



Transportation & Economic Development Appropriations Subcommittee

**Tuesday, February 14, 2012
11:30 AM - 2:30 PM
404 HOB**

Action Packet

**Dean Cannon
Speaker**

**Mike Horner
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Transportation & Economic Development Appropriations Subcommittee

Start Date and Time: Tuesday, February 14, 2012 11:30 am
End Date and Time: Tuesday, February 14, 2012 02:30 pm
Location: 404 HOB
Duration: 3.00 hrs

Consideration of the following bill(s):

CS/HB 343 Noncriminal Traffic Infractions by Transportation & Highway Safety Subcommittee, Nehr
CS/HB 1009 Low-speed Vehicles by Transportation & Highway Safety Subcommittee, O'Toole
HB 1165 Identification Cards and Driver Licenses by McBurney
CS/HB 1223 Highway Safety and Motor Vehicles by Transportation & Highway Safety Subcommittee, Albritton
CS/HB 1399 Transportation by Transportation & Highway Safety Subcommittee, Brandes
HB 1479 State Poet Laureate by Nelson

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed members shall be 6:00 p.m., Monday, February 13, 2012.

By request of the chair, all committee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Monday, February 13, 2012.

Appearance forms can be found on myfloridahouse.gov. Please print and bring 2 copies of the form to the meeting and give them to the administrative assistant.

NOTICE FINALIZED on 02/10/2012 16:14 by MRI

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/14/2012 11:30:00AM

Location: 404 HOB

Summary:

Transportation & Economic Development Appropriations Subcommittee

Tuesday February 14, 2012 11:30 am

CS/HB 343 Temporarily Deferred

CS/HB 1009 Favorable With Committee Substitute Yeas: 15 Nays: 0
 Amendment 833553 Adopted Without Objection

HB 1165 Favorable Yeas: 15 Nays: 0

CS/HB 1223 Favorable Yeas: 14 Nays: 1
 Amendment 305665 Withdrawn

CS/HB 1399 Favorable With Committee Substitute Yeas: 11 Nays: 4
 Amendment 219663 Adopted Without Objection
 Amendment 284673 Adopted Without Objection
 Amendment 400399 Withdrawn
 Amendment 958897 Withdrawn
 Amendment 042373 Adopted
 Amendment 324815 Adopted Without Objection

HB 1479 Favorable Yeas: 15 Nays: 0

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/14/2012 11:30:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Mike Horner (Chair)	X		
Mack Bernard	X		
Jeffrey Brandes	X		
Jason Brodeur	X		
Douglas Broxson	X		
Rachel V. Burgin	X		
Matthew Caldwell	X		
Brad Drake	X		
Evan Jenne	X		
Debbie Mayfield	X		
Lake Ray	X		
Hazelle Rogers	X		
Richard Steinberg	X		
Dwayne Taylor	X		
Ritch Workman	X		
Totals:	15	0	0

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/14/2012 11:30:00AM

Location: 404 HOB

CS/HB 343 : Noncriminal Traffic Infractions

Temporarily Deferred

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/14/2012 11:30:00AM

Location: 404 HOB

CS/HB 1009 : Low-speed Vehicles

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Jeffrey Brandes	X				
Jason Brodeur	X				
Douglas Broxson	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Brad Drake	X				
Evan Jenne	X				
Debbie Mayfield	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Ritch Workman	X				
Mike Horner (Chair)	X				
Total Yeas: 15		Total Nays: 0			

CS/HB 1009 Amendments

Amendment 833553

Adopted Without Objection

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1009 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Adopted
w/out objection
2-14-12

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative O'Toole offered the following:

Amendment (with title amendment)

Between lines 29 and 30, insert:

Section 2. Subsection (42) of section 320.01, Florida
Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida
Statutes, except as otherwise provided, the term:

(42) "Low-speed vehicle" means any four-wheeled electric
vehicle whose top speed is greater than 20 miles per hour but
not greater than 25 miles per hour, including without limitation
neighborhood electric vehicles. Low-speed vehicles must comply
with the safety standards in 49 C.F.R. s. 571.500 and s.
316.2122.

Amendment No. 1

20
21
22
23
24
25
26

T I T L E A M E N D M E N T

Remove line 6 and insert:

providing for a fee; amending s. 320.01, F.S.; amending the
definition of "Low-speed vehicle"; providing an effective
date.

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/14/2012 11:30:00AM

Location: 404 HOB

HB 1165 : Identification Cards and Driver Licenses

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Mack Bernard	X				
Jeffrey Brandes	X				
Jason Brodeur	X				
Douglas Broxson	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Brad Drake	X				
Evan Jenne	X				
Debbie Mayfield	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Ritch Workman	X				
Mike Horner (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1223 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN Y (Y/N)
OTHER —

*Withdrawn
2-14-12*

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Drake offered the following:

Amendment (with title amendment)

Between lines 1984 and 1985, insert:

Section 46. Subsection (7) of section 322.095, Florida
Statutes, is amended to read:

322.095 Traffic law and substance abuse education program
for driver's license applicants.—

(7) The department is authorized to maintain the
information and records necessary to administer its duties and
responsibilities for the program. Where such information is a
public record as defined in chapter 119, it shall be made
available to the public upon request pursuant to s. 119.07(1).
The department shall approve and regulate courses that use
technology as the delivery method of all traffic law and
substance abuse education courses as the courses relate to this
section. A new course provider must obtain from the department

Amendment No. 1

20 provisional technology certification that the course complies
21 with the requirements of this section before offering the course
22 using technology as the delivery method. After provisional
23 certification and completion of the course by 3,000 students,
24 the department shall conduct an evaluation to assess the
25 effectiveness of the course. During the pendency of the
26 effectiveness study, the course provider may provide instruction
27 to no more than 3,000 additional students. Upon determination by
28 the department that the course is effective, the course provider
29 shall be granted certification.

