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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; requiring authority board
24 members, employees, and consultants to make certain
25 annual disclosures; requiring an ethics officer to
26 review such disclosures; requiring the authority code
27 of ethics to include a conflict of interest process;
28 prohibiting authority employees and consultants from
29 serving on the board during their employment or

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30 contract period; requiring the code of ethics to be
31 reviewed and updated at least every 2 years; requiring
32 employees to participate in ongoing ethics education;
33 providing penalties; amending s. 348.754, F.S.;
34 providing that the area served by the authority is
35 within the geopolitical boundaries of Orange,
36 Seminole, Lake, and Osceola Counties; requiring the
37 authority to have prior consent from the Secretary of
38 the Department of Transportation to construct an
39 extension, addition, or improvement to the expressway
40 system in Lake County; extending, to 99 years from 40
41 years, the term of a lease-purchase agreement;
42 limiting the authority's authority to enter into a
43 lease-purchase agreement; limiting the use of certain
44 toll-revenues; providing exceptions; removing the
45 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. 369.317, F.S.;

66 conforming terminology and making technical changes;
67 amending s. 369.324, F.S.; revising the membership of
68 the Wekiva River Basin Commission; conforming
69 terminology; providing criteria for the transfer of
70 the Osceola County Expressway System to the Central
71 Florida Expressway Authority; providing for the repeal
72 of part V of ch. 348, F.S., when the Osceola County
73 Expressway System is transferred to the Central
74 Florida Expressway Authority; requiring the Central
75 Florida Expressway Authority to reimburse other
76 governmental entities for obligations related to the
77 Osceola County Expressway System; providing for
78 reimbursement after payment of other obligations;
79 providing a directive to the Division of Law Revision
80 and Information; providing an effective date.

81
82 Be It Enacted by the Legislature of the State of Florida:

83
84 Section 1. Section 348.751, Florida Statutes, is amended to
85 read:

86 348.751 Short title.—This part ~~shall be known and~~ may be
87 cited as the "Central Florida ~~Orlando-Orange County~~ Expressway

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88 Authority Law.”

89 Section 2. Section 348.752, Florida Statutes, is amended to
90 read:

91 348.752 Definitions.—As used in this part ~~The following~~
92 ~~terms, whenever used or referred to in this law, shall have the~~
93 ~~following meanings, except in those instances where the context~~
94 ~~clearly indicates otherwise:~~

95 (1) The term “agency of the state” means ~~and includes~~ the
96 state and any department of, or corporation, agency, or
97 instrumentality ~~heretofore or hereafter~~ created, designated, or
98 established by, the state.

99 (2) The term “authority” means the body politic and
100 corporate, and agency of the state created by this part.

101 (3) The term “bonds” means ~~and includes~~ the notes, bonds,
102 refunding bonds, or other evidences of indebtedness or
103 obligations, in either temporary or definitive form, which the
104 authority is authorized to issue pursuant to this part.

105 (4) The term “Central Florida Expressway Authority” means
106 the body politic and corporate, and agency of the state created
107 by this part.

108 (5) The term “Central Florida Expressway System” means any
109 expressway and appurtenant facilities, including all approaches,
110 roads, bridges, and avenues for the expressway and any rapid
111 transit, trams, or fixed guideways located within the right-of-
112 way of an expressway.

113 ~~(4) The term “city” means the City of Orlando.~~

114 ~~(5) The term “county” means the County of Orange.~~

115 (6) The term “department” means the Department of
116 Transportation ~~existing under chapters 334–339.~~

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

119 (8) The term "federal agency" means and includes the United
120 States, the President of the United States, and any department
121 of, or corporation, agency, or instrumentality ~~heretofore or~~
122 ~~hereafter~~ created, designated, or established by, the United
123 States.

124 (9) The term "lease-purchase agreement" means the lease-
125 purchase agreements that ~~which~~ the authority is authorized
126 ~~pursuant to this part~~ to enter into with the Department of
127 Transportation pursuant to this part.

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

138 (11) The term ~~"members"~~ ~~means the governing body of the~~
139 ~~authority,~~ and the term "member" means an individual who serves
140 on the ~~one of the individuals constituting such~~ governing body
141 of the authority.

142 (12) The term "Orange County gasoline tax funds" means ~~all~~
143 the revenue derived from the 80-percent surplus gasoline tax
144 funds accruing in each year to the Department of Transportation
145 for use in Orange County under ~~the provisions of s. 9, Art. XII~~

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146 of the State Constitution, after deducting ~~deduction only~~ of any
147 amounts of said gasoline tax funds previously ~~heretofore~~ pledged
148 by the department or the county for outstanding obligations.

149 ~~(13) The term "Orlando Orange County Expressway System"~~
150 ~~means any and all expressways and appurtenant facilities~~
151 ~~thereto, including, but not limited to, all approaches, roads,~~
152 ~~bridges, and avenues of access for said expressway or~~
153 ~~expressways.~~

154 (13)~~(14)~~ The term "State Board of Administration" means the
155 body corporate existing under the provisions of s. 4, Art. IV of
156 the State Constitution, or any successor ~~thereto~~.

