

By the Committee on Budget

576-03494-12

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1 A bill to be entitled
2 An act relating to transportation; transferring
3 control of the Mid-Bay Bridge Authority system to the
4 Florida Turnpike Enterprise; transferring all assets,
5 rights, powers, duties, and bond liabilities of the
6 authority to the turnpike enterprise; transferring all
7 provisions that protect the rights of certain
8 bondholders from the authority to the turnpike
9 enterprise; providing for the turnpike enterprise to
10 annually transfer funds from the activities of the
11 transferred authority to the State Transportation
12 Trust Fund to repay certain long-term debt; requiring
13 that specific toll revenue be used for the
14 construction, maintenance, or improvement of certain
15 toll facilities of the turnpike enterprise; repealing
16 s. 288.063, F.S., relating to contract requirements
17 for transportation projects; amending s. 288.0656,
18 F.S.; conforming a cross-reference; amending ss.
19 316.3025 and 316.545, F.S.; providing for the proceeds
20 of certain penalties to be deposited into the Highway
21 Safety Operating Trust Fund rather than the State
22 Transportation Trust Fund and for such funds to be
23 used for the general operations of the Department of
24 Highway Safety and Motor Vehicles rather than for
25 repairing and maintaining roads in the state; amending
26 s. 319.32, F.S.; increasing the amount of the fees
27 deposited into the State Transportation Trust Fund
28 from original and duplicate certificates of title
29 issued for motor vehicles; amending s. 320.072, F.S.;

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30 requiring that all fees collected from certain motor
31 vehicle registrations, rather than a portion of such
32 fees, be deposited into the General Revenue Fund;
33 amending s. 320.08, F.S.; deleting provisions
34 requiring that certain amounts collected from annual
35 license taxes for the operation of motor vehicles,
36 mopeds, motorized bicycles, tri-vehicles, and mobile
37 homes, which are paid to and collected by the
38 Department of Highway Safety and Motor Vehicles, be
39 deposited into the General Revenue Fund; amending ss.
40 320.0801 and 320.0804, F.S.; requiring that all
41 revenues collected from the surcharge on certain
42 commercial motor vehicles and the surcharge on certain
43 license taxes be deposited into the State
44 Transportation Trust Fund and eliminating the
45 requirement that a portion of such revenues be
46 deposited into the General Revenue Fund; specifying
47 the allocation and purposes of funds that result from
48 increased moneys deposited into the State
49 Transportation Trust Fund; repealing s. 320.204, F.S.,
50 relating to the transfer of funds from the Highway
51 Safety Operating Trust Fund to the Transportation
52 Disadvantaged Trust Fund; amending s. 334.30, F.S.,
53 relating to public-private transportation facilities;
54 deleting obsolete provisions relating to the Toll
55 Facilities Revolving Trust Fund; amending s. 338.165,
56 F.S.; authorizing the Department of Transportation to
57 transfer the Beachline-East Expressway to the turnpike
58 system; providing for the deposit of any funds

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59 expended by the Florida Turnpike Enterprise for the
60 acquisition of the Beachline-East Expressway into the
61 State Transportation Trust Fund for allocation to
62 construct the Wekiva Parkway; defining the term
63 "Wekiva Parkway"; amending s. 338.2275, F.S.;

64 prohibiting the Department of Transportation from
65 issuing bonds to fund its obligation to construct
66 Wekiva Parkway; defining the term "Wekiva Parkway";
67 amending s. 338.250, F.S.; exempting the Wekiva
68 Parkway and related transportation facilities from the
69 mitigation requirements for the Central Florida
70 Beltway; defining the term "Wekiva Parkway"; repealing
71 s. 338.251, F.S., relating to the Toll Facilities
72 Revolving Trust Fund; amending s. 339.08, F.S.;

73 conforming a cross-reference; creating s. 339.139,
74 F.S.; declaring that management of transportation
75 infrastructure financing to ensure the fiscal
76 integrity of the State Transportation Trust Fund is
77 state policy; requiring that the department provide a
78 debt and debtlike contractual obligations load report
79 to the Executive Office of the Governor, the President
80 of the Senate, the Speaker of the House of
81 Representatives, and the legislative appropriations
82 committees; requiring that the load report provide
83 certain data; requiring that the department manage
84 levels of debt to ensure that no more than a certain
85 percentage of revenues is committed; providing
86 exceptions that allow the limitation to be exceeded;
87 requiring that the department prepare a report on debt

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88 obligations that are secured by and payable from
89 pledged revenues; requiring that the department
90 provide the report to the Executive Office of the
91 Governor, the President of the Senate, the Speaker of
92 the House of Representatives, and the legislative
93 appropriations committees; creating s. 339.2821, F.S.;
94 authorizing the Department of Transportation, in
95 consultation with the Department of Economic
96 Opportunity, to make and approve expenditures and
97 enter into contracts with an appropriate governmental
98 body for the direct costs of transportation projects;
99 providing definitions; authorizing the Department of
100 Economic Opportunity and the Department of
101 Environmental Protection to review and comment on
102 recommended transportation projects; providing
103 criteria that the Department of Transportation must
104 follow when reviewing a contract for approval;
105 providing criteria for the transportation contract
106 with a governmental body; providing that Space Florida
107 may serve as a governmental body or as a contracting
108 agency for transportation projects within spaceport
109 territory; requiring each governmental body to submit
110 a financial audit by an independent certified public
111 accountant to the department; requiring that the
112 department monitor each construction site receiving
113 funding; creating s. 339.2825, F.S.; requiring the
114 Department of Transportation to submit a summary of
115 proposed public-private transportation projects to the
116 Executive Office of the Governor, each legislative

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117 appropriations committee, the President of the Senate,
118 and the Speaker of the House of Representatives;
119 providing criteria for the summary; providing for the
120 department to proceed with a project upon approved by
121 the Governor; prohibiting the Governor from approving
122 a transportation project if a legislative
123 appropriations committee, the President of the Senate,
124 or the Speaker of the House of Representatives objects
125 within a certain period after receipt of the summary;
126 providing for receipt by the department of an
127 unsolicited proposal for certain transportation
128 projects; exempting a public-private partnership
129 agreement involving the lease of a toll facility from
130 the requirements of the approval process; amending s.
131 348.0004, F.S.; removing provisions qualifying funding
132 received by an authority from a portion of the county
133 gasoline tax funds; amending s. 348.0005, F.S.;

134 providing criteria under which bonds may be issued;
135 providing an exception to the application of certain
136 bond requirements; creating s. 348.0013, F.S.,
137 relating to expressway authorities created on or after
138 a specified date; providing that the department is the
139 agent for the purpose of performing all phases of
140 constructing improvements to and extensions of an
141 expressway system; requiring that the Division of Bond
142 Finance and the authority provide certain construction
143 documents to the department; providing for payment and
144 the use of funds for the construction; authorizing the
145 authority to appoint an agent under certain conditions

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146 to perform all phases of the project; requiring that
147 an authority identify an expressway project in the
148 authority's work plan and submit the work plan along
149 with its budget; requiring that the work plan include
150 certain information; requiring legislative approval of
151 the authority's budget and work plan; requiring that
152 the department operate and maintain the expressway
153 system; requiring that the costs incurred be
154 reimbursed from revenues of the expressway system;
155 providing that an expressway system is part of the
156 State Highway System; authorizing the authority to
157 fix, alter, charge, and establish tolls, rates, fees,
158 rentals, and other charges; amending s. 348.52, F.S.;
159 authorizing the Tampa-Hillsborough County Expressway
160 Authority to employ certain personnel; assigning the
161 authority to the Office of the Secretary of the
162 Department of Transportation for purposes of
163 administrative and fiscal accountability; providing
164 that the authority is independent of the control,
165 supervision, and direction of the department;
166 providing guidelines relating to the budget of the
167 authority; providing that the budget is not subject to
168 change by the department staff under certain
169 circumstances; requiring that the budget be
170 transmitted to the Governor; providing that certain
171 revenues received by the authority and certain
172 unexpended balances in the authority's accounts are
173 deemed deposited into the State Transportation Trust
174 Fund and appropriated to certain accounts; providing

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175 for the expenditure of the funds; providing that
176 certain moneys be deposited into the State Treasury if
177 a court finds certain expenditure restrictions
178 invalid; limiting the application of certain
179 restrictions to the term of the lease-purchase
180 agreement between the Tampa-Hillsborough County
181 Expressway Authority and the department or the
182 duration the department is not reimbursed by the
183 authority for certain expenditures; providing a
184 limitation on expressway employee compensation;
185 amending s. 348.54, F.S.; providing for the powers of
186 the authority with respect to certain lease-purchase
187 agreements; amending s. 348.545, F.S.; conforming
188 cross-references; amending s. 348.56, F.S.; providing
189 criteria for bonds issued on or after a certain date;
190 amending s. 348.565, F.S.; conforming provisions;
191 removing from the list of approved projects for the
192 Tampa-Hillsborough County Expressway System the
193 connector highway linking Lee Roy Selmon Crosstown
194 Expressway to Interstate 4; amending s. 348.57, F.S.,
195 relating to refunding bonds; conforming references and
196 provisions; amending s. 348.60, F.S.; providing that
197 the Tampa-Hillsborough County Expressway Authority is
198 a party to lease-purchase agreements between the
199 department and the authority which are dated on
200 specified dates; prohibiting the authority from
201 entering into other lease-purchase agreements or
202 amending the lease-purchase agreement unless the
203 department determines an agreement or amendment is

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204 necessary to permit refunding of certain bonds;
205 providing that the expressway system remains the
206 property of the authority if the lease-purchase
207 agreement terminates; providing that the authority
208 remains obligated to reimburse the department if the
209 agreement terminates; requiring that the department
210 operate and maintain the system as the agent of the
211 authority; creating s. 348.615, F.S.; providing that
212 the department is the agent for purposes of collecting
213 tolls for the use of the authority's expressway
214 system; authorizing the authority to fix, alter,
215 charge, and establish tolls, rates, fees, rentals, and
216 other charges; amending s. 348.753, F.S.; authorizing
217 the Orlando-Orange County Expressway Authority to
218 contract with the Division of Bond Finance for certain
219 financial services; assigning the authority to the
220 Office of the Secretary of the Department of
221 Transportation for purposes of administrative and
222 fiscal accountability; providing that the authority is
223 independent of the control, supervision, and direction
224 of the department; providing guidelines relating to
225 the budget of the authority; providing for the use of
226 revenues and unexpended balances received by the
227 authority; authorizing the authority to expend certain
228 revenues appropriated from the State Transportation
229 Trust Fund; limiting the application of certain
230 provisions to the term of the lease-purchase agreement
231 between the Orlando-Orange County Expressway Authority
232 and the department or the duration that the department

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233 is not reimbursed by the authority for certain
234 expenditures; providing a limitation on compensation
235 of expressway employees; amending s. 348.754, F.S.;
236 providing that the transportation authority is a party
237 to specified lease-purchase agreements between the
238 department and the authority; prohibiting the
239 authority from entering into other lease-purchase
240 agreements or amending a specified lease-purchase
241 agreement; amending s. 348.7543, F.S.; conforming a
242 cross-reference and revising provisions governing the
243 issuance of bonds; amending s. 348.7545, F.S.;
244 conforming a cross-reference; amending s. 348.7546,
245 F.S.; authorizing the Orlando-Orange County Expressway
246 Authority to exercise certain powers with respect to
247 certain portions of the Wekiva Parkway; clarifying
248 that the condemnation powers or the acquisition of
249 certain property before a certain date is not
250 invalidated; requiring that the authority repay
251 certain expenditures made by the department for the
252 operation and maintenance of the Orlando-Orange County
253 Expressway System; requiring that the authority pay
254 the department certain payments by specified dates;
255 requiring that all funds paid to the department be
256 used for construction of the Wekiva Parkway;
257 prohibiting the authority from requesting the issuance
258 of certain bonds without approval from the department;
259 providing restrictions on refunding bonds;
260 conditioning the department's obligation of
261 constructing portions of the Wekiva Parkway upon

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262 certain timely payments by the authority; amending s.
263 348.7547, F.S.; conforming a cross-reference;
264 providing that a specified project may be financed
265 with revenue bonds issued on behalf of the authority;
266 amending s. 348.755, F.S.; prohibiting the authority
267 from requesting the issuance of any bonds, except
268 bonds issued to refund specified bonds; prohibiting
269 refunding bonds from being issued if the bonds have a
270 final maturity later than the final maturity of the
271 bonds refunded or if the refunding bonds provide for a
272 certain higher debt service; prohibiting the authority
273 from requesting, without the department's consent, the
274 issuance of any bonds secured by a pledge of any
275 revenues of the authority which is senior to the
276 authority's obligation to reimburse the department;
277 restricting the authority's ability to request the
278 issuance of bonds unless the resolution authorizing
279 the bonds pledges the revenues for certain purposes;
280 providing for the termination of the department's
281 obligations under lease-purchase agreements to pay
282 certain costs of the Orlando-Orange County Expressway
283 System; prohibiting the authority from requesting the
284 issuance of refunding bonds under certain
285 circumstances; amending s. 348.757, F.S.; limiting
286 certain authorized lease-purchase agreements;
287 prohibiting the authority from entering into or
288 amending certain lease-purchase agreements; providing
289 for the termination of the department's obligations
290 under certain lease-purchase agreements; creating s.

