

By Representatives Ross, Dockery, Ritter, Greenstein, Flanagan, Barreiro, Murman, Siplin, Andrews, Alexander, Argenziano, Attkisson, Byrd, Diaz de la Portilla and Smith

1                                   A bill to be entitled  
2           An act relating to high-speed rail  
3           transportation; creating the "Florida  
4           High-Speed Rail Authority Act"; creating s.  
5           341.82, F.S.; providing a short title; creating  
6           s. 341.821, F.S.; providing legislative  
7           findings, policy, purpose, and intent with  
8           respect to the development, financing,  
9           construction, and operation of an intrastate  
10          high-speed rail transportation system in the  
11          state; creating s. 341.822, F.S.; providing  
12          definitions; creating s. 341.823, F.S.;  
13          creating the Florida High-Speed Rail Authority;  
14          providing membership, terms, organization, and  
15          compensation of the authority; providing duties  
16          of the authority; creating s. 341.824, F.S.,  
17          relating to specified conflicts of interest  
18          with respect to authority members; creating s.  
19          341.825, F.S.; assigning the authority to the  
20          Department of Transportation for administrative  
21          purposes; creating s. 341.826, F.S.; providing  
22          powers and duties of the authority; creating s.  
23          341.827, F.S.; providing for payment of  
24          expenses incurred under the act; creating s.  
25          341.828, F.S.; requiring the authority to  
26          designate local areas of the state to be served  
27          by the intrastate high-speed rail  
28          transportation system; providing for sequence  
29          of system construction; creating s. 341.829,  
30          F.S.; creating the high-speed rail alignment  
31          advisory committees; providing purpose of the

1 advisory committees; providing membership and  
2 organization of the advisory committees;  
3 creating s. 341.830, F.S.; authorizing the  
4 authority to fix, revise, charge, and collect  
5 rates, rents, fees, charges, and revenues, and  
6 to enter into contracts, to finance intrastate  
7 high-speed rail transportation system projects;  
8 providing that specified revenues shall be set  
9 aside in a sinking fund; creating s. 341.831,  
10 F.S.; authorizing the authority to issue  
11 revenue bonds for any corporate purpose;  
12 creating s. 341.832, F.S.; authorizing the  
13 authority to issue refunding bonds; creating s.  
14 341.833, F.S.; providing that moneys received  
15 by the authority pursuant to the act shall be  
16 funds held in trust; creating s. 341.834, F.S.;  
17 providing for validity of bonds and validation  
18 proceedings; creating s. 341.835, F.S.;  
19 providing remedies of bondholders; creating s.  
20 341.836, F.S.; providing tax exemptions for  
21 property acquired or used by the authority,  
22 bonds issued by the authority, or specified  
23 income; providing an exception; creating s.  
24 341.837, F.S.; providing that bonds issued by  
25 the authority are legal investments; creating  
26 s. 341.838, F.S.; pledging the agreement of the  
27 state not to limit or alter the rights vested  
28 in the authority; creating s. 341.839, F.S.;  
29 providing that the act is supplemental and  
30 additional to powers conferred by other laws;  
31 exempting powers of the authority from

1 specified supervision, regulation, approval, or  
2 consent; creating s. 341.840, F.S.; providing  
3 pledge of the state not to restrict certain  
4 rights of the authority; creating s. 341.841,  
5 F.S.; requiring annual reports by the  
6 authority; creating s. 341.842, F.S.; providing  
7 construction of the act; creating s. 341.843,  
8 F.S.; providing that inconsistent provisions of  
9 other laws are superseded; creating s. 341.844,  
10 F.S.; providing for powers and duties of the  
11 Department of Environmental Regulation with  
12 respect to the act; creating s. 341.845, F.S.;  
13 providing requirements of the Department of  
14 Environmental Protection with respect to  
15 certification procedures; creating s. 341.846,  
16 F.S.; authorizing specified agreements  
17 concerning the contents of certification  
18 applications and supporting documentation;  
19 creating s. 341.847, F.S.; providing procedures  
20 for review of certification applications;  
21 creating s. 341.848, F.S.; providing for the  
22 appointment of an administrative law judge to  
23 conduct hearings on certification applications;  
24 creating s. 341.849, F.S.; providing for  
25 alteration of time limitations specified by the  
26 act; creating s. 341.850, F.S.; providing for  
27 preparation and submission of reports verifying  
28 or supplementing information contained in  
29 certification applications; creating s.  
30 341.851, F.S.; providing for publication and  
31 contents of notice of certification application

1 and proceedings; creating s. 341.852, F.S.;  
2 providing for certification hearings; creating  
3 s. 341.853, F.S.; providing for final  
4 disposition of a certification application;  
5 creating s. 341.854, F.S.; providing for effect  
6 of certification; providing that certification  
7 shall constitute the sole license of the state  
8 as to the approval of the location,  
9 construction, operation, and maintenance of any  
10 rail line, guideway, transit station, or  
11 associated development identified in the  
12 certification and subject to the conditions  
13 specified in the certification; specifying  
14 certain certification requirements; requiring  
15 certain notice; authorizing the exemption of  
16 licensees from specified licenses, permits,  
17 certificates, or similar agency documents;  
18 requiring applicants to seek necessary  
19 interests in specified state lands; creating s.  
20 341.855, F.S.; authorizing the authority or an  
21 applicant to undertake any associated  
22 development included in the certification;  
23 providing eligibility requirements for  
24 inclusion in a certification; creating s.  
25 341.856, F.S.; requiring the Department of  
26 Environmental Protection to file notice of a  
27 certified corridor route; providing contents of  
28 notice; creating s. 341.857, F.S.; authorizing  
29 the department to modify the terms and  
30 conditions of certification; providing  
31 procedure for modification; providing specified

1 notice; amending s. 288.109, F.S.; removing a  
2 cross reference; amending s. 334.30, F.S.;  
3 removing a cross reference; amending s.  
4 337.251, F.S.; removing a cross reference;  
5 amending s. 341.501, F.S.; providing that  
6 specified actions do not apply to the Florida  
7 High-Speed Rail Authority Act; amending s.  
8 206.46, F.S.; revising the distribution of  
9 state revenues deposited in the State  
10 Transportation Trust Fund to be committed  
11 annually for designated transportation  
12 projects; providing appropriations; repealing  
13 s. 341.3201, F.S., relating to the short title  
14 for ss. 341.3201-341.386, F.S., the "Florida  
15 High-Speed Rail Transportation Act"; repealing  
16 s. 341.321, F.S., relating to legislative  
17 findings, policy, purpose, and intent with  
18 respect to the development of a high-speed rail  
19 transportation system connecting the major  
20 urban areas of the state; repealing s. 341.322,  
21 F.S., relating to definitions of terms;  
22 repealing s. 341.325, F.S., relating to special  
23 powers and duties of the Department of  
24 Transportation; repealing s. 341.327, F.S.,  
25 which provides that the Florida High-Speed Rail  
26 Transportation Act is the sole and exclusive  
27 determination of need for any high-speed rail  
28 transportation system established under the  
29 act, thereby preempting specified  
30 determinations of need; repealing s. 341.329,  
31 F.S., relating to the issuance of bonds to

1 finance a high-speed rail transportation  
2 system; repealing s. 341.331, F.S., relating to  
3 designation of the areas of the state to be  
4 served by the high-speed rail transportation  
5 system and designation of termini; repealing s.  
6 341.332, F.S., relating to the award of  
7 franchises by the Department of Transportation  
8 to establish a high-speed rail transportation  
9 system; repealing s. 341.3331, F.S., relating  
10 to request for proposals; repealing s.  
11 341.3332, F.S., relating to notice of issuance  
12 of request for proposals; repealing s.  
13 341.3333, F.S., relating to requirements with  
14 respect to an application for franchise, and  
15 confidentiality of the application and portions  
16 of the application relating to trade secrets;  
17 repealing s. 341.3334, F.S., relating to the  
18 departmental review process of application for  
19 franchise; repealing s. 341.3335, F.S.,  
20 relating to interagency coordination of  
21 franchise application review; repealing s.  
22 341.3336, F.S., relating to public meetings on  
23 franchise applications; repealing s. 341.3337,  
24 F.S., relating to determination and award of  
25 franchise; repealing s. 341.3338, F.S.,  
26 relating to effect of franchise; repealing s.  
27 341.3339, F.S., relating to postfranchise  
28 agreements; repealing s. 341.334, F.S.,  
29 relating to the powers and duties of the  
30 Department of Transportation with respect to  
31 the act; repealing s. 341.335, F.S., relating

1 to the powers and duties of the Florida Land  
2 and Water Adjudicatory Commission sitting as  
3 the board; repealing s. 341.336, F.S., relating  
4 to the powers and duties of the Department of  
5 Environmental Protection, the Department of  
6 Community Affairs, and other affected agencies;  
7 repealing s. 341.3365, F.S., relating to  
8 certification procedures; repealing s. 341.342,  
9 F.S., relating to agreements concerning  
10 contents of certification application and  
11 supporting documentation; repealing s. 341.343,  
12 F.S., relating to review of certification  
13 applications; repealing s. 341.344, F.S.,  
14 relating to the establishment, composition,  
15 organization, and duties of the Citizens'  
16 Planning and Environmental Advisory Committee;  
17 repealing s. 341.345, F.S., relating to  
18 alternate corridors or transit station  
19 locations; repealing s. 341.346, F.S., relating  
20 to the powers and duties of an administrative  
21 law judge appointed to conduct hearings under  
22 the act; repealing s. 341.3465, F.S., relating  
23 to alteration of time limitations specified by  
24 the act; repealing s. 341.347, F.S., relating  
25 to required combined public meetings and land  
26 use and zoning hearings to be conducted by  
27 local governments; repealing s. 341.348, F.S.,  
28 relating to reports and studies required of  
29 various agencies by the act; repealing s.  
30 341.351, F.S., relating to publication and  
31 contents of notice of certification application

1 and proceedings; repealing s. 341.352, F.S.,  
2 relating to certification hearings; repealing  
3 s. 341.353, F.S., relating to final disposition  
4 of certification applications; repealing s.  
5 341.363, F.S., relating to the effect of  
6 certification; repealing s. 341.364, F.S.,  
7 relating to a franchisee's right to appeal to  
8 the Florida Land and Water Adjudicatory  
9 Commission under specified circumstances;  
10 repealing s. 341.365, F.S., relating to  
11 associated development; repealing s. 341.366,  
12 F.S., relating to recording of notice of  
13 certified corridor route; repealing s. 341.368,  
14 F.S., relating to modification of certification  
15 or franchise; repealing s. 341.369, F.S.,  
16 relating to fees imposed by the department and  
17 the disposition of such fees; repealing s.  
18 341.371, F.S., relating to revocation or  
19 suspension of franchise or certification;  
20 repealing s. 341.372, F.S., relating to  
21 imposition by the department of specified  
22 administrative fines in lieu of revocation or  
23 suspension of franchise; repealing s. 341.375,  
24 F.S., relating to the required participation by  
25 women, minorities, and economically  
26 disadvantaged individuals in all phases of the  
27 design, construction, maintenance, and  
28 operation of a high-speed rail transportation  
29 system developed under the act, and required  
30 plans for compliance by franchisees; repealing  
31 s. 341.381, F.S., relating to applicability of



1 the act; repealing s. 341.382, F.S., relating  
2 to laws and regulations superseded by the act;  
3 repealing s. 341.383, F.S., relating to the  
4 authority of local governments to assess  
5 specified fees; repealing s. 341.386, F.S.,  
6 relating to the admissibility of the award of a  
7 franchise and of a certification under the act  
8 in eminent domain proceedings; providing  
9 appropriations; providing an effective date.

10

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

12

13 Section 1. Section 341.82, Florida Statutes, is  
14 created to read:

15 341.82 Short title.--Sections 341.82-341.858 may be  
16 cited as the "Florida High-Speed Rail Authority Act."