30
31
32
33 -----
34 **T I T L E A M E N D M E N T**

35 Remove line 248 and insert:

36 lieu of the United States Postal Service; amending s.
37 322.095, F.S., relating to traffic law and substance abuse
38 education courses; requiring a new course provider to
39 obtain provisional technology certification for certain
40 purposes; limiting the number of students allowed under the
41 provisional certification; directing the department to
42 evaluate the effectiveness of the course; providing for
43 certification if the department determines the course to be
44 effective; amending s.

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/14/2012 11:30:00AM

Location: 404 HOB

CS/HB 1223 : Highway Safety and Motor Vehicles

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Mack Bernard	X				
Jeffrey Brandes	X				
Jason Brodeur	X				
Douglas Broxson	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Brad Drake	X				
Evan Jenne	X				
Debbie Mayfield	X				
Lake Ray	X				
Hazelle Rogers		X			
Richard Steinberg	X				
Dwayne Taylor	X				
Ritch Workman	X				
Mike Horner (Chair)	X				
Total Yeas: 14		Total Nays: 1			

CS/HB 1223 Amendments

Amendment 305665

Withdrawn

Appearances:

Fielder, Steven (Lobbyist) (State Employee) - Proponent
 Department of Highway Safety & Motor Vehicles
 2900 Apalachee Pky
 Tallahassee FL 32399-0500
 Phone: (850)617-3195

Zach McGee - Waive In Support
 Florida Association of Food Banks
 200 West College, Ste 720
 Tallahassee Florida 32301
 Phone: 850-559-2642

Susanne Homant - Waive In Support
 The Able Trust
 Phone: 850-224-4493

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/14/2012 11:30:00AM

Location: 404 HOB

CS/HB 1399 : Transportation

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard		X			
Jeffrey Brandes	X				
Jason Brodeur	X				
Douglas Broxson	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Brad Drake	X				
Evan Jenne		X			
Debbie Mayfield	X				
Lake Ray	X				
Hazelle Rogers		X			
Richard Steinberg	X				
Dwayne Taylor		X			
Ritch Workman	X				
Mike Horner (Chair)	X				
Total Yeas: 11		Total Nays: 4			

CS/HB 1399 Amendments

Amendment 219663

Adopted Without Objection

Amendment 284673

Adopted Without Objection

Amendment 400399

Withdrawn

Amendment 958897

Withdrawn

Amendment 042373

Adopted

Amendment 324815

Adopted Without Objection

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/14/2012 11:30:00AM

Location: 404 HOB

Appearances:

Amendment 5 42373

Ericks, David (Lobbyist) - Opponent

South Florida Regional Transportation Authority

205 S. Adams Street

Tallahassee FL 32301

Phone: (850)224-0880

Rubin, Michael (Lobbyist) - Proponent

Florida Ports Council

502 E Jefferson St

Tallahassee FL 32301

Phone: (850)222-8028

Price, Cindy (Lobbyist) (State Employee) - Information Only

Department of Transportation

605 Suwannee St

Tallahassee FL 32399

Phone: (850)414-4579

Spratt, Joseph (Lobbyist) - Information Only

Hendry County

250 Hall Street

LaBelle FL 33975

Phone: (863)517-0235

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

*Adopted w/out objection
2-14-12*

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Brandes offered the following:

Amendment (with title amendment)

6 Remove lines 459-474

T I T L E A M E N D M E N T

12 Remove lines 8-12 and insert:
13 directors; amending s. 206.41, F.S., relating to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

*Adopted w/out
objection 2-14-12*

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Brandes offered the following:
4

5 **Amendment (with title amendment)**

6 Remove lines 509-565
7
8
9

10 -----
11 **T I T L E A M E N D M E N T**

12 Remove lines 18-28 and insert:
13 revising the title of ch. 311, F.S.; amending
14

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	<input checked="" type="checkbox"/>	(Y/N)
OTHER	—	

Withdrawn
2-14-12

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Perry offered the following:

Amendment (with title amendment)

6 Between lines 3754 and 3755, insert:

7 Section 68. The Department of Transportation shall erect
8 visibility evaluation equipment and signage to provide travelers
9 with real-time information on driving conditions on Interstate
10 75 between exit 374 and exit 382 in Alachua County.

T I T L E A M E N D M E N T

16 Remove line 410 and insert:
17 providing for expiration of the program; directing the
18 department to erect visibility evaluation equipment
19 and signage at specified locations; amending ss.

400399 - h1399-line 3754.docx

Published On: 2/13/2012 8:01:14 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN ✓ (Y/N)
OTHER _____

Withdrawn

2-14-12

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Plakon offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 3496 and 3497, insert:

7 Section 63. Part VI of chapter 348, Florida Statutes,
8 consisting of sections 348.9970, 348.9971, 348.9972, 348.9973,
9 348.9974, 348.9975, 348.9976, 348.9977, 348.9978, 348.9979,
10 348.9980, 348.9981, 348.9982, and 348.9983 is created to read:

11 348.9970 Short title.—This part may be cited as the
12 "Seminole County Expressway Authority Law."