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291 348.7585, F.S.; providing that the department is the
292 agent for purposes of collecting tolls for the
293 Orlando-Orange County Expressway System; authorizing
294 the authority to fix, alter, charge, and establish
295 tolls, rates, fees, rentals, and other charges;
296 amending s. 348.9952, F.S.; removing provisions
297 authorizing the Osceola County Expressway Authority to
298 employ a fiscal agent; repealing s. 348.9956, F.S.,
299 relating to the appointment of the department as the
300 agent of the authority for construction; creating s.
301 348.99565, F.S.; providing that the department is the
302 agent for purposes of performing all phases of
303 constructing improvements and extensions to the
304 Orlando-Orange County Expressway System; requiring
305 that the Division of Bond Finance and the expressway
306 authority provide construction documents to the
307 department; providing for payment and use of funds for
308 the construction; authorizing the authority to appoint
309 an agent under certain conditions to perform all
310 phases of a project; providing guidelines that the
311 authority must follow if it proposes construction of
312 an expressway; requiring legislative approval for the
313 issuance of bonds; requiring the department to operate
314 and maintain the expressway system and authorizing
315 that the department be reimbursed from revenues of the
316 expressway system for costs incurred; authorizing the
317 authority to collect tolls, fees, and other charges;
318 amending s. 369.317, F.S.; providing for the
319 Department of Environmental Protection to have

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320 exclusive permitting authority for certain activities
321 associated with the Wekiva Parkway and related
322 transportation facilities; requiring the department to
323 locate the precise corridor and interchanges for the
324 Wekiva Parkway to be located in Seminole County;
325 amending s. 377.809, F.S.; conforming a cross-
326 reference; transferring funds and all future payments
327 of obligated funds in the Toll Facilities Revolving
328 Trust Fund to the State Transportation Trust Fund;
329 requiring that the Florida Transportation Commission
330 conduct a study of the potential for cost savings
331 through certain activities by or on behalf of
332 expressway authorities; authorizing the commission to
333 retain experts as necessary to complete the study;
334 requiring that the department pay the expenses of the
335 experts; requiring that the commission provide a
336 report to the Governor and Legislature; providing an
337 effective date.

338

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

340

341 Section 1. Transfer to the Florida Turnpike Enterprise.—The
342 governance and control of the Mid-Bay Bridge Authority system,
343 created pursuant to chapter 200-411, Laws of Florida, is
344 transferred to the Florida Turnpike Enterprise.

345 (1) The assets, facilities, tangible and intangible
346 property and any rights in such property, and any other legal
347 rights of the authority, including the bridge system operated by
348 the authority, are transferred to the turnpike enterprise. All

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349 powers of the authority shall succeed to the turnpike
350 enterprise, and the operations and maintenance of the bridge
351 system shall be under the control of the turnpike enterprise,
352 pursuant to this section. Revenues collected on the bridge
353 system may be considered turnpike revenues and the Mid-Bay
354 Bridge may be considered part of the turnpike system, if bonds
355 of the authority are not outstanding. The turnpike enterprise
356 also assumes all liability for bonds of the bridge authority
357 pursuant to the provisions of subsection (2). The turnpike
358 enterprise may review other contracts, financial obligations,
359 and contractual obligations and liabilities of the authority and
360 may assume legal liability for such obligations that are
361 determined to be necessary for the continued operation of the
362 bridge system.

363 (2) The transfer pursuant to this section is subject to the
364 terms and covenants provided for the protection of the holders
365 of the Mid-Bay Bridge Authority bonds in the lease-purchase
366 agreement and the resolutions adopted in connection with the
367 issuance of the bonds. Further, the transfer does not impair the
368 terms of the contract between the authority and the bondholders,
369 does not act to the detriment of the bondholders, and does not
370 diminish the security for the bonds. After the transfer, the
371 turnpike enterprise shall operate and maintain the bridge system
372 and any other facilities of the authority in accordance with the
373 terms, conditions, and covenants contained in the bond
374 resolutions and lease-purchase agreement securing the bonds of
375 the authority. The turnpike enterprise shall collect toll
376 revenues and apply them to the payment of debt service as
377 provided in the bond resolution securing the bonds and shall

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378 expressly assume all obligations relating to the bonds to ensure
379 that the transfer will have no adverse impact on the security
380 for the bonds of the authority. The transfer does not make the
381 obligation to pay the principal and interest on the bonds a
382 general liability of the turnpike or pledge the turnpike system
383 revenues to payment of the bonds. Revenues that are generated by
384 the bridge system and other facilities of the authority and that
385 were pledged by the authority to the payment of the bonds remain
386 subject to the pledge for the benefit of the bondholders. The
387 transfer does not modify or eliminate any prior obligation of
388 the Department of Transportation to pay certain costs of the
389 bridge system from sources other than revenues of the bridge
390 system. With regard to the authority's current long-term debt of
391 \$16.1 million due to the department as of June 30, 2011, and to
392 the extent permitted by the bond resolutions and lease-purchase
393 agreement securing the bonds, the turnpike enterprise shall make
394 payment annually to the State Transportation Trust Fund, for the
395 purpose of repaying the authority's long-term debt due to the
396 department, from any bridge system revenues obtained under this
397 section which remain after the payment of the costs of
398 operations, maintenance, renewal, and replacement of the bridge
399 system; the payment of current debt service; and other payments
400 required in relation to the bonds. The turnpike enterprise shall
401 make such annual payments, not to exceed \$1 million per year, to
402 the State Transportation Trust Fund until all remaining
403 authority long-term debt due to the department has been repaid.

404 (3) Any remaining toll revenue from the facilities of the
405 Mid-Bay Bridge Authority collected by the Florida Turnpike
406 Enterprise after meeting the requirements of subsections (1) and

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407 (2) shall be used for the construction, maintenance, or
408 improvement of any toll facility of the Florida Turnpike
409 Enterprise within the county or counties in which the revenue
410 was collected.

411 Section 2. Section 288.063, Florida Statutes, is repealed.

412 Section 3. Paragraph (a) of subsection (7) of section
413 288.0656, Florida Statutes, is amended to read:

414 288.0656 Rural Economic Development Initiative.—

415 (7) (a) REDI may recommend to the Governor up to three rural
416 areas of critical economic concern. The Governor may by
417 executive order designate up to three rural areas of critical
418 economic concern which will establish these areas as priority
419 assignments for REDI as well as to allow the Governor, acting
420 through REDI, to waive criteria, requirements, or similar
421 provisions of any economic development incentive. Such
422 incentives shall include, but not be limited to: the Qualified
423 Target Industry Tax Refund Program under s. 288.106, the Quick
424 Response Training Program under s. 288.047, the Quick Response
425 Training Program for participants in the welfare transition
426 program under s. 288.047(8), transportation projects under s.
427 339.2821 ~~288.063~~, the brownfield redevelopment bonus refund
428 under s. 288.107, and the rural job tax credit program under ss.
429 212.098 and 220.1895.

430 Section 4. Paragraph (b) of subsection (6) of section
431 316.3025, Florida Statutes, is amended to read:

432 316.3025 Penalties.—

433 (6)

434 (b) All penalties imposed and collected under this section
435 shall be paid to the Chief Financial Officer, who shall credit

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436 the total amount collected to the Highway Safety Operating State
437 ~~Transportation~~ Trust Fund for use in ~~repairing and maintaining~~
438 the general operations of the department roads of this state.

439 Section 5. Subsection (6) of section 316.545, Florida
440 Statutes, is amended to read:

441 316.545 Weight and load unlawful; special fuel and motor
442 fuel tax enforcement; inspection; penalty; review.—

443 (6) Any officer or agent collecting the penalties ~~herein~~
444 imposed by this section shall cooperate with the owners or
445 drivers of motor vehicles so as not to delay unduly the
446 vehicles. All penalties imposed and collected under this section
447 by any state agency having jurisdiction shall be paid to the
448 Chief Financial Officer, who shall credit the total amount
449 thereof to the Highway Safety Operating State Transportation
450 Trust Fund for use in the general operations of the department,
451 ~~which shall be used to repair and maintain the roads of this~~
452 ~~state~~ and to enforce this section.

453 Section 6. Section 319.32, Florida Statutes, is amended to
454 read:

455 319.32 Fees; service charges; disposition.—

456 (1) The department shall charge a fee of \$70 for each
457 original certificate of title, except for a certificate of title
458 for a motor vehicle for hire registered under s. 320.08(6) for
459 which the title fee shall be \$49; \$70 for each duplicate copy of
460 a certificate of title, except for a certificate of title for a
461 motor vehicle for hire registered under s. 320.08(6) for which
462 the title fee shall be \$49; \$2 for each salvage certificate of
463 title; and \$3 for each assignment by a lienholder. The
464 department shall also charge a fee of \$2 for noting a lien on a

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465 title certificate, which fee includes the services for the
466 subsequent issuance of a corrected certificate or cancellation
467 of lien when that lien is satisfied. If an application for a
468 certificate of title is for a vehicle that is required by s.
469 319.14(1)(b) to have a physical examination, the department
470 shall charge an additional fee of \$40 for the initial
471 examination and \$20 for each subsequent examination. The initial
472 examination fee shall be deposited into the General Revenue
473 Fund, and each subsequent examination fee shall be deposited
474 into the Highway Safety Operating Trust Fund. The physical
475 examination of the vehicle includes, but is not limited to,
476 verification of the vehicle identification number and
477 verification of the bill of sale or title for major components.
478 In addition to all other fees charged, a sum of \$1 shall be paid
479 for the issuance of an original or duplicate certificate of
480 title to cover the cost of materials used for security purposes.
481 A service fee of \$2.50, to be deposited into the Highway Safety
482 Operating Trust Fund, shall be charged for shipping and handling
483 for each paper title mailed by the department.

484 (2)(a) There shall be a service charge of \$4.25 for each
485 application that ~~which~~ is handled in connection with the
486 issuance, duplication, or transfer of any certificate of title.
487 There shall be a service charge of \$1.25 for each application
488 that ~~which~~ is handled in connection with the recordation or
489 notation of a lien on a motor vehicle or mobile home which is
490 not in connection with the purchase of such vehicle.

491 (b) The service charges specified in paragraph (a) shall be
492 collected by the department on any application handled directly
493 from its office. Otherwise, these service charges shall be

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494 collected and retained by the tax collector who handles the
495 application.

496 (3) The department shall charge a fee of \$10 in addition to
497 that charged in subsection (1) for each original certificate of
498 title issued for a vehicle previously registered outside this
499 state.

500 (4) The department shall charge a fee of \$7 for each lien
501 placed on a motor vehicle by the state child support enforcement
502 program pursuant to s. 319.24.

503 (5) All fees collected pursuant to subsection (3) shall be
504 paid into the Nongame Wildlife Trust Fund. Forty-two ~~Twenty-one~~
505 dollars of each fee for each applicable original certificate of
506 title and each applicable duplicate copy of a certificate of
507 title, after deducting the service charges imposed by s. 215.20,
508 shall be deposited into the State Transportation Trust Fund. All
509 other fees collected by the department under this chapter shall
510 be paid into the General Revenue Fund.

511 (6) Notwithstanding chapter 116, every county officer
512 within this state authorized to collect funds provided for in
513 this chapter shall pay all sums officially received by the
514 officer into the State Treasury no later than 5 working days
515 after the close of the business day in which the officer
516 received the funds. Payment by county officers to the state
517 shall be made by means of electronic funds transfer.

518 Section 7. Subsection (4) of section 320.072, Florida
519 Statutes, is amended to read:

520 320.072 Additional fee imposed on certain motor vehicle
521 registration transactions.—

522 (4) A tax collector or other authorized agent of the

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523 department shall promptly remit ~~44.5 percent~~ of all moneys
524 collected pursuant to this section, less any refunds granted
525 pursuant to subsection (3), to the department to be deposited
526 into the State Transportation Trust Fund. ~~The remaining 55.5~~
527 ~~percent shall be deposited into the General Revenue Fund.~~

528 Section 8. Section 320.08, Florida Statutes, is amended to
529 read:

530 320.08 License taxes.—Except as otherwise provided in this
531 section herein, there are ~~hereby~~ levied and imposed annual
532 license taxes for the operation of motor vehicles, mopeds,
533 motorized bicycles as defined in s. 316.003(2), tri-vehicles as
534 defined in s. 316.003, and mobile homes, as defined in s.
535 320.01, which shall be paid to and collected by the department
536 or its agent upon the registration or renewal of registration of
537 the following:

538 (1) MOTORCYCLES AND MOPEDS.—

539 (a) Any motorcycle: \$13.50 flat, ~~of which \$3.50 shall be~~
540 ~~deposited into the General Revenue Fund.~~

541 (b) Any moped: \$6.75 flat, ~~of which \$1.75 shall be~~
542 ~~deposited into the General Revenue Fund.~~

543 (c) Upon registration of any motorcycle, motor-driven
544 cycle, or moped there shall be paid in addition to the license
545 taxes specified in this subsection a nonrefundable motorcycle
546 safety education fee in the amount of \$2.50. The proceeds of
547 such additional fee shall be deposited in the Highway Safety
548 Operating Trust Fund to fund a motorcycle driver improvement
549 program implemented pursuant to s. 322.025, the Florida
550 Motorcycle Safety Education Program established in s. 322.0255,
551 or the general operations of the department.

