

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

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

49

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

51

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

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

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

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

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

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

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

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

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

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

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

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

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

84 (8) The term "federal agency" means and includes the

85 United States, the President of the United States, and any
 86 department of, or corporation, agency, or instrumentality
 87 ~~heretofore or hereafter~~ created, designated, or established by,
 88 the United States.

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

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

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

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

113 | by the department or the county for outstanding obligations.

114 | (13) The term "Central Florida ~~Orlando-Orange County~~
 115 | Expressway System" means any expressway ~~and all expressways~~ and
 116 | appurtenant facilities ~~thereto~~, including, but not limited to,
 117 | all approaches, roads, bridges, and avenues of access for the
 118 | ~~said~~ expressway ~~or expressways~~.

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

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

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

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

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

139 | (1) There is ~~hereby~~ created and established a body politic
 140 | and corporate, an agency of the state, to be known as the

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141 Central Florida Orlando-Orange County Expressway Authority.~~7~~
142 ~~hereinafter referred to as "authority."~~

143 (2) Effective July 1, 2013, the Central Florida Expressway
144 Authority shall assume the governance and control of the
145 Orlando-Orange County Expressway Authority System, including its
146 assets, personnel, contracts, obligations, liabilities,
147 facilities, and tangible and intangible property. Any rights in
148 such property, and other legal rights of the authority, are
149 transferred to the Central Florida Expressway Authority. The
150 powers, responsibilities, and obligations of the Orlando-Orange
151 County Expressway Authority shall succeed to and be assumed by
152 the Central Florida Expressway Authority on July 1, 2013.

153 (3)~~(2)~~ The governing body of the authority shall consist
154 of nine ~~five~~ members. The chairs of the boards of county
155 commission of Seminole, Lake, and Osceola Counties shall each
156 appoint one Central Florida Expressway Authority Board member,
157 who may be a commission member or chair. A citizen from each of
158 Orange, Seminole, Lake, and Osceola Counties ~~Three members shall~~
159 ~~be citizens of Orange County, who shall be appointed by the~~
160 Governor. One ~~The fourth~~ member shall be, ~~ex officio,~~ the Mayor
161 of chair of the County Commissioners of Orange County, and the
162 final fifth ~~member shall be,~~ ~~ex officio,~~ the Mayor of the City
163 of Orlando. The executive director of Florida's Turnpike
164 Enterprise shall serve as a nonvoting advisor to the governing
165 body of the authority ~~district secretary of the Department of~~
166 ~~Transportation serving in the district that contains Orange~~
167 ~~County. The term of Each appointed member~~ appointed by the
168 Governor shall serve ~~be~~ for 4 years. Each county-appointed

169 member shall serve for 2 years. Standing board members shall
170 complete their terms. Each appointed member shall hold office
171 until his or her successor has been appointed and has qualified.
172 A vacancy occurring during a term must ~~shall~~ be filled only for
173 the balance of the unexpired term. Each appointed member of the
174 authority shall be a person of outstanding reputation for
175 integrity, responsibility, and business ability, but, except as
176 provided in this subsection, a ~~no~~ person who is an officer or
177 employee of a municipality or ~~any city or of Orange county~~ may
178 not in any other capacity shall be an appointed member of the
179 authority. Any member of the authority is ~~shall be~~ eligible for
180 reappointment.

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

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

200 (5)~~(4)~~(a) The authority may employ an executive secretary,
201 an executive director, its own counsel and legal staff,
202 technical experts, and the ~~such~~ engineers, ~~and such~~ employees
203 that, permanent or temporary, as it requires. The authority may
204 ~~require~~ and may determine the qualifications and fix the
205 compensation of such persons, firms, or corporations, and may
206 employ a fiscal agent or agents; ~~provided, however, that~~ the
207 authority shall solicit sealed proposals from at least three
208 persons, firms, or corporations for the performance of any
209 services as fiscal agents. The authority may delegate to one or
210 more of its agents or employees the ~~such of its~~ power as it
211 deems ~~shall deem~~ necessary to carry out the purposes of this
212 part, ~~subject always to the supervision and control of the~~
213 ~~authority~~. Members of the authority may be removed from ~~their~~
214 office by the Governor for misconduct, malfeasance, misfeasance,
215 or nonfeasance in office.

