

1 A bill to be entitled
2 An act relating to the Tampa Bay Area Regional Transit
3 Authority; amending s. 339.175, F.S.; creating the
4 Tampa Bay Area Regional Transit Authority Metropolitan
5 Planning Organization Chairs Coordinating Committee to
6 replace the Tampa Bay Area Regional Transportation
7 Authority Metropolitan Planning Organization Chairs
8 Coordinating Committee; providing that the Tampa Bay
9 Area Regional Transit Authority Metropolitan Planning
10 Organization Chairs Coordinating Committee is created
11 within the Tampa Bay Area Regional Transit Authority;
12 amending s. 343.90, F.S.; revising the short title to
13 "Tampa Bay Area Regional Transit Authority Act";
14 amending s. 343.91, F.S.; revising the definition of
15 the term "authority" to mean the Tampa Bay Area
16 Regional Transit Authority and to include only
17 Hernando, Hillsborough, Manatee, Pasco, and Pinellas
18 Counties and any other contiguous county that is party
19 to an agreement of participation; revising the
20 definition of the term "commuter rail"; amending s.
21 343.92, F.S.; creating the Tampa Bay Area Regional
22 Transit Authority, instead of the Tampa Bay Area
23 Regional Transportation Authority; decreasing voting
24 membership on the governing board of the authority;
25 requiring the members to be appointed within a

26 | specified period; revising appointment and term
27 | requirements of such membership; revising requirements
28 | for filling vacancies on the board; requiring the
29 | Governor to appoint an initial chair of the board from
30 | one of the two members appointed by the Governor;
31 | providing that seven members of the board constitute a
32 | quorum; providing that the vote of seven members is
33 | necessary for any action to be taken by the authority;
34 | requiring the board to evaluate the abolishment,
35 | continuance, modification, or establishment of
36 | specified committees beginning on a specified date;
37 | requiring the board to submit its recommendations for
38 | abolishment, continuance, modification, or
39 | establishment of the committees to the Legislature
40 | before a specified time; deleting requirements related
41 | to the establishment of a Transit Management
42 | Committee, a Citizens Advisory Committee, and
43 | technical advisory committees; conforming provisions
44 | to changes made by the act; amending s. 343.922, F.S.;
45 | revising the express purposes of the authority to
46 | include planning, implementing, and operating mobility
47 | improvements and expansions of certain multimodal
48 | transportation options, producing a certain regional
49 | transit development plan, and serving as the recipient
50 | of certain federal funds under certain circumstances;

51 directing the authority to provide to the Legislature
 52 a plan to produce the regional transit development
 53 plan by a specified date; providing requirements for
 54 the regional transit development plan; requiring the
 55 authority to develop and adopt a regional transit
 56 development plan instead of a transportation master
 57 plan; deleting obsolete provisions; conforming
 58 provisions to changes made by the act; amending ss.
 59 343.94, 343.947, 343.95, 343.975, and 343.976, F.S.;
 60 conforming provisions to changes made by the act;
 61 providing an effective date.

62

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

64

65 Section 1. Paragraph (i) of subsection (6) of section
 66 339.175, Florida Statutes, is amended to read:

67 339.175 Metropolitan planning organization.—

68 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 69 privileges, and authority of an M.P.O. are those specified in
 70 this section or incorporated in an interlocal agreement
 71 authorized under s. 163.01. Each M.P.O. shall perform all acts
 72 required by federal or state laws or rules, now and subsequently
 73 applicable, which are necessary to qualify for federal aid. It
 74 is the intent of this section that each M.P.O. shall be involved
 75 in the planning and programming of transportation facilities,

76 including, but not limited to, airports, intercity and high-
 77 speed rail lines, seaports, and intermodal facilities, to the
 78 extent permitted by state or federal law.

79 (i) The Tampa Bay Area Regional Transit ~~Transportation~~
 80 Authority Metropolitan Planning Organization Chairs Coordinating
 81 Committee is created within the Tampa Bay Area Regional Transit
 82 ~~Transportation~~ Authority, composed of the M.P.O.'s serving
 83 Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk,
 84 and Sarasota Counties. The authority shall provide
 85 administrative support and direction to the committee. The
 86 committee must, at a minimum:

87 1. Coordinate transportation projects deemed to be
 88 regionally significant by the committee.

