 ~~this law shall have the following meanings, except in those~~  
114 ~~instances where the context clearly indicates otherwise:~~

115 ~~(a)(1) The term "Authority" means shall mean~~ the body  
116 politic and corporate, an agency of the state created by this  
117 chapter.

118 ~~(b)(2) The term "Members" means shall mean~~ the governing  
119 body of the authority, and the term "member" means shall mean  
120 one of the individuals constituting such governing body.

121 ~~(c)(3) The term "Bonds" means and includes shall mean and~~  
122 ~~include~~ the notes, bonds, refunding bonds, or other evidences of  
123 indebtedness or obligations, in either temporary or definitive  
124 form, that which the authority is authorized to issue pursuant  
125 to this chapter.

126 ~~(d)(4) The term "Lease-purchase agreement" means shall~~  
127 ~~mean~~ the lease-purchase agreements that which the authority is  
128 authorized pursuant to this chapter to enter into with the  
129 department of Transportation.

130 ~~(e)(5) The term "Department" means shall mean~~ the  
131 Department of Transportation existing under chapters 334-339.

132 ~~(f)(6) The terms "Florida State Improvement Commission" or~~  
133 ~~"commission" means shall mean~~ the state agency created,  
134 organized, and existing under and by virtue of the provisions of  
135 former chapter 420, or the successor thereto, chapter 29788,  
136 Acts of 1955, now chapter 288.

137 ~~(g)(7) The term "County" means shall mean~~ the County of  
138 Duval.

139 ~~(h)(8) The term "City" means shall mean~~ the City of  
140 Jacksonville.

141 (i) (9) ~~The term "State Board of Administration" means~~  
 142 ~~shall mean~~ the body corporate existing under the provisions of  
 143 s. 9, Art. XII of the State Constitution, or any successor  
 144 thereto.

145 (j) (10) ~~The term "Agency of the state" means and includes~~  
 146 ~~shall mean and include~~ the state and any department of the  
 147 state, or any corporation, agency, or instrumentality heretofore  
 148 or hereafter created, designated, or established by, the state.

149 (k) (11) ~~The term "Federal agency" means and includes shall~~  
 150 ~~mean and include~~ the United States, the President of the United  
 151 States, and any department of the United States, or any  
 152 corporation, agency, or instrumentality heretofore or hereafter  
 153 created, designated, or established by, the United States.

154 (l) (12) ~~The term "Duval County gasoline tax funds" means~~  
 155 ~~shall mean~~ all the 80-percent surplus gasoline tax funds  
 156 accruing in each year to the Department of Transportation for  
 157 use in Duval County under the provisions of s. 9, Art. XII of  
 158 the State Constitution, after deduction only of any amounts of  
 159 said gasoline tax funds heretofore pledged by the department or  
 160 the county for outstanding obligations.

161 (m) "Transportation facilities" means and includes all  
 162 mobile and fixed assets (real or personal property or rights  
 163 therein) used in the transportation of persons or property by  
 164 any means of conveyance whatsoever, and all appurtenances  
 165 thereto, such as, but not limited to, highways; limited or  
 166 controlled access lanes and facilities; docks, vessels,  
 167 vehicles, fixed guideway facilities, and any means of conveyance  
 168 of persons or property of all types; park-and-ride facilities;

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169 transit-related improvements adjacent to transit facilities or  
170 stations; bus, train, vessel, or other vehicle storage,  
171 cleaning, fueling, control, and maintenance facilities; and  
172 administrative and other office space for the exercise by the  
173 authority of the powers and obligations herein granted.

174 (2)~~(13)~~ Words importing singular number shall include the  
175 plural number in each case and vice versa, and words importing  
176 persons shall include firms and corporations.

177 Section 2. Subsections (1) and (2) of section 349.03,  
178 Florida Statutes, are amended to read:

179 349.03 Jacksonville Transportation Authority.--

180 (1) There is hereby created and established a body politic  
181 and corporate and an agency of the state to be known as the  
182 Jacksonville Expressway Authority, redesignated as the  
183 Jacksonville Transportation Authority, and hereinafter referred  
184 to as the "authority." Notwithstanding any other general or  
185 special law, the authority created under this section is an  
186 agency of the state and not a component unit of any other  
187 political subdivision.

188 (2) The governing body of the authority shall consist of  
189 seven members. Three members shall be appointed by the Governor  
190 and confirmed by the Senate. Three members shall be appointed by  
191 the mayor of the City of Jacksonville subject to confirmation by  
192 the council of the City of Jacksonville. The seventh member  
193 shall be the district secretary of the Department of  
194 Transportation serving in the district that contains the City of  
195 Jacksonville. Except for the seventh member, members shall be

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196 residents and qualified electors of Duval County ~~the City of~~  
 197 ~~Jacksonville~~.

198 Section 3. Section 349.04, Florida Statutes, is amended to  
 199 read:

200 349.04 Purposes and powers.--

201 (1) (a) The authority created and established by the  
 202 provisions of this chapter is hereby granted and shall have the  
 203 right to acquire, hold, construct, improve, maintain, operate,  
 204 own, and lease in the capacity of lessor the Jacksonville  
 205 Expressway System (hereinafter referred to as "system"),  
 206 heretofore partially constructed or acquired by the Florida  
 207 State Improvement Commission in the Jacksonville, Duval County,  
 208 metropolitan area, as more specifically described in the  
 209 proceedings of the commission which authorized the issuance of  
 210 \$28 million in bonds of the commission for such purpose, and as  
 211 hereafter completed or improved or extended as authorized by  
 212 this chapter, and all appurtenant facilities, including all  
 213 approaches, streets, roads, bicycle paths, bridges, and avenues  
 214 of access for the Jacksonville Expressway System, and to  
 215 construct or acquire extensions, additions, and improvements to  
 216 the system and to complete the construction and acquisition of  
 217 the system.

