

**By** the Committees on Appropriations; and Transportation; and  
Senator Simmons

576-02570-14

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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; providing conditions for the  
12      transfer; revising the composition of the governing  
13      body of the authority; providing for appointment of  
14      officers of the authority and for the expiration of  
15      terms of standing board members; revising quorum and  
16      voting requirements; conforming terminology and making  
17      technical changes; prohibiting a member or the  
18      executive director of the authority from personally  
19      representing certain persons or entities for a  
20      specified time period; prohibiting a retired or  
21      terminated member or executive director of the  
22      authority from contracting with a business entity  
23      under certain circumstances; providing penalties;  
24      requiring authority board members, employees, and  
25      consultants to make certain annual disclosures;  
26      requiring an ethics officer to review such  
27      disclosures; requiring the authority code of ethics to  
28      include a conflict of interest process; prohibiting  
29      authority employees and consultants from serving on

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30 the board during their employment or contract period;  
31 requiring the code of ethics to be reviewed and  
32 updated at least every 2 years; requiring employees to  
33 participate in ongoing ethics education; amending s.  
34 348.754, F.S.; providing that the area served by the  
35 authority is within the geopolitical boundaries of  
36 Orange, Seminole, Lake, and Osceola Counties;  
37 requiring the authority to have prior consent from the  
38 Secretary of the Department of Transportation to  
39 construct an extension, addition, or improvement to  
40 the expressway system in Lake County; extending, to 99  
41 years from 40 years, the term of a lease-purchase  
42 agreement; limiting the authority's authority to enter  
43 into a lease-purchase agreement; limiting the use of  
44 certain toll-revenues; providing exceptions; removing  
45 the requirement that the route of a project must be  
46 approved by a municipality before the right-of-way can  
47 be acquired; requiring that the authority encourage  
48 the inclusion of local-, small-, minority-, and women-  
49 owned businesses in its procurement and contracting  
50 opportunities; removing the authority and criteria for  
51 an authority to waive payment and performance bonds  
52 for certain public works projects that are awarded  
53 pursuant to an economic development program;  
54 conforming terminology and making technical changes;  
55 amending ss. 348.7543, 348.7544, 348.7545, 348.7546,  
56 348.7547, 348.755, and 348.756, F.S.; conforming  
57 terminology and making technical changes; amending s.  
58 348.757, F.S.; providing that upon termination of the

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59 lease-purchase agreement of the former Orlando-Orange  
60 County Expressway System, title in fee simple to the  
61 former system shall be transferred to the state;  
62 conforming terminology and making technical changes;  
63 amending ss. 348.758, 348.759, 348.760, 348.761, and  
64 348.765, F.S.; conforming terminology and making  
65 technical changes; amending s. 348.9953, F.S.;

66 limiting the purpose and powers of the Osceola County  
67 Expressway Authority; providing for the termination of  
68 the Osceola County Expressway Authority by a specified  
69 time period; prohibiting the authority from extending  
70 the Poinciana Parkway beyond a specified limit;  
71 amending s. 369.317, F.S.; conforming terminology and  
72 making technical changes; amending s. 369.324, F.S.;

73 revising the membership of the Wekiva River Basin  
74 Commission; conforming terminology; providing criteria  
75 for the transfer of the Osceola County Expressway  
76 System to the Central Florida Expressway Authority;  
77 providing for the repeal of part V of ch. 348, F.S.,  
78 when the Osceola County Expressway System is  
79 transferred to the Central Florida Expressway  
80 Authority; requiring the Central Florida Expressway  
81 Authority to reimburse other governmental entities for  
82 obligations related to the Osceola County Expressway  
83 System; providing for reimbursement after payment of  
84 other obligations; providing a directive to the  
85 Division of Law Revision and Information; providing an  
86 effective date.

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

89

90 Section 1. Section 348.751, Florida Statutes, is amended to  
91 read:

92 348.751 Short title.—This part ~~shall be known and~~ may be  
93 cited as the "Central Florida ~~Orlando-Orange County~~ Expressway  
94 Authority Law."

95 Section 2. Section 348.752, Florida Statutes, is amended to  
96 read:

97 348.752 Definitions.—As used in this part ~~The following~~  
98 ~~terms, whenever used or referred to in this law, shall have the~~  
99 ~~following meanings, except in those instances where the context~~  
100 ~~clearly indicates otherwise:~~

101 (1) The term "agency of the state" means ~~and includes~~ the  
102 state and any department of, or corporation, agency, or  
103 instrumentality ~~heretofore or hereafter~~ created, designated, or  
104 established by, the state.

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

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

111 (4) The term "Central Florida Expressway Authority" means  
112 the body politic and corporate, and agency of the state created  
113 by this part.

114 (5) The term "Central Florida Expressway System" means any  
115 expressway and appurtenant facilities, including all approaches,  
116 roads, bridges, and avenues for the expressway and any rapid

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117 transit, trams, or fixed guideways located within the right-of-  
118 way of an expressway.

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

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

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

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

125 (8) The term "federal agency" means and includes the United  
126 States, the President of the United States, and any department  
127 of, or corporation, agency, or instrumentality ~~heretofore or~~  
128 ~~hereafter~~ created, designated, or established by, the United  
129 States.

130 (9) The term "lease-purchase agreement" means the lease-  
131 purchase agreements that ~~which~~ the authority is authorized  
132 ~~pursuant to this part~~ to enter into with the Department of  
133 Transportation pursuant to this part.

134 (10) The term "limited access expressway" means a street or  
135 highway specifically ~~especially~~ designed for through traffic,  
136 and over, from, or to which, a ~~no~~ person does not ~~shall~~ have the  
137 right of easement, use, or access except in accordance with the  
138 rules of ~~and regulations promulgated and established by~~ the  
139 authority governing its use ~~for the use of such facility~~. Such  
140 highways or streets may be parkways that do not allow traffic  
141 ~~by, from which~~ trucks, buses, and other commercial vehicles  
142 ~~shall be excluded, or they may be~~ freeways open to use by all  
143 customary forms of street and highway traffic.

144 (11) The term ~~"members"~~ means ~~the governing body of the~~  
145 ~~authority, and the term~~ "member" means an individual who serves

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146 on the one of the individuals constituting such governing body  
147 of the authority.

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

155 ~~(13) The term "Orlando-Orange County Expressway System"~~  
156 ~~means any and all expressways and appurtenant facilities~~  
157 ~~thereto, including, but not limited to, all approaches, roads,~~  
158 ~~bridges, and avenues of access for said expressway or~~  
159 ~~expressways.~~

160 (13)~~(14)~~ The term "State Board of Administration" means the  
161 body corporate existing under the provisions of s. 4, Art. IV of  
162 the State Constitution, or any successor ~~thereto~~.

163 (14) The term "transportation facilities" means and  
164 includes the mobile and fixed assets, and the associated real or  
165 personal property or rights, used in the transportation of  
166 persons or property by any means of conveyance, and all  
167 appurtenances, such as, but not limited to, highways; limited or  
168 controlled access lanes, avenues of access, and facilities;  
169 vehicles; fixed guideway facilities, including maintenance  
170 facilities; and administrative and other office space for the  
171 exercise by the authority of the powers and obligations granted  
172 in this part.

173 ~~(15) Words importing singular number include the plural~~  
174 ~~number in each case and vice versa, and words importing persons~~

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175 ~~include firms and corporations.~~

176 Section 3. Section 348.753, Florida Statutes, is amended to  
177 read:

178 348.753 Central Florida ~~Orlando-Orange County~~ Expressway  
179 Authority.-

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

184 (2) (a) Immediately upon the effective date of this act, the  
185 Central Florida Expressway Authority shall assume the governance  
186 and control of the Orlando-Orange County Expressway Authority  
187 System, including its assets, personnel, contracts, obligations,  
188 liabilities, facilities, and tangible and intangible property.  
189 Any rights in such property, and other legal rights of the  
190 authority, are transferred to the Central Florida Expressway  
191 Authority. The Central Florida Expressway Authority shall  
192 immediately succeed to and assume the powers, responsibilities,  
193 and obligations of the Orlando-Orange County Expressway  
194 Authority.

195 (b) The transfer pursuant to this subsection is subject to  
196 the terms and covenants provided for the protection of the  
197 holders of the Orlando-Orange County Expressway Authority bonds  
198 in the lease-purchase agreement and the resolutions adopted in  
199 connection with the issuance of the bonds. Further, the transfer  
200 does not impair the terms of the contract between the Orlando-  
201 Orange County Expressway Authority and the bondholders, does not  
202 act to the detriment of the bondholders, and does not diminish  
203 the security for the bonds. After the transfer, the Central

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204 Florida Expressway Authority shall operate and maintain the  
205 expressway system and any other facilities of the Orlando-Orange  
206 County Expressway Authority in accordance with the terms,  
207 conditions, and covenants contained in the bond resolutions and  
208 lease-purchase agreement securing the bonds of the authority.  
209 The Central Florida Expressway Authority shall collect toll  
210 revenues and apply them to the payment of debt service as  
211 provided in the bond resolution securing the bonds, and shall  
212 expressly assume all obligations relating to the bonds to ensure  
213 that the transfer will have no adverse impact on the security  
214 for the bonds. The transfer does not make the obligation to pay  
215 the principal and interest on the bonds a general liability of  
216 the Central Florida Expressway Authority or pledge additional  
217 expressway system revenues to payment of the bonds. Revenues  
218 that are generated by the expressway system and other facilities  
219 of the Central Florida Expressway Authority which were pledged  
220 by the Orlando-Orange County Expressway Authority to payment of  
221 the bonds will remain subject to the pledge for the benefit of  
222 the bondholders. The transfer does not modify or eliminate any  
223 prior obligation of the department to pay certain costs of the  
224 expressway system from sources other than revenues of the  
225 expressway system.