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552 (d) An ancient or antique motorcycle: \$8.50 flat, ~~of which~~
553 ~~\$3.50 shall be deposited into the General Revenue Fund.~~

554 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

555 (a) An ancient or antique automobile, as defined in s.
556 320.086, or a street rod, as defined in s. 320.0863: \$10.25
557 flat, ~~of which \$2.75 shall be deposited into the General Revenue~~
558 ~~Fund.~~

559 (b) Net weight of less than 2,500 pounds: \$19.50 flat, ~~of~~
560 ~~which \$5 shall be deposited into the General Revenue Fund.~~

561 (c) Net weight of 2,500 pounds or more, but less than 3,500
562 pounds: \$30.50 flat, ~~of which \$8 shall be deposited into the~~
563 ~~General Revenue Fund.~~

564 (d) Net weight of 3,500 pounds or more: \$44 flat, ~~of which~~
565 ~~\$11.50 shall be deposited into the General Revenue Fund.~~

566 (3) TRUCKS.—

567 (a) Net weight of less than 2,000 pounds: \$19.50 flat, ~~of~~
568 ~~which \$5 shall be deposited into the General Revenue Fund.~~

569 (b) Net weight of 2,000 pounds or more, but not more than
570 3,000 pounds: \$30.50 flat, ~~of which \$8 shall be deposited into~~
571 ~~the General Revenue Fund.~~

572 (c) Net weight more than 3,000 pounds, but not more than
573 5,000 pounds: \$44 flat, ~~of which \$11.50 shall be deposited into~~
574 ~~the General Revenue Fund.~~

575 (d) A truck defined as a "goat," or any other vehicle if
576 used in the field by a farmer or in the woods for the purpose of
577 harvesting a crop, including naval stores, during such
578 harvesting operations, and which is not principally operated
579 upon the roads of the state: \$10.25 flat, ~~of which \$2.75 shall~~
580 ~~be deposited into the General Revenue Fund.~~ A "goat" is a motor

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581 vehicle designed, constructed, and used principally for the
582 transportation of citrus fruit within citrus groves or for the
583 transportation of crops on farms, and which can also be used for
584 the hauling of associated equipment or supplies, including
585 required sanitary equipment, and the towing of farm trailers.

586 (e) An ancient or antique truck, as defined in s. 320.086:
587 \$10.25 flat, ~~of which \$2.75 shall be deposited into the General~~
588 ~~Revenue Fund.~~

589 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
590 VEHICLE WEIGHT.—

591 (a) Gross vehicle weight of 5,001 pounds or more, but less
592 than 6,000 pounds: \$60.75 flat, ~~of which \$15.75 shall be~~
593 ~~deposited into the General Revenue Fund.~~

594 (b) Gross vehicle weight of 6,000 pounds or more, but less
595 than 8,000 pounds: \$87.75 flat, ~~of which \$22.75 shall be~~
596 ~~deposited into the General Revenue Fund.~~

597 (c) Gross vehicle weight of 8,000 pounds or more, but less
598 than 10,000 pounds: \$103 flat, ~~of which \$27 shall be deposited~~
599 ~~into the General Revenue Fund.~~

600 (d) Gross vehicle weight of 10,000 pounds or more, but less
601 than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited~~
602 ~~into the General Revenue Fund.~~

603 (e) Gross vehicle weight of 15,000 pounds or more, but less
604 than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited~~
605 ~~into the General Revenue Fund.~~

606 (f) Gross vehicle weight of 20,000 pounds or more, but less
607 than 26,001 pounds: \$251 flat, ~~of which \$65 shall be deposited~~
608 ~~into the General Revenue Fund.~~

609 (g) Gross vehicle weight of 26,001 pounds or more, but less

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610 than 35,000: \$324 flat, ~~of which \$84 shall be deposited into the~~
611 ~~General Revenue Fund.~~

612 (h) Gross vehicle weight of 35,000 pounds or more, but less
613 than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited~~
614 ~~into the General Revenue Fund.~~

615 (i) Gross vehicle weight of 44,000 pounds or more, but less
616 than 55,000 pounds: \$773 flat, ~~of which \$201 shall be deposited~~
617 ~~into the General Revenue Fund.~~

618 (j) Gross vehicle weight of 55,000 pounds or more, but less
619 than 62,000 pounds: \$916 flat, ~~of which \$238 shall be deposited~~
620 ~~into the General Revenue Fund.~~

621 (k) Gross vehicle weight of 62,000 pounds or more, but less
622 than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be~~
623 ~~deposited into the General Revenue Fund.~~

624 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
625 flat, ~~of which \$343 shall be deposited into the General Revenue~~
626 ~~Fund.~~

627 (m) Notwithstanding the declared gross vehicle weight, a
628 truck tractor used within a 150-mile radius of its home address
629 is eligible for a license plate for a fee of \$324 flat if:

630 1. The truck tractor is used exclusively for hauling
631 forestry products; or

632 2. The truck tractor is used primarily for the hauling of
633 forestry products, and is also used for the hauling of
634 associated forestry harvesting equipment used by the owner of
635 the truck tractor.

636
637 ~~Of the fee imposed by this paragraph, \$84 shall be deposited~~
638 ~~into the General Revenue Fund.~~

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639 (n) A truck tractor or heavy truck, not operated as a for-
640 hire vehicle, which is engaged exclusively in transporting raw,
641 unprocessed, and nonmanufactured agricultural or horticultural
642 products within a 150-mile radius of its home address, is
643 eligible for a restricted license plate for a fee of:

644 1. If such vehicle's declared gross vehicle weight is less
645 than 44,000 pounds, \$87.75 flat, ~~of which \$22.75 shall be~~
646 ~~deposited into the General Revenue Fund.~~

647 2. If such vehicle's declared gross vehicle weight is
648 44,000 pounds or more and such vehicle only transports from the
649 point of production to the point of primary manufacture; to the
650 point of assembling the same; or to a shipping point of a rail,
651 water, or motor transportation company, \$324 flat, ~~of which \$84~~
652 ~~shall be deposited into the General Revenue Fund.~~

653
654 Such not-for-hire truck tractors and heavy trucks used
655 exclusively in transporting raw, unprocessed, and
656 nonmanufactured agricultural or horticultural products may be
657 incidentally used to haul farm implements and fertilizers
658 delivered direct to the growers. The department may require any
659 documentation deemed necessary to determine eligibility prior to
660 issuance of this license plate. For the purpose of this
661 paragraph, "not-for-hire" means the owner of the motor vehicle
662 must also be the owner of the raw, unprocessed, and
663 nonmanufactured agricultural or horticultural product, or the
664 user of the farm implements and fertilizer being delivered.

665 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
666 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

667 (a)1. A semitrailer drawn by a GVW truck tractor by means

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668 of a fifth-wheel arrangement: \$13.50 flat per registration year
669 or any part thereof, ~~of which \$3.50 shall be deposited into the~~
670 ~~General Revenue Fund.~~

671 2. A semitrailer drawn by a GVW truck tractor by means of a
672 fifth-wheel arrangement: \$68 flat per permanent registration, ~~of~~
673 ~~which \$18 shall be deposited into the General Revenue Fund.~~

674 (b) A motor vehicle equipped with machinery and designed
675 for the exclusive purpose of well drilling, excavation,
676 construction, spraying, or similar activity, and which is not
677 designed or used to transport loads other than the machinery
678 described above over public roads: \$44 flat, ~~of which \$11.50~~
679 ~~shall be deposited into the General Revenue Fund.~~

680 (c) A school bus used exclusively to transport pupils to
681 and from school or school or church activities or functions
682 within their own county: \$41 flat, ~~of which \$11 shall be~~
683 ~~deposited into the General Revenue Fund.~~

684 (d) A wrecker, as defined in s. 320.01(40), which is used
685 to tow a vessel as defined in s. 327.02(39), a disabled,
686 abandoned, stolen-recovered, or impounded motor vehicle as
687 defined in s. 320.01(38), or a replacement motor vehicle as
688 defined in s. 320.01(39): \$41 flat, ~~of which \$11 shall be~~
689 ~~deposited into the General Revenue Fund.~~

690 (e) A wrecker that is used to tow any nondisabled motor
691 vehicle, a vessel, or any other cargo unless used as defined in
692 paragraph (d), as follows:

693 1. Gross vehicle weight of 10,000 pounds or more, but less
694 than 15,000 pounds: \$118 flat, ~~of which \$31 shall be deposited~~
695 ~~into the General Revenue Fund.~~

696 2. Gross vehicle weight of 15,000 pounds or more, but less

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697 than 20,000 pounds: \$177 flat, ~~of which \$46 shall be deposited~~
698 ~~into the General Revenue Fund.~~

699 3. Gross vehicle weight of 20,000 pounds or more, but less
700 than 26,000 pounds: \$251 flat, ~~of which \$65 shall be deposited~~
701 ~~into the General Revenue Fund.~~

702 4. Gross vehicle weight of 26,000 pounds or more, but less
703 than 35,000 pounds: \$324 flat, ~~of which \$84 shall be deposited~~
704 ~~into the General Revenue Fund.~~

705 5. Gross vehicle weight of 35,000 pounds or more, but less
706 than 44,000 pounds: \$405 flat, ~~of which \$105 shall be deposited~~
707 ~~into the General Revenue Fund.~~

708 6. Gross vehicle weight of 44,000 pounds or more, but less
709 than 55,000 pounds: \$772 flat, ~~of which \$200 shall be deposited~~
710 ~~into the General Revenue Fund.~~

711 7. Gross vehicle weight of 55,000 pounds or more, but less
712 than 62,000 pounds: \$915 flat, ~~of which \$237 shall be deposited~~
713 ~~into the General Revenue Fund.~~

714 8. Gross vehicle weight of 62,000 pounds or more, but less
715 than 72,000 pounds: \$1,080 flat, ~~of which \$280 shall be~~
716 ~~deposited into the General Revenue Fund.~~

717 9. Gross vehicle weight of 72,000 pounds or more: \$1,322
718 flat, ~~of which \$343 shall be deposited into the General Revenue~~
719 ~~Fund.~~

720 (f) A hearse or ambulance: \$40.50 flat, ~~of which \$10.50~~
721 ~~shall be deposited into the General Revenue Fund.~~

722 (6) MOTOR VEHICLES FOR HIRE.—

723 (a) Under nine passengers: \$17 flat, ~~of which \$4.50 shall~~
724 ~~be deposited into the General Revenue Fund; plus \$1.50 per cwt,~~
725 ~~of which 50 cents shall be deposited into the General Revenue~~

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726 Fund.

727 (b) Nine passengers and over: \$17 flat, ~~of which \$4.50~~
728 ~~shall be deposited into the General Revenue Fund;~~ plus \$2 per
729 cwt, ~~of which 50 cents shall be deposited into the General~~
730 ~~Revenue Fund.~~

731 (7) TRAILERS FOR PRIVATE USE.—

732 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
733 year or any part thereof, ~~of which \$1.75 shall be deposited into~~
734 ~~the General Revenue Fund.~~

735 (b) Net weight over 500 pounds: \$3.50 flat, ~~of which \$1~~
736 ~~shall be deposited into the General Revenue Fund;~~ plus \$1 per
737 cwt, ~~of which 25 cents shall be deposited into the General~~
738 ~~Revenue Fund.~~

739 (8) TRAILERS FOR HIRE.—

740 (a) Net weight under 2,000 pounds: \$3.50 flat, ~~of which \$1~~
741 ~~shall be deposited into the General Revenue Fund;~~ plus \$1.50 per
742 cwt, ~~of which 50 cents shall be deposited into the General~~
743 ~~Revenue Fund.~~

744 (b) Net weight 2,000 pounds or more: \$13.50 flat, ~~of which~~
745 ~~\$3.50 shall be deposited into the General Revenue Fund;~~ plus
746 \$1.50 per cwt, ~~of which 50 cents shall be deposited into the~~
747 ~~General Revenue Fund.~~

748 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

749 (a) A travel trailer or fifth-wheel trailer, as defined by
750 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
751 flat, ~~of which \$7 shall be deposited into the General Revenue~~
752 ~~Fund.~~

753 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
754 \$13.50 flat, ~~of which \$3.50 shall be deposited into the General~~

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755 ~~Revenue Fund.~~

756 (c) A motor home, as defined by s. 320.01(1)(b)4.:

757 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
 758 ~~\$7 shall be deposited into the General Revenue Fund.~~

759 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
 760 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

761 (d) A truck camper as defined by s. 320.01(1)(b)3.:

762 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
 763 ~~\$7 shall be deposited into the General Revenue Fund.~~

764 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
 765 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

766 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

767 1. Net weight of less than 4,500 pounds: \$27 flat, ~~of which~~
 768 ~~\$7 shall be deposited into the General Revenue Fund.~~

769 2. Net weight of 4,500 pounds or more: \$47.25 flat, ~~of~~
 770 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

771 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
 772 35 FEET TO 40 FEET.—

773 (a) Park trailers.—Any park trailer, as defined in s.
 774 320.01(1)(b)7.: \$25 flat.