13 348.9971 Definitions.—As used in this part, the term:
14 (1) "Agency of the state" means the state and any
15 department of, or corporation, agency, or instrumentality
16 created, designated, or established by, the state.

17 (2) "Authority" means the Seminole County Expressway
18 Authority.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

19 (3) "Bond" means a note, bond, refunding bond, or other
20 evidence of indebtedness or obligation, in temporary or
21 definitive form, which the authority issues pursuant to this
22 part.

23 (4) "County" means Seminole County.

24 (5) "Department" means the Department of Transportation
25 existing under chapters 334-339, Florida Statutes.

26 (6) "Expressway" means the same as limited access
27 expressway.

28 (7) "Federal agency" means the United States, the
29 President of the United States, and any department of, or
30 corporation, agency, or instrumentality created, designated, or
31 established by, the United States.

32 (8) "Gasoline tax funds of Seminole County" mean all of
33 the 80 percent surplus gasoline tax funds accruing in each year
34 to the Department of Transportation for use in Seminole County
35 under the provisions of s. 9, Article XII of the State
36 Constitution, or all constitutional gas funds as may otherwise
37 be provided by the State Constitution or by statute for use in
38 Seminole County, after deduction of any amount of such gasoline
39 tax funds pledged by the Department of Transportation or the
40 county for outstanding obligations.

41 (9) "Lease-purchase agreement" means an agreement that the
42 authority may enter into with the Department of Transportation
43 pursuant to this part.

44 (10) "Limited access expressway" means a street or highway
45 especially designed for through traffic and over, from, or to
46 which no person has the right of easement, use, or access except

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

47 in accordance with the rules and regulations adopted by the
48 authority for the use of such facility. The street or highway
49 may be a parkway from which trucks, buses, and other commercial
50 vehicles are excluded, or it may be a freeway open to use by all
51 customary forms of street and highway traffic.

52 (11) "Members" mean the governing body of the authority,
53 and the term "member" means one of the individuals constituting
54 the governing body.

55 (12) "Seminole County Expressway System" or "system" means
56 any expressway and appurtenant facilities thereto in Seminole
57 County, including, but not limited to, all approaches, roads,
58 bridges, and avenues of access for the expressway.

59 (13) "State Board of Administration" means the body
60 corporate existing under s. 9, Article XII of the State
61 Constitution or any successor thereto.

62 348.9972 Seminole County Expressway Authority.—

63 (1) There is created a body politic and corporate, an
64 agency of the state, to be known as the "Seminole County
65 Expressway Authority" and referred to as "authority."

66 (2) The authority has exclusive right to exercise all the
67 powers under this part, and no other entity, body, or authority
68 within or without Seminole County may directly or indirectly
69 exercise jurisdiction, control, authority, or power in any
70 manner relating to any expressway system within Seminole County
71 without the express consent of the authority or as otherwise
72 provided in this part.

73 (3) The governing body of the authority consists of seven
74 members. Five members must be members of the Board of County

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

75 Commissioners of Seminole County, and the term of each member is
76 concomitant with his or her term as a county commissioner. Two
77 members shall be appointed by the board of county commissioners
78 from among the duly elected municipal officers within the
79 county, and the municipal members serve 2-year terms unless
80 reappointed. Each 2-year term runs from the date of appointment
81 and automatically terminates if the member ceases to be a duly
82 elected municipal officer. The board of county commissioners
83 shall fill a municipal membership vacancy within 45 days after
84 the occurrence of the vacancy, and the board must appoint an
85 individual who is jointly recommended to the board of county
86 commissioners by two-thirds of the municipalities in the county
87 within 30 days after the vacancy.

88 (4) The authority shall elect one of its members as chair
89 of the authority. The authority shall elect a secretary and a
90 treasurer, who need not be members of the authority. The chair,
91 secretary, and treasurer hold the office at the will of the
92 authority. Four members of the authority constitute a quorum,
93 and the affirmative vote of three members is necessary for any
94 action taken by the authority. A vacancy in the authority does
95 not impair the right of the quorum to exercise the rights and
96 perform the duties of the authority.

97 (5) Each appointed member of the authority shall enter
98 upon his or her duties upon the effective date of his or her
99 appointment, or as soon thereafter as practicable.

100 (6) The authority may employ an executive secretary, an
101 executive director, and its own counsel and legal staff,
102 technical experts, engineers, and other employees, permanent or

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

103 temporary, as it may require; determine the qualifications and
104 fix the compensation of the persons, firms, or corporations; and
105 employ a fiscal agent. However, the authority shall solicit at
106 least three sealed proposals for the performance of any services
107 as the fiscal agent. The authority may delegate to one or more
108 of its agents or employees any of its powers as it deems
109 necessary to carry out the purposes of this part, subject to the
110 supervision and control of the authority.

111 (7) The authority shall reimburse its members for travel
112 and other necessary expenses incurred in connection with the
113 business of the authority as provided in s. 112.061, Florida
114 Statutes, but the members may not draw salaries or other
115 compensation.

116 348.9973 Powers and duties.-

117 (1) (a) The authority may acquire, hold, construct,
118 improve, maintain, operate, own, and lease, in the capacity of
119 lessor, the Seminole County Expressway System.