226 (3)~~(2)~~ The governing body of the authority shall consist of  
227 nine ~~five~~ members. The chairs of the boards of the county  
228 commissions of Seminole, Lake, and Osceola Counties shall each  
229 appoint one member, who may be a commission member or chair. The  
230 Mayor of Orange County shall appoint a member from the Orange  
231 County Commission. The Governor shall appoint three citizen  
232 members. Of the Governor's appointments, two ~~Three~~ members must



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233 ~~shall~~ be citizens of Orange County and one member must be a  
234 citizen of either Seminole County, Lake County, or Osceola  
235 County, who shall be appointed by the Governor. The eighth  
236 ~~fourth~~ member must ~~shall be, ex officio,~~ the Mayor of chair of  
237 ~~the County Commissioners of Orange County. The ninth member must~~  
238 be the Mayor of the City of Orlando. The executive director of  
239 Florida Turnpike Enterprise shall serve as a nonvoting advisor  
240 to the governing body of the authority, and the fifth member  
241 ~~shall be, ex officio, the district secretary of the Department~~  
242 ~~of Transportation serving in the district that contains Orange~~  
243 ~~County. The term of Each appointed member~~ appointed by the  
244 Governor shall serve be for 4 years. Each county-appointed  
245 member shall serve for 2 years. The terms of standing board  
246 members expire upon the effective date of this act. Each  
247 appointed member shall hold office until his or her successor  
248 has been appointed and has qualified. A vacancy occurring during  
249 a term must shall be filled only for the balance of the  
250 unexpired term. Each appointed member of the authority shall be  
251 a person of outstanding reputation for integrity,  
252 responsibility, and business ability, but, except as provided in  
253 this subsection, a ~~no~~ person who is an officer or employee of a  
254 municipality or any city or of Orange county may not in any  
255 ~~other capacity shall~~ be an appointed member of the authority.  
256 Any member of the authority is ~~shall be~~ eligible for  
257 reappointment.

258 (4)(3)(a) The authority shall elect one of its members as  
259 chair of the authority. The authority shall also elect one of  
260 its members as vice chair, one of its members as a secretary,  
261 and one of its members as a treasurer ~~who may or may not be~~

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262 ~~members of the authority.~~ The chair, vice chair, secretary, and  
263 treasurer shall hold such offices at the will of the authority.  
264 Five ~~Three~~ members of the authority ~~shall~~ constitute a quorum,  
265 and the vote of five ~~three~~ members is ~~shall be~~ necessary for any  
266 action taken by the authority. A ~~No~~ vacancy in the authority  
267 does not ~~shall~~ impair the right of a quorum of the authority to  
268 exercise all of the rights and perform all of the duties of the  
269 authority.

270 (b) Upon the effective date of his or her appointment, or  
271 as soon thereafter as practicable, each appointed member of the  
272 authority shall enter upon his or her duties. Members of the  
273 authority may be removed from office by the Governor for  
274 misconduct, malfeasance, misfeasance, or nonfeasance in office.

275 (c) Members of the authority are entitled to receive  
276 reimbursement from the authority for travel and other necessary  
277 expenses incurred in connection with the business of the  
278 authority as provided in s. 112.061, but may not draw salaries  
279 or other compensation.

280 ~~(5)~~ ~~(4)~~ (a) The authority may employ an executive secretary,  
281 an executive director, its own counsel and legal staff,  
282 technical experts, and the ~~such~~ engineers, ~~and such~~ employees  
283 ~~that, permanent or temporary,~~ as it requires. The authority ~~may~~  
284 ~~require and~~ may determine the qualifications and fix the  
285 compensation of such persons, firms, or corporations, and may  
286 employ a fiscal agent or agents; ~~provided,~~ however, ~~that~~ the  
287 authority shall solicit sealed proposals from at least three  
288 persons, firms, or corporations for the performance of any  
289 services as fiscal agents. The authority may delegate to one or  
290 more of its agents or employees the ~~such of its~~ power ~~as it~~

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291 ~~deems shall deem~~ necessary to carry out the purposes of this  
292 part, ~~subject always to the supervision and control of the~~  
293 ~~authority. Members of the authority may be removed from their~~  
294 ~~office by the Governor for misconduct, malfeasance, misfeasance,~~  
295 ~~or nonfeasance in office.~~

296 ~~(b) Members of the authority shall be entitled to receive~~  
297 ~~from the authority their travel and other necessary expenses~~  
298 ~~incurred in connection with the business of the authority as~~  
299 ~~provided in s. 112.061, but they shall draw no salaries or other~~  
300 ~~compensation.~~

301 (6) In addition to meeting the requirements of chapter 112,  
302 a member or the executive director of the authority may not:

303 (a) Personally represent another person or entity for  
304 compensation before the authority for a period of 2 years  
305 following vacation of his or her position.

306 (b) Within 2 years after retirement or termination, have an  
307 employment or contractual relationship with a business entity  
308 other than an agency, as defined in s. 112.312, that was doing  
309 business with the authority at any time during the person's  
310 membership on or employment by the authority.

311 (c) After retirement or termination, have an employment or  
312 contractual relationship with a business entity other than an  
313 agency as defined in s. 112.312, in connection with a contract  
314 in which the member or executive director personally and  
315 substantially participated in through decision, approval,  
316 disapproval, recommendation, rendering of advice, or  
317 investigation while he or she was a member or employee of the  
318 authority.

319 (d) A violation of this subsection is punishable in

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320 accordance with s. 112.317.

321 (7) The authority's general counsel shall serve as the  
322 authority's ethics officer.

323 (8) Authority board members, employees, and consultants who  
324 hold positions that may influence authority decisions shall  
325 refrain from engaging in any relationship that may adversely  
326 affect their judgment in carrying out authority business. The  
327 following disclosures must be made annually on a disclosure form  
328 to prevent such conflicts of interest and preserve the integrity  
329 and transparency of the authority to the public:

330 (a) Any relationship a board member, employee, or  
331 consultant has which affords a current or future financial  
332 benefit to such board member, employee, or consultant, or to a  
333 relative or business associate of such board member, employee,  
334 or consultant, and which a reasonable person would conclude has  
335 the potential to create a prohibited conflict of interest.

336 (b) Whether a relative of such board member, employee, or  
337 consultant is a registered lobbyist, and if so, the names of  
338 such lobbyist's clients. Such names shall be provided in writing  
339 to the ethics officer.

340 (c) Any and all interests in real property that such board  
341 member, employee, or consultant has, or that a relative,  
342 principal, client, or business associate of such board member,  
343 employee, or consultant has whenever such real property is  
344 located within, or within a one-half mile radius of, any actual  
345 or prospective authority roadway project. The executive director  
346 shall provide a corridor map and a property ownership list  
347 reflecting the ownership of all real property within the  
348 disclosure area, or an alignment map with a list of associated

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349 owners, to all board members, employees, and consultants.

350 (9) The disclosure forms required under subsection (8) must  
351 be reviewed by the ethics officer or, if a form is filed by the  
352 general counsel, by the executive director.

353 (10) The conflict of interest process shall be outlined in  
354 the authority's Code of Ethics.

355 (11) Authority employees and consultants are prohibited  
356 from serving on the governing body of the authority while  
357 employed by or under contract with the authority.

358 (12) The code of ethics policy shall be reviewed and  
359 updated by the ethics officer and presented for board approval  
360 at a minimum of once every 2 years.

361 (13) Employees shall be adequately informed and trained on  
362 the code of ethics and shall continually participate in ongoing  
363 ethics education.

364 Section 4. Section 348.754, Florida Statutes, is amended  
365 to read:

366 348.754 Purposes and powers.—

367 (1) (a) The authority created and established under ~~by the~~  
368 ~~provisions of this part is hereby granted and has~~ shall have the  
369 right to acquire, hold, construct, improve, maintain, operate,  
370 own, and lease in the capacity of lessor, the Central Florida  
371 ~~Orlando-Orange County~~ Expressway System, hereinafter referred to  
372 as "system." Except as otherwise specifically provided by law,  
373 including paragraph (2) (n), the area served by the authority  
374 shall be within the geographical boundaries of Orange, Seminole,  
375 Lake, and Osceola Counties.