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

167 ~~(15) Words importing singular number include the plural~~
168 ~~number in each case and vice versa, and words importing persons~~
169 ~~include firms and corporations.~~

170 Section 3. Section 348.753, Florida Statutes, is amended to
171 read:

172 348.753 Central Florida ~~Orlando Orange County~~ Expressway
173 Authority.—

174 (1) There is ~~hereby~~ created and established a body politic

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175 and corporate, an agency of the state, to be known as the
176 Central Florida ~~Orlando-Orange County~~ Expressway Authority.⁷
177 ~~hereinafter referred to as "authority."~~

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

189 (b) It is the intent of the Legislature that the Central
190 Florida Expressway Authority, upon its formation, be the
191 successor party to the Orlando-Orange County Expressway
192 Authority under the land acquisition contract dated November 11,
193 2013, and be subject to all terms and provisions, including
194 conditions precedent and rights of termination, stated in the
195 contract.

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

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

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

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233 Three members, each of whom must be a citizen of either Orange
 234 County, Seminole County, Lake County, or Osceola County shall be
 235 citizens of Orange County, who shall be appointed by the
 236 Governor. The eighth ~~fourth~~ member must shall be, ~~ex officio,~~
 237 the Mayor of ~~chair of the County Commissioners of~~ Orange County.
 238 The ninth member must be the Mayor of the City of Orlando. The
 239 executive director of Florida Turnpike Enterprise shall serve as
 240 a nonvoting advisor to the governing body of the authority, and
 241 the ~~fifth~~ member shall be, ex officio, the district secretary of
 242 the ~~Department of Transportation serving in the district that~~
 243 contains Orange County. The term of Each appointed member
 244 appointed by the Governor shall serve ~~be~~ for 4 years. Each
 245 county-appointed member shall serve for 2 years. The terms of
 246 standing board members expire upon the effective date of this
 247 act. Each appointed member shall hold office until his or her
 248 successor has been appointed and has qualified. A vacancy
 249 occurring during a term must ~~shall~~ be filled only for the
 250 balance of the unexpired term. Each appointed member of the
 251 authority shall be a person of outstanding reputation for
 252 integrity, responsibility, and business ability, but, except as
 253 provided in this subsection, a ~~no~~ person who is an officer or
 254 employee of a municipality or any city or of Orange county may
 255 not ~~in any other capacity shall~~ be an appointed member of the
 256 authority. 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) A member or the executive director of the authority may
302 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) After retirement or termination, have an employment or
307 contractual relationship with a business entity other than an
308 agency as defined in s. 112.312, in connection with a contract
309 in which the member or executive director personally and
310 substantially participated in through decision, approval,
311 disapproval, recommendation, rendering of advice, or
312 investigation while he or she was a member or employee of the
313 authority.

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

316 (8) Authority board members, employees, and consultants who
317 hold positions that may influence authority decisions shall
318 refrain from engaging in any relationship that may adversely
319 affect their judgment in carrying out authority business. To

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320 prevent such conflicts of interest and preserve the integrity
321 and transparency of the authority to the public, the following
322 disclosures must be made annually on a disclosure form:

323 (a) Any relationship a board member, employee, or
324 consultant has which affords a current or future financial
325 benefit to such board member, employee, or consultant, or to a
326 relative or business associate of such board member, employee,
327 or consultant, and which a reasonable person would conclude has
328 the potential to create a prohibited conflict of interest. As
329 used in this subsection, the term "relative" has the same
330 meaning as in s. 112.312.

331 (b) Whether a relative of a board member, employee, or
332 consultant is a registered lobbyist, and if so, the names of the
333 lobbyist's clients. Such names shall be provided in writing to
334 the ethics officer.

335 (c) Any and all interests in real property that a board
336 member, employee, or consultant has, or that a relative,
337 principal, client, or business associate of such board member,
338 employee, or consultant has, if such real property is located
339 within, or within a one-half mile radius of, any actual or
340 prospective authority roadway project. The executive director
341 shall provide a corridor map and a property ownership list
342 reflecting the ownership of all real property within the
343 disclosure area, or an alignment map with a list of associated
344 owners, to all board members, employees, and consultants.

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

348 (10) The conflict of interest process shall be outlined in

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349 the authority's code of ethics.

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

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

356 (13) Employees shall be adequately informed and trained on
357 the code of ethics and shall continually participate in ongoing
358 ethics education.

359 (14) The requirements in subsections (6) through (13) are
360 in addition to the requirements that the members and the
361 executive director of the authority are required to follow under
362 chapter 112.

363 (15) Violations of subsections (6), (8), and (11) are
364 punishable in accordance with s. 112.317.

