

By Senator Smith

5-1189-02

See HB

1 A bill to be entitled

2 An act relating to regional transportation

3 authorities; creating the North Central Florida

4 Regional Transportation Authority; providing

5 definitions; providing for membership of the

6 authority; providing for terms and

7 qualifications of members; limiting consecutive

8 terms of membership; providing circumstances

9 under which a member may be suspended or

10 removed; providing for organization and conduct

11 of business of the authority; providing for

12 reimbursement of members; providing powers of

13 the authority; providing power of eminent

14 domain; authorizing the authority to issue

15 bonds payable solely from revenues for the

16 purpose of acquiring, constructing,

17 reconstructing, improving, extending,

18 enlarging, or equipping any transportation

19 facilities; authorizing the authority to fix

20 rates, fees, and other charges for the use of

21 and for services furnished by transportation

22 facilities; authorizing the authority to enter

23 into specified contracts; authorizing the

24 securing of bonds by a trust agreement;

25 providing conditions upon resolutions

26 authorizing the issuance of bonds; providing

27 for specified contributions to the authority by

28 the governing bodies of Alachua, Bradford,

29 Citrus, Lake, Levy, Marion, and Putnam Counties

30 and the cities of Gainesville and Ocala;

31 authorizing the authority to issue industrial

1 development revenue bonds to assist in the
2 financing of specified facilities; providing a
3 limit on outstanding industrial development
4 revenue bonds; providing powers of the
5 authority with respect to industrial facilities
6 and projects; providing restrictions; providing
7 requirements of financing documents and
8 security documents; providing that moneys
9 received under the act are trust funds to be
10 held and applied solely as provided in the act;
11 providing remedies of bondholders; authorizing
12 the authority to issue refunding bonds;
13 providing law enforcement functions of the
14 authority; providing power of the authority to
15 adopt supplemental rules, regulations, and
16 ordinances; providing for the issuance of a
17 beverage license to the authority; providing
18 procedure with respect to the issuance of such
19 license; providing for requirements,
20 restrictions, and transfer of such license;
21 providing that the authority is considered an
22 agency subject to ch. 120, F.S., the
23 Administrative Procedure Act; providing tax
24 exemption for bonds issued under the act;
25 providing severability; providing an effective
26 date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Short title.--This act may be cited as the
31 "North Central Florida Regional Transportation Authority Act."

1 Section 2. Definitions.--As used in this act, the
2 following terms have the following meanings, unless the
3 context indicates another or different meaning or intent:

4 (1) "Transportation facility" or "transportation
5 facilities" means the property or property rights, both real
6 and personal, of a type used for the establishment of public
7 transportation systems which have heretofore been, or may
8 hereafter be, established by public bodies for the
9 transportation of people and property from place to place,
10 including, but not limited to, shops, restaurants and catering
11 facilities, terminals, buildings, and parking facilities and
12 all other facilities necessary or desirable for the arrival,
13 departure, operating, servicing, repairing, and parking of
14 transportation conveyances, the unloading and handling of
15 mail, express, and freight, and the accommodation,
16 convenience, and comfort of passengers, all necessary
17 appurtenances, machinery, and equipment, and all lands,
18 properties, rights, easements, and franchises relating thereto
19 and considered necessary or convenient by the authority in
20 connection therewith.

21 (2) "Authority" or "transportation authority" means
22 the authority created by this act, or, if such authority is
23 abolished, the board, body, or commission succeeding to the
24 principal functions thereof or to which the powers given by
25 this act to the authority are given by law.

26 (3) "Cost" means the cost of acquiring, constructing,
27 reconstructing, improving, extending, enlarging, or equipping
28 transportation facilities and includes financing charges,
29 interest prior to and during construction and for 1 year after
30 completion of construction, cost of engineering, legal, and
31 other professional services, plans, specifications, surveys,

1 estimates of cost and of revenues, other expenses necessary or
2 incident to the determining of the feasibility or
3 practicability of any such acquisition, construction,
4 reconstruction, improvement, extension, enlargement, or
5 equipment of transportation facilities, administrative
6 expenses, and such other expenses, including reasonable
7 provision for working capital and reserves, as may be
8 necessary or incident to the financing herein authorized, to
9 the acquisition, construction, reconstruction, improvement,
10 extension, enlargement, and equipment of transportation
11 facilities, and to the placing of the same in operation by the
12 authority. Any obligation or expense incurred by the
13 authority or by any political subdivision prior to the
14 issuance of bonds under the provisions of this act in
15 connection with the acquisition, construction, reconstruction,
16 improvement, extension, enlargement, and equipment of any
17 transportation facilities may be regarded as a part of such
18 cost.

19 Section 3. Creation and membership of authority.--

20 (1) There is created a body politic and corporate to
21 be known as the North Central Florida Regional Transportation
22 Authority for the purpose of acquiring, constructing,
23 improving, financing, operating, and maintaining
24 transportation facilities. The authority is constituted a
25 public instrumentality, and the exercise by the authority of
26 its powers conferred by this act is deemed and held to be the
27 performance of essential governmental functions.

28 (2) The governing body of the North Central Florida
29 Regional Transportation Authority shall consist of 13 members
30 as follows:

31

- 1 (a) One member appointed by the governing body of
2 Alachua County who must be a resident of Alachua County.
- 3 (b) One member appointed by the governing body of
4 Bradford County who must be a resident of Bradford County.
- 5 (c) One member appointed by the governing body of
6 Citrus County who must be a resident of Citrus County.
- 7 (d) One member appointed by the governing body of Lake
8 County who must be a resident of Lake County.
- 9 (e) One member appointed by the governing body of Levy
10 County who must be a resident of Levy County.
- 11 (f) One member appointed by the governing body of
12 Marion County who must be a resident of Marion County.
- 13 (g) One member appointed by the governing body of
14 Putnam County who must be a resident of Putnam County.
- 15 (h) One member appointed by the Mayor of the City of
16 Gainesville who must be a resident of the City of Gainesville.
- 17 (i) One member appointed by the Mayor of the City of
18 Ocala who must be a resident of the City of Ocala.
- 19 (j) The President of the University of Florida, or the
20 president's designee.
- 21 (k) Three at-large members appointed by the Governor.
- 22 (3) At least 30 days prior to the date of expiration
23 of the term of any member of the authority, or within 30 days
24 after the creation of any vacancy in the membership of the
25 authority resulting from the death, resignation, change of
26 residence, or removal of any such member or from any other
27 cause, the successor of such member shall be appointed by the
28 original appointing authority. Any appointed member is
29 eligible for reappointment. However, a member may not serve
30 more than 8 consecutive years. All appointments shall be for a
31 4-year term.