120 (b) The authority, in the construction of the Seminole
121 County Expressway System, may construct any extension, addition,
122 or improvement to the system or appurtenant facilities,
123 including all necessary approaches, roads, bridges, and avenues
124 of access, with any change, modification, or revision of the
125 project as deemed necessary.

126 (2) The authority may exercise all powers necessary,
127 appurtenant, convenient, or incidental to the implementation of
128 this part, including, but not limited to, the following:

129 (a) To sue and be sued, implead and be impleaded, and
130 complain and defend in all courts;

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

131 (b) To adopt, use, and alter at will a corporate seal;

132 (c) To acquire, purchase, hold, lease as lessee, and use
133 any franchise or property, real, personal, or mixed, tangible or
134 intangible, or any interest necessary to implement the purposes
135 of this part; and to sell, lease as lessor, transfer, and
136 dispose of, at any time, any property or interest acquired by
137 the authority;

138 (d) To enter into and make leases for terms not exceeding
139 40 years, as lessee or lessor, and to implement the right to
140 lease as provided in this part;

141 (e) To enter into and make lease-purchase agreements with
142 the department for terms not exceeding 40 years or until any
143 bond secured by a pledge of rental, and any refund, are fully
144 paid, whichever is longer;

145 (f) To fix, alter, charge, establish, and collect rates,
146 fees, rentals, and other charges for the services and facilities
147 of the Seminole County Expressway System, which rates, fees,
148 rentals, and other charges are sufficient to comply with any
149 covenant made with the holders of any bonds issued pursuant to
150 this part; however, the authority may assign or delegate to the
151 department any of its rights and powers;

152 (g)1. To borrow money as provided by the State Bond Act.

153 2. To reimburse Seminole County for any sums expended from
154 the gasoline tax funds of Seminole County and any other revenues
155 provided to the authority by Seminole County and used for the
156 payment of the obligations. If the authority deems it
157 practicable, the authority may repay disbursed revenues from
158 Seminole County or gasoline tax funds, together with interest at

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

Amendment No. 4

159 the highest rate applicable, to any obligations of the authority
160 for which funds or revenues were used to pay debt service.

161 3. To hire and retain independent certified public
162 accountants and auditors to audit the books and records of the
163 authority and the department with respect to the Seminole County
164 Expressway System or any part thereof, so long as any bonds of
165 the authority are outstanding;

166 (h) To make contracts and to execute all instruments
167 necessary to conduct its business;

168 (i) Without limitation of the foregoing, to borrow money
169 and accept grants from, and to enter into contracts, leases, or
170 other transactions with, any federal agency, the state, any
171 agency of the state, Seminole County, or any other public body
172 of the state;

173 (j) To have the power of eminent domain, including the
174 procedural powers granted under chapters 73 and 74, Florida
175 Statutes;

176 (k) To pledge, hypothecate, or otherwise encumber all
177 parts of the revenues, rates, fees, rentals, or other charges or
178 receipts of the authority, including all or any portion of the
179 gasoline tax funds of Seminole County or other revenues received
180 by the authority pursuant to the terms of any lease-purchase
181 agreement between the authority and the department or any other
182 agreement between the authority and Seminole County, as security
183 for any of the obligations of the authority;

184 (l) To do all acts necessary for the conduct of its
185 business and the general welfare of the authority in order to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

186 implement the powers granted to it by this part or any other
187 law; and

188 (m) To employ fiscal agents as provided by s.348.9972. The
189 State Board of Administration may, upon request of the
190 authority, act as fiscal agent for the authority in the issuance
191 of any bonds that may be issued pursuant to s. 348.9974. The
192 State Board of Administration may, upon request of the
193 authority, take over the management, control, administration,
194 custody, and payment of any debt service or fund or asset
195 available for any bond issued pursuant to s. 348.9974. The
196 authority may enter into a deed of trust, an indenture, a
197 resolution, or another agreement with its fiscal agent, a
198 financial institution, an insurance company, or a bank or trust
199 company within or without the state, as security for the bonds,
200 and may, under the agreement, sign and pledge any of the
201 revenues, rates, fees, rentals, or other charges or receipts of
202 the authority, including any portion of the gasoline tax funds
203 of Seminole County or other revenues received by the authority
204 pursuant to the terms of a lease-purchase agreement between the
205 authority and the department or any other agreement between the
206 authority and Seminole County. The deed of trust, indenture,
207 resolution, or other agreement may contain provisions as are
208 customary in such instruments, or, if the authority authorizes,
209 may include, without limitation, provisions as to:

210 1. The completion, improvement, operation, extension,
211 maintenance, and repair of the Seminole County Expressway
212 System; the lease of, or lease-purchase agreement for, the

Amendment No. 4

213 system; and the duties of the authority and others, including
214 the department.

215 2. The availability and application of funds and the
216 safeguarding of funds on hand or on deposit.

217 3. The rights and remedies of the trustee and the holders
218 of the bonds and any institution providing liquidity or credit
219 support for the bonds.

220 4. The terms and provisions of the bonds or the
221 resolutions authorizing the issuance of the bonds.

222 5. The terms and conditions pursuant to which the
223 authority or any trustee for the bonds is entitled to receive
224 any revenues from Seminole County to pay the principal of or
225 interest on the bonds.