218 (b) The authority may, in addition, acquire, hold,  
 219 construct, improve, operate, maintain, and lease in the capacity  
 220 of lessor a mass transit system employing motor cars or buses;  
 221 street railway systems beneath the surface, on the surface, or  
 222 above the surface; or any other means determined useful to the  
 223 rapid transfer of large numbers of people among the locations of



224 residence, commerce, industry, and education in Duval County ~~the~~  
 225 ~~City of Jacksonville~~.

226 (c) The authority may further plan, coordinate, and  
 227 recommend to appropriate officers and agencies of federal,  
 228 state, and local governments methods and facilities for the  
 229 parking of vehicles, the movement of pedestrians, and vehicular  
 230 traffic (including bicycles), public and private, in Duval  
 231 County ~~the City of Jacksonville~~, to accomplish a coordinated  
 232 transportation system for the greater Jacksonville area. The  
 233 authority may construct and operate passenger terminals for the  
 234 parking of automobiles and movement by public conveyance of  
 235 persons and construct and operate all other facilities necessary  
 236 to a complete and coordinated transportation system in the  
 237 Jacksonville area.

238 (d) It is the express intention of this chapter that the  
 239 authority, in completing the construction of the Jacksonville  
 240 Expressway System, is not limited to the description thereof  
 241 contained in the proceedings of the commission which authorized  
 242 the issuance of \$28 million in bonds to finance part of the cost  
 243 thereof, but it is authorized to finance and construct any  
 244 additional extensions, additions, or improvements to the system,  
 245 or appurtenant facilities, including all necessary approaches,  
 246 roads, bicycle ways, bridges, and avenues of access, with such  
 247 changes, modifications, or revisions of the project as are  
 248 deemed desirable and proper. It is the intent of this chapter,  
 249 and to effect its purposes the Legislature determines, that  
 250 bonds issued under this chapter be deemed to be state capital  
 251 improvement bonds to finance or refinance the cost of state

252 capital projects pursuant to s. 11(d), Art. VII of the State  
 253 Constitution. However, the provisions of s. 316.091(2), relating  
 254 to bicycles, do not apply to this system.

255 (e) In addition to the other powers set forth in this  
 256 chapter, the authority has the right to plan, develop, finance,  
 257 construct, own, lease, purchase, operate, maintain, relocate,  
 258 equip, repair, and manage those public transportation projects,  
 259 such as express bus services; bus rapid transit services; light  
 260 rail, commuter rail, heavy rail, or other transit services;  
 261 ferry services; transit stations; park-and-ride lots; transit-  
 262 oriented development nodes; or feeder roads, reliever roads,  
 263 connector roads, bypasses, or appurtenant facilities, that are  
 264 intended to address critical transportation needs or concerns in  
 265 the Jacksonville, Duval County, metropolitan area. These  
 266 projects may also include all necessary approaches, roads,  
 267 bridges, and avenues of access that are desirable and proper  
 268 with the concurrence of the department, as applicable, if the  
 269 project is to be part of the State Highway System.

270 (f)~~(e)~~ The authority, in addition to the other powers and  
 271 duties provided, shall have the power and responsibility to  
 272 formulate and implement a plan for a mass transit system which  
 273 will serve Duval County and the consolidated City of  
 274 Jacksonville.

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

279 (a) To sue and be sued, implead and be impleaded, and  
 280 complain and defend in all courts.

281 (b) To adopt, use, and alter at will a corporate seal.

282 (c) To acquire, purchase, construct, hold, lease as lessee  
 283 or lessor, and use any franchise or any property, real,  
 284 personal, or mixed, tangible or intangible, or any interest  
 285 therein, necessary or desirable for carrying out the purposes of  
 286 the authority and to sell, lease as lessor, transfer, and  
 287 dispose of any property or interest therein at any time acquired  
 288 by it, including, without limitation, land, buildings, and other  
 289 facilities located within or comprising transit-oriented  
 290 developments which enhance the use or utility of transportation  
 291 facilities owned or constructed by the authority and  
 292 administrative and other buildings for the use of the authority  
 293 in carrying out its powers and obligations granted in this  
 294 chapter.

295 (d) To enter into and make leases for terms not exceeding  
 296 40 years, as either lessee or lessor, in order to carry out the  
 297 right to lease as set forth in this chapter.

298 (e) To enter into and make lease-purchase agreements with  
 299 the department for terms not exceeding 40 years, or until any  
 300 bonds secured by a pledge of rentals thereunder, and any  
 301 refundings thereof, are fully paid as to both principal and  
 302 interest, whichever is longer.

303 (f) To fix, alter, charge, establish, and collect rates,  
 304 fees, rentals, and other charges for the services and facilities  
 305 of the Jacksonville Expressway System and any other  
 306 transportation facilities of the authority, which rates, fees,

307 rentals, and other charges shall always be sufficient to comply  
 308 with any covenants made with the holders of any bonds issued  
 309 pursuant to this chapter; this right and power may be assigned  
 310 or delegated by the authority to the department.