376 (b) ~~It is the express intention of this part that said~~  
377 ~~authority,~~ In the construction of the Central Florida ~~said~~

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378 ~~Orlando-Orange County~~ Expressway System, the authority may ~~shall~~  
379 ~~be authorized to~~ construct any extensions, additions, or  
380 improvements to the said system or appurtenant facilities,  
381 including all necessary approaches, roads, bridges, ~~and~~ avenues  
382 of access, rapid transit, trams, fixed guideways, thoroughfares,  
383 and boulevards with any such changes, modifications, or  
384 revisions of the said project which are ~~as shall be~~ deemed  
385 desirable and proper.

386 (c) Notwithstanding any other provision of this section to  
387 the contrary, to ensure the continued financial feasibility of  
388 the portion of the Wekiva Parkway to be constructed by the  
389 department, the authority may not, without the prior consent of  
390 the secretary of the department, construct any extensions,  
391 additions, or improvements to the expressway system in Lake  
392 County.

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

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

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

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

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

409 (d) To enter into and make leases for terms not exceeding  
410 99 years, as ~~either~~ lessee or lessor, in order to carry out the  
411 right to lease as specified ~~set forth~~ in this part.

412 (e) To enter into and make lease-purchase agreements with  
413 the department for terms not exceeding 99 ~~40~~ years, or until any  
414 bonds secured by a pledge of rentals pursuant to the agreement  
415 ~~thereunder~~, and any refundings pursuant to the agreement  
416 ~~thereof~~, are fully paid as to both principal and interest,  
417 whichever is longer. The authority is a party to a lease-  
418 purchase agreement between the department and the authority  
419 dated December 23, 1985, as supplemented by a first supplement  
420 to the lease-purchase agreement dated November 25, 1986, and a  
421 second supplement to the lease-purchase agreement dated October  
422 27, 1988. The authority may not enter into other lease-purchase  
423 agreements with the department and may not amend the existing  
424 agreement in a manner that expands or increases the department's  
425 obligations unless the department determines that the agreement  
426 or amendment is necessary to permit the refunding of bonds  
427 issued before July 1, 2013.

428 (f) To fix, alter, charge, establish, and collect rates,  
429 fees, rentals, and other charges for the services and facilities  
430 of the Central Florida ~~Orlando-Orange County~~ Expressway System,  
431 which must ~~rates, fees, rentals and other charges~~ shall always  
432 be sufficient to comply with any covenants made with the holders  
433 of any bonds issued pursuant to this part; ~~provided~~, however,  
434 ~~that~~ such right and power may be assigned or delegated, by the  
435 authority, to the department. Toll revenues attributable to an

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436 increase in the toll rates charged on or after the effective  
437 date of this act for the use of a portion of the system may not  
438 be used to construct or expand a different portion of the system  
439 unless a two-thirds majority of the members of the authority  
440 votes to approve such use. This requirement does not apply if,  
441 and to the extent that:

442 1. Application of the requirement would violate any  
443 covenant established in a resolution or trust indenture under  
444 which bonds were issued by the Orlando-Orange County Expressway  
445 Authority on or before the effective date of this act; or

446 2. Application of the requirement would cause the authority  
447 to be unable to meet its obligations under the terms of the  
448 memorandum of understanding between the authority and the  
449 department as ratified by the Orlando-Orange County Expressway  
450 Authority board on February 22, 2012.

451  
452 Notwithstanding s. 338.165, and except as otherwise prohibited  
453 by this part, to the extent revenues of the expressway system  
454 exceed amounts required to comply with any covenants made with  
455 the holders of bonds issued pursuant to this part, revenues may  
456 be used for purposes enumerated in subsection (6), provided the  
457 expenditures are consistent with the metropolitan planning  
458 organization's adopted long-range plan.

459 (g) To borrow money, make and issue negotiable notes,  
460 bonds, refunding bonds, and other evidences of indebtedness or  
461 obligations, either in temporary or definitive form, ~~hereinafter~~  
462 ~~in this chapter sometimes called "bonds" of the authority,~~ for  
463 the purpose of financing all or part of the improvement or  
464 extension of the Central Florida ~~Orlando-Orange County~~



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465 Expressway System, and appurtenant facilities, including all  
466 approaches, streets, roads, bridges, and avenues of access for  
467 the Central Florida ~~said Orlando-Orange County~~ Expressway System  
468 and for any other purpose authorized by this part, ~~said bonds to~~  
469 ~~mature in not exceeding 40 years from the date of the issuance~~  
470 ~~thereof~~, and to secure the payment of such bonds or any part  
471 thereof by a pledge of any or all of its revenues, rates, fees,  
472 rentals, or other charges, including all or any portion of the  
473 Orange County gasoline tax funds received by the authority  
474 pursuant to ~~the terms of~~ any lease-purchase agreement between  
475 the authority and the department; and in general to provide for  
476 the security of the ~~said~~ bonds and the rights and remedies of  
477 the holders thereof. ~~Provided, However, that~~ no portion of the  
478 Orange County gasoline tax funds may ~~shall~~ be pledged for the  
479 construction of any project for which a toll is to be charged  
480 unless the anticipated toll is ~~tolls are~~ reasonably estimated by  
481 the board of county commissioners, at the date of its resolution  
482 pledging the ~~said~~ funds, to be sufficient to cover the principal  
483 and interest of such obligations during the period when the ~~said~~  
484 pledge of funds is ~~shall be~~ in effect. The bonds issued under  
485 this paragraph must mature not more than 40 years after their  
486 issue date.

487 1. The authority shall reimburse Orange County for any sums  
488 expended from the ~~said~~ gasoline tax funds used for the payment  
489 of such obligations. Any gasoline tax funds so disbursed must  
490 ~~shall~~ be repaid when the authority deems it practicable,  
491 together with interest at the highest rate applicable to any  
492 obligations of the authority.

493 2. If, pursuant to this section, ~~In the event~~ the authority

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494 ~~funds shall determine to fund or~~ refunds refund any bonds  
495 previously ~~theretofore~~ issued by the ~~said~~ authority, or the ~~by~~  
496 ~~said~~ commission before the bonds mature ~~as aforesaid prior to~~  
497 ~~the maturity thereof~~, the proceeds of such funding or refunding  
498 must ~~bonds shall~~, pending the prior redemption of these ~~the~~  
499 bonds ~~to be funded or refunded~~, be invested in direct  
500 obligations of the United States, ~~and it is the express~~  
501 ~~intention of this part that such outstanding bonds may be funded~~  
502 ~~or refunded by the issuance of bonds pursuant to this part.~~

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

507 (i) Notwithstanding paragraphs (a)-(h), ~~Without limitation~~  
508 ~~of the foregoing~~, to borrow money and accept grants from, and to  
509 enter into contracts, leases, or other transactions with any  
510 federal agency, the state, any agency of the state, the County  
511 of Orange, the City of Orlando, or with any other public body of  
512 the state.

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

515 (k) To pledge, hypothecate, or otherwise encumber ~~all or~~  
516 any part of the revenues, rates, fees, rentals, or other charges  
517 or receipts of the authority, including all or any portion of  
518 the Orange County gasoline tax funds received by the authority  
519 pursuant to the terms of any lease-purchase agreement between  
520 the authority and the department, as security for ~~all or~~ any of  
521 the obligations of the authority.

522 (l) To enter into partnership and other agreements

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523 respecting ownership and revenue participation in order to  
524 facilitate financing and constructing the Western Beltway, or  
525 portions thereof.

526 (m) To do everything ~~all acts and things~~ necessary or  
527 convenient for the conduct of its business and the general  
528 welfare of the authority, in order to comply with ~~carry out the~~  
529 ~~powers granted to it by~~ this part or any other law.

530 (n) With the consent of the county within whose  
531 jurisdiction the following activities occur, the authority shall  
532 have the right to construct, operate, and maintain roads,  
533 bridges, avenues of access, transportation facilities,  
534 thoroughfares, and boulevards outside the jurisdictional  
535 boundaries of Orange, Seminole, Lake, and Osceola Counties  
536 ~~County,~~ together with the right to construct, repair, replace,  
537 operate, install, and maintain electronic toll payment systems  
538 thereon, ~~with all necessary and incidental powers to accomplish~~  
539 ~~the foregoing.~~

540 (3) The authority does not ~~shall~~ have the ~~no~~ power ~~at any~~  
541 ~~time or in any manner~~ to pledge the credit or taxing power of  
542 the state or any political subdivision or agency thereof,  
543 including any city and any county ~~the City of Orlando and the~~  
544 ~~County of Orange,~~ nor may ~~nor shall~~ any of the authority's  
545 obligations be deemed to be obligations of the state or of any  
546 political subdivision or agency thereof, nor may ~~nor shall~~ the  
547 state or any political subdivision or agency thereof, except the  
548 authority, be liable for the payment of the principal of or  
549 interest on such obligations.

