

STORAGE NAME: h0363.ccc.doc
DATE: April 17, 2001

**HOUSE OF REPRESENTATIVES
AS FURTHER REVISED BY THE
COUNCIL FOR COMPETITIVE COMMERCE
ANALYSIS**

BILL #: HB 363
RELATING TO: Tampa-Hillsborough County Expressway Authority
SPONSOR(S): Representative(s) Henriquez and others
TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) FISCAL POLICY & RESOURCES YEAS 12 NAYS 0
 - (2) STATE ADMINISTRATION YEAS 5 NAYS 0
 - (3) LOCAL GOVERNMENT & VETERANS AFFAIRS YEAS 9 NAYS 0
 - (4) TRANSPORTATION YEAS 12 NAYS 0
 - (5) COUNCIL FOR COMPETITIVE COMMERCE
-

I. SUMMARY:

HB 363 expands the bonding authority of the Tampa-Hillsborough County Expressway Authority to allow the issuance of bonds to finance the connector highway linking the Lee Roy Selmon Crosstown Expressway to Interstate 4.

This bill has no fiscal impact on state or local governments.

HB 363 takes effect upon becoming a law.

(On March 9, 2001, the Committee on Fiscal Policy & Resources, considered HB 363, adopted one amendment, and passed the bill. On April 5, 2001, the Committee on Local Government & Veterans Affairs considered HB 363, adopted one amendment, and passed the bill. On April 11, 2001, the Transportation Committee considered HB 363, adopted one amendment, then passed the bill. All three amendments, which are traveling with the bill, are explained in the section "VI. Amendments or Committee Substitute Changes:" below.)

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Article VII, Section 11, Florida Constitution, outlines the requirements for the issuance of state bonds and revenue bonds. State bonds pledging the full faith and credit of the state may be issued only to finance or refinance the cost of state fixed capital outlay projects authorized by law, upon approval by a vote of the electors. Revenue bonds may be issued by the state or its agencies without a vote of the electors to finance or refinance the cost of state fixed capital outlay projects authorized by law, and are payable solely from funds derived directly from sources other than state tax revenues. Each project, building, or facility to be financed or refinanced with revenue bonds issued under this section must first be approved by the Legislature by an act relating to appropriations or by general law.

Chapter 97-280, L.O.F., provided for revenue bonds to be used on specified projects. Section 348.565, F.S., permits the Division of Bond Finance of the State Board of Administration to refinance any facilities that constitute the Tampa-Hillsborough County Expressway System through the issuance of revenue bonds. In addition, the following projects of the Tampa-Hillsborough County Expressway Authority can be financed or refinanced by the issuance of revenue bonds: Brandon area feeder roads; capital improvements to the expressway system, including safety and operational improvements and toll collection equipment; and Lee Roy Selmon Crosstown Expressway System widening.¹

Created by the Legislature in 1963, the Tampa-Hillsborough County Expressway Authority is responsible for construction and maintenance of toll-financed roads in the County.² The authority is comprised of four Governor appointees, a County Commissioner, the Mayor of Tampa, and the Florida Department of Transportation District 7 Secretary. It coordinates road planning and construction through public and private partnerships to improve traffic flow on the Lee Roy Selmon Expressway and parallel roads. The Lee Roy Selmon Expressway is a 14-mile toll road that extends from Gandy Boulevard in Southwest Tampa, north and east through downtown Tampa to an interchange with Interstate 75 just west of the Brandon area.³

¹ Section 348.565, F.S.

² <http://www.hillsboroughcounty.org/services/transportation.html>

³ <http://www11.myflorida.com/myflorida/transportation/learn/finances/financialplanning/pdf/bndfinupd5-2000.pdf>

C. EFFECT OF PROPOSED CHANGES:

HB 363 allows an additional project of the Tampa-Hillsborough County Expressway Authority, a connector highway linking Lee Roy Selmon Crosstown Expressway to Interstate 4, to be financed or refinanced by the issuance of revenue bonds.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. A new subsection (4) is added to s. 348.565, F.S., to expand the bonding authority of the Tampa-Hillsborough County Expressway Authority to allow the issuance of bonds to finance the connector highway linking the Leroy Selmon Crosstown Expressway to Interstate 4.

Section 2. An effective date of upon becoming a law is provided.

III. 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:

As previously stated, HB 363 will have no fiscal impact on state or local revenues or expenditures. The Tampa-Hillsborough Expressway Authority will repay the connector highway construction bonds with toll revenues, generated by motorists who use the system.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

HB 363 does not require counties or municipalities to expend funds or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 363 does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

HB 363 does not reduce the percentage of state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

HB 363 does not raise any apparent constitutional issues.

B. RULE-MAKING AUTHORITY:

Not applicable.

C. OTHER COMMENTS:

According to an article published in The Tampa Tribune on Tuesday, February 22, 2000, Governor Jeb Bush recommended at that time to give the Tampa-Hillsborough County Expressway Authority a \$25 million loan to hasten the project between Brandon and downtown Tampa. The loan would allow the authority to combine construction of the elevated toll road with a series of new expressway feeder roads to be built the following year, 2001, in Brandon. At the time of the article, the connector roads were expected to cost \$50 million, and the total cost of the elevated roadway was expected to be between \$215 million and \$250 million, depending on design features.⁴

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

Transportation Committee

One April 11, 2001, the Transportation Committee considered HB 363, adopted one amendment, then passed the bill by a vote of 12-0. The amendment allows expressway authorities to utilize the same wetlands mitigation planning and payment process as the Department of Transportation. The amendment, which is identical to language in CS/HB 1053, is traveling with the bill.

Committee on Local Government & Veterans Affairs

On April 5, 2001, the Committee on Local Government & Veterans Affairs considered HB 363, adopted one amendment, and passed the bill. The amendment, which is traveling with the bill, amends ss. 348.0012, 348.754, 348.7543, 348.7544, 348.7545, 348.755, and 348.765, F.S., to allow the Orlando-Orange County Expressway Authority to issue bonds, rather than issuance through the state Division of Bond Finance. Under the amendment, the Authority could issue the bonds or have them issued through the Division of Bond Finance.

Language identical to this amendment is in CS/HB 1053.

⁴ "Loan would accelerate expressway," by Tom Brennan, The Tampa Tribune, February 22, 2000, found at <http://www.dot.state.fl.us/goodnews/loan.htm>

Committee on Fiscal Policy & Resources

The Committee on Fiscal Policy & Resources adopted one technical amendment correcting the spelling of Lee Roy. The amendment is traveling with the bill.

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Kama Monroe

Staff Director:

Greg Turbeville

AS REVISED BY THE COMMITTEE ON STATE ADMINISTRATION:

Prepared by:

Lauren Cyran

Staff Director:

J. Marleen Ahearn, Ph.D., J.D.

AS FURTHER REVISED BY THE COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Thomas L. Hamby, Jr.

Staff Director:

Joan Highsmith-Smith

AS FURTHER REVISED BY THE COMMITTEE ON TRANSPORTATION:

Prepared by:

Joyce Pugh

Staff Director:

Phillip B. Miller

AS FURTHER REVISED BY THE COUNCIL FOR COMPETITIVE COMMERCE:

Prepared by:

Rebecca R. Everhart

Staff Director:

Hubert "Bo" Bohannon