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

367 348.754 Purposes and powers.—

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

377 (b) ~~It is the express intention of this part that said~~

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

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

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

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

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

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

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407 carry ~~for carrying~~ out the purposes of the authority, and to
408 sell, lease as lessor, transfer, and dispose of any property or
409 interest in the property ~~therein~~ at any time acquired by it.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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523 (1) To enter into partnership and other agreements
524 respecting ownership and revenue participation in order to
525 facilitate financing and constructing the Western Beltway, or
526 portions thereof.

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

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

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

551 ~~(4) Anything in this part to the contrary notwithstanding,~~

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

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

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

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

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

584 ~~1. Be an independent business.~~

585 ~~2. Be principally domiciled in the Orange County Standard~~
586 ~~Metropolitan Statistical Area.~~

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

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

591 ~~5. Be accepted as a participant in the Orlando Orange~~
592 ~~County Expressway Authority's microcontracts program or such~~
593 ~~other small business program as may be hereinafter enacted by~~
594 ~~the Orlando Orange County Expressway Authority.~~

595 ~~6. Participate in an educational curriculum or technical~~
596 ~~assistance program for business development that will assist the~~
597 ~~small business in becoming eligible for bonding.~~

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

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

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

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

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

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

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639 and performance bond is to be waived. The local small business
640 may continue to participate in other elements of the economic
641 development program for local small businesses as long as it is
642 eligible.

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

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

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

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

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

666 348.7544 Northwest Beltway Part A, construction authorized;
667 financing.—Notwithstanding s. 338.2275, the Central Florida

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668 ~~Orlando-Orange County~~ Expressway Authority may ~~is hereby~~
669 ~~authorized to~~ construct, finance, operate, own, and maintain
670 that portion of the Western Beltway known as the Northwest
671 Beltway Part A, extending from Florida's Turnpike near Ocoee
672 north to U.S. 441 near Apopka, as part of the authority's 20-
673 year capital projects plan. This project may be financed with
674 any funds available to the authority for such purpose or revenue
675 bonds issued by the Division of Bond Finance of the State Board
676 of Administration on behalf of the authority pursuant to s. 11,
677 Art. VII of the State Constitution and the State Bond Act, ss.
678 215.57-215.83.

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

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

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697 Section 8. Section 348.7546, Florida Statutes, is amended
698 to read:

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

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

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

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

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

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

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

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755 portion of the Northwest Beltway Part A runs ~~will run~~ from the
756 point at or near where the Maitland Boulevard Extension connects
757 ~~will connect~~ with State Road 429 and proceeds ~~will proceed~~ to
758 the west and then north resulting in the northern terminus of
759 State Road 429 moving farther west before reconnecting with U.S.
760 441. However, under no circumstances may ~~shall~~ the realignment
761 of the Northwest Beltway Part A conflict with or contradict ~~with~~
762 the alignment of the Wekiva Parkway as defined in s. 348.7546.
763 This project may be financed with any funds available to the
764 authority for such purpose or revenue bonds issued by the
765 authority under s. 11, Art. VII of the State Constitution and s.
766 348.755(1) (b).

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

769 348.755 Bonds of the authority.—

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

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

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

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784 including the department, ~~with reference thereto.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

835 348.756 Remedies of the bondholders.—

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

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

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871 (4) ~~Nothing in~~ This section or any other section of this
872 part does not shall authorize any receiver appointed pursuant
873 ~~hereto~~ for the purpose, subject to and in compliance with the
874 provisions of any lease-purchase agreement between the authority
875 and the department, of operating and maintaining the Central
876 Florida Orlando-Orange County Expressway System or any
877 facilities or part of the system or facilities ~~or parts thereof~~,
878 to sell, assign, mortgage, or otherwise dispose of any of the
879 assets of whatever kind and character belonging to the
880 authority. ~~It is the intention of this part to limit~~ The powers
881 of the such receiver, subject to and in compliance with the
882 provisions of any lease-purchase agreement between the authority
883 and the department, are limited to the operation and maintenance
884 of the Central Florida Orlando-Orange County Expressway System,
885 or any facility, or part ~~or parts~~ thereof, as the court may
886 direct, in the name and for and on behalf of the authority, the
887 department, and the bondholders, and no holder of bonds on the
888 authority nor any trustee, has shall ever have the right in any
889 suit, action, or proceeding at law or in equity, to compel a
890 receiver, nor may shall any receiver be authorized or any court
891 be empowered to direct the receiver to sell, assign, mortgage,
892 or otherwise dispose of any assets ~~of whatever kind or character~~
893 belonging to the authority.

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

896 348.757 Lease-purchase agreement.—

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

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900 the former Orlando-Orange County Expressway System.

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

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

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

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

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

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

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

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

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987 other preliminary engineering and other studies; provided,
988 however, that the aggregate amount of moneys expended for the
989 ~~said~~ purposes by the ~~said~~ department do shall not exceed the sum
990 of \$375,000.