17 Section 2. Section 341.821, Florida Statutes, is  
18 created to read:

19 341.821 Legislative findings, policy, purpose, and  
20 intent.--

21 (1) The intent of this act is to implement the purpose  
22 of s. 19, Art. X of the State Constitution, which directs the  
23 State of Florida to develop, finance, construct, and operate a  
24 high-speed monorail, fixed guideway, or magnetic levitation  
25 system, capable of speeds in excess of 120 miles per hour,  
26 linking Florida's five largest urban areas, as defined in this  
27 act, with construction beginning no later than November 1,  
28 2003. Further, this act promotes the various growth management  
29 laws enacted by the Legislature and encourages and enhances  
30 the establishment of an intrastate high-speed rail  
31 transportation system connecting the major urban areas of the

1 state. It is the further intent of the Legislature that any  
2 high-speed rail line and transit station be deemed consistent  
3 with local comprehensive plans, and that any other development  
4 associated with the high-speed rail line and transit stations  
5 be consistent, to the extent feasible, with comprehensive  
6 plans. The Legislature further finds that:

7 (a) The implementation of an intrastate high-speed  
8 rail transportation system in the state will result in overall  
9 social and environmental benefits, improvements in ambient air  
10 quality, better protection of water quality, greater  
11 preservation of wildlife habitat, less use of open space, and  
12 enhanced conservation of natural resources and energy.

13 (b) An intrastate high-speed rail transportation  
14 system, when used in conjunction with sound land use planning,  
15 becomes an integral part in achieving growth management goals  
16 and encouraging the use of public transportation to augment  
17 and implement land use and growth management goals and  
18 objectives.

19 (c) Transportation benefits of high-speed rail include  
20 improved travel times and more reliable travel, which will  
21 increase productivity and energy efficiency in the state.  
22 High-speed rail transportation is proven to be safe and  
23 therefore travel-related deaths and injuries can be reduced  
24 and millions of dollars can be saved from avoided accidents.

25 (2) The Legislature also finds that:

26 (a) Access to timely and efficient modes of passenger  
27 transportation is necessary for travelers, visitors, and  
28 day-to-day commuters, to the quality of life in the state, and  
29 to the economy of the state.

30 (b) Technological advances in the state's  
31 transportation system can significantly and positively affect

1 the ability of the state to attract and provide efficient  
2 services for domestic and international tourists and therefore  
3 increase revenue of the state.

4 (c) Development and utilization of a properly  
5 designed, constructed, and financed intrastate high-speed rail  
6 transportation system can act as a catalyst for economic  
7 growth and development, mitigate unduly long and  
8 traffic-congested commutes for day-to-day commuters, create  
9 new employment opportunities, create a safer transportation  
10 alternative, serve as a positive growth management system for  
11 building a better and more environmentally secure state, and  
12 serve a paramount public purpose by promoting the health,  
13 safety, and welfare of the citizens of the state.

14 (d) The geography of the state is suitable for the  
15 construction and efficient operation of an intrastate  
16 high-speed rail transportation system.

17 (e) The public use of the intrastate high-speed rail  
18 transportation system must be encouraged and assured in order  
19 to achieve the public purpose and the objectives set forth in  
20 this act. In order to encourage the public use of the  
21 intrastate high-speed rail system and to protect the public  
22 investment in the system, it is necessary to provide an  
23 environment surrounding each intrastate high-speed rail  
24 transit station which will enhance the safe movement of  
25 pedestrians and traffic into and out of the area, assure the  
26 personal safety of intrastate high-speed rail system users and  
27 users' personal property while the users are in the area of  
28 each station, and eliminate all conditions in the vicinity  
29 which constitute economic and social impediments and barriers  
30 to the use of the intrastate high-speed rail transportation  
31 system.

1       (f) Areas surrounding certain transit stations can, as  
2 a result of existing slums, blighted conditions, crime, and  
3 traffic congestion, pose a serious threat to the use of the  
4 intrastate high-speed rail transportation system, reduce  
5 revenue from users, discourage pedestrian and traffic ingress  
6 and egress, retard sound growth and development, impair public  
7 investment, and consume an excessive amount of public revenues  
8 in the employment of police and other forms of public  
9 protection to adequately safeguard the intrastate high-speed  
10 rail system and its users. Such areas may require  
11 redevelopment, acquisition, clearance, or disposition, or  
12 development of joint public and private development to provide  
13 parking lots, stores, retail establishments, restaurants,  
14 hotels, or office facilities appurtenant or ancillary to the  
15 intrastate high-speed rail transportation system and transit  
16 stations and to otherwise provide for an environment that will  
17 encourage the use of, and safeguard, the facility.

18       (g) The powers conferred by this act are for public  
19 uses and purposes as established by s. 19, Art. X of the State  
20 Constitution for which public funds may be expended and the  
21 power of eminent domain may be exercised, and the necessity in  
22 the public interest for the provisions herein enacted is  
23 hereby declared as a matter of legislative determination to  
24 implement the intent of s. 19, Art. X of the State  
25 Constitution.

26       (3) The legislative intent of ss. 341.82-341.858 is to  
27 establish a centralized and coordinated permitting process for  
28 the high-speed rail transportation system and the system's  
29 construction, operation, and maintenance in order to enhance  
30 and complete the transportation system of this state for  
31 travelers, visitors, and day-to-day commuters. This

1 necessarily involves the addressing of several broad interests  
2 of the public through the subject matter jurisdictions of  
3 several agencies. The Legislature recognizes that the  
4 location, construction, operation, and maintenance of a  
5 high-speed rail transportation system will have an effect upon  
6 the welfare of the population and that a centralized and  
7 coordinated permitting process will help to ensure that such  
8 system results in minimal adverse effects on the environment  
9 and public health, safety, and welfare.

10 (4) Upon the adoption of s. 19, Art. X of the State  
11 Constitution and the legislative findings herein, the State of  
12 Florida preempts, by ss. 341.82-341.858, any question, issue,  
13 or determination that the high-speed rail transportation  
14 system is needed or is in the public interest.

15 Section 3. Section 341.822, Florida Statutes, is  
16 created to read:

17 341.822 Definitions.--As used in this act, unless the  
18 context clearly indicates otherwise, the term:

19 (1) "Associated development" means property,  
20 equipment, or buildings which are built, installed, or  
21 established to provide financing, funding, or revenues for the  
22 planning, constructing, managing, and operating of a  
23 high-speed rail transportation system and which are directly  
24 associated with transit stations. The term includes property,  
25 including air rights, necessary for joint development, such as  
26 parking lots, stores, retail establishments, restaurants,  
27 hotels, offices, or other commercial, civic, residential, or  
28 support facilities, and may also include property necessary to  
29 protect or preserve the station area by reducing urban blight  
30 or traffic congestion or property necessary to accomplish any  
31

1 of the purposes set forth in this subsection which are  
2 reasonably anticipated or necessary.

3 (2) "Authority" means the Florida High-Speed Rail  
4 Authority.

5 (3) "Board" means the governing body of the authority.

6 (4) "Bonds" or "revenue bonds" means revenue bonds of  
7 the authority issued under the provisions of this act,  
8 including revenue refunding bonds, notwithstanding that the  
9 same may be secured by any other lawfully pledged security.

10 (5) "Central Florida" means the counties of Lake,  
11 Seminole, Orange, Osceola, Citrus, Sumter, Volusia, Brevard,  
12 Hernando, Pasco, Hillsborough, Pinellas, Alachua, and Polk.

13 (6) "Cost," as applied to a project or any portion  
14 thereof financed under the provisions of this act, means all  
15 or any part of the cost of construction and acquisition of all  
16 lands, structures, real or personal property, rights-of-way,  
17 franchises, easements, and interests acquired or used for a  
18 project, the cost of demolishing or removing any buildings or  
19 structures on land so acquired, including the cost of  
20 acquiring any lands to which such buildings or structures may  
21 be removed, the cost of all machinery and equipment, financing  
22 charges, interest prior to, during, and for a period of 30  
23 months after completion of such construction, provisions for  
24 working capital, reserves for principal, interest, and rebate,  
25 and for extensions, enlargements, additions, and improvements,  
26 costs of engineering, financial and legal services, plans,  
27 specifications, studies, surveys, estimates of costs and of  
28 revenues, administrative expenses, expenses necessary or  
29 incident to determining the feasibility or practicability of  
30 constructing the project, and such other expenses as may be  
31 necessary or incident to the construction and acquisition of

1 the project, the financing of such construction and  
2 acquisition, and the placing of the project in operation.

3 (7) "Intrastate high-speed rail transportation system"  
4 means any high-speed fixed guideway transportation system for  
5 transporting people or goods, which system is capable of  
6 operating at speeds in excess of 120 miles per hour, including  
7 a monorail system, dual track rail system, suspended rail  
8 system, magnetic levitation system, or pneumatic repulsion  
9 system. The term includes a corridor and structures essential  
10 to the operation of the line, including the land, structures,  
11 improvements, rights-of-way, easements, rail lines, rail beds,  
12 guideway structures, stations, platforms, switches, yards,  
13 parking lots, power relays, switching houses, transit  
14 stations, associated development, and any other facilities or  
15 equipment used or useful for the purposes of high-speed rail  
16 transportation construction, operation, or maintenance or the  
17 financing of high-speed rail transportation.

18 (8) "Intrastate high-speed rail transportation system  
19 rights-of-way" means land necessary for the construction,  
20 operation, and maintenance of the high-speed rail  
21 transportation system.

22 (9) "Local government" means a municipality or county  
23 in which any part of the high-speed rail transportation  
24 system, including any associated development, is proposed to  
25 be located.

26 (10) "Northeast Florida" means the counties of Nassau,  
27 Duval, Clay, St. Johns, Putnam, Marion, and Flagler.

28 (11) "Northwest Florida" means the counties of  
29 Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington,  
30 Jackson, Gadsden, Bay, Calhoun, Liberty, Gulf, Franklin, Leon,  
31 Jefferson, Madison, Wakulla, Taylor, Hamilton, Suwannee,

1 Columbia, Baker, Union, Lafayette, Gilchrist, Dixie, Bradford,  
2 and Levy.

3 (12) "Rail line or guideway" means the land, fixed  
4 structures, and improvements on the land, power distribution  
5 systems, substations, communication and signaling systems,  
6 rights-of-way, easements, roadbeds, guideway structures,  
7 bridges, switches, platforms, yards, fixed maintenance  
8 equipment and facilities, and other fixed facilities or  
9 equipment used for constructing, operating, maintaining, or  
10 financing the intrastate high-speed rail transportation  
11 system, excluding associated development.

12 (13) "Siting board" means the Governor and Cabinet  
13 sitting as the siting board for purposes of ss.  
14 341.82-341.858.

15 (14) "Southeast Florida" means the counties of  
16 Broward, Monroe, Miami-Dade, Indian River, Okeechobee, St.  
17 Lucie, Martin, and Palm Beach.

18 (15) "Southwest Florida" means the counties of  
19 Manatee, Hardee, DeSoto, Sarasota, Highlands, Charlotte,  
20 Glades, Lee, Hendry, and Collier.

21 (16) "Urban areas," for the purpose of this act, means  
22 Central Florida, Northeast Florida, Northwest Florida,  
23 Southeast Florida, and Southwest Florida.

24 Section 4. Section 341.823, Florida Statutes, is  
25 created to read:

26 341.823 Florida High-Speed Rail Authority.--

27 (1) There is created and established a body politic  
28 and corporate, an agency of the state, to be known as the  
29 "Florida High-Speed Rail Authority," hereinafter referred to  
30 as the "authority."

31



1           (2)(a) The governing board of the authority shall  
2 consist of nine voting members appointed as follows:

3           1. Three members shall be appointed by the Governor,  
4 one of whom must have a background in the area of  
5 environmental concerns, one of whom must have a legislative  
6 background, and one of whom must have a general business  
7 background.

8           2. Three members shall be appointed by the President  
9 of the Senate, one of whom must have a background in civil  
10 engineering, one of whom must have a background in  
11 transportation construction, and one of whom must have a  
12 general business background.

13           3. Three members shall be appointed by the Speaker of  
14 the House of Representatives, one of whom must have a legal  
15 background, one of whom must have a background in financial  
16 matters, and one of whom must have a general business  
17 background.