550 ~~(4) Anything in this part to the contrary notwithstanding,~~  
551 ~~acquisition of right of way for a project of the authority which~~

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552 ~~is within the boundaries of any municipality in Orange County~~  
553 ~~shall not be begun unless and until the route of said project~~  
554 ~~within said municipality has been given prior approval by the~~  
555 ~~governing body of said municipality.~~

556 (4) ~~(5)~~ The authority has ~~shall have~~ no power other than by  
557 consent of an affected ~~Orange~~ county or any affected city, to  
558 enter into any agreement which would legally prohibit the  
559 construction of a any road by the respective county or city  
560 ~~Orange County or by any city within Orange County.~~

561 (5) The authority shall encourage the inclusion of local-,  
562 small-, minority-, and women-owned businesses in its procurement  
563 and contracting opportunities.

564 (6)(a) The authority may, within the right-of-way of the  
565 expressway system, finance or refinance the planning, design,  
566 acquisition, construction, extension, rehabilitation, equipping,  
567 preservation, maintenance, or improvement of an intermodal  
568 facility or facilities, a multimodal corridor or corridors, or  
569 any programs or projects that will improve the levels of service  
570 on the expressway system ~~Notwithstanding s. 255.05, the Orlando-~~  
571 ~~Orange County Expressway Authority may waive payment and~~  
572 ~~performance bonds on construction contracts for the construction~~  
573 ~~of a public building, for the prosecution and completion of a~~  
574 ~~public work, or for repairs on a public building or public work~~  
575 ~~that has a cost of \$500,000 or less and when the project is~~  
576 ~~awarded pursuant to an economic development program for the~~  
577 ~~encouragement of local small businesses that has been adopted by~~  
578 ~~the governing body of the Orlando-Orange County Expressway~~  
579 ~~Authority pursuant to a resolution or policy.~~

580 ~~(b) The authority's adopted criteria for participation in~~

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581 ~~the economic development program for local small businesses~~  
582 ~~requires that a participant:~~

- 583 ~~1. Be an independent business.~~
- 584 ~~2. Be principally domiciled in the Orange County Standard~~  
585 ~~Metropolitan Statistical Area.~~
- 586 ~~3. Employ 25 or fewer full-time employees.~~
- 587 ~~4. Have gross annual sales averaging \$3 million or less~~  
588 ~~over the immediately preceding 3 calendar years with regard to~~  
589 ~~any construction element of the program.~~
- 590 ~~5. Be accepted as a participant in the Orlando-Orange~~  
591 ~~County Expressway Authority's microcontracts program or such~~  
592 ~~other small business program as may be hereinafter enacted by~~  
593 ~~the Orlando-Orange County Expressway Authority.~~
- 594 ~~6. Participate in an educational curriculum or technical~~  
595 ~~assistance program for business development that will assist the~~  
596 ~~small business in becoming eligible for bonding.~~

597 ~~(c) The authority's adopted procedures for waiving payment~~  
598 ~~and performance bonds on projects with values not less than~~  
599 ~~\$200,000 and not exceeding \$500,000 shall provide that payment~~  
600 ~~and performance bonds may only be waived on projects that have~~  
601 ~~been set aside to be competitively bid on by participants in an~~  
602 ~~economic development program for local small businesses. The~~  
603 ~~authority's executive director or his or her designee shall~~  
604 ~~determine whether specific construction projects are suitable~~  
605 ~~for:~~

- 606 ~~1. Bidding under the authority's microcontracts program by~~  
607 ~~registered local small businesses; and~~
- 608 ~~2. Waiver of the payment and performance bond.~~

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610 ~~The decision of the authority's executive director or deputy~~  
611 ~~executive director to waive the payment and performance bond~~  
612 ~~shall be based upon his or her investigation and conclusion that~~  
613 ~~there exists sufficient competition so that the authority~~  
614 ~~receives a fair price and does not undertake any unusual risk~~  
615 ~~with respect to such project.~~

616 ~~(d) For any contract for which a payment and performance~~  
617 ~~bond has been waived pursuant to the authority set forth in this~~  
618 ~~section, the Orlando Orange County Expressway Authority shall~~  
619 ~~pay all persons defined in s. 713.01 who furnish labor,~~  
620 ~~services, or materials for the prosecution of the work provided~~  
621 ~~for in the contract to the same extent and upon the same~~  
622 ~~conditions that a surety on the payment bond under s. 255.05~~  
623 ~~would have been obligated to pay such persons if the payment and~~  
624 ~~performance bond had not been waived. The authority shall record~~  
625 ~~notice of this obligation in the manner and location that surety~~  
626 ~~bonds are recorded. The notice shall include the information~~  
627 ~~describing the contract that s. 255.05(1) requires be stated on~~  
628 ~~the front page of the bond. Notwithstanding that s. 255.05(9)~~  
629 ~~generally applies when a performance and payment bond is~~  
630 ~~required, s. 255.05(9) shall apply under this subsection to any~~  
631 ~~contract on which performance or payment bonds are waived and~~  
632 ~~any claim to payment under this subsection shall be treated as a~~  
633 ~~contract claim pursuant to s. 255.05(9).~~

634 ~~(e) A small business that has been the successful bidder on~~  
635 ~~six projects for which the payment and performance bond was~~  
636 ~~waived by the authority pursuant to paragraph (a) shall be~~  
637 ~~ineligible to bid on additional projects for which the payment~~  
638 ~~and performance bond is to be waived. The local small business~~

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639 ~~may continue to participate in other elements of the economic~~  
640 ~~development program for local small businesses as long as it is~~  
641 ~~eligible.~~

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

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

649 Section 5. Section 348.7543, Florida Statutes, is amended  
650 to read:

651 348.7543 Improvements, bond financing authority for.—  
652 Pursuant to s. 11(f), Art. VII of the State Constitution, the  
653 Legislature hereby approves for bond financing by the Central  
654 Florida Orlando-Orange County Expressway Authority improvements  
655 to toll collection facilities, interchanges to the legislatively  
656 approved expressway system, and any other facility appurtenant,  
657 necessary, or incidental to the approved system. Subject to  
658 terms and conditions of applicable revenue bond resolutions and  
659 covenants, such costs may be financed in whole or in part by  
660 revenue bonds issued pursuant to s. 348.755(1)(a) or (b) whether  
661 currently issued or issued in the future, or by a combination of  
662 such bonds.

663 Section 6. Section 348.7544, Florida Statutes, is amended  
664 to read:

665 348.7544 Northwest Beltway Part A, construction authorized;  
666 financing.—Notwithstanding s. 338.2275, the Central Florida  
667 Orlando-Orange County Expressway Authority may ~~is hereby~~

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668 ~~authorized to~~ construct, finance, operate, own, and maintain  
669 that portion of the Western Beltway known as the Northwest  
670 Beltway Part A, extending from Florida's Turnpike near Ocoee  
671 north to U.S. 441 near Apopka, as part of the authority's 20-  
672 year capital projects plan. This project may be financed with  
673 any funds available to the authority for such purpose or revenue  
674 bonds issued by the Division of Bond Finance of the State Board  
675 of Administration on behalf of the authority pursuant to s. 11,  
676 Art. VII of the State Constitution and the State Bond Act, ss.  
677 215.57-215.83.

678 Section 7. Section 348.7545, Florida Statutes, is amended  
679 to read:

680 348.7545 Western Beltway Part C, construction authorized;  
681 financing.—Notwithstanding s. 338.2275, the Central Florida  
682 ~~Orlando-Orange County~~ Expressway Authority may ~~is authorized to~~  
683 exercise its condemnation powers, construct, finance, operate,  
684 own, and maintain that portion of the Western Beltway known as  
685 the Western Beltway Part C, extending from Florida's Turnpike  
686 near Ocoee in Orange County southerly through Orange and Osceola  
687 Counties to an interchange with I-4 near the Osceola-Polk County  
688 line, as part of the authority's 20-year capital projects plan.  
689 This project may be financed with any funds available to the  
690 authority for such purpose or revenue bonds issued by the  
691 Division of Bond Finance of the State Board of Administration on  
692 behalf of the authority pursuant to s. 11, Art. VII of the State  
693 Constitution and the State Bond Act, ss. 215.57-215.83. This  
694 project may be refinanced with bonds issued by the authority  
695 pursuant to s. 348.755(1)(d).

696 Section 8. Section 348.7546, Florida Statutes, is amended



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697 to read:

698 348.7546 Wekiva Parkway, construction authorized;  
699 financing.—

700 (1) The Central Florida ~~Orlando-Orange County~~ Expressway  
701 Authority may ~~is authorized to~~ exercise its condemnation powers  
702 and to construct, finance, operate, own, and maintain those  
703 portions of the Wekiva Parkway which are identified by agreement  
704 between the authority and the department and which are included  
705 as part of the authority's long-range capital improvement plan.  
706 The "Wekiva Parkway" means any limited access highway or  
707 expressway constructed between State Road 429 and Interstate 4  
708 specifically incorporating the corridor alignment recommended by  
709 Recommendation 2 of the Wekiva River Basin Area Task Force final  
710 report dated January 15, 2003, and the recommendations of the SR  
711 429 Working Group which were adopted January 16, 2004. This  
712 project may be financed with any funds available to the  
713 authority for such purpose or revenue bonds issued by the  
714 authority under s. 11, Art. VII of the State Constitution and s.  
715 348.755(1)(b). This section does not invalidate the exercise by  
716 the authority of its condemnation powers or the acquisition of  
717 any property for the Wekiva Parkway before July 1, 2012.

