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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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02/09/2022 02:02 PM

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Senator Diaz moved the following:

Senate Amendment (with title amendment)

Between lines 70 and 71

insert:

Section 2. Section 348.0302, Florida Statutes, is repealed.

Section 3. Subsection (4) of section 348.0303, Florida Statutes, is amended to read:

348.0303 Definitions.—As used in the this part, the term:

~~(4) "County" means a county as defined in s. 125.011(1).~~

Section 4. Subsection (1) and paragraphs (a) and (b) of subsection (2) of section 348.0304, Florida Statutes, are



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12 amended to read:

13 348.0304 Greater Miami Expressway Agency.—

14 (1) There is hereby created and established a body politic
15 and corporate, an agency of the state, to be known as the
16 "Greater Miami Expressway Agency." The agency shall serve the
17 area within the geographical boundaries of Miami-Dade County and
18 that portion of Monroe County located north of C.R. 94.

19 (2) (a) The governing body of the agency shall consist of
20 nine voting members. ~~Except for the district secretary of the~~
21 ~~department,~~ Each voting member must be a permanent resident of
22 the county he or she is appointed to represent and may not hold,
23 or have held in the previous 2 years, elected or appointed
24 office in such ~~the~~ county. Each member may only serve two terms
25 of 4 years each. Four members shall be appointed by the
26 Governor, one of whom must be a member of the metropolitan
27 planning organization for a ~~the~~ county served by the agency.
28 Each county served by the agency shall be represented by the
29 following:

30 1. One member ~~Two members,~~ who must be a resident ~~residents~~
31 of an unincorporated portion of the county who resides ~~residing~~
32 within 15 miles of an area with the highest amount of agency
33 toll roads, shall be appointed by the board of county
34 commissioners of the county.

35 2. One member ~~Two members,~~ who must be a resident ~~residents~~
36 of an incorporated municipality ~~municipalities within the~~
37 ~~county,~~ shall be appointed by the metropolitan planning
38 organization for the county.

39
40 The district secretary of the department serving in the district



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41 that contains the two counties ~~county~~ shall serve as an ex
42 officio voting member of the governing body.

43 (b) Initial appointments to the governing body of the
44 agency shall be made by July 31, 2019. For the initial
45 appointments:

46 1. The Governor shall appoint one member for a term of 1
47 year, one member for a term of 2 years, one member for a term of
48 3 years, and one member for a term of 4 years.

49 2. Each ~~The~~ board of county commissioners shall appoint one
50 member for a term of 1 year and one member for a term of 3
51 years.

52 3. The metropolitan planning organization shall appoint one
53 member for a term of 2 years and one member for a term of 4
54 years.

55 Section 5. Paragraph (b) of subsection (1), paragraph (f)
56 of subsection (2), and subsections (6) and (8) of section
57 348.0306, Florida Statutes, are amended to read:

58 348.0306 Purposes and powers.—

59 (1)

60 (b) The agency, in the construction of an expressway
61 system, may ~~shall~~ construct expressways. Construction of an
62 expressway system may be completed in segments, phases, or
63 stages in a manner that will permit the expansion of these
64 segments, phases, or stages to the desired expressway
65 configuration. The agency, in the construction of an expressway
66 system, may construct any extensions of, additions to, or
67 improvements to the expressway system or appurtenant facilities,
68 including all necessary approaches, roads, bridges, and avenues
69 of access, with such changes, modifications, or revisions of the



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70 project that are deemed desirable and proper. For new capacity
71 projects, the agency shall use the department's design standards
72 and, to the maximum extent practicable, design facilities such
73 as the department would for high-speed limited access
74 facilities. The agency may only add additional expressways to an
75 expressway system, under the terms and conditions set forth in
76 this act, with the prior express written consent of the board of
77 county commissioners of a the county served by the agency, and
78 only if such additional expressways lack adequate committed
79 funding for implementation, are financially feasible, and are
80 compatible with the existing plans, projects, and programs of
81 the agency.

82 (2) The agency may exercise all powers necessary,
83 appurtenant, convenient, or incidental to the carrying out of
84 its purposes, including, but not limited to, the following
85 rights and powers:

86 (f) To borrow money, make and issue negotiable notes,
87 bonds, refund bonds, and other evidence of indebtedness of the
88 agency, which bonds or other evidence of indebtedness may be
89 issued pursuant to the State Bond Act or, in the alternative,
90 pursuant to s. 348.0309(2) to finance or refinance additions,
91 extensions, or improvements to the expressway system within the
92 geographic boundaries of the agency, and to provide for the
93 security of the bonds or other evidence of indebtedness and the
94 rights and remedies of the holders of the bonds or other
95 evidence of indebtedness. Any bonds or other evidence of
96 indebtedness pledging the full faith and credit of the state may
97 only be issued pursuant to the State Bond Act.

98 1. The agency shall reimburse the counties ~~county~~ in which



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99 it exists for any sums expended from any county gasoline tax
100 funds used for payment of such obligations. Any county gasoline
101 tax funds so disbursed shall be repaid in accordance with the
102 terms of any lease-purchase or interlocal agreement with any
103 county or the department together with interest, at the rate
104 agreed to in such agreement. In no event shall any county
105 gasoline tax funds be more than a secondary pledge of revenues
106 for repayment of any obligations issued pursuant to this part.

