

By Senator Simmons

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1 A bill to be entitled
2 An act relating to the Orlando-Orange County
3 Expressway Authority; amending ss. 348.751 and
4 348.752, F.S.; renaming the Orlando-Orange County
5 Expressway System as the "Central Florida Expressway
6 System"; revising definitions; making technical
7 changes; amending s. 348.753, F.S.; creating the
8 Central Florida Expressway Authority; providing for
9 the transfer of governance, and control, legal rights
10 and powers, responsibilities, terms, and obligations
11 to the authority; revising the composition of the
12 governing body of the authority; providing for
13 appointment of officers of the authority; revising
14 quorum and voting requirements; conforming terminology
15 and making technical changes; amending s. 348.754,
16 F.S.; providing that the area served by the authority
17 is within the geopolitical boundaries of Orange,
18 Seminole, Lake, and Osceola Counties; prohibiting the
19 authority from spending funds for SunRail; limiting
20 the use of certain electronic tolls collected in
21 Orange County to projects built in that county;
22 removing the requirement that the route of a project
23 must be approved by a municipality before the right-
24 of-way can be acquired; requiring that the authority
25 encourage the inclusion of local-, small-, minority-,
26 and women-owned businesses in its procurement and
27 contracting opportunities; removing the authority and
28 criteria for an authority to waive payment and
29 performance bonds for certain public works projects

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30 that are awarded pursuant to an economic development
31 program; conforming terminology and making technical
32 changes; amending ss. 348.7543, 348.7544, 348.7545,
33 348.7546, 348.7547, 348.755, and 348.756, F.S.;
34 conforming terminology and making technical changes;
35 amending s. 348.757, F.S.; providing that upon
36 termination of the lease-purchase agreement of the
37 Central Florida Expressway System, title in fee simple
38 to the system will be retained by the authority;
39 conforming terminology and making technical changes;
40 amending ss. 348.758, 348.759, 348.760, 348.761, and
41 348.765, F.S.; conforming terminology and making
42 technical changes; providing for the transfer of the
43 Osceola County Expressway System to the Central
44 Florida Expressway Authority; providing for the repeal
45 of Part V of Chapter 348 when the Osceola County
46 Expressway System is transferred to the Central
47 Florida Expressway Authority; providing an effective
48 date.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Section 348.751, Florida Statutes, is amended to
53 read:

54 348.751 Short title.—This part ~~shall be known and~~ may be
55 cited as the "Central Florida Orlando-Orange County Expressway
56 Authority Law."

57 Section 2. Section 348.752, Florida Statutes, is amended to
58 read:

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59 348.752 Definitions.—As used in this chapter ~~The following~~
60 ~~terms, whenever used or referred to in this law, shall have the~~
61 ~~following meanings, except in those instances where the context~~
62 ~~clearly indicates otherwise:~~

63 (1) The term "agency of the state" means ~~and includes~~ the
64 state and any department of, or corporation, agency, or
65 instrumentality ~~heretofore or hereafter~~ created, designated, or
66 established by, the state.

67 (2) The term "authority" means the body politic and
68 corporate, and agency of the state created by this part.

69 (3) The term "bonds" means ~~and includes~~ the notes, bonds,
70 refunding bonds, or other evidences of indebtedness or
71 obligations, in either temporary or definitive form, which the
72 authority is authorized to issue pursuant to this part.

73 (4) The term "Central Florida Expressway Authority" means
74 the body politic and corporate, and agency of the state created
75 by this chapter.

76 (5) The term "Central Florida Expressway System" means a
77 transportation facility, expressway, or appurtenant facility.

78 ~~(4) The term "city" means the City of Orlando.~~

79 ~~(5) The term "county" means the County of Orange.~~

80 (6) The term "department" means the Department of
81 Transportation ~~existing under chapters 334-339.~~

82 (7) The term "expressway" has the same meaning ~~is the same~~
83 as limited access expressway.

84 (8) The term "federal agency" means and includes the United
85 States, the President of the United States, and any department
86 of, or corporation, agency, or instrumentality ~~heretofore or~~
87 ~~hereafter~~ created, designated, or established by, the United

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88 States.

89 (9) The term "lease-purchase agreement" means the lease-
90 purchase agreements that ~~which~~ the authority is authorized
91 ~~pursuant to this part~~ to enter into with the Department of
92 Transportation pursuant to this part.

93 (10) The term "limited access expressway" means a street or
94 highway specifically ~~especially~~ designed for through traffic,
95 and over, from, or to which, a ~~no~~ person does not ~~shall~~ have the
96 right of easement, use, or access except in accordance with the
97 rules of ~~and regulations promulgated and established by~~ the
98 authority governing its use ~~for the use of such facility~~. Such
99 highways or streets may be parkways that do not allow traffic
100 by, ~~from which~~ trucks, buses, and other commercial vehicles
101 ~~shall be excluded,~~ or ~~they may be~~ freeways open to use by all
102 customary forms of street and highway traffic.

103 (11) The term "~~members~~" ~~means the governing body of the~~
104 ~~authority, and the term "member" means~~ an individual who serves
105 on the ~~one of the individuals constituting such governing body~~
106 of the authority.

107 (12) The term "Orange County gasoline tax funds" means ~~all~~
108 the revenue derived from the 80-percent surplus gasoline tax
109 funds accruing in each year to the Department of Transportation
110 for use in Orange County under ~~the provisions of s. 9, Art. XII~~
111 of the State Constitution, after deducting ~~deduction only of~~ any
112 amounts of said gasoline tax funds previously ~~heretofore~~ pledged
113 by the department or the county for outstanding obligations.

114 (13) The term "Central Florida ~~Orlando-Orange County~~
115 Expressway System" means any expressway ~~and all expressways~~ and
116 appurtenant facilities ~~thereto,~~ including, but not limited to,

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117 all approaches, roads, bridges, and avenues of access for the
118 ~~said expressway or expressways.~~

119 (14) The term "State Board of Administration" means the
120 body corporate existing under the provisions of s. 9, Art. XII
121 of the State Constitution, or any successor ~~thereto.~~

122 (15) The term "transportation facilities" means and
123 includes the mobile and fixed assets, and the associated real or
124 personal property or rights, used in the transportation of
125 persons or property by any means of conveyance, and all
126 appurtenances, such as, but not limited to, highways; limited or
127 controlled access lanes, avenues of access, and facilities;
128 vehicles; fixed guideway facilities, including maintenance
129 facilities; and administrative and other office space for the
130 exercise by the authority of the powers and obligations granted
131 in this part.