89 2. Review the impact of regionally significant land use
 90 decisions on the region.

91 3. Review all proposed regionally significant
 92 transportation projects in the respective transportation
 93 improvement programs which affect more than one of the M.P.O.'s
 94 represented on the committee.

95 4. Institute a conflict resolution process to address any
 96 conflict that may arise in the planning and programming of such
 97 regionally significant projects.

98 Section 2. Section 343.90, Florida Statutes, is amended to
 99 read:

100 343.90 Short title.—This part may be cited as the "Tampa

101 Bay Area Regional Transit ~~Transportation~~ Authority Act."

102 Section 3. Paragraphs (a) and (e) of subsection (1) of
103 section 343.91, Florida Statutes, are amended to read:

104 343.91 Definitions.—

105 (1) As used in this part, the term:

106 (a) "Authority" means the Tampa Bay Area Regional Transit
107 ~~Transportation~~ Authority, the body politic and corporate and
108 agency of the state created by this part, covering ~~the seven-~~
109 ~~county area comprised of Citrus,~~ Hernando, Hillsborough,
110 Manatee, Pasco, and Pinellas, ~~Manatee, and Sarasota~~ Counties and
111 any other contiguous county that is party to an agreement of
112 participation.

113 (e)1. "Commuter rail" means a complete system of tracks,
114 guideways, stations, and rolling stock necessary to effectuate
115 medium-distance to long-distance passenger rail service to,
116 from, or within the municipalities within the authority's
117 designated ~~seven-county~~ region.

118 2. "Heavy rail transit" means a complete rail system
119 operating on an electric railway with the capacity for a heavy
120 volume of traffic, characterized by high-speed and rapid-
121 acceleration passenger rail cars operating singly or in multicar
122 trains on fixed rails in separate rights-of-way from which all
123 other vehicular and pedestrian traffic are excluded. "Heavy rail
124 transit" includes metro, subway, elevated, rapid transit, and
125 rapid rail systems.

126 3. "Light rail transit" means a complete system of tracks,
 127 overhead catenaries, stations, and platforms with lightweight
 128 passenger rail cars operating singly or in short, multicar
 129 trains on fixed rails in rights-of-way that are not separated
 130 from other traffic for much of the way.

131 Section 4. Section 343.92, Florida Statutes, is amended to
 132 read:

133 343.92 Tampa Bay Area Regional Transit ~~Transportation~~
 134 Authority.—

135 (1) There is created and established a body politic and
 136 corporate, an agency of the state, to be known as the Tampa Bay
 137 Area Regional Transit ~~Transportation~~ Authority.

138 (2) The governing board of the authority shall consist of
 139 13 ~~15~~ voting members appointed no later than 45 days after the
 140 creation of the authority.

141 (a) The secretary of the department shall appoint two
 142 advisors to the board who must be the district secretary for
 143 each of the department districts within the designated ~~seven-~~
 144 ~~county~~ area of the authority.

145 (b) The 13 ~~15~~ voting members of the board shall be as
 146 follows:

147 1. The county commissions of ~~Citrus,~~ Hernando,
 148 Hillsborough, Manatee, Pasco, and Pinellas, ~~Manatee,~~ and
 149 ~~Sarasota~~ Counties shall each appoint one county commissioner
 150 ~~elected official~~ to the board. Members appointed under this

151 subparagraph shall serve 2-year terms with not more than three
152 consecutive terms being served by any person. If a member under
153 this subparagraph leaves elected office, a vacancy exists on the
154 board to be filled as provided in this subparagraph within 90
155 days.

156 ~~2. The Tampa Bay Area Regional Transportation Authority~~
157 ~~(TBARTA) Metropolitan Planning Organization Chairs Coordinating~~
158 ~~Committee shall appoint one member to the board who must be a~~
159 ~~chair of one of the six metropolitan planning organizations in~~
160 ~~the region. The member appointed under this subparagraph shall~~
161 ~~serve a 2-year term with not more than three consecutive terms~~
162 ~~being served by any person.~~

163 2.3.a. Two members of the board shall be the mayor, ~~or the~~
164 ~~mayor's designee,~~ of the largest municipality within the service
165 area of each of the following independent transit agencies or
166 their legislatively created successor agencies: Pinellas
167 Suncoast Transit Authority and Hillsborough Area Regional
168 Transit Authority. The largest municipality is that municipality
169 with the largest population as determined by the most recent
170 United States Decennial Census.