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

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

223 348.754 Purposes and powers.—

224 (1) (a) The authority created and established under ~~by the~~

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

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

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

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

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

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

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

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

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

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

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

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281 (g) To borrow money, make and issue negotiable notes,
282 bonds, refunding bonds, and other evidences of indebtedness or
283 obligations, either in temporary or definitive form, ~~hereinafter~~
284 ~~in this chapter sometimes called "bonds" of the authority,~~ for
285 the purpose of financing all or part of the improvement or
286 extension of the Central Florida ~~Orlando-Orange County~~
287 Expressway System, and appurtenant facilities, including all
288 approaches, streets, roads, bridges, and avenues of access for
289 the Central Florida ~~said Orlando-Orange County~~ Expressway System
290 and for any other purpose authorized by this part, ~~said bonds to~~
291 ~~mature in not exceeding 40 years from the date of the issuance~~
292 ~~thereof,~~ and to secure the payment of such bonds or any part
293 thereof by a pledge of any or all of its revenues, rates, fees,
294 rentals, or other charges, including all or any portion of the
295 Orange County gasoline tax funds received by the authority
296 pursuant to ~~the terms of~~ any lease-purchase agreement between
297 the authority and the department; and in general to provide for
298 the security of the ~~said~~ bonds and the rights and remedies of
299 the holders thereof. ~~Provided, However, that~~ no portion of the
300 Orange County gasoline tax funds may ~~shall~~ be pledged for the
301 construction of any project for which a toll is to be charged
302 unless the anticipated toll is ~~tolls are~~ reasonably estimated by
303 the board of county commissioners, at the date of its resolution
304 pledging the ~~said~~ funds, to be sufficient to cover the principal
305 and interest of such obligations during the period when the ~~said~~
306 pledge of funds is ~~shall be~~ in effect. The bonds issued under
307 this paragraph must mature not more than 40 years after their
308 issue date.

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

315 2. If, pursuant to this section, ~~In the event~~ the
 316 authority funds ~~shall determine to fund~~ or refunds ~~refund~~ any
 317 bonds previously ~~theretofore~~ issued by the ~~said~~ authority, or
 318 the ~~by~~ said ~~commission~~ before the bonds mature ~~as aforesaid~~
 319 ~~prior to the maturity thereof~~, the proceeds of such funding or
 320 refunding must ~~bonds shall~~, pending the prior redemption of
 321 these ~~the~~ ~~bonds to be funded or refunded~~, be invested in direct
 322 obligations of the United States, ~~and it is the express~~
 323 ~~intention of this part that such outstanding bonds may be funded~~
 324 ~~or refunded by the issuance of bonds pursuant to this part.~~

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

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

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

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

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

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

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

361 (3) The authority does not ~~shall~~ have the ~~no~~ power ~~at any~~
 362 ~~time or in any manner~~ to pledge the credit or taxing power of
 363 the state or any political subdivision or agency thereof,
 364 including any city and any county ~~the City of Orlando and the~~

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365 ~~County of Orange, nor may nor shall~~ any of the authority's
366 obligations be deemed to be obligations of the state or of any
367 political subdivision or agency thereof, nor may ~~nor shall~~ the
368 state or any political subdivision or agency thereof, except the
369 authority, be liable for the payment of the principal of or
370 interest on such obligations.

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

377 (4)~~(5)~~ The authority has ~~shall have~~ no power other than by
378 consent of an affected ~~Orange~~ county or any affected city, to
379 enter into any agreement which would legally prohibit the
380 construction of a any road by the respective county or city
381 ~~Orange County or by any city within Orange County.~~