311 (g)1. To borrow money and make and issue negotiable notes,  
 312 bonds, refunding bonds, and other evidences of indebtedness or  
 313 obligations, either in temporary or definitive form,  
 314 (hereinafter in this chapter sometimes called "bonds"), of the  
 315 authority, for the purpose of funding or refunding, at or prior  
 316 to maturity, any bonds theretofore issued by the authority, or  
 317 by the Florida State Improvement Commission to finance part of  
 318 the cost of the Jacksonville Expressway System, and purposes  
 319 related thereto, and for the purpose of financing or refinancing  
 320 all or part of the costs of completion, ~~or~~ improvement, or  
 321 extension of the Jacksonville Expressway System, and appurtenant  
 322 facilities, including all approaches, streets, roads, bridges,  
 323 and avenues of access for the Jacksonville Expressway System and  
 324 for any other purpose authorized by this chapter, such bonds to  
 325 mature in not exceeding 40 years from the date of the issuance  
 326 thereof; and to secure the payment of such bonds or any part  
 327 thereof by a pledge of any or all of its revenues, rates, fees,  
 328 rentals, or other charges, including all or any portion of the  
 329 Duval County gasoline tax funds received by the authority  
 330 pursuant to the terms of any lease-purchase agreement between  
 331 the authority and the department; and in general to provide for  
 332 the security of such bonds and the rights and remedies of the  
 333 holders thereof.

334           2. In the event that the authority determines to fund or  
335 refund any bonds theretofore issued by the authority, or by the  
336 commission as aforesaid, prior to the maturity thereof, the  
337 proceeds of such funding or refunding bonds shall, pending the  
338 prior redemption of the bonds to be funded or refunded, be  
339 invested in direct obligations of the United States; and it is  
340 the express intention of this chapter that such outstanding  
341 bonds may be funded or refunded by the issuance of bonds  
342 pursuant to this chapter notwithstanding that part of such  
343 outstanding bonds will not mature or become redeemable until 6  
344 years after the date of issuance of bonds pursuant to this  
345 chapter to fund or refund such outstanding bonds.

346           (h) To make contracts of every name and nature and to  
347 execute all instruments necessary or convenient for the carrying  
348 on of its business.

349           (i) Without limitation of the foregoing, to borrow money  
350 and accept grants from, and to enter into contracts, leases, or  
351 other transactions with, any federal agency, the state, any  
352 agency of the state, the County of Duval, the City of  
353 Jacksonville, or any other public body of the state and to make  
354 purchases under government contracts, whether with a federal,  
355 state, or local governmental entity.

356           (j) To have the power of eminent domain, including the  
357 procedural powers granted under chapters 73 and 74.

358           (k) To pledge, hypothecate, or otherwise encumber all or  
359 any part of the revenues, rates, fees, rentals, or other charges  
360 or receipts of the authority, including all or any portion of  
361 the Duval County gasoline tax funds received by the authority

362 pursuant to the terms of any lease-purchase agreement between  
 363 the authority and the department, as security for all or any of  
 364 the obligations of the authority.

365 (l) To do all acts and things necessary or convenient for  
 366 the conduct of its business and the general welfare of the  
 367 authority, in order to carry out the powers granted to it by  
 368 this chapter or any other law.

369 (m) To invest and to borrow money and make and issue  
 370 negotiable notes, bonds, refunding bonds, and other evidences of  
 371 indebtedness or obligations, either in temporary or definitive  
 372 form, of the authority for the purpose of financing or  
 373 refinancing all or a part of ~~funding or refunding~~ the cost of  
 374 the acquisition or improvement of transportation facilities  
 375 ~~motor or street railway vehicles, passenger terminals,~~  
 376 ~~automobile parking facilities, or administrative offices~~ and for  
 377 any other purposes authorized by this chapter, such bonds to  
 378 mature in not exceeding 40 years from the date of the issuance  
 379 thereof; to secure the payment of such bonds or any part thereof  
 380 by a pledge of any or all of its revenues, rates, fees, rentals,  
 381 or other charges, including, without limitation, all or any  
 382 portion of local option taxes or county gasoline tax funds  
 383 received by the authority; and in general to provide for the  
 384 security of such bonds and the rights and remedies of the  
 385 holders thereof.

386 (n) To adopt rules to carry out the powers and obligations  
 387 herein granted, which set forth a purpose, necessary  
 388 definitions, forms, general conditions and procedures, and fines  
 389 and penalties, including, without limitation, suspension or

390 debarment, and charges for nonperformance, with respect to any  
 391 aspect of the work or function of the authority for the  
 392 permitting, planning, funding, design, acquisition,  
 393 construction, equipping, operation, and maintenance of  
 394 transportation facilities, transit and highway, within the  
 395 state, provided or operated by the authority or others in  
 396 cooperation with or at the direction of the authority, and for  
 397 carrying out all other purposes of the authority set forth or  
 398 authorized in this chapter.

399 (o) To establish and fund reserve accounts with respect to  
 400 its operations and functions, make withdrawals therefrom, and  
 401 replenish such accounts, as the governing body may reasonably  
 402 determine.

403 (p) To adopt and approve an annual budget, and to utilize  
 404 purchasing schedules and master purchasing contracts of the  
 405 state or any federal agency, to the extent permitted by law.

406 (q) To retain legal counsel and financial, engineering,  
 407 real estate, accounting, design, planning, and other consultants  
 408 from time to time as the authority may determine to assist in  
 409 the carrying out of the powers and obligations granted in this  
 410 chapter.

411 (r) With the consent of the county within whose  
 412 jurisdiction the following activities occur, to construct, own,  
 413 operate, and maintain transportation facilities outside the  
 414 jurisdictional boundaries of Duval County, with all necessary  
 415 and incidental powers to accomplish the foregoing.

416 (s) To form, alone or with one or more other agencies of  
 417 the state or local governments, public benefit corporations to

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418 carry out the powers and obligations granted in this chapter or  
419 the powers and obligations of such other agencies or local  
420 governments.