132 ~~(15) Words importing singular number include the plural~~
133 ~~number in each case and vice versa, and words importing persons~~
134 ~~include firms and corporations.~~

135 Section 3. Section 348.753, Florida Statutes, is amended to
136 read:

137 348.753 Central Florida ~~Orlando-Orange County~~ Expressway
138 Authority.-

139 (1) There is ~~hereby~~ created and established a body politic
140 and corporate, an agency of the state, to be known as the
141 Central Florida ~~Orlando-Orange County~~ Expressway Authority.
142 ~~hereinafter referred to as "authority."~~

143 (2) Effective July 1, 2013, the Central Florida Expressway
144 Authority shall assume the governance and control of the
145 Orlando-Orange County Expressway Authority System, including its

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146 assets, personnel, contracts, obligations, liabilities,
147 facilities, and tangible and intangible property. Any rights in
148 such property, and other legal rights of the authority, are
149 transferred to the Central Florida Expressway Authority. The
150 powers, responsibilities, and obligations of the Orlando-Orange
151 County Expressway Authority shall succeed to and be assumed by
152 the Central Florida Expressway Authority on July 1, 2013.

153 (3)-(2) The governing body of the authority shall consist of
154 nine ~~five~~ members. The chairs of the boards of county commission
155 of Seminole, Lake, and Osceola Counties shall each appoint one
156 Central Florida Expressway Authority Board member, who may be a
157 commission member or chair. A citizen from each of Orange,
158 Seminole, Lake, and Osceola Counties ~~Three members shall be~~
159 citizens of Orange County, who shall be appointed by the
160 Governor. ~~One~~ ~~The fourth~~ member shall be, ~~ex officio,~~ the Mayor
161 of ~~chair of the County Commissioners of~~ Orange County, and the
162 final ~~fifth~~ member shall be, ~~ex officio,~~ the Mayor of the City
163 of Orlando. The executive director of Florida's Turnpike
164 Enterprise shall serve as a nonvoting advisor to the governing
165 body of the authority ~~district secretary of the Department of~~
166 Transportation serving in the district that contains Orange
167 County. ~~The term of~~ Each appointed member appointed by the
168 Governor shall serve ~~be~~ for 4 years. Each county-appointed
169 member shall serve for 2 years. Standing board members shall
170 complete their terms. Each appointed member shall hold office
171 until his or her successor has been appointed and has qualified.
172 A vacancy occurring during a term must ~~shall~~ be filled only for
173 the balance of the unexpired term. Each appointed member of the
174 authority shall be a person of outstanding reputation for

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175 integrity, responsibility, and business ability, but, except as
176 provided in this subsection, ~~a~~ ~~no~~ person who is an officer or
177 employee of a municipality or any city or of Orange county may
178 not in any other capacity ~~shall~~ be an appointed member of the
179 authority. Any member of the authority is ~~shall be~~ eligible for
180 reappointment.

181 ~~(4)(3)~~(a) The authority shall elect one of its members as
182 chair of the authority. The authority shall also elect one of
183 its members as vice chair, one of its members as a ~~secretary,~~
184 and one of its members as a treasurer ~~who may or may not be~~
185 ~~members of the authority~~. Elections for offices of the authority
186 must be held every 2 years. A member who is a resident of Orange
187 County must be elected to serve as chair every 6 years. If a
188 member from Orange County is not serving as chair, a member who
189 is a resident of Orange County must be elected to serve as vice
190 chair. The chair, vice chair, secretary, and treasurer shall
191 hold such offices at the will of the authority. Five ~~Three~~
192 members of the authority ~~shall~~ constitute a quorum, and the vote
193 of five ~~three~~ members is ~~shall be~~ necessary for any action taken
194 by the authority. ~~A~~ ~~No~~ vacancy in the authority does not ~~shall~~
195 impair the right of a quorum of the authority to exercise all of
196 the rights and perform all of the duties of the authority.

197 (b) Upon the effective date of his or her appointment, or
198 as soon thereafter as practicable, each appointed member of the
199 authority shall enter upon his or her duties.

200 ~~(5)(4)~~(a) The authority may employ an executive secretary,
201 an executive director, its own counsel and legal staff,
202 technical experts, and the ~~such~~ engineers, ~~and~~ ~~such~~ employees
203 that, permanent or temporary, as it requires. The authority may

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204 ~~require~~ and may determine the qualifications and fix the
205 compensation of such persons, firms, or corporations, and may
206 employ a fiscal agent or agents; ~~provided, however, that~~ the
207 authority shall solicit sealed proposals from at least three
208 persons, firms, or corporations for the performance of any
209 services as fiscal agents. The authority may delegate to one or
210 more of its agents or employees the ~~such of its~~ power as it
211 deems ~~shall deem~~ necessary to carry out the purposes of this
212 part, ~~subject always to the supervision and control of the~~
213 ~~authority~~. Members of the authority may be removed from ~~their~~
214 office by the Governor for misconduct, malfeasance, misfeasance,
215 or nonfeasance in office.

216 (b) Members of the authority are ~~shall be~~ entitled to
217 receive from the authority their travel and other necessary
218 expenses incurred in connection with the business of the
219 authority as provided in s. 112.061, but may not ~~they shall~~ draw
220 ~~no~~ salaries or other compensation.

221 Section 4. Section 348.754, Florida Statutes, is amended to
222 read:

223 348.754 Purposes and powers.—

224 (1) (a) The authority created and established under ~~by the~~
225 ~~provisions of~~ this part is ~~hereby~~ granted and has ~~shall have~~ the
226 right to acquire, hold, construct, improve, maintain, operate,
227 own, and lease in the capacity of lessor, the Central Florida
228 ~~Orlando-Orange County~~ Expressway System, hereinafter referred to
229 as "system." Except as otherwise specifically provided by law,
230 including paragraph (2) (n), the area served by the authority
231 shall be within the geographical boundaries of Orange, Seminole,
232 Lake, and Osceola Counties.

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233 ~~It is the express intention of this part that said~~
234 ~~authority,~~ In the construction of the Central Florida ~~said~~
235 ~~Orlando-Orange County~~ Expressway System, the authority may ~~shall~~
236 ~~be authorized to~~ construct any extensions, additions, or
237 improvements to the ~~said~~ system or appurtenant facilities,
238 including all necessary approaches, roads, bridges, ~~and~~ avenues
239 of access, rapid transit, trams, fixed guideways, thoroughfares,
240 and boulevards with any ~~such~~ changes, modifications, or
241 revisions of the ~~said~~ project which are ~~as shall be~~ deemed
242 desirable and proper.

243 (c) The Central Florida Expressway Authority is prohibited
244 from spending system funds for SunRail.

245 (d) Electronic tolls collected on the expressway system
246 from vehicles registered in Orange County must be used to
247 finance projects built in Orange County.