18           (b) The appointed members shall not be subject to  
19 confirmation by the Senate. The initial term of each member  
20 appointed by the Governor shall be for 4 years. The initial  
21 term of each member appointed by the President of the Senate  
22 shall be for 3 years. The initial term of each member  
23 appointed by the Speaker of the House of Representatives shall  
24 be for 2 years. Succeeding terms for all members shall be for  
25 terms of 4 years. Initial appointments must be made within 30  
26 days after the effective date of this act.

27           (c) A vacancy occurring during a term shall be filled  
28 by the respective appointing authority in the same manner as  
29 the original appointment and only for the balance of the  
30 unexpired term. An appointment to fill a vacancy shall be made  
31 within 60 days after the occurrence of the vacancy.

1       (d) The Secretary of Transportation shall be a  
2 nonvoting ex officio member of the board.

3       (e) The board shall elect one of its members as chair  
4 of the authority. The chair shall hold office at the will of  
5 the board. Five members of the board shall constitute a  
6 quorum, and the vote of five members shall be necessary for  
7 any action taken by the authority. No vacancy in the authority  
8 shall impair the right of a quorum of the board to exercise  
9 all rights and perform all duties of the authority.

10       (f) The members of the board shall be entitled to  
11 compensation not to exceed \$1,000 per meeting or \$6,000 in the  
12 aggregate per member for any calendar year, except that the  
13 chair shall be paid \$2,000 per meeting or no more than \$12,000  
14 in the aggregate for any calendar year. In addition to  
15 compensation provided for in this paragraph, the members of  
16 the board shall be reimbursed for reasonable travel expenses  
17 actually incurred in their duties as provided by law.

18       (g) In addition to implementing the powers and duties  
19 of the authority, the board shall also serve as a policymaking  
20 body for the authority and shall select the technology for the  
21 implementation of s. 19, Art. X of the State Constitution.

22       Section 5. Section 341.824, Florida Statutes, is  
23 created to read:

24       341.824 Conflicts of interest.--Notwithstanding any  
25 other law to the contrary, it shall not be or constitute a  
26 conflict of interest for a person having a background  
27 specified in s. 341.823(2)(a) to serve as a member of the  
28 authority. However, in each official decision to which this  
29 act is applicable, such member shall abstain from discussion,  
30 deliberation, action, and vote by the authority in respect to  
31 an undertaking pursuant to this act in which such member or

1 such member's firm or related entity may have a financial or  
2 economic interest.

3 Section 6. Section 341.825, Florida Statutes, is  
4 created to read:

5 341.825 Administrative assignment.--The authority  
6 shall be assigned to the Department of Transportation for  
7 administrative purposes. The authority shall be a separate  
8 budget entity, and the executive director shall be its agency  
9 head for all purposes. The Department of Transportation shall  
10 provide administrative support and service to the authority to  
11 the extent requested by the chair of the authority. The  
12 authority shall not be subject to control, supervision, or  
13 direction by the Department of Transportation in any manner,  
14 including, but not limited to, personnel, purchasing,  
15 transactions involving real or personal property, and  
16 budgetary matters.

17 Section 7. Section 341.826, Florida Statutes, is  
18 created to read:

19 341.826 Powers and duties.--

20 (1)(a) The authority created and established by this  
21 act shall plan, finance, construct, own, administer, and  
22 manage the operation of the intrastate high-speed rail system  
23 in the state, hereinafter referred to as "intrastate  
24 high-speed rail."

25 (b) The authority may exercise all powers granted to  
26 corporations under the Florida Business Corporation Act,  
27 chapter 607.

28 (c) The authority shall have perpetual succession as a  
29 body politic and corporate.

30 (d) The authority may make and execute financing  
31 agreements, leases, as lessee or as lessor, contracts, deeds,

1 and other instruments necessary or convenient in the exercise  
2 of the powers and functions of the authority under this act,  
3 including contracts with persons, firms, corporations, federal  
4 and state agencies, and other authorities, which state  
5 agencies and other authorities are authorized to enter into  
6 contracts and otherwise cooperate with the authority to  
7 facilitate the financing, construction, leasing, or sale of  
8 any project; may engage in sale-leaseback, lease-purchase,  
9 lease-leaseback, or other undertakings, and provide for the  
10 sale of certificates of participation incident thereto; and  
11 may enter into interlocal agreements in the manner provided in  
12 s. 163.01.

13 (e) It is the express intention of this act that the  
14 authority be authorized pursuant to provisions of this act to  
15 plan, develop, own, purchase, lease, or otherwise acquire,  
16 demolish, construct, improve, relocate, equip, repair,  
17 maintain, operate, and manage an intrastate high-speed rail  
18 system and intrastate high-speed rail facilities; to establish  
19 and determine such policies as may be necessary for the best  
20 interest of the operation and promotion of an intrastate  
21 high-speed rail system; and to adopt such rules as may be  
22 necessary to govern the operation of an intrastate high-speed  
23 rail system and intrastate high-speed rail facilities.

24 (f) The authority may issue bonds, bond anticipation  
25 notes, and other obligations of the authority for any of its  
26 corporate purposes, including the provision of funds to pay  
27 all or any part of the cost of any project, and to fund or  
28 refund the same, all as provided in this act.

29 (2) The authority may exercise all powers necessary,  
30 appurtenant, convenient, or incidental to carrying out the  
31

1 purposes enumerated in subsection (1), including, but not  
2 limited to, the following rights and powers to:  
3       (a) Sue and be sued, implead and be impleaded,  
4 complain and defend in all courts in its name.  
5       (b) Adopt and use a corporate seal.  
6       (c) Use the power of eminent domain, including the  
7 procedural powers granted under chapters 73 and 74.  
8       (d) Adopt bylaws for the regulation of the affairs and  
9 the conduct of the business of the authority. The bylaws shall  
10 provide for quorum and voting requirements, maintenance of  
11 minutes and other official records, and preparation and  
12 adoption of an annual budget.  
13       (e) Issue requests for proposals to operate the  
14 high-speed rail system, including transit stations, which  
15 shall include the payment of a minimum franchise fee and a  
16 minimum annual payment of a percentage of gross revenues,  
17 excluding any taxes, to be paid to the authority by the  
18 franchisee. In awarding a franchise, the authority shall  
19 consider, but is not limited to, the following:  
20           1. The qualifications of each applicant.  
21           2. The level of service proposed.  
22           3. The anticipated revenue.  
23           4. A plan of operations.  
24           5. The financial ability to provide reliable service.  
25       (f) Enforce collection of rates, fees, and charges,  
26 and to establish and enforce fines and penalties for any  
27 violation of rules.  
28       (g) Advertise and promote intrastate high-speed rail  
29 systems, facilities, and activities of the authority.  
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1       (h) Employ an executive director, attorney, and staff  
2 and retain financial advisors, legal advisors, and  
3 consultants.

4       (i) Cooperate with other governmental entities and to  
5 contract with other governmental agencies, including, but not  
6 limited to, the Department of Transportation, the Federal  
7 Government, counties, and municipalities.

8       (j) Accept funds or donations or contributions of  
9 lands, buildings, or other real or personal property from  
10 other governmental sources, and to accept private donations.

11       (k) Purchase by directly contracting with local,  
12 national, or international insurance companies to provide  
13 liability insurance that the authority is contractually and  
14 legally obligated to provide, the requirements of s.  
15 287.022(1), notwithstanding.

16       (l) Sell name rights for transit stations and other  
17 facilities owned by the authority to corporate or individual  
18 sponsors on a bid basis.

19       (3) The authority shall develop and adopt a work plan  
20 for construction of the infrastructure, including a rail  
21 system and transit stations. Such construction shall commence  
22 on or before November 1, 2003. The work plan shall address the  
23 authority's plan for the development of revenue sources and  
24 the services to be provided. The work plan shall be reviewed  
25 and updated annually.

26       Section 8. Section 341.827, Florida Statutes, is  
27 created to read:

28       341.827 Payment of expenses.--All expenses incurred in  
29 carrying out the provisions of this act shall be payable  
30 solely from funds provided under the authority of this act, or  
31 from other legally available sources, and no liability or

1 obligation shall be incurred by the authority, the board, or  
2 its members hereunder beyond the extent to which moneys have  
3 been provided.

4 Section 9. Section 341.828, Florida Statutes, is  
5 created to read:

6 341.828 Service designation; segment designation.--

7 (1) The authority shall designate local areas of the  
8 state that the intrastate high-speed rail transportation  
9 system will serve. The authority shall plan and develop the  
10 intrastate high-speed rail transportation system so that  
11 construction proceeds as follows:

12 (a) Construction of the initial segment of the  
13 intrastate high-speed rail system shall connect the Greater  
14 Tampa Bay Area to Lakeland/Winter Haven and the Greater  
15 Orlando Area.

16 (b) Construction of subsequent segments of the  
17 intrastate high-speed rail transportation system shall connect  
18 the cities of St. Petersburg/Clearwater, Port Canaveral/Cocoa  
19 Beach, Ft. Pierce, West Palm Beach, Ft. Lauderdale, Miami,  
20 Daytona Beach, St. Augustine, Jacksonville, Ft. Myers/Naples,  
21 Sarasota/Bradenton, Gainesville/Ocala, Tallahassee, and  
22 Pensacola.

23 (2) Selection of segments of the intrastate high-speed  
24 rail transportation system to be constructed subsequent to the  
25 initial segment of the system connecting the Greater Tampa Bay  
26 Area to Lakeland/Winter Haven and the Greater Orlando Area  
27 shall be prioritized by the authority, giving consideration to  
28 the demand for service, financial participation by local  
29 governments, and the available financial resources of the  
30 authority.

31

1           Section 10. Section 341.829, Florida Statutes, is  
2 created to read:

3           341.829 High-speed rail alignment advisory  
4 committees.--

5           (1) High-speed rail alignment advisory committees are  
6 created to review plans for the construction of each proposed  
7 segment of the intrastate high-speed rail system. The  
8 committee for each segment shall serve until conclusion of  
9 construction of that segment, at which time the committee  
10 shall be abolished.

11           (a) Each committee shall consist of:

12           1. The executive director of the authority or the  
13 executive director's designee.

14           2. One representative of environmental interests  
15 appointed by the Governor.

16           3. One representative of each county through which the  
17 segment will be constructed. The county representative shall  
18 be the chair of the county commission or the chair's designee.

19           (b) The chairs of the committees shall be elected by  
20 the members of the committees.

21           (c) The committees shall hold periodic meetings at the  
22 request of the chair. The authority shall provide support  
23 staff to the committees and ensure that meetings are properly  
24 recorded. Recording of committee meetings shall be pursuant to  
25 chapters 119 and 257.

26           (d) Each committee shall, from time to time, offer  
27 recommendations to the authority with respect to construction  
28 of the segment for which the respective committee was  
29 appointed.

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1       (e) The members of the committees shall be reimbursed  
2 for reasonable travel expenses actually incurred in their  
3 duties as provided by law.

4           Section 11. Section 341.830, Florida Statutes, is  
5 created to read:

6           341.830 Rates, rents, fees, and charges.--

7           (1) The authority is authorized to fix, revise,  
8 charge, and collect rates, rents, fees, charges, and revenues  
9 for the use of and for the services furnished, or to be  
10 furnished, by each project and to contract with any person,  
11 partnership, association, or corporation, or other body,  
12 public or private, in respect thereof. Such rates, rents,  
13 fees, and charges shall be fixed and adjusted in respect to  
14 the aggregate of rates, rents, fees, and charges from such  
15 project so as to provide funds sufficient with other revenues,  
16 if any:

17           (a) To pay the cost of all administrative expenses of  
18 the authority, and the cost of maintaining, repairing, and  
19 operating the project and each and every portion thereof, to  
20 the extent that the payment of such cost has not otherwise  
21 been adequately provided for.

22           (b) To pay the principal of and the interest on  
23 outstanding revenue bonds of the authority issued in respect  
24 to such project as the same shall become due and payable.

25           (c) To create and maintain reserves required or  
26 provided for in any resolution authorizing, or trust agreement  
27 securing, such revenue bonds of the authority.

