

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.; revising a requirement for membership on the
 6 governing body of the authority to provide that an
 7 appointed member must be a resident and elector of Duval
 8 County; amending s. 349.04, F.S.; revising scope of the
 9 authority to include certain services throughout Duval
 10 County; revising authority, powers, rights, and
 11 responsibilities of the authority to provide for planning,
 12 coordinating, developing, financing, refinancing,
 13 constructing, owning, leasing, purchasing, operating,
 14 maintaining, relocating, equipping, repairing, and
 15 managing described transportation projects intended to
 16 address needs or concerns in the Jacksonville, Duval
 17 County, metropolitan area; revising bonding provisions;
 18 providing for the authority to fix, alter, charge,
 19 establish, and collect rates, fees, rentals, and other
 20 charges for any transportation facilities of the
 21 authority; revising eminent domain provisions to include
 22 specified procedural powers; authorizing use of local
 23 option taxes or county gasoline tax funds to secure the
 24 payment of bonds; authorizing the authority to establish
 25 and fund reserve accounts, adopt an annual budget, use
 26 purchasing schedules and master purchasing contracts,
 27 retain legal counsel and other consultants, construct and
 28 own and maintain transportation facilities outside the

29 | jurisdictional boundaries of Duval County, form public
30 | benefit corporations, require bid bonds and protest bonds,
31 | prequalify bidders or proposers, suspend or debar
32 | consultants and contractors, and create and operate an
33 | employees' benefit fund; providing for the authority to
34 | expand its service area and enter into a partnership with
35 | a contiguous county; providing that the powers and
36 | obligations of the authority shall not be subject to
37 | supervision, approval, or consent of any municipality or
38 | county except as agreed upon in an interlocal agreement;
39 | providing for certain contractual limitations and recovery
40 | of liquidated damages; providing for relocation of utility
41 | facilities interfering with transportation projects;
42 | authorizing the authority to enter lands, waters, and
43 | premises of another in the performance of its duties;
44 | amending s. 349.041, F.S.; revising provisions for funds
45 | appropriated by the City of Jacksonville to the authority;
46 | repealing s. 349.042, F.S., relating to the Jacksonville
47 | area planning board review of construction and operation
48 | of the expressway and transit functions of the authority;
49 | creating s. 349.043, F.S.; requiring a public hearing
50 | prior to designation or relocation of transportation
51 | facilities or substantive changes thereto; providing
52 | procedures; requiring compliance with federal and state
53 | requirements related to new or altered transportation
54 | facilities or services; amending s. 349.05, F.S.;
55 | authorizing bonds to be issued on behalf of the authority;
56 | revising provisions for issuance and sale of bonds;

57 | authorizing certain refunding bonds; revising provisions
58 | for resolutions authorizing bonds; revising provisions for
59 | fiscal agents; providing that bonds are not obligations of
60 | the state; repealing s. 349.06, F.S., relating to remedies
61 | of the bondholders; creating s. 349.061, F.S.; providing
62 | approval for bond financing by the authority; amending s.
63 | 349.07, F.S.; revising provisions authorizing the
64 | Department of Transportation to expend certain funds and
65 | use its resources for certain items related to the
66 | Jacksonville Expressway System; amending s. 349.10, F.S.;
67 | revising provisions for the authority to acquire lands and
68 | rights therein; limiting liability of the authority with
69 | respect to certain contamination of lands acquired;
70 | authorizing the authority and the Department of
71 | Environmental Protection to enter into agreements for the
72 | performance and funding of investigative and remedial
73 | acts; amending s. 349.12, F.S.; revising covenant of the
74 | state related to bonds of the authority; amending s.
75 | 349.13, F.S.; specifying conditions under which property
76 | leased by the authority is exempt from ad valorem taxes;
77 | amending s. 349.15, F.S.; revising provisions for
78 | enforcement of rights by bondholders; amending s. 349.17,
79 | F.S.; revising provisions for application of and exemption
80 | from other laws relating to issuance of bonds; amending s.
81 | 349.21, F.S.; revising provisions for use of charter
82 | county transit system surtax funds to secure payment of
83 | bonds of the authority; restricting use of surtax moneys
84 | collected within Duval County; creating s. 349.22, F.S.;

85 providing conditions for the authority to receive or
 86 solicit proposals and enter into agreements with private
 87 entities for the building, operation, ownership, or
 88 financing of highways, bridges, multimodal transportation
 89 systems, transit-oriented development nodes, transit
 90 stations, or related transportation facilities; requiring
 91 certain costs to be paid by the private entity;
 92 authorizing the department to use state funds for projects
 93 on or that increase mobility on the State Highway System;
 94 requiring notice of proposals and providing procedures;
 95 providing for agreements to authorize the imposition of
 96 tolls; requiring public-private transportation facilities
 97 to comply with laws, comprehensive plans, and the
 98 authority's rules, policies, procedures, standards, and
 99 conditions; authorizing the authority to exercise its
 100 powers to facilitate public-private projects; providing
 101 for application; amending s. 20.23, F.S.; revising the
 102 functions of the Florida Transportation Commission; adding
 103 the authority to the transportation agencies monitored by
 104 the commission; providing an effective date.

