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1
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 to replace 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

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30 one of the four 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, rather than a transportation master
57 plan; deleting obsolete provisions; conforming
58 provisions to changes made by the act; providing that

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59 an action by the authority regarding state funding of
60 commuter rail, heavy rail transit, or light rail
61 transit, or any combination thereof, requires approval
62 by a majority vote of each M.P.O. serving the county
63 or counties where such rail transit investment will be
64 made, and the approval by an act of the Legislature;
65 prohibiting the authority from engaging in certain
66 advocacy that seeks to approve the funding of commuter
67 rail, heavy rail transit, or light rail transit, or
68 any combination thereof, subject to specified
69 requirements; requiring the authority to conduct a
70 feasibility study, through an independent third party,
71 for any project of commuter rail, heavy rail transit,
72 or light rail transit, or any combination thereof,
73 before proceeding with the development of the project
74 and before any related contracts are issued; requiring
75 the feasibility study to be submitted to the Governor,
76 the Legislature, and the board of county commissioners
77 of specified counties; amending ss. 343.94, 343.947,
78 343.95, 343.975, and 343.976, F.S.; conforming
79 provisions to changes made by the act; providing an
80 effective date.

81
82 Be It Enacted by the Legislature of the State of Florida:

83
84 Section 1. Paragraph (i) of subsection (6) of section
85 339.175, Florida Statutes, is amended to read:

86 339.175 Metropolitan planning organization.—

87 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,

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88 privileges, and authority of an M.P.O. are those specified in
89 this section or incorporated in an interlocal agreement
90 authorized under s. 163.01. Each M.P.O. shall perform all acts
91 required by federal or state laws or rules, now and subsequently
92 applicable, which are necessary to qualify for federal aid. It
93 is the intent of this section that each M.P.O. shall be involved
94 in the planning and programming of transportation facilities,
95 including, but not limited to, airports, intercity and high-
96 speed rail lines, seaports, and intermodal facilities, to the
97 extent permitted by state or federal law.

98 (i) The Tampa Bay Area Regional Transit ~~Transportation~~
99 Authority Metropolitan Planning Organization Chairs Coordinating
100 Committee is created within the Tampa Bay Area Regional Transit
101 ~~Transportation~~ Authority, composed of the M.P.O.'s serving
102 Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Polk,
103 and Sarasota Counties. The authority shall provide
104 administrative support and direction to the committee. The
105 committee must, at a minimum:

106 1. Coordinate transportation projects deemed to be
107 regionally significant by the committee.

108 2. Review the impact of regionally significant land use
109 decisions on the region.

110 3. Review all proposed regionally significant
111 transportation projects in the respective transportation
112 improvement programs which affect more than one of the M.P.O.'s
113 represented on the committee.

114 4. Institute a conflict resolution process to address any
115 conflict that may arise in the planning and programming of such
116 regionally significant projects.

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117 Section 2. Section 343.90, Florida Statutes, is amended to
118 read:

119 343.90 Short title.—This part may be cited as the “Tampa
120 Bay Area Regional Transit ~~Transportation~~ Authority Act.”

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

123 343.91 Definitions.—

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

125 (a) “Authority” means the Tampa Bay Area Regional Transit
126 ~~Transportation~~ Authority, the body politic and corporate and
127 agency of the state created by this part, covering ~~the seven-~~
128 ~~county area comprised of Citrus,~~ Hernando, Hillsborough,
129 Manatee, Pasco, and Pinellas, ~~Manatee, and Sarasota~~ Counties and
130 any other contiguous county that is party to an agreement of
131 participation.

132 (e)1. “Commuter rail” means a complete system of tracks,
133 guideways, stations, and rolling stock necessary to effectuate
134 medium-distance to long-distance passenger rail service to,
135 from, or within the municipalities within the authority’s
136 designated ~~seven-county~~ region.

137 2. “Heavy rail transit” means a complete rail system
138 operating on an electric railway with the capacity for a heavy
139 volume of traffic, characterized by high-speed and rapid-
140 acceleration passenger rail cars operating singly or in multicar
141 trains on fixed rails in separate rights-of-way from which all
142 other vehicular and pedestrian traffic are excluded. “Heavy rail
143 transit” includes metro, subway, elevated, rapid transit, and
144 rapid rail systems.

145 3. “Light rail transit” means a complete system of tracks,

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146 overhead catenaries, stations, and platforms with lightweight
147 passenger rail cars operating singly or in short, multicar
148 trains on fixed rails in rights-of-way that are not separated
149 from other traffic for much of the way.