28  
29 Such rates, rents, fees, and charges shall not be subject to  
30 supervision or regulation by any department, commission,  
31

1 board, body, bureau, or agency of this state other than the  
2 authority.

3 (2) A sufficient amount of the revenues derived in  
4 respect to a project, except such part of such revenues as may  
5 be necessary to pay the cost of all administrative expenses of  
6 the authority, and the cost of maintenance, repair, and  
7 operation and to provide reserves and for renewals,  
8 replacements, extensions, enlargements, and improvements as  
9 may be provided for in the resolution authorizing the issuance  
10 of any revenue bonds of the authority or in the trust  
11 agreement securing the same, shall be set aside at such  
12 regular intervals as may be provided in such resolution or  
13 trust agreement in a sinking or other similar fund which is  
14 hereby pledged to, and charged with, the payment of the  
15 principal of and the interest on such revenue bonds as the  
16 same shall become due, and the redemption price or the  
17 purchase price of bonds retired by call or purchase as therein  
18 provided. Such pledge shall be valid and binding from the time  
19 when the pledge is made; the rates, rents, fees, and charges  
20 and other revenues or other moneys so pledged and thereafter  
21 received by the authority shall immediately be subject to the  
22 lien of such pledge without any physical delivery thereof or  
23 further act, and the lien of any such pledge shall be valid  
24 and binding as against all parties having claims of any kind  
25 in tort, contract, or otherwise against the authority,  
26 irrespective of whether such parties have notice thereof.  
27 Neither the resolution nor any trust agreement by which a  
28 pledge is created need be filed or recorded except in the  
29 records of the authority.

30 (3) The use and disposition of moneys to the credit of  
31 such sinking or other similar fund shall be subject to the

1 provisions of the resolution authorizing the issuance of such  
2 bonds or of such trust agreement.

3 Section 12. Section 341.831, Florida Statutes, is  
4 created to read:

5 341.831 Issuance of revenue bonds and notes for  
6 intrastate high-speed rail transportation system.--

7 (1) The authority is authorized from time to time to  
8 issue its negotiable revenue bonds for any corporate purpose,  
9 including the provision of funds to pay all or any part of the  
10 cost of any high-speed rail project. In anticipation of the  
11 sale of such revenue bonds, the authority may issue negotiable  
12 bond anticipation notes and may renew the same from time to  
13 time, but the maximum maturity of any such note, including  
14 renewals thereof, shall not exceed 5 years from the date of  
15 issue of the original note. Such notes shall be paid from any  
16 revenues of the authority available therefor or of the project  
17 and not otherwise pledged, or from the proceeds of sale of the  
18 revenue bonds of the authority in anticipation of which they  
19 were issued. The notes shall be issued in the same manner as  
20 the revenue bonds. Such notes and the resolution or  
21 resolutions authorizing the same may contain any provisions,  
22 conditions, or limitations which a bond resolution of the  
23 authority may contain.

24 (2) The revenue bonds and notes of every issue shall  
25 be payable solely out of revenues of the authority and any  
26 other legally available revenues pledged by the authority or  
27 any other party.

28 (3) The revenue bonds may be issued from time to time  
29 as serial bonds or as term bonds; or the authority, in its  
30 discretion, may issue bonds of both types. The revenue bonds  
31 shall be authorized by resolution of the board of the

1 authority and shall bear such date or dates, mature at such  
2 time or times not exceeding 50 years from their respective  
3 dates, bear interest at such rate or rates, including variable  
4 rates, notwithstanding any limitation in other laws relating  
5 to maximum interest rates, be payable at such time or times,  
6 be in such denominations, be in such form, carry such  
7 registration privileges, be executed in such manner, be  
8 payable in lawful money of the United States at such place or  
9 places, and be subject to such terms of redemption, as such  
10 resolution or resolutions may provide. The revenue bonds or  
11 notes may be sold at public or private sale for such price or  
12 prices as the authority shall determine. Pending preparation  
13 of the definitive bonds, the authority may issue interim  
14 receipts or certificates which shall be exchanged for such  
15 definitive bonds. In case any officer whose signature, or a  
16 facsimile of whose signature, shall appear on any bonds or  
17 coupons shall cease to be that officer before the delivery of  
18 the bonds, the signature or facsimile shall nevertheless be  
19 valid and sufficient for all purposes the same as if he or she  
20 had remained in office until delivery. The authority may also  
21 provide for the authentication of the bonds by a trustee or  
22 fiscal agent. The bonds may be issued in coupon form or in  
23 registered form, or both, as the authority may determine, and  
24 provision may be made for the registration of any coupon bonds  
25 as to principal alone and also as to both principal and  
26 interest; and for the reconversion into coupon bonds of any  
27 bonds registered as to both principal and interest; and for  
28 the interchange of registered and coupon bonds. The authority  
29 may sell the bonds in such manner, either at public or private  
30 sale, and for such price as it may determine will best  
31 effectuate the purpose of this act, notwithstanding any

1 limitation in other laws relating to the maximum interest rate  
2 permitted for bonds or limitations on the manner by which  
3 bonds are sold.

4 (4) Any resolution or resolutions authorizing any  
5 revenue bonds or any issue of revenue bonds may contain  
6 provisions, which shall be a part of the contract with the  
7 holders of the revenue bonds to be authorized, as to:

8 (a) Pledging of all or any part of the revenues of a  
9 project or any revenue-producing contract or contracts made by  
10 the authority with any individual, partnership, corporation,  
11 or association or other body, public or private, and the  
12 pledging of any other available funds or revenues, to secure  
13 the payment of the revenue bonds or of any particular issue of  
14 revenue bonds, subject to such agreements with bondholders as  
15 may then exist.

16 (b) The rentals, fees, and other charges to be  
17 charged, and the amounts to be raised in each year thereby,  
18 and the use and disposition of the revenues.

19 (c) The setting aside of reserves or sinking funds,  
20 and the regulation and disposition thereof.

21 (d) Limitations on the right of the authority or its  
22 agent to restrict and regulate the use of the project.

23 (e) Limitations on the purpose to which the proceeds  
24 of sale of any issue of revenue bonds then or thereafter to be  
25 issued may be applied and pledging such proceeds to secure the  
26 payment of the revenue bonds or any issue of the revenue  
27 bonds.

28 (f) Limitations on the issuance of additional bonds,  
29 the terms upon which additional bonds may be issued and  
30 secured, and the refunding of outstanding bonds.

31

1       (g) The procedure, if any, by which the terms of any  
2 contract with bondholders may be amended or abrogated, the  
3 amount of bonds the holders of which must consent thereto, and  
4 the manner in which such consent may be given.

5       (h) Limitations on the amount of moneys derived from  
6 the project to be expended for operating, administrative, or  
7 other expenses of the authority.

8       (i) The acts or omissions to act which shall  
9 constitute a default in the duties of the authority to holders  
10 of its obligations and providing the rights and remedies of  
11 such holders in the event of a default.

12       (j) The mortgaging of or granting a security interest  
13 in the project or the site thereof, to the extent legally  
14 permissible, for the purpose of securing the bondholders.

15       (5) Neither the members of the board nor any person  
16 executing the revenue bonds or notes shall be liable  
17 personally on the revenue bonds or notes or be subject to any  
18 personal liability or accountability by reason of the issuance  
19 thereof.

20       (6) The authority shall have power out of any funds  
21 available therefor to purchase its bonds or notes. The  
22 authority may hold, pledge, cancel, or resell such bonds,  
23 subject to and in accordance with agreements with bondholders.

24       (7) Incident to its powers to issue bonds and notes,  
25 the authority may enter into interest rate swap agreements,  
26 collars, caps, forward securities purchase agreements, delayed  
27 delivery bond purchase agreements, and any other financial  
28 agreements deemed to be in the best interest of the authority.

29       (8) Bonds may be issued under the provisions of this  
30 act without obtaining, except as otherwise expressly provided  
31 in this act, the consent of any department, division,

1 commission, board, body, bureau, or agency of the state or any  
2 local government, and without any other proceedings or the  
3 happening of any conditions or things other than those  
4 proceedings, conditions, or things which are specifically  
5 required by this act and the provisions of the resolution  
6 authorizing the issuance of such bonds or the trust agreement  
7 securing the same.

8 (9) Any authority which issues any revenue bonds  
9 pursuant to this act shall supply the Division of Bond Finance  
10 of the State Board of Administration with a copy of the report  
11 required in s. 103 of the Internal Revenue Code of 1954, as  
12 amended, at the times required pursuant to that section.

13 (10) Any resolution authorizing the issuance of bonds  
14 may contain such covenants as the authority may deem  
15 advisable, including those provisions set forth above, and all  
16 such covenants shall constitute valid and legally binding and  
17 enforceable contracts between the authority and the  
18 bondholders, regardless of the time of issuance thereof. Such  
19 covenants may include, without limitation, covenants  
20 concerning the disposition of the bond proceeds; the use and  
21 disposition of project revenues; the pledging of revenues and  
22 assessments; the obligations of the authority with respect to  
23 the operation of the project and the maintenance of adequate  
24 project revenues; the issuance of additional bonds; the  
25 appointment, powers, and duties of trustees and receivers; the  
26 acquisition of outstanding bonds and obligations; restrictions  
27 on the establishing of competing projects or facilities;  
28 restrictions on the sale or disposal of the assets and  
29 property of the authority; the maintenance of deposits to  
30 assure the payment of the bonds issued hereunder; acceleration  
31 upon default; the execution of necessary instruments; the

1 procedure for amending or abrogating covenants with the  
2 bondholders; and such other covenants as may be deemed  
3 necessary or desirable for the security of the bondholders.

4 (11) This act constitutes full and complete authority  
5 for the issuance of bonds and the exercise of the powers of  
6 the authority provided herein. Any and all bonds issued by the  
7 authority shall not be secured by the full faith and credit of  
8 the State of Florida and do not constitute an obligation, or  
9 pledge of the taxing power of the State of Florida.

10 (12) In the discretion of the authority, any revenue  
11 bonds issued under the provisions of this act may be secured  
12 by a trust agreement by and between the authority and a  
13 corporate trustee or trustees, which may be any trust company  
14 or bank having the powers of a trust company within or without  
15 the state. Such trust agreement or the resolution providing  
16 for the issuance of such revenue bonds may pledge or assign  
17 the revenues to be received or proceeds of any contract or  
18 contracts pledged and may convey or mortgage the project or  
19 any portion thereof. Such trust agreement or resolution  
20 providing for the issuance of such revenue bonds may contain  
21 such provisions for protecting and enforcing the rights and  
22 remedies of the bondholders as may be reasonable and proper  
23 and not in violation of law, including particularly such  
24 provisions as have hereinabove been specifically authorized to  
25 be included in any resolution or resolutions of the authority  
26 authorizing revenue bonds thereof. Any bank or trust company  
27 incorporated under the laws of this state or of any other  
28 state of the United States which may legally act as depository  
29 of the proceeds of bonds or of revenues or other moneys or  
30 security may furnish such indemnifying bonds or pledge such  
31 securities as may be required by the authority, if any. Any



1 such trust agreement may set forth the rights and remedies of  
2 the bondholders and of the trustee or trustees, and may  
3 restrict the individual right of action by bondholders. In  
4 addition to the foregoing, any such trust agreement or  
5 resolution may contain such other provisions as the authority  
6 may deem reasonable and proper for the security of the  
7 bondholders. All expenses incurred in carrying out the  
8 provisions of such trust agreement or resolution may be  
9 treated as a part of the cost of the operation of a project.