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

108 Section 1. Section 349.02, Florida Statutes, is amended to
 109 read:

110 349.02 Definitions.--

111 (1) Except in those instances where the context clearly
 112 indicates otherwise, whenever used or referred to in this

113 chapter, the following terms ~~whenever used or referred to in~~
 114 ~~this law~~ shall have the following meanings, ~~except in those~~
 115 ~~instances where the context clearly indicates otherwise:~~

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

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

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

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

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

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

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

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

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

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

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

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

163 (m) "Transportation facilities" means and includes all
 164 mobile and fixed assets (real or personal property or rights
 165 therein) used in the transportation of persons or property by
 166 any means of conveyance whatsoever, and all appurtenances
 167 thereto, such as, but not limited to, highways; limited or

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168 controlled access lanes and facilities; docks, vessels,
 169 vehicles, fixed guideway facilities, and any means of conveyance
 170 of persons or property of all types; park-and-ride facilities;
 171 transit-related improvements adjacent to transit facilities or
 172 stations; bus, train, vessel, or other vehicle storage,
 173 cleaning, fueling, control, and maintenance facilities; and
 174 administrative and other office space for the exercise by the
 175 authority of the powers and obligations herein granted.

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

179 Section 2. Subsection (2) of section 349.03, Florida
 180 Statutes, is amended to read:

181 349.03 Jacksonville Transportation Authority.--

182 (2) The governing body of the authority shall consist of
 183 seven members. Three members shall be appointed by the Governor
 184 and confirmed by the Senate. Three members shall be appointed by
 185 the mayor of the City of Jacksonville subject to confirmation by
 186 the council of the City of Jacksonville. The seventh member
 187 shall be the district secretary of the Department of
 188 Transportation serving in the district that contains the City of
 189 Jacksonville. Except for the seventh member, members shall be
 190 residents and qualified electors of Duval County ~~the City of~~
 191 ~~Jacksonville.~~

192 Section 3. Section 349.04, Florida Statutes, is amended to
 193 read:

194 349.04 Purposes and powers.--

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

212 (b) The authority may, in addition, acquire, hold,
 213 construct, improve, operate, maintain, and lease in the capacity
 214 of lessor a mass transit system employing motor cars or buses;
 215 street railway systems beneath the surface, on the surface, or
 216 above the surface; or any other means determined useful to the
 217 rapid transfer of large numbers of people among the locations of
 218 residence, commerce, industry, and education in Duval County ~~the~~
 219 ~~City of Jacksonville~~.

220 (c) The authority may further plan, coordinate, and
 221 recommend to appropriate officers and agencies of federal,
 222 state, and local governments methods and facilities for the

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223 parking of vehicles, the movement of pedestrians, and vehicular
224 traffic (including bicycles), public and private, in Duval
225 County ~~the City of Jacksonville,~~ to accomplish a coordinated
226 transportation system for the greater Jacksonville area. The
227 authority may construct and operate passenger terminals for the
228 parking of automobiles and movement by public conveyance of
229 persons and construct and operate all other facilities necessary
230 to a complete and coordinated transportation system in the
231 Jacksonville area.

232 (d) It is the express intention of this chapter that the
233 authority, in completing the construction of the Jacksonville
234 Expressway System, is not limited to the description thereof
235 contained in the proceedings of the commission which authorized
236 the issuance of \$28 million in bonds to finance part of the cost
237 thereof, but it is authorized to finance and construct any
238 additional extensions, additions, or improvements to the system,
239 or appurtenant facilities, including all necessary approaches,
240 roads, bicycle ways, bridges, and avenues of access, with such
241 changes, modifications, or revisions of the project as are
242 deemed desirable and proper. It is the intent of this chapter,
243 and to effect its purposes the Legislature determines, that
244 bonds issued under this chapter be deemed to be state capital
245 improvement bonds to finance or refinance the cost of state
246 capital projects pursuant to s. 11(d), Art. VII of the State
247 Constitution. However, the provisions of s. 316.091(2), relating
248 to bicycles, do not apply to this system.

249 (e) In addition to the other powers set forth in this
250 chapter, the authority has the right to plan, develop, finance,

251 construct, own, lease, purchase, operate, maintain, relocate,
 252 equip, repair, and manage those public transportation projects,
 253 such as express bus services; bus rapid transit services; light
 254 rail, commuter rail, heavy rail, or other transit services;
 255 ferry services; transit stations; park-and-ride lots; transit-
 256 oriented development nodes; or feeder roads, reliever roads,
 257 connector roads, bypasses, or appurtenant facilities, that are
 258 intended to address critical transportation needs or concerns in
 259 the Jacksonville, Duval County, metropolitan area. These
 260 projects may also include all necessary approaches, roads,
 261 bridges, and avenues of access that are desirable and proper
 262 with the concurrence of the department, as applicable, if the
 263 project is to be part of the State Highway System.

264 (f)~~(e)~~ The authority, in addition to the other powers and
 265 duties provided, shall have the power and responsibility to
 266 formulate and implement a plan for a mass transit system that
 267 ~~which~~ will serve Duval County and the greater consolidated City
 268 ~~of Jacksonville~~ area.

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

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

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

276 (c) To acquire, purchase, construct, hold, lease as lessee
 277 or lessor, and use any franchise or any property, real,
 278 personal, or mixed, tangible or intangible, or any interest

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279 therein, necessary or desirable for carrying out the purposes of
280 the authority and to sell, lease as lessor, transfer, and
281 dispose of any property or interest therein at any time acquired
282 by it, including, without limitation, land, buildings, and other
283 facilities located within or comprising transit-oriented
284 developments which enhance the use or utility of transportation
285 facilities owned or constructed by the authority and
286 administrative and other buildings for the use of the authority
287 in carrying out its powers and obligations granted in this
288 chapter.

289 (d) To enter into and make leases for terms not exceeding
290 40 years, as either lessee or lessor, in order to carry out the
291 right to lease as set forth in this chapter.

