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# **Transportation & Ports Subcommittee**

## **MEETING PACKET**

**Tuesday, March 17, 2015  
1:30 PM – 2:30 PM  
Sumner Hall (404 HOB)**

**Steve Crisafulli  
Speaker**

**Patrick Rooney, Jr.  
Chair**

**Committee Meeting Notice**  
**HOUSE OF REPRESENTATIVES**

**Transportation & Ports Subcommittee**

**Start Date and Time:** Tuesday, March 17, 2015 01:30 pm  
**End Date and Time:** Tuesday, March 17, 2015 02:30 pm  
**Location:** Sumner Hall (404 HOB)  
**Duration:** 1.00 hrs

**Consideration of the following proposed committee bill(s):**

PCB TPS 15-03 -- Transportation Facility Designations

**Consideration of the following bill(s):**

HB 989 Expressway Authorities by Nuñez  
HB 1101 Central Florida Expressway Authority by Miller

Pursuant to rule 7.12, the filing deadline for amendments to bills on the agenda by a member who is not a member of the committee or subcommittee considering the bill is 6:00 p.m., Monday, March 16, 2015.

By request of the Chair, all Subcommittee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Monday, March 16, 2015.

**NOTICE FINALIZED on 03/13/2015 15:19 by Manning.Karen**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCB TPS 15-03 Transportation Facility Designations  
**SPONSOR(S):** Transportation & Ports Subcommittee  
**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Ports Subcommittee		Johnson	Vickers <i>26V</i>

### SUMMARY ANALYSIS

State law provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill makes the following designations and directs the Department of Transportation (DOT) to erect suitable markers:

Broward County-Candice Ellize Francois Street.

Collier County-Mary Ellen Hawkins Street.

Escambia County-Lance Corporal Steven A. Brown Memorial Highway.

Escambia and Santa Rosa Counties-State Representative C. V. "Clay" Ford Memorial Bridge.

Hendry County-Sam Jones Trail.

Hillsborough County-Lieutenant Benedict J. Thomas Memorial Highway, Pepin Memorial Road, Gonzmart Memorial Road, Judge E.J. Salcines Way, Barkett Memorial Road, and Nick Capitano Memorial Road.

Lee County-Corporal Joseph R. Betrand Memorial Highway and Caloosahatchee Bridge.

Levy County-Deputy Sheriff Atticus Haygood Ellzey Memorial Highway.

Marion County-Elizabeth Inez and Elijah Davis Highway.

Miami-Dade County-Trooper Patrick Ambrose Memorial Highway, Georgia Jones-Ayers Street, Dr. Clifford Garfield O'Connor Road, and Lee Klein Way.

Nassau County-Emmitt G. Coakley Memorial Highway

Orange County-Borinqueneer Boulevard

Pinellas County-Officer Charles "Charlie K." Kondek Memorial Highway.

Polk County-Maria Isabel Barajas-Martinez Memorial Highway.

Taylor County-Private First Class Joey Moody Bridge.

Volusia County-David G. Ledgerwood Memorial Highway and John Jacob "JJ" Curry Memorial Highway.

The bill has an estimated negative fiscal impact of approximately \$26,000 on the State Transportation Trust Fund which is the cost to DOT to erect the markers specified in the bill.

The bill has an effective date of July 1, 2015.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Current Situation**

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires DOT to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

##### **Proposed Changes**

The bill creates numerous honorary designations for various transportation facilities.

**Subsection 1** designates that portion of State Road 655/Lake Shipp Drive between State Road 620 and U.S. 17/State Road 55 in Polk County as “Maria Isabel Barajas-Martinez Memorial Highway.”

Maria Isabel Barajas-Martinez was the founder of the Young American Dreamers Group and an activist in numerous organizations advocating for immigrant rights, community service, youth scholarships, food pantries, and many other contributions to central Florida communities. She passed away in a weather related traffic accident on June 24, 2012, at the age of 21.

**Subsection 2** designates that portion of State Road 436/Semorán Boulevard between Lake Underhill Road and Hoffner Avenue in Orange County as “Borinqueneer Boulevard.”

The 65<sup>th</sup> Infantry Regiment, nicknamed the “Borinqueneers, from the original Taino name of the island (Borinquen), is a Puerto Rican Regiment of the United States Army. The 65<sup>th</sup> Infantry Regiment participated in World War I, World War II, the Korean War, and in the War on Terror. The 65<sup>th</sup> Infantry Regiment was awarded the Congressional Gold Medal in 2014.

**Subsection 3** designates that portion of U.S. 1/State Road 15 between 5<sup>th</sup> Avenue and Old Dixie Highway as “Emmitt G. Coakley Memorial Highway.”

Emmitt G. Coakley was a long-time educator in Nassau County and member of the Nassau County Planning and Zoning Board. He also served two years in the United States Army and graduated from Bethune-Cookman College. He passed away on March 6, 2014.

**Subsection 4** designates that portion State Road 80 between Hickey Creek Road and Carter Lane in Lee County as “Corporal Joseph R. Bertrand Memorial Highway.”

Corporal Joseph R. Bertrand was member of the Florida Highway Patrol killed in the line of duty. On December 22, 1967, Corporal Bertrand was shot and killed by a violator while conducting a driving under the influence investigation on State Road 80 in Fort Myers. Corporal Bertrand had served the citizens of Florida, with the Florida Highway Patrol, for 16 years and was 46 years of age at the time of his death.

**Subsection 5** designates that portion of Interstate 75/State Road 93A between the Fowler Avenue and the Fletcher Avenue in Hillsborough County as “Lieutenant Benedict J. Thomas Memorial Highway.”