421 (t) To require or elect not to require bid bonds and  
422 protest bonds, to prequalify bidders or proposers in various  
423 categories of work or services, and to suspend or debar  
424 consultants and contractors in accordance with the rules of the  
425 authority.

426 (u) To create and operate an employees' benefit fund for  
427 employees of the authority or public benefit corporations  
428 controlled by it. The proceeds of vending machines located on  
429 the premises of the authority or such corporations shall be paid  
430 into the fund and used for such benefits and purposes as the  
431 authority may determine.

432 (3) The authority shall have no power at any time or in  
433 any manner to pledge the credit or taxing power of the state or  
434 any political subdivision or agency thereof; nor shall any of  
435 the obligations of the authority be deemed to be obligations of  
436 the state or of any political subdivision or agency thereof; nor  
437 shall the state or any political subdivision or agency thereof,  
438 except the authority, be liable for the payment of the principal  
439 of, or interest on, such obligations. However, this provision is  
440 not applicable to the type or manner of financing authorized by  
441 s. 9(c)(5), Art. XII of the State Constitution, as amended, and  
442 laws enacted pursuant thereto.

443 (4) By a resolution of its governing body, the authority  
444 may expand its service area and enter into a partnership with  
445 any county that is contiguous to the then-current service area



446 of the authority. The governing body shall determine the  
447 conditions and terms of the partnership, except as provided in  
448 this section. However, the authority may not expand its service  
449 area without the consent of the governing body representing the  
450 proposed expansion area.

451 (5) Except as otherwise expressly provided in this  
452 chapter, none of the powers and obligations herein granted to  
453 the authority shall be subject to the supervision or require the  
454 approval or consent of any municipality or county, except as may  
455 be agreed upon by the authority in an interlocal agreement with  
456 a municipality or county.

457 (6) No oral modification of a contract, whether for  
458 construction of highway facilities or other transportation  
459 facilities, shall be binding upon the authority or form the  
460 basis for a claim against the authority. Only the chair of the  
461 governing body or executive director of the authority, or the  
462 designee of either, may bind the authority. In addition to any  
463 provisions for liquidated damages for delay by contractors in  
464 construction of transportation facilities for the authority, the  
465 authority may also recover from the contractor amounts owing or  
466 paid by the authority for damages suffered by third parties as a  
467 result of the contractor's failure to complete the project  
468 within the time stipulated in the contract, as amended by the  
469 authority. In all cases in which damages to the authority for  
470 delay are not specified by contract as a liquidated amount, the  
471 measure of such damages shall be based upon an analysis of the  
472 cost savings, in travel time and travel costs, to the traveling

473 public for transportation facilities that are not revenue-  
 474 producing.

475 (7) The authority shall be deemed to be an "authority" for  
 476 purposes of s. 337.403, shall have all of the powers granted to  
 477 authorities under s. 337.403, and shall have the powers granted  
 478 to the Department of Transportation under s. 337.274 with  
 479 respect to its powers and obligations granted in this chapter.

480 Section 4. Section 349.041, Florida Statutes, is amended  
 481 to read:

482 349.041 Provision of funds ~~and services~~ by city to  
 483 authority; ~~employment of legal counsel.~~--

484 ~~(1)~~ The authority shall prepare and submit annually its  
 485 requests for such funds as it may require from the city for the  
 486 ensuing year to the council of the city on or before June 1,  
 487 setting forth its estimated ~~gross~~ revenues and requirements with  
 488 respect to the activities or transportation facilities for which  
 489 funds of the city are sought ~~estimated requirements for~~  
 490 ~~operations, maintenance expenses, and debt service.~~ A copy of  
 491 such requests shall be furnished to the Department of  
 492 Transportation. The council and the mayor of the City of  
 493 Jacksonville may appropriate such funds as they deem appropriate  
 494 for the use of the authority.

495 ~~(2) Except as the council may provide, and except as~~  
 496 ~~otherwise required by any trust indenture outstanding on~~  
 497 ~~September 1, 1971, the authority shall utilize, on a cost-~~  
 498 ~~accounted basis, the central services of the city, and shall pay~~  
 499 ~~therefor. The authority may, however, employ legal counsel it~~  
 500 ~~deems necessary, upon resolution of the authority.~~

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501 Section 5. Section 349.042, Florida Statutes, is repealed.

502 Section 6. Section 349.043, Florida Statutes, is created  
503 to read:

504 349.043 Public hearings for transportation  
505 facilities.--Transportation facilities may not be designated or  
506 relocated by the authority, nor may substantive changes be made  
507 thereto, until after a public hearing is conducted by the  
508 authority. Any interested party shall have the opportunity to be  
509 heard either in person or by counsel and to introduce testimony  
510 in such person's behalf at the hearing. Reasonable notice of  
511 each such public hearing shall be published in a newspaper of  
512 general circulation in each county directly affected by the  
513 proposed transportation facility not less than 14 days prior to  
514 the hearing. In addition, the authority shall comply with all  
515 applicable federal requirements related to new or altered  
516 transportation facilities or services.

517 Section 7. Section 349.05, Florida Statutes, is amended to  
518 read:

519 349.05 Bonds of the authority; bonds not debt or pledges  
520 of credit of state.--

521 (1) (a) Bonds may be issued on behalf of the authority  
522 pursuant to the State Bond Act or, alternatively, the authority  
523 may issue bonds pursuant to paragraph (b).