150 Section 4. Section 343.92, Florida Statutes, is amended to
151 read:

152 343.92 Tampa Bay Area Regional Transit ~~Transportation~~
153 Authority.—

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

157 (2) The governing board of the authority shall consist of
158 13 ~~15~~ voting members appointed no later than 45 days after the
159 creation of the authority.

160 (a) The secretary of the department shall appoint two
161 advisors to the board who must be the district secretary for
162 each of the department districts within the designated ~~seven-~~
163 ~~county~~ area of the authority.

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

166 1. The county commissions of ~~Citrus,~~ Hernando,
167 Hillsborough, Manatee, Pasco, and Pinellas, ~~Manatee,~~ and
168 ~~Sarasota~~ Counties shall each appoint one county commissioner
169 ~~elected official~~ to the board. Members appointed under this
170 subparagraph shall serve 2-year terms with not more than three
171 consecutive terms being served by any person. If a member under
172 this subparagraph leaves elected office, a vacancy exists on the
173 board to be filled as provided in this subparagraph within 90
174 days ~~subparagraph.~~

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

182 ~~2.3.a.~~ Two members of the board shall be the mayor, ~~or the~~
183 ~~mayor's designee,~~ of the largest municipality within the service
184 area of each of the following independent transit agencies or
185 their legislatively created successor agencies: Pinellas
186 Suncoast Transit Authority and Hillsborough Area Regional
187 Transit Authority. The largest municipality is that municipality
188 with the largest population as determined by the most recent
189 United States Decennial Census.

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

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

200 3. The following independent transit agencies or their
201 legislatively created successor agencies shall each appoint from
202 the membership of their governing bodies one member to the
203 board: Pinellas Suncoast Transit Authority and Hillsborough Area

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204 Regional Transit Authority. Each member appointed under this
205 subparagraph shall serve a 2-year term with not more than three
206 consecutive terms being served by any person. If a member no
207 longer meets the transit authority's criteria for appointment, a
208 vacancy exists on the board, which must be filled as provided in
209 this subparagraph within 90 days.

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

214 ~~4.a. One membership on the board shall rotate every 2 years~~
215 ~~between the mayor, or his or her designee, of the largest~~
216 ~~municipality within Manatee County and the mayor, or his or her~~
217 ~~designee, of the largest municipality within Sarasota County.~~
218 ~~The mayor, or his or her designee, from the largest municipality~~
219 ~~within Manatee County shall serve the first 2 year term. The~~
220 ~~largest municipality is that municipality with the largest~~
221 ~~population as determined by the most recent United States~~
222 ~~Decennial Census.~~

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

226 ~~4.5.~~ The Governor shall appoint to the board four members
227 from the regional ~~four~~ business community ~~representatives~~, each
228 of whom must reside in one of the ~~seven~~ counties governed by the
229 authority and, ~~none of whom may not be an elected official~~
230 ~~officials, and at least one but not more than two of whom shall~~
231 ~~represent counties within the federally designated Tampa Bay~~
232 ~~Transportation Management Area. Of the members initially~~

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233 appointed under this subparagraph, one shall serve a 1-year
234 term, two shall serve 2-year terms, and one shall serve a term
235 as the initial chair as provided in subsection (5). Thereafter,
236 a member ~~Members~~ appointed under this subparagraph ~~by the~~
237 ~~Governor~~ shall serve a 2-year term ~~3-year terms~~ with not more
238 than three ~~two~~ consecutive terms being served by any person.

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

244 (3) The members of the board shall serve without
245 compensation but shall be entitled to receive from the authority
246 reimbursement for travel expenses and per diem actually incurred
247 in connection with the business of the authority as provided in
248 s. 112.061.

249 (4) Members of the board shall comply with the applicable
250 financial disclosure requirements of ss. 112.3145, 112.3148, and
251 112.3149.

252 (5) The Governor shall appoint one of the four members
253 appointed under subparagraph (2) (b) 4. as the initial chair ~~from~~
254 ~~among the full membership~~ of the board immediately upon their
255 appointment. ~~In no case may those appointments be made any later~~
256 ~~than 45 days following the creation of the authority.~~ The
257 initial chair shall serve ~~will hold this position for~~ a minimum
258 term of 2 years. The board shall elect a vice chair and
259 secretary-treasurer from among its members who shall serve a
260 minimum term of 1 year and shall establish the duties and powers
261 of those positions during its inaugural meeting. During its

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262 inaugural meeting, the board shall ~~will~~ also establish its rules
263 of conduct and meeting procedures.

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

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

270 (8) Seven ~~Eight~~ members of the board shall constitute a
271 quorum, and the vote of seven ~~eight~~ members is necessary for any
272 action to be taken by the authority. The authority may meet upon
273 the constitution of a quorum. A vacancy does not impair the
274 right of a quorum of the board to exercise all rights and the
275 ability to perform all duties of the authority.