1 (4) Each appointed member of the authority must be a
2 person of integrity, responsibility, and business ability, who
3 is competent and knowledgeable in one or more fields,
4 including, but not limited to, public affairs, law, economics,
5 accounting, engineering, finance, natural resources
6 conservation, energy, or another field substantially related
7 to the duties and functions of the authority. The membership
8 of the authority shall fairly represent the specified fields
9 and shall be nonpartisan. A person who is serving in another
10 public office is not eligible for appointment, unless that
11 person resigns the other office before being appointed to the
12 authority. A person who, at the time of an anticipated
13 appointment to the authority, is transacting business with the
14 authority, or who is reasonably expected to transact business
15 with the authority, either for himself or herself or as an
16 employee of, agent for, or consultant to any other person or
17 legal entity, may not be appointed as a member of the
18 authority.

19 (5) Any appointed member of the authority may be
20 suspended or removed from office by the original appointing
21 authority for good cause affecting his or her ability to
22 perform his or her duties as a member; for misfeasance,
23 malfeasance, or nonfeasance in office; or for violating his or
24 her duty to avoid conduct tending to undermine decisions of
25 the authority, exposing the authority to liability for
26 damages, injuring the good name of the authority, or
27 disturbing the well-being of the authority's staff or
28 employees.

29 Section 4. Organization and conduct of business of
30 authority.--

31

1 (1) The authority shall select one of its members as
2 chair, who shall serve as such at the pleasure of the
3 authority. The authority shall also select one of its members
4 to act as secretary of the authority. The authority shall
5 employ a treasurer and may employ an assistant treasurer. The
6 treasurer or, in his or her absence, the assistant treasurer
7 shall sign all checks paid out by the authority, which shall
8 be countersigned by the chair of the authority or, in the
9 absence of the chair, by the vice chair as provided in
10 subsection (19) of section 5. The treasurer shall assist in
11 the preparation of the annual budget, which budget must be
12 approved by the authority prior to becoming effective. Such
13 persons shall act as secretary of the authority and as
14 treasurer of the authority, respectively, at the pleasure of
15 the authority.

16 (2) A majority of the members of the authority
17 constitutes a quorum, and the affirmative vote of a majority
18 of a quorum of the members of the authority is necessary for
19 any action taken by the authority.

20 (3) Each member may be paid an annual salary of \$1.
21 Members shall be reimbursed for the amount of actual expenses
22 incurred by them in the performance of their duties. Members
23 shall be reimbursed for mileage as provided in section
24 112.061, Florida Statutes, from their places of residence to
25 place of meeting and return, and for vicinity mileage incurred
26 in the performance of their duties. The members shall also be
27 reimbursed for, or the authority may purchase on a member's
28 behalf, insurance covering a member while traveling on
29 official business. The proceeds of such insurance shall be
30 payable to such beneficiary as the member directs. The travel
31 expenses, subsistence, and lodging expenses of a member of the

1 authority or of an authority employee may not exceed those
2 prescribed by section 112.061, Florida Statutes, unless actual
3 reasonable expenses in excess of those prescribed by section
4 112.061, Florida Statutes, are specifically authorized prior
5 to the incurring of such expenses, by action of the authority
6 taken at a regular monthly meeting at which the question of
7 such expenses appears as a separate item on the agenda.

8 Section 5. Powers of the authority.--The authority is
9 authorized and empowered:

10 (1) To adopt bylaws for the regulation of its affairs
11 and the conduct of its business.

12 (2) To adopt an official seal and alter the same at
13 its pleasure.

14 (3) To maintain an office at such place or places as
15 it may designate, within Alachua, Bradford, Citrus, Lake,
16 Levy, Marion, and Putnam Counties only.

17 (4) To sue and be sued in its own name and plead and
18 be impleaded.

19 (5) To acquire, lease as lessee or lessor, construct,
20 reconstruct, improve, extend, enlarge, equip, repair,
21 maintain, and operate any transportation facilities within any
22 or all of the counties of Alachua, Bradford, Citrus, Lake,
23 Levy, Marion, and Putnam.

24 (6) To lease as lessor for other than transportation
25 purposes, or to sell or otherwise dispose of, any land or
26 other transportation facilities that it has determined are no
27 longer used or useful for purposes of the authority, subject,
28 however, to any limitations imposed on such leasing or
29 disposition by any bonds issued by the authority hereunder or
30 by any proceedings taken in connection with the issuance of
31 such bonds or by any contracts entered into hereunder with any

1 or all of the counties of Alachua, Bradford, Citrus, Lake,
2 Levy, Marion, and Putnam.

3 (7) To issue bonds of the authority, as provided in
4 this act, to pay the cost of such acquisition, construction,
5 reconstruction, improvement, extension, enlargement, or
6 equipment.

7 (8) To issue refunding bonds of the authority as
8 provided in this act.

9 (9) To combine any transportation facilities for the
10 purpose of operation and financing.

11 (10) To fix and revise from time to time and collect
12 rates, fees, and other charges for the use of or for the
13 services furnished by any transportation facilities.

14 (11) To acquire real property in the name of the
15 authority by gift, purchase, or the exercise of the power of
16 eminent domain in accordance with the laws of this state which
17 may be applicable to the exercise of such powers by counties
18 or municipalities, including, without limitation, the
19 leasehold interest of lessees under leases made by the
20 authority as lessor; to acquire such personal property as it
21 considers necessary in connection with the acquisition,
22 construction, reconstruction, improvement, extension,
23 enlargement, equipment, operation, maintenance, or repair of
24 any transportation facilities; and to hold and dispose of all
25 such real and personal property under its control. The power
26 granted in this subsection, and under subsection (5) for
27 acquisition of lands, is limited to lands or interests therein
28 needed for purposes of the authority.

29 (12) To exercise the power of eminent domain in
30 accordance with the provisions of chapter 74, Florida
31 Statutes, as from time to time amended, or any successor

1 statute, in the same manner as therein provided for the
2 acquiring of rights-of-way for the state highway system and to
3 take title to lands in fee simple absolute or such lesser
4 estate as may be specified in the declaration of taking, upon
5 the deposit of such sum as the court determines will fully
6 secure and fully compensate the persons lawfully entitled to
7 compensation.

8 (13) To make and enter into all contracts and
9 agreements necessary or incidental to the performance of its
10 duties and the execution of its powers under this act,
11 including a trust agreement or trust agreements securing any
12 bonds issued under this act, and to employ such consulting and
13 other engineers, superintendents, managers, construction and
14 financial experts, accountants and attorneys, and employees
15 and agents as are, in the judgment of the authority,
16 necessary, and to fix and pay their compensation, and, with
17 regard to such superintendents, managers, accountants, and
18 employees, to provide for deferred compensation, health,
19 accident, and disability payments, and other fringe benefits;
20 to provide for health, accident, and disability payments for
21 members of the authority; and to remove any employee at any
22 time upon such notice as the authority considers fair and
23 reasonable by a majority vote of the members of the authority;
24 however, all such expenses must be payable solely from funds
25 made available under the provisions of this act.