775 (b) A travel trailer or fifth-wheel trailer, as defined in
 776 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

777 (11) MOBILE HOMES.—

778 (a) A mobile home not exceeding 35 feet in length: \$20
 779 flat.

780 (b) A mobile home over 35 feet in length, but not exceeding
 781 40 feet: \$25 flat.

782 (c) A mobile home over 40 feet in length, but not exceeding
 783 45 feet: \$30 flat.

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784 (d) A mobile home over 45 feet in length, but not exceeding
785 50 feet: \$35 flat.

786 (e) A mobile home over 50 feet in length, but not exceeding
787 55 feet: \$40 flat.

788 (f) A mobile home over 55 feet in length, but not exceeding
789 60 feet: \$45 flat.

790 (g) A mobile home over 60 feet in length, but not exceeding
791 65 feet: \$50 flat.

792 (h) A mobile home over 65 feet in length: \$80 flat.

793 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
794 motor vehicle dealer, independent motor vehicle dealer, marine
795 boat trailer dealer, or mobile home dealer and manufacturer
796 license plate: \$17 flat, ~~of which \$4.50 shall be deposited into~~
797 ~~the General Revenue Fund.~~

798 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
799 official license plate: \$4 flat, ~~of which \$1 shall be deposited~~
800 ~~into the General Revenue Fund.~~

801 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
802 vehicle for hire operated wholly within a city or within 25
803 miles thereof: \$17 flat, ~~of which \$4.50 shall be deposited into~~
804 ~~the General Revenue Fund; plus \$2 per cwt, of which 50 cents~~
805 ~~shall be deposited into the General Revenue Fund.~~

806 (15) TRANSPORTER.—Any transporter license plate issued to a
807 transporter pursuant to s. 320.133: \$101.25 flat, ~~of which~~
808 ~~\$26.25 shall be deposited into the General Revenue Fund.~~

809 Section 9. Section 320.0801, Florida Statutes, is amended
810 to read:

811 320.0801 Additional license tax on certain vehicles.—

812 (1) In addition to the license taxes specified in s. 320.08

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813 and in subsection (2), there is ~~hereby~~ levied and imposed an
814 annual license tax of 10 cents for the operation of a motor
815 vehicle, as defined in s. 320.01, and moped, as defined in s.
816 316.003(77). This, ~~which~~ tax shall be paid to the department or
817 its agent upon the registration or renewal of registration of
818 the vehicle. Notwithstanding the provisions of s. 320.20,
819 revenues collected from the tax imposed in this subsection shall
820 be deposited in the Emergency Medical Services Trust Fund and
821 used solely for the purpose of carrying out the provisions of
822 ss. 395.401, 395.4015, 395.404, and 395.4045 and s. 11, chapter
823 87-399, Laws of Florida.

824 (2) In addition to the license taxes imposed by s. 320.08
825 and by subsection (1), there is imposed an additional surcharge
826 of \$10 on each commercial motor vehicle having a gross vehicle
827 weight of 10,000 pounds or more. This, ~~which~~ surcharge must be
828 paid to the department or its agent upon the registration or
829 renewal of registration of the commercial motor vehicle.
830 Notwithstanding ~~the provisions of~~ s. 320.20, ~~50 percent of the~~
831 revenues collected from the surcharge imposed in this subsection
832 shall be deposited into the State Transportation Trust Fund, ~~and~~
833 ~~50 percent shall be deposited in the General Revenue Fund.~~

834 Section 10. Section 320.0804, Florida Statutes, is amended
835 to read:

836 320.0804 Surcharge on license tax; transportation trust
837 fund.—There is ~~hereby~~ levied and imposed on each license tax
838 imposed under s. 320.08, except those set forth in s.
839 320.08(11), a surcharge in the amount of \$4, which shall be
840 collected in the same manner as the license tax and. ~~Of this~~
841 ~~amount, \$2 shall be deposited into the State Transportation~~

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842 Trust Fund, ~~and \$2 shall be deposited into the General Revenue~~
843 ~~Fund.~~

844 Section 11. Funds that result from increased revenues to
845 the State Transportation Trust Fund derived from sections 6
846 through 10 of this act must be used as follows:

847 (1) Beginning in the 2012-2013 fiscal year and annually for
848 30 years thereafter, \$15 million for the purpose of funding any
849 seaport project identified in the 2011-2012 adopted work program
850 of the Department of Transportation, to be known as the Seaport
851 Investment Program. The revenues may be assigned, pledged, or
852 set aside as a trust for the payment of principal or interest on
853 bonds, tax anticipation certificates, or other forms of
854 indebtedness issued by an individual port or appropriate local
855 government having jurisdiction thereof, or collectively by
856 interlocal agreement among any of the ports, or used to purchase
857 credit support to permit such borrowings. However, the debt is
858 not a general obligation of the state. The state covenants with
859 holders of the revenue bonds or other instruments of
860 indebtedness issued pursuant to this subsection that it will not
861 repeal or impair or amend this subsection in any manner that
862 will materially or adversely affect the rights of holders so
863 long as bonds authorized by this subsection are outstanding. Any
864 revenues that are not pledged to the repayment of bonds as
865 authorized by this section may be used for purposes authorized
866 under the Florida Seaport Transportation and Economic
867 Development Program. This revenue source is in addition to any
868 amounts provided for and appropriated in accordance with ss.
869 311.07 and 320.20(3) and (4), Florida Statutes. Revenue bonds
870 shall be issued by the Division of Bond Finance at the request

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871 of the Department of Transportation pursuant to the State Bond
872 Act.

873 (2) Beginning in the 2012-2013 fiscal year and annually for
874 30 years thereafter, \$50 million shall be transferred to
875 Florida's Turnpike Enterprise, to be used in accordance with
876 Florida Turnpike Enterprise Law.

877 (3) In the 2012-2013 fiscal year, \$5 million shall be
878 transferred to the Transportation Disadvantaged Trust Fund for
879 purposes of the Commission for the Transportation Disadvantaged
880 as provided in chapter 427, Florida Statutes. Beginning in the
881 2013-2014 fiscal year and annually thereafter, \$10 million shall
882 be transferred to the Transportation Disadvantaged Trust Fund,
883 to be used as specified in this subsection.

884 (4) Notwithstanding any other law to the contrary:

885 (a) After the distributions required pursuant to
886 subsections (1), (2), and (3), the remaining funds must be used
887 for the following specified purposes:

888 1. In the 2012-2013 fiscal year, \$10 million for purposes
889 of the Small County Outreach Program specified in s. 339.2818,
890 Florida Statutes. These funds are in addition to the funds
891 provided in s. 201.15(1)(c)1.b., Florida Statutes. Beginning in
892 the 2013-2014 fiscal year and annually thereafter, \$25 million
893 shall be allocated to the Small County Outreach Program, to be
894 used as specified in this subsection.

895 2. Beginning in the 2013-2014 fiscal year, \$25 million
896 annually for purposes of the Transportation Regional Incentive
897 Program as specified in s. 339.2819, Florida Statutes. These
898 funds are in addition to the funds provided in s.
899 201.15(1)(c)1.d., Florida Statutes.

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900 3. In the 2012-2013 fiscal year, \$287,320,240 shall be
901 transferred to the General Revenue Fund.

902 (b) The remaining funds must be used annually for
903 transportation projects within this state for existing or
904 planned strategic transportation corridors which connect major
905 markets within this state or between this state and other
906 states, which focus on job creation, and which increase this
907 state's viability in the national and global markets.

908 (5) Pursuant to s. 339.135(7), Florida Statutes, the
909 department may amend the work program to add the projects
910 necessary to implement this section.

911 Section 12. Section 320.204, Florida Statutes, is repealed.

912 Section 13. Present subsections (8) through (13) of section
913 334.30, Florida Statutes, are redesignated as subsections (7)
914 through (12), respectively, and present subsection (7) of that
915 section is amended, to read:

916 334.30 Public-private transportation facilities.—The
917 Legislature finds and declares that there is a public need for
918 the rapid construction of safe and efficient transportation
919 facilities for the purpose of traveling within the state, and
920 that it is in the public's interest to provide for the
921 construction of additional safe, convenient, and economical
922 transportation facilities.

923 ~~(7) The department may lend funds from the Toll Facilities~~
924 ~~Revolving Trust Fund, as outlined in s. 338.251, to private~~
925 ~~entities that construct projects on the State Highway System~~
926 ~~containing toll facilities that are approved under this section.~~
927 ~~To be eligible, a private entity must comply with s. 338.251 and~~
928 ~~must provide an indication from a nationally recognized rating~~

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929 ~~agency that the senior bonds for the project will be investment~~
930 ~~grade, or must provide credit support such as a letter of credit~~
931 ~~or other means acceptable to the department, to ensure that the~~
932 ~~loans will be fully repaid. The state's liability for the~~
933 ~~funding of a facility is limited to the amount approved for that~~
934 ~~specific facility in the department's 5-year work program~~
935 ~~adopted pursuant to s. 339.135.~~

936 Section 14. Subsection (10) is added to section 338.165,
937 Florida Statutes, to read:

938 338.165 Continuation of tolls.—

939 (10) The department's Beachline-East Expressway may be
940 transferred by the department and become part of the turnpike
941 system under the Florida Turnpike Enterprise Law. Any funds
942 expended by the Florida Turnpike Enterprise for the acquisition
943 of the Beachline-East Expressway shall be deposited into the
944 State Transportation Trust Fund, and, notwithstanding any other
945 law to the contrary, such funds shall first be allocated by the
946 department to fund the department's obligation to construct
947 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
948 highway or expressway constructed between State Road 429 and
949 Interstate 4 specifically incorporating the corridor alignment
950 recommended by Recommendation 2 of the Wekiva River Basin Area
951 Task Force final report dated January 15, 2003, and the
952 recommendations of the SR 429 Working Group which were adopted
953 January 16, 2004, and related transportation facilities.

954 Section 15. Subsection (4) is added to section 338.2275,
955 Florida Statutes, to read:

956 338.2275 Approved turnpike projects.—

957 (4) Notwithstanding subsection (1), the department may not

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958 issue any bonds to fund the department's obligation to construct
959 Wekiva Parkway. The term "Wekiva Parkway" means a limited access
960 highway or expressway constructed between State Road 429 and
961 Interstate 4 specifically incorporating the corridor alignment
962 recommended by Recommendation 2 of the Wekiva River Basin Area
963 Task Force final report dated January 15, 2003, and the
964 recommendations of the SR 429 Working Group which were adopted
965 January 16, 2004, and related transportation facilities.

966 Section 16. Subsection (3) is added to section 338.250,
967 Florida Statutes, to read:

968 338.250 Central Florida Beltway Mitigation.—

969 (3) This section does not apply to the Wekiva Parkway or
970 related transportation facilities. The term "Wekiva Parkway"
971 means a limited access highway or expressway constructed between
972 State Road 429 and Interstate 4 specifically incorporating the
973 corridor alignment recommended by Recommendation 2 of the Wekiva
974 River Basin Area Task Force final report dated January 15, 2003,
975 and the recommendations of the SR 429 Working Group which were
976 adopted January 16, 2004.

977 Section 17. Section 338.251, Florida Statutes, is repealed.

978 Section 18. Paragraph (f) of subsection (1) of section
979 339.08, Florida Statutes, is amended to read:

980 339.08 Use of moneys in State Transportation Trust Fund.—

981 (1) The department shall expend moneys in the State
982 Transportation Trust Fund accruing to the department, in
983 accordance with its annual budget. The use of such moneys shall
984 be restricted to the following purposes:

985 (f) To pay the cost of economic development transportation
986 projects in accordance with s. 339.2821 ~~288.063~~.

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987 Section 19. Section 339.139, Florida Statutes, is created
988 to read:

989 339.139 Transportation debt assessment.—

990 (1) It is the policy of the state to manage the financing
991 of transportation infrastructure in a manner that ensures the
992 fiscal integrity of the State Transportation Trust Fund.

993 (2) The department shall provide a debt and debtlike
994 contractual obligations load report to the Executive Office of
995 the Governor, the President of the Senate, the Speaker of the
996 House of Representatives, and the legislative appropriations
997 committees in conjunction with the tentative work program
998 required under s. 339.135. The debt and debtlike contractual
999 obligations load report must include the following data on
1000 current and planned department commitments that are payable from
1001 the State Transportation Trust Fund:

1002 (a) Debt service payments that are required to be made
1003 under any resolution for the issuance of bonds secured by a lien
1004 on federal highway aid reimbursements or motor fuel and diesel
1005 fuel taxes.

1006 (b) Funding for seaports which has been pledged to the
1007 payment of principal and interest on bonds issued by the Florida
1008 Ports Financing Commission pursuant to s. 320.20.

1009 (c) Commitments of the department to pay the costs of
1010 operating, maintaining, repairing, and rehabilitating expressway
1011 and bridge systems under the terms of lease-purchase agreements
1012 which are enforceable by the holders of bonds issued by
1013 expressway and bridge authorities pursuant to chapter 348.