10 (13) Revenue bonds issued under the provisions of this  
11 act shall not be deemed to constitute a general liability of  
12 the authority, any municipality, the state, or any political  
13 subdivision thereof or a pledge of the faith and credit of the  
14 state, of the authority, of such municipality, or of any such  
15 political subdivision, but shall be payable solely from  
16 revenues of the authority or other legally available funds,  
17 including federal or state revenues; payments by banks,  
18 insurance companies, or others pursuant to letters of credit  
19 or purchase agreements; investment earnings from funds or  
20 accounts maintained pursuant to the bond resolution; insurance  
21 proceeds; and proceeds of refunding obligations. All such  
22 revenue bonds shall contain on the face thereof a statement to  
23 the effect that neither the authority, any municipality, the  
24 state, nor any political subdivision thereof shall be  
25 obligated to pay the same or the interest thereon except from  
26 revenues of the project or the portion thereof for which they  
27 are issued and that neither the faith and credit nor the  
28 taxing power of the authority, any municipality, the state, or  
29 of any political subdivision thereof is pledged to the payment  
30 of the principal of or the interest on such bonds. The  
31 issuance of revenue bonds under the provisions of this act

1 shall not directly, indirectly, or contingently obligate the  
2 authority, any municipality, the state, or any political  
3 subdivision thereof to levy or to pledge any form of taxation  
4 whatever therefor or to make any appropriation for their  
5 payment.

6 Section 13. Section 341.832, Florida Statutes, is  
7 created to read:

8 341.832 Refunding bonds.--

9 (1) The authority is hereby authorized to provide for  
10 the issuance of revenue bonds of the authority for the purpose  
11 of refunding any revenue bonds of the authority then  
12 outstanding, including the payment of any redemption premium  
13 thereon and any interest accrued or to accrue to the earliest  
14 or subsequent date of redemption, purchase, or maturity of  
15 such revenue bonds, and, if deemed advisable by the authority,  
16 for the additional purpose of paying all or any part of the  
17 cost of constructing and acquiring additions, improvements,  
18 extensions, or enlargements of a project or any portion  
19 thereof.

20 (2) The proceeds of any such revenue bonds issued for  
21 the purpose of refunding outstanding revenue bonds may, in the  
22 discretion of the authority, be applied to the purchase or  
23 retirement at maturity or redemption of such outstanding  
24 revenue bonds either on their earliest or any subsequent  
25 redemption date or upon the purchase or at the maturity  
26 thereof and may, pending such application, be placed in escrow  
27 to be applied to such purchase or retirement at maturity or  
28 redemption on such date as may be determined by the authority.

29 (3) Any such escrowed proceeds, pending such use, may  
30 be invested and reinvested in direct obligations of the United  
31 States, or in certificates of deposit or time deposits secured

1 by direct obligations of the United States, or such other  
2 investments as the resolution authorizing the issuance and  
3 sale of the bonds, or the trust agreement, shall provide,  
4 maturing at such time or times as shall be appropriate to  
5 assure the prompt payment, as to principal, interest, and  
6 redemption premium, if any, of the outstanding revenue bonds  
7 to be so refunded. The interest, income, and profits, if any,  
8 earned or realized on any such investment may also be applied  
9 to the payment of the outstanding revenue bonds to be so  
10 refunded. After the terms of the escrow have been fully  
11 satisfied and carried out, any balance of such proceeds and  
12 interest, income, and profits, if any, earned or realized on  
13 the investments thereof may be returned to the authority in  
14 any lawful manner.

15       (4) The portion of the proceeds of any such revenue  
16 bonds issued for the additional purpose of paying all or any  
17 part of the cost of constructing and acquiring additions,  
18 improvements, extensions, or enlargements of a project may be  
19 invested and reinvested in direct obligations of the United  
20 States, or in certificates of deposit or time deposits secured  
21 by direct obligations of the United States, or such other  
22 investments as the resolution authorizing the issuance and  
23 sale of the bonds, or the trust agreement, shall provide,  
24 maturing not later than the time or times when such proceeds  
25 will be needed for the purpose of paying all or any part of  
26 such cost. The interest, income, and profits, if any, earned  
27 or realized on such investment may be applied to the payment  
28 of all or any part of such cost or may be used by the  
29 authority in any lawful manner.

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1       (5) All such revenue bonds shall be subject to the  
2 provisions of this act in the same manner and to the same  
3 extent as other revenue bonds issued pursuant to this act.

4           Section 14. Section 341.833, Florida Statutes, is  
5 created to read:

6           341.833 Trust funds.--All moneys received pursuant to  
7 the authority of this act, whether as proceeds from the sale  
8 of bonds or as revenues, shall be deemed to be trust funds to  
9 be held and applied solely as provided in this act. Any  
10 officer with whom, or any bank or trust company with which,  
11 such moneys shall be deposited shall act as trustee of such  
12 moneys and shall hold and apply the same for the purposes  
13 hereof, subject to such regulations as this act and the  
14 resolution authorizing the bonds of any issue or the trust  
15 agreement securing such bonds may provide.

16           Section 15. Section 341.834, Florida Statutes, is  
17 created to read:

18           341.834 Validity of bonds; validation proceedings.--

19           (1) Any bonds issued by the authority shall be  
20 incontestable in the hands of bona fide purchasers or holders  
21 for value and shall not be invalid because of any irregularity  
22 or defect in the proceedings for the issue and sale thereof.  
23 Prior to the issuance of any bonds, the authority shall  
24 publish a notice at least once in a newspaper or newspapers  
25 published or of general circulation in the county or counties  
26 in the state in which the project will be located, stating the  
27 date of adoption of the resolution authorizing such  
28 obligations, the amount, maximum rate of interest, and  
29 maturity of such obligations, and the purpose in general terms  
30 for which such obligations are to be issued, and further  
31 stating that any action or proceeding questioning the validity

1 of such obligations or of the proceedings authorizing the  
2 issuance thereof, or of any covenants made therein, must be  
3 instituted within 20 days after the first publication of such  
4 notice, or the validity of such obligations, proceedings, and  
5 covenants shall not be thereafter questioned in any court  
6 whatsoever. If no such action or proceeding is so instituted  
7 within such 20-day period, then the validity of such  
8 obligations, proceedings, and covenants shall be conclusive,  
9 and all persons or parties whatsoever shall be forever barred  
10 from questioning the validity of such obligations,  
11 proceedings, or covenants in any court whatsoever.

12 (2) Notwithstanding the foregoing, the bonds, notes,  
13 or other obligations issued by the authority, or others  
14 providing credit for such obligations, which may be before the  
15 jurisdiction of the court shall be validated in the manner  
16 provided by chapter 75, and the jurisdiction of such action  
17 shall be in the county in which the seat of state government  
18 is situated.

19 Section 16. Section 341.835, Florida Statutes, is  
20 created to read:

21 341.835 Remedies of bondholders.--Any holder of  
22 revenue bonds issued under the provisions of this act or any  
23 of the coupons appertaining thereto, and the trustee or  
24 trustees under any trust agreement, except to the extent the  
25 rights herein given may be restricted by any resolution  
26 authorizing the issuance of, or any such trust agreement  
27 securing, such bonds, may, either at law or in equity, by  
28 suit, action, mandamus, or other proceedings, protect and  
29 enforce any and all rights under the laws of the state or  
30 granted hereunder or under such resolution or trust agreement,  
31 and may enforce and compel the performance of all duties

1 required by this act or by such resolution or trust agreement  
2 to be performed by the authority or by any officer, employee,  
3 or agent thereof, including the fixing, charging, and  
4 collecting of the rates, rents, fees, and charges herein  
5 authorized and required by the provisions of such resolution  
6 or trust agreement to be fixed, established, and collected.

7 Section 17. Section 341.836, Florida Statutes, is  
8 created to read:

9 341.836 Tax exemption.--The exercise of the powers  
10 granted by this act will be in all respects for the benefit of  
11 the people of this state, for the increase of their commerce,  
12 welfare, and prosperity, and for the improvement of their  
13 health and living conditions, and as the operation and  
14 maintenance of a project by the authority or its agent or the  
15 owner or lessee thereof, as herein authorized, constitutes the  
16 performance of an essential public function, neither the  
17 authority, its agent, nor the owner of such project shall be  
18 required to pay any taxes or assessments upon or in respect to  
19 a project or any property acquired or used by the authority,  
20 its agent, or such owner under the provisions of this act or  
21 upon the income therefrom, and any bonds issued under the  
22 provisions of this act, any security therefor, their transfer,  
23 and the income therefrom, including any profit made on the  
24 sale thereof, shall at all times be free from taxation of  
25 every kind by the state, the county, and the municipalities  
26 and other political subdivisions in the state. The exemption  
27 granted by this section shall not be applicable to any tax  
28 imposed by chapter 220 on interest, income, or profits or on  
29 debt obligations owned by corporations.

30 Section 18. Section 341.837, Florida Statutes, is  
31 created to read:

1           341.837 Legal investment.--Bonds issued by the  
2 authority under the provisions of this act are securities in  
3 which all public officers and public bodies of the state and  
4 its political subdivisions, all insurance companies, trust  
5 companies, banking associations, investment companies,  
6 executors, administrators, trustees, and other fiduciaries may  
7 properly and legally invest funds, including capital in their  
8 control or belonging to them. Such bonds are hereby made  
9 securities which may properly and legally be deposited with  
10 and received by any state or municipal officer or any agency  
11 or political subdivision of the state for any purpose for  
12 which the deposit of bonds or obligations of the state is now  
13 or may hereafter be authorized by law.

14           Section 19. Section 341.838, Florida Statutes, is  
15 created to read:

16           341.838 State agreement.--The state does hereby pledge  
17 to and agree with the holders of any obligations issued under  
18 this act, and with those parties who may enter into contracts  
19 with the authority pursuant to the provisions of this act,  
20 that the state will not limit or alter the rights hereby  
21 vested in the authority until such obligations, together with  
22 the interest thereon, are fully met and discharged and such  
23 contracts are fully performed on the part of the authority,  
24 provided nothing herein contained shall preclude such  
25 limitation or alteration if and when adequate provision shall  
26 be made by law for the protection of the holders of such  
27 obligations of the authority or those entering into such  
28 contracts with the authority. The authority is authorized to  
29 include this pledge and undertaking for the state in such  
30 obligations or contracts.

31

1           Section 20. Section 341.839, Florida Statutes, is  
2 created to read:

3           341.839 Alternate means.--The foregoing sections of  
4 this act shall be deemed to provide an additional and  
5 alternative method for accomplishing the purposes authorized  
6 therein, and shall be regarded as supplemental and additional  
7 to powers conferred by other laws; provided the issuance of  
8 notes, certificates of participation, revenue bonds, and  
9 revenue refunding bonds under the provisions of this act need  
10 not comply with the requirements of any other law applicable  
11 to the issuance of bonds or such obligations. Except as  
12 otherwise expressly provided in this act, none of the powers  
13 granted to the authority under the provisions of this act  
14 shall be subject to the supervision or regulation or require  
15 the approval or consent of any municipality or political  
16 subdivision or any commission, board, body, bureau, official,  
17 or agency thereof or of the state.

18           Section 21. Section 341.840, Florida Statutes, is  
19 created to read:

20           341.840 Pledge to bondholders not to restrict certain  
21 rights of authority.--The state pledges to and agrees with the  
22 holders of the bonds issued pursuant to this act that the  
23 state will not limit or restrict the rights vested in the  
24 authority to construct, reconstruct, maintain, and operate any  
25 intrastate high-speed rail project as defined in this act, to  
26 establish and collect such fees or other charges as may be  
27 convenient or necessary to produce sufficient revenues to meet  
28 the expenses of maintenance and operation of the intrastate  
29 high-speed rail system, and to fulfill the terms of any  
30 agreements made with the holders of bonds authorized by this  
31 act. The state further pledges that it will not in any way



1 impair the rights or remedies of the holders of such bonds  
2 until the bonds, together with interest thereon, are fully  
3 paid and discharged.

4 Section 22. Section 341.841, Florida Statutes, is  
5 created to read:

6 341.841 Reports.--Within the first 120 days of each  
7 calendar year, the authority shall report to the Department of  
8 Transportation concerning authority activities for the  
9 preceding calendar year. Each report shall set forth a  
10 complete operating and financial statement covering its  
11 operations during the year. Not less than annually, the  
12 authority shall provide for an audit by certified public  
13 accountants of its books and accounts, the cost of which shall  
14 be paid from funds available to the authority pursuant to this  
15 act.

16 Section 23. Section 341.842, Florida Statutes, is  
17 created to read:

18 341.842 Liberal construction.--This act, being  
19 necessary for the welfare of the state and its inhabitants,  
20 shall be liberally construed to effect the purposes hereof.