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

297 (f) To fix, alter, charge, establish, and collect rates,
298 fees, rentals, and other charges for the services and facilities
299 of the Jacksonville Expressway System and any other
300 transportation facilities of the authority, which rates, fees,
301 rentals, and other charges shall always be sufficient to comply
302 with any covenants made with the holders of any bonds issued
303 pursuant to this chapter; this right and power may be assigned
304 or delegated by the authority to the department.

305 (g)1. To borrow money and make and issue negotiable notes,
306 bonds, refunding bonds, and other evidences of indebtedness or

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307 obligations, either in temporary or definitive form~~7~~
308 (hereinafter in this chapter sometimes called "bonds"), l of the
309 authority, for the purpose of funding or refunding, at or prior
310 to maturity, any bonds theretofore issued by the authority, or
311 by the Florida State Improvement Commission to finance part of
312 the cost of the Jacksonville Expressway System, and purposes
313 related thereto, and for the purpose of financing or refinancing
314 all or part of the costs of completion, ~~or~~ improvement, or
315 extension of the Jacksonville Expressway System, and appurtenant
316 facilities, including all approaches, streets, roads, bridges,
317 and avenues of access for the Jacksonville Expressway System and
318 for any other purpose authorized by this chapter, such bonds to
319 mature in not exceeding 40 years from the date of the issuance
320 thereof; and to secure the payment of such bonds or any part
321 thereof by a pledge of any or all of its revenues, rates, fees,
322 rentals, or other charges, including all or any portion of the
323 Duval County gasoline tax funds received by the authority
324 pursuant to the terms of any lease-purchase agreement between
325 the authority and the department; and in general to provide for
326 the security of such bonds and the rights and remedies of the
327 holders thereof.

328 2. In the event that the authority determines to fund or
329 refund any bonds theretofore issued by the authority, or by the
330 commission as aforesaid, prior to the maturity thereof, the
331 proceeds of such funding or refunding bonds shall, pending the
332 prior redemption of the bonds to be funded or refunded, be
333 invested in direct obligations of the United States; and it is
334 the express intention of this chapter that such outstanding

335 | bonds may be funded or refunded by the issuance of bonds
 336 | pursuant to this chapter notwithstanding that part of such
 337 | outstanding bonds will not mature or become redeemable until 6
 338 | years after the date of issuance of bonds pursuant to this
 339 | chapter to fund or refund such outstanding bonds.

340 | (h) To make contracts of every name and nature and to
 341 | execute all instruments necessary or convenient for the carrying
 342 | on of its business.

343 | (i) Without limitation of the foregoing, to borrow money
 344 | and accept grants from, and to enter into contracts, leases, or
 345 | other transactions with, any federal agency, the state, any
 346 | agency of the state, the County of Duval, the City of
 347 | Jacksonville, or any other public body of the state.

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

350 | (k) To pledge, hypothecate, or otherwise encumber all or
 351 | any part of the revenues, rates, fees, rentals, or other charges
 352 | or receipts of the authority, including all or any portion of
 353 | the Duval County gasoline tax funds received by the authority
 354 | pursuant to the terms of any lease-purchase agreement between
 355 | the authority and the department, as security for all or any of
 356 | the obligations of the authority.

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

361 | (m) To invest and to borrow money and make and issue
 362 | negotiable notes, bonds, refunding bonds, and other evidences of

363 | indebtedness or obligations, either in temporary or definitive
 364 | form, of the authority for the purpose of financing or
 365 | refinancing all or a part of ~~funding or refunding~~ the cost of
 366 | the acquisition or improvement of transportation facilities
 367 | ~~motor or street railway vehicles, passenger terminals,~~
 368 | ~~automobile parking facilities, or administrative offices~~ and for
 369 | any other purposes authorized by this chapter, such bonds to
 370 | mature in not exceeding 40 years from the date of the issuance
 371 | thereof; to secure the payment of such bonds or any part thereof
 372 | by a pledge of any or all of its revenues, rates, fees, rentals,
 373 | or other charges, including, without limitation, all or any
 374 | portion of local option taxes or county gasoline tax funds
 375 | received by the authority; and in general to provide for the
 376 | security of such bonds and the rights and remedies of the
 377 | holders thereof.

378 | (n) To adopt rules to carry out the powers and obligations
 379 | herein granted, which set forth a purpose, necessary
 380 | definitions, forms, general conditions and procedures, and fines
 381 | and penalties, including, without limitation, suspension or
 382 | debarment, and charges for nonperformance, with respect to any
 383 | aspect of the work or function of the authority for the
 384 | permitting, planning, funding, design, acquisition,
 385 | construction, equipping, operation, and maintenance of
 386 | transportation facilities, transit and highway, within the
 387 | state, provided or operated by the authority or others in
 388 | cooperation with or at the direction of the authority, and for
 389 | carrying out all other purposes of the authority set forth or
 390 | authorized in this chapter.

391 (o) To establish and fund reserve accounts with respect to
392 its operations and functions, make withdrawals therefrom, and
393 replenish such accounts, as the governing body may reasonably
394 determine.

395 (p) To adopt and approve an annual budget, and to utilize
396 purchasing schedules and master purchasing contracts of the
397 state, any municipality, or any federal agency, to the extent
398 permitted by law.

399 (q) To retain legal counsel and financial, engineering,
400 real estate, accounting, design, planning, and other consultants
401 from time to time as the authority may determine to assist in
402 the carrying out of the powers and obligations granted in this
403 chapter.

404 (r) With the consent of the county within whose
405 jurisdiction the following activities occur, to construct, own,
406 operate, and maintain transportation facilities outside the
407 jurisdictional boundaries of Duval County, with all necessary
408 and incidental powers to accomplish the foregoing.

