

Bill No. SB 462

Barcode 123156

CHAMBER ACTION

Senate

House

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The Committee on Transportation (Sebesta) recommended the following **amendment to amendment** (701646):

Senate Amendment (with title amendment)

On page 8, line 7 through page 10, line 23, delete those lines

and insert:

Section 4. Section 341.821, Florida Statutes, is amended to read:

341.821 Florida ~~High-Speed~~ Rail Authority.--

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

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

1. Three members shall be appointed by the Governor, one of whom must have a background in the delivery of rail services in this state ~~area of environmental concerns, one of whom must have a legislative background, and one of whom must~~

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1 ~~have a general business background.~~

2 2. Three members shall be appointed by the President
3 of the Senate, one of whom must have a background in the
4 delivery of rail services in this state ~~civil engineering, one~~
5 ~~of whom must have a background in transportation construction,~~
6 ~~and one of whom must have a general business background.~~

7 3. Three members shall be appointed by the Speaker of
8 the House of Representatives, one of whom must have a ~~legal~~
9 background in the delivery of rail services in this state, ~~One~~
10 ~~of whom must have a background in financial matters, and one~~
11 ~~of whom must have a general business background.~~

12 (b) The appointed members are ~~shall not be~~ subject to
13 confirmation by the Senate. The ~~initial~~ term of each member
14 ~~appointed by the Governor shall be for 3 4 years. The initial~~
15 ~~term of each member appointed by the President of the Senate~~
16 ~~shall be for 3 years. The initial term of each member~~
17 ~~appointed by the Speaker of the House of Representatives shall~~
18 ~~be for 2 years. Succeeding terms for all members shall be for~~
19 ~~terms of 4 years.~~

20 (c) A vacancy occurring during a term shall be filled
21 by the respective appointing authority in the same manner as
22 the original appointment and only for the balance of the
23 unexpired term. An appointment to fill a vacancy shall be made
24 within 60 days after the occurrence of the vacancy.

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

27 (e) The board shall elect one of its members as chair
28 of the authority. The chair shall hold office at the will of
29 the board. Five members of the board shall constitute a
30 quorum, and the vote of five members shall be necessary for
31 any action taken by the authority. The authority may meet upon

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1 the constitution of a quorum. No vacancy in the authority
2 shall impair the right of a quorum of the board to exercise
3 all rights and perform all duties of the authority.

4 (f) The members of the board shall not be entitled to
5 compensation but shall be entitled to receive their travel and
6 other necessary expenses as provided in s. 112.061.

7 (2)(b) The members of the governing board shall create
8 four standing committees to address issues relating to
9 interstate passenger rail, freight rail, regional commuter
10 rail, and high speed rail. Each standing committee may contain
11 as many members as the board determines necessary, however
12 each committee must have at least three members. The members
13 of the committees shall be drawn from the membership of the
14 governing board.

15 (3) Notwithstanding any other law to the contrary, it
16 shall not be or constitute a conflict of interest for a person
17 having a background specified in this section to serve as a
18 member of the authority. However, in each official decision to
19 which this act is applicable, such member's firm or related
20 entity may not have a financial or economic interest nor shall
21 the authority contract with or conduct any business with a
22 member or such member's firm or directly related business
23 entity.

24 (4) The authority shall be assigned to the Department
25 of Transportation for administrative purposes. The authority
26 shall be a separate budget entity. The Department of
27 Transportation shall provide administrative support and
28 service to the authority to the extent requested by the chair
29 of the authority. The authority shall not be subject to
30 control, supervision, or direction by the Department of
31 Transportation in any manner, including, but not limited to,

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1 personnel, purchasing, transactions involving real or personal
2 property, and budgetary matters.

3 Section 5. Subsection (1) of section 341.822, Florida
4 Statutes, is amended to read:

5 341.822 Powers and duties.--

6 (1) The authority created and established by this act
7 shall advise the Department of Transportation on issues
8 related to locating, planning, designing, financing,
9 constructing, maintaining, operating, and managing locate,
10 plan, design, finance, construct, maintain, own, operate,
11 administer, and manage the high-speed rail system in the
12 state. The authority may evaluate any proposal related to rail
13 systems in this state and make recommendations to the
14 department regarding the expenditure of state funds on rail
15 systems. To the maximum extent feasible, the authority will
16 encourage the participation of local government and the
17 private sector in financing rail systems, especially in such a
18 manner that maximizes the ability of the state to be eligible
19 for federal funding.

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22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 18, line 26, before the semicolon

25

26 and insert:

27 and requiring Senate confirmation

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