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

993 348.758 Appointment of department as ~~may be appointed~~ agent
994 of authority for construction.—The department may be appointed
995 by the ~~said~~ authority as its agent for the purpose of
996 constructing improvements and extensions to the Central Florida
997 ~~Orlando-Orange County~~ Expressway System and for its ~~the~~
998 completion ~~thereof~~. In such event, the authority shall provide
999 the department with complete copies of all documents,
1000 agreements, resolutions, contracts, and instruments relating
1001 thereto and shall request the department to do such construction
1002 work, including the planning, surveying, and actual construction
1003 of the completion, extensions, and improvements to the Central
1004 Florida ~~Orlando-Orange County~~ Expressway System and shall
1005 transfer to the credit of an account of the department in the
1006 State Treasury ~~of the state~~ the necessary funds, therefor and
1007 the department may ~~shall thereupon be authorized, empowered and~~
1008 ~~directed to~~ proceed with such construction and ~~to~~ use the ~~said~~
1009 funds for such purpose in the same manner that it is ~~now~~
1010 authorized to use the funds ~~otherwise provided by law~~ for the
1011 ~~its use in~~ construction of roads and bridges.

1012 Section 14. Section 348.759, Florida Statutes, is amended
1013 to read:

1014 348.759 Acquisition of lands and property.—

1015 (1) For the purposes of this part, the Central Florida

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1016 ~~Orlando-Orange County~~ Expressway Authority may acquire private
1017 or public property and property rights, including rights of
1018 access, air, view, and light, by gift, devise, purchase, or
1019 condemnation by eminent domain proceedings, as the authority
1020 deems ~~may deem~~ necessary for any of the purposes of this part,
1021 including, but not limited to, any lands reasonably necessary
1022 for securing applicable permits, areas necessary for management
1023 of access, borrow pits, drainage ditches, water retention areas,
1024 rest areas, replacement access for landowners whose access is
1025 impaired due to the construction of a facility, and replacement
1026 rights-of-way for relocated rail and utility facilities; for
1027 existing, proposed, or anticipated transportation facilities on
1028 the Central Florida ~~Orlando-Orange County~~ Expressway System or
1029 in a transportation corridor designated by the authority; or for
1030 the purposes of screening, relocation, removal, or disposal of
1031 junkyards and scrap metal processing facilities. The authority
1032 may ~~shall also have the power to~~ condemn any material and
1033 property necessary for such purposes.

1034 (2) ~~The right of eminent domain herein conferred shall be~~
1035 ~~exercised by the~~ authority shall exercise the right of eminent
1036 domain in the manner provided by law.

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

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1045 or exacerbate a pollution source. The authority and the
1046 Department of Environmental Protection may enter into
1047 interagency agreements for the performance, funding, and
1048 reimbursement of the investigative and remedial acts necessary
1049 for property acquired by the authority.

1050 Section 15. Section 348.760, Florida Statutes, is amended
1051 to read:

1052 348.760 Cooperation with other units, boards, agencies, and
1053 individuals.—~~A Express authority and power is hereby given and~~
1054 ~~granted any~~ county, municipality, drainage district, road and
1055 bridge district, school district or any other political
1056 subdivision, board, commission, or individual in, or of, the
1057 state may ~~to~~ make and enter into with the authority, contracts,
1058 leases, conveyances, partnerships, or other agreements pursuant
1059 to ~~within the provisions and purposes of~~ this part. The
1060 authority may ~~is hereby expressly authorized to~~ make and enter
1061 into contracts, leases, conveyances, partnerships, and other
1062 agreements with any political subdivision, agency, or
1063 instrumentality of the state and any ~~and all~~ federal agencies,
1064 corporations, and individuals, for the purpose of carrying out
1065 the provisions of this part ~~or with the consent of the Seminole~~
1066 ~~County Expressway Authority, for the purpose of carrying out and~~
1067 ~~implementing part VIII of this chapter.~~

1068 Section 16. Section 348.761, Florida Statutes, is amended
1069 to read:

1070 348.761 Covenant of the state.—The state pledges ~~does~~
1071 ~~hereby pledge~~ to, and agrees, with any person, firm or
1072 corporation, or federal or state agency subscribing to, or
1073 acquiring the bonds to be issued by the authority for the

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1074 purposes of this part that the state will not limit or alter the
1075 rights that are hereby vested in the authority and the
1076 department until all issued bonds and interest ~~at any time~~
1077 ~~issued, together with the interest thereon,~~ are fully paid and
1078 discharged insofar as the pledge same affects the rights of the
1079 holders of bonds issued pursuant to this part hereunder. The
1080 state does further pledge to, and agree, with the United States
1081 that in the event any federal agency constructs or contributes
1082 ~~shall construct or contribute~~ any funds for the completion,
1083 extension, or improvement of the Central Florida Orlando-Orange
1084 ~~County~~ Expressway System, or any part or portion of the system
1085 ~~thereof,~~ the state will not alter or limit the rights and powers
1086 of the authority and the department in any manner that which
1087 would be inconsistent with the continued maintenance and
1088 operation of the Central Florida Orlando-Orange County
1089 Expressway System or the completion, extension, or improvement
1090 of the system thereof, or that which would be inconsistent with
1091 the due performance of any agreements between the authority and
1092 any such federal agency, and the authority and the department
1093 shall continue to have and may exercise all powers ~~herein~~
1094 granted in this part, so long as the powers are same shall be
1095 necessary or desirable for the carrying out of the purposes of
1096 this part and the purposes of the United States in the
1097 completion, extension, or improvement of the Central Florida
1098 ~~Orlando-Orange County~~ Expressway System, or any part of the
1099 system or portion thereof.