248 (2) The authority ~~is hereby granted, and shall have and may~~
249 exercise all powers necessary, appurtenant, convenient, or
250 incidental to the implementation ~~carrying out~~ of the stated
251 ~~aforsaid~~ purposes, including, but not ~~without being~~ limited to,
252 the following rights and powers:

253 (a) To sue and be sued, implead and be impleaded, complain
254 and defend in all courts.

255 (b) To adopt, use, and alter at will a corporate seal.

256 (c) To acquire by donation or otherwise, purchase, hold,
257 lease as lessee, and use any franchise or any, property, real,
258 personal, ~~or~~ mixed, or tangible or intangible, or any options
259 ~~thereof~~ in its own name or in conjunction with others, or
260 interest in those options ~~therein~~, necessary or desirable to
261 carry ~~for carrying~~ out the purposes of the authority, and to

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262 sell, lease as lessor, transfer, and dispose of any property or
263 interest in the property ~~therein~~ at any time acquired by it.

264 (d) To enter into and make leases for terms not exceeding
265 40 years, as ~~either~~ lessee or lessor, in order to carry out the
266 right to lease as specified ~~set forth~~ in this part.

267 (e) To enter into and make lease-purchase agreements with
268 the department for terms not exceeding 40 years, or until any
269 bonds secured by a pledge of rentals pursuant to the agreement
270 ~~thereunder~~, and any refundings pursuant to the agreement
271 ~~thereof~~, are fully paid as to both principal and interest,
272 whichever is longer.

273 (f) To fix, alter, charge, establish, and collect rates,
274 fees, rentals, and other charges for the services and facilities
275 of the Central Florida ~~Orlando-Orange County~~ Expressway System,
276 which must ~~rates, fees, rentals and other charges shall~~ always
277 be sufficient to comply with any covenants made with the holders
278 of any bonds issued pursuant to this part; ~~provided~~, however,
279 ~~that~~ such right and power may be assigned or delegated, by the
280 authority, to the department.

281 (g) To borrow money, make and issue negotiable notes,
282 bonds, refunding bonds, and other evidences of indebtedness or
283 obligations, either in temporary or definitive form, ~~hereinafter~~
284 ~~in this chapter sometimes called "bonds" of the authority~~, for
285 the purpose of financing all or part of the improvement or
286 extension of the Central Florida ~~Orlando-Orange County~~
287 Expressway System, and appurtenant facilities, including all
288 approaches, streets, roads, bridges, and avenues of access for
289 the Central Florida ~~said Orlando-Orange County~~ Expressway System
290 and for any other purpose authorized by this part, ~~said bonds to~~

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291 ~~mature in not exceeding 40 years from the date of the issuance~~
292 ~~thereof,~~ and to secure the payment of such bonds or any part
293 thereof by a pledge of any or all of its revenues, rates, fees,
294 rentals, or other charges, including all or any portion of the
295 Orange County gasoline tax funds received by the authority
296 pursuant to ~~the terms of~~ any lease-purchase agreement between
297 the authority and the department; and in general to provide for
298 the security of the said bonds and the rights and remedies of
299 the holders thereof. ~~Provided, However, that~~ no portion of the
300 Orange County gasoline tax funds may shall be pledged for the
301 construction of any project for which a toll is to be charged
302 unless the anticipated toll is ~~tolls are~~ reasonably estimated by
303 the board of county commissioners, at the date of its resolution
304 pledging the said funds, to be sufficient to cover the principal
305 and interest of such obligations during the period when the said
306 pledge of funds is shall be in effect. The bonds issued under
307 this paragraph must mature not more than 40 years after their
308 issue date.

309 1. The authority shall reimburse Orange County for any sums
310 expended from the said gasoline tax funds used for the payment
311 of such obligations. Any gasoline tax funds so disbursed must
312 ~~shall~~ be repaid when the authority deems it practicable,
313 together with interest at the highest rate applicable to any
314 obligations of the authority.

315 2. If, pursuant to this section, ~~In the event~~ the authority
316 funds shall determine to fund or refunds refund any bonds
317 previously theretofore issued by the said authority, or the by
318 said commission before the bonds mature ~~as aforesaid prior to~~
319 ~~the maturity thereof,~~ the proceeds of such funding or refunding

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320 ~~must~~ ~~bonds shall~~, pending the prior redemption of these ~~the~~
321 ~~bonds to be funded or refunded~~, be invested in direct
322 obligations of the United States, ~~and it is the express~~
323 ~~intention of this part that such outstanding bonds may be funded~~
324 ~~or refunded by the issuance of bonds pursuant to this part.~~

325 (h) To make contracts ~~of every name and nature~~, including,
326 but not limited to, partnerships providing for participation in
327 ownership and revenues, and to execute all instruments necessary
328 or convenient for conducting ~~the carrying on of~~ its business.

329 (i) Notwithstanding paragraphs (a)-(h), ~~Without limitation~~
330 ~~of the foregoing~~, to borrow money and accept grants from, and to
331 enter into contracts, leases, or other transactions with any
332 federal agency, the state, any agency of the state, the County
333 of Orange, the City of Orlando, or with any other public body of
334 the state.

335 (j) To have the power of eminent domain, including the
336 procedural powers granted under both chapters 73 and 74.

337 (k) To pledge, hypothecate, or otherwise encumber ~~all or~~
338 any part of the revenues, rates, fees, rentals, or other charges
339 or receipts of the authority, including all or any portion of
340 the Orange County gasoline tax funds received by the authority
341 pursuant to the terms of any lease-purchase agreement between
342 the authority and the department, as security for ~~all or~~ any of
343 the obligations of the authority.

344 (l) To enter into partnership and other agreements
345 respecting ownership and revenue participation in order to
346 facilitate financing and constructing the Western Beltway, or
347 portions thereof.

348 (m) To do everything ~~all acts and things~~ necessary or

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349 convenient for the conduct of its business and the general
350 welfare of the authority, in order to comply with ~~carry out the~~
351 ~~powers granted to it by~~ this part or any other law.

352 (n) With the consent of the county within whose
353 jurisdiction the following activities occur, the authority shall
354 have the right to construct, operate, and maintain roads,
355 bridges, avenues of access, thoroughfares, and boulevards
356 outside the jurisdictional boundaries of Orange, Seminole, Lake,
357 and Osceola Counties ~~County~~, together with the right to
358 construct, repair, replace, operate, install, and maintain
359 electronic toll payment systems thereon, ~~with all necessary and~~
360 ~~incidental powers to accomplish the foregoing.~~

361 (3) The authority does not ~~shall~~ have the ~~no~~ power ~~at any~~
362 ~~time or in any manner~~ to pledge the credit or taxing power of
363 the state or any political subdivision or agency thereof,
364 including any city and any county ~~the City of Orlando and the~~
365 ~~County of Orange,~~ nor may ~~nor shall~~ any of the authority's
366 obligations be deemed to be obligations of the state or of any
367 political subdivision or agency thereof, nor may ~~nor shall~~ the
368 state or any political subdivision or agency thereof, except the
369 authority, be liable for the payment of the principal of or
370 interest on such obligations.