409 (s) To form, alone or with one or more other agencies of
410 the state or local governments, public benefit corporations to
411 carry out the powers and obligations granted in this chapter or
412 the powers and obligations of such other agencies or local
413 governments.

414 (t) To require or elect not to require bid bonds and
415 protest bonds, to prequalify bidders or proposers in various
416 categories of work or services, and to suspend or debar
417 consultants and contractors in accordance with the rules of the
418 authority.

419 (u) To create and operate an employees' benefit fund for
 420 employees of the authority or public benefit corporations
 421 controlled by it. The proceeds of vending machines located on
 422 the premises of the authority or such corporations shall be paid
 423 into the fund and used for such benefits and purposes as the
 424 authority may determine.

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

436 (4) By a resolution of its governing body, the authority
 437 may expand its service area and enter into a partnership with
 438 any county that is contiguous to the then-current service area
 439 of the authority. The governing body shall determine the
 440 conditions and terms of the partnership, except as provided in
 441 this section. However, the authority may not expand its service
 442 area without the consent of the governing body representing the
 443 proposed expansion area.

444 (5) Except as otherwise expressly provided in this
 445 chapter, none of the powers and obligations herein granted to
 446 the authority shall be subject to the supervision or require the

447 approval or consent of any municipality or county, except as may
 448 be agreed upon by the authority in an interlocal agreement with
 449 a municipality or county.

450 (6) No oral modification of a contract, whether for
 451 construction of highway facilities or other transportation
 452 facilities, shall be binding upon the authority or form the
 453 basis for a claim against the authority. Only the chair of the
 454 governing body or executive director of the authority, or the
 455 designee of either, may bind the authority. The authority may
 456 provide for liquidated damages for delays by contractors in
 457 construction of transportation facilities for the authority, or
 458 the authority may provide for other contractually agreed-upon
 459 damages measures for delays.

460 (7) The authority shall be deemed to be an "authority" for
 461 purposes of s. 337.403, shall have all of the powers granted to
 462 authorities under s. 337.403, and shall have the powers granted
 463 to the Department of Transportation under s. 337.274 with
 464 respect to its powers and obligations granted in this chapter.

465 Section 4. Section 349.041, Florida Statutes, is amended
 466 to read:

467 349.041 Provision of funds and services by city to
 468 authority; ~~employment of legal counsel.--~~

469 (1) The authority shall prepare and submit annually its
 470 requests for such funds as it may require from the city for the
 471 ensuing year to the council of the city on or before June 1,
 472 setting forth its estimation for related ~~estimated~~ gross
 473 revenues and estimated requirements for operations, maintenance
 474 expenses, and debt service. A copy of such requests shall be

475 furnished to the Department of Transportation. The council and
 476 the mayor of the City of Jacksonville may appropriate such funds
 477 as they deem appropriate for the use of the authority, and the
 478 use of such funds shall be subject to audit by the Council
 479 Auditor of the City of Jacksonville.

480 (2) Except as the council may provide, and except as
 481 otherwise required by any trust indenture outstanding on
 482 September 1, 1971, the authority may use ~~shall utilize~~, on a
 483 cost-accounted basis, the central services of the city, and
 484 shall pay therefor. ~~The authority may, however, employ legal~~
 485 ~~counsel it deems necessary, upon resolution of the authority.~~

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

487 Section 6. Section 349.043, Florida Statutes, is created
 488 to read:

489 349.043 Public hearings for transportation
 490 facilities.--Transportation facilities may not be designated or
 491 relocated by the authority, nor may substantive changes be made
 492 thereto, until after a public hearing is conducted by the
 493 authority. Any interested party shall have the opportunity to be
 494 heard either in person or by counsel and to introduce testimony
 495 in such person's behalf at the hearing. Reasonable notice of
 496 each such public hearing shall be published in a newspaper of
 497 general circulation in each county directly affected by the
 498 proposed transportation facility not less than 14 days prior to
 499 the hearing. In addition, the authority shall comply with all
 500 applicable federal and state requirements related to new or
 501 altered transportation facilities or services.

502 Section 7. Section 349.05, Florida Statutes, is amended to
 503 read:

504 349.05 Bonds of the authority; bonds not debt or pledges
 505 of credit of state.--

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

509 (b)1. The bonds of the authority issued pursuant to the
 510 provisions of this chapter, whether an original issuance or on
 511 refunding, shall be authorized by resolution of the members
 512 thereof and may be issued in one or more series, may be either
 513 term or serial bonds, and shall bear such date or dates, be
 514 payable on demand or mature at such time or times, not exceeding
 515 40 years from their respective dates, bear interest, fixed or
 516 variable, at such rate or rates, not exceeding the maximum
 517 lawful interest rate ~~payable semiannually,~~ be in such
 518 denominations, be in such form, either coupon or fully
 519 registered, carry such registration, exchangeability, and
 520 interchangeability privileges, be payable in such medium of
 521 payment and at such place or places, be subject to such terms of
 522 redemption, with or without premium, and other terms, have such
 523 rank, and be entitled to such remedies and priorities on the
 524 revenues, rates, fees, rentals, or other charges or receipts of
 525 the authority including all or any portion of local option sales
 526 tax or the Duval county gasoline tax funds received by the
 527 authority pursuant to the terms of any lease-purchase agreement
 528 between the authority and the department, as the authority may
 529 determine such resolution or any resolution subsequent thereto

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530 ~~may provide.~~ The bonds shall be executed either by manual or
531 facsimile signature by such officers as the authority shall
532 determine, provided that such bonds shall bear at least one
533 signature that ~~which~~ is manually executed thereon, and the
534 coupons attached to such bonds shall bear the facsimile
535 signature or signatures of such officer or officers as shall be
536 designated by the authority and shall have the seal of the
537 authority affixed, imprinted, reproduced, or lithographed
538 thereon, all as may be prescribed in such resolution or
539 resolutions.

