

By the Committees on Fiscal Policy; and Transportation; and  
Senator Simmons

594-03790-15

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1 A bill to be entitled  
2 An act relating to the Central Florida Expressway  
3 Authority; amending s. 348.753, F.S.; requiring the  
4 chairs of the boards of specified county commissions  
5 each to appoint one member from their respective  
6 counties who is a commission member or chair or a  
7 county mayor to serve on the governing body of the  
8 authority; specifying that the terms of members  
9 appointed by the Governor end on a specified date;  
10 removing the requirement that the authority elect one  
11 of its members as secretary; amending s. 348.754,  
12 F.S.; specifying that the Central Florida Expressway  
13 Authority is a party to a certain lease-purchase  
14 agreement between the department and the Orlando-  
15 Orange County Expressway Authority; amending s.  
16 348.757, F.S.; removing the requirement that title in  
17 fee simple absolute to the former Orlando-Orange  
18 County Expressway System be transferred to the state  
19 upon the completion of the faithful performance and  
20 termination of a specified lease-purchase agreement;  
21 revising the title of part III of ch. 348, F.S.;  
22 providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Subsection (3) and paragraph (a) of subsection  
27 (4) of section 348.753, Florida Statutes, are amended to read:  
28 348.753 Central Florida Expressway Authority.—  
29 (3) The governing body of the authority shall consist of

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30 nine members. The chairs of the boards of the county commissions  
31 of Seminole, Lake, and Osceola Counties shall each appoint one  
32 member from their respective counties, who must ~~may~~ be a  
33 commission member or chair or a county mayor. The Mayor of  
34 Orange County shall appoint a member from the Orange County  
35 Commission. The Governor shall appoint three citizen members,  
36 each of whom must be a citizen of either Orange County, Seminole  
37 County, Lake County, or Osceola County. ~~The eighth member must~~  
38 ~~be the Mayor of Orange County and. The ninth member must be the~~  
39 Mayor of the City of Orlando shall also serve as members. The  
40 executive director of the Florida Turnpike Enterprise shall  
41 serve as a nonvoting advisor to the governing body of the  
42 authority. Each member appointed by the Governor shall serve for  
43 4 years, with his or her term ending on December 31 of his or  
44 her last year of service. Each county-appointed member shall  
45 serve for 2 years. ~~The terms of standing board members expire~~  
46 ~~June 20, 2014~~. Each appointed member shall hold office until his  
47 or her successor has been appointed and has qualified. A vacancy  
48 occurring during a term must be filled only for the balance of  
49 the unexpired term. Each appointed member of the authority must  
50 ~~shall~~ be a person of outstanding reputation for integrity,  
51 responsibility, and business ability, but, except as provided in  
52 this subsection, a person who is an officer or employee of a  
53 municipality or county may not be an appointed member of the  
54 authority. Any member of the authority is eligible for  
55 reappointment.

56 (4) (a) The authority shall elect one of its members as  
57 chair of the authority. The authority shall also elect one of  
58 its members as vice chair, ~~one of its members as secretary,~~ and

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59 one of its members as treasurer. The chair, vice chair,  
60 ~~secretary,~~ and treasurer shall hold such offices at the will of  
61 the authority. Five members of the authority constitute a  
62 quorum, and the vote of five members is necessary for any action  
63 taken by the authority. A vacancy in the authority does not  
64 impair the right of a quorum of the authority to exercise all of  
65 the rights and perform all of the duties of the authority.

66 Section 2. Paragraph (e) of subsection (2) of section  
67 348.754, Florida Statutes, is amended to read:

68 348.754 Purposes and powers.—

69 (2) The authority may exercise all powers necessary,  
70 appurtenant, convenient, or incidental to the implementation of  
71 the stated purposes, including, but not limited to, the  
72 following rights and powers:

73 (e) To enter into and make lease-purchase agreements with  
74 the department for terms not exceeding 99 years, or until any  
75 bonds secured by a pledge of rentals pursuant to the agreement,  
76 and any refundings pursuant to the agreement, are fully paid as  
77 to both principal and interest, whichever is longer. The  
78 authority is a party to a lease-purchase agreement between the  
79 department and the Orlando-Orange County Expressway Authority  
80 dated December 23, 1985, as supplemented by a first supplement  
81 to the lease-purchase agreement dated November 25, 1986, and a  
82 second supplement to the lease-purchase agreement dated October  
83 27, 1988. The authority may not enter into other lease-purchase  
84 agreements with the department and may not amend the existing  
85 agreement in a manner that expands or increases the department's  
86 obligations unless the department determines that the agreement  
87 or amendment is necessary to permit the refunding of bonds

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88 issued before July 1, 2013.

89 Section 3. Subsection (2) of section 348.757, Florida  
90 Statutes, is amended to read:

91 348.757 Lease-purchase agreement.—

92 (2) The lease-purchase agreement must provide for the  
93 leasing of the former Orlando-Orange County Expressway System,  
94 by the authority, as lessor, to the department, as lessee, and  
95 must prescribe the term of such lease and the rentals to be  
96 paid, ~~and must provide that upon the completion of the faithful~~  
97 ~~performance and the termination of the lease-purchase agreement,~~  
98 ~~title in fee simple absolute to the former Orlando-Orange County~~  
99 ~~Expressway System as then constituted shall be transferred in~~  
100 ~~accordance with law by the authority, to the state and the~~  
101 ~~authority shall deliver to the department such deeds and~~  
102 ~~conveyances as shall be necessary or convenient to vest title in~~  
103 ~~fee simple absolute in the state.~~

104 Section 4. Part III of chapter 348, Florida Statutes,  
105 consisting of ss. 348.751-348.765, is retitled "Central Florida  
106 Expressway Authority."

107 Section 5. This act shall take effect July 1, 2015.