371 ~~(4) Anything in this part to the contrary notwithstanding,~~
372 ~~acquisition of right-of-way for a project of the authority which~~
373 ~~is within the boundaries of any municipality in Orange County~~
374 ~~shall not be begun unless and until the route of said project~~
375 ~~within said municipality has been given prior approval by the~~
376 ~~governing body of said municipality.~~

377 (4) ~~(5)~~ The authority has ~~shall~~ have no power other than by

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378 consent of an affected ~~Orange~~ county or any affected city, to
379 enter into any agreement which would legally prohibit the
380 construction of a any road by the respective county or city
381 ~~Orange County or by any city within Orange County.~~

382 (5)-(6)(a) The authority shall encourage the inclusion of
383 local-, small-, minority-, and women-owned businesses in its
384 procurement and contracting opportunities. ~~Notwithstanding s.~~
385 ~~255.05, the Orlando-Orange County Expressway Authority may waive~~
386 ~~payment and performance bonds on construction contracts for the~~
387 ~~construction of a public building, for the prosecution and~~
388 ~~completion of a public work, or for repairs on a public building~~
389 ~~or public work that has a cost of \$500,000 or less and when the~~
390 ~~project is awarded pursuant to an economic development program~~
391 ~~for the encouragement of local small businesses that has been~~
392 ~~adopted by the governing body of the Orlando-Orange County~~
393 ~~Expressway Authority pursuant to a resolution or policy.~~

394 ~~(b) The authority's adopted criteria for participation in~~
395 ~~the economic development program for local small businesses~~
396 ~~requires that a participant:~~

397 ~~1. Be an independent business.~~

398 ~~2. Be principally domiciled in the Orange County Standard~~
399 ~~Metropolitan Statistical Area.~~

400 ~~3. Employ 25 or fewer full-time employees.~~

401 ~~4. Have gross annual sales averaging \$3 million or less~~
402 ~~over the immediately preceding 3 calendar years with regard to~~
403 ~~any construction element of the program.~~

404 ~~5. Be accepted as a participant in the Orlando-Orange~~
405 ~~County Expressway Authority's microcontracts program or such~~
406 ~~other small business program as may be hereinafter enacted by~~

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407 ~~the Orlando Orange County Expressway Authority.~~

408 ~~6. Participate in an educational curriculum or technical~~
409 ~~assistance program for business development that will assist the~~
410 ~~small business in becoming eligible for bonding.~~

411 ~~(c) The authority's adopted procedures for waiving payment~~
412 ~~and performance bonds on projects with values not less than~~
413 ~~\$200,000 and not exceeding \$500,000 shall provide that payment~~
414 ~~and performance bonds may only be waived on projects that have~~
415 ~~been set aside to be competitively bid on by participants in an~~
416 ~~economic development program for local small businesses. The~~
417 ~~authority's executive director or his or her designee shall~~
418 ~~determine whether specific construction projects are suitable~~
419 ~~for:~~

420 ~~1. Bidding under the authority's microcontracts program by~~
421 ~~registered local small businesses; and~~

422 ~~2. Waiver of the payment and performance bond.~~

423
424 ~~The decision of the authority's executive director or deputy~~
425 ~~executive director to waive the payment and performance bond~~
426 ~~shall be based upon his or her investigation and conclusion that~~
427 ~~there exists sufficient competition so that the authority~~
428 ~~receives a fair price and does not undertake any unusual risk~~
429 ~~with respect to such project.~~

430 ~~(d) For any contract for which a payment and performance~~
431 ~~bond has been waived pursuant to the authority set forth in this~~
432 ~~section, the Orlando Orange County Expressway Authority shall~~
433 ~~pay all persons defined in s. 713.01 who furnish labor,~~
434 ~~services, or materials for the prosecution of the work provided~~
435 ~~for in the contract to the same extent and upon the same~~

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436 ~~conditions that a surety on the payment bond under s. 255.05~~
437 ~~would have been obligated to pay such persons if the payment and~~
438 ~~performance bond had not been waived. The authority shall record~~
439 ~~notice of this obligation in the manner and location that surety~~
440 ~~bonds are recorded. The notice shall include the information~~
441 ~~describing the contract that s. 255.05(1) requires be stated on~~
442 ~~the front page of the bond. Notwithstanding that s. 255.05(9)~~
443 ~~generally applies when a performance and payment bond is~~
444 ~~required, s. 255.05(9) shall apply under this subsection to any~~
445 ~~contract on which performance or payment bonds are waived and~~
446 ~~any claim to payment under this subsection shall be treated as a~~
447 ~~contract claim pursuant to s. 255.05(9).~~

448 ~~(e) A small business that has been the successful bidder on~~
449 ~~six projects for which the payment and performance bond was~~
450 ~~waived by the authority pursuant to paragraph (a) shall be~~
451 ~~ineligible to bid on additional projects for which the payment~~
452 ~~and performance bond is to be waived. The local small business~~
453 ~~may continue to participate in other elements of the economic~~
454 ~~development program for local small businesses as long as it is~~
455 ~~eligible.~~

456 ~~(f) The authority shall conduct bond eligibility training~~
457 ~~for businesses qualifying for bond waiver under this subsection~~
458 ~~to encourage and promote bond eligibility for such businesses.~~

459 ~~(g) The authority shall prepare a biennial report on the~~
460 ~~activities undertaken pursuant to this subsection to be~~
461 ~~submitted to the Orange County legislative delegation. The~~
462 ~~initial report shall be due December 31, 2010.~~

463 Section 5. Section 348.7543, Florida Statutes, is amended
464 to read:

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465 348.7543 Improvements, bond financing authority for.—
466 Pursuant to s. 11(f), Art. VII of the State Constitution, the
467 Legislature ~~hereby~~ approves for bond financing by the Central
468 Florida ~~Orlando-Orange County~~ Expressway Authority improvements
469 to toll collection facilities, interchanges to the legislatively
470 approved expressway system, and any other facility appurtenant,
471 necessary, or incidental to the approved system. Subject to
472 terms and conditions of applicable revenue bond resolutions and
473 covenants, such costs may be financed in whole or in part by
474 revenue bonds issued pursuant to s. 348.755(1)(a) or (b) whether
475 currently issued or issued in the future, or by a combination of
476 such bonds.