540 2.(b) Such bonds shall be sold at public or private sale
541 at such price or prices as the authority determines to be in its
542 best interest, except that the interest costs to the authority
543 on such bonds may not exceed the maximum lawful interest rate.
544 The authority shall provide a specific finding by resolution as
545 to the reason requiring any negotiated sale ~~must be sold at~~
546 ~~public sale in the manner provided by the State Bond Act.~~
547 ~~However, if the authority, by official action at a public~~
548 ~~meeting, determines that a negotiated sale of the bonds is in~~
549 ~~the best interest of the authority, the authority may negotiate~~
550 ~~for sale of the bonds with the underwriter or underwriters~~
551 ~~designated by the authority and the Division of Bond Finance of~~
552 ~~the State Board of Administration.~~ Pending the preparation of
553 definitive bonds, interim certificates may be issued to the
554 purchaser or purchasers of such bonds and may contain such terms
555 and conditions as the authority may determine.

556 3. The authority may issue bonds pursuant to this
557 paragraph to refund any bonds previously issued regardless of

558 whether the bonds being refunded were issued by the authority
 559 pursuant to this chapter or on behalf of the authority pursuant
 560 to the State Bond Act.

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

565 (a) The pledging of all or any part of the revenues,
 566 rates, fees, rentals, including the sales surtax adopted
 567 pursuant to s. 212.055(1) (including all or any portion of the
 568 ~~Duval~~ county gasoline tax funds received by the authority
 569 ~~pursuant to the terms of any lease purchase agreement between~~
 570 ~~the authority and the department, or any part thereof),~~ or other
 571 charges or receipts of any nature of the authority, whether or
 572 not derived by the authority from the Jacksonville Expressway
 573 System or its other transportation facilities;

574 (b) The completion, improvement, operation, extension,
 575 maintenance, repair, lease, or lease-purchase agreement of said
 576 system or transportation facilities, and the duties of the
 577 authority and others, including the department, with reference
 578 thereto;

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

582 (d) The fixing, charging, establishing, and collecting of
 583 rates, fees, rentals, or other charges for use of the services
 584 and facilities of the Jacksonville Expressway System or any part
 585 thereof or its other transportation facilities;

586 (e) The setting aside of reserves or sinking funds or
 587 repair and replacement funds and the regulation and disposition
 588 thereof;

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

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

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

596 (3) ~~The authority may employ fiscal agents as provided by~~
 597 ~~this chapter or the~~ State Board of Administration may, upon
 598 request by the authority, act as fiscal agent for the authority
 599 in the issuance of any bonds that may be issued pursuant to this
 600 chapter, and the State Board of Administration may, upon request
 601 by the authority, take over the management, control,
 602 administration, custody, and payment of any or all debt services
 603 or funds or assets now or hereafter available for any bonds
 604 issued pursuant to this chapter. The authority may enter into
 605 deeds of trust, indentures, or other agreements with a corporate
 606 trustee or trustees, which shall act as its fiscal agent for the
 607 authority and may be, ~~or with~~ any bank or trust company within
 608 or without the state, as security for such bonds, and may, under
 609 such agreements, assign and pledge all or any of the revenues,
 610 rates, fees, rentals, or other charges or receipts of the
 611 authority, including all or any portion of local option taxes or
 612 ~~the Duval county gasoline tax funds received by the authority~~
 613 ~~pursuant to the terms of any lease-purchase agreement between~~

614 ~~the authority and the department,~~ thereunder. Such deed of
 615 trust, indenture, or other agreement~~,~~ may contain such
 616 provisions as are ~~is~~ customary in such instruments or~~,~~ as the
 617 authority may authorize, including, ~~but~~ without limitation,
 618 provisions as to:

619 (a) The completion, improvement, operation, extension,
 620 maintenance, repair, and lease of, or lease-purchase agreement
 621 relating to, all or any part of transportation facilities
 622 authorized in this chapter to be constructed, acquired,
 623 developed, or operated by the authority ~~the Jacksonville~~
 624 ~~Expressway System,~~ and the duties of the authority and others,
 625 including the department, with reference thereto;

626 (b) The application of funds and the safeguarding of funds
 627 on hand or on deposit;

628 (c) The rights and remedies of the trustee and the holders
 629 of the bonds; and

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

632 (4) Any of the bonds issued pursuant to this chapter are,
 633 and are hereby declared to be, negotiable instruments~~,~~ and shall
 634 have all the qualities and incidents of negotiable instruments
 635 under the law merchant and the negotiable instruments law of the
 636 state.

637 (5) Notwithstanding any of the provisions of this chapter,
 638 each project, building, or facility that ~~which~~ has been financed
 639 by the issuance of bonds or other evidences of indebtedness
 640 under this chapter and any refinancing thereof is hereby

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641 approved as provided for in s. 11(f), Art. VII of the State
642 Constitution.

643 (6) Revenue bonds issued under the provisions of this
644 chapter are not debts of the state or pledges of the faith and
645 credit of the state. Such bonds are payable exclusively from
646 revenues pledged for their payment. Each such bond shall contain
647 a statement on its face that the state is not obligated to pay
648 the same or the interest thereon, except from the revenues
649 pledged for their payment, and that the faith and credit of the
650 state is not pledged to the payment of the principle or interest
651 of such bond. The issuance of revenue bonds under the provisions
652 of this chapter does not directly, indirectly, or contingently
653 obligate the state to levy or to pledge any form of taxation
654 whatsoever or to make any appropriation for their payment.