26 (14) To accept grants of money or materials or
27 property of any kind for any transportation facilities from
28 any federal or state agency, political subdivision, or other
29 public body or from any private agency or individual, upon
30 such terms and conditions as may be imposed and to enter into
31 contracts and grants agreements with the Federal Government

1 and with the state or any of its agencies, in the capacity of
2 sponsor or cosponsor of any transportation development project
3 involving the acquisition, construction, reconstruction,
4 improvement, extension, enlargement, or equipment of any
5 transportation facilities owned or operated by the authority,
6 pursuant to any federal or state law providing for
7 transportation-related aid.

8 (15) To make purchase money mortgages on any
9 additional property purchased by the authority, or to purchase
10 property subject to mortgages; however, the security
11 instrument evidencing any such mortgage must expressly limit
12 and confine the lien of the mortgage to the property so
13 purchased.

14 (16) To borrow money from time to time, and to procure
15 one or more lines of credit from time to time in furtherance
16 thereof, for any corporate purpose of the authority and to
17 secure any such loan by executing a promissory note or notes
18 in the name of the authority pledging any revenues of the
19 authority; however, any such promissory note is, and must
20 state on its face that it is, subordinate and subject in right
21 to payment from the revenues of any transportation facilities,
22 but not subordinate and subject in right to payment from
23 federal or state grants unless so provided in any resolution
24 or trust agreement as mentioned hereinafter, to all bonds and
25 bond anticipation notes theretofore or thereafter issued by
26 the authority pursuant to this act or any other statute for
27 the purpose of paying the cost of acquiring, constructing,
28 reconstructing, improving, extending, enlarging, or equipping
29 any transportation facilities, except to the extent otherwise
30 provided in any resolution or trust agreement authorizing or
31 securing, respectively, such bonds or bond anticipation notes.

1 (17) To construct, maintain, operate, lease, and
2 regulate motor vehicle parking facilities for the agents,
3 employees, guests, and business invitees of the authority or
4 its tenants and the visiting public.

5 (a) The authority may enter into lease and franchise
6 agreements with private persons or corporations as tenants or
7 operators of such facilities upon such terms and for such
8 periods of time as the authority considers appropriate. The
9 authority shall hold a public hearing, after the publication
10 of a notice of such hearing in a newspaper of general
11 circulation in Alachua, Bradford, Citrus, Lake, Levy, Marion,
12 and Putnam Counties, respectively, at least one time no less
13 than 10 days nor more than 25 days prior to such hearing to:

14 1. Consider the establishment of rates or fees, if
15 any, that will be charged to persons who use any such parking
16 facility; or

17 2. Consider any subsequent revisions therein that
18 increase such rates or fees. The authority may pledge the
19 income and revenues derived from such leases and franchise
20 agreements as security for the repayment of loans extended to
21 the authority or as security for the payment of any bonds of
22 the authority issued pursuant to section 6 of this act as it
23 considers necessary or desirable from time to time.

24 (b) The authority may cause any motor vehicle parked
25 on authority property without its permission to be removed by
26 a person regularly engaged in the business of towing motor
27 vehicles, without liability for the cost of removal,
28 transportation, or storage or damages caused by such removal,
29 transportation, or storage, if notice is prominently posted on
30 the property or has been personally given to the owner or
31 driver of the motor vehicle that the area in which such

1 vehicle is parked is reserved or is otherwise unavailable for
2 unauthorized vehicles. Whenever any motor vehicle is so
3 removed, the authority shall, upon request, immediately and
4 without demanding compensation, inform the owner or lessor of
5 such motor vehicle of the name and location of the person or
6 company that removed it. The person causing the removal of
7 the motor vehicle shall notify the nearest police department
8 of the removal and the name and location of the person that
9 removed it.

10 (18) To adopt a budget prior to September 30 of each
11 year for the ensuing fiscal year commencing October 1. The
12 budget, after adoption, may be amended or altered only by
13 action of the authority taken at a regular or special meeting.
14 In any fiscal year, the authority may not authorize the
15 expenditure of authority funds in excess of those budgeted,
16 except to the extent that the actual or anticipated receipts
17 exceed the budgeted income. All checks for disbursement of
18 funds of the authority must be signed by the treasurer or, in
19 the absence of the treasurer, by the assistant treasurer and
20 must be countersigned by the chair or, in the absence of the
21 chair, by the vice chair. The authority, through its bylaws,
22 shall establish the procedure for determining the absence of
23 the chair or treasurer for purposes of the countersigning of
24 checks by the vice chair or the assistant treasurer,
25 respectively.

26 (19) To do all acts and things necessary or convenient
27 to carry out the powers granted by this act.

28 Section 6. Bonds.--

29 (1) The authority may issue, at one time or from time
30 to time, bonds of the authority for the purpose of paying all
31 or any part of the cost of acquiring, constructing,

1 reconstructing, improving, extending, enlarging, or equipping
2 any transportation facilities. The bonds of each issue shall
3 be dated, shall mature at such time or times, not exceeding 40
4 years after their date or dates, and shall bear interest at
5 such rate or rates as are determined by the authority, not
6 exceeding the maximum rate then specified in s. 215.84,
7 Florida Statutes, unless a higher rate is approved by the
8 State Board of Administration pursuant to that section, and
9 may be made redeemable before maturity, at the option of the
10 authority, at such price or prices and under such terms and
11 conditions as may be fixed by the authority prior to the
12 issuance of the bonds. The authority shall determine the form
13 and the manner of execution of the bonds, including any
14 interest coupons to be attached thereto, and shall fix the
15 denomination or denominations of the bonds and the place or
16 places of payment of principal and interest, which may be at
17 any bank or trust company within or without the state. In
18 case any officer whose signature or a facsimile of whose
19 signature must appear on any bonds or coupons ceases to be
20 such officer before the delivery of such bonds, such signature
21 or such facsimile is nevertheless valid and sufficient for all
22 purposes, the same as if the officer had remained in office
23 until such delivery. Notwithstanding any of the other
24 provisions of this act or any recitals in any bond issued
25 under the provisions of this act, all such bonds are deemed to
26 be investment securities under chapter 678, Florida Statutes.
27 The bonds may be issued in coupon or registered form without
28 coupons or both, as the authority determines; and provision
29 may be made for the registration of any coupon bonds as to
30 principal alone and also as to both principal and interest and
31 for the reconversion into coupon bonds of any bonds registered

1 as to both principal and interest. The authority may sell such
2 bonds in such manner, either at public or private sale, and
3 for such price, as it determines to be for the best interest
4 of the authority.

5 (2) The proceeds of the bonds of each issue shall be
6 used solely for the purpose for which such bonds were
7 authorized and shall be disbursed in such manner and under
8 such restrictions, if any, as the authority may provide in the
9 resolution authorizing the issuance of such bonds or in the
10 trust agreement securing the same. Unless otherwise provided
11 in the authorizing resolution or in the trust agreement
12 securing such bonds, if the proceeds of such bonds, by error
13 of estimates or otherwise, is less than the amount required
14 for such purpose, additional bonds may in like manner be
15 issued to provide the amount of such deficit and are entitled
16 to payment from the same fund without preference or priority
17 of the bonds first issued for the same purpose.