524 (b)1. The bonds of the authority issued pursuant to the  
525 provisions of this chapter, whether an original issuance or on  
526 refunding, shall be authorized by resolution of the members  
527 thereof and may be issued in one or more series, may be either  
528 term or serial bonds, and shall bear such date or dates, be

529 payable on demand or mature at such time or times, not exceeding  
 530 40 years from their respective dates, bear interest, fixed or  
 531 variable, at such rate or rates, not exceeding the maximum  
 532 lawful interest rate ~~payable semiannually~~, be in such  
 533 denominations, be in such form, either coupon or fully  
 534 registered, carry such registration, exchangeability, and  
 535 interchangeability privileges, be payable in such medium of  
 536 payment and at such place or places, be subject to such terms of  
 537 redemption, with or without premium, and other terms, have such  
 538 rank, and be entitled to such remedies and priorities on the  
 539 revenues, rates, fees, rentals, or other charges or receipts of  
 540 the authority including all or any portion of local option sales  
 541 tax or the Duval county gasoline tax funds received by the  
 542 authority ~~pursuant to the terms of any lease purchase agreement~~  
 543 ~~between the authority and the department~~, as the authority may  
 544 determine such resolution or any resolution subsequent thereto  
 545 ~~may provide~~. The bonds shall be executed either by manual or  
 546 facsimile signature by such officers as the authority shall  
 547 determine, provided that such bonds shall bear at least one  
 548 signature that ~~which~~ is manually executed thereon, and the  
 549 coupons attached to such bonds shall bear the facsimile  
 550 signature or signatures of such officer or officers as shall be  
 551 designated by the authority and shall have the seal of the  
 552 authority affixed, imprinted, reproduced, or lithographed  
 553 thereon, all as may be prescribed in such resolution or  
 554 resolutions.

555 2.(b) Such bonds shall be sold at public or private sale  
 556 at such price or prices as the authority determines to be in its

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557 best interest, except that the interest costs to the authority  
558 on such bonds may not exceed the maximum lawful interest rate.  
559 The authority shall provide a specific finding by resolution as  
560 to the reason requiring any negotiated sale ~~must be sold at~~  
561 ~~public sale in the manner provided by the State Bond Act.~~  
562 ~~However, if the authority, by official action at a public~~  
563 ~~meeting, determines that a negotiated sale of the bonds is in~~  
564 ~~the best interest of the authority, the authority may negotiate~~  
565 ~~for sale of the bonds with the underwriter or underwriters~~  
566 ~~designated by the authority and the Division of Bond Finance of~~  
567 ~~the State Board of Administration.~~ Pending the preparation of  
568 definitive bonds, interim certificates may be issued to the  
569 purchaser or purchasers of such bonds and may contain such terms  
570 and conditions as the authority may determine.

571 3. The authority may issue bonds pursuant to this  
572 paragraph to refund any bonds previously issued regardless of  
573 whether the bonds being refunded were issued by the authority  
574 pursuant to this chapter or on behalf of the authority pursuant  
575 to the State Bond Act.

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

580 (a) The pledging of all or any part of the revenues,  
581 rates, fees, rentals, including the sales surtax adopted  
582 pursuant to s. 212.055(1) (including all or any portion of the  
583 ~~Duval~~ county gasoline tax funds received by the authority  
584 ~~pursuant to the terms of any lease purchase agreement between~~

585 ~~the authority and the department, or any part thereof), or other~~  
 586 charges or receipts of any nature of the authority, whether or  
 587 not derived by the authority from the Jacksonville Expressway  
 588 System or its other transportation facilities;

589 (b) The completion, improvement, operation, extension,  
 590 maintenance, repair, lease, or lease-purchase agreement of said  
 591 system or transportation facilities, and the duties of the  
 592 authority and others, including the department, with reference  
 593 thereto;

594 (c) Limitations on the purposes to which the proceeds of  
 595 the bonds, then or thereafter to be issued, or of any loan or  
 596 grant, ~~by the United States or the state~~ may be applied;

597 (d) The fixing, charging, establishing, and collecting of  
 598 rates, fees, rentals, or other charges for use of the services  
 599 and facilities of the Jacksonville Expressway System or any part  
 600 thereof or its other transportation facilities;

601 (e) The setting aside of reserves or sinking funds or  
 602 repair and replacement funds and the regulation and disposition  
 603 thereof;

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

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

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

611 (3) ~~The authority may employ fiscal agents as provided by~~  
 612 ~~this chapter or the~~ State Board of Administration may, upon

613 request by the authority, act as fiscal agent for the authority  
 614 in the issuance of any bonds that may be issued pursuant to this  
 615 chapter, and the State Board of Administration may, upon request  
 616 by the authority, take over the management, control,  
 617 administration, custody, and payment of any or all debt services  
 618 or funds or assets now or hereafter available for any bonds  
 619 issued pursuant to this chapter. The authority may enter into  
 620 deeds of trust, indentures, or other agreements with a corporate  
 621 trustee or trustees, which shall act as its fiscal agent for the  
 622 authority and may be,~~or with~~ any bank or trust company within  
 623 or without the state, as security for such bonds~~,~~ and may, under  
 624 such agreements, assign and pledge all or any of the revenues,  
 625 rates, fees, rentals, or other charges or receipts of the  
 626 authority, including all or any portion of local option taxes or  
 627 ~~the Duval county gasoline tax funds received by the authority~~  
 628 ~~pursuant to the terms of any lease purchase agreement between~~  
 629 ~~the authority and the department,~~ thereunder. Such deed of  
 630 trust, indenture, or other agreement~~,~~ may contain such  
 631 provisions as are ~~is~~ customary in such instruments or~~,~~ as the  
 632 authority may authorize, including, ~~but~~ without limitation,  
 633 provisions as to:

634 (a) The completion, improvement, operation, extension,  
 635 maintenance, repair, and lease of, or lease-purchase agreement  
 636 relating to, all or any part of transportation facilities  
 637 authorized in this chapter to be constructed, acquired,  
 638 developed, or operated by the authority ~~the Jacksonville~~  
 639 ~~Expressway System,~~ and the duties of the authority and others,  
 640 including the department, with reference thereto;

641 (b) The application of funds and the safeguarding of funds  
 642 on hand or on deposit;

643 (c) The rights and remedies of the trustee and the holders  
 644 of the bonds; and

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

647 (4) Any of the bonds issued pursuant to this chapter are,  
 648 and are hereby declared to be, negotiable instruments, and shall  
 649 have all the qualities and incidents of negotiable instruments  
 650 under the law merchant and the negotiable instruments law of the  
 651 state.