477 Section 6. Section 348.7544, Florida Statutes, is amended
478 to read:

479 348.7544 Northwest Beltway Part A, construction authorized;
480 financing.—Notwithstanding s. 338.2275, the Central Florida
481 ~~Orlando-Orange County~~ Expressway Authority may ~~is hereby~~
482 ~~authorized to~~ construct, finance, operate, own, and maintain
483 that portion of the Western Beltway known as the Northwest
484 Beltway Part A, extending from Florida's Turnpike near Ocoee
485 north to U.S. 441 near Apopka, as part of the authority's 20-
486 year capital projects plan. This project may be financed with
487 any funds available to the authority for such purpose or revenue
488 bonds issued by the Division of Bond Finance of the State Board
489 of Administration on behalf of the authority pursuant to s. 11,
490 Art. VII of the State Constitution and the State Bond Act, ss.
491 215.57-215.83.

492 Section 7. Section 348.7545, Florida Statutes, is amended
493 to read:

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494 348.7545 Western Beltway Part C, construction authorized;
495 financing.—Notwithstanding s. 338.2275, the Central Florida
496 ~~Orlando-Orange County~~ Expressway Authority may ~~is authorized to~~
497 exercise its condemnation powers, construct, finance, operate,
498 own, and maintain that portion of the Western Beltway known as
499 the Western Beltway Part C, extending from Florida's Turnpike
500 near Ocoee in Orange County southerly through Orange and Osceola
501 Counties to an interchange with I-4 near the Osceola-Polk County
502 line, as part of the authority's 20-year capital projects plan.
503 This project may be financed with any funds available to the
504 authority for such purpose or revenue bonds issued by the
505 Division of Bond Finance of the State Board of Administration on
506 behalf of the authority pursuant to s. 11, Art. VII of the State
507 Constitution and the State Bond Act, ss. 215.57-215.83. This
508 project may be refinanced with bonds issued by the authority
509 pursuant to s. 348.755(1)(d).

510 Section 8. Section 348.7546, Florida Statutes, is amended
511 to read:

512 348.7546 Wekiva Parkway, construction authorized;
513 financing.—

514 (1) The Central Florida ~~Orlando-Orange County~~ Expressway
515 Authority may ~~is authorized to~~ exercise its condemnation powers
516 and ~~to~~ construct, finance, operate, own, and maintain those
517 portions of the Wekiva Parkway which are identified by agreement
518 between the authority and the department and which are included
519 as part of the authority's long-range capital improvement plan.
520 The "Wekiva Parkway" means any limited access highway or
521 expressway constructed between State Road 429 and Interstate 4
522 specifically incorporating the corridor alignment recommended by

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523 Recommendation 2 of the Wekiva River Basin Area Task Force final
524 report dated January 15, 2003, and the recommendations of the SR
525 429 Working Group, which were adopted January 16, 2004. This
526 project may be financed with any funds available to the
527 authority for such purpose or revenue bonds issued by the
528 authority under s. 11, Art. VII of the State Constitution and s.
529 348.755(1)(b). This section does not invalidate the exercise by
530 the authority of its condemnation powers or the acquisition of
531 any property for the Wekiva Parkway before July 1, 2012.

532 (2) Notwithstanding any other provision of law ~~to the~~
533 ~~contrary~~, in order to ensure that funds are available to the
534 department for its portion of the Wekiva Parkway, beginning July
535 1, 2012, the authority shall repay the expenditures by the
536 department for costs of operation and maintenance of the Central
537 Florida Orlando-Orange County Expressway System in accordance
538 with the terms of the memorandum of understanding between the
539 authority and the department as ratified by the authority board
540 on February 22, 2012, which requires the authority to pay the
541 department \$10 million on July 1, 2012, and \$20 million on each
542 successive July 1 until the department has been fully reimbursed
543 for all costs of the Central Florida Orlando-Orange County
544 Expressway System which were paid, advanced, or reimbursed to
545 the authority by the department, with a final payment in the
546 amount of the balance remaining. Notwithstanding any other law
547 ~~to the contrary~~, the funds paid to the department pursuant to
548 this subsection must ~~shall~~ be allocated by the department for
549 construction of the Wekiva Parkway.

550 (3) The department's obligation to construct its portions
551 of the Wekiva Parkway is contingent upon the timely payment by

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552 the authority of the annual payments required of the authority
553 and receipt of all required environmental permits and approvals
554 by the Federal Government.

555 Section 9. Section 348.7547, Florida Statutes, is amended
556 to read:

557 348.7547 Maitland Boulevard Extension and Northwest Beltway
558 Part A Realignment construction authorized; financing.—
559 Notwithstanding s. 338.2275, the Central Florida Orlando-Orange
560 County Expressway Authority may ~~is hereby authorized to~~ exercise
561 its condemnation powers, construct, finance, operate, own, and
562 maintain the portion of State Road 414 known as the Maitland
563 Boulevard Extension and the realigned portion of the Northwest
564 Beltway Part A as part of the authority's long-range capital
565 improvement plan. The Maitland Boulevard Extension extends ~~will~~
566 ~~extend~~ from the current terminus of State Road 414 at U.S. 441
567 west to State Road 429 in west Orange County. The realigned
568 portion of the Northwest Beltway Part A runs ~~will run~~ from the
569 point at or near where the Maitland Boulevard Extension connects
570 ~~will connect~~ with State Road 429 and proceeds ~~will proceed~~ to
571 the west and then north resulting in the northern terminus of
572 State Road 429 moving farther west before reconnecting with U.S.
573 441. However, under no circumstances may ~~shall~~ the realignment
574 of the Northwest Beltway Part A conflict with or contradict ~~with~~
575 the alignment of the Wekiva Parkway as defined in s. 348.7546.
576 This project may be financed with any funds available to the
577 authority for such purpose or revenue bonds issued by the
578 authority under s. 11, Art. VII of the State Constitution and s.
579 348.755(1)(b).

580 Section 10. Subsections (2) and (3) of section 348.755,

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581 Florida Statutes, are amended to read:

582 348.755 Bonds of the authority.-

583 (2) Any ~~such~~ resolution that authorizes ~~or resolutions~~
584 ~~authorizing~~ any bonds issued under this section ~~hereunder~~ may
585 contain provisions that must ~~which shall~~ be part of the contract
586 with the holders of such bonds, relating ~~as~~ to:

587 (a) The pledging of ~~all or~~ any part of the revenues, rates,
588 fees, rentals, ~~(including all or~~ any portion of the Orange
589 County gasoline tax funds received by the authority pursuant to
590 the terms of any lease-purchase agreement between the authority
591 and the department, or any part thereof), or other charges or
592 receipts of the authority, derived by the authority, from the
593 Central Florida ~~Orlando-Orange County~~ Expressway System.

594 (b) The completion, improvement, operation, extension,
595 maintenance, repair, lease or lease-purchase agreement of the
596 ~~said~~ system, and the duties of the authority and others,
597 including the department, ~~with reference thereto~~.

598 (c) Limitations on the purposes to which the proceeds of
599 the bonds, then or thereafter to be issued, or of any loan or
600 grant by the United States or the state may be applied.