1014 (d) Availability, milestone, and final acceptance payments
1015 that are required by public-private partnerships pursuant to s.

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1016 334.30 and that are not payments for the cost of operation or
1017 maintenance of a facility.

1018 (e) Agreed-on payments to a department contractor for work
1019 performed in the current fiscal year for which payment is
1020 deferred to a later fiscal year under the provisions of s.
1021 334.30.

1022 (f) Reimbursements to local governments for work performed
1023 on a project if the reimbursement is deferred to a later fiscal
1024 year under the provisions of s. 339.12.

1025 (g) Loan repayments on state infrastructure bank loans
1026 extended to a department district pursuant to s. 339.55.

1027 (3) The department shall manage all levels of debt to
1028 ensure that by the beginning of the 2017-2018 fiscal year, not
1029 more than 20 percent of total projected available state and
1030 federal revenues from the State Transportation Trust Fund,
1031 together with any local funds committed to department projects,
1032 are committed to the obligations identified in subsection (2) in
1033 any year.

1034 (4) If the department believes that a critical project
1035 would justify exceeding the limitation established in this
1036 section, the department shall notify the Governor, the President
1037 of the Senate, the Speaker of the House of Representatives, and
1038 the chairs of the legislative appropriations committees. The
1039 notification must identify the critical project and the
1040 projected impact on the department's total debt load. The
1041 department may proceed with the project upon approval of the
1042 Governor. If either chair of the legislative appropriations
1043 committees, the President of the Senate, or the Speaker of the
1044 House of Representatives objects in writing to a proposed

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1045 project within 14 days after submittal of a department request
1046 to exceed debt limits and specifies the reasons for such
1047 objection, the Governor may not approve the project.

1048 (5) The department shall prepare a separate report on debt
1049 obligations that are secured by and payable solely from pledged
1050 revenues. The department shall provide the report on pledged
1051 revenue debt to the Executive Office of the Governor, the
1052 President of the Senate, the Speaker of the House of
1053 Representatives, and the legislative appropriations committees
1054 in conjunction with the tentative work program required under s.
1055 339.135.

1056 Section 20. Section 339.2821, Florida Statutes, is created
1057 to read:

1058 339.2821 Economic development transportation projects.-

1059 (1) (a) The department, in consultation with the Department
1060 of Economic Opportunity, may make and approve expenditures and
1061 contract with the appropriate governmental body for the direct
1062 costs of transportation projects. The Department of Economic
1063 Opportunity and the Department of Environmental Protection may
1064 formally review and comment on recommended transportation
1065 projects, although the department has final approval authority
1066 for any project authorized under this section.

1067 (b) As used in this section, the term:

1068 1. "Governmental body" means an instrumentality of the
1069 state or a county, municipality, district, authority, board, or
1070 commission, or an agency thereof, within which jurisdiction the
1071 transportation project is located and which is responsible to
1072 the department for the transportation project.

1073 2. "Transportation project" means a transportation

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1074 facility, as defined in s. 334.03, which the department, in
1075 consultation with the Department of Economic Opportunity, deems
1076 necessary to facilitate the economic development and growth of
1077 the state.

1078 (2) The department, in consultation with the Department of
1079 Economic Opportunity, shall review each transportation project
1080 for approval and funding. In the review, the department must
1081 consider:

1082 (a) The cost per job created or retained considering the
1083 amount of transportation funds requested;

1084 (b) The average hourly rate of wages for jobs created;

1085 (c) The reliance on any program as an inducement for
1086 determining the transportation project's location;

1087 (d) The amount of capital investment to be made by a
1088 business;

1089 (e) The demonstrated local commitment;

1090 (f) The location of the transportation project in an
1091 enterprise zone as designated in s. 290.0055;

1092 (g) The location of the transportation project in a
1093 spaceport territory as defined in s. 331.304;

1094 (h) The unemployment rate of the surrounding area; and

1095 (i) The poverty rate of the community.

1096
1097 The department may contact any agency it deems appropriate for
1098 additional information regarding the approval of a
1099 transportation project. A transportation project must be
1100 approved by the department to be eligible for funding.

1101 (3) (a) The department must approve a transportation project
1102 if it determines that the transportation project will:

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1103 1. Attract new employment opportunities to the state or
1104 expand or retain employment in existing companies operating
1105 within the state.

1106 2. Allow for the construction or expansion of a state or
1107 federal correctional facility in a county having a population of
1108 75,000 or fewer which creates new employment opportunities or
1109 expands or retains employment in the county.

1110 (b) The department must ensure that small and minority
1111 businesses have equal access to participate in transportation
1112 projects funded pursuant to this section.

1113 (c) In addition to administrative costs and equipment
1114 purchases specified in the contract, funds for approved
1115 transportation projects may be used for expenses that are
1116 necessary for building new, or improving existing,
1117 transportation facilities. Funds made available pursuant to this
1118 section may not be expended for the relocation of a business
1119 from one community to another community in this state unless the
1120 department determines that, without the relocation, the business
1121 will move outside the state or determines that the business has
1122 a compelling economic reason for the relocation, such as
1123 creating additional jobs.

1124 (4) A contract between the department and a governmental
1125 body for a transportation project must:

1126 (a) Specify that the transportation project is for the
1127 construction of a new or expanding business and specify the
1128 number of full-time permanent jobs that will result from the
1129 project.

1130 (b) Identify the governmental body and require that the
1131 governmental body award the construction of the particular

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1132 transportation project to the lowest and best bidder in
1133 accordance with applicable state and federal statutes or rules
1134 unless the transportation project can be constructed using
1135 existing local governmental employees within the contract period
1136 specified by the department.

1137 (c) Require that the governmental body provide the
1138 department with quarterly progress reports. Each quarterly
1139 progress report must contain:

1140 1. A narrative description of the work completed and
1141 whether the work is proceeding according to the transportation
1142 project schedule;

1143 2. A description of each change order executed by the
1144 governmental body;

1145 3. A budget summary detailing planned expenditures compared
1146 to actual expenditures; and

1147 4. The identity of each small or minority business used as
1148 a contractor or subcontractor.

1149 (d) Require that the governmental body make and maintain
1150 records in accordance with accepted governmental accounting
1151 principles and practices for each progress payment made for work
1152 performed in connection with the transportation project, each
1153 change order executed by the governmental body, and each payment
1154 made pursuant to a change order. The records are subject to
1155 financial audit as required by law.

1156 (e) Require that the governmental body, upon completion and
1157 acceptance of the transportation project, certify to the
1158 department that the transportation project has been completed in
1159 compliance with the terms and conditions of the contract between
1160 the department and the governmental body and meets the minimum

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1161 construction standards established in accordance with s.
1162 336.045.

1163 (f) Specify that the department transfer funds to the
1164 governmental body not more often than quarterly, upon receipt of
1165 a request for funds from the governmental body and consistent
1166 with the needs of the transportation project. The governmental
1167 body shall expend funds received from the department in a timely
1168 manner. The department may not transfer funds unless
1169 construction has begun on the facility of a business on whose
1170 behalf the award was made. A contract totaling less than
1171 \$200,000 is exempt from the transfer requirement.

1172 (g) Require that funds be used only on a transportation
1173 project that has been properly reviewed and approved in
1174 accordance with the criteria set forth in this section.

1175 (h) Require that the governing board of the governmental
1176 body adopt a resolution accepting future maintenance and other
1177 attendant costs occurring after completion of the transportation
1178 project if the transportation project is constructed on a county
1179 or municipal system.

1180 (5) For purposes of this section, Space Florida may serve
1181 as the governmental body or as the contracting agency for a
1182 transportation project within spaceport territory as defined by
1183 s. 331.304.

1184 (6) Each governmental body receiving funds under this
1185 section shall submit to the department a financial audit of the
1186 governmental body conducted by an independent certified public
1187 accountant. The department, in consultation with the Department
1188 of Economic Opportunity, shall develop procedures to ensure that
1189 audits are received and reviewed in a timely manner and that

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1190 deficiencies or questioned costs noted in the audit are
1191 resolved.

1192 (7) The department shall monitor the construction or
1193 building site for each transportation project that receives
1194 funding under this section, including, but not limited to, the
1195 construction of the business facility, to ensure compliance with
1196 contractual requirements.

1197 Section 21. Section 339.2825, Florida Statutes, is created
1198 to read:

1199 339.2825 Approval of contractor-financed projects.-

1200 (1) Before the department solicits proposals pursuant to s.
1201 334.30 to advance a project programmed in the adopted 5-year
1202 work program or in the 10-year Strategic Intermodal Plan using
1203 funds provided by a public-private partnership or a private
1204 entity to be reimbursed from department funds for the project as
1205 programmed in the adopted work program, the department must
1206 provide a summary of the proposed project to the Executive
1207 Office of the Governor, the chair of each legislative
1208 appropriations committee, the President of the Senate, and the
1209 Speaker of the House of Representatives. The summary must
1210 include a description of any anticipated commitment by the
1211 department for the years outside the adopted work program, a
1212 description of the anticipated impacts on the department's
1213 overall debt load, and sufficient information to demonstrate
1214 that the project will not cause the department to exceed the
1215 overall debt limitation provided in s. 339.139. The department
1216 may proceed with the project upon approval of the Governor. If
1217 the chair of either legislative appropriations committee, the
1218 President of the Senate, or the Speaker of the House of

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1219 Representatives objects to the proposed project in writing
1220 within 14 days after receipt of the summary, the Governor may
1221 not approve the project.

1222 (2) If the department receives an unsolicited proposal
1223 pursuant to s. 334.30 to advance a project programmed in the
1224 adopted 5-year work program or in the 10-year Strategic
1225 Intermodal Plan using funds provided by public-private
1226 partnerships or private entities to be reimbursed from
1227 department funds for the project as programmed in the adopted
1228 work program, the department must provide a summary of the
1229 proposed project to the Executive Office of the Governor, the
1230 chair of each legislative appropriations committee, the
1231 President of the Senate, and the Speaker of the House of
1232 Representatives before the department advertises receipt of the
1233 proposal as provided in s. 334.30. The summary must include a
1234 description of any anticipated commitments by the department for
1235 the years outside the adopted work program, a description of any
1236 anticipated impacts on the department's overall debt load, and
1237 sufficient information to demonstrate that the project will not
1238 cause the department to exceed the overall debt limitation
1239 provided in s. 339.14. The department may not accept the
1240 unsolicited proposal, advertise receipt of the unsolicited
1241 proposal, or solicit other proposals for the same project
1242 purpose without the approval of the Executive Office of the
1243 Governor. If the chair of either legislative appropriations
1244 committee, the President of the Senate, or the Speaker of the
1245 House of Representatives objects to the proposed project in
1246 writing within 14 days after receipt of the summary, the
1247 Executive Office of the Governor may not approve the proposed

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1248 project.

1249 (3) This section does not apply to a public-private
1250 partnership agreement authorized in s. 334.30(2)(a).

1251 Section 22. Paragraph (j) of subsection (2) of section
1252 348.0004, Florida Statutes, is amended to read:

1253 348.0004 Purposes and powers.—

1254 (2) Each authority may exercise all powers necessary,
1255 appurtenant, convenient, or incidental to the carrying out of
1256 its purposes, including, but not limited to, the following
1257 rights and powers:

1258 (j) To pledge, hypothecate, or otherwise encumber all or
1259 any part of the revenues, tolls, rates, fees, rentals, or other
1260 charges or receipts of the authority, including all or any
1261 portion of county gasoline tax funds received by the authority
1262 ~~pursuant to the terms of any lease-purchase agreement between~~
1263 ~~the authority and the department~~, as security for all or any of
1264 the obligations of the authority.

1265 Section 23. Subsection (1) of section 348.0005, Florida
1266 Statutes, is amended, and subsection (3) is added to that
1267 section, to read:

1268 348.0005 Bonds.—

1269 (1) Bonds may be issued on behalf of an authority as
1270 provided by the State Bond Act. Bonds may not be issued under
1271 this section unless the resolution authorizing the bonds and
1272 pledging the revenues of a facility requires that the revenues
1273 of the facility be deposited into appropriate accounts in such
1274 sums as are sufficient to pay the costs of operation and
1275 maintenance of any facility for the current fiscal year as set
1276 forth in the annual budget of the authority before any revenues

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1277 of the facility are applied to the payment of interest or
1278 principal owing or that may become owing on such bonds.

1279 (3) The provisions of subsection (2) do not apply to any
1280 authority formed on or after July 1, 2012.

1281 Section 24. Section 348.0013, Florida Statutes, is created
1282 to read:

1283 348.0013 Department to construct, operate, and maintain
1284 facilities.-

1285 (1) Notwithstanding any other provision of law to the
1286 contrary, this section applies to any authority formed on or
1287 after July 1, 2012.