718 (2) Notwithstanding any other provision of law ~~to the~~  
719 ~~contrary~~, in order to ensure that funds are available to the  
720 department for its portion of the Wekiva Parkway, beginning July  
721 1, 2012, the authority shall repay the expenditures by the  
722 department for costs of operation and maintenance of the Central  
723 Florida ~~Orlando-Orange County~~ Expressway System in accordance  
724 with the terms of the memorandum of understanding between the  
725 authority and the department as ratified by the authority board

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726 on February 22, 2012, which requires the authority to pay the  
727 department \$10 million on July 1, 2012, and \$20 million on each  
728 successive July 1 until the department has been fully reimbursed  
729 for all costs of the Central Florida ~~Orlando-Orange County~~  
730 Expressway System which were paid, advanced, or reimbursed to  
731 the authority by the department, with a final payment in the  
732 amount of the balance remaining. Notwithstanding any other law  
733 ~~to the contrary~~, the funds paid to the department pursuant to  
734 this subsection must ~~shall~~ be allocated by the department for  
735 construction of the Wekiva Parkway.

736 (3) The department's obligation to construct its portions  
737 of the Wekiva Parkway is contingent upon the timely payment by  
738 the authority of the annual payments required of the authority  
739 and receipt of all required environmental permits and approvals  
740 by the Federal Government.

741 Section 9. Section 348.7547, Florida Statutes, is amended  
742 to read:

743 348.7547 Maitland Boulevard Extension and Northwest Beltway  
744 Part A Realignment construction authorized; financing.—  
745 Notwithstanding s. 338.2275, the Central Florida ~~Orlando-Orange~~  
746 ~~County~~ Expressway Authority may ~~is hereby authorized to~~ exercise  
747 its condemnation powers, construct, finance, operate, own, and  
748 maintain the portion of State Road 414 known as the Maitland  
749 Boulevard Extension and the realigned portion of the Northwest  
750 Beltway Part A as part of the authority's long-range capital  
751 improvement plan. The Maitland Boulevard Extension extends ~~will~~  
752 ~~extend~~ from the current terminus of State Road 414 at U.S. 441  
753 west to State Road 429 in west Orange County. The realigned  
754 portion of the Northwest Beltway Part A runs ~~will run~~ from the

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755 point at or near where the Maitland Boulevard Extension connects  
756 ~~will connect~~ with State Road 429 and proceeds ~~will proceed~~ to  
757 the west and then north resulting in the northern terminus of  
758 State Road 429 moving farther west before reconnecting with U.S.  
759 441. However, under no circumstances may ~~shall~~ the realignment  
760 of the Northwest Beltway Part A conflict with or contradict ~~with~~  
761 the alignment of the Wekiva Parkway as defined in s. 348.7546.  
762 This project may be financed with any funds available to the  
763 authority for such purpose or revenue bonds issued by the  
764 authority under s. 11, Art. VII of the State Constitution and s.  
765 348.755(1)(b).

766 Section 10. Subsections (2) and (3) of section 348.755,  
767 Florida Statutes, are amended to read:

768 348.755 Bonds of the authority.—

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

773 (a) The pledging of ~~all or~~ any part of the revenues, rates,  
774 fees, rentals, ~~(including all or~~ any portion of the Orange  
775 County gasoline tax funds received by the authority pursuant to  
776 the terms of any lease-purchase agreement between the authority  
777 and the department, or any part thereof), or other charges or  
778 receipts of the authority, derived by the authority, from the  
779 Central Florida Orlando-Orange County Expressway System.

780 (b) The completion, improvement, operation, extension,  
781 maintenance, repair, lease or lease-purchase agreement of the  
782 ~~said~~ system, and the duties of the authority and others,  
783 including the department, ~~with reference thereto~~.

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

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

791 (e) The setting aside of reserves or sinking funds or  
792 repair and replacement funds and the regulation and disposition  
793 thereof.

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

795 (g) The terms and provisions of any lease-purchase  
796 agreement, deed of trust or indenture securing the bonds, or  
797 under which the same may be issued.

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

800 (3) The authority may employ fiscal agents as provided by  
801 this part or the State Board of Administration of Florida may  
802 upon request of the authority act as fiscal agent for the  
803 authority in the issuance of any bonds that ~~which~~ may be issued  
804 pursuant to this part, and the State Board of Administration may  
805 upon request of the authority take over the management, control,  
806 administration, custody, and payment of any ~~or all~~ debt services  
807 or funds or assets now or hereafter available for any bonds  
808 issued pursuant to this part. The authority may enter into any  
809 deeds of trust, indentures or other agreements with its fiscal  
810 agent, or with any bank or trust company within or without the  
811 state, as security for such bonds, and may, under such  
812 agreements, sign and pledge ~~all or~~ any of the revenues, rates,

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813 fees, rentals or other charges or receipts of the authority,  
814 including ~~all or~~ any portion of the Orange County gasoline tax  
815 funds received by the authority pursuant to the terms of any  
816 lease-purchase agreement between the authority and the  
817 department, ~~thereunder~~. Such deed of trust, indenture, or other  
818 agreement may contain such provisions as are customary in such  
819 instruments, or, as the authority may authorize, including but  
820 without limitation, provisions as to:

821 (a) The completion, improvement, operation, extension,  
822 maintenance, repair, and lease of, or lease-purchase agreement  
823 relating to the Central Florida Orlando-Orange County Expressway  
824 System, and the duties of the authority and others including the  
825 department, with reference thereto.

826 (b) The application of funds and the safeguarding of funds  
827 on hand or on deposit.

828 (c) The rights and remedies of the trustee and the holders  
829 of the bonds.

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

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

834 348.756 Remedies of the bondholders.—

835 (3) When a ~~Any~~ trustee is ~~when~~ appointed pursuant to  
836 subsection (1) as aforesaid, or is acting under a deed of trust,  
837 indenture, or other agreement, and whether or not all bonds have  
838 been declared due and payable, the trustee is ~~shall be~~ entitled  
839 ~~as of right~~ to the appointment of a receiver, who may enter upon  
840 and take possession of the Central Florida Orlando-Orange County  
841 Expressway System or the facilities or any part of the system or

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842 facilities ~~or parts thereof~~, the rates, fees, rentals, or other  
843 revenues, charges, or receipts that ~~from which~~ are, or may be,  
844 applicable to the payment of the bonds so in default, and  
845 subject to and in compliance with the provisions of any lease-  
846 purchase agreement between the authority and the department  
847 operate and maintain the same, for and on behalf of and in the  
848 name of, the authority, the department, and the bondholders, and  
849 collect and receive all rates, fees, rentals, and other charges  
850 or receipts or revenues arising therefrom in the same manner as  
851 the authority or the department might do, and shall deposit all  
852 such moneys in a separate account and apply the same in such  
853 manner as the court directs ~~shall direct~~. In any suit, action,  
854 or proceeding by the trustee, the fees, counsel fees, and  
855 expenses of the trustee, and the said receiver, if any, and all  
856 costs and disbursements allowed by the court must ~~shall~~ be a  
857 first charge on any rates, fees, rentals, or other charges,  
858 revenues, or receipts, derived from the Central Florida Orlando-  
859 Orange County Expressway System, or the facilities or services  
860 or any part of the system or facilities ~~or parts thereof~~,  
861 including payments under any such lease-purchase agreement ~~as~~  
862 ~~aforsaid~~ which ~~said~~ rates, fees, rentals, or other charges,  
863 revenues, or receipts ~~shall or~~ may be applicable to the payment  
864 of the bonds that are ~~so~~ in default. The ~~Such~~ trustee has ~~shall~~,  
865 ~~in addition to the foregoing, have and possess~~ all of the powers  
866 necessary or appropriate for the exercise of any functions  
867 specifically set forth in this section ~~herein~~ or incident to the  
868 representation of the bondholders in the enforcement and  
869 protection of their rights.

870 (4) ~~Nothing in~~ This section or any other section of this

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871 part does not ~~shall~~ authorize any receiver appointed pursuant  
872 ~~hereto~~ for the purpose, subject to and in compliance with the  
873 provisions of any lease-purchase agreement between the authority  
874 and the department, of operating and maintaining the Central  
875 Florida ~~Orlando-Orange County~~ Expressway System or any  
876 facilities or part of the system or facilities ~~or parts thereof~~,  
877 to sell, assign, mortgage, or otherwise dispose of any of the  
878 assets of whatever kind and character belonging to the  
879 authority. ~~It is the intention of this part to limit~~ The powers  
880 of the ~~such~~ receiver, subject to and in compliance with the  
881 provisions of any lease-purchase agreement between the authority  
882 and the department, are limited to the operation and maintenance  
883 of the Central Florida ~~Orlando-Orange County~~ Expressway System,  
884 or any facility, or part ~~or parts~~ thereof, as the court may  
885 direct, in the name and for and on behalf of the authority, the  
886 department, and the bondholders, and no holder of bonds on the  
887 authority nor any trustee, has ~~shall ever have~~ the right in any  
888 suit, action, or proceeding at law or in equity, to compel a  
889 receiver, nor may ~~shall~~ any receiver be authorized or any court  
890 be empowered to direct the receiver to sell, assign, mortgage,  
891 or otherwise dispose of any assets ~~of whatever kind or character~~  
892 belonging to the authority.