652 (5) Notwithstanding any of the provisions of this chapter,  
 653 each project, building, or facility that ~~which~~ has been financed  
 654 by the issuance of bonds or other evidences of indebtedness  
 655 under this chapter and any refinancing thereof is hereby  
 656 approved as provided for in s. 11(f), Art. VII of the State  
 657 Constitution.

658 (6) Revenue bonds issued under the provisions of this  
 659 chapter are not debts of the state or pledges of the faith and  
 660 credit of the state. Such bonds are payable exclusively from  
 661 revenues pledged for their payment. Each such bond shall contain  
 662 a statement on its face that the state is not obligated to pay  
 663 the same or the interest thereon, except from the revenues  
 664 pledged for their payment, and that the faith and credit of the  
 665 state is not pledged to the payment of the principle or interest  
 666 of such bond. The issuance of revenue bonds under the provisions  
 667 of this chapter does not directly, indirectly, or contingently



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668 obligate the state to levy or to pledge any form of taxation  
 669 whatsoever or to make any appropriation for their payment.

670 Section 8. Section 349.06, Florida Statutes, is repealed.

671 Section 9. Section 349.061, Florida Statutes, is created  
 672 to read:

673 349.061 Bond financing authority.--Pursuant to s. 11(f),  
 674 Art. VII of the State Constitution, the Legislature hereby  
 675 approves for bond financing by the authority any extensions,  
 676 additions, and improvements to the Jacksonville Expressway  
 677 System and any other facilities appurtenant, necessary, or  
 678 incidental to the system or any transportation facilities herein  
 679 authorized to be constructed, acquired, or operated by the  
 680 authority. Subject to terms and conditions of applicable revenue  
 681 bond resolutions and covenants, such costs may be financed in  
 682 whole or in part by revenue bonds issued pursuant to s.  
 683 349.05(1) (a) or (b), whether currently issued or issued in the  
 684 future, or by a combination of such bonds.

685 Section 10. Subsection (7) of section 349.07, Florida  
 686 Statutes, is amended to read:

687 349.07 Lease-purchase agreement.--

688 (7) Regardless of whether the authority enters into a  
 689 lease-purchase agreement with the department relating to the  
 690 system or any part thereof, the ~~said~~ system shall be a part of  
 691 the State Highway ~~read~~ System and the ~~said~~ department is hereby  
 692 authorized, upon the request of the authority, to expend out of  
 693 any funds available for the purpose such moneys, and to use such  
 694 of its engineering and other forces, as may be necessary and  
 695 desirable in the judgment of the ~~said~~ department, for the

696 operation of the ~~said~~ authority and for traffic surveys,  
 697 borings, surveys, preparation of plans and specifications,  
 698 estimates of cost, and other preliminary engineering and other  
 699 ~~studies, provided, however, that the aggregate amount of moneys~~  
 700 ~~expended for said purposes by said department shall not exceed~~  
 701 ~~the sum of \$375,000.~~

702 Section 11. Section 349.10, Florida Statutes, is amended  
 703 to read:

704 349.10 Acquisition of lands and property.--

705 (1) For the purposes of this chapter, ~~law~~ the Jacksonville  
 706 Transportation Authority may acquire private or public property  
 707 and property rights, including rights of access, air, view, and  
 708 light, by gift, devise, purchase, or condemnation by eminent  
 709 domain proceedings, as the authority may deem necessary,  
 710 including, but not limited to, any lands reasonably necessary  
 711 for securing applicable permits, areas necessary for management  
 712 of access, borrow pits, drainage ditches, water retention areas,  
 713 rest areas, replacement access for landowners whose access is  
 714 impaired due to the construction of transportation facilities,  
 715 and replacement rights-of-way for relocated rail and utility  
 716 facilities, and areas necessary for existing, proposed, or  
 717 anticipated transportation facilities or in a transportation  
 718 corridor designated by the authority. The authority shall also  
 719 have the power to condemn any material and property necessary  
 720 for such ~~for any of the purposes of this chapter.~~ The right of  
 721 eminent domain herein conferred shall be exercised by the  
 722 authority in the manner provided by law.

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723 (2) The authority may acquire such rights, title,  
724 interest, or easements in such lands as it may deem necessary  
725 for any of the purposes of this chapter.

726 (3) In connection with the acquisition of property or  
727 property rights as herein provided, the authority may in its  
728 discretion acquire an entire lot, block, or tract of land, if by  
729 so doing the interests of the public will be best served, even  
730 though said entire lot, block, or tract is not immediately  
731 needed for the right-of-way proper.

732 (4) When the authority acquires property for a  
733 transportation facility or in a transportation corridor, it is  
734 not subject to any liability imposed by chapter 376 or chapter  
735 403 for preexisting soil or groundwater contamination due solely  
736 to its ownership. This section does not affect the rights or  
737 liabilities of any past or future owners of the acquired  
738 property nor does it affect the liability of any governmental  
739 entity for the results of its actions that create or exacerbate  
740 a pollution source. The authority and the Department of  
741 Environmental Protection may enter into interagency agreements  
742 for the performance, funding, and reimbursement for the costs of  
743 the investigative and remedial acts necessary for property  
744 acquired by the authority.