226 (3) The authority may not pledge the credit or taxing
227 power of the state or any political subdivision or agency of the
228 state, including Seminole County. The obligations of the
229 authority are not deemed obligations of the state, or any
230 political subdivision or agency of the state. The state, or any
231 political subdivision or agency of the state, except the
232 authority, is not liable for the payment of the principal of or
233 interest on the obligations. However, the gasoline tax funds of
234 Seminole County or other revenues may be pledged for the payment
235 of the principal of or interest on the obligations pursuant to
236 the terms of a lease-purchase agreement between the authority
237 and the department or any other agreement between the authority
238 and Seminole County.

239 (4) The consent of a municipality is not necessary for any
240 project of the authority, notwithstanding any provision in this

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

241 part or any other law to the contrary or whether the project
242 lies within the boundaries of any municipality, in whole or in
243 part. However, an official or a resident of a municipality in
244 which a project of the authority is located, in whole or in
245 part, must have reasonable opportunity to discuss the project
246 and advise the authority of his or her position at a duly
247 advertised public hearing. Notice of the public hearing must be
248 advertised in a newspaper published in Seminole County and
249 circulated in the affected municipalities. The notice must be
250 published once at least 2 weeks before the public hearing and
251 must contain the time and place of the public hearing and a
252 short description of the subject to be discussed. The public
253 hearing may be adjourned from time to time and set for a time
254 and place certain without necessity of further advertisement. In
255 routing and locating an expressway or its interchange in or
256 through a municipality, the authority must consider the effect
257 of such location on the municipality as a whole and must not
258 unreasonably split or divide an area of the municipality or
259 separate one area of the municipality from another.

260 348.9974 Bonds.—Bonds may be issued on behalf of the
261 authority as provided by the State Bond Act.

262 348.9975 Lease-purchase agreement.—

263 (1) The authority may enter into a lease-purchase
264 agreement with the department relating to and covering the
265 Seminole County Expressway System.

266 (2) The lease-purchase agreement shall provide for the
267 leasing of the Seminole County Expressway System by the
268 authority, as lessor, to the department, as lessee; shall

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

269 prescribe the terms of the agreement and the rentals to be paid;
270 and shall provide that, upon the completion of the faithful
271 performance of the agreement and the termination of such lease-
272 purchase agreement, the authority shall transfer to the state
273 title in fee simple absolute to the Seminole County Expressway
274 System and the authority shall deliver to the department deeds
275 and conveyances necessary to vest title in fee simple absolute
276 in the state.

277 (3) The lease-purchase agreement may include other
278 provisions, agreements, and covenants as the authority and the
279 department deem necessary, including, but not limited to,
280 provisions as to the bonds to be issued pursuant to this part;
281 the completion, extension, improvement, operation, and
282 maintenance of the Seminole County Expressway System and the
283 expenses and the cost of operation of the authority and the
284 system; the charging and collection of tolls, rates, fees, and
285 other charges for the use of the services and facilities; the
286 application of federal or state grants or aid made or given to
287 assist the authority in the completion, extension, improvement,
288 operation, and maintenance of the Seminole County Expressway
289 System, which the authority may accept and apply to these
290 purposes; the enforcement of payment and collection of rentals;
291 and any other terms, provisions, or covenants necessary,
292 incidental, or appurtenant to the making of, and full
293 performance under, the lease-purchase agreement.

294 (4) The department, as lessee under such lease-purchase
295 agreement, may pay, as rentals under the agreement, any rates,
296 fees, charges, funds, moneys, receipts, or income accruing to

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

297 | the department from the operation of the Seminole County
298 | Expressway System and the gasoline tax funds or other revenues
299 | of Seminole County used to pay the principal of or interest on
300 | any obligations issued to finance any portion of the system and
301 | may also pay, as rentals, any appropriations received by the
302 | department pursuant to state law. The lease-purchase agreement
303 | or any holder of bonds issued pursuant to s. 348.9974 may not
304 | require the making or continuance of any appropriations.

305 | (5) Gasoline tax funds or other revenues of Seminole
306 | County may not be pledged as rentals under a lease-purchase
307 | agreement or another agreement without the consent of Seminole
308 | County, evidenced by a resolution adopted by the board of county
309 | commissioners of the county at a public hearing held pursuant to
310 | due notice thereof published at least once a week for 3
311 | consecutive weeks before the hearing in a newspaper of general
312 | circulation in the county. The resolution must provide that, for
313 | bonds issued on behalf of the authority, any excess of the
314 | pledged gasoline tax funds and other revenues of Seminole County
315 | which is not required for debt service or for reserves for debt
316 | service shall be distributed to Seminole County as provided by
317 | law. Before making any application for the pledge of gasoline
318 | tax funds, the authority shall present the plan of its proposed
319 | project to the Seminole County Planning and Zoning Commission
320 | for comments and recommendations. The department may covenant in
321 | a lease-purchase agreement that it will pay all or part of the
322 | cost of the system, and any part of the cost of completing the
323 | system to the extent that the proceeds of bonds issued for the
324 | project are insufficient, from sources other than the revenues

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

325 derived from the operation of the system and the gasoline tax
326 funds or any other revenue of Seminole County pledged for such
327 purpose. The department may agree to make payments from any
328 moneys available to Seminole County, in connection with the
329 construction or completion of the system, as deemed by the
330 department to be fair and proper under any covenant that is
331 entered into.