1288 (2) The department is the agent of each authority for the
1289 purpose of performing all phases of a project, including, but
1290 not limited to, constructing improvements and extensions to an
1291 expressway system and for the completion of the construction.
1292 The division and the authority shall provide to the department
1293 complete copies of the documents, agreements, resolutions,
1294 contracts, and instruments relating to the construction and
1295 shall request that the department perform the construction work,
1296 including the planning, surveying, design, and actual
1297 construction of the completion, extensions, and improvements to
1298 the expressway system. After the issuance of bonds to finance
1299 the construction of an expressway system or improvements to an
1300 expressway system, the division shall transfer to the credit of
1301 an account of the department in the State Treasury the necessary
1302 funds for construction. The department shall proceed with
1303 construction and use the funds for the purpose authorized and as
1304 otherwise provided by law for the construction of roads and
1305 bridges. The authority may alternatively, with the consent and

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1306 approval of the department, appoint as its agent a local agency
1307 certified by the department to administer federal aid projects
1308 in accordance with federal law for the purpose of performing all
1309 phases of a project.

1310 (3) An authority that desires to construct an expressway
1311 shall identify the expressway project in a work plan and submit
1312 the work plan along with its budget. The work plan must include
1313 a finance plan that demonstrates the financial feasibility of
1314 the expressway project, including the authority's ability to
1315 reimburse the department for all costs of operation and
1316 maintenance of the project from the revenues of the authority's
1317 expressway system. Legislative approval of the authority's
1318 budget and work plan is required before bonds may be issued on
1319 behalf of the authority to finance the construction of the
1320 expressway project. The department shall operate and maintain
1321 the expressway system, and the costs incurred by the department
1322 for operation and maintenance shall be reimbursed from revenues
1323 of the expressway system. Each expressway system constructed
1324 under the provisions of this section is a part of the State
1325 Highway System as defined in s. 334.03.

1326 (4) An authority subject to this section may fix, alter,
1327 charge, and establish tolls, rates, fees, rentals, and other
1328 charges for the authority's facilities, as otherwise provided in
1329 this part.

1330 Section 25. Subsection (4) of section 348.52, Florida
1331 Statutes, is amended, and subsections (6), (7), (8), (9), (10),
1332 and (11) are added to that section, to read:

1333 348.52 Tampa-Hillsborough County Expressway Authority.—

1334 (4) The authority may employ an executive ~~a~~ secretary, an

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1335 ~~and~~ executive director, its own counsel and legal staff, ~~and~~
1336 ~~such legal, financial, and other professional consultants,~~
1337 technical experts, engineers, and employees, permanent or
1338 temporary, as it may require and may determine the
1339 qualifications and fix the compensation of such persons, firms,
1340 or corporations. The authority may contract with the Division of
1341 Bond Finance of the State Board of Administration for any
1342 financial services authorized herein.

1343 (6) The authority is assigned to the Office of the
1344 Secretary of the Department of Transportation for administrative
1345 and fiscal accountability purposes. However, except as otherwise
1346 provided in this part, the authority shall otherwise function
1347 independently of the control, supervision, and direction of the
1348 department.

1349 (7) The authority shall develop a budget pursuant to
1350 chapter 216. The budget is not subject to change by the
1351 department staff after it has been approved by the authority.
1352 However, the authority's budget shall be transmitted to the
1353 Governor, who is head of the department, along with the budget
1354 of the department.

1355 (8) Effective July 1, 2012, the revenues received by the
1356 authority and the unexpended balances in the authority's
1357 accounts as of June 30, 2011, are deemed deposited into the
1358 State Transportation Trust Fund in the Department of
1359 Transportation and appropriated to the appropriate account of
1360 the authority based upon the original source of revenues.
1361 Expenditure of these funds by the authority must be in
1362 accordance with the laws, rules, grant agreements, or other
1363 legal controls associated with the revenues appropriated to

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1364 local accounts and included in the authority's budget. The
1365 authority shall pay the outstanding debts or obligations
1366 associated with the funds. The authority shall retain and use
1367 the revenues received solely for the authorized purposes.

1368 (9) The authority may expend revenues that are provided in
1369 the General Appropriations Act from the State Transportation
1370 Trust Fund carried forward from the prior fiscal year and
1371 collected during the current fiscal year. The expenditure of
1372 funds from the authority's local accounts may not exceed the
1373 authority provided in the General Appropriations Act unless
1374 approved pursuant to chapter 216. If a court finds that this
1375 restriction is invalid, the moneys described in this section
1376 shall be deposited into the State Treasury.

1377 (10) The provisions of subsections (6)-(9) apply only for
1378 the fiscal years in which the department's obligations under the
1379 lease-purchase agreement between the department and authority
1380 have not been terminated as provided in s. 348.60 or in which
1381 the authority has not fully reimbursed the department for the
1382 amounts expended, advanced, or paid to the authority in prior
1383 fiscal years for the costs of operation, maintenance, repair,
1384 and rehabilitation of the expressway system.

1385 (11) Notwithstanding the provisions of subsection (4), an
1386 employee of the Tampa-Hillsborough County Expressway Authority
1387 may not be compensated at a rate exceeding the salary rate of
1388 the Executive Director of Florida's Turnpike Enterprise.

1389 Section 26. Subsection (5) of section 348.54, Florida
1390 Statutes, is amended to read:

1391 348.54 Powers of the authority.—Except as otherwise limited
1392 herein, the authority shall have the power:

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1393 (5) To enter into and make lease-purchase agreements as
1394 provided in s. 348.60 for terms not exceeding 40 years, or until
1395 all bonds secured by a pledge thereunder, and all refundings
1396 thereof, are fully paid as to both principal and interest,
1397 whichever is longer. The authority is a party to a lease-
1398 purchase agreement between the department and the authority
1399 dated November 18, 1997, as supplemented by a supplemental
1400 lease-purchase agreement dated February 7, 2002, and a second
1401 supplemental lease-purchase agreement dated June 23, 2005. The
1402 authority may not enter into other lease-purchase agreements
1403 with the department and may not amend the existing agreement in
1404 a manner that expands or increases the department's obligations,
1405 unless the department determines that the agreement or amendment
1406 is necessary to permit the refunding of bonds issued before July
1407 1, 2012. The department's obligations under the lease-purchase
1408 agreement, as supplemented, terminate upon the earlier of:

1409 (a) The defeasance, redemption, or payment in full of the
1410 authority's bonds issued and outstanding as of July 1, 2012;

1411 (b) The date to which the purchasers of the authority bonds
1412 have consented; or

1413 (c) The date on which termination of the department's
1414 obligations will occur under the terms of the memorandum of
1415 agreement dated October 26, 2010, between the department and the
1416 authority.

1417 Section 27. Section 348.545, Florida Statutes, is amended
1418 to read:

1419 348.545 Facility improvement; bond financing authority.—
1420 Pursuant to s. 11(f), Art. VII of the State Constitution, the
1421 Legislature hereby approves for bond financing by the Tampa-

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1422 Hillsborough County Expressway Authority improvements to toll
1423 collection facilities, interchanges to the legislatively
1424 approved expressway system, and any other facility appurtenant,
1425 necessary, or incidental to the approved system. Subject to
1426 terms and conditions of applicable revenue bond resolutions and
1427 covenants, such costs may be financed in whole or in part by
1428 revenue bonds issued pursuant to s. 348.56 ~~348.56(1)(a) or (b)~~,
1429 whether currently issued or issued in the future, ~~or by a~~
1430 ~~combination of such bonds.~~

1431 Section 28. Subsections (9), (10), (11), and (12) are added
1432 to section 348.56, Florida Statutes, to read:

1433 348.56 Bonds of the authority.—

1434 (9) Notwithstanding any other provision of law to the
1435 contrary, on and after July 1, 2012, the authority may not,
1436 without the department's consent, request the issuance of any
1437 bonds secured by a pledge of any revenues of the authority which
1438 is senior to, or on a parity with, the authority's obligation to
1439 fully reimburse the department for the costs of operation,
1440 maintenance, repair, and rehabilitation of the expressway system
1441 paid by the department, except that the authority may request
1442 the issuance of bonds secured by a senior pledge for the purpose
1443 of refunding any authority bonds issued and outstanding as of
1444 July 1, 2012. Refunding bonds authorized by this subsection may
1445 not be issued if such bonds have a final maturity later than the
1446 final maturity of the bonds refunded or if the refunding bonds
1447 provide for higher debt service in any year than the debt
1448 service that is currently paid on such bonds.

1449 (10) Notwithstanding any other provision of law to the
1450 contrary, on and after July 1, 2012, the authority may not

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1451 request the issuance of any bonds, except bonds issued to refund
1452 bonds issued before July 1, 2012, which provide any rights
1453 against the department which may be enforced by the holders of
1454 such bonds or debt. Refunding bonds authorized by this
1455 subsection may not be issued if the bonds have a final maturity
1456 later than the final maturity of the bonds refunded or if the
1457 refunding bonds provide for higher debt service in any year than
1458 the debt service that is currently paid on such bonds. The
1459 obligations of the department under any lease-purchase agreement
1460 with the authority, including any obligation to pay any cost of
1461 operation, maintenance, repair, or rehabilitation of the
1462 expressway system, terminate upon the earlier of:

1463 (a) The defeasance or payment of all authority bonds issued
1464 before July 1, 2012, and authority bonds issued to refund such
1465 bonds;

1466 (b) The earlier date to which the purchasers of the
1467 authority bonds have consented; or

1468 (c) The date on which termination of the department's
1469 obligations will occur under the terms of the memorandum of
1470 agreement dated October 26, 2010, between the department and the
1471 authority.

1472 (11) Beginning July 1, 2012, except for bonds issued to
1473 refund bonds issued before that date, bonds may not be issued
1474 under this section unless the resolution authorizing the bonds
1475 and pledging the revenues of the expressway system requires that
1476 the revenues of the expressway system be deposited into
1477 appropriate accounts in such sums as are sufficient to pay the
1478 costs of operation and maintenance of the expressway system for
1479 the current fiscal year as set forth in the annual budget of the

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1480 authority before any revenues of the expressway system are
 1481 applied to the payment of interest or principal owing or that
 1482 may become owing on such bonds.

1483 (12) Paragraph (1)(b) does not apply in any fiscal year in
 1484 which the department's obligations under the lease-purchase
 1485 agreement between the department and authority have not been
 1486 terminated as provided in s. 348.60 or in which the authority
 1487 has not fully reimbursed the department for the amounts
 1488 expended, advanced, or paid to the authority in prior fiscal
 1489 years for the costs of operation, maintenance, repair, and
 1490 rehabilitation of the expressway system. During any such fiscal
 1491 year, bonds may be issued only on behalf of the authority
 1492 pursuant to the State Bond Act.

1493 Section 29. Section 348.565, Florida Statutes, is amended
 1494 to read:

1495 348.565 Revenue bonds for specified projects.—The existing
 1496 facilities that constitute the Tampa-Hillsborough County
 1497 Expressway System are ~~hereby~~ approved to be refinanced by
 1498 revenue bonds issued by the Division of Bond Finance of the
 1499 State Board of Administration pursuant to s. 11(d) ~~11(f)~~, Art.
 1500 VII of the State Constitution and s. 348.56 ~~the State Bond Act~~
 1501 ~~or by revenue bonds issued by the authority pursuant to s.~~
 1502 ~~348.56(1)(b)~~. In addition, the following projects of the Tampa-
 1503 Hillsborough County Expressway Authority are approved to be
 1504 financed or refinanced by the issuance of revenue bonds in
 1505 accordance with this part and s. 11(f), Art. VII of the State
 1506 Constitution:

- 1507 (1) Brandon area feeder roads.
- 1508 (2) Capital improvements to the expressway system,

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1509 including safety and operational improvements and toll
1510 collection equipment.

1511 (3) Lee Roy Selmon Crosstown Expressway System widening.

1512 ~~(4) The connector highway linking the Lee Roy Selmon~~
1513 ~~Crosstown Expressway to Interstate 4.~~

1514 Section 30. Subsection (1) of section 348.57, Florida
1515 Statutes, is amended to read:

1516 348.57 Refunding bonds.—

1517 (1) Subject to public notice as provided in s. 348.54, the
1518 authority may request or provide ~~is authorized to provide~~ by
1519 resolution for the issuance from time to time of bonds pursuant
1520 to s. 348.56 ~~348.56(1)(b)~~ for the purpose of refunding any bonds
1521 then outstanding ~~regardless of whether the bonds being refunded~~
1522 ~~were issued by the authority pursuant to this chapter or on~~
1523 ~~behalf of the authority pursuant to the State Bond Act.~~ The
1524 authority may further request or provide ~~is further authorized~~
1525 ~~to provide~~ by resolution for the issuance of bonds pursuant to
1526 s. 348.56 for the combined purpose of:

1527 (a) Paying the cost of constructing, reconstructing,
1528 improving, extending, repairing, maintaining and operating the
1529 expressway system.

1530 (b) Refunding bonds then outstanding. The authorization,
1531 sale and issuance of such obligations, the maturities and other
1532 details thereof, the rights and remedies of the holders thereof,
1533 and the rights, powers, privileges, duties, and obligations of
1534 the authority with respect to the same are ~~shall be~~ governed by
1535 the foregoing provisions of this part insofar as the same may be
1536 applicable.