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

895 348.757 Lease-purchase agreement.—

896 (1) ~~In order to effectuate the purposes of this part and as~~  
897 ~~authorized by this part,~~ The authority may enter into a lease-  
898 purchase agreement with the department relating to and covering  
899 the former Orlando-Orange County Expressway System.

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900           (2) The ~~Such~~ lease-purchase agreement must ~~shall~~ provide  
901 for the leasing of the former Orlando-Orange County Expressway  
902 System, by the authority, as lessor, to the department, as  
903 lessee, must ~~shall~~ prescribe the term of such lease and the  
904 rentals to be paid ~~thereunder~~, and must ~~shall~~ provide that upon  
905 the completion of the faithful performance ~~thereunder~~ and the  
906 termination of the ~~such~~ lease-purchase agreement, title in fee  
907 simple absolute to the former Orlando-Orange County Expressway  
908 System as then constituted shall be transferred in accordance  
909 with law by the authority, to the state and the authority shall  
910 deliver to the department such deeds and conveyances as shall be  
911 necessary or convenient to vest title in fee simple absolute in  
912 the state.

913           (3) The ~~Such~~ lease-purchase agreement may include ~~such~~  
914 other provisions, agreements, and covenants that ~~as~~ the  
915 authority and the department deem advisable or required,  
916 including, but not limited to, provisions as to the bonds to be  
917 issued under, and for the purposes of, this part, the  
918 completion, extension, improvement, operation, and maintenance  
919 of the former Orlando-Orange County Expressway System and the  
920 expenses and the cost of operation of the ~~said~~ authority, the  
921 charging and collection of tolls, rates, fees, and other charges  
922 for the use of the services and facilities of the system  
923 ~~thereof~~, the application of federal or state grants or aid that  
924 ~~which~~ may be made or given to assist the authority in the  
925 completion, extension, improvement, operation, and maintenance  
926 of the former Orlando-Orange County ~~Orlando~~ Expressway System,  
927 which the authority is ~~hereby~~ authorized to accept and apply to  
928 such purposes, the enforcement of payment and collection of



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929 rentals and any other terms, provisions, or covenants necessary,  
930 incidental, or appurtenant to the making of and full performance  
931 under the ~~such~~ lease-purchase agreement.

932 (4) The department as lessee under the ~~such~~ lease-purchase  
933 agreement, may ~~is hereby authorized to~~ pay as rentals under the  
934 agreement ~~thereunder~~ any rates, fees, charges, funds, moneys,  
935 receipts, or income accruing to the department from the  
936 operation of the former Orlando-Orange County Expressway System  
937 and the Orange County gasoline tax funds and may also pay as  
938 rentals any appropriations received by the department pursuant  
939 to any act of the Legislature of the state heretofore or  
940 hereafter enacted; ~~provided,~~ however, this part or the ~~that~~  
941 ~~nothing herein nor in such~~ lease-purchase agreement is not  
942 intended to and does not ~~nor shall this part or such lease-~~  
943 ~~purchase agreement~~ require the making or continuance of such  
944 appropriations, and ~~nor shall~~ any holder of bonds issued  
945 pursuant to this part does not ~~ever~~ have any right to compel the  
946 making or continuance of such appropriations.

947 (5) ~~A~~ No pledge of the ~~said~~ Orange County gasoline tax  
948 funds as rentals under a ~~such~~ lease-purchase agreement may not  
949 ~~shall~~ be made without the consent of the County of Orange  
950 evidenced by a resolution duly adopted by the board of county  
951 commissioners of said county at a public hearing held pursuant  
952 to due notice thereof published at least once a week for 3  
953 consecutive weeks before the hearing in a newspaper of general  
954 circulation in Orange County. The ~~Said~~ resolution, among other  
955 things, must ~~shall~~ provide that any excess of the ~~said~~ pledged  
956 gasoline tax funds which is not required for debt service or  
957 reserves for the ~~such~~ debt service for any bonds issued by the

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958 ~~said~~ authority shall be returned annually to the department for  
959 distribution to Orange County as provided by law. Before making  
960 any application for a ~~such~~ pledge of gasoline tax funds, the  
961 authority shall present the plan of its proposed project to the  
962 Orange County planning and zoning commission for its comments  
963 and recommendations.

964 (6) The ~~Said~~ department may ~~shall have power to~~ covenant in  
965 any lease-purchase agreement that it will pay all or any part of  
966 the cost of the operation, maintenance, repair, renewal, and  
967 replacement of the ~~said~~ system, and any part of the cost of  
968 completing the ~~said~~ system to the extent that the proceeds of  
969 bonds issued ~~therefor~~ are insufficient, from sources other than  
970 the revenues derived from the operation of the ~~said~~ system and  
971 the ~~said~~ Orange County gasoline tax funds. The ~~said~~ department  
972 may also agree to make such other payments from any moneys  
973 available to the ~~said~~ commission, the ~~said~~ county, or the ~~said~~  
974 city in connection with the construction or completion of the  
975 ~~said~~ system as shall be deemed by the ~~said~~ department to be fair  
976 and proper under any ~~such~~ covenants ~~heretofore or hereafter~~  
977 entered into.

978 (7) The ~~said~~ system must ~~shall~~ be a part of the state road  
979 system and the ~~said~~ department may ~~is hereby authorized,~~ upon  
980 the request of the authority, ~~to~~ expend out of any funds  
981 available for the purpose the ~~such~~ moneys, and ~~to~~ use ~~such~~ of  
982 its engineering and other forces, as may be necessary and  
983 ~~desirable in the judgment of said department,~~ for the operation  
984 of the ~~said~~ authority and for traffic surveys, borings, surveys,  
985 preparation of plans and specifications, estimates of cost, and  
986 other preliminary engineering and other studies; provided,

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987 however, that the aggregate amount of moneys expended for the  
988 ~~said~~ purposes by the ~~said~~ department do ~~shall~~ not exceed the sum  
989 of \$375,000.

990 Section 13. Section 348.758, Florida Statutes, is amended  
991 to read:

992 348.758 Appointment of department as ~~may be appointed~~ agent  
993 of authority for construction.—The department may be appointed  
994 by the ~~said~~ authority as its agent for the purpose of  
995 constructing improvements and extensions to the Central Florida  
996 ~~Orlando-Orange County~~ Expressway System and for its ~~the~~  
997 completion ~~thereof~~. In such event, the authority shall provide  
998 the department with complete copies of all documents,  
999 agreements, resolutions, contracts, and instruments relating  
1000 thereto and shall request the department to do such construction  
1001 work, including the planning, surveying, and actual construction  
1002 of the completion, extensions, and improvements to the Central  
1003 Florida ~~Orlando-Orange County~~ Expressway System and shall  
1004 transfer to the credit of an account of the department in the  
1005 State Treasury ~~of the state~~ the necessary funds, therefor and  
1006 the department may ~~shall~~ ~~thereupon be authorized, empowered and~~  
1007 ~~directed to~~ proceed with such construction and ~~to~~ use the ~~said~~  
1008 funds for such purpose in the same manner that it is ~~now~~  
1009 authorized to use the funds ~~otherwise provided by law~~ for the  
1010 ~~its use in~~ construction of roads and bridges.

1011 Section 14. Section 348.759, Florida Statutes, is amended  
1012 to read:

1013 348.759 Acquisition of lands and property.—

1014 (1) For the purposes of this part, the Central Florida  
1015 ~~Orlando-Orange County~~ Expressway Authority may acquire private

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1016 or public property and property rights, including rights of  
1017 access, air, view, and light, by gift, devise, purchase, or  
1018 condemnation by eminent domain proceedings, as the authority  
1019 deems ~~may deem~~ necessary for any of the purposes of this part,  
1020 including, but not limited to, any lands reasonably necessary  
1021 for securing applicable permits, areas necessary for management  
1022 of access, borrow pits, drainage ditches, water retention areas,  
1023 rest areas, replacement access for landowners whose access is  
1024 impaired due to the construction of a facility, and replacement  
1025 rights-of-way for relocated rail and utility facilities; for  
1026 existing, proposed, or anticipated transportation facilities on  
1027 the Central Florida ~~Orlando-Orange County~~ Expressway System or  
1028 in a transportation corridor designated by the authority; or for  
1029 the purposes of screening, relocation, removal, or disposal of  
1030 junkyards and scrap metal processing facilities. The authority  
1031 may ~~shall also have the power to~~ condemn any material and  
1032 property necessary for such purposes.