332 (6) The system is a part of the state road system, and the
333 department may, upon the request of the authority, expend money
334 out of any funds available for the purpose and use its
335 engineering and other powers deemed necessary by the department
336 for the operation of the authority and for traffic surveys,
337 borings, surveys, preparation of plans and specifications,
338 estimates of cost, and other preliminary engineering and other
339 studies. However, the aggregate amount of moneys expended for
340 this purpose by the department may not exceed the sum of
341 \$500,000.

342 348.9976 Agent for construction.—The authority may appoint
343 the department as its agent for the construction of and
344 improvements and extensions to the Seminole County Expressway
345 System and for the completion of the system. If the department
346 is appointed, the authority shall provide the department with
347 complete copies of all documents, agreements, resolutions,
348 contracts, and instruments relating to the system; shall request
349 the department to do the construction work, including the
350 planning, surveying, and actual construction of the completion,
351 extension, and improvement to the Seminole County Expressway
352 System; and shall transfer the necessary funds for the

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

353 construction to the credit of an account of the department in
354 the State Treasury. The department shall proceed with the
355 construction and shall use the funds that are authorized for the
356 construction of roads and bridges.

357 348.9977 Acquisition of lands and property.-

358 (1) The Seminole County Expressway Authority may acquire
359 private or public property and property rights, including rights
360 of access, air, view, and light, by gift, devise, purchase, or
361 condemnation by an eminent domain proceeding, as the authority
362 deems necessary to implement this part. The property that the
363 authority may acquire includes, but is not limited to, any land:

364 (a) Reasonably necessary for securing applicable permits,
365 areas necessary for management of access, borrow pits, drainage
366 ditches, water retention areas, rest areas, replacement access
367 for landowners whose access is impaired due to the construction
368 of a facility, and replacement rights-of-way for relocated rail
369 and utility facilities;

370 (b) For existing, proposed, or anticipated transportation
371 facilities on the Seminole County Expressway System or in a
372 transportation corridor designated by the authority; or

373 (c) For the purposes of screening, relocation, removal, or
374 disposal of junkyards and scrap metal processing facilities.

375

376 The authority may condemn any material and property necessary
377 for these purposes.

378 (2) The authority may exercise the right of eminent domain
379 in the manner provided by law.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

380 (3) If the authority acquires property for a
381 transportation facility or in a transportation corridor, the
382 authority is not subject to any liability imposed by chapter 376
383 or chapter 403, Florida Statutes, for preexisting soil or
384 groundwater contamination due solely to its ownership. This
385 section does not affect the rights or liabilities of any past or
386 future owners of the acquired property, nor does it affect the
387 liability of any governmental entity for the results of its
388 actions that create or exacerbate a pollution source. The
389 authority and the Department of Environmental Protection may
390 enter into an interagency agreement for the performance,
391 funding, and reimbursement of the investigative and remedial
392 acts necessary for property acquired by the authority.

393 348.9978 Cooperation with other units, boards, agencies,
394 and individuals.—Any county, municipality, drainage district,
395 road or bridge district, school district, or any other political
396 subdivision, board, commission, or individual in or of the state
397 may make and enter into a contract, lease, conveyance, or other
398 agreement consistent with this part with the authority. The
399 authority may make and enter into a contract, lease, conveyance,
400 or other agreement with any political subdivision, agency, or
401 instrumentality of the state, any federal agency, any
402 corporation, or any individual to implement this part.

403 348.9979 Covenant of the state.—The state pledges to, and
404 agrees with, any person, firm, corporation, or federal or state
405 agency subscribing to or acquiring the bonds issued by the
406 authority pursuant to s. 348.9974 that the state will not limit
407 or alter the rights vested in the authority and the department

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

408 until all bonds at any time issued, together with the interest
409 on the bonds, are fully paid and discharged. The state pledges
410 to, and agrees with, the United States that, when any federal
411 agency constructs or contributes any funds for the completion,
412 extension, or improvement of the Seminole County Expressway
413 System or any part or portion thereof, the state will not alter
414 or limit the rights and powers of the authority and the
415 department in any manner that would be inconsistent with the
416 continued maintenance and operation of the Seminole County
417 Expressway System or the completion, extension, or improvement
418 of the system, or that is inconsistent with the due performance
419 of the agreement between the authority and the federal agency.
420 The authority and the department have and may exercise all
421 powers granted in this part necessary to implement the purposes
422 of this part and the purposes of the United States in the
423 completion, extension, or improvement of the Seminole County
424 Expressway System or any part or portion of the system.

425 348.9980 Exemption from taxation.—The authority created
426 pursuant to this part is for the benefit of the people of the
427 state, for the increase of their commerce and prosperity, and
428 for the improvement of their health and living conditions.
429 Because the authority is performing essential governmental
430 functions in carrying out the purposes of this part, the
431 authority is exempt from taxes or assessments upon any property
432 acquired or used by it for such purposes, or upon any revenues,
433 rates, fees, rentals, receipts, income, or charges received by
434 it. The bonds issued by the authority, their transfer, and the
435 income from the bonds, including any profits made on the sale of

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

Amendment No. 4

436 the bonds, are at all times free from taxation of any kind by
437 the state or any political subdivision, taxing agency, or
438 instrumentality of the state. However, the exemption granted by
439 this section is not applicable to any tax imposed under chapter
440 220, Florida Statutes, on interest, income, or profits on debt
441 obligations owned by corporations. When a property of the
442 authority is leased, it is exempt from ad valorem taxes if the
443 use by the lessee qualifies the property for exemption under s.
444 196.199, Florida Statutes.