171 3. Each of the following independent transit agencies or
172 their legislatively created successor agencies shall appoint
173 from the membership of its governing body one member to the
174 board: Pinellas Suncoast Transit Authority and Hillsborough Area
175 Regional Transit Authority. Each member appointed under this

176 subparagraph shall serve a 2-year term with not more than three
177 consecutive terms being served by any person. If a member no
178 longer meets the transit authority's criteria for appointment, a
179 vacancy exists on the board to be filled as provided in this
180 subparagraph within 90 days.

181 4. The President of the Senate and the Speaker of the
182 House of Representatives shall each appoint to the board one
183 member from the regional business community, each of whom must
184 reside in one of the counties governed by the authority and may
185 not be an elected official. A member initially appointed under
186 this subparagraph shall serve a 1-year term. Thereafter, a
187 member appointed under this subparagraph shall serve a 2-year
188 term with not more than three consecutive terms being served by
189 any person. A vacancy during a term shall be filled within 90
190 days in the same manner as the original appointment for the
191 remainder of the unexpired term.

192 ~~b. Should a mayor choose not to serve, his or her designee~~
193 ~~must be an elected official selected by the mayor from that~~
194 ~~largest municipality's city council or city commission. A mayor~~
195 ~~or his or her designee shall serve a 2-year term with not more~~
196 ~~than three consecutive terms being served by any person.~~

197 ~~e. A designee's term ends if the mayor leaves office for~~
198 ~~any reason. If a designee leaves elected office on the city~~
199 ~~council or commission, a vacancy exists on the board to be~~
200 ~~filled by the mayor of that municipality as provided in sub-~~

201 ~~subparagraph a.~~

202 ~~d. A mayor who has served three consecutive terms on the~~
 203 ~~board must designate an elected official from that largest~~
 204 ~~municipality's city council or city commission to serve on the~~
 205 ~~board for at least one term.~~

206 ~~4.a. One membership on the board shall rotate every 2~~
 207 ~~years between the mayor, or his or her designee, of the largest~~
 208 ~~municipality within Manatee County and the mayor, or his or her~~
 209 ~~designee, of the largest municipality within Sarasota County.~~
 210 ~~The mayor, or his or her designee, from the largest municipality~~
 211 ~~within Manatee County shall serve the first 2-year term. The~~
 212 ~~largest municipality is that municipality with the largest~~
 213 ~~population as determined by the most recent United States~~
 214 ~~Decennial Census.~~

215 ~~b. Should a mayor choose not to serve, his or her designee~~
 216 ~~must be an elected official selected by the mayor from that~~
 217 ~~municipality's city council or city commission.~~

218 ~~5. The Governor shall appoint to the board two members~~
 219 ~~from the regional ~~four~~ business community ~~representatives~~, each~~
 220 ~~of whom must reside in one of the ~~seven~~ counties governed by the~~
 221 ~~authority and, ~~none of whom~~ may not be an elected official~~
 222 ~~officials, and at least one but not more than two of whom shall~~
 223 ~~represent counties within the federally designated Tampa Bay~~
 224 ~~Transportation Management Area. Of the members initially~~
 225 ~~appointed under this subparagraph, one shall serve a 1-year term~~

226 and one shall serve a term as the initial chair as provided in
227 subsection (5). Thereafter, a member ~~Members~~ appointed under
228 this subparagraph ~~by the Governor~~ shall serve a 2-year term ~~3-~~
229 ~~year terms~~ with not more than three ~~two~~ consecutive terms being
230 served by any person.

231 ~~(e)~~ Appointments may be staggered to avoid mass turnover
232 at the end of any 2-year or 4-year period. A vacancy during a
233 term shall be filled ~~by the respective appointing authority~~
234 within 90 days in the same manner as the original appointment
235 ~~and only~~ for the remainder of the unexpired term.

236 (3) The members of the board shall serve without
237 compensation but shall be entitled to receive from the authority
238 reimbursement for travel expenses and per diem actually incurred
239 in connection with the business of the authority as provided in
240 s. 112.061.