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

656 Section 9. Section 349.061, Florida Statutes, is created
657 to read:

658 349.061 Bond financing authority.--Pursuant to s. 11(f),
659 Art. VII of the State Constitution, the Legislature hereby
660 approves for bond financing by the authority any extensions,
661 additions, and improvements to the Jacksonville Expressway
662 System and any other facilities appurtenant, necessary, or
663 incidental to the system or any transportation facilities herein
664 authorized to be constructed, acquired, or operated by the
665 authority. Subject to terms and conditions of applicable revenue
666 bond resolutions and covenants, such costs may be financed in
667 whole or in part by revenue bonds issued pursuant to s.

668 349.05(1)(a) or (b), whether currently issued or issued in the
 669 future, or by a combination of such bonds.

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

672 349.07 Lease-purchase agreement.--

673 (7) Regardless of whether the authority enters into a
 674 lease-purchase agreement with the department relating to the
 675 system or any part thereof, the ~~said~~ system shall be a part of
 676 the State Highway ~~road~~ System and the ~~said~~ department is hereby
 677 authorized, upon the request of the authority, to expend out of
 678 any funds available for the purpose such moneys, and to use such
 679 of its engineering and other forces, as may be necessary and
 680 desirable in the judgment of the ~~said~~ department, for the
 681 operation of the ~~said~~ authority and for traffic surveys,
 682 borings, surveys, preparation of plans and specifications,
 683 estimates of cost, and other preliminary engineering and other
 684 studies; ~~provided, however, that the aggregate amount of moneys~~
 685 ~~expended for said purposes by said department shall not exceed~~
 686 ~~the sum of \$375,000.~~

687 Section 11. Section 349.10, Florida Statutes, is amended
 688 to read:

689 349.10 Acquisition of lands and property.--

690 (1) For the purposes of this chapter, ~~law~~ the Jacksonville
 691 Transportation Authority may acquire private or public property
 692 and property rights, including rights of access, air, view, and
 693 light, by gift, devise, purchase, or condemnation by eminent
 694 domain proceedings, as the authority may deem necessary,
 695 including, but not limited to, any lands reasonably necessary

696 for securing applicable permits, areas necessary for management
 697 of access, borrow pits, drainage ditches, water retention areas,
 698 rest areas, replacement access for landowners whose access is
 699 impaired due to the construction of transportation facilities,
 700 and replacement rights-of-way for relocated rail and utility
 701 facilities, and areas necessary for existing, proposed, or
 702 anticipated transportation facilities or in a transportation
 703 corridor designated by the authority. The authority shall also
 704 have the power to condemn any material and property necessary
 705 for such ~~for any of the purposes of this chapter.~~ The right of
 706 eminent domain ~~herein~~ conferred in this section shall be
 707 exercised by the authority in the manner provided by law.
 708 Notwithstanding that the authority is an agency of the state,
 709 the authority shall not exercise its powers of condemnation
 710 granted in this section with respect to any property or property
 711 rights of any county or municipality, including, without
 712 limitation, the City of Jacksonville.

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

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

722 (4) When the authority acquires property for a
 723 transportation facility or in a transportation corridor, it is

724 not subject to any liability imposed by chapter 376 or chapter
 725 403 for preexisting soil or groundwater contamination due solely
 726 to its ownership. This section does not affect the rights or
 727 liabilities of any past or future owners of the acquired
 728 property nor does it affect the liability of any governmental
 729 entity for the results of its actions that create or exacerbate
 730 a pollution source. The authority and the Department of
 731 Environmental Protection may enter into interagency agreements
 732 for the performance, funding, and reimbursement for the costs of
 733 the investigative and remedial acts necessary for property
 734 acquired by the authority.

735 Section 12. Section 349.12, Florida Statutes, is amended
 736 to read:

737 349.12 Covenant of the state.--The state does hereby
 738 pledge to~~7~~ and agree ~~agrees~~~~7~~ with any person, firm, ~~or~~
 739 corporation, or federal or state agency subscribing to~~7~~ or
 740 acquiring the bonds to be issued by the authority for the
 741 purposes of this chapter that the state will not limit or alter
 742 the rights hereby vested in the authority and the department
 743 until all bonds at any time issued, together with the interest
 744 thereon, are fully paid and discharged insofar as the same
 745 affects the rights of the holders of bonds issued hereunder. The
 746 state does further pledge to~~7~~ and ~~agree~~~~7~~ with the United States
 747 and any federal agency that, in the event that any federal
 748 agency shall construct or contribute any funds for the
 749 completion, extension, or improvement of the Jacksonville
 750 Expressway System or other transportation facilities of the
 751 authority, or any part or portion thereof, the state will not

752 alter or limit the rights and powers of the authority and the
 753 department in any manner that ~~which~~ would be inconsistent with
 754 the continued maintenance and operation of the Jacksonville
 755 Expressway System or other transportation facilities of the
 756 authority or the completion, extension, or improvement thereof,
 757 or that ~~which~~ would be inconsistent with the due performance of
 758 any agreements between the authority and any such federal
 759 agency, and the authority and the department shall continue to
 760 have and may exercise all powers herein granted, so long as the
 761 same shall be necessary or desirable for the carrying out of the
 762 purposes of this chapter and the purposes of the United States
 763 in the completion, extension, or improvement of the Jacksonville
 764 Expressway System or other transportation facilities of the
 765 authority, or any part or portion thereof.

