

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.;

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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.

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

107
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

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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

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

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

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~~7~~, may contain such
 616 provisions as are ~~is~~ customary in such instruments or~~7~~ 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~~7~~ 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.

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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 any of the purposes of this chapter.~~ Property already
 706 devoted to a public use may be acquired in like manner, provided
 707 that no real property belonging to the state or any political
 708 subdivision thereof may be acquired without the state's or
 709 affected political subdivision's consent. The right of eminent
 710 domain ~~herein~~ conferred in this section shall be exercised by
 711 the authority in the manner provided by law. Notwithstanding
 712 that the authority is an agency of the state, the authority
 713 shall not exercise its powers of condemnation granted in this
 714 section with respect to any property or property rights of any
 715 county or municipality, including, without limitation, the City
 716 of Jacksonville.

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

720 (3) In connection with the acquisition of property or
 721 property rights as herein provided, the authority may in its
 722 discretion acquire an entire lot, block, or tract of land, if by
 723 so doing the interests of the public will be best served, even

724 though said entire lot, block, or tract is not immediately
 725 needed for the right-of-way proper.

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

739 Section 12. Section 349.12, Florida Statutes, is amended
 740 to read:

741 349.12 Covenant of the state.--The state does hereby
 742 pledge to~~7~~ and agree ~~agrees~~~~7~~ with any person, firm, ~~or~~
 743 corporation, or federal or state agency subscribing to~~7~~ or
 744 acquiring the bonds to be issued by the authority for the
 745 purposes of this chapter that the state will not limit or alter
 746 the rights hereby vested in the authority and the department
 747 until all bonds at any time issued, together with the interest
 748 thereon, are fully paid and discharged insofar as the same
 749 affects the rights of the holders of bonds issued hereunder. The
 750 state does further pledge to~~7~~ and ~~agree~~~~7~~ with the United States
 751 and any federal agency that, in the event that any federal

752 agency shall construct or contribute any funds for the
 753 completion, extension, or improvement of the Jacksonville
 754 Expressway System or other transportation facilities of the
 755 authority, or any part or portion thereof, the state will not
 756 alter or limit the rights and powers of the authority and the
 757 department in any manner that ~~which~~ would be inconsistent with
 758 the continued maintenance and operation of the Jacksonville
 759 Expressway System or other transportation facilities of the
 760 authority or the completion, extension, or improvement thereof,
 761 or that ~~which~~ would be inconsistent with the due performance of
 762 any agreements between the authority and any such federal
 763 agency, and the authority and the department shall continue to
 764 have and may exercise all powers herein granted, so long as the
 765 same shall be necessary or desirable for the carrying out of the
 766 purposes of this chapter and the purposes of the United States
 767 in the completion, extension, or improvement of the Jacksonville
 768 Expressway System or other transportation facilities of the
 769 authority, or any part or portion thereof.

770 Section 13. Section 349.13, Florida Statutes, is amended
 771 to read:

772 349.13 Exemption from taxation.--The effectuation of the
 773 authorized purposes of the authority created under this chapter
 774 is, shall and will be, in all respects for the benefit of the
 775 people of the state, for the increase of their commerce and
 776 prosperity, and for the improvement of their health and living
 777 conditions, and since such authority will be performing
 778 essential governmental functions in effectuating such purposes,
 779 such authority shall not be required to pay any taxes or

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780 assessments of any kind or nature whatsoever upon any property
 781 acquired or used by it for such purposes~~7~~ or upon any rates,
 782 fees, rentals, receipts, income~~7~~ or charges at any time received
 783 by it, and the bonds and other obligations issued under this
 784 chapter ~~by the authority~~, their transfer and the income
 785 therefrom~~7~~ (including any profits made on the sale thereof),
 786 shall at all times be free from taxation of any kind by the
 787 state~~7~~ or by any political subdivision~~7~~ or taxing agency or
 788 instrumentality thereof. The exemption granted by this section
 789 shall not be applicable to any tax imposed by chapter 220 on
 790 interest, income, or profits on debt obligations owned by
 791 corporations. When property of the authority is leased, it shall
 792 be exempt from ad valorem taxes only if the use by the lessee
 793 qualifies the property for exemption under s. 196.199.