21 Section 24. Section 341.843, Florida Statutes, is  
22 created to read:

23 341.843 Provisions of act controlling.--To the extent  
24 that the provisions of this act are inconsistent with the  
25 provisions of any general statute or special act or parts  
26 thereof, the provisions of this act shall be deemed  
27 controlling.

28 Section 25. Section 341.844, Florida Statutes, is  
29 created to read:

30 341.844 Department of Environmental Protection; other  
31 affected agencies; powers and duties.--

1           (1) For the purposes of ss. 341.82-341.858, the  
2 Department of Environmental Protection has the following  
3 powers and duties:

4           (a) To receive and review applications for  
5 certification in regard to the criteria listed in ss.  
6 341.82-341.858 as to matters under this section.

7           (b) To be a party to an administrative or judicial  
8 proceeding involving an application for certification.

9           (c) To receive the certification applications, to  
10 determine the completeness of the applications, to review the  
11 applications for compliance with nonprocedural requirements of  
12 the agency, to prepare and file a report in accordance with s.  
13 341.850, and to be a party to the certification proceedings.

14           (d) To make, or contract for, studies of matters  
15 within its jurisdiction in regard to the certification.

16           (e) To assist the department in monitoring the effects  
17 arising from the location of the high-speed rail  
18 transportation system corridor and the construction,  
19 operation, and maintenance of the high-speed rail  
20 transportation system, in order to assure continued compliance  
21 with the terms of the certification.

22           (2) The Department of Environmental Protection is  
23 responsible for assisting affected agencies in analyzing the  
24 environmental impacts of a proposed high-speed rail  
25 transportation system and for providing data and other  
26 information to those agencies for use in the preparation of  
27 the reports required by s. 341.850.

28           Section 26. Section 341.845, Florida Statutes, is  
29 created to read:

30           341.845 Certification procedures.--  
31

1       (1) The Department of Environmental Protection shall  
2 adopt a rule pursuant to ss. 120.54 and 120.536(1) for  
3 processing a certification application and shall develop an  
4 application form that requires the submission of information  
5 necessary for the affected agencies to review in determining  
6 whether an application is entitled to certification in  
7 accordance with the requirements of ss. 341.82-341.858. The  
8 application form may incorporate, by reference, the  
9 appropriate application forms adopted by other agencies. The  
10 application form must require that any associated development  
11 that the applicant wishes to have included in the  
12 certification be identified as provided for by s. 341.855 and  
13 must require that sufficient information be provided for the  
14 agencies to review and determine whether any proposed  
15 associated development is entitled to certification.

16       (2) The certification application shall be filed in  
17 the form and manner specified by department rule, if adopted  
18 at the time the application is filed, with the department and  
19 with each affected agency.

20       Section 27. Section 341.846, Florida Statutes, is  
21 created to read:

22       341.846 Agreements concerning contents of  
23 certification application and supporting documentation.--The  
24 authority, the applicant, which may be the authority, and the  
25 Department of Environmental Protection may enter into binding  
26 written agreements with other affected agencies as to the  
27 scope, quantity, and level of information to be provided in  
28 the certification application, as well as the methods to be  
29 used in providing such information and the nature of the  
30 supporting documents to be included in the certification  
31 application.

1           Section 28. Section 341.847, Florida Statutes, is  
2 created to read:

3           341.847 Review of application.--

4           (1) The Department of Environmental Protection shall  
5 coordinate the review of the certification application with  
6 the other affected agencies.

7           (2) If an agency determines that its respective part  
8 of the certification application is incomplete, that agency  
9 shall provide in writing to the applicant a statement of the  
10 desired additional information within 30 days after the  
11 receipt of the application. The applicant may supply the  
12 information requested and, if the applicant intends to supply  
13 the information, shall communicate its intention to do so in  
14 writing to the agency requesting the information within 10  
15 working days after the receipt of the statement requesting  
16 such information; or the applicant shall notify the  
17 appropriate agency in writing that the requested information  
18 will not be supplied, in which case the application shall be  
19 processed as filed. Unless otherwise agreed upon by the agency  
20 requesting the information and by the applicant, the  
21 information must be provided within 60 days after the request.  
22 Within 30 days after receipt of such additional information,  
23 the respective agency shall review such additional information  
24 and may request only that information needed to clarify such  
25 additional information or to answer new questions raised by,  
26 or directly related to, such additional information.

27           (3) The certification application is deemed complete  
28 when each agency having jurisdiction:

29           (a) Finds the application complete;  
30  
31

1       (b) Fails to notify the applicant within 30 days after  
2 the receipt of the application or a request for additional  
3 information that the application is incomplete; or

4       (c) When the applicant states its intent not to  
5 provide the requested information and requests that the  
6 application be processed based upon the information submitted  
7 previously.

8       (4) Within 10 days after receipt of a certification  
9 application, the department shall request the Division of  
10 Administrative Hearings to designate an administrative law  
11 judge to conduct the certification hearing.

12       Section 29. Section 341.848, Florida Statutes, is  
13 created to read:

14       341.848 Appointment of administrative law judge;  
15 powers and duties.--

16       (1) Within 10 days after receipt of a request by the  
17 department to designate an administrative law judge, the  
18 director of the Division of Administrative Hearings shall  
19 designate an administrative law judge to conduct the hearings  
20 required by ss. 341.82-341.858. Whenever practicable, the  
21 division director shall assign an administrative law judge who  
22 has prior experience or training in this type of certification  
23 proceeding. Upon being advised that an administrative law  
24 judge has been designated, the department shall immediately  
25 file a copy of the certification application and all  
26 supporting documents with the administrative law judge, who  
27 shall docket the application.

28       (2) The administrative law judge shall have all powers  
29 and duties granted to administrative law judges by chapter 120  
30 and by the laws and rules of the department, including the  
31

1 authority to resolve disputes over the completeness of a  
2 certification application.

3 Section 30. Section 341.849, Florida Statutes, is  
4 created to read:

5 341.849 Alteration of time limitations.--Any time  
6 limitation specified in ss. 341.82-341.858 may be altered by  
7 stipulation by the department and the applicant, if approved  
8 by an administrative law judge, if the administrative law  
9 judge has jurisdiction over the proceeding; by the department,  
10 if no administrative law judge has jurisdiction; or by the  
11 board, if it has jurisdiction; unless objected to by any party  
12 within 5 days after notice, or for good cause shown by any  
13 party.

14 Section 31. Section 341.850, Florida Statutes, is  
15 created to read:

16 341.850 Reports and studies.--

17 (1) In order to verify or supplement the information  
18 in a certification application, reports of the agencies  
19 specified in s. 341.852(2) shall be prepared, submitted to the  
20 Department of Environmental Protection, the authority, the  
21 applicant, and the administrative law judge, and made  
22 available for other parties to review or copy. Neither the  
23 failure to submit a report nor the inadequacy of the report is  
24 a ground to deny or condition certification. Each reviewing  
25 agency shall initiate the activities required by this section  
26 as soon as each application is received. Each agency shall  
27 keep the applicant informed as to the progress of its studies  
28 and any issues raised by the studies.

29 (2) The reports shall be submitted to the Department  
30 of Environmental Protection no later than 30 days after the  
31 applications have been determined to be complete for inclusion

1 in the agency analysis. The failure of any agency to submit a  
2 report, or to submit its report within the allowed time, is  
3 not a ground for the alteration of any time limitation in ss.  
4 341.82-341.858. Each report must contain:

5 (a) An assessment of the impacts of the proposed  
6 high-speed rail transportation system as determined by the  
7 studies required by this section.

8 (b) An assessment of the expected compliance with the  
9 adopted rules, regulations, standards, or ordinances of the  
10 reviewing agency and an identification of any nonprocedural  
11 requirements not specifically listed in any application, from  
12 which requirements a variance or exemption is needed in order  
13 for the board to certify the high-speed rail transportation  
14 system.

15 (c) The conclusions and recommendations regarding  
16 certification, including the reasons for recommendations of  
17 denial, if the agency recommends denial of certification.

18 (d) The proposed conditions of certification, if the  
19 agency is of the opinion that certification should be granted.

20 (3) Each agency shall prepare a report on the  
21 certification application as to the impact of the proposed  
22 high-speed rail transportation system as it relates to matters  
23 within the jurisdiction of the agency. The Department of  
24 Environmental Protection may request that any other agency  
25 perform studies and prepare reports as to matters within the  
26 jurisdiction of that other agency, which matters may be  
27 affected by the proposed high-speed rail transportation  
28 system.

29 (4) The Department of Environmental Protection shall  
30 prepare a written analysis of the agency reports on the  
31 certification application, which analysis shall be filed with

1 the designated administrative law judge and all parties no  
2 later than 60 days before the scheduled date for the  
3 certification hearing. The analysis must include:

4 (a) In regard to the reports and studies required by  
5 this section, a list and a summary of the reports and studies  
6 and the location at which the reports or study results are  
7 available for public inspection and copying.

8 (b) The comments received from a party which is not an  
9 agency.

10 (c) The conditions of certification considered  
11 appropriate by the department.

12 (d) The recommendations of the department relating to  
13 the disposition of the certification application.

14 Section 32. Section 341.851, Florida Statutes, is  
15 created to read:

16 341.851 Publication of notice of certification  
17 application and proceedings; contents of notice.--

18 (1) Upon the filing of a certification application,  
19 the applicant shall arrange for publication of a notice of the  
20 application and of the proceedings required by ss.  
21 341.82-341.858 and of the deadline for filing notice of intent  
22 to be a party. The notice must be published within 30 days  
23 after the filing of the application.

24 (2) The applicant shall arrange for publication of  
25 notice of the certification hearing. Such notices shall be  
26 published at least 30 days before the date set for the  
27 hearing.

28 (3)(a) Notices shall be published in a newspaper of  
29 general circulation within each county crossed by the  
30 high-speed rail transportation system corridor which is  
31 proposed to be certified under the pending application. The



1 required newspaper notices must be one-half of a page in a  
2 standard size newspaper or a full page in a tabloid size  
3 newspaper. Each notice must include a map generally depicting  
4 the proposed high-speed rail transportation system corridor  
5 proposed to be certified. A newspaper of general circulation  
6 within a county is the newspaper that has the largest daily  
7 circulation in that county and has its principal office in  
8 that county. If the newspaper with the largest daily  
9 circulation has its principal office outside the county, the  
10 notices must appear in both the newspaper having the largest  
11 circulation in that county and in a newspaper authorized to  
12 publish legal notices in that county.

13 (b) The Department of Environmental Regulation shall  
14 publish notice of the filing of the application and of the  
15 certification hearing in the Florida Administrative Weekly.

16  
17 Notices shall be provided to any persons who have made a  
18 request to be placed on the departmental mailing lists for  
19 this purpose.

20 (4) The applicant shall pay for the notices, which  
21 payment is in addition to the application fee. The department  
22 shall arrange for publication of the notices required by this  
23 section.

24 Section 33. Section 341.852, Florida Statutes, is  
25 created to read:

26 341.852 Certification hearing.--

27 (1) No later than 60 days after the applications have  
28 been determined to be complete, the administrative law judge  
29 shall conduct a certification hearing, pursuant to ss. 120.569  
30 and 120.57, at a convenient location in the vicinity of the  
31 proposed high-speed rail transportation system.

1           (2)(a) The parties to the certification proceeding  
2 are:

- 3           1. The applicant.
- 4           2. The Department of Environmental Protection.
- 5           3. The Department of Transportation.
- 6           4. The Department of Community Affairs.
- 7           5. The Fish and Wildlife Conservation Commission.
- 8           6. Each water management district in whose  
9 jurisdiction the corridor is proposed to be located.
- 10           7. Each local government in whose jurisdiction the  
11 corridor is proposed to be located.
- 12           8. Each regional planning council in whose  
13 jurisdiction the corridor is proposed to be located.
- 14           9. Each metropolitan planning organization in whose  
15 jurisdiction the corridor is proposed to be located.