241 (4) Members of the board shall comply with the applicable
242 financial disclosure requirements of ss. 112.3145, 112.3148, and
243 112.3149.

244 (5) The Governor shall appoint one of the two members
245 appointed under subparagraph (2) (b) 5. as the initial chair ~~from~~
246 ~~among the full membership~~ of the board immediately upon their
247 appointment. ~~In no case may these appointments be made any later~~
248 ~~than 45 days following the creation of the authority.~~ The
249 initial chair shall serve ~~will hold this position for~~ a minimum
250 term of 2 years. The board shall elect a vice chair and

251 secretary-treasurer from among its members who shall serve a
252 minimum term of 1 year and shall establish the duties and powers
253 of those positions during its inaugural meeting. During its
254 inaugural meeting, the board shall ~~will~~ also establish its rules
255 of conduct and meeting procedures.

256 (6) At the end of the initial chair's term, the board
257 shall elect a chair from among its members. The chair shall hold
258 office at the will of the board. In that election, the board
259 shall also elect a vice chair and secretary-treasurer.

260 (7) The first meeting of the authority shall be held no
261 later than 60 days after the creation of the authority.

262 (8) Seven ~~Eight~~ members of the board shall constitute a
263 quorum, and the vote of seven ~~eight~~ members is necessary for any
264 action to be taken by the authority. The authority may meet upon
265 the constitution of a quorum. A vacancy does not impair the
266 right of a quorum of the board to exercise all rights and the
267 ability to perform all duties of the authority.

268 (9) Beginning July 1, 2017, the board must evaluate the
269 abolishment, continuance, modification, or establishment of ~~may~~
270 ~~establish committees for~~ the following committees areas:

- 271 (a) Planning committee.
272 (b) Policy committee.
273 (c) Finance committee.
274 (d) Citizens advisory committee.
275 (e) Tampa Bay Area Regional Transit Authority Metropolitan

276 Planning Organization Chairs Coordinating Committee.

277 (f) Transit management committee.

278 (g) Technical advisory committee.

279

280 The board must submit its recommendations for abolishment,
281 continuance, modification, or establishment of the committees to
282 the President of the Senate and the Speaker of the House of
283 Representatives before the beginning of the 2018 Regular
284 Session.

285 (10) The authority may employ an executive director, an
286 executive secretary, its own legal counsel and legal staff,
287 technical experts, engineers, and such employees, permanent or
288 temporary, as it may require. The authority shall determine the
289 qualifications and fix the compensation of such persons, firms,
290 or corporations and may employ a fiscal agent or agents;
291 however, the authority shall solicit sealed proposals from at
292 least three persons, firms, or corporations for the performance
293 of any services as fiscal agents. The authority may, except for
294 duties specified in chapter 120, delegate its power to one or
295 more of its agents or employees to carry out the purposes of
296 this part, subject always to the supervision and control of the
297 authority.

298 ~~(11) (a) The authority shall establish a Transit Management~~
299 ~~Committee comprised of the executive directors or general~~
300 ~~managers, or their designees, of each of the existing transit~~

301 ~~providers and bay area commuter services.~~

302 ~~(b) The authority shall establish a Citizens Advisory~~
 303 ~~Committee comprised of appointed citizen committee members from~~
 304 ~~each county and transit provider in the region, not to exceed 16~~
 305 ~~members.~~

306 ~~(c) The authority may establish technical advisory~~
 307 ~~committees to provide guidance and advice on regional~~
 308 ~~transportation issues. The authority shall establish the size,~~
 309 ~~composition, and focus of any technical advisory committee~~
 310 ~~created.~~

311 ~~(11)(d)~~ Persons appointed to a committee shall serve
 312 without compensation but may be entitled to per diem or travel
 313 expenses as provided in s. 112.061.

314 Section 5. Subsection (1), paragraph (a) of subsection
 315 (2), subsection (3), subsection (4), and paragraph (g) of
 316 subsection (5) of section 343.922, Florida Statutes, are amended
 317 to read:

318 343.922 Powers and duties.—

319 (1) The express purposes of the authority are to:

320 (a) Plan, implement, and operate ~~improve~~ mobility
 321 improvements and expansions of ~~expand~~ multimodal transportation
 322 options for passengers and freight throughout the designated
 323 ~~seven-county Tampa Bay~~ region.