794 Section 14. Section 349.15, Florida Statutes, is amended
 795 to read:

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

808 | intention of this chapter that any pledge by the department of
 809 | rates, fees, revenues, ~~Duval~~ county gasoline tax funds, or other
 810 | funds, as rentals, to the authority or any covenants or
 811 | agreements relative thereto may be enforceable in any court of
 812 | competent jurisdiction against the authority or directly against
 813 | the department by any holder of bonds issued by the authority.

814 | Section 15. Section 349.17, Florida Statutes, is amended
 815 | to read:

816 | 349.17 Chapter complete and additional authority.--

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

836 County of Duval, or in said City of Jacksonville, or in any
 837 other political subdivision of the state, shall be required for
 838 the issuance of such bonds pursuant to this chapter.

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

847 Section 16. Section 349.21, Florida Statutes, is amended
 848 to read:

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

860 Section 17. Section 349.22, Florida Statutes, is created
 861 to read:

862 349.22 Public-private transportation facilities.--

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

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

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

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

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

890 financing the project as provided for under the department's
891 enabling legislation.

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

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918 discretion, reject all proposals at any point in the process up
919 to completion of a contract with the proposer. Any person
920 submitting an unsolicited proposal shall submit with the
921 proposal the sum of \$25,000 to the authority to be applied by
922 the authority to its costs of review and analysis of the
923 proposal, and such person shall remain liable for any additional
924 costs and expenses of the authority incurred for the review and
925 analysis.

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

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

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

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

952 Section 18. Paragraph (b) of subsection (2) of section
 953 20.23, Florida Statutes, is amended to read:

954 20.23 Department of Transportation.--There is created a
 955 Department of Transportation which shall be a decentralized
 956 agency.

957 (2)

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

959 1. Recommend major transportation policies for the
 960 Governor's approval, and assure that approved policies and any
 961 revisions thereto are properly executed.

962 2. Periodically review the status of the state
 963 transportation system including highway, transit, rail, seaport,
 964 intermodal development, and aviation components of the system
 965 and recommend improvements therein to the Governor and the
 966 Legislature.

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

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973 consider methods of accomplishing the goals of the department in
 974 the most effective, efficient, and businesslike manner.

975 4. Monitor the financial status of the department on a
 976 regular basis to assure that the department is managing revenue
 977 and bond proceeds responsibly and in accordance with law and
 978 established policy.

979 5. Monitor on at least a quarterly basis, the efficiency,
 980 productivity, and management of the department, using
 981 performance and production standards developed by the commission
 982 pursuant to s. 334.045.

983 6. Perform an in-depth evaluation of the factors causing
 984 disruption of project schedules in the adopted work program and
 985 recommend to the Legislature and the Governor methods to
 986 eliminate or reduce the disruptive effects of these factors.

987 7. Recommend to the Governor and the Legislature
 988 improvements to the department's organization in order to
 989 streamline and optimize the efficiency of the department. In
 990 reviewing the department's organization, the commission shall
 991 determine if the current district organizational structure is
 992 responsive to Florida's changing economic and demographic
 993 development patterns. The initial report by the commission must
 994 be delivered to the Governor and Legislature by December 15,
 995 2000, and each year thereafter, as appropriate. The commission
 996 may retain such experts as are reasonably necessary to
 997 effectuate this subparagraph, and the department shall pay the
 998 expenses of such experts.

999 8. Monitor the efficiency, productivity, and management of
 1000 the authorities created under chapters 343, ~~and~~ 348, and 349,

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1001 including any authority formed using the provisions of part I of
1002 chapter 348. The commission shall also conduct periodic reviews
1003 of each authority's operations and budget, acquisition of
1004 property, management of revenue and bond proceeds, and
1005 compliance with applicable laws and generally accepted
1006 accounting principles.

1007 Section 19. This act shall take effect July 1, 2009.