16           (b) Any party listed in paragraph (a) may waive its  
17 right to participate in the proceeding. If any listed party  
18 fails to file, on or before the 30th day prior to the  
19 certification hearing, a notice of its intent to be a party,  
20 such party is deemed to have waived its right to be a party,  
21 unless its participation in the proceeding would not prejudice  
22 the rights of any party to the proceeding.

23           (c) After the filing with the administrative law judge  
24 of a notice of intent to be a party by an agency or  
25 corporation or association described in subparagraph 1. or  
26 subparagraph 2., or a petition for intervention by a person  
27 described in subparagraph 3., no later than 30 days prior to  
28 the date set for the certification hearing, any of the  
29 following entities also shall be a party to the proceeding:

- 30           1. Any state agency not listed in paragraph (a), as to  
31 matters within its jurisdiction.

1           2. Any domestic nonprofit corporation or association  
2 that is formed, in whole or in part, to promote conservation  
3 of natural beauty; to protect the environment, personal  
4 health, or other biological values; to preserve historical  
5 sites; to promote consumer interests; to represent labor,  
6 commercial, or industrial groups; to promote economic  
7 development; or to promote the orderly development, or  
8 maintain the residential integrity, of the area in which the  
9 proposed high-speed rail transportation corridor or associated  
10 development is to be located.

11           3. Any person whose substantial interests are affected  
12 and being determined by the proceeding.

13           (d) Any agency, the property or works of which agency  
14 may be affected by the proceeding, shall be made a party upon  
15 the request of the agency or any party to this proceeding.

16           (3) When appropriate, any person may be given an  
17 opportunity to present oral or written communications to the  
18 administrative law judge. If the administrative law judge  
19 proposes to consider such communications, all parties shall be  
20 given an opportunity to cross-examine with respect to, or to  
21 challenge or rebut, such communications.

22           (4) At the conclusion of the certification hearing,  
23 the administrative law judge shall, after consideration of all  
24 the evidence of record, issue a recommended order to the board  
25 disposing of the applications. The administrative law judge  
26 shall issue the recommended order no later than 45 days after  
27 the transcripts of the certification hearing and the public  
28 hearings are filed with the Division of Administrative  
29 Hearings.

30           Section 34. Section 341.853, Florida Statutes, is  
31 created to read:

1           341.853 Final disposition of certification  
2 application.--  
3           (1) Within 30 days after receipt of the administrative  
4 law judge's recommended order, the Governor and Cabinet  
5 sitting as the siting board shall act upon the certification  
6 application by written order, which order shall approve the  
7 certification in whole, approve the certification with  
8 modifications and conditions that the siting board considers  
9 appropriate, or deny the certification. The order must state  
10 the reasons for issuance or denial of certification.  
11           (2) In determining whether the certification  
12 application should be approved in whole, approved with  
13 modifications or conditions, or denied, the siting board shall  
14 consider whether, and the extent to which, the location,  
15 construction, operation, and maintenance of the high-speed  
16 rail transportation system will:  
17           (a) Comply with nonprocedural requirements of agencies  
18 in effect on the date the application was filed; and  
19           (b) Comply with s. 341.821.  
20           Section 35. Section 341.854, Florida Statutes, is  
21 created to read:  
22           341.854 Effect of certification; ss. 341.82-341.858 to  
23 take precedence.--  
24           (1) With respect to the rail line, guideway, and any  
25 transit station or associated development identified in the  
26 certification and subject to the conditions set forth in the  
27 certification, the certification shall constitute the sole  
28 license of the state, and of any agency, as to the approval of  
29 the location of these facilities and the construction,  
30 operation, and maintenance of these facilities.  
31

1           (2) With respect to the associated developments  
2 specified in the certification or in any modification to the  
3 certification, the certification is the license and authority  
4 for the applicant to construct and operate the associated  
5 developments. The certification must list any additional  
6 postcertification permits and licenses necessary for the  
7 construction, operation, and maintenance of the associated  
8 developments. The certification must also list any exemption  
9 from a permitting or licensing requirement. The applicant  
10 shall obtain any permit or license otherwise required by law  
11 unless, in the certification, the permit or license is  
12 exempted. Upon application by the certification holder, all  
13 agencies shall grant and approve all appropriate permits and  
14 licenses necessary for the construction, operation, and  
15 maintenance of the associated developments, with terms and  
16 conditions consistent with the certification.

17           (3) The certification authorizes the applicant to  
18 locate, construct, operate, and maintain the high-speed rail  
19 transportation system facilities subject only to the  
20 conditions of certification and to all nonprocedural standards  
21 or regulations of any agency specified therein, unless a  
22 variance to such requirements or any requirements and  
23 conditions of the certification is granted by the siting  
24 board. The certification may include conditions that  
25 constitute variances and exemptions, otherwise allowed by law,  
26 from nonprocedural standards or rules of any other agency,  
27 which conditions were expressly considered during the  
28 proceeding, unless there is a waiver by the agency as provided  
29 in this subsection, and which conditions otherwise would be  
30 applicable to the location, construction, operation, and  
31 maintenance of the high-speed rail transportation system

1 facilities. The conditions of the certification relative to  
2 the actual operation of the train, including, but not limited  
3 to, train speed, control, vibration, electrification systems,  
4 rail structures, vehicles, safety, noise, or noise barriers,  
5 take precedence over any inconsistent nonprocedural standards,  
6 rules, or local regulations of any agency of the State of  
7 Florida, any municipality, or any political subdivision. Each  
8 party shall notify the applicant and other parties at least 30  
9 days prior to the certification hearing of any nonprocedural  
10 requirement not specifically listed in the application from  
11 which a variance or exception is necessary in order for the  
12 board to certify any corridor proposed for certification.

13 (4)(a) Pursuant to specific conditions contained in  
14 the final order granting certification, the applicant may be  
15 required to file site-specific technical data after the  
16 issuance of the certification in order to allow agencies to  
17 monitor compliance with the conditions of the certification  
18 and to provide reasonable assurance that previously identified  
19 substantive agency standards will be met.

20 (b) Since the site of the high-speed rail  
21 transportation system will have been established by  
22 certification, the issue of postcertification approval or  
23 denial is limited to the technical merits of providing  
24 reasonable assurance of compliance with conditions of  
25 certification, but not to the location of the system or any  
26 portion thereof. Construction may occur on other components of  
27 the facility prior to action on postcertification review  
28 conditions so long as no construction occurs which will affect  
29 the feature or component at issue. The agency having  
30 jurisdiction of the matter at issue shall review construction  
31

1 plans to determine whether such construction will or will not  
2 affect the feature or component at issue.

3 (c) With respect to the rail transportation system,  
4 the siting board may delegate to the Department of  
5 Environmental Protection the authority to approve or deny  
6 construction or operation plans submitted pursuant to a  
7 condition of certification which are submitted after the award  
8 of certification.

9 (5) With respect to the high-speed rail transportation  
10 system, the certification may exempt the applicant from any  
11 license, permit, certificate, or similar document required by  
12 any agency pursuant to, but not limited to, chapter 125,  
13 chapter 161, chapter 163, chapter 166, chapter 253, chapter  
14 258, chapter 298, chapter 370, chapter 373, chapter 380,  
15 chapter 381, chapter 388, chapter 403, chapter 404, or the  
16 Florida Transportation Code. On the award of the  
17 certification, any license, easement, or other interest in  
18 state lands, except those lands the titles of which are vested  
19 in the Board of Trustees of the Internal Improvement Trust  
20 Fund, shall be issued by the appropriate agency as a  
21 ministerial act. The applicant shall be required to seek any  
22 necessary interest in state lands the titles to which are  
23 vested in the Board of Trustees of the Internal Improvement  
24 Trust Fund from the board of trustees before or during the  
25 certification proceeding. However, in any proceeding before  
26 the Board of Trustees of the Internal Improvement Trust Fund  
27 in which proceeding the applicant is seeking a necessary  
28 interest in state lands, neither the applicant nor any party  
29 to the certification proceeding may directly or indirectly  
30 raise or relitigate a matter which was or could have been an  
31 issue in the franchise or certification proceeding; but the

1 information presented in the certification proceeding shall be  
2 available for review by the board of trustees and its staff.

3 (6) A term or condition of certification may not be  
4 interpreted to preclude the postcertification exercise by any  
5 party of whatever procedural rights the party may have under  
6 chapter 120, including those rights related to rulemaking  
7 proceedings.

8 (7) The issuance of a final order granting  
9 certification is a final agency action appealable under s.  
10 120.68.

11 Section 36. Section 341.855, Florida Statutes, is  
12 created to read:

13 341.855 Associated development.--

14 (1) The authority or an applicant, alone or as part of  
15 a joint development, may undertake any associated development  
16 included in the certification.

17 (2) To be eligible for inclusion in the certification,  
18 an associated development must:

19 (a) Be proposed by the applicant;

20 (b) Be adjacent to or physically connected to a  
21 transit station having pedestrian ingress to and egress from  
22 the station;

23 (c) Be a source of revenue for the establishment,  
24 construction, operation, or maintenance of the rail line or  
25 the operation and maintenance of service;

26 (d) Be consistent with applicable local government  
27 comprehensive plans and local land development regulations;  
28 and

29 (e) Otherwise be in compliance with the provisions of  
30 ss. 341.82-341.858.

31



1           (4) Sections 341.82-341.858 do not prohibit the  
2 applicant or a party to a joint venture with the applicant  
3 from obtaining any permit, license, agency approval, or other  
4 similar action pursuant to any other law, for any associated  
5 development that has been determined to be reasonably related  
6 to the high-speed rail transportation system.

7           Section 37. Section 341.856, Florida Statutes, is  
8 created to read:

9           341.856 Recording of notice of certified corridor  
10 route.--Within 60 days after the award of certification for a  
11 high-speed rail transportation system pursuant to ss.  
12 341.82-341.858, the department shall, in accordance with s.  
13 28.222, file a notice of the certified route with the clerk of  
14 the circuit court for each county through which the corridor  
15 will pass. The notice must consist of maps or aerial  
16 photographs on the scale of 1:24,000 that clearly show the  
17 location of the certified route, and the notice must state  
18 that the certification of the corridor will result in the  
19 acquisition of rights-of-way within the corridor. Each clerk  
20 shall record and maintain the filing of the notice in the  
21 official record of the county until the certification expires  
22 or until the applicant certifies to the clerk that all lands  
23 required for the high-speed rail transportation system  
24 rights-of-way within the corridor have been acquired within  
25 such county, whichever event occurs first. The recording of  
26 this notice does not constitute a lien, cloud, or encumbrance  
27 on real property.

28           Section 38. Section 341.857, Florida Statutes, is  
29 created to read:

30           341.857 Modification of certification.--  
31

1           (1) Certification may be modified in any one of the  
2 following ways:

3           (a) Upon its own motion, the department may initiate  
4 proceedings to modify specific conditions in the certification  
5 when the modification is deemed essential for the protection  
6 of the public health, safety, or welfare.

7           (b) The applicant who has been granted or otherwise  
8 holds a certification may request modification of  
9 certification at any time.

10           (2) If no party to the certification proceeding  
11 objects in writing to the proposed modification within 30 days  
12 after notice mailed to the last address of record, and if no  
13 other person whose substantial interest is affected by the  
14 modifications objects in writing within 30 days after the  
15 issuance of public notice, the department may modify the terms  
16 and conditions of the certification.

17           (3) If the modification affects lands located within  
18 the jurisdiction of a local government, notice of the  
19 modification shall be provided to the governing body of said  
20 local government.

21           (4) If the department finds that the modification  
22 request requires no changes or additions to the terms and  
23 conditions in the certification, then within 60 days after  
24 publication of notice of the modification request the  
25 department shall issue a final order approving the  
26 modification request. The order shall modify the terms and  
27 conditions of the certification, provided that:

28           (a) No written objection has been filed pursuant to  
29 subsection (2);

30           (b) The department has considered the criteria  
31 contained in s. 341.82-341.858; and

1       (c) The department, based on the record presented,  
2 concludes that the modification request should be granted.