1033 (2) The ~~right of eminent domain herein conferred shall be~~  
1034 ~~exercised by the~~ authority shall exercise the right of eminent  
1035 domain in the manner provided by law.

1036 (3) When the authority acquires property for a  
1037 transportation facility or in a transportation corridor, it is  
1038 not subject to any liability imposed by chapter 376 or chapter  
1039 403 for preexisting soil or groundwater contamination due solely  
1040 to its ownership. This section does not affect the rights or  
1041 liabilities of any past or future owners of the acquired  
1042 property and ~~nor~~ does not ~~it~~ affect the liability of any  
1043 governmental entity for the results of its actions which create  
1044 or exacerbate a pollution source. The authority and the

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1045 Department of Environmental Protection may enter into  
1046 interagency agreements for the performance, funding, and  
1047 reimbursement of the investigative and remedial acts necessary  
1048 for property acquired by the authority.

1049 Section 15. Section 348.760, Florida Statutes, is amended  
1050 to read:

1051 348.760 Cooperation with other units, boards, agencies, and  
1052 individuals. A ~~Express authority and power is hereby given and~~  
1053 ~~granted any~~ county, municipality, drainage district, road and  
1054 bridge district, school district or any other political  
1055 subdivision, board, commission, or individual in, or of, the  
1056 state may ~~to~~ make and enter into with the authority, contracts,  
1057 leases, conveyances, partnerships, or other agreements pursuant  
1058 to ~~within the provisions and purposes of~~ this part. The  
1059 authority may ~~is hereby expressly authorized to~~ make and enter  
1060 into contracts, leases, conveyances, partnerships, and other  
1061 agreements with any political subdivision, agency, or  
1062 instrumentality of the state and any ~~and all~~ federal agencies,  
1063 corporations, and individuals, for the purpose of carrying out  
1064 the provisions of this part ~~or with the consent of the Seminole~~  
1065 ~~County Expressway Authority, for the purpose of carrying out and~~  
1066 ~~implementing part VIII of this chapter.~~

1067 Section 16. Section 348.761, Florida Statutes, is amended  
1068 to read:

1069 348.761 Covenant of the state. The state pledges ~~does~~  
1070 ~~hereby pledge~~ to, and agrees, with any person, firm or  
1071 corporation, or federal or state agency subscribing to, or  
1072 acquiring the bonds to be issued by the authority for the  
1073 purposes of this part that the state will not limit or alter the

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1074 rights that are hereby vested in the authority and the  
1075 department until all issued bonds and interest ~~at any time~~  
1076 ~~issued, together with the interest thereon,~~ are fully paid and  
1077 discharged insofar as the pledge same affects the rights of the  
1078 holders of bonds issued pursuant to this part hereunder. The  
1079 state does further pledge to, and agree, with the United States  
1080 that in the event any federal agency constructs or contributes  
1081 ~~shall construct or contribute~~ any funds for the completion,  
1082 extension, or improvement of the Central Florida Orlando-Orange  
1083 ~~County~~ Expressway System, or any part or portion of the system  
1084 ~~thereof~~, the state will not alter or limit the rights and powers  
1085 of the authority and the department in any manner that which  
1086 would be inconsistent with the continued maintenance and  
1087 operation of the Central Florida Orlando-Orange County  
1088 Expressway System or the completion, extension, or improvement  
1089 of the system thereof, or that which would be inconsistent with  
1090 the due performance of any agreements between the authority and  
1091 any such federal agency, and the authority and the department  
1092 shall continue to have and may exercise all powers ~~herein~~  
1093 granted in this part, so long as the powers are same ~~shall be~~  
1094 necessary or desirable for the carrying out of the purposes of  
1095 this part and the purposes of the United States in the  
1096 completion, extension, or improvement of the Central Florida  
1097 ~~Orlando-Orange County~~ Expressway System, or any part of the  
1098 system or portion thereof.

1099 Section 17. Section 348.765, Florida Statutes, is amended  
1100 to read:

1101 348.765 This part complete and additional authority.-

1102 (1) The powers conferred by this part are ~~shall be~~ in

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1103 addition and supplemental to the existing powers of the ~~said~~  
1104 board and the department, and this part may ~~shall~~ not be  
1105 construed as repealing any of the provisions, of any other law,  
1106 general, special, or local, but to supersede such other laws in  
1107 the exercise of the powers provided in this part, and to provide  
1108 a complete method for the exercise of the powers granted in this  
1109 part. The extension and improvement of the Central Florida ~~said~~  
1110 ~~Orlando-Orange County~~ Expressway System, and the issuance of  
1111 bonds pursuant to this part ~~hereunder~~ to finance all or part of  
1112 the cost of the system ~~thereof~~, may be accomplished upon  
1113 compliance with the provisions of this part without regard to or  
1114 necessity for compliance with the provisions, limitations, or  
1115 restrictions contained in any other general, special, or local  
1116 law, including, but not limited to, s. 215.821, and no approval  
1117 of any bonds issued under this part by the qualified electors or  
1118 qualified electors who are freeholders in the state or in the  
1119 ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any  
1120 other political subdivision of the state, is ~~shall be~~ required  
1121 for the issuance of such bonds pursuant to this part.

1122 (2) This part does ~~shall not be deemed to~~ repeal, rescind,  
1123 or modify any other law ~~or laws~~ relating to the ~~said~~ State Board  
1124 of Administration, the ~~said~~ Department of Transportation, or the  
1125 Division of Bond Finance of the State Board of Administration,  
1126 but supersedes any ~~shall be deemed to and shall supersede such~~  
1127 ~~other law that is or laws as~~ are inconsistent with the  
1128 provisions of this part, including, but not limited to, s.  
1129 215.821.

1130 Section 18. Section 348.9953, Florida Statutes, is amended  
1131 to read:

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1132 348.9953 Purposes and powers.—The purposes and powers of  
1133 the authority are ~~shall be~~ the same as those identified in the  
1134 Florida Expressway Authority Act, except that such purposes and  
1135 powers may only be exercised with respect to the Poinciana  
1136 Parkway. The Osceola County Expressway Authority may exist only  
1137 until the earlier of December 31, 2016, or the completion of  
1138 construction of the Poinciana Parkway, a limited access facility  
1139 of approximately 9 miles in length in Osceola County with its  
1140 northwestern terminus at the intersection of County Road 54 and  
1141 US 17/US 92 and its southeastern terminus at the current  
1142 intersection of Rhododendron and Cypress Parkway, described in  
1143 the Osceola County Expressway Authority May 8, 2012, Master  
1144 Plan. The authority's expressway system shall be limited to the  
1145 Poinciana Parkway, as it is described in the Osceola County  
1146 Expressway Authority May 8, 2012, Master Plan, except that the  
1147 authority may construct additions to, or improvements to, the  
1148 Poinciana Parkway, including all necessary approaches, roads,  
1149 bridges, and avenues of access, with such changes,  
1150 modifications, or revisions of the project that are deemed  
1151 desirable and proper. However, the authority may not extend the  
1152 Poinciana Parkway beyond the project limits described in the  
1153 Osceola County Expressway Authority May 8, 2012, Master Plan. In  
1154 implementing this act, the authority shall institute procedures  
1155 to encourage the awarding of contracts for professional services  
1156 and construction to certified minority business enterprises as  
1157 defined in s. 288.703. The authority shall develop and implement  
1158 activities to encourage the participation of certified minority  
1159 business enterprises in the contracting process.

1160 Section 19. Subsections (6) and (7) of section 369.317,



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1161 Florida Statutes, are amended to read:

1162 369.317 Wekiva Parkway.—

1163 (6) The Central Florida ~~Orlando-Orange County~~ Expressway  
1164 Authority is hereby granted the authority to act as a third-  
1165 party acquisition agent, pursuant to s. 259.041 on behalf of the  
1166 Board of Trustees or chapter 373 on behalf of the governing  
1167 board of the St. Johns River Water Management District, for the  
1168 acquisition of all necessary lands, property and all interests  
1169 in property identified herein, including fee simple or less-  
1170 than-fee simple interests. The lands subject to this authority  
1171 are identified in paragraph 10.a., State of Florida, Office of  
1172 the Governor, Executive Order 03-112 of July 1, 2003, and in  
1173 Recommendation 16 of the Wekiva Basin Area Task Force created by  
1174 Executive Order 2002-259, such lands otherwise known as  
1175 Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and  
1176 Lake Counties within Sections 27, 28, 33, and 34 of Township 19  
1177 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20  
1178 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre  
1179 parcel located in Lake County within Section 37, Township 19  
1180 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in  
1181 Lake County within Sections 23, 25, 26, 35, and 36, Township 19  
1182 South, Range 28 East; Pine Plantation, a 617+/-acre tract  
1183 consisting of eight individual parcels within the Apopka City  
1184 limits. The Department of Transportation, the Department of  
1185 Environmental Protection, the St. Johns River Water Management  
1186 District, and other land acquisition entities shall participate  
1187 and cooperate in providing information and support to the third-  
1188 party acquisition agent. The land acquisition process authorized  
1189 by this paragraph shall begin no later than December 31, 2004.