Lieutenant Benedict J. Thomas was a member of the Florida Highway Patrol killed in the line of duty. On June 9, 1989, Lieutenant Thomas was struck by a passing car while walking back to his vehicle after investigating an abandoned vehicle on Interstate 75 in Tampa. Lieutenant Thomas had served the citizens of Florida, with the Florida Highway Patrol, for 11 years and was 32 years of age at the time of his death.

**Subsection 6** designates that portion of the Homestead Extension of Florida's Turnpike between Milepost 34 and Milepost 36 in Miami-Dade County as "Trooper Patrick Ambrose Memorial Highway."

Trooper Patrick Ambrose was a member of the Florida Highway Patrol killed in the line of duty. On May 15, 2010, at 8:34 p.m., Trooper Ambrose was occupying his patrol vehicle which was parked on the shoulder of northbound State Road 821. A passing vehicle veered to the right onto the paved emergency shoulder and impacted the left rear section of Trooper Ambrose's patrol vehicle; Trooper Ambrose was killed as a result. Trooper Ambrose served the citizens of Florida, with the Florida Highway Patrol for four years and was 35 years old at the time of his death.

**Subsection 7** designates that portion of U.S. 19/98/State Road 55 between North Otter Creek Avenue and S.E. 1<sup>st</sup> Avenue in Levy County as "Deputy Sheriff Atticus Haygood Ellzey Memorial Highway."

Deputy Sheriff Atticus Haygood Ellzey was a Levy County deputy sheriff who was shot and killed in the line of duty on January 28, 1945. In 1953, the Senate introduced SB 1953 to honor his death and to provide relief for his wife and 13 children.

**Subsection 8** designates upon completion of replacement construction, bridge number 380096 on U.S. 221/State Road 55 over the Econfina River in Taylor County as "Private First Class Joey Moody Bridge."

Private First Class Joey Moody grew up in Taylor County and was killed in Korea on June 21, 1952, when he was sent to repair a communications line. He was posthumously awarded the National Defense Medal, Korean Combat Medal, Korean Battle Medal, and the Purple Heart.

**Subsection 9** designates that portion of State Road 415 between Acorn Lake Road and Reed Ellis Road in Volusia County is designated as "David G. Ledgerwood Memorial Highway"

David G Ledgerwood was killed in Vietnam on April 29, 1968. He was posthumously promoted to the rank of sergeant and awarded the Bronze Star. He is buried in Arlington National Cemetery.

**Subsection 10** designates that portion of State Road 35/NE 58<sup>th</sup> Avenue between County Road 314/NE 7<sup>th</sup> Street and SE 20<sup>th</sup> Street in Marion County as "Elizabeth Inez and Elijah Davis Highway."

Elizabeth Inez Davis was a devoted children's advocate and community leader in the Ocala area. She founded the Mount Canaan Community Youth Center. She passed away on December 6, 2002.

Elijah Davis volunteered for over 60 years at the Mount Canaan Community Youth Center and still volunteers at the age of 101.

**Subsection 11** designates upon completion of construction, the bridge replacing bridge number 480035 between Gulf Breeze and Pensacola on U.S. 98/State Road 30 in Santa Rosa and Escambia Counties as "State Representative C.V. 'Clay' Ford Memorial Bridge."

State Representative C.V. "Clay" Ford served in the United States Army as an infantry officer and retired as a full Colonel. He served in the Arkansas House of Representatives in the 1970s. From 1990 through 2006 he was a councilman for the City of Gulf Breeze, and Mayor Pro Tem from 2001 through

2006. He also served in the Florida House of Representatives from February 27, 2007, until his death on March 18, 2013.

**Subsection 12** designates that portion of U.S. 90/State Road 10A between County Road 472/Creighton Road and Summit Boulevard in Escambia County as “Lance Corporal Steven A. Brown Memorial Highway.”

Lance Corporal Steven A. Brown grew up in Pensacola. He voluntarily joined the Marines in 1966 and served two tours in Vietnam. He died in Vietnam on July 4, 1967. He received numerous military honors including the Purple Heart.

**Subsection 13** designates that portion of County Road 833 between State Road 80 and the entrance to the Big Cypress Seminole Indian Reservation in Hendry County as “Sam Jones Trail.”

Sam Jones was a medicine man and a major leader of the Seminole Tribe of Florida through the three Seminole Wars.

**Subsection 14** designates that portion of Golden Gate Parkway between U.S. 41/State Road 45/Tamiami Trail and County Road 851 in Collier County as “Mary Ellen Hawkins Street.”

Mary Ellen Hawkins was Collier County’s first female state representative. She served in the Florida House of Representatives from 1974 to 1994, and subsequently remained active in promoting and improving her community.

**Subsection 15** designates that portion of Palm Avenue between Pembroke Road and Miramar Parkway in Broward County as “Candice Ellize Francois Street.”

Candice Ellize Francois was born on March 10, 1994 in Miami. She was in the International Baccalaureate Program in high school where she was involved in multiple school activities. Shortly after graduating from high school, she was diagnosed with a rare cancer of the jawbone. She passed away on October 26, 2014, at the age of 20.

**Subsection 16** designates that portion of State Road 9/N.W. 27<sup>th</sup> Avenue between State Road 924/N.W. 119<sup>th</sup> Street and N.W. 106<sup>th</sup> Street as “Georgia Jones-Ayers Street.”

Georgia Jones-Ayers was a civil rights activist known for her efforts to rehabilitate young criminal offenders through a program she co-founded in the 1980s. She passed away on February 17, 2015.