445 348.9981 Eligibility for investments and security.—Any
446 bonds or other obligations issued pursuant to this part are
447 legal investments for banks, savings banks, trustees, executors,
448 administrators, and all other fiduciaries, and for all state,
449 municipal, and other public funds, and are securities eligible
450 for deposit as security for all state, municipal, or other
451 public funds, notwithstanding the provisions of any law.

452 348.9982 Pledges enforceable by bondholders.—A pledge by
453 the department of rates, fees, revenues, gasoline tax funds of
454 Seminole County, or other funds as rentals to the authority, or
455 any covenant or agreement relative to the pledge, is enforceable
456 in any court of competent jurisdiction against the authority or
457 directly against the department by any holder of bonds issued by
458 the authority.

459 348.9983 Complete and additional authority.—

460 (1) The powers conferred by this part are in addition to
461 the existing powers of the authority and the department, and
462 this part do not repeal any of the provisions of any other law,
463 general, special, or local. The extension and improvement of the

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

464 Seminole County Expressway System, and the issuance of bonds
465 pursuant to s. 348.9974 to finance all or part of the cost of
466 the system, may be accomplished upon compliance with the
467 provisions of this part without regard to or necessity for
468 compliance with the provisions, limitations, or restrictions
469 contained in any other general, special, or local law. Approval
470 of any bonds issued under this part by qualified electors or
471 qualified electors who are freeholders in the state, in Seminole
472 County or in any other political subdivision of the state, is
473 not required for the issuance of bonds pursuant to s. 348.9974.

474 (2) This part does not repeal, rescind, or modify any
475 other law relating to the State Board of Administration, the
476 Department of Transportation, or the Division of Bond Finance of
477 the State Board of Administration, but supersede any law that is
478 inconsistent with the provisions of this part.

479

480

481

482

483

T I T L E A M E N D M E N T

484

Between lines 373 and 374, insert:

485

creating Part VI of ch. 348 ,F.S. creating s. 348.9970 ,F.S.;

486

creating the Seminole County Expressway Authority Law; creating

487

s. 348.9971, F.S.; providing definitions; creating s. 348.9972,

488

F.S., creating the Seminole County Expressway Authority;

489

prohibiting an entity or body or another authority from

490

exercising jurisdiction, control, authority, or power over an

491

expressway system in Seminole County without the consent of the

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 4

492 Seminole County Expressway Authority; providing for membership
493 and terms of the authority; authorizing staffing; providing for
494 certain reimbursement for authority members; creating s.
495 348.9973, F.S., providing for the powers and duties of the
496 authority; requiring notice of public hearing and an opportunity
497 for municipal officials and residents to discuss and advise the
498 authority; creating s. 348.9974, F.S., providing for the
499 issuance of bonds; creating s. 348.9975, F.S., providing for
500 lease-purchase agreements between the Department of
501 Transportation and the authority; providing criteria for the
502 lease-purchase agreements; providing for use of certain revenues
503 as payments for the lease-purchase agreements; authorizing the
504 Department of Transportation to use funds for the operation of
505 the authority and to generate preparatory information necessary
506 for an expressway system; creating s. 348.9976, F.S., providing
507 for an agent for construction; authorizing the authority to
508 appoint the department as its agent under certain circumstances;
509 creating s. 348.9977, F.S., authorizing the authority to acquire
510 land and properties; creating s. 348.9978, F.S., providing for
511 the cooperation of other entities to further the purposes of the
512 act; creating s. 348.9979 prohibiting the state from changing
513 the terms of the bonds; creating s. 348.9980, F.S. exempting the
514 authority from certain taxes; creating s. 348.9981, F.S.,
515 providing for the bond's eligibility for investments and
516 security; creating s. 348.9982, F.S., providing for the
517 enforcement by bondholders of any pledge relating to the bonds
518 issued by the department; creating s. 348.9983, F.S., providing
519 for the extent of the powers authorized by the act;

958897 - h1399-line 3496.docx

Published On: 2/13/2012 8:01:55 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

Adopted - 2-14-12

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Brandes offered the following:

Amendment (with title amendment)

6 Between lines 4227 and 4228, insert:

8 Section 83. Subsection (3) of section 343.52, Florida
9 Statutes, is amended to read:

10 343.52 Definitions.—As used in this part, the term:

11 (3) "Area served" means Miami-Dade, Broward, and Palm
12 Beach Counties. ~~However, this area may be expanded by mutual~~
13 ~~consent of the authority and the board of county commissioners~~
14 ~~representing the proposed expansion area.~~

15 Section 84. Section 343.53, Florida Statutes, is amended
16 to read:

17 343.53 South Florida Regional Transportation Authority.—

18 (1) There is created and established a body politic and
19 corporate, an agency of the state, to be known as the "South

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 5

20 Florida Regional Transportation Authority," hereinafter referred
21 to as the "authority."

22 (2) The governing board of the authority shall consist of
23 twelve ~~nine~~ voting members and one ex officio non-voting member,
24 as follows:

25 (a) The county commissions of Miami-Dade, Broward, and
26 Palm Beach Counties shall each elect a commissioner as that
27 commission's representative on the board. The commissioner must
28 be a member of the county commission when elected and for the
29 full extent of his or her term.

30 (b) The county commissions of Miami-Dade, Broward, and
31 Palm Beach Counties shall each appoint a citizen member to the
32 board who is not a member of the county commission but who is a
33 resident of the county from which he or she is appointed and a
34 qualified elector of that county. Insofar as practicable, the
35 citizen member shall represent the business and civic interests
36 of the community.