324 (b) Produce a regional transit development plan,
 325 integrating the transit development plans of participant

326 counties, to include a prioritization of regionally significant
327 transit projects and facilities.

328 1. The authority shall provide to the President of the
329 Senate and the Speaker of the House of Representatives, on or
330 before the beginning of the 2018 Regular Session, a plan to
331 produce the regional transit development plan.

332 2. The regional transit development plan prepared by the
333 authority shall adhere to guidance and regulations set forth by
334 the department or any successor agency, including, but not
335 limited to:

336 a. Public involvement;
337 b. Collection and analysis of socioeconomic data;
338 c. Performance evaluation of existing services;
339 d. Service design and ridership forecasting; and
340 e. Financial planning.

341 (c) Serve, with the consent of the Governor or his or her
342 designee, as the recipient of federal funds supporting an
343 intercounty project or an intercounty capital project that
344 represents a phase of an intercounty regional project that
345 exists in a single county within the designated region.

346 (2) (a) The authority has the right to plan, develop,
347 finance, construct, own, purchase, operate, maintain, relocate,
348 equip, repair, and manage those public transportation projects,
349 such as express bus services; bus rapid transit services; light
350 rail, commuter rail, heavy rail, or other transit services;

351 ferry services; transit stations; park-and-ride lots; transit-
352 oriented development nodes; or feeder roads, reliever roads,
353 connector roads, bypasses, or appurtenant facilities, that are
354 intended to address critical transportation needs or concerns in
355 the ~~Tampa Bay~~ region as identified by the authority ~~by July 1,~~
356 ~~2009~~. These projects may also include all necessary approaches,
357 roads, bridges, and avenues of access that are desirable and
358 proper with the concurrence of the department, as applicable, if
359 the project is to be part of the State Highway System.

360 (3) (a) ~~No later than July 1, 2009,~~ The authority shall
361 develop and adopt a regional transit development ~~transportation~~
362 ~~master~~ plan that provides a vision for a regionally integrated
363 multimodal transportation system. The goals and objectives of
364 the ~~master~~ plan are to identify areas of the ~~Tampa Bay~~ region
365 where multimodal mobility, traffic safety, freight mobility, and
366 efficient emergency evacuation alternatives need to be improved;
367 identify areas of the region where multimodal transportation
368 systems would be most beneficial to enhance mobility and
369 economic development; develop methods of building partnerships
370 with local governments, existing transit providers, expressway
371 authorities, seaports, airports, and other local, state, and
372 federal entities; develop methods of building partnerships with
373 CSX Corporation and CSX Transportation, Inc., to craft mutually
374 beneficial solutions to achieve the authority's objectives, and
375 with other private sector business community entities that may

376 further the authority's mission, and engage the public in
377 support of regional multimodal transportation improvements. The
378 ~~master~~ plan shall identify and may prioritize projects that will
379 accomplish these goals and objectives, including, without
380 limitation, the creation of express bus and bus rapid transit
381 services, light rail, commuter rail, and heavy rail transit
382 services, ferry services, freight services, and any other
383 multimodal transportation system projects that address critical
384 transportation needs or concerns, pursuant to subsection (2);
385 and identify the costs of the proposed projects and revenue
386 sources that could be used to pay those costs. In developing the
387 ~~master~~ plan, the authority shall review and coordinate with the
388 future land use, capital improvements, and traffic circulation
389 elements of its member local governments' comprehensive plans
390 and the plans, programs, and schedules of other units of
391 government having transit or transportation authority within
392 whose jurisdictions the projects or improvements will be located
393 to define and resolve potential inconsistencies between such
394 plans and the authority's developing ~~master~~ plan. ~~By July 1,~~
395 ~~2008, the authority, working with its member local governments,~~
396 ~~shall adopt a mandatory conflict resolution process that~~
397 ~~addresses consistency conflicts between the authority's regional~~
398 ~~transportation master plan and local government comprehensive~~
399 ~~plans.~~

400 (b) The authority shall consult with the department to

401 further the goals and objectives of the Strategic Regional
402 Transit Needs Assessment completed by the department.