18 (3) The resolution providing for the issuance of
19 bonds, and any trust agreement securing such bonds, may also
20 contain such limitations upon the issuance of additional bonds
21 as the authority considers proper, and such additional bonds
22 shall be issued under such restrictions and limitations as may
23 be prescribed by such resolution or trust agreement.

24 (4) Prior to the preparation of definitive bonds, the
25 authority may, under like restrictions, issue interim receipts
26 or temporary bonds, with or without coupons, exchangeable for
27 definitive bonds when such bonds have been executed and are
28 available for delivery. The authority may also provide for
29 the replacement of any bonds that become mutilated or that
30 have been destroyed or lost.

31

1 (5) Bonds may be issued under this act without
2 obtaining the consent of any commission, board, bureau, or
3 agency of the state or of any political subdivision, and
4 without any other proceeding or the happening of other
5 conditions or things than those proceedings, conditions, or
6 things that are specifically required by this act.

7 Section 7. Rates, fees, and other charges.--The
8 authority may fix and revise from time to time, either by
9 agreement with a user or by resolution of the authority,
10 rates; fees, including, without limitation, landing fees; and
11 other charges for the use of and for the services furnished or
12 to be furnished by any transportation facilities owned or
13 operated by the authority. Such rates, fees, and charges are
14 not subject to supervision or regulation by any bureau, board,
15 commission, or other agency of the state or of any political
16 subdivision. Such rates, fees, and charges shall be fixed and
17 revised so that the revenues of the authority, together with
18 any other available funds, will be sufficient at all times:

19 (1) To pay the cost of maintaining, repairing, and
20 operating the transportation facilities owned or operated by
21 the authority, including reserves for such purposes.

22 (2) To pay the principal of and premium, if any, and
23 interest on all bonds issued by the authority under this act
24 to pay for the cost of acquiring, constructing,
25 reconstructing, improving, extending, enlarging, or equipping
26 any transportation facilities as the same become due and
27 payable and to provide reserves therefor.

28
29 Notwithstanding any of the provisions of this section, the
30 authority may enter into contracts relating to the use of, or
31 for the services furnished or to be furnished by, any

1 transportation facilities, which contracts are not subject to
2 revision except in accordance with their terms.

3 Section 8. Trust agreement or resolution.--

4 (1) In the discretion of the authority, each or any
5 issue of bonds may be secured by a trust agreement by and
6 between the authority and a corporate trustee, which may be
7 any trust company or bank having the powers of a trust company
8 within or without the state. It is lawful for any bank or
9 trust company incorporated under the laws of this state which
10 may act as depository of the proceeds of bonds or of revenues
11 to furnish such indemnifying bonds or to pledge such
12 securities as may be required by the authority. The resolution
13 authorizing the issuance of bonds or any trust agreement
14 securing such bonds may set forth the rights and remedies of
15 the bondholders and of the trustee, if any, and may restrict
16 the individual right of action by bondholders. Such resolution
17 or trust agreement may contain such other provisions in
18 addition to the foregoing as the authority considers
19 reasonable and proper for the security of the bondholders.
20 The authority may provide for the payment of the proceeds of
21 the sale of the bonds and the revenues of any transportation
22 facilities to such officer, board, or depository as it
23 designates for the custody thereof, and for the method of
24 disbursement thereof, with such safeguards and restrictions as
25 it determines. All expenses incurred in carrying out the
26 provisions of such resolution or trust agreement may be
27 treated as a part of the cost of operation.

28 (2) The resolution authorizing the issuance of bonds
29 to pay the cost of acquiring, constructing, reconstructing,
30 improving, extending, enlarging, or equipping any
31 transportation facilities or any trust agreement securing

1 bonds issued for such purpose may pledge the revenues to be
2 received from any transportation facilities of the authority,
3 but may not convey or mortgage any of such facilities, and may
4 contain such provisions for protecting and enforcing the
5 rights and remedies of the bondholders as are reasonable and
6 proper and not in violation of law, including, without
7 limitation, covenants setting forth the duties of the
8 authority in relation to the acquisition, construction,
9 reconstruction, improvement, maintenance, repair, operation,
10 and insurance of any such facilities, the fixing and revising
11 of rates, fees, and charges, and the custody, safeguarding,
12 and application of all moneys, and for the employment of
13 consulting engineers in connection with such acquisition,
14 construction, reconstruction, improvement, maintenance,
15 repair, operation, or insurance.

16 (3) Any pledge of revenues of any transportation
17 facilities under this act is valid and binding from the time
18 such pledge is made. Any such revenues so pledged and
19 thereafter received by the authority are immediately subject
20 to the lien of such pledge without any physical delivery
21 thereof or further action, and the lien of such pledge is
22 valid and binding as against all parties having claims of any
23 kind in tort, contract, or otherwise against the authority,
24 irrespective of whether such parties have notice thereof.

25 Section 9. Contributions of certain political
26 subdivisions.--

27 (1) The governing body of each of the cities of
28 Gainesville and Ocala and each of the counties of Alachua,
29 Bradford, Citrus, Lake, Levy, Marion, and Putnam may make
30 grants of money to the authority and may lease, lend, grant,
31 or convey to the authority, with or without consideration,

1 real or personal property, for use by the authority for the
2 acquisition, construction, reconstruction, improvement,
3 extension, enlargement, equipment, maintenance, or operation
4 of any transportation facilities; however, if the approval at
5 an election by the qualified electors of any such city or
6 county is required by the constitution of the state, such
7 election must be called, noticed, and conducted, and the
8 result thereof determined and declared, in the manner required
9 by the Florida Election Code, chapters 97-106, Florida
10 Statutes, as from time to time amended, or any successor
11 statute.

12 (2) The board of county commissioners of each of the
13 counties of Alachua, Bradford, Citrus, Lake, Levy, Marion, and
14 Putnam may:

15 (a) Enter into contracts, with or without
16 consideration, for such periods of time as such board of
17 county commissioners determines, providing for the making of
18 annual or other contributions from any non-ad valorem tax
19 revenues available for such contributions to the authority for
20 use by the authority for the acquisition, construction,
21 reconstruction, improvement, extension, enlargement,
22 equipment, maintenance, repair, or operation of any
23 transportation facilities and for the payment of the principal
24 of and premium, if any, and interest on any bonds issued by
25 the authority under this act other than bonds issued pursuant
26 to section 10 of this act or for making up any deficiencies in
27 the revenues of the authority necessary for any such purposes;
28 and pledge the taxing power of such county to the payment of
29 such contributions.

30 (b) Issue bonds of the county, payable solely from
31 revenues, for the purpose of providing funds to be granted to

1 the authority for application to the payment of the cost of
2 acquisition, construction, reconstruction, improvement,
3 extension, enlargement, or equipment of any transportation
4 facilities, such bonds to be issued under the provisions of
5 any law applicable to the issuance of bonds or other
6 obligations by the county; however, in any case in which the
7 approval at an election by the qualified electors residing in
8 the county is required by the State Constitution for the
9 exercise of any of the powers conferred by this section, such
10 approval must be obtained before such powers are exercised.
11 Any election to be held for the purpose of obtaining the
12 approval of such qualified electors shall be held and the
13 result thereof determined and declared in the manner provided
14 by the Florida Election Code.