1100 Section 17. Section 348.765, Florida Statutes, is amended
1101 to read:

1102 348.765 This part complete and additional authority.-

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1103 (1) The powers conferred by this part are ~~shall be~~ in
1104 addition and supplemental to the existing powers of the ~~said~~
1105 board and the department, and this part may ~~shall~~ not be
1106 construed as repealing any of the provisions, of any other law,
1107 general, special, or local, but to supersede such other laws in
1108 the exercise of the powers provided in this part, and to provide
1109 a complete method for the exercise of the powers granted in this
1110 part. The extension and improvement of the Central Florida ~~said~~
1111 ~~Orlando-Orange County~~ Expressway System, and the issuance of
1112 bonds pursuant to this part hereunder to finance all or part of
1113 the cost of the system ~~thereof~~, may be accomplished upon
1114 compliance with the provisions of this part without regard to or
1115 necessity for compliance with the provisions, limitations, or
1116 restrictions contained in any other general, special, or local
1117 law, including, but not limited to, s. 215.821, and no approval
1118 of any bonds issued under this part by the qualified electors or
1119 qualified electors who are freeholders in the state or in the
1120 ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any
1121 other political subdivision of the state, is ~~shall be~~ required
1122 for the issuance of such bonds pursuant to this part.

1123 (2) This part does ~~shall not be deemed to~~ repeal, rescind,
1124 or modify any other law ~~or laws~~ relating to the ~~said~~ State Board
1125 of Administration, the ~~said~~ Department of Transportation, or the
1126 Division of Bond Finance of the State Board of Administration,
1127 but supersedes any ~~shall be deemed to and shall supersede such~~
1128 ~~other~~ law that is ~~or laws as~~ are inconsistent with the
1129 provisions of this part, including, but not limited to, s.
1130 215.821.

1131 Section 18. Subsections (6) and (7) of section 369.317,

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1132 Florida Statutes, are amended to read:

1133 369.317 Wekiva Parkway.—

1134 (6) The Central Florida ~~Orlando-Orange County~~ Expressway
1135 Authority is hereby granted the authority to act as a third-
1136 party acquisition agent, pursuant to s. 259.041 on behalf of the
1137 Board of Trustees or chapter 373 on behalf of the governing
1138 board of the St. Johns River Water Management District, for the
1139 acquisition of all necessary lands, property and all interests
1140 in property identified herein, including fee simple or less-
1141 than-fee simple interests. The lands subject to this authority
1142 are identified in paragraph 10.a., State of Florida, Office of
1143 the Governor, Executive Order 03-112 of July 1, 2003, and in
1144 Recommendation 16 of the Wekiva Basin Area Task Force created by
1145 Executive Order 2002-259, such lands otherwise known as
1146 Neighborhood Lakes, a 1,587+/-acre parcel located in Orange and
1147 Lake Counties within Sections 27, 28, 33, and 34 of Township 19
1148 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20
1149 South, Range 28 East; Seminole Woods/Swamp, a 5,353+/-acre
1150 parcel located in Lake County within Section 37, Township 19
1151 South, Range 28 East; New Garden Coal; a 1,605+/-acre parcel in
1152 Lake County within Sections 23, 25, 26, 35, and 36, Township 19
1153 South, Range 28 East; Pine Plantation, a 617+/-acre tract
1154 consisting of eight individual parcels within the Apopka City
1155 limits. The Department of Transportation, the Department of
1156 Environmental Protection, the St. Johns River Water Management
1157 District, and other land acquisition entities shall participate
1158 and cooperate in providing information and support to the third-
1159 party acquisition agent. The land acquisition process authorized
1160 by this paragraph shall begin no later than December 31, 2004.

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1161 Acquisition of the properties identified as Neighborhood Lakes,
1162 Pine Plantation, and New Garden Coal, or approval as a
1163 mitigation bank shall be concluded no later than December 31,
1164 2010. Department of Transportation and Central Florida ~~Orlando-~~
1165 ~~Orange County~~ Expressway Authority funds expended to purchase an
1166 interest in those lands identified in this subsection shall be
1167 eligible as environmental mitigation for road construction
1168 related impacts in the Wekiva Study Area. If any of the lands
1169 identified in this subsection are used as environmental
1170 mitigation for road-construction-related impacts incurred by the
1171 Department of Transportation or Central Florida ~~Orlando-Orange~~
1172 ~~County~~ Expressway Authority, or for other impacts incurred by
1173 other entities, within the Wekiva Study Area or within the
1174 Wekiva parkway alignment corridor, and if the mitigation offsets
1175 these impacts, the St. Johns River Water Management District and
1176 the Department of Environmental Protection shall consider the
1177 activity regulated under part IV of chapter 373 to meet the
1178 cumulative impact requirements of s. 373.414(8)(a).