**Subsection 17** designates that portion of U.S. 19A/State Road 595 between Tarpon Avenue and the Pasco County line in Pinellas County as “Officer Charles ‘Charlie K.’ Kondek Memorial Highway.

Officer Charles “Charlie K.” Kondek served on the Tarpon Springs Police Department for 17 years. He previously served on the New York City Police Department for five years. He was killed in the line of duty on December 21, 2014.

**Subsection 18** designates that portion of State Road 583/56<sup>th</sup> Street between State Road 574/East Dr. Martin Luther King Boulevard and Harney Road in Hillsborough County as “Pepin Memorial Road.”

Arthur Pepin founded Pepin Distributing Company and was a major philanthropist in Tampa. He passed away in 2000. His wife, Polly, passed away in 2012.

**Subsection 19** designates that portion of County Road 574/7<sup>th</sup> Avenue between North 20<sup>th</sup> Street and 22<sup>nd</sup> Street in Hillsborough County as “Gonzmart Memorial Road.”

The Gonzmart's are descendants of the Hernandez family, which founded the Columbia Restaurant in Tampa in 1905, which is Florida's oldest restaurant. Members of the Gonzmart family currently own the Columbia Restaurant Group.

**Subsection 20** designates that portion of Howard Avenue between West Main Street and West Columbus Drive in Hillsborough County as "Judge E.J. Salcines Way."

Judge E.J. Salcines was a career federal and state prosecutor for 22 years and in private practice for 13 years before being appointed as a judge on the appellate court in 1998, where he served until his retirement in 2008.

**Subsection 21** designates that portion of Old Water Street between South Franklin Street and Channelside Drive in Hillsborough County as "Barkett Memorial Road."

The Barkett family is prominent in the petroleum industry and currently owns an oil blending and packaging facility in Tampa. Its Amalie Oil Company is the largest independently owned lubricant marketer, manufacturer, and packaging company in the United States.

**Subsection 22** designates that portion of East 9<sup>th</sup> Avenue between North 13<sup>th</sup> Street and North 14<sup>th</sup> Street as "Nick Capitano Memorial Road."

Nick Capitano was a prominent Tampa business man who founded Radiant Oil Co. in 1931. He was also involved in charitable causes in the Tampa community. He passed away in May 2014 at the age of 98.

**Subsection 23** designated bridge no. 120002 over the Caloosahatchee River on U.S. 41/State Road 45/Cleveland Avenue in Lee County as "Caloosahatchee Bridge."

The Caloosahatchee River is a river on the southwest Gulf Coast of Florida in the United States, approximately 67 miles long. It drains rural areas on the northern edge of the Everglades, east of Fort Myers. An important link in the Okeechobee Waterway, a manmade inland waterway system of southern Florida, the river forms a tidal estuary along most of its course and has recently become the subject of efforts to restore and preserve the Everglades.

**Subsection 24** designates that portion of U.S. 17/State Road 15 between Golden Hills Boulevard and Lake Winona Road in Volusia County as "John Jacob 'JJ' Curry Memorial Highway."

John Jacob "JJ" Curry was a Volusia County firefighter who was killed during a training exercise on November 27, 2007.

**Subsection 25** designates that portion of N.W. 32<sup>nd</sup> Avenue between N.W. 87<sup>th</sup> Street and N.W. 83<sup>rd</sup> Street as "Dr. Clifford Garfield O'Connor Street,"

Dr. Clifford Garfield O'Connor was a podiatrist who also assisted in training new physicians. He also participated in several medical missions to Jamaica and Haiti. He passed away on February 23, 2015, at the age of 50.

**Subsection 26** designates that portion of State Road 973 between S.W. 88<sup>th</sup> Street and S.W. 92<sup>nd</sup> Street as "Lee Klein Way."

Lee Klein began her career as a volunteer charity worker for children's causes in 1956. In 1965, she founded what is now known as the Children's Cancer Caring Center. She remains its Chairman and Chief Executive Officer.

**Subsection 27** directs DOT to erect suitable markers designating each of the above designations.



The bill provides an effective date of July 1, 2015.

**B. SECTION DIRECTORY:**

Section 1      Creates transportation facility designations and directs DOT to erect suitable markers.

Section 2      Provides an effective date.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

DOT will incur costs of approximately \$26,000 from the State Transportation Trust Fund for erecting markers for the designations. This is based on the assumption that two markers for each designation will be erected at a cost of \$500 per marker. DOT will also incur the recurring costs of maintaining these signs over time, and for future replacement of the signs as necessary

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

The following designations are not on the State Highway System:

- Sam Jones Trail
- Mary Ellen Hawkins Street
- Candice Ellize Francois Street
- Gonzmart Memorial Road
- Judge E.J. Salcines Way
- Barkett Memorial Road
- Nick Capitano Memorial Road
- Dr. Clifford Garfield O'Connor Road.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

1                   A bill to be entitled  
 2           An act relating to transportation facility  
 3           designations; providing honorary designations of  
 4           various transportation facilities in specified  
 5           counties; directing the Department of Transportation  
 6           to erect suitable markers; providing an effective  
 7           date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Transportation facility designations;  
 12           Department of Transportation to erect suitable markers.-

13           (1) That portion of S.R. 655/Lake Shipp Drive between S.R.  
 14           620 and U.S. 17/S.R. 55 in Polk County is designated as "Maria  
 15           Isabel Barajas-Martinez Memorial Highway."

16           (2) That portion of S.R. 436/Semorán Boulevard between  
 17           Lake Underhill Road and Hoffner Avenue in Orange County is  
 18           designated as "Boringueneer Boulevard."