3       (5) If the parties to the certification proceeding are  
4 not able to reach a mutual written agreement on any  
5 modification of the certification, the applicant may file a  
6 petition for modification with the Department of Environmental  
7 Protection. The petition must set forth:

8           (a) The proposed modification;

9           (b) The factual reasons asserted for the modification;  
10 and

11           (c) The anticipated additional environmental effects  
12 of the proposed modification.

13       (6) If the proposed modification requires changes or  
14 additions to the terms and conditions in the certification,  
15 the siting board must make final disposition of the petition,  
16 unless otherwise agreed in writing by all parties. The  
17 department is responsible for processing the petition in  
18 accordance with chapter 120 and, if necessary, presenting the  
19 matter to the siting board for final disposition.

20       (7) The effect of the department's final order  
21 modifying the terms and conditions of the certification shall  
22 be that the terms and conditions of the final order are  
23 incorporated into and made a part of the terms and conditions  
24 of the certification as if granted by the original award of  
25 franchise.

26       (8) The terms and conditions of a final order of the  
27 board on a proposed modification shall be incorporated into  
28 and made a part of the terms and conditions of certification.

29       Section 39. Subsection (10) of section 288.109,  
30 Florida Statutes, is amended to read:

31       288.109 One-Stop Permitting System.--

1           (10) Notwithstanding any other provision of law or  
2 administrative rule to the contrary, the fee imposed by a  
3 state agency or water management district for issuing a  
4 development permit shall be waived for a 6-month period  
5 beginning on the date the state agency or water management  
6 district begins accepting development permit applications over  
7 the Internet and the applicant submits the development permit  
8 to the agency or district using the One-Stop Permitting  
9 System. The 6-month fee waiver shall not apply to development  
10 permit fees assessed by the Electrical Power Plant Siting Act,  
11 ss. 403.501-403.519; the Transmission Line Siting Act, ss.  
12 403.52-403.5365; the statewide Multi-purpose Hazardous Waste  
13 Facility Siting Act, ss. 403.78-403.7893; and the Natural Gas  
14 Pipeline Siting Act, ss. 403.9401-403.9425; ~~and the High Speed  
15 Rail Transportation Siting Act, ss. 341.3201-341.386.~~

16           Section 40. Subsection (6) of section 334.30, Florida  
17 Statutes, is amended to read:

18           334.30 Private transportation facilities.--The  
19 Legislature hereby finds and declares that there is a public  
20 need for rapid construction of safe and efficient  
21 transportation facilities for the purpose of travel within the  
22 state, and that it is in the public's interest to provide for  
23 the construction of additional safe, convenient, and  
24 economical transportation facilities.

25           (6) ~~Notwithstanding s. 341.327,~~A fixed-guideway  
26 transportation system authorized by the department to be  
27 wholly or partially within the department's right-of-way  
28 pursuant to a lease granted under s. 337.251 may operate at  
29 any safe speed.

30           Section 41. Subsection (9) of section 337.251, Florida  
31 Statutes, is amended to read:

1           337.251 Lease of property for joint public-private  
2 development and areas above or below department property.--

3           (9) ~~Notwithstanding s. 341.327,~~A fixed-guideway  
4 transportation system authorized by the department to be  
5 wholly or partially within the department's right-of-way  
6 pursuant to a lease granted under this section may operate at  
7 any safe speed.

8           Section 42. Section 341.501, Florida Statutes, is  
9 amended to read:

10           341.501 High-technology transportation systems; joint  
11 project agreement or assistance.--Notwithstanding any other  
12 provision of law, the Department of Transportation may enter  
13 into a joint project agreement with, or otherwise assist,  
14 private or public entities, or consortia thereof, to  
15 facilitate the research, development, and demonstration of  
16 high-technology transportation systems, including, but not  
17 limited to, systems using magnetic levitation technology. ~~The~~  
18 ~~provisions of the Florida High-Speed Rail Transportation Act,~~  
19 ~~ss. 341.3201-341.386, do not apply to actions taken under this~~  
20 ~~section, and~~ The department may, subject to s. 339.135,  
21 provide funds to match any available federal aid for  
22 effectuating the research, development, and demonstration of  
23 high-technology transportation systems.

24           Section 43. Subsection (3) of section 206.46, Florida  
25 Statutes, is amended to read:

26           206.46 State Transportation Trust Fund.--

27           (3) Through fiscal year 1999-2000, a minimum of 14.3  
28 percent of all state revenues deposited into the State  
29 Transportation Trust Fund shall be committed annually by the  
30 department for public transportation projects in accordance  
31 with chapter 311, ss. 332.003-332.007, chapter 341, and

1 chapter 343. ~~Beginning~~ In fiscal year 2000-2001, ~~and each year~~  
2 ~~thereafter~~, a minimum of 15 percent of all state revenues  
3 deposited into the State Transportation Trust Fund shall be  
4 committed annually by the department for public transportation  
5 projects in accordance with chapter 311, ss. 332.003-332.007,  
6 chapter 341, and chapter 343. Beginning in fiscal year  
7 2001-2002, and each year thereafter, a minimum of 15 percent  
8 of all state revenues deposited into the State Transportation  
9 Trust Fund shall be committed annually by the department for  
10 public transportation projects in accordance with chapter 311,  
11 ss. 332.003-332.007, chapter 341, and chapter 343, and a  
12 minimum of 82 percent of all state revenues deposited into the  
13 State Transportation Trust Fund shall be committed annually by  
14 the department for transportation projects other than public  
15 transportation projects described in chapter 311, ss.  
16 332.003-332.007, chapter 341, and chapter 343.

17 Section 44. There is appropriated from funds within  
18 the State Transportation Trust Fund designated for the  
19 Transportation Outreach Program (TOP) by s. 339.137, Florida  
20 Statutes, to the Florida High-Speed Rail Authority the sum of  
21 \$35 million for fiscal year 2001-2002 to assist in the  
22 implementation of the purpose of s. 19, Art. X of the State  
23 Constitution, which requires the state to develop, finance,  
24 construct, and operate an intrastate high-speed rail system.  
25 In the event that s. 339.137, Florida Statutes, is repealed,  
26 the sum of \$35 million for fiscal year 2001-2002 is  
27 appropriated from funds within the State Transportation Trust  
28 Fund committed by the Department of Transportation for public  
29 transportation projects in accordance with chapter 341,  
30 Florida Statutes, as provided in s. 206.46(3), Florida

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1 Statutes, to the Florida High-Speed Rail Authority for the  
2 purposes set forth in this section.

3       Section 45. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2002-2003 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 46. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2003-2004 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 47. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2004-2005 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 48. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2005-2006 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 49. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2006-2007 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 50. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2007-2008 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 51. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2008-2009 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 52. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2009-2010 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 53. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2010-2011 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 54. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2011-2012 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 55. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2012-2013 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 56. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2013-2014 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 57. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2014-2015 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 58. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2015-2016 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 59. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2016-2017 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 60. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2017-2018 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 61. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2018-2019 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 62. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2019-2020 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3       Section 63. There is appropriated from funds within  
4 the State Transportation Trust Fund committed by the  
5 Department of Transportation for public transportation  
6 projects in accordance with chapter 341, Florida Statutes, as  
7 provided in s. 206.46(3), Florida Statutes, to the Florida  
8 High-Speed Rail Authority the sum of \$70 million for fiscal  
9 year 2020-2021 to assist in the implementation of the purpose  
10 of s. 19, Art. X of the State Constitution, which requires the  
11 state to develop, finance, construct, and operate an  
12 intrastate high-speed rail system.

13       Section 64. There is appropriated from funds within  
14 the State Transportation Trust Fund committed by the  
15 Department of Transportation for public transportation  
16 projects in accordance with chapter 341, Florida Statutes, as  
17 provided in s. 206.46(3), Florida Statutes, to the Florida  
18 High-Speed Rail Authority the sum of \$70 million for fiscal  
19 year 2021-2022 to assist in the implementation of the purpose  
20 of s. 19, Art. X of the State Constitution, which requires the  
21 state to develop, finance, construct, and operate an  
22 intrastate high-speed rail system.

23       Section 65. There is appropriated from funds within  
24 the State Transportation Trust Fund committed by the  
25 Department of Transportation for public transportation  
26 projects in accordance with chapter 341, Florida Statutes, as  
27 provided in s. 206.46(3), Florida Statutes, to the Florida  
28 High-Speed Rail Authority the sum of \$70 million for fiscal  
29 year 2022-2023 to assist in the implementation of the purpose  
30 of s. 19, Art. X of the State Constitution, which requires the  
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1 state to develop, finance, construct, and operate an  
2 intrastate high-speed rail system.

3           Section 66. Sections 341.3201, 341.321, 341.322,  
4 341.325, 341.327, 341.329, 341.331, 341.332, 341.3331,  
5 341.3332, 341.3333, 341.3334, 341.3335, 341.3336, 341.3337,  
6 341.3338, 341.3339, 341.334, 341.335, 341.336, 341.3365,  
7 341.342, 341.343, 341.344, 341.345, 341.346, 341.3465,  
8 341.347, 341.348, 341.351, 341.352, 341.353, 341.363, 341.364,  
9 341.365, 341.366, 341.368, 341.369, 341.371, 341.372, 341.375,  
10 341.381, 341.382, 341.383, and 341.386, Florida Statutes, are  
11 repealed.

12           Section 67. This act shall take effect upon becoming a  
13 law.

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HOUSE SUMMARY

Creates the "Florida High-Speed Rail Authority Act."  
Provides legislative findings, policy, purpose, and  
intent with respect to the development, financing,  
construction, and operation of an intrastate high-speed  
rail transportation system.

Creates the Florida High-Speed Rail Authority. Provides  
membership, terms, organization, compensation, and powers  
and duties of the authority. Provides for payment of  
expenses incurred under the act. Requires the authority  
to designate local areas of the state to be served by the  
intrastate high-speed rail transportation system and  
provides for the sequence of system construction.

Creates high-speed rail alignment advisory committees.  
Provides purpose, membership, and organization of the  
advisory committees.

Authorizes the authority to fix, revise, charge, and  
collect rates, rents, fees, charges, and revenues, and to  
enter into contracts, to finance intrastate high-speed  
rail transportation system projects. Provides that  
specified revenues be set aside in a sinking fund.  
Authorizes the authority to issue revenue bonds for any  
corporate purpose. Authorizes the authority to issue  
refunding bonds. Provides for validity of bonds and  
validation proceedings. Provides remedies of bondholders.  
Provides tax exemptions for property acquired or used by  
the authority, bonds issued by the authority, or  
specified income and provides an exception. Pledges the  
agreement of the state not to limit or alter the rights  
vested in the authority. Exempts powers of the authority  
from specified supervision, regulation, approval, or  
consent. Provides pledge of the state not to restrict  
certain rights of the authority. Requires annual reports  
by the authority.

Provides for powers and duties of the Department of  
Environmental Protection with respect to the act.  
Provides requirements of the Department of Environmental  
Protection with respect to certification procedures.  
Provides procedures for review of certification  
applications. Provides for alteration of time limitations  
specified by the act. Provides for certification  
hearings. Provides for effect of certification.  
Authorizes the exemption of franchisees from specified  
licenses, permits, certificates, and similar agency  
documents. Requires applicants to seek necessary  
interests in specified state lands. Authorizes the  
authority or an applicant to undertake any associated  
development included in the certification. Requires the  
department to file notice of a certified corridor route.  
Authorizes the department to modify the terms and

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1 conditions of certification or franchise and provides  
2 procedure for modification.

3 Beginning in fiscal year 2001-2002, and each year  
4 thereafter, revises the distribution of state revenues  
5 deposited in the State Transportation Trust Fund to  
6 specify that a minimum of 82 percent of all such revenues  
7 shall be committed annually by the department for  
8 transportation projects other than public transportation  
9 projects currently designated to receive funding.

7 Appropriates \$35 million for the Florida High-Speed Rail  
8 Authority for fiscal years 2001-2002. Appropriates \$70  
9 million per year for fiscal years 2002-2003 through  
10 2022-2023.

10 Repeals ss. 341.3201-341.386, F.S., the "Florida  
11 High-Speed Rail Transportation Act."

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