1537 Section 31. Subsections (7) and (8) are added to section

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1538 348.60, Florida Statutes, to read:

1539 348.60 Lease-purchase agreements.-

1540 (7) The authority is a party to a lease-purchase agreement
1541 between the department and the authority dated November 18,
1542 1997, as supplemented by a supplemental lease-purchase agreement
1543 dated February 7, 2002, and a second supplemental lease-purchase
1544 agreement dated June 23, 2005. The authority may not enter into
1545 any other lease-purchase agreement, or amend the lease-purchase
1546 agreement, unless the department determines that such an
1547 agreement or amendment is necessary to permit the refunding of
1548 bonds issued before July 1, 2012.

1549 (8) Upon the earlier of the defeasance or payment of the
1550 authority bonds issued before July 1, 2012, and any bonds issued
1551 to refund the bonds, or the earlier date to which the purchasers
1552 of the authority bonds have consented:

1553 (a) The obligations of the department under the lease-
1554 purchase agreement with the authority, including any obligation
1555 to pay any cost of operation, maintenance, repair, or
1556 rehabilitation of the expressway system, terminates;

1557 (b) The lease-purchase agreement terminates;

1558 (c) The expressway system remains the property of the
1559 authority and may not be transferred to the department;

1560 (d) The authority remains obligated to reimburse the
1561 department for the amounts paid by the department from a source
1562 other than revenues of the expressway system for any cost of
1563 operation, maintenance, repair, or rehabilitation of the
1564 expressway system; and

1565 (e) The department shall collect tolls for the use of the
1566 system as the agent of the authority as provided in this part.

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1567 Section 32. Section 348.615, Florida Statutes, is created
1568 to read:

1569 348.615 Department to collect tolls.-

1570 (1) The department is the agent of the authority for the
1571 purpose of collecting tolls for the use of the authority's
1572 expressway system. The department must be reimbursed for the
1573 costs of collecting such charges from the revenues of the
1574 expressway system. The department may modify its rules regarding
1575 toll collection procedures and the imposition of administrative
1576 charges applicable to the authority's toll facilities. This
1577 section does not limit the authority of the department under any
1578 other provision of law or under any agreement entered into
1579 before July 1, 2012.

1580 (2) The authority may fix, alter, charge, and establish
1581 tolls, rates, fees, rentals, and other charges for the
1582 authority's facilities, as otherwise provided in this part.

1583 Section 33. Paragraph (a) of subsection (4) of section
1584 348.753, Florida Statutes, is amended, and subsections (5), (6),
1585 (7), (8), (9), and (10) are added to that section, to read:

1586 348.753 Orlando-Orange County Expressway Authority.-

1587 (4) (a) The authority may employ an executive secretary, an
1588 executive director, its own counsel and legal staff, technical
1589 experts, ~~such~~ engineers, and ~~such~~ employees, permanent or
1590 temporary, as it may require and may determine the
1591 qualifications and fix the compensation of such persons, firms,
1592 or corporations ~~and may employ a fiscal agent or agents,~~
1593 ~~provided, however, that the authority shall solicit sealed~~
1594 ~~proposals from at least three persons, firms, or corporations~~
1595 ~~for the performance of any services as fiscal agents. The~~

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1596 authority may contract with the Division of Bond Finance of the
1597 State Board of Administration for any financial services
1598 authorized in this section. The authority may delegate to one or
1599 more of its agents or employees such of its power as it deems
1600 ~~shall deem~~ necessary to carry out the purposes of this part,
1601 subject always to the supervision and control of the authority.
1602 Members of the authority may be removed from their office by the
1603 Governor for misconduct, malfeasance, misfeasance, or
1604 nonfeasance in office.

1605 (5) The authority is assigned to the Office of the
1606 Secretary of the Department of Transportation for administrative
1607 and fiscal accountability purposes. However, except as otherwise
1608 provided in this section, the authority shall otherwise function
1609 independently of the control, supervision, and direction of the
1610 department.

1611 (6) The authority shall develop a budget pursuant to
1612 chapter 216. The budget is not subject to change by the
1613 department staff after it has been approved by the authority.
1614 However, the budget shall be transmitted to the Governor, who is
1615 head of the department, along with the budget of the department.

1616 (7) Effective July 1, 2012, the revenues received by the
1617 authority, and the unexpended balances in authority accounts as
1618 of June 30, 2011, are deemed deposited into the State
1619 Transportation Trust Fund in the Department of Transportation
1620 and appropriated to the appropriate account of the authority
1621 based upon the original source of revenues. Expenditure of these
1622 funds by the authority must be in accordance with the laws,
1623 rules, grant agreements, or other legal controls associated with
1624 the revenues appropriated to local accounts and included in the

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1625 authority's budget. The authority shall pay the outstanding
1626 debts or obligations associated with the funds. The authority
1627 shall retain and use the revenues received solely for the
1628 authorized purposes.

1629 (8) Any appropriation provided in the General
1630 Appropriations Act from the State Transportation Trust Fund
1631 authorizes the authority to expend revenues that are carried
1632 forward from the prior fiscal year and collected during the
1633 current fiscal year. The expenditure of funds from the
1634 authority's local accounts may not exceed the authority provided
1635 in the General Appropriations Act unless approved pursuant to
1636 chapter 216. If a court finds that this restriction is invalid,
1637 the moneys described in this section shall be deposited into the
1638 State Treasury.

1639 (9) The provisions of subsections (5)-(8) apply only for
1640 fiscal years in which the department's obligations under the
1641 lease-purchase agreement between the department and authority
1642 have not been terminated as provided in s. 348.757 or in which
1643 the authority has not fully reimbursed the department for the
1644 amounts expended, advanced, or paid to the authority in prior
1645 fiscal years for the costs of operation, maintenance, repair,
1646 and rehabilitation of the Orlando-Orange County Expressway
1647 System.

1648 (10) Notwithstanding the provisions of subsection (4), an
1649 employee of the Orlando-Orange County expressway may not be
1650 compensated at a rate exceeding the salary rate of the Executive
1651 Director of Florida's Turnpike Enterprise.

1652 Section 34. Paragraph (e) of subsection (2) of section
1653 348.754, Florida Statutes, is amended to read:

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1654 348.754 Purposes and powers.—

1655 (2) The authority is hereby granted, and shall have and may
1656 exercise all powers necessary, appurtenant, convenient or
1657 incidental to the carrying out of the aforesaid purposes,
1658 including, but without being limited to, the following rights
1659 and powers:

1660 (e) To enter into and make lease-purchase agreements with
1661 the department for terms not exceeding 40 years, or until any
1662 bonds secured by a pledge of rentals thereunder, and any
1663 refundings thereof, are fully paid as to both principal and
1664 interest, whichever is longer. The authority is a party to a
1665 lease-purchase agreement between the department and the
1666 authority dated December 23, 1985, as supplemented by a first
1667 supplement to the lease-purchase agreement dated November 25,
1668 1986, and a second supplement to the lease-purchase agreement
1669 dated October 27, 1988. The authority may not enter into other
1670 lease-purchase agreements with the department and may not amend
1671 the existing agreement in a manner that expands or increases the
1672 department's obligations, unless the department determines that
1673 the agreement or amendment is necessary to permit the refunding
1674 of bonds issued before July 1, 2012.

1675 Section 35. Section 348.7543, Florida Statutes, is amended
1676 to read:

1677 348.7543 Improvements, bond financing authority for.—
1678 Pursuant to s. 11(f), Art. VII of the State Constitution, the
1679 Legislature hereby approves for bond financing by the Orlando-
1680 Orange County Expressway Authority improvements to toll
1681 collection facilities, interchanges to the legislatively
1682 approved expressway system, and any other facility appurtenant,

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1683 necessary, or incidental to the approved system. Subject to
 1684 terms and conditions of applicable revenue bond resolutions and
 1685 covenants, such costs may be financed in whole or in part by
 1686 revenue bonds issued pursuant to s. 348.755 ~~348.755(1)(a) or (b)~~
 1687 whether currently issued or issued in the future, ~~or by a~~
 1688 ~~combination of such bonds.~~

1689 Section 36. Section 348.7545, Florida Statutes, is amended
 1690 to read:

1691 348.7545 Western Beltway Part C, construction authorized;
 1692 financing.—Notwithstanding s. 338.2275, the Orlando-Orange
 1693 County Expressway Authority is authorized to exercise its
 1694 condemnation powers, construct, finance, operate, own, and
 1695 maintain that portion of the Western Beltway known as the
 1696 Western Beltway Part C, extending from Florida's Turnpike near
 1697 Ocoee in Orange County southerly through Orange and Osceola
 1698 Counties to an interchange with I-4 near the Osceola-Polk County
 1699 line, as part of the authority's 20-year capital projects plan.
 1700 This project may be financed with any funds available to the
 1701 authority for such purpose or revenue bonds issued by the
 1702 Division of Bond Finance of the State Board of Administration on
 1703 behalf of the authority pursuant to s. 11, Art. VII of the State
 1704 Constitution and the State Bond Act, ss. 215.57-215.83. This
 1705 project may be refinanced with bonds issued by the authority
 1706 pursuant to s. 348.755 ~~348.755(1)(d)~~.

1707 Section 37. Section 348.7546, Florida Statutes, is amended
 1708 to read:

1709 348.7546 Wekiva Parkway, construction authorized;
 1710 financing.—~~Notwithstanding s. 338.2275,~~

1711 (1) The Orlando-Orange County Expressway Authority is

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1712 hereby authorized to exercise its condemnation powers and to,
1713 construct, finance, operate, own, and maintain those portions of
1714 the Wekiva Parkway which are identified by agreement between the
1715 authority and the department and which are included as part of
1716 the authority's long-range capital improvement plan. The "Wekiva
1717 Parkway" means any limited access highway or expressway
1718 constructed between State Road 429 and Interstate 4 specifically
1719 incorporating the corridor alignment recommended by
1720 Recommendation 2 of the Wekiva River Basin Area Task Force final
1721 report dated January 15, 2003, and the recommendations of the SR
1722 429 Working Group which ~~that~~ were adopted January 16, 2004. This
1723 project may be financed with any funds available to the
1724 authority for such purpose or revenue bonds issued on behalf of
1725 ~~by~~ the authority under s. 11, Art. VII of the State Constitution
1726 and s. 348.755 ~~348.755(1)(b)~~. This section does not invalidate
1727 the exercise by the authority of its condemnation powers or the
1728 acquisition of any property for the Wekiva Parkway before July
1729 1, 2012.

1730 (2) Notwithstanding any other provision of law to the
1731 contrary, in order to ensure that funds are available to the
1732 department for its portion of the Wekiva Parkway, beginning July
1733 1, 2012, the authority shall repay the expenditures by the
1734 department for costs of operation and maintenance of the
1735 Orlando-Orange County Expressway System by annual transfer to
1736 the credit of an account of the department in the State Treasury
1737 from toll revenues of the Orlando-Orange County Expressway
1738 System, or other funds available to the authority, after payment
1739 of the debt service on all bonds issued by or on behalf of the
1740 authority pursuant to this part on or before July 1, 2012, or

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1741 bonds issued to refund the bonds, and such other costs as are
1742 required to be paid under the terms of the bond resolutions
1743 under which such bonds were issued. The authority shall pay the
1744 department \$10 million on July 1, 2012, and shall make annual
1745 payments of \$20 million on each successive July 1 until the
1746 department has been fully reimbursed for all costs of the
1747 Orlando-Orange County Expressway System which were paid,
1748 advanced, or reimbursed to the authority by the department, with
1749 a final payment in the amount of the balance remaining. If the
1750 authority fails to make a payment to the department as required
1751 in this subsection, the authority shall raise tolls, defer
1752 projects, or reduce its administrative and other expenses until
1753 it is current in such payments. Notwithstanding any other law to
1754 the contrary, the funds paid to the department pursuant to this
1755 subsection shall be allocated by the department for construction
1756 of the Wekiva Parkway.

1757 (3) Notwithstanding any other provision of law to the
1758 contrary, on and after July 1, 2012, the authority may not,
1759 without the department's consent, request the issuance of any
1760 bonds secured by a pledge of any authority revenues which is
1761 senior to, or on a parity with, the authority's obligation to
1762 make the annual payments to the department required under this
1763 section, except that the authority may request the issuance of
1764 bonds secured by a senior pledge for the purpose of refunding
1765 any authority bonds issued and outstanding as of July 1, 2012.
1766 Refunding bonds authorized by this subsection may not be issued
1767 if such bonds have a final maturity later than the final
1768 maturity of the bonds refunded or if the refunding bonds provide
1769 for higher debt service in any year than the debt service that

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1770 is currently paid on such bonds.

1771 (4) The department's obligation to construct its portions
1772 of the Wekiva Parkway is contingent upon the timely payment by
1773 the authority of the annual payments required of the authority
1774 under this section and receipt of all required environmental
1775 permits and approvals by the Federal Government.