19           (3) That portion of U.S. 1/S.R. 15 between 5th Avenue and  
 20           Old Dixie Highway in Nassau County is designated as "Emmitt G.  
 21           Coakley Memorial Highway."

22           (4) That portion of S.R. 80 between Hickey Creek Road and  
 23           Carter Lane in Lee County is designated as "Corporal Joseph R.  
 24           Bertrand Memorial Highway."

25           (5) That portion of Interstate 75/S.R. 93A between Fowler  
 26           Avenue and Fletcher Avenue in Hillsborough County is designated

27 as "Lieutenant Benedict J. Thomas Memorial Highway."

28 (6) That portion of the Homestead extension of the Florida  
 29 Turnpike between Milepost 34 and Milepost 36 in Miami-Dade  
 30 County is designated as "Trooper Patrick Ambroise Memorial  
 31 Highway."

32 (7) That portion of U.S. 19/98/S.R. 55 between N. Otter  
 33 Creek Avenue and S.E. 1st Avenue in Levy County is designated as  
 34 "Deputy Sheriff Atticus Haygood Ellzey Memorial Highway."

35 (8) Upon completion of replacement construction, bridge  
 36 number 380096 on U.S. 221/S.R. 55 over the Econfina River in  
 37 Taylor County is designated as "Private First Class Joey Moody  
 38 Bridge."

39 (9) That portion of S.R. 415 between Acorn Lake Road and  
 40 Reed Ellis Road in Volusia County is designated as "David G.  
 41 Ledgerwood Memorial Highway."

42 (10) That portion of S.R. 35/N.E. 58th Avenue between C.R.  
 43 314/N.E. 7th Street and S.E. 20th Street in Marion County is  
 44 designated as "Elizabeth Inez and Elijah Davis Highway."

45 (11) Upon completion of construction, the bridge replacing  
 46 bridge number 480035 between Gulf Breeze and Pensacola on U.S.  
 47 98/S.R. 30 in Santa Rosa and Escambia Counties is designated as  
 48 "State Representative C. V. 'Clay' Ford, Jr. Bridge."

49 (12) That portion of U.S. 90/S.R. 10A between C.R.  
 50 472/Creighton Road and Summit Boulevard in Escambia County is  
 51 designated as "Lance Corporal Steven A. Brown Memorial Highway."

52 (13) That portion of C.R. 833 between S.R. 80 and the

53 entrance to the Big Cypress Seminole Indian Reservation in  
 54 Hendry County is designated as "Sam Jones Trail."

55 (14) That portion of Golden Gate Parkway between U.S.  
 56 41/S.R. 45/Tamiami Trail and C.R. 851 in Collier County is  
 57 designated as "Mary Ellen Hawkins Street."

58 (15) That portion of Palm Avenue between Pembroke Road and  
 59 Miramar Parkway in Broward County is designated as "Candice  
 60 Ellize Francois Street."

61 (16) That portion of S.R. 9/N.W. 27th Avenue between S.R.  
 62 924/N.W. 119th Street and N.W. 106th Street in Miami-Dade County  
 63 is designated as "Georgia Jones-Ayers Street."

64 (17) That portion of U.S. 19A/S.R. 595 between Tarpon  
 65 Avenue and the Pasco County line in Pinellas County is  
 66 designated as "Officer Charles 'Charlie K.' Kondek Memorial  
 67 Highway."

68 (18) That portion of S.R. 583/56th Street between S.R.  
 69 574/E. Dr. Martin Luther King Boulevard and Harney Road in  
 70 Hillsborough County is designated as "Pepin Memorial Road."

71 (19) That portion of C.R. 574/7th Avenue between N. 20th  
 72 Street and 22nd Street in Hillsborough County is designated as  
 73 "Gonzmart Memorial Road."

74 (20) That portion of Howard Avenue between W. Main Street  
 75 and W. Columbus Drive in Hillsborough County is designated as  
 76 "Judge E.J. Salcines Way."

77 (21) That portion of Old Water Street between S. Franklin  
 78 Street and Channelside Drive in Hillsborough County is

79 designated as "Barkett Memorial Road."

80 (22) That portion of E. 9th Avenue between N. 13th Street  
 81 and N. 14th Street in Hillsborough County is designated as "Nick  
 82 Capitano Memorial Road."

83 (23) Bridge number 120002 over the Caloosahatchee River on  
 84 U.S. 41/S.R. 45/Cleveland Avenue in Lee County is designated as  
 85 "Caloosahatchee Bridge."

86 (24) That portion of U.S. 17/S.R. 15 between Golden Hills  
 87 Boulevard and Lake Winona Road in Volusia County is designated  
 88 as "John Jacob 'JJ' Curry Memorial Highway."

89 (25) That portion of N.W. 32nd Avenue between N.W. 87th  
 90 Street and N.W. 83rd Street in Miami-Dade County is designated  
 91 as "Dr. Clifford Garfield O'Connor Street."

92 (26) That portion of S.R. 973/87th Avenue between S.W.  
 93 88th Street/Kendall Drive and S.W. 92nd Street in Miami-Dade  
 94 County is designated as "Lee Klein Way."

95 (27) The Department of Transportation is directed to erect  
 96 suitable markers designating the transportation facilities as  
 97 described in this section.

98 Section 2. This act shall take effect July 1, 2015.



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	_____	

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1 Committee/Subcommittee hearing bill: Transportation & Ports  
2 Subcommittee

3 Representative Passidomo offered the following:

4  
5 **Amendment**

6 Remove line 29 and insert:

7 Turnpike/S.R. 821 between Milepost 34 and Milepost 36 in Miami-  
8 Dade

9 Remove lines 49-50 and insert:

10 (12) That portion of U.S. 90/S.R. 10A between S.R.  
11 742/Creighton Road and Summit Boulevard in Escambia County is

12 Remove lines 92-93 and insert:

13 (26) That portion of S.R. 973/87th Avenue between S.R.  
14 94/Kendall Drive and S.W. 92nd Street in Miami-Dade

15 Between lines 94 and 95, insert:



Amendment No. 1.