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1190 Acquisition of the properties identified as Neighborhood Lakes,  
1191 Pine Plantation, and New Garden Coal, or approval as a  
1192 mitigation bank shall be concluded no later than December 31,  
1193 2010. Department of Transportation and Central Florida ~~Orlando-~~  
1194 ~~Orange County~~ Expressway Authority funds expended to purchase an  
1195 interest in those lands identified in this subsection shall be  
1196 eligible as environmental mitigation for road construction  
1197 related impacts in the Wekiva Study Area. If any of the lands  
1198 identified in this subsection are used as environmental  
1199 mitigation for road-construction-related impacts incurred by the  
1200 Department of Transportation or Central Florida ~~Orlando-Orange~~  
1201 ~~County~~ Expressway Authority, or for other impacts incurred by  
1202 other entities, within the Wekiva Study Area or within the  
1203 Wekiva parkway alignment corridor, and if the mitigation offsets  
1204 these impacts, the St. Johns River Water Management District and  
1205 the Department of Environmental Protection shall consider the  
1206 activity regulated under part IV of chapter 373 to meet the  
1207 cumulative impact requirements of s. 373.414(8)(a).

1208 (a) Acquisition of the land described in this section is  
1209 required to provide right-of-way for the Wekiva Parkway, a  
1210 limited access roadway linking State Road 429 to Interstate 4,  
1211 an essential component in meeting regional transportation needs  
1212 to provide regional connectivity, improve safety, accommodate  
1213 projected population and economic growth, and satisfy critical  
1214 transportation requirements caused by increased traffic volume  
1215 growth and travel demands.

1216 (b) Acquisition of the lands described in this section is  
1217 also required to protect the surface water and groundwater  
1218 resources of Lake, Orange, and Seminole counties, otherwise

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1219 known as the Wekiva Study Area, including recharge within the  
1220 springshed that provides for the Wekiva River system. Protection  
1221 of this area is crucial to the long term viability of the Wekiva  
1222 River and springs and the central Florida region's water supply.  
1223 Acquisition of the lands described in this section is also  
1224 necessary to alleviate pressure from growth and development  
1225 affecting the surface and groundwater resources within the  
1226 recharge area.

1227 (c) Lands acquired pursuant to this section that are needed  
1228 for transportation facilities for the Wekiva Parkway shall be  
1229 determined not necessary for conservation purposes pursuant to  
1230 ss. 253.034(6) and 373.089(5) and shall be transferred to or  
1231 retained by the Central Florida ~~Orlando-Orange County~~ Expressway  
1232 Authority or the Department of Transportation upon reimbursement  
1233 of the full purchase price and acquisition costs.

1234 (7) The Department of Transportation, the Department of  
1235 Environmental Protection, the St. Johns River Water Management  
1236 District, Central Florida ~~Orlando-Orange County~~ Expressway  
1237 Authority, and other land acquisition entities shall cooperate  
1238 and establish funding responsibilities and partnerships by  
1239 agreement to the extent funds are available to the various  
1240 entities. Properties acquired with Florida Forever funds shall  
1241 be in accordance with s. 259.041 or chapter 373. The Central  
1242 Florida ~~Orlando-Orange County~~ Expressway Authority shall acquire  
1243 land in accordance with this section of law to the extent funds  
1244 are available from the various funding partners, but shall not  
1245 be required nor assumed to fund the land acquisition beyond the  
1246 agreement and funding provided by the various land acquisition  
1247 entities.

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1248 Section 20. Subsection (1) of section 369.324, Florida  
1249 Statutes, is amended to read:

1250 369.324 Wekiva River Basin Commission.—

1251 (1) The Wekiva River Basin Commission is created to monitor  
1252 and ensure the implementation of the recommendations of the  
1253 Wekiva River Basin Coordinating Committee for the Wekiva Study  
1254 Area. The East Central Florida Regional Planning Council shall  
1255 provide staff support to the commission with funding assistance  
1256 from the Department of Economic Opportunity. The commission  
1257 shall be comprised of a total of 18 ~~19~~ members appointed by the  
1258 Governor, 9 of whom shall be voting members and 9 ~~10~~ shall be ad  
1259 hoc nonvoting members. The voting members shall include:

1260 (a) One member of each of the Boards of County  
1261 Commissioners for Lake, Orange, and Seminole Counties.

1262 (b) One municipal elected official to serve as a  
1263 representative of the municipalities located within the Wekiva  
1264 Study Area of Lake County.

1265 (c) One municipal elected official to serve as a  
1266 representative of the municipalities located within the Wekiva  
1267 Study Area of Orange County.

1268 (d) One municipal elected official to serve as a  
1269 representative of the municipalities located within the Wekiva  
1270 Study Area of Seminole County.

1271 (e) One citizen representing an environmental or  
1272 conservation organization, one citizen representing a local  
1273 property owner, a land developer, or an agricultural entity, and  
1274 one at-large citizen who shall serve as chair of the council.

1275 (f) The ad hoc nonvoting members shall include one  
1276 representative from each of the following entities:

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- 1277 1. St. Johns River Management District.  
 1278 2. Department of Economic Opportunity.  
 1279 3. Department of Environmental Protection.  
 1280 4. Department of Health.  
 1281 5. Department of Agriculture and Consumer Services.  
 1282 6. Fish and Wildlife Conservation Commission.  
 1283 7. Department of Transportation.  
 1284 8. MetroPlan Orlando.  
 1285 9. Central Florida ~~Orlando-Orange County~~ Expressway

1286 Authority.

1287 ~~10. Seminole County Expressway Authority.~~

1288 Section 21. (1) While the governing body of the authority,  
 1289 upon the effective date of this act, has one or more members  
 1290 from Osceola County as provided in s. 348.753(3), Florida  
 1291 Statutes, and the authority has the purposes and powers  
 1292 described in s. 348.754, Florida Statutes, regarding Osceola  
 1293 County, the Osceola County Expressway Authority shall continue  
 1294 solely for the purpose of planning and construction of the  
 1295 Poinciana Parkway as provided and permitted in this subsection.  
 1296 Upon the earlier of December 31, 2016, or the completion of  
 1297 construction of the Poinciana Parkway, a limited access facility  
 1298 of approximately 9 miles in length in Osceola County with its  
 1299 northwestern terminus at the intersection of County Road 54 and  
 1300 US 17/US 92 and its southeastern terminus at the current  
 1301 intersection of Rhododendron and Cypress Parkway, described in  
 1302 the Osceola County Expressway Authority May 8, 2012, Master  
 1303 Plan, all powers, governance, and control of the Osceola County  
 1304 Expressway System, created pursuant to part V, chapter 348,  
 1305 Florida Statutes, is transferred to the Central Florida

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1306 Expressway Authority, and the assets, liabilities, facilities,  
1307 tangible and intangible property and any rights in the property,  
1308 and any other legal rights of the Osceola County Expressway  
1309 Authority are transferred to the Central Florida Expressway  
1310 Authority. Part V of chapter 348, Florida Statutes, consisting  
1311 of ss. 348.9950-348.9961, is repealed on the same date that the  
1312 Osceola County Expressway System is transferred to the Central  
1313 Florida Expressway Authority.

1314 (2) The Central Florida Expressway Authority shall comply  
1315 with any and all obligations of any other governmental entities  
1316 incurred on behalf of the Osceola County Expressway System,  
1317 including any obligations of Osceola County with respect to  
1318 operations and maintenance of the Osceola County Expressway  
1319 System and any loan repayment obligations, including repayment  
1320 obligations with respect to State Infrastructure Bank loans.  
1321 Except with respect to the bonds or other debt obligations  
1322 originally issued by Osceola County or the Osceola County  
1323 Expressway Authority for purposes of financing the planning and  
1324 construction of the Poinciana Parkway as provided and permitted  
1325 in subsection (1), which shall remain solely subject to the  
1326 covenants and agreements of Osceola County to make payments for  
1327 any debt service shortfalls, payment obligations transferred to  
1328 the Central Florida Expressway Authority shall be made from  
1329 revenues available for such purpose after payment of all amounts  
1330 required:

1331 (a) Otherwise by law;

1332 (b) By the terms of any resolution authorizing the issuance  
1333 of bonds by the authority, the Orlando-Orange County Expressway  
1334 Authority, or the Osceola County Expressway Authority;

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1335 (c) By the terms of any resolution under which bonds are  
1336 issued by Osceola County for the purpose of constructing  
1337 improvements to the Osceola County Expressway System; and

1338 (d) By the terms of the memorandum of understanding between  
1339 the Orlando-Orange County Expressway Authority and the  
1340 department as ratified by the board of the Orlando-Orange County  
1341 Expressway Authority on February 22, 2012.

1342 Section 22. The Division of Law Revision and Information is  
1343 directed to replace the phrase "the effective date of this act"  
1344 wherever it occurs in this act with the date the act becomes a  
1345 law.

1346 Section 23. This act shall take effect upon becoming a law.