1179 (a) Acquisition of the land described in this section is
1180 required to provide right-of-way for the Wekiva Parkway, a
1181 limited access roadway linking State Road 429 to Interstate 4,
1182 an essential component in meeting regional transportation needs
1183 to provide regional connectivity, improve safety, accommodate
1184 projected population and economic growth, and satisfy critical
1185 transportation requirements caused by increased traffic volume
1186 growth and travel demands.

1187 (b) Acquisition of the lands described in this section is
1188 also required to protect the surface water and groundwater
1189 resources of Lake, Orange, and Seminole counties, otherwise

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1190 known as the Wekiva Study Area, including recharge within the
1191 springshed that provides for the Wekiva River system. Protection
1192 of this area is crucial to the long term viability of the Wekiva
1193 River and springs and the central Florida region's water supply.
1194 Acquisition of the lands described in this section is also
1195 necessary to alleviate pressure from growth and development
1196 affecting the surface and groundwater resources within the
1197 recharge area.

1198 (c) Lands acquired pursuant to this section that are needed
1199 for transportation facilities for the Wekiva Parkway shall be
1200 determined not necessary for conservation purposes pursuant to
1201 ss. 253.034(6) and 373.089(5) and shall be transferred to or
1202 retained by the Central Florida ~~Orlando-Orange County~~ Expressway
1203 Authority or the Department of Transportation upon reimbursement
1204 of the full purchase price and acquisition costs.

1205 (7) The Department of Transportation, the Department of
1206 Environmental Protection, the St. Johns River Water Management
1207 District, Central Florida ~~Orlando-Orange County~~ Expressway
1208 Authority, and other land acquisition entities shall cooperate
1209 and establish funding responsibilities and partnerships by
1210 agreement to the extent funds are available to the various
1211 entities. Properties acquired with Florida Forever funds shall
1212 be in accordance with s. 259.041 or chapter 373. The Central
1213 Florida ~~Orlando-Orange County~~ Expressway Authority shall acquire
1214 land in accordance with this section of law to the extent funds
1215 are available from the various funding partners, but shall not
1216 be required nor assumed to fund the land acquisition beyond the
1217 agreement and funding provided by the various land acquisition
1218 entities.

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1219 Section 19. Subsection (1) of section 369.324, Florida
1220 Statutes, is amended to read:

1221 369.324 Wekiva River Basin Commission.—

1222 (1) The Wekiva River Basin Commission is created to monitor
1223 and ensure the implementation of the recommendations of the
1224 Wekiva River Basin Coordinating Committee for the Wekiva Study
1225 Area. The East Central Florida Regional Planning Council shall
1226 provide staff support to the commission with funding assistance
1227 from the Department of Economic Opportunity. The commission
1228 shall be comprised of a total of 18 ~~19~~ members appointed by the
1229 Governor, 9 of whom shall be voting members and 9 ~~10~~ shall be ad
1230 hoc nonvoting members. The voting members shall include:

1231 (a) One member of each of the Boards of County
1232 Commissioners for Lake, Orange, and Seminole Counties.

1233 (b) One municipal elected official to serve as a
1234 representative of the municipalities located within the Wekiva
1235 Study Area of Lake County.

1236 (c) One municipal elected official to serve as a
1237 representative of the municipalities located within the Wekiva
1238 Study Area of Orange County.

1239 (d) One municipal elected official to serve as a
1240 representative of the municipalities located within the Wekiva
1241 Study Area of Seminole County.

1242 (e) One citizen representing an environmental or
1243 conservation organization, one citizen representing a local
1244 property owner, a land developer, or an agricultural entity, and
1245 one at-large citizen who shall serve as chair of the council.

1246 (f) The ad hoc nonvoting members shall include one
1247 representative from each of the following entities:

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- 1248 1. St. Johns River Management District.
- 1249 2. Department of Economic Opportunity.
- 1250 3. Department of Environmental Protection.
- 1251 4. Department of Health.
- 1252 5. Department of Agriculture and Consumer Services.
- 1253 6. Fish and Wildlife Conservation Commission.
- 1254 7. Department of Transportation.
- 1255 8. MetroPlan Orlando.
- 1256 9. Central Florida ~~Orlando-Orange County~~ Expressway