15 (c) Enter into contracts and grant agreements with the
16 Federal Government, the state or any of its agencies, and the
17 authority in the capacity of sponsor or cosponsor of any
18 transportation development project involving the acquisition,
19 construction, reconstruction, improvement, extension,
20 enlargement, or equipment of any transportation facilities
21 owned or operated by the authority, pursuant to any federal or
22 state law providing for aid for such projects.

23 (3) The governing body of each of the cities of
24 Gainesville and Ocala and each of the counties of Alachua,
25 Bradford, Citrus, Lake, Levy, Marion, and Putnam may purchase,
26 from time to time from any moneys of such city or county which
27 are made available therefor, bonds issued by the authority
28 pursuant to the provisions of this act other than bonds issued
29 pursuant to section 10 of this act; however, no one of such
30 cities or counties may at any one time hold such bonds in a
31 principal amount exceeding \$100,000.

1 Section 10. Industrial development revenue bonds.--
2 (1) It is the purpose of this section to authorize the
3 authority to foster and encourage the development of
4 industrial facilities, including pollution control facilities,
5 to create or preserve employment opportunities, to protect the
6 physical environment, to preserve and increase the prosperity
7 of the counties of Alachua, Bradford, Citrus, Lake, Levy,
8 Marion, and Putnam, and to promote the general welfare of all
9 their citizens without the use of public funds by issuing
10 industrial development revenue bonds to assist the financing
11 of such facilities. It is declared that there are a number of
12 industrial facilities on lands presently owned by the
13 authority which are greatly in need of reconstruction,
14 improvement, remodeling, replacement, or enlargement in order
15 that these lands and facilities may be best utilized pending
16 any future use of such lands and facilities for purposes of
17 the authority and that the financing of such reconstruction,
18 improvement, remodeling, replacement, or enlargement, as
19 provided in this section, will enable the authority to
20 maintain or increase its income from such lands and
21 facilities. It is further declared that the actions authorized
22 by this section serve a public purpose and that in carrying
23 out the provisions of this section the authority is regarded
24 as performing an essential governmental function. The
25 outstanding industrial development revenue bonds authorized by
26 this section may not at any time exceed \$3 million in the
27 aggregate.

28 (2) As used in this section, the following terms have
29 the following meanings, unless the context indicates another
30 or different meaning or intent:
31

1 (a) "Bond" means an evidence of indebtedness issued by
2 the authority under this act to finance an industrial project
3 in whole or in part or to refund indebtedness incurred for
4 that purpose.

5 (b) "Debt service" means the amounts required to pay
6 bonds according to their terms and includes amounts
7 representing principal, premium, and interest.

8 (c) "Financing document" means a written instrument
9 establishing the rights and responsibilities of the authority
10 and the user with respect to an industrial facility financed
11 by the issue of bonds under this act.

12 (d) "Industrial facility" means any property financed
13 or to be financed under the provisions of this section, which
14 may include structures and appurtenances incidental to any of
15 the hereinafter detailed purposes such as utility lines,
16 storage accommodations, or transportation facilities on any
17 property owned by the authority on the effective date of this
18 act, whether real or personal or a combination of both types
19 of property, which is suitable for:

20 1. Manufacturing, processing, assembling, or
21 warehousing goods or materials for sale or distribution, but
22 does not include raw materials, work in process, or stock in
23 trade;

24 2. The conduct of research and development activities;

25 3. Collecting or processing any kind of waste material
26 for reuse or disposal;

27 4. Reducing, mitigating, or eliminating pollution of
28 land, air, or water by substances, heat, or sound; or

29 5. Any combination of the foregoing activities, uses,
30 or purposes.

31

1 (e) "Industrial project" means the creation,
2 establishment, acquisition, construction, expansion,
3 remodeling, or replacement of an industrial facility financed
4 by the issue of bonds under this act.

5 (f) "Project costs" means any costs or expenses
6 reasonably incidental to an industrial project and may,
7 without limitation, include the costs of:

8 1. Issuing bonds to finance an industrial project.

9 2. Acquiring land, buildings, structures, and
10 facilities, whether by lease, purchase, construction, or
11 otherwise.

12 3. Acquiring rights in or over land, air, or water.

13 4. Improving land and improving buildings, structures,
14 and facilities by remodeling, reconstruction, replacement, or
15 enlargement.

16 5. Acquiring and installing machinery and equipment.

17 6. Obtaining professional or advisory services.

18 7. Paying interest prior to and during construction
19 and until 1 year after completion of a project.

20 8. Creating reserves.

21 (g) "Security document" means a written instrument
22 establishing the rights and responsibilities of the authority
23 and the holders of bonds issued to finance an industrial
24 facility.

25 (h) "User" means the person entitled to the use or
26 occupancy of an industrial facility and primarily responsible
27 for making payments sufficient to meet the debt service on the
28 bonds issued to finance the facility.

29 (3) The authority may:

30 (a) Engage in industrial projects and acquire and
31 dispose of ownership or possessory interests in industrial

1 facilities located on land owned by the authority on the
2 effective date of this act; however, in the exercise of its
3 powers granted under this section, the authority has no power
4 to sell or convey such land or to encumber the fee simple
5 title to such land by way of mortgage, deed of trust,
6 subordination agreement, or other similar instrument.

7 (b) Issue bonds to:

8 1. Pay project costs;

9 2. Reimburse a user or a related person for payments
10 for project costs made before or after bonds are issued; or

11 3. Refund bonds previously issued.

12 (c) Execute financing documents and security documents
13 and perform obligations and exercise powers created thereby.

14 (d) Dispose of all or part of any industrial facility
15 by sale or otherwise for the benefit of the bondholders in the
16 event of default by a user under a financing document, but
17 only to the extent authorized by the financing document or
18 security document.

19 (e) Make contracts or take any other action that is
20 necessary or desirable in connection with the exercise of the
21 powers granted under this section.

22 (4) This section does not authorize the authority to
23 operate an industrial facility itself or to conduct any
24 business enterprise therewith except to the extent the
25 authority is authorized to do so by any other provision of
26 this act or by any other law.

27 (5) The authority's ownership or possessory interest
28 in the industrial facility under a financing document may,
29 subject to the provisions of paragraph (3)(c), be that of
30 owner, lessor, lessee, conditional or installment vendor,
31 mortgagor, mortgagee, or otherwise.