745 Section 12. Section 349.12, Florida Statutes, is amended  
746 to read:

747 349.12 Covenant of the state.--The state does hereby  
748 pledge to~~7~~ and agree ~~agrees~~, with any person, firm or  
749 corporation, or federal or state agency subscribing to~~7~~ or  
750 acquiring the bonds to be issued by the authority for the

751 purposes of this chapter that the state will not limit or alter  
 752 the rights hereby vested in the authority and the department  
 753 until all bonds at any time issued, together with the interest  
 754 thereon, are fully paid and discharged insofar as the same  
 755 affects the rights of the holders of bonds issued hereunder. The  
 756 state does further pledge to~~7~~ and agree~~7~~ with the United States  
 757 and any federal agency that, in the event that any federal  
 758 agency shall construct or contribute any funds for the  
 759 completion, extension, or improvement of the Jacksonville  
 760 Expressway System or other transportation facilities of the  
 761 authority, or any part or portion thereof, the state will not  
 762 alter or limit the rights and powers of the authority and the  
 763 department in any manner that ~~which~~ would be inconsistent with  
 764 the continued maintenance and operation of the Jacksonville  
 765 Expressway System or other transportation facilities of the  
 766 authority or the completion, extension, or improvement thereof,  
 767 or that ~~which~~ would be inconsistent with the due performance of  
 768 any agreements between the authority and any such federal  
 769 agency, and the authority and the department shall continue to  
 770 have and may exercise all powers herein granted, so long as the  
 771 same shall be necessary or desirable for the carrying out of the  
 772 purposes of this chapter and the purposes of the United States  
 773 in the completion, extension, or improvement of the Jacksonville  
 774 Expressway System or other transportation facilities of the  
 775 authority, or any part or portion thereof.

776 Section 13. Section 349.13, Florida Statutes, is amended  
 777 to read:

778           349.13 Exemption from taxation.--The effectuation of the  
 779 authorized purposes of the authority created under this chapter  
 780 is, shall and will be, in all respects for the benefit of the  
 781 people of the state, for the increase of their commerce and  
 782 prosperity, and for the improvement of their health and living  
 783 conditions, and since such authority will be performing  
 784 essential governmental functions in effectuating such purposes,  
 785 such authority shall not be required to pay any taxes or  
 786 assessments of any kind or nature whatsoever upon any property  
 787 acquired or used by it for such purposes, or upon any rates,  
 788 fees, rentals, receipts, income, or charges at any time received  
 789 by it, and the bonds and other obligations issued under this  
 790 chapter ~~by the authority~~, their transfer and the income  
 791 therefrom, (including any profits made on the sale thereof),  
 792 shall at all times be free from taxation of any kind by the  
 793 state, or by any political subdivision, or taxing agency or  
 794 instrumentality thereof. The exemption granted by this section  
 795 shall not be applicable to any tax imposed by chapter 220 on  
 796 interest, income, or profits on debt obligations owned by  
 797 corporations. When property of the authority is leased, it shall  
 798 be exempt from ad valorem taxes only if the use by the lessee  
 799 qualifies the property for exemption under s. 196.199.

800           Section 14. Section 349.15, Florida Statutes, is amended  
 801 to read:

802           349.15 Remedies; pledges enforceable by bondholders.--Any  
 803 holder of bonds issued under this chapter, except to the extent  
 804 such rights may be restricted by the resolution, deed of trust,  
 805 indenture, or other proceeding relating to the issuance of such

806 bonds, may by civil action, mandamus, or other appropriate  
 807 action, suit, or proceeding in law or in equity, in any court of  
 808 competent jurisdiction, protect and enforce any and all rights  
 809 of such bondholder granted under the proceedings authorizing the  
 810 issuance of such bonds and enforce any pledge made for payment  
 811 of the principal and interest on bonds, or any covenant or  
 812 agreement relative thereto, against the authority or directly  
 813 against the department, as may be appropriate. It is the express  
 814 intention of this chapter that any pledge by the department of  
 815 rates, fees, revenues, ~~Duval~~ county gasoline tax funds, or other  
 816 funds, as rentals, to the authority or any covenants or  
 817 agreements relative thereto may be enforceable in any court of  
 818 competent jurisdiction against the authority or directly against  
 819 the department by any holder of bonds issued by the authority.

820 Section 15. Section 349.17, Florida Statutes, is amended  
 821 to read:

822 349.17 Chapter complete and additional authority.--

823 (1) The powers conferred by this chapter shall be in  
 824 addition and supplemental to the existing powers of said board  
 825 and the Department of Transportation, and this chapter shall not  
 826 be construed as repealing any of the provisions of any other  
 827 law, general, special, or local, but to supersede such other  
 828 laws in the exercise of the powers provided in this chapter, and  
 829 to provide a complete method for the exercise of the powers  
 830 granted in this chapter. The refunding of any of the bonds of  
 831 Florida State Improvement Commission heretofore issued to  
 832 finance part of the cost of said Jacksonville Expressway System,  
 833 and the completion, extension, and improvement of said system,

834 and the issuance of bonds hereunder to finance all or part of  
 835 the cost thereof, may be accomplished upon compliance with the  
 836 provisions of this chapter without regard to or necessity for  
 837 compliance with the provisions, limitations, or restrictions  
 838 contained in any other general, special, or local law,  
 839 including, without limitation, s. 215.821, and no approval of  
 840 any bonds issued under this chapter by the qualified electors or  
 841 qualified electors who are freeholders in the state or in said  
 842 County of Duval, or in said City of Jacksonville, or in any  
 843 other political subdivision of the state, shall be required for  
 844 the issuance of such bonds pursuant to this chapter.