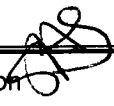

16        (27) That portion of S.R. 948/N.W. 36th between Curtiss  
17 Parkway/N.W. 57th and N.W. 67th Avenue in Miami-Dade County as  
18 "Virginia Gardens Boulevard."





## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 989 Expressway Authorities  
**SPONSOR(S):** Nuñez  
**TIED BILLS:** IDEN./SIM. **BILLS:** SB 1276

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Ports Subcommittee		Johnson 	Vickers 
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

### SUMMARY ANALYSIS

The Miami-Dade County Expressway Authority (MDX) is an agency of the state created pursuant to the Florida Expressway Authority Act. Its board currently consists of 13 members, seven of whom are appointed by the Miami-Dade County Commission, five of whom are appointed by the Governor, and a Department of Transportation (DOT) district secretary, who is an ex officio voting member.

Current law prohibits lobbyists from being appointed to and serving on MDX's board.

The bill changes the makeup of MDX's board to nine members, with four appointed by the Miami-Dade County Commission, four appointed by the Governor, and a DOT district secretary as an ex officio voting member.

The bill prohibits a person from being appointed to or serving on MDX's board if that person currently represents or has in the previous 10 years represented a client for compensation before any state or municipal governmental body.

The bill prohibits a person from being appointed to or serving on MDX's board if that person currently represents or has in the previous 10 years represented any person or entity that is doing business with or has previously 10 years has done business with any state or municipal governmental body or agency.

The bill provides that a finding of a violation of the MDX ethics or laws relating to public officers or employees, or failure to comply with financial disclosure requirements results in the immediate termination from the board.

The bill does not appear to have a fiscal impact on state or local governments.

The bill is effective upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### **Miami-Dade County**

Section 125.011(1), F.S. defines a county as:

[A]ny county operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the Constitution of 1885, as preserved by Art. VIII, s. 6(e) of the Constitution of 1968, which county, by resolution of its board of county commissioners, elects to exercise the powers herein conferred. Use of the word "county" within the above provisions shall include "board of county commissioners" of such county.

The local governments authorized to operate under a home rule charter by the State Constitutions of 1885 and 1968 are the City of Key West and Monroe County,<sup>1</sup> Dade County,<sup>2</sup> and Hillsborough County.<sup>3</sup> Of these, only Miami-Dade County operates under a home-rule charter, which was adopted on May 21, 1957, under this constitutional provision.<sup>4</sup> Therefore, Miami-Dade County is the only county that meets the definition in s. 125.011(1), F.S.

##### **Miami-Dade County Expressway Authority**

The Florida Expressway Authority Act (Act), codified in part I of Ch. 348, F.S.,<sup>5</sup> authorizes any county or two or more contiguous counties within a single Department of Transportation (DOT) district to, by resolution adopted by the board of county commissioners, form an expressway authority which shall be an agency of the state.<sup>6</sup> The Miami-Dade County Expressway Authority (MDX) is the only expressway authority created under the Act.<sup>7</sup>

MDX is an agency of the state created pursuant to the Act. It was created by the Miami-Dade County Commission, in 1994, pursuant to Chapter 2 Article XVIII of the Miami-Dade County Code of Ordinances.<sup>8</sup>

MDX's system consists of the following roadways in Miami-Dade County:

- Airport Expressway (SR 112);
- Dolphin Expressway (SR 836);
- Don Shula Expressway (SR 874);
- Snapper Creek Expressway (SR 878); and
- Gratigny Parkway (SR 924).

MDX's board consists of 13 members, seven of whom are appointed by the Miami-Dade County Commission and five of whom are appointed by the Governor. The 13<sup>th</sup> member is DOT's district six secretary, who is an ex-officio voting member.<sup>9</sup>

<sup>1</sup> Art. VIII, s. 6, n. 2, Fla. Const.

<sup>2</sup> Art. VIII, s. 6, n. 3, Fla. Const.

<sup>3</sup> Art. VIII, s. 6, n. 4, Fla. Const.

<sup>4</sup> Florida Association of Counties, *Charter County Information*, <http://www.fl-counties.com/about-floridas-counties/charter-county-information> (last visited May 2, 2014).

<sup>5</sup> Part I of ch. 348, F.S., consists of ss. 348.0001 through 348.0012, F.S.

<sup>6</sup> S. 348.0003(1), F.S.

<sup>7</sup> While MDX is the only authority created pursuant to the Act, Part V of ch. 348, F.S., creating the Osceola County Expressway Authority contains numerous references to the Act.

<sup>8</sup> A copy of the ordinance is available at <http://mdxway.com/about/history> (Last visited December 2, 2013).

<sup>9</sup> S. 348.0003(2)(d), F.S.