1776 Section 38. Section 348.7547, Florida Statutes, is amended
1777 to read:

1778 348.7547 Maitland Boulevard Extension and Northwest Beltway
1779 Part A Realignment construction authorized; financing.—
1780 Notwithstanding s. 338.2275, the Orlando-Orange County
1781 Expressway Authority is hereby authorized to exercise its
1782 condemnation powers, construct, finance, operate, own, and
1783 maintain the portion of State Road 414 known as the Maitland
1784 Boulevard Extension and the realigned portion of the Northwest
1785 Beltway Part A as part of the authority's long-range capital
1786 improvement plan. The Maitland Boulevard Extension will extend
1787 from the current terminus of State Road 414 at U.S. 441 west to
1788 State Road 429 in west Orange County. The realigned portion of
1789 the Northwest Beltway Part A will run from the point at or near
1790 where the Maitland Boulevard Extension will connect with State
1791 Road 429 and will proceed to the west and then north resulting
1792 in the northern terminus of State Road 429 moving farther west
1793 before reconnecting with U.S. 441. However, under no
1794 circumstances shall the realignment of the Northwest Beltway
1795 Part A conflict or contradict with the alignment of the Wekiva
1796 Parkway as defined in s. 348.7546. This project may be financed
1797 with any funds available to the authority for such purpose or
1798 revenue bonds issued by or on behalf of the authority under s.

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1799 11, Art. VII of the State Constitution and s. 348.755
 1800 ~~348.755(1)(b)~~.

1801 Section 39. Subsections (6), (7), (8), and (9) are added to
 1802 section 348.755, Florida Statutes, to read:

1803 348.755 Bonds of the authority.—

1804 (6) Notwithstanding any other provision of law to the
 1805 contrary, on and after July 1, 2012, the authority may not
 1806 request the issuance of any bonds, except bonds issued to refund
 1807 bonds issued before July 1, 2012, which provide any rights
 1808 against the department which may be enforced by the holders of
 1809 such bonds or debt. Refunding bonds authorized by this
 1810 subsection may not be issued if the bonds have a final maturity
 1811 later than the final maturity of the bonds refunded or if the
 1812 refunding bonds provide for higher debt service in any year than
 1813 the debt service that is currently paid on such bonds. Upon the
 1814 earlier of the defeasance or payment of all authority bonds
 1815 issued before July 1, 2012, or the defeasance or payment of the
 1816 authority bonds issued to refund such bonds, or such earlier
 1817 date to which the purchasers of the authority bonds have
 1818 consented, the obligations of the department under any lease-
 1819 purchase agreement with the authority, including any obligation
 1820 to pay any cost of operation, maintenance, repair, or
 1821 rehabilitation of the Orlando-Orange County Expressway System,
 1822 terminate.

1823 (7) Notwithstanding any other provision of law to the
 1824 contrary, on and after July 1, 2012, the authority may not,
 1825 without the department's consent, request the issuance of any
 1826 bonds secured by a pledge of any revenues of the authority which
 1827 is senior to, or on a parity with, the authority's obligation to

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1828 fully reimburse the department for the costs of operation,
1829 maintenance, repair, and rehabilitation of the Orlando-Orange
1830 County Expressway System paid by the department, except that the
1831 authority may request the issuance of bonds secured by a senior
1832 pledge for the purpose of refunding any authority bonds issued
1833 and outstanding as of July 1, 2012. Refunding bonds authorized
1834 by this subsection may not be issued if the bonds have a final
1835 maturity later than the final maturity of the bonds refunded or
1836 if the refunding bonds provide for higher debt service in any
1837 year than the debt service that is currently paid on the bonds.

1838 (8) Beginning July 1, 2012, the authority may not issue
1839 bonds, except bonds issued to refund bonds issued before such
1840 date, unless the resolution authorizing the bonds and pledging
1841 the revenues of the Orlando-Orange County Expressway System
1842 requires that the revenues of the expressway system be deposited
1843 into appropriate accounts in such sums as are sufficient to pay
1844 the costs of operation and maintenance of the Orlando-Orange
1845 County Expressway System for the current fiscal year as set
1846 forth in the annual budget of the authority before any revenues
1847 of the Orlando-Orange County Expressway System are applied to
1848 the payment of interest or principal owing or that may become
1849 owing on such bonds.

1850 (9) Paragraphs (1)(b) and (d) do not apply in any fiscal
1851 year in which the department's obligations under the lease-
1852 purchase agreement between the department and authority have not
1853 been terminated as provided in s. 348.757 or in which the
1854 authority has not fully reimbursed the department for all
1855 amounts expended, advanced, or paid to the authority in prior
1856 fiscal years for the costs of operation, maintenance, repair,

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1857 and rehabilitation of the expressway system. During any such
1858 fiscal year, bonds may be issued only on behalf of the authority
1859 pursuant to the State Bond Act.

1860 Section 40. Subsections (8) and (9) are added to section
1861 348.757, Florida Statutes, to read:

1862 348.757 Lease-purchase agreement.—

1863 (8) The only lease-purchase agreement authorized by this
1864 section is the lease-purchase agreement between the department
1865 and the authority dated December 23, 1985, as supplemented by a
1866 first supplement to the lease-purchase agreement dated November
1867 25, 1986, and a second supplement to the lease-purchase
1868 agreement dated October 27, 1988. The authority may not enter
1869 into any other lease-purchase agreements with the department and
1870 may not amend the existing agreement in a manner that expands
1871 the scope of the department's obligations, unless the department
1872 determines the agreement or amendment is necessary to permit the
1873 refunding of bonds issued before July 1, 2012.

1874 (9) The department's obligations under the lease-purchase
1875 agreement between the department and the authority dated
1876 December 23, 1985, as supplemented by a first supplement to the
1877 lease-purchase agreement dated November 25, 1986, and a second
1878 supplement to the lease-purchase agreement dated October 27,
1879 1988, terminate upon the earlier of the defeasance, redemption,
1880 or payment in full of the authority's bonds issued and
1881 outstanding as of July 1, 2012, or bonds to refund such bonds,
1882 or such earlier date to which the purchasers of the authority
1883 bonds have consented.

1884 Section 41. Section 348.7585, Florida Statutes, is created
1885 to read:

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1886 348.7585 Department to collect tolls.-

1887 (1) The department is the agent of the authority for the
 1888 purpose of collecting tolls for the use of the authority's
 1889 expressway system. The department shall be reimbursed from the
 1890 revenues of the expressway system for the costs of collecting
 1891 the tolls. The department may modify its rules regarding toll
 1892 collection procedures and the imposition of administrative
 1893 charges to be applicable to the authority's toll facilities.
 1894 This section does not limit the authority of the department
 1895 under any other provision of law or under any agreement entered
 1896 into before July 1, 2012.

1897 (2) The authority may fix, alter, charge, and establish
 1898 tolls, rates, fees, rentals, and other charges for the
 1899 authority's facilities, as otherwise provided in this section.

1900 Section 42. Paragraph (a) of subsection (4) of section
 1901 348.9952, Florida Statutes, is amended to read:

1902 348.9952 Osceola County Expressway Authority.-

1903 (4) (a) The authority may employ an executive secretary, an
 1904 executive director, its own counsel and legal staff, technical
 1905 experts, engineers, and other employees, permanent or temporary,
 1906 as it may require, and may determine the qualifications and fix
 1907 the compensation of such persons, firms, or corporations.
 1908 ~~Additionally, the authority may employ a fiscal agent or agents.~~
 1909 ~~However, the authority shall solicit sealed proposals from at~~
 1910 ~~least three persons, firms, or corporations for the performance~~
 1911 ~~of any services as fiscal agents.~~ The authority may delegate to
 1912 one or more of its agents or employees such of its power as it
 1913 deems necessary to carry out the purposes of this part, subject
 1914 always to the supervision and control of the authority.

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1915 Section 43. Section 348.9956, Florida Statutes, is
1916 repealed.

1917 Section 44. Section 348.99565, Florida Statutes, is created
1918 to read:

1919 348.99565 Department to construct, operate, and maintain
1920 facilities.-

1921 (1) The department is the agent of the authority for the
1922 purpose of performing all phases of a project, including, but
1923 not limited to, constructing improvements and extensions to the
1924 expressway system. The division and the authority shall provide
1925 to the department complete copies of all documents, agreements,
1926 resolutions, contracts, and instruments relating to the project
1927 and shall request that the department perform the construction
1928 work, including the planning, surveying, design, and actual
1929 construction of the completion, extensions, and improvements to
1930 the expressway system. After the issuance of bonds to finance
1931 construction of any improvements or additions to the expressway
1932 system, the division shall transfer to the credit of an account
1933 of the department in the State Treasury the necessary funds for
1934 construction. The department shall proceed with construction and
1935 use the funds for the purpose authorized and as provided by law
1936 for the construction of roads and bridges. The authority may
1937 alternatively, with the consent and approval of the department,
1938 appoint as its agent a local agency certified by the department
1939 to administer federal aid projects in accordance with federal
1940 law for the purpose of performing all phases of a project.

1941 (2) If the authority desires to construct improvements or
1942 extensions to the expressway system, it shall identify the
1943 expressway improvement project in a work plan and submit the

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1944 work plan with its budget. The work plan must include a finance
1945 plan that demonstrates the financial feasibility of the
1946 expressway project, including the authority's ability to
1947 reimburse the department for all costs of operation and
1948 maintenance of the improvements or extensions from the revenues
1949 of the expressway system. Legislative approval of the
1950 authority's budget and work plan is required before bonds may be
1951 issued on behalf of the authority to finance the construction of
1952 the improvements or extensions. The department shall operate and
1953 maintain the expressway system, and the costs incurred by the
1954 department for operation and maintenance shall be reimbursed
1955 from revenues of the expressway system. The expressway system
1956 shall be part of the State Highway System as defined in s.
1957 334.03.

1958 (3) The authority may fix, alter, charge, and establish
1959 tolls, rates, fees, rentals, and other charges for the
1960 authority's facilities, as otherwise provided in this part.

1961 Section 45. Subsection (2) of section 369.317, Florida
1962 Statutes, is amended, and subsection (9) is added to that
1963 section, to read:

1964 369.317 Wekiva Parkway.—

1965 (2) The Wekiva Parkway and related transportation
1966 facilities shall follow the design criteria contained in the
1967 recommendations of the Wekiva River Basin Area Task Force
1968 adopted by reference by the Wekiva River Basin Coordinating
1969 Committee in its final report of March 16, 2004, and the
1970 recommendations of the Wekiva Coordinating Committee contained
1971 in its final report of March 16, 2004, subject to reasonable
1972 environmental, economic, and engineering considerations. For

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1973 those activities associated with the Wekiva Parkway and related
1974 transportation facilities which require authorization pursuant
1975 to part IV of chapter 373, the Department of Environmental
1976 Protection is the exclusive permitting authority.

1977 (9) In Seminole County, the Department of Transportation
1978 shall locate the precise corridor and interchanges for the
1979 Wekiva Parkway consistent with the legislative intent expressed
1980 in other provisions of this act.

1981 Section 46. Paragraph (a) of subsection (4) of section
1982 377.809, Florida Statutes, is amended to read:

1983 377.809 Energy Economic Zone Pilot Program.—

1984 (4) (a) Beginning July 1, 2012, all the incentives and
1985 benefits provided for enterprise zones pursuant to state law
1986 shall be available to the energy economic zones designated
1987 pursuant to this section on or before July 1, 2010. In order to
1988 provide incentives, by March 1, 2012, each local governing body
1989 that has jurisdiction over an energy economic zone must, by
1990 local ordinance, establish the boundary of the energy economic
1991 zone, specify applicable energy-efficiency standards, and
1992 determine eligibility criteria for the application of state and
1993 local incentives and benefits in the energy economic zone.

1994 However, in order to receive benefits provided under s. 288.106,
1995 a business must be a qualified target industry business under s.
1996 288.106 for state purposes. An energy economic zone's boundary
1997 may be revised by local ordinance. Such incentives and benefits
1998 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
1999 288.106, and 624.5105 and the public utility discounts provided
2000 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
2001 shall be for renewable energy as defined in s. 377.803. For

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2002 purposes of this section, any applicable requirements for
2003 employee residency for higher refund or credit thresholds must
2004 be based on employee residency in the energy economic zone or an
2005 enterprise zone. A business in an energy economic zone may also
2006 be eligible for funding under ss. 288.047 and 445.003, and a
2007 transportation project in an energy economic zone shall be
2008 provided priority in funding under s. 339.2821 ~~288.063~~. Other
2009 projects shall be given priority ranking to the extent
2010 practicable for grants administered under state energy programs.

2011 Section 47. The funds in the Toll Facilities Revolving
2012 Trust Fund and all future payments of obligated funds shall be
2013 deposited into the State Transportation Trust Fund to be
2014 expended for the purposes specified in s. 339.08, Florida
2015 Statutes.

2016 Section 48. The Florida Transportation Commission shall
2017 conduct a study of the potential for cost savings that might be
2018 realized through increased efficiencies through the sharing of
2019 resources for the accomplishment of design, construction, and
2020 maintenance activities by or on behalf of expressway authorities
2021 in the state. The commission may retain such experts as are
2022 reasonably necessary to complete the study, and the Department
2023 of Transportation shall pay the expenses of such experts. The
2024 commission shall complete the study and provide a written report
2025 of its findings and conclusions to the Governor, the President
2026 of the Senate, the Speaker of the House of Representatives, and
2027 the chairs of each of the appropriations committees by December
2028 31, 2012.

2029 Section 49. This act shall take effect July 1, 2012.