601 (d) The fixing, charging, establishing, and collecting of
602 rates, fees, rentals, or other charges for use of the services
603 and facilities of the Central Florida ~~Orlando-Orange County~~
604 Expressway System or any part thereof.

605 (e) The setting aside of reserves or sinking funds or
606 repair and replacement funds and the regulation and disposition
607 thereof.

608 (f) Limitations on the issuance of additional bonds.

609 (g) The terms and provisions of any lease-purchase

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610 agreement, deed of trust or indenture securing the bonds, or
611 under which the same may be issued.

612 (h) Any other or additional agreements with the holders of
613 the bonds which the authority may deem desirable and proper.

614 (3) The authority may employ fiscal agents as provided by
615 this part or the State Board of Administration of Florida may
616 upon request of the authority act as fiscal agent for the
617 authority in the issuance of any bonds that ~~which~~ may be issued
618 pursuant to this part, and the State Board of Administration may
619 upon request of the authority take over the management, control,
620 administration, custody, and payment of any ~~or all~~ debt services
621 or funds or assets now or hereafter available for any bonds
622 issued pursuant to this part. The authority may enter into any
623 deeds of trust, indentures or other agreements with its fiscal
624 agent, or with any bank or trust company within or without the
625 state, as security for such bonds, and may, under such
626 agreements, sign and pledge ~~all or~~ any of the revenues, rates,
627 fees, rentals or other charges or receipts of the authority,
628 including ~~all or~~ any portion of the Orange County gasoline tax
629 funds received by the authority pursuant to the terms of any
630 lease-purchase agreement between the authority and the
631 department, ~~thereunder~~. Such deed of trust, indenture, or other
632 agreement may contain such provisions as are customary in such
633 instruments, or, as the authority may authorize, including but
634 without limitation, provisions as to:

635 (a) The completion, improvement, operation, extension,
636 maintenance, repair, and lease of, or lease-purchase agreement
637 relating to the Central Florida ~~Orlando-Orange County~~ Expressway
638 System, and the duties of the authority and others including the

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639 department, with reference thereto.

640 (b) The application of funds and the safeguarding of funds
641 on hand or on deposit.

642 (c) The rights and remedies of the trustee and the holders
643 of the bonds.

644 (d) The terms and provisions of the bonds or the
645 resolutions authorizing the issuance of same.

646 Section 11. Subsections (3) and (4) of section 348.756,
647 Florida Statutes, are amended to read:

648 348.756 Remedies of the bondholders.-

649 (3) When a ~~Any~~ trustee is ~~when~~ appointed pursuant to
650 subsection (1) as aforesaid, or is acting under a deed of trust,
651 indenture, or other agreement, and whether or not all bonds have
652 been declared due and payable, the trustee is ~~shall be~~ entitled
653 ~~as of right~~ to the appointment of a receiver, who may enter upon
654 and take possession of the Central Florida ~~Orlando-Orange County~~
655 Expressway System or the facilities or any part of the system or
656 facilities ~~or parts thereof,~~ the rates, fees, rentals, or other
657 revenues, charges, or receipts that ~~from which~~ are, or may be,
658 applicable to the payment of the bonds so in default, and
659 subject to and in compliance with the provisions of any lease-
660 purchase agreement between the authority and the department
661 operate and maintain the same, for and on behalf of and in the
662 name of, the authority, the department, and the bondholders, and
663 collect and receive all rates, fees, rentals, and other charges
664 or receipts or revenues arising therefrom in the same manner as
665 the authority or the department might do, and shall deposit all
666 such moneys in a separate account and apply the same in such
667 manner as the court directs ~~shall direct~~. In any suit, action,

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668 or proceeding by the trustee, the fees, counsel fees, and
 669 expenses of the trustee, and the said receiver, if any, and all
 670 costs and disbursements allowed by the court must ~~shall~~ be a
 671 first charge on any rates, fees, rentals, or other charges,
 672 revenues, or receipts, derived from the Central Florida Orlando-
 673 ~~Orange County~~ Expressway System, or the facilities or services
 674 or any part of the system or facilities ~~or parts thereof~~,
 675 including payments under any such lease-purchase agreement ~~as~~
 676 ~~aforsaid~~ which ~~said~~ rates, fees, rentals, or other charges,
 677 revenues, or receipts ~~shall or~~ may be applicable to the payment
 678 of the bonds that are ~~so~~ in default. The ~~Such~~ trustee has ~~shall~~,
 679 ~~in addition to the foregoing, have and possess~~ all of the powers
 680 necessary or appropriate for the exercise of any functions
 681 specifically set forth in this section ~~herein~~ or incident to the
 682 representation of the bondholders in the enforcement and
 683 protection of their rights.

684 (4) ~~Nothing in~~ This section or any other section of this
 685 part does not ~~shall~~ authorize any receiver appointed pursuant
 686 ~~hereto~~ for the purpose, subject to and in compliance with the
 687 provisions of any lease-purchase agreement between the authority
 688 and the department, of operating and maintaining the Central
 689 Florida Orlando-Orange County Expressway System or any
 690 facilities or part of the system or facilities ~~or parts thereof~~,
 691 to sell, assign, mortgage, or otherwise dispose of any of the
 692 assets of whatever kind and character belonging to the
 693 authority. ~~It is the intention of this part to limit~~ The powers
 694 of the ~~such~~ receiver, subject to and in compliance with the
 695 provisions of any lease-purchase agreement between the authority
 696 and the department, are limited to the operation and maintenance

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697 of the Central Florida ~~Orlando-Orange County~~ Expressway System,
698 or any facility, or part ~~or parts~~ thereof, as the court may
699 direct, in the name and for and on behalf of the authority, the
700 department, and the bondholders, and no holder of bonds on the
701 authority nor any trustee, has ~~shall ever have~~ the right in any
702 suit, action, or proceeding at law or in equity, to compel a
703 receiver, nor may ~~shall~~ any receiver be authorized or any court
704 be empowered to direct the receiver to sell, assign, mortgage,
705 or otherwise dispose of any assets ~~of whatever kind or character~~
706 belonging to the authority.

707 Section 12. Subsections (1) through (7) of section 348.757,
708 Florida Statutes, are amended to read:

709 348.757 Lease-purchase agreement.—

710 (1) ~~In order to effectuate the purposes of this part and as~~
711 ~~authorized by this part,~~ The authority may enter into a lease-
712 purchase agreement with the department relating to and covering
713 the Central Florida ~~Orlando-Orange County~~ Expressway System.