1257 Authority.

- 1258 ~~10. Seminole County Expressway Authority.~~

1259 Section 20. (1) Effective upon this act becoming a law, the
1260 Osceola County Expressway Authority may only exercise its powers
1261 for the purpose of studying, planning, designing, financing,
1262 constructing, operating, and maintaining those projects
1263 identified in the Osceola County Expressway Authority May 8,
1264 2012, Master Plan, as adopted on such date, and an additional
1265 extension of the Osceola Parkway Extension 2 miles to the east
1266 of its intersection with the Northeast Connector Expressway.
1267 Effective December 31, 2018, all powers, governance, and control
1268 of the Osceola County Expressway System, created pursuant to
1269 part V of chapter 348, Florida Statutes, are transferred to the
1270 Central Florida Expressway Authority, and the assets,
1271 liabilities, facilities, tangible and intangible property and
1272 any rights in the property, and any other legal rights of the
1273 Osceola County Expressway Authority are transferred to the
1274 Central Florida Expressway Authority. Upon transfer, the Osceola
1275 County Expressway System facilities shall each be a "non-system
1276 project" of the Central Florida Expressway Authority, as that

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1277 term is defined in the then-current master senior lien bond
1278 resolution of the Central Florida Expressway Authority. The
1279 effective date of such transfer shall be extended until the date
1280 on which the current and forecasted total debt service coverage
1281 ratio with respect to all bonds, notes, loans, and other debt
1282 obligations issued to finance such projects to be transferred
1283 can be and is calculated and certified by the financial advisor
1284 for the Central Florida Expressway Authority to be equal to or
1285 greater than 1.5 for each and every year during which such
1286 obligations are then scheduled to be outstanding, including
1287 scheduled reimbursement obligations to other governmental
1288 entities. The debt service coverage ratio shall be calculated in
1289 a manner consistent with the then-current master senior lien
1290 bond resolution of the Central Florida Expressway Authority. If
1291 the effective date of the transfer is extended, after December
1292 31, 2018, the Osceola County Expressway Authority may only
1293 exercise its powers through a contract or contracts with another
1294 governmental entity and only for the purpose of operating and
1295 maintaining those projects which were completed before such
1296 date, in accordance with the requirements of any agreement,
1297 resolution, or indenture under which bonds or other debt
1298 obligations were issued to finance such projects, and completing
1299 construction of those projects for which financing of the full
1300 estimated costs of acquisition, design, and construction was
1301 obtained and construction began before December 31, 2018.

1302 (2) Part V of chapter 348, Florida Statutes, consisting of
1303 ss. 348.9950, 348.9951, 348.9952, 348.9953, 348.9954, 348.9956,
1304 348.9957, 348.9958, 348.9959, 348.9960, and 348.9961, is
1305 repealed on the same date that the Osceola County Expressway

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1306 System is transferred to the Central Florida Expressway
1307 Authority.

1308 (3) (a) Following the repeal of part V of chapter 348,
1309 Florida Statutes, consisting of sections 348.9950-348.9961, and
1310 the transfer of the Osceola County Expressway System to the
1311 Central Florida Expressway Authority, the Central Florida
1312 Expressway Authority shall include the uncompleted elements of
1313 the Osceola County Expressway Authority May 8, 2012, Master
1314 Plan, as adopted on such date, and an additional extension of
1315 the Osceola Parkway Extension 2 miles to the east of its
1316 intersection with the Northeast Connector Expressway, in the
1317 equivalent Central Florida Expressway Authority master plan or
1318 long-range plan, each as a "non-system project" of the Central
1319 Florida Expressway Authority, as that term is defined in the
1320 then-current master senior lien bond resolution of the Central
1321 Florida Expressway Authority.

1322 (b) The Department of Transportation shall also include
1323 elements of the Osceola County Expressway Authority May 8, 2012,
1324 Master Plan, as adopted on such date, and an additional
1325 extension of the Osceola Parkway Extension 2 miles to the east
1326 of its intersection with the Northeast Connector Expressway, in
1327 its work program in accordance with s. 339.135, Florida
1328 Statutes, as tolled facilities.

1329 (4) The Central Florida Expressway Authority shall comply
1330 with any and all obligations of the Osceola County Expressway
1331 Authority to reimburse other governmental entities for costs
1332 incurred on behalf of the Osceola County Expressway System from
1333 revenues of the Osceola County Expressway System available after
1334 payment of all amounts required for operation and maintenance of