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

279 (a) Planning committee.

280 (b) Policy committee.

281 (c) Finance committee.

282 (d) Citizens advisory committee.

283 (e) Tampa Bay Area Regional Transit Authority Metropolitan
284 Planning Organization Chairs Coordinating Committee.

285 (f) Transit management committee.

286 (g) Technical advisory committee.

287
288 The board must submit its recommendations for abolishment,
289 continuance, modification, or establishment of the committees to
290 the President of the Senate and the Speaker of the House of

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291 Representatives before the beginning of the 2018 Regular
292 Session.

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

306 ~~(11)(a) The authority shall establish a Transit Management~~
307 ~~Committee comprised of the executive directors or general~~
308 ~~managers, or their designees, of each of the existing transit~~
309 ~~providers and bay area commuter services.~~

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

314 ~~(c) The authority may establish technical advisory~~
315 ~~committees to provide guidance and advice on regional~~
316 ~~transportation issues. The authority shall establish the size,~~
317 ~~composition, and focus of any technical advisory committee~~
318 ~~created.~~

319 (11)(d) Persons appointed to a committee shall serve

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320 without compensation but may be entitled to per diem or travel
321 expenses as provided in s. 112.061.

322 Section 5. Subsection (1), paragraph (a) of subsection (2),
323 subsection (3), subsection (4), and paragraph (g) of subsection
324 (5) of section 343.922, Florida Statutes, are amended, and
325 subsections (9) and (10) are added to that section, to read:

326 343.922 Powers and duties.—

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

328 (a) Plan, implement, and operate ~~improve~~ mobility
329 improvements and expansions of ~~expand~~ multimodal transportation
330 options for passengers and freight throughout the designated
331 ~~seven-county Tampa Bay~~ region.

332 (b) Produce a regional transit development plan,
333 integrating the transit development plans of participant
334 counties, to include a prioritization of regionally significant
335 transit projects and facilities.

336 1. The authority shall provide to the President of the
337 Senate and the Speaker of the House of Representatives, on or
338 before the beginning of the 2018 Regular Session, a plan to
339 produce the regional transit development plan.

340 2. The regional transit development plan prepared by the
341 authority must adhere to guidance and regulations set forth by
342 the department or any successor agency, including, but not
343 limited to:

344 a. Public involvement;

345 b. Collection and analysis of socioeconomic data;

346 c. Performance evaluation of existing services;

347 d. Service design and ridership forecasting; and

348 e. Financial planning.

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349 (c) Serve, with the consent of the Governor or his or her
350 designee, as the recipient of federal funds supporting an
351 intercounty project or an intracounty capital project that
352 represents a phase of an intercounty project that exists in a
353 single county within the designated region.

354 (2) (a) The authority has the right to plan, develop,
355 finance, construct, own, purchase, operate, maintain, relocate,
356 equip, repair, and manage those public transportation projects,
357 such as express bus services; bus rapid transit services; light
358 rail, commuter rail, heavy rail, or other transit services;
359 ferry services; transit stations; park-and-ride lots; transit-
360 oriented development nodes; or feeder roads, reliever roads,
361 connector roads, bypasses, or appurtenant facilities, that are
362 intended to address critical transportation needs or concerns in
363 the ~~Tampa Bay~~ region as identified by the authority ~~by July 1,~~
364 ~~2009~~. These projects may also include all necessary approaches,
365 roads, bridges, and avenues of access that are desirable and
366 proper with the concurrence of the department, as applicable, if
367 the project is to be part of the State Highway System.

368 (3) (a) ~~No later than July 1, 2009,~~ The authority shall
369 develop and adopt a regional transit development ~~transportation~~
370 ~~master~~ plan that provides a vision for a regionally integrated
371 ~~multimodal~~ transportation system. The goals and objectives of
372 the ~~master~~ plan are to identify areas of the ~~Tampa Bay~~ region
373 where ~~multimodal~~ mobility, traffic safety, freight mobility, and
374 efficient emergency evacuation alternatives need to be improved;
375 identify areas of the region where multimodal transportation
376 systems would be most beneficial to enhance mobility and
377 economic development; develop methods of building partnerships

