

1 A bill to be entitled

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

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

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26 Section 1. Part III of chapter 348, Florida Statutes,

27 consisting of sections 348.751-348.765, is retitled "Central
28 Florida Expressway Authority."

29 Section 2. Subsection (3) and paragraph (a) of subsection
30 (4) of section 348.753, Florida Statutes, are amended to read:

31 348.753 Central Florida Expressway Authority.—

32 (3) The governing body of the authority shall consist of
33 nine members. The chairs of the boards of the county commissions
34 of Seminole, Lake, and Osceola Counties shall each appoint one
35 member from its respective county, who must ~~may~~ be a commission
36 member or chair or a county mayor. The Mayor of Orange County
37 shall appoint a member from the Orange County Commission. The
38 Governor shall appoint three citizen members, each of whom must
39 be a citizen of either Orange County, Seminole County, Lake
40 County, or Osceola County. ~~The eighth member must be the Mayor~~
41 ~~of Orange County and. The ninth member must be the Mayor of the~~
42 ~~City of Orlando~~ shall also serve as members. The executive
43 director of the Florida Turnpike Enterprise shall serve as a
44 nonvoting advisor to the governing body of the authority. Each
45 member appointed by the Governor shall serve for 4 years, with
46 the member's term ending on December 31 of his or her last year
47 of service. Each county-appointed member shall serve for 2
48 ~~years. The terms of standing board members expire June 20, 2014.~~
49 Each appointed member shall hold office until his or her
50 successor has been appointed and has qualified. A vacancy
51 occurring during a term must be filled only for the balance of
52 the unexpired term. Each appointed member of the authority shall

53 | be a person of outstanding reputation for integrity,
54 | responsibility, and business ability, but, except as provided in
55 | this subsection, a person who is an officer or employee of a
56 | municipality or county may not be an appointed member of the
57 | authority. Any member of the authority is eligible for
58 | reappointment.

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

69 | Section 3. Paragraph (e) of subsection (2) of section
70 | 348.754, Florida Statutes, is amended to read:

71 | 348.754 Purposes and powers.—

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

76 | (e) To enter into and make lease-purchase agreements with
77 | the department for terms not exceeding 99 years, or until any
78 | bonds secured by a pledge of rentals pursuant to the agreement,

79 and any refundings pursuant to the agreement, are fully paid as
80 to both principal and interest, whichever is longer. The
81 authority is a party to a lease-purchase agreement between the
82 department and the Orlando-Orange County Expressway Authority
83 dated December 23, 1985, as supplemented by a first supplement
84 to the lease-purchase agreement dated November 25, 1986, and a
85 second supplement to the lease-purchase agreement dated October
86 27, 1988. The authority may not enter into other lease-purchase
87 agreements with the department and may not amend the existing
88 agreement in a manner that expands or increases the department's
89 obligations unless the department determines that the agreement
90 or amendment is necessary to permit the refunding of bonds
91 issued before July 1, 2013.

92 Section 4. Subsection (2) of section 348.757, Florida
93 Statutes, is amended to read:

94 348.757 Lease-purchase agreement.—

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

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105 | ~~conveyances as shall be necessary or convenient to vest title in~~
106 | ~~fee simple absolute in the state.~~

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