766 Section 13. Section 349.13, Florida Statutes, is amended
 767 to read:

768 349.13 Exemption from taxation.--The effectuation of the
 769 authorized purposes of the authority created under this chapter
 770 is, shall and will be, in all respects for the benefit of the
 771 people of the state, for the increase of their commerce and
 772 prosperity, and for the improvement of their health and living
 773 conditions, and since such authority will be performing
 774 essential governmental functions in effectuating such purposes,
 775 such authority shall not be required to pay any taxes or
 776 assessments of any kind or nature whatsoever upon any property
 777 acquired or used by it for such purposes, or upon any rates,
 778 fees, rentals, receipts, income, or charges at any time received
 779 by it, and the bonds and other obligations issued under this

780 chapter ~~by the authority,~~ their transfer and the income
 781 therefrom~~;~~ (including any profits made on the sale thereof),
 782 shall at all times be free from taxation of any kind by the
 783 state~~;~~ or by any political subdivision~~;~~ or taxing agency or
 784 instrumentality thereof. The exemption granted by this section
 785 shall not be applicable to any tax imposed by chapter 220 on
 786 interest, income, or profits on debt obligations owned by
 787 corporations. When property of the authority is leased, it shall
 788 be exempt from ad valorem taxes only if the use by the lessee
 789 qualifies the property for exemption under s. 196.199.

790 Section 14. Section 349.15, Florida Statutes, is amended
 791 to read:

792 349.15 Remedies; pledges enforceable by bondholders.--Any
 793 holder of bonds issued under this chapter, except to the extent
 794 such rights may be restricted by the resolution, deed of trust,
 795 indenture, or other proceeding relating to the issuance of such
 796 bonds, may by civil action, mandamus, or other appropriate
 797 action, suit, or proceeding in law or in equity, in any court of
 798 competent jurisdiction, protect and enforce any and all rights
 799 of such bondholder granted under the proceedings authorizing the
 800 issuance of such bonds and enforce any pledge made for payment
 801 of the principal and interest on bonds, or any covenant or
 802 agreement relative thereto, against the authority or directly
 803 against the department, as may be appropriate. It is the express
 804 intention of this chapter that any pledge by the department of
 805 rates, fees, revenues, ~~Duval~~ county gasoline tax funds, or other
 806 funds, as rentals, to the authority or any covenants or
 807 agreements relative thereto may be enforceable in any court of

808 competent jurisdiction against the authority or directly against
 809 the department by any holder of bonds issued by the authority.

810 Section 15. Section 349.17, Florida Statutes, is amended
 811 to read:

812 349.17 Chapter complete and additional authority.--

813 (1) The powers conferred by this chapter shall be in
 814 addition and supplemental to the existing powers of said board
 815 and the Department of Transportation, and this chapter shall not
 816 be construed as repealing any of the provisions of any other
 817 law, general, special, or local, but to supersede such other
 818 laws in the exercise of the powers provided in this chapter, and
 819 to provide a complete method for the exercise of the powers
 820 granted in this chapter. The refunding of any of the bonds of
 821 Florida State Improvement Commission heretofore issued to
 822 finance part of the cost of said Jacksonville Expressway System,
 823 and the completion, extension, and improvement of said system,
 824 and the issuance of bonds hereunder to finance all or part of
 825 the cost thereof, may be accomplished upon compliance with the
 826 provisions of this chapter without regard to or necessity for
 827 compliance with the provisions, limitations, or restrictions
 828 contained in any other general, special, or local law,
 829 including, without limitation, s. 215.821, and no approval of
 830 any bonds issued under this chapter by the qualified electors or
 831 qualified electors who are freeholders in the state or in said
 832 County of Duval, or in said City of Jacksonville, or in any
 833 other political subdivision of the state, shall be required for
 834 the issuance of such bonds pursuant to this chapter.

835 (2) This chapter shall not be deemed to repeal, rescind,
 836 or modify any other law or laws relating to said State Board of
 837 Administration, said Department of Transportation, or said
 838 Florida State Improvement Commission, but shall be deemed to and
 839 shall supersede such other law or laws in the exercise of the
 840 powers provided in this chapter insofar as such other law or
 841 laws are inconsistent with the provisions of this chapter,
 842 including, without limitation, s. 215.821.

843 Section 16. Section 349.21, Florida Statutes, is amended
 844 to read:

845 349.21 Powers conferred by s. 212.055(1).--Notwithstanding
 846 any other provision of law, any transportation authority created
 847 by this chapter shall have all the powers conferred by s.
 848 212.055(1). The revenues provided by this section may ~~shall~~ be
 849 used or pledged to pay principal and interest on bonds as set
 850 forth in s. 212.055(1). In no event may local transportation
 851 surtax moneys collected in Duval County be expended on
 852 transportation facilities outside the boundaries of Duval County
 853 ~~for which tolls have been pledged. The powers provided by this~~
 854 ~~section shall expire when all such bonds in existence on the~~
 855 ~~effective date of this act have been retired.~~

856 Section 17. Section 349.22, Florida Statutes, is created
 857 to read:

858 349.22 Public-private transportation facilities.--
 859 (1) The authority may receive or solicit proposals and
 860 enter into agreements with private entities or consortia thereof
 861 for the building, operation, ownership, or financing of
 862 highways, bridges, multimodal transportation systems, transit-

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863 oriented development nodes, transit stations, or related
864 transportation facilities. Before approval, the authority must
865 determine that a proposed project:

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

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

870 (c) Would have adequate safeguards to ensure that
871 additional costs or unreasonable service disruptions would not
872 be realized by the traveling public and citizens of the state in
873 the event of default or cancellation of the agreement by the
874 authority.