845 (2) This chapter shall not be deemed to repeal, rescind,  
 846 or modify any other law or laws relating to said State Board of  
 847 Administration, said Department of Transportation, or said  
 848 Florida State Improvement Commission, but shall be deemed to and  
 849 shall supersede such other law or laws in the exercise of the  
 850 powers provided in this chapter insofar as such other law or  
 851 laws are inconsistent with the provisions of this chapter,  
 852 including, without limitation, s. 215.821.

853 Section 16. Section 349.21, Florida Statutes, is amended  
 854 to read:

855 349.21 Powers conferred by s. 212.055(1).--Notwithstanding  
 856 any other provision of law, any transportation authority created  
 857 by this chapter shall have all the powers conferred by s.  
 858 212.055(1). The revenues provided by this section may ~~shall~~ be  
 859 used or pledged as set forth in s. 212.055(1), including to pay  
 860 principal and interest on bonds issued to refinance existing  
 861 bonds or new bonds issued for the construction of rapid transit

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862 systems, bus systems, roads, or bridges, as provided in s.  
863 212.055(1) for which tolls have been pledged. The powers  
864 provided by this section shall expire when all such bonds in  
865 existence on the effective date of this act have been retired.

866 Section 17. Section 349.22, Florida Statutes, is created  
867 to read:

868 349.22 Public-private transportation facilities.--

869 (1) The authority may receive or solicit proposals and  
870 enter into agreements with private entities or consortia thereof  
871 for the building, operation, ownership, or financing of  
872 highways, bridges, multimodal transportation systems, transit-  
873 oriented development nodes, transit stations, or related  
874 transportation facilities. Before approval, the authority must  
875 determine that a proposed project:

876 (a) Is in the public's best interest.

877 (b) Would not require state funds to be used unless the  
878 project is on or provides increased mobility on the State  
879 Highway System.

880 (c) Would have adequate safeguards to ensure that  
881 additional costs or unreasonable service disruptions would not  
882 be realized by the traveling public and citizens of the state in  
883 the event of default or cancellation of the agreement by the  
884 authority.

885 (2) The authority shall ensure that all reasonable costs  
886 to the state related to transportation facilities that are not  
887 part of the State Highway System are borne by the private entity  
888 or any partnership created to develop the facilities. The  
889 authority shall also ensure that all reasonable costs to the



890 state and substantially affected local governments and utilities  
891 related to the private transportation facility are borne by the  
892 private entity for transportation facilities that are owned by  
893 private entities. For projects on the State Highway System or  
894 that provide increased mobility on the State Highway System, the  
895 department may use state resources to participate in funding and  
896 financing the project as provided for under the department's  
897 enabling legislation.

898 (3) The authority may request proposals and receive  
899 unsolicited proposals for public-private transportation projects  
900 and, upon receipt of any unsolicited proposal or determination  
901 to issue a request for proposals, the authority must publish a  
902 notice in the Florida Administrative Weekly and a newspaper of  
903 general circulation in the county in which the proposed project  
904 is located at least once a week for 2 weeks requesting proposals  
905 or, if an unsolicited proposal was received, stating that it has  
906 received the proposal and will accept, for 60 days after the  
907 initial date of publication, other proposals for the same  
908 project purpose. A copy of the notice must be mailed to each  
909 local government in the affected areas. After the public  
910 notification period has expired, the authority shall rank the  
911 proposals in order of preference. In ranking the proposals, the  
912 authority shall consider professional qualifications, general  
913 business terms, innovative engineering or cost-reduction terms,  
914 finance plans, and the need for state funds to deliver the  
915 proposal. If the authority is not satisfied with the results of  
916 the negotiations, it may, at its sole discretion, terminate  
917 negotiations with the proposer. If these negotiations are

918 unsuccessful, the authority may go to the second and lower-  
919 ranked firms, in order, using the same procedure. If only one  
920 proposal is received, the authority may negotiate in good faith  
921 and, if it is not satisfied with the results, it may, at its  
922 sole discretion, terminate negotiations with the proposer.  
923 Notwithstanding this subsection, the authority may, at its  
924 discretion, reject all proposals at any point in the process up  
925 to completion of a contract with the proposer.

926 (4) Agreements entered into pursuant to this section may  
927 authorize the public-private entity to impose tolls or fares for  
928 the use of the transportation facility. However, the amount and  
929 use of toll or fare revenues shall be regulated by the authority  
930 to avoid unreasonable costs to users of the facility.

931 (5) Each public-private transportation facility  
932 constructed pursuant to this section shall comply with all  
933 requirements of federal, state, and local laws; state, regional,  
934 and local comprehensive plans; the authority's rules, policies,  
935 procedures, and standards for transportation facilities; and any  
936 other conditions that the authority determines to be in the  
937 public's best interest.

938 (6) The authority may exercise any of its powers,  
939 including eminent domain, to facilitate the development and  
940 construction of transportation projects pursuant to this  
941 section. The authority may pay all or part of the cost of  
942 operating and maintaining the facility or may provide services  
943 to the private entity, for which services it shall receive full  
944 or partial reimbursement.

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945           (7) Except as provided in this section, this section is  
946 not intended to amend existing law by granting additional powers  
947 to or imposing further restrictions on the governmental entities  
948 with regard to regulating and entering into cooperative  
949 arrangements with the private sector for the planning,  
950 construction, and operation of transportation facilities.

951           Section 18. This act shall take effect July 1, 2008.