In 2014, CS/CS/CS/SB 846,<sup>10</sup> applied several ethics provisions to MDX in addition to those currently required by the Code of Ethics. Specifically the bill:

- Required MDX's general counsel to serve as its ethics officer;
- Required the code of ethics policy to be reviewed and updated by the ethics officer and presented for board approval at least once every two years;
- Required that employees be adequately informed and trained on the code of ethics and continually participate in ongoing ethics education;
- Prohibited a lobbyist<sup>11</sup> from being appointed to or serving as a member of the authority;
- Prohibited a member or the executive director of the authority from personally representing another person or entity for compensation before the authority for a period of two years after vacation of his or her position;
- Prohibited a member or the executive director, after retirement or termination, from having an employment or contractual relationship with a business entity other than an agency, in connection with a contract in which the member or executive director personally and substantially participated through decision, approval, disapproval, recommendation, rendering of advice, or investigation while he or she was a member or employee of the authority;
- Prohibited board members, employees, and consultants who hold positions that may influence authority decisions from engaging in any relationship that may adversely affect their judgment in carrying out authority business;
- Required the general counsel to review an annual conflict of interest disclosure that includes any relationship that a board member, employee, or consultant has which affords a current or future financial benefit to such board member, employee, or consultant or to a relative, or business associate of such board member, employee, or consultant, and which a reasonable person would conclude has the potential to create a prohibited conflict of interest, and whether a relative is a registered lobbyist, and, if so, the names of such lobbyist's clients; interests in real property the board member, employee, or consultant has, or that an immediate family member has, if such real property is located in, or within ½-mile radius of, any actual or prospective authority roadway project; and
- Required the conflict of interest process to be outlined in the authority's code of ethics.<sup>12</sup>

### **Proposed Changes**

The bill amends s. 348.0003(2)(d), F.S., revising the membership of MDX. The number of board members is reduced from 13 to nine. Four members are appointed by the governing body of the county. Four members are appointed by the Governor. The ninth member is DOT's district six secretary.

The bill creates s. 348.0003(5)(a)2., F.S., providing that a person may not be appointed to or serve as a member of MDX's governing body if that person currently represents or in the previous 10 years represented any client for compensation before any municipal or state governmental body. This

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<sup>10</sup> Ch. 2014-183, L.O.F.

<sup>11</sup> Section 112.3215, F.S., defines "lobbyist" as "a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. "Lobbyist" does not include a person who is:

1. An attorney, or any person, who represents a client in a judicial proceeding or in a formal administrative proceeding conducted pursuant to chapter 120 or any other formal hearing before an agency, board, commission, or authority of this state.

2. An employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.

3. A confidential informant who is providing, or wishes to provide, confidential information to be used for law enforcement purposes.

4. A person who lobbies to procure a contract pursuant to chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in s. 287.017."

<sup>12</sup> Similar provisions were passed for the Central Florida Expressway Authority in CS/CS/SB 230 (Ch. 2014-195, L.O.F.)

includes any agency, quasi-governmental entity, or body staffed by public employees, or entity that has its operations paid for by public dollars.

The bill creates s. 348.0003(5)(a)3., F.S., providing that a person may not be appointed to serve as a member of the governing body of MDX if that person currently represents or has in the previous 10 years represented any person or entity that is doing business, or within the previous 10 years, has done business with any state or municipal governmental agency.

The bill creates s. 348.0003(5)(l), F.S., providing that a finding of violation of s. 348.0003(5), F.S. or Ch. 112, F.S.<sup>13</sup> or failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements<sup>14</sup> results in immediate termination from MDX's governing body.

The bill is effective upon becoming a law.

**B. SECTION DIRECTORY:**

- Section 1 Amends s. 348.0003, F.S., relating to expressway authority; formation; membership.
- Section 2 Provides an effective date.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

- 1. Revenues:  
None.
- 2. Expenditures:  
None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

- 1. Revenues:  
None.
- 2. Expenditures:  
None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

<sup>13</sup> Chapter 112, F.S., relates to public officers and employees.

<sup>14</sup> Section 348.0003(4)(c), F.S., requires members of expressway authorities to file the detailed Form 6 financial disclosure form with the Commission on Ethics.

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The title of the bill may need to be amended to reflect that the bill revises the membership of MDX.

Lines 41 through 48 of the bill contains language in s. 348.0003(2)(d), F.S., which appears to be an obsolete provision transitioning some nonvoting members of MDX to members being appointed by the Governor. This language may no longer be needed and could possibly be repealed.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

1                                   A bill to be entitled  
 2           An act relating to expressway authorities; amending s.  
 3           348.0003, F.S.; revising qualifications for membership  
 4           on the governing body of certain expressway  
 5           authorities; providing for termination from an  
 6           authority's governing body upon a finding of a  
 7           violation of specified ethical conduct provisions or  
 8           failure to comply with a notice of failure to comply  
 9           with financial disclosure requirements; providing an  
 10          effective date.

11  
 12   Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Paragraph (d) of subsection (2) and paragraph  
 15           (a) of subsection (5) of section 348.0003, Florida Statutes, are  
 16           amended, and paragraph (1) is added to subsection (5) of that  
 17           section. to read:

18           348.0003 Expressway authority; formation; membership.—  
 19           (2) The governing body of an authority shall consist of  
 20           not fewer than five nor more than nine voting members. The  
 21           district secretary of the affected department district shall  
 22           serve as a nonvoting member of the governing body of each  
 23           authority located within the district. Each member of the  
 24           governing body must at all times during his or her term of  
 25           office be a permanent resident of the county which he or she is  
 26           appointed to represent.