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

393 ~~Expressway Authority pursuant to a resolution or policy.~~

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

395 ~~the economic development program for local small businesses~~

396 ~~requires that a participant:~~

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

398 ~~2. Be principally domiciled in the Orange County Standard~~

399 ~~Metropolitan Statistical Area.~~

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

401 ~~4. Have gross annual sales averaging \$3 million or less~~

402 ~~over the immediately preceding 3 calendar years with regard to~~

403 ~~any construction element of the program.~~

404 ~~5. Be accepted as a participant in the Orlando-Orange~~

405 ~~County Expressway Authority's microcontracts program or such~~

406 ~~other small business program as may be hereinafter enacted by~~

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

408 ~~6. Participate in an educational curriculum or technical~~

409 ~~assistance program for business development that will assist the~~

410 ~~small business in becoming eligible for bonding.~~

411 ~~(c) The authority's adopted procedures for waiving payment~~

412 ~~and performance bonds on projects with values not less than~~

413 ~~\$200,000 and not exceeding \$500,000 shall provide that payment~~

414 ~~and performance bonds may only be waived on projects that have~~

415 ~~been set aside to be competitively bid on by participants in an~~

416 ~~economic development program for local small businesses. The~~

417 ~~authority's executive director or his or her designee shall~~

418 ~~determine whether specific construction projects are suitable~~

419 ~~for:~~

420 ~~1. Bidding under the authority's microcontracts program by~~

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421 ~~registered local small businesses; and~~

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

423

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

430 ~~(d) For any contract for which a payment and performance~~
431 ~~bond has been waived pursuant to the authority set forth in this~~
432 ~~section, the Orlando-Orange County Expressway Authority shall~~
433 ~~pay all persons defined in s. 713.01 who furnish labor,~~
434 ~~services, or materials for the prosecution of the work provided~~
435 ~~for in the contract to the same extent and upon the same~~
436 ~~conditions that a surety on the payment bond under s. 255.05~~
437 ~~would have been obligated to pay such persons if the payment and~~
438 ~~performance bond had not been waived. The authority shall record~~
439 ~~notice of this obligation in the manner and location that surety~~
440 ~~bonds are recorded. The notice shall include the information~~
441 ~~describing the contract that s. 255.05(1) requires be stated on~~
442 ~~the front page of the bond. Notwithstanding that s. 255.05(9)~~
443 ~~generally applies when a performance and payment bond is~~
444 ~~required, s. 255.05(9) shall apply under this subsection to any~~
445 ~~contract on which performance or payment bonds are waived and~~
446 ~~any claim to payment under this subsection shall be treated as a~~
447 ~~contract claim pursuant to s. 255.05(9).~~

448 ~~(e) A small business that has been the successful bidder~~

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

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

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

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

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

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

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

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

494 348.7545 Western Beltway Part C, construction authorized;
495 financing.—Notwithstanding s. 338.2275, the Central Florida
496 Orlando-Orange County Expressway Authority may ~~is authorized to~~
497 exercise its condemnation powers, construct, finance, operate,
498 own, and maintain that portion of the Western Beltway known as
499 the Western Beltway Part C, extending from Florida's Turnpike
500 near Ocoee in Orange County southerly through Orange and Osceola
501 Counties to an interchange with I-4 near the Osceola-Polk County
502 line, as part of the authority's 20-year capital projects plan.
503 This project may be financed with any funds available to the
504 authority for such purpose or revenue bonds issued by the

505 Division of Bond Finance of the State Board of Administration on
 506 behalf of the authority pursuant to s. 11, Art. VII of the State
 507 Constitution and the State Bond Act, ss. 215.57-215.83. This
 508 project may be refinanced with bonds issued by the authority
 509 pursuant to s. 348.755(1)(d).

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

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

514 (1) The Central Florida ~~Orlando-Orange County~~ Expressway
 515 Authority may ~~is authorized to~~ exercise its condemnation powers
 516 and ~~to~~ construct, finance, operate, own, and maintain those
 517 portions of the Wekiva Parkway which are identified by agreement
 518 between the authority and the department and which are included
 519 as part of the authority's long-range capital improvement plan.
 520 The "Wekiva Parkway" means any limited access highway or
 521 expressway constructed between State Road 429 and Interstate 4
 522 specifically incorporating the corridor alignment recommended by
 523 Recommendation 2 of the Wekiva River Basin Area Task Force final
 524 report dated January 15, 2003, and the recommendations of the SR
 525 429 Working Group, which were adopted January 16, 2004. This
 526 project may be financed with any funds available to the
 527 authority for such purpose or revenue bonds issued by the
 528 authority under s. 11, Art. VII of the State Constitution and s.
 529 348.755(1)(b). This section does not invalidate the exercise by
 530 the authority of its condemnation powers or the acquisition of
 531 any property for the Wekiva Parkway before July 1, 2012.