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1335 the Osceola County Expressway System and all amounts required to
1336 be paid under the terms of any resolution authorizing the
1337 issuance of bonds to fund the acquisition, design, or
1338 construction of any portion of the Osceola County Expressway
1339 System. This reimbursement obligation specifically includes, but
1340 is not limited to, any obligation of the Osceola County
1341 Expressway Authority to reimburse Osceola County and Polk County
1342 for costs incurred, or debt issued, to fund the acquisition,
1343 development, construction, operation, and maintenance of the
1344 Osceola County Expressway System. The transfer of any
1345 reimbursement obligation of the Osceola County Expressway
1346 Authority pursuant to this section does not alter the terms of
1347 any agreement between the Osceola County Expressway Authority
1348 and any other governmental entity, does not relieve any other
1349 governmental entity of its contractual obligations incurred on
1350 behalf of the Osceola County Expressway System, does not make
1351 any reimbursement obligation a general obligation of the Central
1352 Florida Expressway Authority, and does not constitute an
1353 independent pledge or lien on revenues of the Central Florida
1354 Expressway Authority for the benefit of any person or entity. To
1355 the extent that revenues generated by the Osceola County
1356 Expressway System are insufficient to pay a reimbursement
1357 obligation, the Central Florida Expressway Authority may, but is
1358 not required to, make any payment from other revenues of the
1359 Central Florida Expressway System available for such purpose
1360 after payment of all amounts required:
1361 (a) Otherwise by law or contract;
1362 (b) By the terms of any resolution authorizing the issuance
1363 of bonds by the Central Florida Expressway Authority or the

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1364 Orlando-Orange County Expressway Authority; and

1365 (c) By the terms of the memorandum of understanding between
1366 the Orlando-Orange County Expressway Authority and the
1367 department as ratified by the board of the Orlando-Orange County
1368 Expressway Authority on February 22, 2012.

1369 (5) Revenues generated by the Osceola County Expressway
1370 System May 8, 2012, Master Plan facilities available after
1371 payment of all current operation, maintenance, and
1372 administrative expenses of the Osceola County Expressway System;
1373 payment of debt service on any bonds, notes, loans, or other
1374 obligations issued and used to finance the costs of design,
1375 acquisition, and construction of such facilities; and payment of
1376 all other amounts required by the terms of any trust agreement
1377 or indenture established with respect thereto shall be used:

1378 (a) On a pro rata basis to repay or reimburse in full
1379 Osceola County or any other local agency any funds or amounts
1380 loaned to the Osceola County Expressway Authority to complete
1381 any such projects and to repay or reimburse in full the Central
1382 Florida Expressway Authority for any funds or amounts
1383 contributed to such projects; and

1384 (b) Thereafter, to advance any other uncompleted elements
1385 of the Osceola County Expressway Authority May 8, 2012, Master
1386 Plan, and an additional extension of the Osceola Parkway
1387 Extension 2 miles to the east of its intersection with the
1388 Northeast Connector Expressway.

1389 (6) The Central Florida Expressway Authority shall have no
1390 obligation to financially support any elements of the Osceola
1391 County Expressway Authority May 8, 2012, Master Plan, or the
1392 additional extension of the Osceola Parkway Extension 2 miles to

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1393 the east of its intersection with the Northeast Connector
1394 Expressway, from revenues of the Central Florida Expressway
1395 Authority's Expressway System. To the extent the governing board
1396 of the Central Florida Expressway Authority, in its sole
1397 discretion, votes to financially support any elements of the
1398 Osceola County Expressway Authority May 8, 2012, Master Plan, or
1399 the additional extension of the Osceola Parkway Extension 2
1400 miles to the east of its intersection with the Northeast
1401 Connector Expressway, it must treat any such element as a "non-
1402 system project" and shall only finance such element from
1403 revenues of the Central Florida Expressway Authority's
1404 Expressway System to the extent permitted by and in accordance
1405 with the terms of any resolution authorizing the issuance of
1406 bonds by the Central Florida Expressway Authority. For the
1407 purpose of advancing the design, acquisition, and construction
1408 of the elements of the Osceola County Expressway Authority May
1409 8, 2012, Master Plan, and an additional extension of the Osceola
1410 Parkway Extension 2 miles to the east of its intersection with
1411 the Northeast Connector Expressway, the Central Florida
1412 Expressway Authority is specifically authorized to enter into
1413 new or amended lease-purchase agreements with Osceola County for
1414 the leasing, construction, operation, and maintenance of any
1415 facility described in the Osceola County Expressway Authority
1416 May 8, 2012, Master Plan, and an additional extension of the
1417 Osceola Parkway Extension 2 miles to the east of its
1418 intersection with the Northeast Connector Expressway.

1419 (7) In recognition of the strategic economic importance of
1420 enhanced mobility in the region served by the Osceola County
1421 Expressway Authority, the Department of Transportation shall

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1422 cooperate with the Osceola County Expressway Authority, the
1423 Central Florida Expressway Authority, and Osceola County in
1424 working to identify solutions to potential barriers to
1425 implementation of the projects included in the Osceola County
1426 Expressway Authority May 8, 2012, Master Plan, and an additional
1427 extension of the Osceola Parkway Extension 2 miles to the east
1428 of its intersection with the Northeast Connector Expressway,
1429 including funding sources and revenues that may be available for
1430 implementation of those improvements.

1431 Section 21. The Division of Law Revision and Information is
1432 directed to replace the phrase "the effective date of this act"
1433 wherever it occurs in this act with the date the act becomes a
1434 law.

1435 Section 22. This act shall take effect upon becoming a law.