27 (d) Notwithstanding any provision to the contrary in this  
 28 subsection, in any county as defined in s. 125.011(1), the  
 29 governing body of an authority shall consist of up to 9 ~~13~~  
 30 members, and the following provisions of this paragraph shall  
 31 apply specifically to such authority. Except for the district  
 32 secretary of the department, the members must be residents of  
 33 the county. Four ~~Seven~~ voting members shall be appointed by the  
 34 governing body of the county. At the discretion of the governing  
 35 body of the county, up to two of the members appointed by the  
 36 governing body of the county may be elected officials residing  
 37 in the county. Four ~~Five~~ voting members of the authority shall  
 38 be appointed by the Governor. One member shall be the district  
 39 secretary of the department serving in the district that  
 40 contains such county. This member shall be an ex officio voting  
 41 member of the authority. If the governing body ~~board~~ of an  
 42 authority includes any member originally appointed by the  
 43 governing body of the county as a nonvoting member, when the  
 44 term of such member expires, that member shall be replaced by a  
 45 member appointed by the Governor until the governing body of the  
 46 authority is composed of four ~~seven~~ members appointed by the  
 47 governing body of the county and four ~~five~~ members appointed by  
 48 the Governor. Except as provided in subsection (5), the  
 49 qualifications, terms of office, and obligations and rights of  
 50 members of the authority shall be determined by resolution or  
 51 ordinance of the governing body of the county in a manner that  
 52 is consistent with subsections (3) and (4).



53 (5) In a county as defined in s. 125.011(1):

54 (a)1. A lobbyist, as defined in s. 112.3215, may not be  
 55 appointed or serve as a member of the governing body of an  
 56 authority.

57 2. A person may not be appointed to or serve as a member  
 58 of the governing body of an authority if that person currently  
 59 represents or has in the previous 10 years represented any  
 60 client for compensation before any state or municipal  
 61 governmental body, including any agency, quasi-governmental  
 62 entity, or body staffed by public employees, or entity that has  
 63 its operations paid for by public dollars.

64 3. A person may not be appointed to or serve as a member  
 65 of the governing body of an authority if that person currently  
 66 represents or has in the previous 10 years represented any  
 67 person or entity that is doing business, or within the previous  
 68 10 years has done business, with any state or municipal  
 69 governmental agency or body.

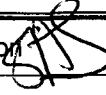

70 (1) A finding of a violation of this subsection or chapter  
 71 112, or failure to comply within 90 days after receiving a  
 72 notice of failure to comply with financial disclosure  
 73 requirements, results in immediate termination from the  
 74 governing body of the authority.

75 Section 2. This act shall take effect upon becoming a law.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1101 Central Florida Expressway Authority  
**SPONSOR(S):** Miller  
**TIED BILLS:** IDEN./SIM. **BILLS:** CS/SB 1024

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Ports Subcommittee		Johnson 	Vickers 
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

**SUMMARY ANALYSIS**

The bill relates to the Central Florida Expressway Authority (CFX). In summary, the bill:

- Clarifies that authority members from Seminole, Lake, and Osceola Counties must be a county commission member, chair, or county mayor from their respective counties.
- Provides that the terms of authority members appointed by the Governor end on December 31 of the last year of service.
- Repeals an obsolete provision regarding the term ending dates of the board members of the former Orlando-Orange County Expressway Authority (OOCEA).
- Removes the requirement that one of the authority members serve as the authority's secretary.
- Removes the requirement that CFX obtain consent from the Secretary of the Department of Transportation (DOT) prior to expanding into Lake County.
- Removes a requirement that the former OOCEA system be transferred to the state upon the completion and performance of a lease-purchase agreement.

The bill does not appear to have a fiscal impact on state and local governments.

The bill has an effective date of July 1, 2015.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

The Orlando Orange County Expressway Authority (OOCEA), was created in part III of Ch. 348, F.S.,<sup>1</sup> and served Orange County. It was authorized to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards in the county, as well as outside the jurisdictional boundaries of Orange County with the consent of the county within whose jurisdiction the activities occur.<sup>2</sup>

In 2014, CS/CS/SB 230 changed OOCEA to the Central Florida Expressway Authority (CFX).<sup>3</sup> In summary, the bill:

- Created CFX and provides for the transfer of governance and control, legal rights and powers, responsibilities, terms and obligations of OOCEA to CFX.
- Provided for the composition of the governing body of CFX and the appointment of its officers.
- Provided ethics and accountability requirements of CFX board members and employees.
- Provided that the area served by CFX is within the geographical boundaries of Orange, Seminole, Lake, and Osceola Counties.
- Removed the existing OOCEA requirement that the route of a project be approved by a municipality before the right-of-way can be acquired.
- Required that CFX encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities.
- Removed the existing OOCEA authority to waive payment and performance bonds for certain public works projects awarded pursuant to an economic development program.
- Provided that upon termination of the lease-purchase agreement of the Central Florida Expressway System, title will be retained by the state, and extends the terms of lease-purchase agreements from 40 to 99 years.
- Provided for the transfer of the Osceola County Expressway System to CFX and provides for the repeal of the Osceola County Expressway Authority Act<sup>4</sup> when the Osceola County Expressway System is transferred to CFX.

Section 348.754(1)(c), F.S., provides that notwithstanding any other provision of s. 348.754, F.S., to the contrary, in order to ensure the continued financial feasibility of the Wekiva Parkway to be constructed by the Department of Transportation (DOT), CFX may not, without the prior consent of the Secretary of DOT construct any extensions, additions, or improvements to the expressway system in Lake County.

Section 348.757, F.S., authorizes CFX to enter into a lease-purchase agreement with DOT relating to and covering the former OOCEA system.<sup>5</sup> Current law requires the lease purchase agreement to provide for the leasing of the former OOCEA system, by CFX, as lessor, to DOT, as lessee must prescribe the term of such lease and rentals to be paid, and must provide that upon the completion of the faithful performance and termination of the lease purchase agreement, title in fee simple absolute to the former OOCEA system as then constituted shall be transferred in accordance with law by CFX, to the state and CFX shall deliver to DOT such deeds and conveyances as shall be necessary or convenient to vest title in fee simple absolute in the state.