- 1 (6) Every financing document must:
2 (a) Provide for payments by the user at such times and
3 in such amounts as are necessary in order to pay the debt
4 service on all bonds issued to finance the industrial project
5 as they become due.
6 (b) Obligate the user to pay all the costs and
7 expenses of operation, maintenance, and upkeep of the
8 industrial facility and to pay reasonable rentals to the
9 authority for the use of any lands and other property of the
10 authority not constituting an industrial facility or part
11 thereof.
12 (7) Any financing document may:
13 (a) Bear any appropriate title.
14 (b) Involve property in addition to the property
15 financed by the bonds.
16 (c) Be in the nature of a lease, a sale-leaseback, a
17 lease-purchase, a conditional sale, or an installment sale
18 secured by a purchase money mortgage or any other similar
19 transaction.
20 (d) Provide for payments by the user which include
21 amounts in addition to the amounts required to pay debt
22 service.
23 (e) Obligate a user to make payments before the
24 industrial facility exists or becomes functional and to make
25 payments after the industrial facility has ceased to exist or
26 be functional to any extent and from any cause.
27 (f) Obligate a user to make payments regardless of
28 whether the user is in possession or is entitled to be in
29 possession of the industrial facility.
30
31

1 (g) Allocate responsibility between the authority and
2 the user for making purchases and contracts required for the
3 project.

4 (h) Provide that some or all of the user's obligations
5 are unconditional, binding, and enforceable in all
6 circumstances notwithstanding any other provision of law.

7 (i) Contain such other provisions and covenants
8 relating to the use, maintenance, and replacement of the
9 industrial facility as the authority and the user consider
10 necessary for the protection of themselves or others.

11 (8) A security document may:

12 (a) Contain an assignment, pledge, mortgage, or other
13 encumbrance of all or part of the authority's interest in, or
14 right to receive payments with respect to, an industrial
15 facility under a financing document.

16 (b) Bear any appropriate title.

17 (c) Provide for a trustee for the benefit of holders
18 of bonds issued to finance an industrial facility.

19 (d) Be combined with a financing document as one
20 instrument.

21 (e) Contain covenants of the authority as to:

22 1. The creation and maintenance of reserves.

23 2. The issuance of other bonds with respect to the
24 industrial facility.

25 3. The custody, investment, and application of moneys.

26 4. The disposition of insurance or condemnation
27 proceeds.

28 5. The use of surplus bond proceeds.

29 6. Action by the authority in the event of a default
30 by the user under the financing document.

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1 7. The subjecting of additional property to the lien
2 of the security document.

3 8. Any other matter that affects the security for the
4 bonds in any way.

5 (f) Limit the rights of bondholders to enforce
6 obligations of the authority thereunder or under the financing
7 document.

8 (9) Any assignment, pledge, mortgage, or other
9 encumbrance of all or part of the authority's right to receive
10 payments with respect to an industrial facility contained in a
11 security document is valid and binding from the time such
12 security document is executed or adopted; and the payments so
13 assigned, pledged, mortgaged, or otherwise encumbered and
14 thereafter received by the authority are immediately subject
15 to the lien of such assignment, pledge, mortgage, or other
16 encumbrance, with or without any physical delivery thereof or
17 further action; and the lien of such pledge is valid and
18 binding as against all parties having claims of any kind in
19 tort, contract, or otherwise against the authority,
20 irrespective of whether such parties have notice thereof.

21 (10) Bonds of the authority may be issued pursuant to
22 this section in the same manner as provided in sections 6, 11,
23 12, and 13 of this act. The term "trust agreement," as used
24 in such sections, means and includes, in the case of bonds
25 issued pursuant to this section, any security document.

26 (11) Bonds issued under this section do not constitute
27 debts of the state or of any political subdivision thereof or
28 a pledge of the faith and credit of the state or of any
29 political subdivision; but such bonds are obligations of the
30 authority payable solely from the funds provided therefor, and
31

1 a statement to that effect must be recited on the face of the
2 bonds.

3 (12) The financing document and the security document
4 must provide that under no circumstances is the authority
5 obligated, directly or indirectly, to pay the cost of any
6 industrial project, the expenses of operation or maintenance
7 of any industrial facility, or the debt service on any bonds
8 issued to finance an industrial project except from the
9 proceeds of such bonds or from funds received under the
10 financing document, exclusive of any funds received thereunder
11 by the authority for its own use.

12 Section 11. Trust funds.--All moneys received pursuant
13 to the authority of this act are deemed to be trust funds and
14 must be held and applied solely as provided in this act. The
15 resolution authorizing the issuance of bonds or the trust
16 agreement securing such bonds must provide that any officer to
17 whom, or bank, trust company, or fiscal agent to which, such
18 moneys are paid shall act as trustee of such moneys and shall
19 hold and apply the same for the purposes hereof, subject to
20 such regulations as the act and such resolution or trust
21 agreement may provide.

22 Section 12. Remedies.--Any holder of bonds issued
23 under the provisions of this act or of any of the coupons
24 appertaining thereto, and the trustee under any trust
25 agreement, except to the extent the rights herein given may be
26 restricted by the resolution authorizing the issuance of such
27 bonds or such trust agreement, may by suit, action, mandamus,
28 or other proceeding, protect and enforce any and all rights
29 under the laws of the state or granted hereunder or under such
30 resolution or trust agreement, and may enforce and compel the
31 performance of all duties required by this act or by such

1 resolution or trust agreement to be performed by the authority
2 or by any officer thereof, including the fixing, charging, and
3 collecting of rates, fees, and charges for the use of or for
4 the services furnished by any transportation facilities.

5 Section 13. Refunding bonds.--The authority may issue
6 from time to time refunding bonds for the purpose of refunding
7 any bonds of the authority then outstanding, including the
8 payment of any redemption premium thereon and any interest
9 accrued or to accrue to the date of redemption of such bonds.

10 The authority may issue from time to time bonds of the
11 authority for the combined purpose of refunding any bonds of
12 the authority then outstanding, including the payment of any
13 redemption premium thereon and any interest accrued or to
14 accrue to the date of redemption of such bonds, and paying all
15 or any part of the cost of acquiring, constructing,
16 reconstructing, improving, extending, enlarging, or equipping
17 any transportation facilities or engaging in any additional
18 industrial project, as the case may be, provided no refunding
19 bonds issued with respect to any industrial project are
20 payable from the revenues of any transportation facilities.

21 The issuance of such bonds, the maturities and other details
22 thereof, the rights and remedies of the holders thereof, and
23 the rights, powers, privileges, duties, and obligations of the
24 authority with respect to the same, are governed by the
25 foregoing provisions of this act insofar as the same are
26 applicable.

27 Section 14. Law enforcement functions of the
28 authority.--

29 (1) Definitions.--As used in this section, the term:

30 (a) "Transportation facility operations area" means
31 that portion of a transportation facility designed and used

1 for the arrival, departure, or maneuvering of a transportation
2 conveyance.

3 (b) "Transportation facility" means any real property
4 the fee simple title to which is vested in the transportation
5 authority.

6 (c) "Transportation facility grounds" includes all of
7 the transportation facility.

8 (d) "Traffic," when used as a noun, means the use or
9 occupancy of, and the movement in, on, or over, streets, ways,
10 walks, roads, alleys, parking areas, and transportation
11 facility operations areas by vehicles, pedestrians, or ridden
12 or herded animals.