107 2. The agency may refund any bonds previously issued, to
108 the extent allowable by federal tax laws, to finance or
109 refinance an expressway system located within the geographic
110 boundaries of the agency regardless of whether the bonds being
111 refunded were issued by such agency, an agency of the state, or
112 a county.

113 (6) Notwithstanding subsection (3) or any other provision
114 of law to the contrary, the agency may not undertake any
115 construction that is not consistent with both a ~~the~~ metropolitan
116 planning organization's transportation improvement program and a
117 ~~the~~ county's comprehensive plan in an area served by the agency.

118 (8) The governing body of a ~~the~~ county served by the agency
119 may enter into an interlocal agreement with the agency pursuant
120 to s. 163.01 for the joint performance or performance by either
121 governmental entity of any corporate function of the county or
122 agency necessary or appropriate to enable the agency to fulfill
123 the powers and purposes of this part and promote the efficient
124 and effective transportation of persons and goods in such
125 county.

126 Section 6. Subsection (2) of section 348.0307, Florida
127 Statutes, is amended to read:



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128 348.0307 Greater Miami Toll Rebate Program.—There is
129 created by the agency the Greater Miami Toll Rebate Program.

130 (2) Monthly rebates shall be credited to the account of
131 each SunPass holder who incurs \$12.50 or more in tolls on the
132 expressway system each month and whose SunPass is registered to
133 a motor vehicle registered to an address in a the county served
134 by the agency.

135 Section 7. Paragraph (c) of subsection (2) of section
136 348.0309, Florida Statutes, is amended to read:

137 348.0309 Bonds.—

138 (2)

139 (c) Such bonds shall be sold by the agency at public sale
140 by competitive bid. However, if the agency, after receipt of a
141 written recommendation from a financial adviser, determines by
142 official action after public hearing by a two-thirds vote of all
143 voting members of the agency that a negotiated sale of the bonds
144 is in the best interest of the agency, the agency may negotiate
145 for sale of the bonds with the underwriter or underwriters
146 designated by the agency and the counties ~~county~~ in which the
147 agency exists. The agency shall provide specific findings in a
148 resolution as to the reasons requiring the negotiated sale,
149 which resolution shall incorporate and have attached thereto the
150 written recommendation of the financial adviser required by this
151 subsection.

152 Section 8. Subsection (2) of section 348.0315, Florida
153 Statutes, is amended to read:

154 348.0315 Public accountability.—

155 (2) Beginning October 1, 2020, and annually thereafter, the
156 agency shall submit to the metropolitan planning organization



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157 for each ~~the~~ county served by the agency a report providing
158 information regarding the amount of tolls collected and how
159 those tolls were used in the agency's previous fiscal year. The
160 report shall be posted on the agency's website.

161 Section 9. Subsection (1) of section 348.0318, Florida
162 Statutes, is amended to read:

163 348.0318 This part complete and additional authority.-

164 (1) The powers conferred by this part are in addition and
165 supplemental to the existing powers of the department and the
166 governing body of the agency, and this part may not be construed
167 as repealing any of the provisions of any other law, general,
168 special, or local, but to supersede such other laws in the
169 exercise of the powers provided in this part and to provide a
170 complete method for the exercise of the powers granted in this
171 part. The extension and improvement of the expressway system,
172 and the issuance of bonds pursuant to this part to finance all
173 or part of the cost of the system, may be accomplished upon
174 compliance with the provisions of this part without regard to or
175 necessity for compliance with the provisions, limitations, or
176 restrictions contained in any other general, special, or local
177 law, including, but not limited to, s. 215.821, and no approval
178 of any bonds issued under this part by the qualified electors or
179 qualified electors who are freeholders in the state, or ~~in~~
180 Miami-Dade County, in Monroe County, or in any other political
181 subdivision of the state, ~~is~~ required for the issuance of such
182 bonds pursuant to this part, including, but not limited to, s.
183 215.821.

184
185 ===== T I T L E A M E N D M E N T =====



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186 And the title is amended as follows:
187 Delete lines 2 - 14
188 and insert:
189 An act relating to transportation systems; amending s.
190 311.09, F.S.; revising the membership of the Florida
191 Seaport Transportation and Economic Development
192 Council to include a representative of Putnam County;
193 authorizing Putnam County to apply for a grant for a
194 port feasibility study through the Florida Seaport
195 Transportation and Economic Development Council;
196 providing for the evaluation of the application;
197 requiring the Department of Transportation to include
198 the study in its budget request under certain
199 circumstances; terminating the membership of Putnam
200 County on the council under certain circumstances;
201 repealing s. 348.0302, F.S., relating to applicability
202 regarding the Greater Miami Expressway Agency Act;
203 amending s. 348.0303, F.S.; deleting the definition of
204 the term "county"; amending s. 348.0304, F.S.;
205 expanding the Greater Miami Expressway Agency to serve
206 a certain portion of Monroe County; conforming
207 provisions relating to appointment to and membership
208 of the governing body of the agency; amending s.
209 348.0306, F.S.; authorizing, rather than requiring,
210 the agency to construct expressways; conforming
211 provisions to changes made by the act; amending ss.
212 348.0307, 348.0309, 348.0315, and 348.0318, F.S.;
213 conforming provisions to changes made by the act;