714 (2) The ~~Such~~ lease-purchase agreement must ~~shall~~ provide
715 for the leasing of the Central Florida ~~Orlando-Orange County~~
716 Expressway System, by the authority, as lessor, to the
717 department, as lessee, must ~~shall~~ prescribe the term of such
718 lease and the rentals to be paid ~~thereunder~~, and must ~~shall~~
719 provide that upon the completion of the faithful performance
720 ~~thereunder~~ and the termination of the ~~such~~ lease-purchase
721 agreement, title in fee simple absolute to the Central Florida
722 ~~Orlando-Orange County~~ Expressway System must be retained by the
723 authority as then constituted shall be transferred in accordance
724 ~~with law by the authority, to the state and the authority shall~~
725 ~~deliver to the department such deeds and conveyances as shall be~~

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726 ~~necessary or convenient to vest title in fee simple absolute in~~
727 ~~the state.~~

728 (3) ~~The~~ Such lease-purchase agreement may include ~~such~~
729 other provisions, agreements, and covenants that ~~as~~ the
730 authority and the department deem advisable or required,
731 including, but not limited to, provisions as to the bonds to be
732 issued under, and for the purposes of, this part, the
733 completion, extension, improvement, operation, and maintenance
734 of the Central Florida ~~Orlando-Orange County~~ Expressway System
735 and the expenses and the cost of operation of the said
736 authority, the charging and collection of tolls, rates, fees,
737 and other charges for the use of the services and facilities of
738 the system ~~thereof~~, the application of federal or state grants
739 or aid that ~~which~~ may be made or given to assist the authority
740 in the completion, extension, improvement, operation, and
741 maintenance of the Central Florida ~~Orlando~~ Expressway System,
742 which the authority is ~~hereby~~ authorized to accept and apply to
743 such purposes, the enforcement of payment and collection of
744 rentals and any other terms, provisions, or covenants necessary,
745 incidental, or appurtenant to the making of and full performance
746 under the ~~such~~ lease-purchase agreement.

747 (4) The department as lessee under the ~~such~~ lease-purchase
748 agreement, may ~~is hereby authorized to~~ pay as rentals under the
749 agreement ~~thereunder~~ any rates, fees, charges, funds, moneys,
750 receipts, or income accruing to the department from the
751 operation of the Central Florida ~~Orlando-Orange County~~
752 Expressway System and the Orange County gasoline tax funds and
753 may also pay as rentals any appropriations received by the
754 department pursuant to any act of the Legislature of the state

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755 heretofore or hereafter enacted; ~~provided,~~ however, this part or
756 the ~~that nothing herein nor in such~~ lease-purchase agreement is
757 not intended to and does not ~~nor shall this part or such lease-~~
758 ~~purchase agreement~~ require the making or continuance of such
759 appropriations, and ~~nor shall~~ any holder of bonds issued
760 pursuant to this part does not ~~ever~~ have any right to compel the
761 making or continuance of such appropriations.

762 (5) ~~A~~ ~~No~~ pledge of the ~~said~~ Orange County gasoline tax
763 funds as rentals under a ~~such~~ lease-purchase agreement may not
764 ~~shall~~ be made without the consent of the County of Orange
765 evidenced by a resolution duly adopted by the board of county
766 commissioners of said county at a public hearing held pursuant
767 to due notice thereof published at least once a week for 3
768 consecutive weeks before the hearing in a newspaper of general
769 circulation in Orange County. The ~~Said~~ resolution, among other
770 things, must ~~shall~~ provide that any excess of the ~~said~~ pledged
771 gasoline tax funds which is not required for debt service or
772 reserves for the ~~such~~ debt service for any bonds issued by the
773 ~~said~~ authority shall be returned annually to the department for
774 distribution to Orange County as provided by law. Before making
775 any application for a ~~such~~ pledge of gasoline tax funds, the
776 authority shall present the plan of its proposed project to the
777 Orange County planning and zoning commission for its comments
778 and recommendations.

779 (6) The ~~Said~~ department may ~~shall have power to~~ covenant in
780 any lease-purchase agreement that it will pay all or any part of
781 the cost of the operation, maintenance, repair, renewal, and
782 replacement of the ~~said~~ system, and any part of the cost of
783 completing the ~~said~~ system to the extent that the proceeds of

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784 bonds issued ~~therefor~~ are insufficient, from sources other than
785 the revenues derived from the operation of the said system and
786 the said Orange County gasoline tax funds. The said department
787 may also agree to make such other payments from any moneys
788 available to the said commission, the said county, or the said
789 city in connection with the construction or completion of the
790 said system as shall be deemed by the said department to be fair
791 and proper under any ~~such~~ covenants ~~heretofore or hereafter~~
792 entered into.

793 (7) The said system must ~~shall~~ be a part of the state road
794 system and the said department may ~~is hereby authorized~~, upon
795 the request of the authority, ~~to~~ expend out of any funds
796 available for the purpose the ~~such~~ moneys, and ~~to~~ use ~~such of~~
797 its engineering and other forces, as may be necessary ~~and~~
798 ~~desirable in the judgment of said department~~, for the operation
799 of the said authority and for traffic surveys, borings, surveys,
800 preparation of plans and specifications, estimates of cost, and
801 other preliminary engineering and other studies; provided,
802 however, that the aggregate amount of moneys expended for the
803 said purposes by the said department do ~~shall~~ not exceed the sum
804 of \$375,000.

805 Section 13. Section 348.758, Florida Statutes, is amended
806 to read:

807 348.758 Appointment of department as ~~may be appointed~~ agent
808 of authority for construction.—The department may be appointed
809 by the said authority as its agent for the purpose of
810 constructing improvements and extensions to the Central Florida
811 ~~Orlando-Orange County~~ Expressway System and for its ~~the~~
812 completion ~~thereof~~. In such event, the authority shall provide

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813 the department with complete copies of all documents,
814 agreements, resolutions, contracts, and instruments relating
815 thereto and shall request the department to do such construction
816 work, including the planning, surveying, and actual construction
817 of the completion, extensions, and improvements to the Central
818 Florida Orlando-Orange County Expressway System and shall
819 transfer to the credit of an account of the department in the
820 State Treasury ~~of the state~~ the necessary funds, ~~therefor~~ and
821 the department may ~~shall thereupon be authorized, empowered and~~
822 ~~directed to~~ proceed with such construction and ~~to use the said~~
823 funds for such purpose in the same manner that it is ~~now~~
824 authorized to use the funds ~~otherwise provided by law~~ for the
825 ~~its use in~~ construction of roads and bridges.