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378 with local governments, existing transit providers, expressway
379 authorities, seaports, airports, and other local, state, and
380 federal entities; develop methods of building partnerships with
381 CSX Corporation and CSX Transportation, Inc., to craft mutually
382 beneficial solutions to achieve the authority's objectives, and
383 with other private sector business community entities that may
384 further the authority's mission, and engage the public in
385 support of regional multimodal transportation improvements. The
386 ~~master~~ plan shall identify and may prioritize projects that will
387 accomplish these goals and objectives, including, without
388 limitation, the creation of express bus and bus rapid transit
389 services, light rail, commuter rail, and heavy rail transit
390 services, ferry services, freight services, and any other
391 multimodal transportation system projects that address critical
392 transportation needs or concerns, pursuant to subsection (2);
393 and identify the costs of the proposed projects and revenue
394 sources that could be used to pay those costs. In developing the
395 ~~master~~ plan, the authority shall review and coordinate with the
396 future land use, capital improvements, and traffic circulation
397 elements of its member local governments' comprehensive plans
398 and the plans, programs, and schedules of other units of
399 government having transit or transportation authority within
400 whose jurisdictions the projects or improvements will be located
401 to define and resolve potential inconsistencies between such
402 plans and the authority's developing ~~master~~ plan. ~~By July 1,~~
403 ~~2008, the authority, working with its member local governments,~~
404 ~~shall adopt a mandatory conflict resolution process that~~
405 ~~addresses consistency conflicts between the authority's regional~~
406 ~~transportation master plan and local government comprehensive~~

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407 ~~plans.~~

408 (b) The authority shall consult with the department to
409 further the goals and objectives of the Strategic Regional
410 Transit Needs Assessment completed by the department.

411 (c) Before the adoption of the regional transit development
412 ~~master~~ plan, the authority shall hold at least one public
413 meeting in each of the ~~seven~~ counties within the designated
414 region. At least one public hearing must be held before the
415 authority's board.

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

418 (e) The authority shall present the original regional
419 transit development ~~master~~ plan and updates to the governing
420 bodies of the counties within the designated ~~seven-county~~
421 region, to the TBARTA Metropolitan Planning Organization Chairs
422 Coordinating Committee, and to the legislative delegation
423 members representing those counties within 90 days after
424 adoption.

425 (f) The authority shall coordinate plans and projects with
426 the TBARTA Metropolitan Planning Organization Chairs
427 Coordinating Committee, to the extent practicable, and
428 participate in the regional M.P.O. planning process to ensure
429 regional comprehension of the authority's mission, goals, and
430 objectives.

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

434 (4) The authority may undertake projects or other
435 improvements in the regional transit development ~~master~~ plan in

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436 phases as particular projects or segments become feasible, as
437 determined by the authority. The authority shall coordinate
438 project planning, development, and implementation with the
439 applicable local governments. The authority's projects that are
440 transportation oriented must be consistent to the maximum extent
441 feasible with the adopted local government comprehensive plans
442 at the time such projects are funded for construction. Authority
443 projects that are not transportation oriented and meet the
444 definition of development pursuant to s. 380.04 must be
445 consistent with the local comprehensive plans. In carrying out
446 its purposes and powers, the authority may request funding and
447 technical assistance from the department and appropriate federal
448 and local agencies, including, but not limited to, state
449 infrastructure bank loans.

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

454 (g) To borrow money and to make and issue negotiable notes,
455 bonds, refunding bonds, and other evidences of indebtedness or
456 obligations, either in temporary or definitive form, hereinafter
457 in this chapter sometimes called "revenue bonds" of the
458 authority, for the purpose of financing all or part of the
459 mobility improvements within the ~~Tampa Bay~~ region, as well as
460 the appurtenant facilities, including all approaches, streets,
461 roads, bridges, and avenues of access authorized by this part,
462 the bonds to mature not exceeding 40 years after the date of the
463 issuance thereof, and to secure the payment of such bonds or any
464 part thereof by a pledge of any or all of its revenues, rates,

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465 fees, rentals, or other charges.

466 (9) (a) An action by the authority regarding state funding
467 of commuter rail, heavy rail transit, or light rail transit, as
468 defined in s. 343.91, or any combination thereof, requires
469 approval by a majority vote of each M.P.O. serving the county or
470 counties where such rail transit investment will be made, and
471 the approval by an act of the Legislature.

472 (b) Subject to the requirements of s. 106.113, the
473 authority may not engage in any advocacy regarding a referendum,
474 ordinance, legislation, or proposal under consideration by any
475 governmental entity or the Legislature which seeks to approve
476 the funding of commuter rail, heavy rail transit, or light rail
477 transit, as defined in s. 343.91, or any combination thereof.