37 (c) The secretary of the Department of Transportation
38 shall appoint one of the district secretaries, or his or her
39 designee, for the districts within which the area served by the
40 South Florida Regional Transportation Authority is located, who
41 shall serve ex officio as a non-voting member.

42 ~~(d) If the authority's service area is expanded pursuant~~
43 ~~to s. 343.54(5), the county containing the new service area~~
44 ~~shall have three members appointed to the board as follows:~~

45 ~~1. The county commission of the county shall elect a~~
46 ~~commissioner as that commission's representative on the board.~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 5

47 ~~The commissioner must be a member of the county commission when~~
48 ~~elected and for the full extent of his or her term.~~

49 ~~2. The county commission of the county shall appoint a~~
50 ~~citizen member to the board who is not a member of the county~~
51 ~~commission but who is a resident and a qualified elector of that~~
52 ~~county. Insofar as is practicable, the citizen member shall~~
53 ~~represent the business and civic interests of the community.~~

54 ~~3. The Governor shall appoint a citizen member to the~~
55 ~~board who is not a member of the county commission but who is a~~
56 ~~resident and a qualified elector of that county.~~

57 ~~(d) (e) The Governor shall appoint six ~~two~~ members to the~~
58 ~~board who are residents and qualified electors in the area~~
59 ~~served by the authority but who are not residents of the same~~
60 ~~county and also not residents of the county in which the~~
61 ~~district secretary who was appointed pursuant to paragraph (c)~~
62 ~~is a resident.~~

63 ~~(3) (a) Members of the governing board of the authority~~
64 ~~shall be appointed to serve 4-year staggered terms, except that~~
65 ~~the terms of the appointees of the Governor shall be concurrent.~~

66 ~~(b) The terms of the board members currently serving on~~
67 ~~the authority that is being succeeded by this act shall expire~~
68 ~~July 30, 2003, at which time the terms of the members appointed~~
69 ~~pursuant to subsection (2) shall commence. The Governor shall~~
70 ~~make his or her appointments to the board within 30 days after~~
71 ~~July 30, 2003.~~

72 (4) A vacancy during a term shall be filled by the
73 respective appointing authority in the same manner as the

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 5

74 original appointment and only for the balance of the unexpired
75 term.

76 (5) The members of the authority shall serve without
77 compensation, but are entitled to reimbursement for travel
78 expenses actually incurred in their duties as provided by law.

79 Section 85. Paragraph (h) of subsection (3) and subsection
80 (5) of section 343.54, Florida Statutes, is amended to read:

81 343.54 Powers and duties.-

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

86 (h) To adopt bylaws for the regulation of the affairs and
87 the conduct of the business of the authority. The bylaws shall
88 provide for quorum and voting requirements, maintenance of
89 minutes and other official records, and preparation and adoption
90 of an annual budget. The bylaws shall require approval by at
91 least two-thirds of the authority board members before execution
92 of any agreement by the authority with a private entity, or
93 consortia of private entities, for the operation or maintenance
94 of any transit system or transit facility owned or operated by
95 the authority.

96 ~~(5) The authority, by a resolution of its governing board,
97 may expand its service area and enter into a partnership with
98 any county that is contiguous to the service area of the
99 authority. The board shall determine the conditions and terms of
100 the partnership, except as provided herein. However, the
101 authority may not expand its service area without the consent of~~

042373 - h1399-line 4227.docx

Published On: 2/13/2012 8:02:51 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 5

102 ~~the board of county commissioners representing the proposed~~
103 ~~expansion area, and a county may not be added to the service~~
104 ~~area except in the year that federal reauthorization legislation~~
105 ~~for transportation funds is enacted.~~
106
107
108

T I T L E A M E N D M E N T

111 Remove line 426 and insert:

112 made by the act; amending s. 343.52 F.S.; providing the limits
113 of the area served by the South Florida Regional Transportation
114 Authority; amending s. 343.53, F.S., relating to the composition
115 of the board of the South Florida Regional Transportation
116 Authority and the terms served by board members; amending s.
117 343.54(3), F.S., relating to voting requirements; repealing s.
118 343.54(5), F.S., relating to the expansion of the service area;
119 providing an effective date.
120

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1399 (2012)

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION Y (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER _____

*Adopted w/out
objection 2-14-12*

1 Committee/Subcommittee hearing bill: Transportation & Economic
2 Development Appropriations Subcommittee
3 Representative Brandes offered the following:

4
5 **Amendment**

6 Remove lines 1368-1369 and insert:

7 No less than 1.5 percent of the amount contracted for
8 construction projects that add capacity or provide significant
9 enhancements to the existing system shall be allocated by the
10 department for
11

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/14/2012 11:30:00AM

Location: 404 HOB

HB 1479 : State Poet Laureate

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Jeffrey Brandes	X				
Jason Brodeur	X				
Douglas Broxson	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Brad Drake	X				
Evan Jenne	X				
Debbie Mayfield	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Steinberg	X				
Dwayne Taylor	X				
Ritch Workman	X				
Mike Horner (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Lena Juarez (Lobbyist) - Waive In Support
Florida Humanities Council
PO Box 10390
Tallahassee FL 32302
Phone: 850-212-8330

Committee meeting was reported out: Tuesday, February 14, 2012 3:15:42PM