13 (2) Traffic, parking, and security laws and
14 ordinances; applicability to transportation facility
15 grounds.--All provisions of chapters 316 and 318, Florida
16 Statutes, apply to the transportation facility grounds. The
17 ordinances of the counties of Alachua, Bradford, Citrus, Lake,
18 Levy, Marion, Putnam, the City of Gainesville, and the City of
19 Ocala that relate to traffic control, the parking of vehicles,
20 including the towing away of unlawfully parked or abandoned
21 vehicles, or the security of transportation facility
22 operations areas apply within that part of the transportation
23 facility grounds that lies within the territorial boundaries
24 of the respective county or municipality; provided that no
25 such ordinance is applicable within the transportation
26 facility grounds unless the transportation authority by its
27 resolution first requested the respective county or city to
28 adopt such an ordinance, pointing out the general matters or
29 circumstances to be covered by the ordinance, and that any
30 such ordinance adopted at the request of the transportation
31 authority must be reasonable and in furtherance of the public

1 health, safety, welfare, and interest. Copies of such
2 applicable ordinances must be posted at each transportation
3 facility on public bulletin boards where notices are
4 customarily posted and must be made available to any person
5 requesting a copy of such ordinances.

6 (3) Transportation authority police.--

7 (a) The transportation authority may provide for
8 police officers for the transportation authority, who shall be
9 designated "transportation authority police."

10 (b) The transportation authority police are declared
11 to be law enforcement officers of the state and conservators
12 of the peace with the authority to arrest, in accordance with
13 the laws of this state, any person for a violation of state or
14 federal law or an applicable county or municipal ordinance if
15 the violation occurs on transportation facility grounds.

16 Transportation authority police may also make arrests in fresh
17 pursuit off transportation facility grounds for such
18 violations if pursuit originated on transportation facility
19 grounds. Transportation authority police have full authority
20 to bear arms in the performance of their duties and to execute
21 search warrants within the transportation facility grounds.

22 Transportation authority police, when requested by the Sheriff
23 of Alachua County, the Sheriff of Bradford County, the Sheriff
24 of Citrus County, the Sheriff of Lake County, the Sheriff of
25 Levy County, the Sheriff of Marion County, the Sheriff of
26 Putnam County, the chief administrative police officer of the
27 City of Gainesville, or the chief administrative police
28 officer of the City of Ocala, may serve subpoenas or other
29 legal process and may make arrests of persons against whom
30 arrest warrants have been issued or charges have been made for

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1 violations of federal or state laws or county or municipal
2 ordinances.

3 (c) A transportation authority police officer may
4 enforce all applicable laws and ordinances pertaining to
5 traffic, parking, or security on the transportation facility
6 grounds and may issue citations for violations of such laws
7 and ordinances.

8 (d) A transportation authority police officer shall
9 promptly deliver each person arrested and charged with a
10 felony to the sheriff of the county within which the offense
11 occurred and each person arrested and charged with a
12 misdemeanor to the applicable authority as may be provided by
13 law, but otherwise to the sheriff of the county in which the
14 offense occurred.

15 (e) Each transportation authority police officer must
16 meet the minimum standards established by the Criminal Justice
17 Standards and Training Commission of the Department of Law
18 Enforcement and chapter 943, Florida Statutes, for law
19 enforcement officers. Each transportation authority police
20 officer must, before entering into the performance of his or
21 her duties, take the oath of office established by the
22 transportation authority. The transportation authority shall
23 enter into a good and sufficient bond on each transportation
24 authority police officer, payable to the Governor and his or
25 her successors in office, in the penal sum of \$5,000 with a
26 surety company authorized to do business in this state as
27 surety thereon, and conditioned on the faithful performance of
28 the duties of the officer. The transportation authority shall
29 provide a uniform set of identifying credentials to each
30 transportation authority police officer it employs.

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1 (f) In the performance of any of the powers, duties,
2 and functions authorized by law, transportation authority
3 police have the same rights, protections, and immunities
4 afforded other law enforcement officers by general law.

5 (g) The transportation authority may exercise and
6 perform all the powers and prerogatives conferred upon law
7 enforcement agencies by sections 932.701-932.707, Florida
8 Statutes, with respect to forfeiture of contraband.

9 (h) The transportation authority, with the approval of
10 the Department of Law Enforcement, shall adopt rules,
11 including, but not limited to, the appointment, employment,
12 and removal of transportation authority police, and shall
13 establish in writing a police manual, including examples of
14 how to handle a routine law enforcement situation and an
15 emergency law enforcement situation. The transportation
16 authority shall furnish a copy of the police manual to each of
17 the transportation authority police officers it employs.

18 (4) Transportation authority parking enforcement
19 specialists.--

20 (a) The transportation authority may provide for
21 parking enforcement specialists for the transportation
22 authority, who shall be designated "transportation authority
23 parking enforcement specialists."

24 (b)1. A transportation authority parking enforcement
25 specialist may enforce, on the grounds of any transportation
26 facility under the control or operation of the authority, all
27 applicable laws and ordinances relating to parking and may
28 issue citations for parking in violation of such laws and
29 ordinances.

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1 2. A transportation authority parking enforcement
2 specialist may not carry a firearm or other weapon and does
3 not have the authority to make arrests.

4 (c) Each transportation authority parking enforcement
5 specialist must meet the minimum standards established by the
6 Criminal Justice Standards and Training Commission of the
7 Department of Law Enforcement for parking enforcement
8 specialists.

9 Section 15. Supplemental rules, regulations, and
10 ordinances.--

11 (1) The cities of Gainesville and Ocala, the counties
12 of Alachua, Bradford, Citrus, Lake, Levy, Marion, and Putnam,
13 and their respective governing authorities, are each empowered
14 and authorized to adopt all needful rules, regulations, and
15 ordinances regarding the operation, guidance, docking,
16 storing, parking, fueling, repairing, handling, loading,
17 unloading, and conduct of all transportation conveyances and
18 motor vehicles of any kind with respect to their use or
19 operation over, upon, and within the transportation facilities
20 or using transportation facilities owned or operated by the
21 authority; provided that such rules, regulations, or
22 ordinances may not be enacted or adopted until the authority
23 by its resolution has first requested the City of Gainesville,
24 the City of Ocala, the County of Alachua, the County of
25 Bradford, the County of Citrus, the County of Lake, the County
26 of Levy, the County of Marion, or the County of Putnam, as the
27 case may be, to enact and adopt such rules, regulations, and
28 ordinances, pointing out the general matters or circumstances
29 to be covered, and all rules, regulations, and ordinances that
30 are adopted and enacted pursuant to this act must be

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1 reasonable and in furtherance of the public health, safety,
2 welfare, and interest.

3 (2) The authority may adopt resolutions requesting the
4 cities of Gainesville and Ocala and the counties of Alachua,
5 Bradford, Citrus, Lake, Levy, Marion, and Putnam to enact
6 rules, regulations, and ordinances pursuant to the authority
7 of this act.