403 (c) Before the adoption of the regional transit
404 development ~~master~~ plan, the authority shall hold at least one
405 public meeting in each of the ~~seven~~ counties within the
406 designated region. At least one public hearing must be held
407 before the authority's board.

408 (d) After its adoption, the regional transit development
409 ~~master~~ plan shall be updated every 5 years before July 1.

410 (e) The authority shall present the original regional
411 transit development ~~master~~ plan and updates to the governing
412 bodies of the counties within the designated ~~seven-county~~
413 region, to the TBARTA Metropolitan Planning Organization Chairs
414 Coordinating Committee, and to the legislative delegation
415 members representing those counties within 90 days after
416 adoption.

417 (f) The authority shall coordinate plans and projects with
418 the TBARTA Metropolitan Planning Organization Chairs
419 Coordinating Committee, to the extent practicable, and
420 participate in the regional M.P.O. planning process to ensure
421 regional comprehension of the authority's mission, goals, and
422 objectives.

423 (g) The authority shall provide administrative support and
424 direction to the TBARTA Metropolitan Planning Organization
425 Chairs Coordinating Committee as provided in s. 339.175(6)(i).

426 (4) The authority may undertake projects or other
 427 improvements in the regional transit development ~~master~~ plan in
 428 phases as particular projects or segments become feasible, as
 429 determined by the authority. The authority shall coordinate
 430 project planning, development, and implementation with the
 431 applicable local governments. The authority's projects that are
 432 transportation oriented must be consistent to the maximum extent
 433 feasible with the adopted local government comprehensive plans
 434 at the time such projects are funded for construction. Authority
 435 projects that are not transportation oriented and meet the
 436 definition of development pursuant to s. 380.04 must be
 437 consistent with the local comprehensive plans. In carrying out
 438 its purposes and powers, the authority may request funding and
 439 technical assistance from the department and appropriate federal
 440 and local agencies, including, but not limited to, state
 441 infrastructure bank loans.

442 (5) The authority is granted and may exercise all powers
 443 necessary, appurtenant, convenient, or incidental to the
 444 carrying out of the aforesaid purposes, including, but not
 445 limited to, the following rights and powers:

446 (g) To borrow money and to make and issue negotiable
 447 notes, bonds, refunding bonds, and other evidences of
 448 indebtedness or obligations, either in temporary or definitive
 449 form, hereinafter in this chapter sometimes called "revenue
 450 bonds" of the authority, for the purpose of financing all or

451 part of the mobility improvements within the ~~Tampa Bay~~ region,
 452 as well as the appurtenant facilities, including all approaches,
 453 streets, roads, bridges, and avenues of access authorized by
 454 this part, the bonds to mature not exceeding 40 years after the
 455 date of the issuance thereof, and to secure the payment of such
 456 bonds or any part thereof by a pledge of any or all of its
 457 revenues, rates, fees, rentals, or other charges.

458 Section 6. Subsection (1) of section 343.94, Florida
 459 Statutes, is amended to read:

460 343.94 Bond financing authority.—

461 (1) Pursuant to s. 11(f), Art. VII of the State
 462 Constitution, the Legislature approves bond financing by the
 463 Tampa Bay Area Regional Transit ~~Transportation~~ Authority for
 464 construction of or improvements to commuter rail systems,
 465 transit systems, ferry systems, highways, bridges, toll
 466 collection facilities, interchanges to the system, and any other
 467 transportation facility appurtenant, necessary, or incidental to
 468 the system. Subject to terms and conditions of applicable
 469 revenue bond resolutions and covenants, such costs may be
 470 financed in whole or in part by revenue bonds issued pursuant to
 471 paragraph (2) (a) or paragraph (2) (b), whether currently issued
 472 or issued in the future or by a combination of such bonds.