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<sup>1</sup> Part III of Ch. 348, F.S., consists of ss. 348.751 through 348.765, F.S.

<sup>2</sup> S. 348.754(2)(n), F.S.

<sup>3</sup> Ch. 2014-171, L.O.F.

<sup>4</sup> Part V of Ch. 348, F.S.

<sup>5</sup> S. 348.757(1), F.S.

In 2012, DOT and the former OOCEA entered into a Memorandum of Understanding regarding the Wekiva Parkway. As part of the negotiations, OOCEA and DOT agreed that the provisions of the lease-purchase agreement to transfer the expressway system to DOT upon satisfaction of the bonds would be deleted, and that OOCEA would retain title to the system. However, the statutes do not reflect the current agreement between OOCEA, now CFX, and DOT.

CFX currently owns and operates 105 centerline miles of roadway in Orange County, which includes:

- 22 miles of the Spessard L. Holland East-West Expressway (SR 408);
- 23 miles of the Martin Andersen Beachline Expressway (SR 528);
- 33 miles of the Central Florida GreeneWay (SR 417);
- 22 miles of the Daniel Webster Western Beltway (SR 429); and
- 5 miles of the John Land Apopka Expressway (SR 414).

### **Proposed Changes**

The bill amends s. 348.753(3), F.S., providing that the chairs of the boards of county commission from Seminole, Lake, and Osceola Counties appoint one member of the board from their respective counties, who *must* be a county commission member, chair, or county mayor.<sup>6</sup> The bill also provides that members appointed by the Governor have their terms end on December 31 of his or her last year of service. This change is intended to accommodate the January 2015 election of CFX officers. The bill also removes an obsolete provision regarding the terms of standing board members from when the make-up of the board changed in the 2014 law.

The bill amends s. 348.753(4)(a), F.S., removing the requirement that one of the members of the board serve as the authority's secretary.

The bill repeals s. 348.754(1)(c), F.S. This will allow CFX to expand into Lake County without the prior consent of the Secretary of DOT.

The bill amends s. 348.757(2), F.S., removing the provision that upon completion and termination of the lease-purchase agreement that title in fee simple absolute of the former OOCEA system is transferred by the authority to the state.

The bill has an effective date of July 1, 2015.

### **B. SECTION DIRECTORY:**

- |           |  |
|-----------|--|
| Section 1 | Amends s. 348.753, F.S., relating to the governing body of the Central Florida Expressway Authority. |
| Section 2 | Repeals s. 348.754(1)(c), F.S., relating to a purpose and power of CFX.                              |
| Section 3 | Amends s. 348.757, F.S., relating to a lease-purchase agreement.                                     |
| Section 4 | Provides an effective date.  |

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

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<sup>6</sup> Currently, s. 348.753(3), F.S., provides that appointees *may* be a county commission member or chair.

2. Expenditures:

To the extent that any extensions, additions, or improvements to the expressway system in Lake County impact those portions of the Wekiva Parkway for which the DOT is responsible, the financial feasibility of those portions may be negatively impacted.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

In 2014, when the OCCEA was changed to CFX, the title of Part III of Ch. 348, F.S., remains Orlando-Orange County Expressway Authority and may need to be changed to accurately reflect the name of the authority.

In s. 348.754(2)(e), F.S., there is a provision that implies that CFX is party to an 1985 agreement between DOT and CFX. However, CFX did not exist at the time the agreement was entered into, and the agreement was between OOCEA and DOT. The statute may need to be amended for accuracy.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

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A bill to be entitled  
 An act relating to the Central Florida Expressway Authority; amending s. 348.753, F.S.; requiring the chairs of the boards of specified county commissions to appoint one member from their respective counties who is a commission member or chair or a county mayor to serve on the governing body of the authority; specifying that the terms of members appointed by the Governor end on a specified date; removing the requirement that the authority elect one of its members as secretary; repealing s. 348.754(1)(c), F.S., relating to a requirement that the authority obtain prior approval of the Department of Transportation before extending or making additions or improvements to the expressway system in Lake County; amending s. 348.757, F.S.; removing the requirement that title in fee simple absolute to the former Orlando-Orange County Expressway System be transferred to the state upon the completion of the faithful performance and termination of a specified lease-purchase agreement; providing an effective date.

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

Section 1. Subsection (3) and paragraph (a) of subsection (4) of section 348.753, Florida Statutes, are amended to read:

27 348.753 Central Florida Expressway Authority.—

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



53 authority. Any member of the authority is eligible for  
 54 reappointment.

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

65 Section 2. Paragraph (c) of subsection (1) of section  
 66 348.754, Florida Statutes, is repealed.

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

69 348.757 Lease-purchase agreement.—

70 (2) The lease-purchase agreement must provide for the  
 71 leasing of the former Orlando-Orange County Expressway System,  
 72 by the authority, as lessor, to the department, as lessee, and  
 73 must prescribe the term of such lease and the rentals to be  
 74 paid, ~~and must provide that upon the completion of the faithful~~  
 75 ~~performance and the termination of the lease-purchase agreement,~~  
 76 ~~title in fee simple absolute to the former Orlando-Orange County~~  
 77 ~~Expressway System as then constituted shall be transferred in~~  
 78 ~~accordance with law by the authority, to the state and the~~

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79 ~~authority shall deliver to the department such deeds and~~  
80 ~~conveyances as shall be necessary or convenient to vest title in~~  
81 ~~fee simple absolute in the state.~~

82       Section 4. This act shall take effect July 1, 2015.