8 (3) All rules, regulations, and ordinances adopted and
9 enacted pursuant to the authority of this act, whether enacted
10 by the City of Gainesville, by the City of Ocala, by the
11 County of Alachua, by the County of Bradford, by the County of
12 Citrus, by the County of Lake, by the County of Levy, by the
13 County of Marion, or by the County of Putnam, operate and are
14 of effect throughout the territory comprising the lands of the
15 authority, including the portions of that territory situate
16 within the City of Gainesville, the City of Ocala, and the
17 portions of that territory outside those cities in the
18 counties of Alachua, Bradford, Citrus, Lake, Levy, Marion, and
19 Putnam.

20 (4) The cities of Gainesville and Ocala and the
21 counties of Alachua, Bradford, Citrus, Lake, Levy, Marion, and
22 Putnam each have full police powers throughout the territory
23 comprising the lands of the authority, and each may appoint
24 guards or police to assist in the enforcement of such rules,
25 regulations, and ordinances as it adopts pursuant to the
26 authority of this act.

27 (5) Rules and regulations enacted and adopted by the
28 County of Alachua, the County of Bradford, the County of
29 Citrus, the County of Lake, the County of Levy, the County of
30 Marion, or the County of Putnam pursuant to the authority of
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1 this act shall be enforced as are the criminal laws. A
2 violation of such rules and regulations is a misdemeanor.

3 (6) The cities of Gainesville and Ocala may fix by
4 ordinance penalties for the violation of the rules,
5 regulations, and ordinances that each adopts, respectively,
6 pursuant to the authority of this act.

7 Section 16. Beverage license.--

8 (1) A beverage license, as provided in sections 561.17
9 and 561.19, Florida Statutes, shall be issued to the
10 authority.

11 (2) Such beverage license shall be issued upon proper
12 application for license to conduct business, as provided by
13 law. The application must be in the name of the North Central
14 Florida Regional Transportation Authority, and when issued it
15 must be issued in the name of such applicant. The applicant
16 shall pay to the tax collector the license fees for the kind
17 of license that the applicant desires, as provided by The
18 Beverage Law.

19 (3) The beverage license shall be for the term
20 provided by, and subject to all provisions of, The Beverage
21 Law and, in any proceeding for suspension or revocation of the
22 license involved, notice and hearing shall be provided the
23 authority to the same extent as provided licensees under The
24 Beverage Law. Any business operated under such beverage
25 license may be operated only by the authority or its lessee of
26 the restaurant and cocktail lounge in the terminal building or
27 administration building at the transportation facility
28 operated by the authority, and the license may be transferred
29 to the lessee of that restaurant and cocktail lounge. The
30 authority may make application for the transfer of the
31 license, and the application must be approved by the Division

1 of Alcoholic Beverages and Tobacco in accordance with the same
2 procedure provided for in sections 561.18 and 561.19, Florida
3 Statutes; however, any transfer of the beverage license to the
4 lessee must be on the condition that, if the lease is
5 terminated at any time and for any cause, the lessee shall
6 immediately retransfer the beverage license to the authority,
7 and, in the event of failure and refusal of the lessee to so
8 retransfer the beverage license, it shall be retransferred to
9 the authority upon proper request made in writing by the
10 authority. Thereafter, the beverage license may be again
11 transferred to any new lessee of the restaurant and cocktail
12 lounge upon the same terms and conditions. The beverage
13 license is at all times the property of the authority, subject
14 to its transfer from time to time to enable the lessee of the
15 restaurant and cocktail lounge to operate the business under
16 the beverage license authorized by this act.

17 Section 17. Administrative procedure.--In accordance
18 with section 120.52(1)(c), Florida Statutes, the authority is
19 considered an agency subject to the Administrative Procedure
20 Act under chapter 120, Florida Statutes, to the extent that
21 the authority is made subject to that act by general law,
22 existing judicial decision, or by other special law.

23 Section 18. Tax exemption.--

24 (1) The authority as a public body corporate is deemed
25 a political subdivision within the meaning of the exemptions
26 granted under section 196.199, Florida Statutes.

27 (2) Any bonds issued under this act, their transfer,
28 and the income therefrom, including any profit made on the
29 sale thereof, are at all times free from taxation within the
30 state, except that income derived from such bonds is subject
31 to any tax imposed on such bonds by chapter 220, Florida

1 Statutes, as from time to time amended, or any successor
2 statute.
3 Section 19. Additional method.--This act provides an
4 additional and alternative method for the doing of the things
5 authorized by this act and is supplemental and additional to
6 powers conferred by other laws and is not in derogation of or
7 repealing of any powers now existing under any other law,
8 whether general, special, or local; however, the issuance of
9 bonds or refunding bonds under the provisions of this act
10 shall comply with the requirements of any other general law
11 applicable to the issuance of bonds.
12 Section 20. Severability.--The provisions of this act
13 are severable, and, if any of its provisions shall be held
14 unconstitutional by any court of competent jurisdiction, the
15 decision of such court shall not affect or impair any of the
16 remaining provisions.
17 Section 21. This act shall take effect upon becoming a
18 law.
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LEGISLATIVE SUMMARY

Creates the North Central Florida Regional Transportation Authority to serve Alachua County, Bradford County, Citrus County, Lake County, Levy County, Marion County, and Putnam County. Provides for membership of the authority. Provides for terms and qualifications of members. Limits consecutive terms of membership. Provides circumstances under which a member may be removed or suspended. Provides for organization and conduct of business of the authority. Provides for reimbursement of members. Provides powers of the authority. Provides eminent domain power of the authority. Authorizes the authority to issue bonds payable solely from revenues for the purpose of acquiring, constructing, reconstructing, improving, extending, enlarging, or equipping any transportation facilities. Authorizes the authority to fix rates, fees, and other charges for the use of and for services furnished by transportation facilities. Authorizes the authority to enter into specified contracts. Authorizes the securing of bonds by a trust agreement. Provides conditions upon resolutions authorizing the issuance of bonds. Provides for specified contributions to the authority by the governing bodies of Alachua, Bradford, Citrus, Lake, Levy, Marion, and Putnam Counties. Authorizes the authority to issue industrial development revenue bonds to assist in the financing of specified facilities. Provides a limit on outstanding industrial development revenue bonds. Provides powers of the authority with respect to industrial facilities and projects. Provides restrictions. Provides requirements of financing documents and security documents. Provides that moneys received under the act are trust funds to be held and applied solely as provided in the act. Provides remedies of bondholders. Authorizes the authority to issue refunding bonds. Provides law enforcement functions of the authority. Provides power of the authority to adopt supplemental rules, regulations, and ordinances. Provides for the issuance of a beverage license to the authority. Provides procedure with respect to the issuance of such license. Provides for requirements, restrictions, and transfer of such license. Provides that the authority is considered an agency subject to ch. 120, F.S., the Administrative Procedure Act. Provides tax exemption for bonds issued under the act.