473 Section 7. Section 343.947, Florida Statutes, is amended
 474 to read:

475 343.947 Department may be appointed agent of authority for

476 construction.—The department may be appointed by the authority
477 as its agent for the purpose of constructing and completing
478 transportation projects, and improvements and extensions
479 thereto, in the authority's regional transit development ~~master~~
480 plan. In such event, the authority shall provide the department
481 with complete copies of all documents, agreements, resolutions,
482 contracts, and instruments relating thereto; shall request the
483 department to do such construction work, including the planning,
484 surveying, and actual construction of the completion,
485 extensions, and improvements to the system; and shall transfer
486 to the credit of an account of the department in the treasury of
487 the state the necessary funds therefor. The department shall
488 proceed with such construction and use the funds for such
489 purpose in the same manner that it is now authorized to use the
490 funds otherwise provided by law for its use in construction of
491 commuter rail systems, transit systems, ferry systems, roads,
492 bridges, and related transportation facilities.

493 Section 8. Subsections (1) and (3) of section 343.95,
494 Florida Statutes, are amended to read:

495 343.95 Acquisition of lands and property.—

496 (1) For the purposes of this part, the authority may
497 acquire private or public property and property rights,
498 including rights of access, air, view, and light, by gift,
499 devise, purchase, or condemnation by eminent domain proceedings,
500 as the authority may deem necessary for any purpose of this

501 part, including, but not limited to, any lands reasonably
502 necessary for securing applicable permits, areas necessary for
503 management of access, borrow pits, drainage ditches, water
504 retention areas, rest areas, replacement access for landowners
505 whose access is impaired due to the construction of a facility,
506 and replacement rights-of-way for relocated rail and utility
507 facilities; for existing, proposed, or anticipated
508 transportation facilities within the ~~seven-county Tampa Bay~~
509 region designated ~~identified~~ by the authority; or for the
510 purposes of screening, relocation, removal, or disposal of
511 junkyards and scrap metal processing facilities. The authority
512 may condemn any material and property necessary for such
513 purposes.

514 (3) When the authority acquires property for a
515 transportation facility within the designated ~~seven-county Tampa~~
516 ~~Bay~~ region, the authority is not subject to any liability
517 imposed by chapter 376 or chapter 403 for preexisting soil or
518 groundwater contamination due solely to its ownership. This
519 subsection does not affect the rights or liabilities of any past
520 or future owners of the acquired property, nor does it affect
521 the liability of any governmental entity for the results of its
522 actions which create or exacerbate a pollution source. The
523 authority and the Department of Environmental Protection may
524 enter into interagency agreements for the performance, funding,
525 and reimbursement of the investigative and remedial acts

526 necessary for property acquired by the authority.

527 Section 9. Subsections (1) and (3) of section 343.975,
528 Florida Statutes, are amended to read:

529 343.975 Complete and additional statutory authority.—

530 (1) The powers conferred by this part are supplemental to
531 the existing powers of the board and the department. This part
532 does not repeal any of the provisions of any other law, general,
533 special, or local, but supplements such other laws in the
534 exercise of the powers provided in this part and provides a
535 complete method for the exercise of the powers granted in this
536 part. The projects planned and constructed by the Tampa Bay Area
537 Regional Transit Transportation Authority shall comply with all
538 applicable federal, state, and local laws. The extension and
539 improvement of the system, and the issuance of bonds hereunder
540 to finance all or part of the cost thereof, may be accomplished
541 upon compliance with the provisions of this part without regard
542 to or necessity for compliance with the provisions, limitations,
543 or restrictions contained in any other general, special, or
544 local law, including, but not limited to, s. 215.821. An
545 approval of any bonds issued under this part by the qualified
546 electors or qualified electors who are freeholders in the state
547 or in any other political subdivision of the state is not
548 required for the issuance of such bonds pursuant to this part.

549 (3) This part does not preclude the department from
550 acquiring, holding, constructing, improving, maintaining,

551 | operating, or owning tolled or nontolled facilities funded and
552 | constructed from nonauthority sources that are part of the State
553 | Highway System within the geographical boundaries of the Tampa
554 | Bay Area Regional Transit ~~Transportation~~ Authority.

555 | Section 10. Section 343.976, Florida Statutes, is amended
556 | to read:

557 | 343.976 Effect on local government action.—This act does
558 | not prohibit any local government that is a member of the Tampa
559 | Bay Area Regional Transit ~~Transportation~~ Authority from
560 | participating in or creating any other transit authority,
561 | regional transportation authority, or expressway authority.

562 | Section 11. This act shall take effect July 1, 2017.