875 (2) The authority shall ensure that all reasonable costs
876 to the state related to transportation facilities that are not
877 part of the State Highway System are borne by the private entity
878 that develops or operates the facilities. The authority shall
879 also ensure that all reasonable costs to the state and
880 substantially affected local governments and utilities related
881 to the private transportation facility are borne by the private
882 entity for transportation facilities that are owned by private
883 entities. For projects on the State Highway System or that
884 provide increased mobility on the State Highway System, the
885 department may use state resources to participate in funding and
886 financing the project as provided for under the department's
887 enabling legislation.

888 (3) The authority may request proposals and receive
889 unsolicited proposals for public-private transportation projects
890 and, upon receipt of any unsolicited proposal or determination

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891 to issue a request for proposals, must publish a notice in the
892 Florida Administrative Weekly and a newspaper of general
893 circulation in the county in which the proposed project is
894 located at least once a week for 2 weeks requesting proposals
895 or, if an unsolicited proposal was received, stating that it has
896 received the proposal and will accept, for 60 days after the
897 initial date of publication, other proposals for the same
898 project purpose. A copy of the notice must be mailed to each
899 local government in the affected areas. After the public
900 notification period has expired, the authority shall rank the
901 proposals in order of preference. In ranking the proposals, the
902 authority shall consider professional qualifications, general
903 business terms, innovative engineering or cost-reduction terms,
904 finance plans, and the need for state funds to deliver the
905 proposal. If the authority is not satisfied with the results of
906 the negotiations, it may, at its sole discretion, terminate
907 negotiations with the proposer. If these negotiations are
908 unsuccessful, the authority may go to the second and lower-
909 ranked firms, in order, using the same procedure. If only one
910 proposal is received, the authority may negotiate in good faith
911 and, if it is not satisfied with the results, may, at its sole
912 discretion, terminate negotiations with the proposer.
913 Notwithstanding this subsection, the authority may, at its
914 discretion, reject all proposals at any point in the process up
915 to completion of a contract with the proposer. Any person
916 submitting an unsolicited proposal shall submit with the
917 proposal the sum of \$25,000 to the authority to be applied by
918 the authority to its costs of review and analysis of the

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919 proposal, and such person shall remain liable for any additional
920 costs and expenses of the authority incurred for the review and
921 analysis.

922 (4) Agreements entered into pursuant to this section may
923 authorize the authority or the private project owner, lessee, or
924 operator to impose, collect, and enforce tolls or fares for the
925 use of the transportation facility. However, the amount and use
926 of toll or fare revenues shall be regulated by the authority to
927 avoid unreasonable costs to users of the facility.

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

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

942 (7) Except as provided in this section, this section is
943 not intended to amend existing law by granting additional powers
944 to or imposing further restrictions on the governmental entities
945 with regard to regulating and entering into cooperative

946 arrangements with the private sector for the planning,
 947 construction, and operation of transportation facilities.

948 Section 18. Paragraph (b) of subsection (2) of section
 949 20.23, Florida Statutes, is amended to read:

950 20.23 Department of Transportation.--There is created a
 951 Department of Transportation which shall be a decentralized
 952 agency.

953 (2)

954 (b) The commission shall have the primary functions to:

955 1. Recommend major transportation policies for the
 956 Governor's approval, and assure that approved policies and any
 957 revisions thereto are properly executed.

958 2. Periodically review the status of the state
 959 transportation system including highway, transit, rail, seaport,
 960 intermodal development, and aviation components of the system
 961 and recommend improvements therein to the Governor and the
 962 Legislature.

963 3. Perform an in-depth evaluation of the annual department
 964 budget request, the Florida Transportation Plan, and the
 965 tentative work program for compliance with all applicable laws
 966 and established departmental policies. Except as specifically
 967 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
 968 not consider individual construction projects, but shall
 969 consider methods of accomplishing the goals of the department in
 970 the most effective, efficient, and businesslike manner.

971 4. Monitor the financial status of the department on a
 972 regular basis to assure that the department is managing revenue

973 and bond proceeds responsibly and in accordance with law and
 974 established policy.

975 5. Monitor on at least a quarterly basis, the efficiency,
 976 productivity, and management of the department, using
 977 performance and production standards developed by the commission
 978 pursuant to s. 334.045.

979 6. Perform an in-depth evaluation of the factors causing
 980 disruption of project schedules in the adopted work program and
 981 recommend to the Legislature and the Governor methods to
 982 eliminate or reduce the disruptive effects of these factors.

983 7. Recommend to the Governor and the Legislature
 984 improvements to the department's organization in order to
 985 streamline and optimize the efficiency of the department. In
 986 reviewing the department's organization, the commission shall
 987 determine if the current district organizational structure is
 988 responsive to Florida's changing economic and demographic
 989 development patterns. The initial report by the commission must
 990 be delivered to the Governor and Legislature by December 15,
 991 2000, and each year thereafter, as appropriate. The commission
 992 may retain such experts as are reasonably necessary to
 993 effectuate this subparagraph, and the department shall pay the
 994 expenses of such experts.

995 8. Monitor the efficiency, productivity, and management of
 996 the authorities created under chapters 343, ~~and~~ 348, and 349,
 997 including any authority formed using the provisions of part I of
 998 chapter 348. The commission shall also conduct periodic reviews
 999 of each authority's operations and budget, acquisition of
 1000 property, management of revenue and bond proceeds, and

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1001 | compliance with applicable laws and generally accepted
1002 | accounting principles.

1003 | Section 19. This act shall take effect July 1, 2009.