826 Section 14. Section 348.759, Florida Statutes, is amended
827 to read:

828 348.759 Acquisition of lands and property.—

829 (1) For the purposes of this part, the Central Florida
830 Orlando-Orange County Expressway Authority may acquire private
831 or public property and property rights, including rights of
832 access, air, view, and light, by gift, devise, purchase, or
833 condemnation by eminent domain proceedings, as the authority
834 deems ~~may deem~~ necessary for any of the purposes of this part,
835 including, but not limited to, any lands reasonably necessary
836 for securing applicable permits, areas necessary for management
837 of access, borrow pits, drainage ditches, water retention areas,
838 rest areas, replacement access for landowners whose access is
839 impaired due to the construction of a facility, and replacement
840 rights-of-way for relocated rail and utility facilities; for
841 existing, proposed, or anticipated transportation facilities on

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842 the Central Florida ~~Orlando-Orange County~~ Expressway System or
843 in a transportation corridor designated by the authority; or for
844 the purposes of screening, relocation, removal, or disposal of
845 junkyards and scrap metal processing facilities. The authority
846 ~~may shall also have the power to~~ condemn any material and
847 property necessary for such purposes.

848 (2) The ~~right of eminent domain herein conferred shall be~~
849 ~~exercised by the~~ authority shall exercise the right of eminent
850 domain in the manner provided by law.

851 (3) When the authority acquires property for a
852 transportation facility or in a transportation corridor, it is
853 not subject to any liability imposed by chapter 376 or chapter
854 403 for preexisting soil or groundwater contamination due solely
855 to its ownership. This section does not affect the rights or
856 liabilities of any past or future owners of the acquired
857 property and ~~nor~~ does not ~~it~~ affect the liability of any
858 governmental entity for the results of its actions which create
859 or exacerbate a pollution source. The authority and the
860 Department of Environmental Protection may enter into
861 interagency agreements for the performance, funding, and
862 reimbursement of the investigative and remedial acts necessary
863 for property acquired by the authority.

864 Section 15. Section 348.760, Florida Statutes, is amended
865 to read:

866 348.760 Cooperation with other units, boards, agencies, and
867 individuals. ~~A Express authority and power is hereby given and~~
868 ~~granted any~~ county, municipality, drainage district, road and
869 bridge district, school district or any other political
870 subdivision, board, commission, or individual in, or of, the

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871 state may ~~to~~ make and enter into with the authority, contracts,
872 leases, conveyances, partnerships, or other agreements pursuant
873 to ~~within the provisions and purposes of~~ this part. The
874 authority may ~~is hereby expressly authorized to~~ make and enter
875 into contracts, leases, conveyances, partnerships, and other
876 agreements with any political subdivision, agency, or
877 instrumentality of the state and any ~~and all~~ federal agencies,
878 corporations, and individuals, for the purpose of carrying out
879 the provisions of this part ~~or with the consent of the Seminole~~
880 ~~County Expressway Authority, for the purpose of carrying out and~~
881 ~~implementing part VIII of this chapter.~~

882 Section 16. Section 348.761, Florida Statutes, is amended
883 to read:

884 348.761 Covenant of the state.—The state pledges ~~does~~
885 ~~hereby pledge~~ to, and agrees, with any person, firm or
886 corporation, or federal or state agency subscribing to, or
887 acquiring the bonds to be issued by the authority for the
888 purposes of this part that the state will not limit or alter the
889 rights that are ~~hereby~~ vested in the authority and the
890 department until all issued bonds and interest ~~at any time~~
891 ~~issued, together with the interest thereon,~~ are fully paid and
892 discharged insofar as the pledge ~~same~~ affects the rights of the
893 holders of bonds issued pursuant to this part ~~hereunder~~. The
894 state does further pledge to, and agree, with the United States
895 that in the event any federal agency constructs or contributes
896 ~~shall construct or contribute~~ any funds for the completion,
897 extension, or improvement of the Central Florida Orlando-Orange
898 ~~County~~ Expressway System, or any part or portion of the system
899 ~~thereof~~, the state will not alter or limit the rights and powers

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900 of the authority and the department in any manner that ~~which~~
901 would be inconsistent with the continued maintenance and
902 operation of the Central Florida ~~Orlando-Orange County~~
903 Expressway System or the completion, extension, or improvement
904 of the system ~~thereof~~, or that ~~which~~ would be inconsistent with
905 the due performance of any agreements between the authority and
906 any such federal agency, and the authority and the department
907 shall continue to have and may exercise all powers ~~herein~~
908 granted in this part, so long as the powers are ~~same shall be~~
909 necessary or desirable for the carrying out of the purposes of
910 this part and the purposes of the United States in the
911 completion, extension, or improvement of the Central Florida
912 ~~Orlando-Orange County~~ Expressway System, or any part of the
913 system ~~or portion thereof~~.

914 Section 17. Section 348.765, Florida Statutes, is amended
915 to read:

916 348.765 This part complete and additional authority.-

917 (1) The powers conferred by this part are ~~shall be~~ in
918 addition and supplemental to the existing powers of the said
919 board and the department, and this part may ~~shall~~ not be
920 construed as repealing any of the provisions, of any other law,
921 general, special, or local, but to supersede such other laws in
922 the exercise of the powers provided in this part, and to provide
923 a complete method for the exercise of the powers granted in this
924 part. The extension and improvement of the Central Florida ~~said~~
925 ~~Orlando-Orange County~~ Expressway System, and the issuance of
926 bonds pursuant to this part ~~hereunder~~ to finance all or part of
927 the cost of the system ~~thereof~~, may be accomplished upon
928 compliance with the provisions of this part without regard to or

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929 necessity for compliance with the provisions, limitations, or
930 restrictions contained in any other general, special, or local
931 law, including, but not limited to, s. 215.821, and no approval
932 of any bonds issued under this part by the qualified electors or
933 qualified electors who are freeholders in the state or in the
934 ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any
935 other political subdivision of the state, is ~~shall be~~ required
936 for the issuance of such bonds pursuant to this part.

937 (2) This part does ~~shall not be deemed to~~ repeal, rescind,
938 or modify any other law ~~or laws~~ relating to the ~~said~~ State Board
939 of Administration, the ~~said~~ Department of Transportation, or the
940 Division of Bond Finance of the State Board of Administration,
941 but supersedes any ~~shall be deemed to and shall supersede such~~
942 ~~other~~ law that is ~~or laws as are~~ inconsistent with the
943 provisions of this part, including, but not limited to, s.
944 215.821.

945 Section 18. All powers, governance, and control of the
946 Osceola County Expressway System, created pursuant to part V,
947 chapter 348, Florida Statutes, is transferred to the Central
948 Florida Expressway Authority and the assets, liabilities,
949 facilities, tangible and intangible property and any rights in
950 the property, and any other legal rights of the Osceola
951 Expressway Authority, are transferred to the Central Florida
952 Expressway Authority on July 1, 2014. Part V of chapter 348,
953 Florida Statutes, consisting of ss. 348.9950-348.9961 is
954 repealed on the same date that the Osceola County Expressway
955 System is transferred to the Central Florida Expressway
956 Authority.

957 Section 19. This act shall take effect July 1, 2013.