532 (2) Notwithstanding any other provision of law ~~to the~~

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

550 (3) The department's obligation to construct its portions
 551 of the Wekiva Parkway is contingent upon the timely payment by
 552 the authority of the annual payments required of the authority
 553 and receipt of all required environmental permits and approvals
 554 by the Federal Government.

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

557 348.7547 Maitland Boulevard Extension and Northwest
 558 Beltway Part A Realignment construction authorized; financing.-
 559 Notwithstanding s. 338.2275, the Central Florida Orlando-Orange
 560 County Expressway Authority may ~~is hereby authorized to~~ exercise

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

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

582 348.755 Bonds of the authority.—

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

587 (a) The pledging of ~~all or~~ any part of the revenues,
 588 rates, fees, rentals, including ~~all or~~ any portion of the

589 Orange County gasoline tax funds received by the authority
 590 pursuant to the terms of any lease-purchase agreement between
 591 the authority and the department, or any part thereof}, or other
 592 charges or receipts of the authority, derived by the authority,
 593 from the Central Florida ~~Orlando-Orange County~~ Expressway
 594 System.

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

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

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

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

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

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

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

615 (3) The authority may employ fiscal agents as provided by
 616 this part or the State Board of Administration of Florida may

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

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

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

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

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

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

649 348.756 Remedies of the bondholders.—

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

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

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

701 department, and the bondholders, and no holder of bonds on the
 702 authority nor any trustee, has ~~shall ever have~~ the right in any
 703 suit, action, or proceeding at law or in equity, to compel a
 704 receiver, nor may ~~shall~~ any receiver be authorized or any court
 705 be empowered to direct the receiver to sell, assign, mortgage,
 706 or otherwise dispose of any assets ~~of whatever kind or character~~
 707 belonging to the authority.

708 Section 12. Subsections (1) through (7) of section
 709 348.757, Florida Statutes, are amended to read:

710 348.757 Lease-purchase agreement.—

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

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

729 | ~~the state.~~

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

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

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

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

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

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

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

807 Section 13. Section 348.758, Florida Statutes, is amended
808 to read:

809 348.758 Appointment of department as ~~may be appointed~~
810 agent of authority for construction.—The department may be
811 appointed by the ~~said~~ authority as its agent for the purpose of
812 constructing improvements and extensions to the Central Florida

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

828 Section 14. Section 348.759, Florida Statutes, is amended
 829 to read:

830 348.759 Acquisition of lands and property.—

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

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841 impaired due to the construction of a facility, and replacement
842 rights-of-way for relocated rail and utility facilities; for
843 existing, proposed, or anticipated transportation facilities on
844 the Central Florida ~~Orlando-Orange County~~ Expressway System or
845 in a transportation corridor designated by the authority; or for
846 the purposes of screening, relocation, removal, or disposal of
847 junkyards and scrap metal processing facilities. The authority
848 may ~~shall also have the power to~~ condemn any material and
849 property necessary for such purposes.

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

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

866 Section 15. Section 348.760, Florida Statutes, is amended
867 to read:

868 348.760 Cooperation with other units, boards, agencies,

869 | and individuals. ~~A Express authority and power is hereby given~~
 870 | ~~and granted any county, municipality, drainage district, road~~
 871 | ~~and bridge district, school district or any other political~~
 872 | ~~subdivision, board, commission, or individual in, or of, the~~
 873 | ~~state may to make and enter into with the authority, contracts,~~
 874 | ~~leases, conveyances, partnerships, or other agreements pursuant~~
 875 | ~~to within the provisions and purposes of this part.~~ The
 876 | authority may ~~is hereby expressly authorized to~~ make and enter
 877 | into contracts, leases, conveyances, partnerships, and other
 878 | agreements with any political subdivision, agency, or
 879 | instrumentality of the state and any ~~and all~~ federal agencies,
 880 | corporations, and individuals, for the purpose of carrying out
 881 | the provisions of this part ~~or with the consent of the Seminole~~
 882 | ~~County Expressway Authority, for the purpose of carrying out and~~
 883 | ~~implementing part VIII of this chapter.~~

884 | Section 16. Section 348.761, Florida Statutes, is amended
 885 | to read:

886 | 348.761 Covenant of the state.—The state pledges ~~does~~
 887 | ~~hereby pledge~~ to, and agrees, with any person, firm or
 888 | corporation, or federal or state agency subscribing to, or
 889 | acquiring the bonds to be issued by the authority for the
 890 | purposes of this part that the state will not limit or alter the
 891 | rights that are hereby vested in the authority and the
 892 | department until all issued bonds and interest ~~at any time~~
 893 | ~~issued, together with the interest thereon,~~ are fully paid and
 894 | discharged insofar as the pledge ~~same~~ affects the rights of the
 895 | holders of bonds issued pursuant to this part hereunder. The
 896 | state does further pledge to, and agree, with the United States

897 that in the event any federal agency constructs or contributes
 898 ~~shall construct or contribute~~ any funds for the completion,
 899 extension, or improvement of the Central Florida ~~Orlando-Orange~~
 900 ~~County~~ Expressway System, or any part or portion of the system
 901 ~~thereof,~~ the state will not alter or limit the rights and powers
 902 of the authority and the department in any manner that ~~which~~
 903 would be inconsistent with the continued maintenance and
 904 operation of the Central Florida ~~Orlando-Orange County~~
 905 Expressway System or the completion, extension, or improvement
 906 of the system ~~thereof,~~ or that ~~which~~ would be inconsistent with
 907 the due performance of any agreements between the authority and
 908 any such federal agency, and the authority and the department
 909 shall continue to have and may exercise all powers ~~herein~~
 910 granted in this part, so long as the powers are ~~same shall be~~
 911 necessary or desirable for the carrying out of the purposes of
 912 this part and the purposes of the United States in the
 913 completion, extension, or improvement of the Central Florida
 914 ~~Orlando-Orange County~~ Expressway System, or any part of the
 915 system ~~or portion thereof.~~

916 Section 17. Section 348.765, Florida Statutes, is amended
 917 to read:

918 348.765 This part complete and additional authority.—

919 (1) The powers conferred by this part are ~~shall be~~ in
 920 addition and supplemental to the existing powers of the said
 921 board and the department, and this part may ~~shall~~ not be
 922 construed as repealing any of the provisions, of any other law,
 923 general, special, or local, but to supersede such other laws in
 924 the exercise of the powers provided in this part, and to provide

925 a complete method for the exercise of the powers granted in this
 926 part. The extension and improvement of the Central Florida ~~said~~
 927 ~~Orlando-Orange County~~ Expressway System, and the issuance of
 928 bonds pursuant to this part hereunder to finance all or part of
 929 the cost of the system thereof, may be accomplished upon
 930 compliance with the provisions of this part without regard to or
 931 necessity for compliance with the provisions, limitations, or
 932 restrictions contained in any other general, special, or local
 933 law, including, but not limited to, s. 215.821, and no approval
 934 of any bonds issued under this part by the qualified electors or
 935 qualified electors who are freeholders in the state or in the
 936 ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any
 937 other political subdivision of the state, is ~~shall be~~ required
 938 for the issuance of such bonds pursuant to this part.

939 (2) This part does ~~shall not be deemed to~~ repeal, rescind,
 940 or modify any other law ~~or laws~~ relating to the ~~said~~ State Board
 941 of Administration, the ~~said~~ Department of Transportation, or the
 942 Division of Bond Finance of the State Board of Administration,
 943 but supersedes any ~~shall be deemed to and shall supersede such~~
 944 ~~other~~ law that is ~~or laws as are~~ inconsistent with the
 945 provisions of this part, including, but not limited to, s.
 946 215.821.

947 Section 18. All powers, governance, and control of the
 948 Osceola County Expressway System, created pursuant to part V,
 949 chapter 348, Florida Statutes, is transferred to the Central
 950 Florida Expressway Authority and the assets, liabilities,
 951 facilities, tangible and intangible property and any rights in
 952 the property, and any other legal rights of the Osceola

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953 | Expressway Authority, are transferred to the Central Florida
954 | Expressway Authority on July 1, 2014. Part V of chapter 348,
955 | Florida Statutes, consisting of ss. 348.9950-348.9961 is
956 | repealed on the same date that the Osceola County Expressway
957 | System is transferred to the Central Florida Expressway
958 | Authority.

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