478 (10) The authority must conduct a feasibility study,
479 through an independent third party, for any project of commuter
480 rail, heavy rail transit, or light rail transit, as defined in
481 s. 343.91, or any combination thereof, before proceeding with
482 the development of the project and before any related contract
483 is issued. The feasibility study shall be submitted, upon
484 completion, to the Governor, the President of the Senate, the
485 Speaker of the House of Representatives, and the board of county
486 commissioners of Hernando, Hillsborough, Manatee, Pasco, and
487 Pinellas Counties.

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

490 343.94 Bond financing authority.—

491 (1) Pursuant to s. 11(f), Art. VII of the State
492 Constitution, the Legislature approves bond financing by the
493 Tampa Bay Area Regional Transit ~~Transportation~~ Authority for

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494 construction of or improvements to commuter rail systems,
495 transit systems, ferry systems, highways, bridges, toll
496 collection facilities, interchanges to the system, and any other
497 transportation facility appurtenant, necessary, or incidental to
498 the system. Subject to terms and conditions of applicable
499 revenue bond resolutions and covenants, such costs may be
500 financed in whole or in part by revenue bonds issued pursuant to
501 paragraph (2) (a) or paragraph (2) (b), whether currently issued
502 or issued in the future or by a combination of such bonds.

503 Section 7. Section 343.947, Florida Statutes, is amended to
504 read:

505 343.947 Department may be appointed agent of authority for
506 construction.—The department may be appointed by the authority
507 as its agent for the purpose of constructing and completing
508 transportation projects, and improvements and extensions
509 thereto, in the authority's regional transit development ~~master~~
510 plan. In such event, the authority shall provide the department
511 with complete copies of all documents, agreements, resolutions,
512 contracts, and instruments relating thereto; shall request the
513 department to do such construction work, including the planning,
514 surveying, and actual construction of the completion,
515 extensions, and improvements to the system; and shall transfer
516 to the credit of an account of the department in the treasury of
517 the state the necessary funds therefor. The department shall
518 proceed with such construction and use the funds for such
519 purpose in the same manner that it is now authorized to use the
520 funds otherwise provided by law for its use in construction of
521 commuter rail systems, transit systems, ferry systems, roads,
522 bridges, and related transportation facilities.

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

525 343.95 Acquisition of lands and property.—

526 (1) For the purposes of this part, the authority may
527 acquire private or public property and property rights,
528 including rights of access, air, view, and light, by gift,
529 devise, purchase, or condemnation by eminent domain proceedings,
530 as the authority may deem necessary for any purpose of this
531 part, including, but not limited to, any lands reasonably
532 necessary for securing applicable permits, areas necessary for
533 management of access, borrow pits, drainage ditches, water
534 retention areas, rest areas, replacement access for landowners
535 whose access is impaired due to the construction of a facility,
536 and replacement rights-of-way for relocated rail and utility
537 facilities; for existing, proposed, or anticipated
538 transportation facilities within the ~~seven-county Tampa Bay~~
539 region designated ~~identified~~ by the authority; or for the
540 purposes of screening, relocation, removal, or disposal of
541 junkyards and scrap metal processing facilities. The authority
542 may condemn any material and property necessary for such
543 purposes.

544 (3) When the authority acquires property for a
545 transportation facility within the designated ~~seven-county Tampa~~
546 ~~Bay~~ region, the authority is not subject to any liability
547 imposed by chapter 376 or chapter 403 for preexisting soil or
548 groundwater contamination due solely to its ownership. This
549 subsection does not affect the rights or liabilities of any past
550 or future owners of the acquired property, nor does it affect
551 the liability of any governmental entity for the results of its

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552 actions which create or exacerbate a pollution source. The
553 authority and the Department of Environmental Protection may
554 enter into interagency agreements for the performance, funding,
555 and reimbursement of the investigative and remedial acts
556 necessary for property acquired by the authority.

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

559 343.975 Complete and additional statutory authority.—

560 (1) The powers conferred by this part are supplemental to
561 the existing powers of the board and the department. This part
562 does not repeal any of the provisions of any other law, general,
563 special, or local, but supplements such other laws in the
564 exercise of the powers provided in this part and provides a
565 complete method for the exercise of the powers granted in this
566 part. The projects planned and constructed by the Tampa Bay Area
567 Regional Transit ~~Transportation~~ Authority shall comply with all
568 applicable federal, state, and local laws. The extension and
569 improvement of the system, and the issuance of bonds hereunder
570 to finance all or part of the cost thereof, may be accomplished
571 upon compliance with the provisions of this part without regard
572 to or necessity for compliance with the provisions, limitations,
573 or restrictions contained in any other general, special, or
574 local law, including, but not limited to, s. 215.821. An
575 approval of any bonds issued under this part by the qualified
576 electors or qualified electors who are freeholders in the state
577 or in any other political subdivision of the state is not
578 required for the issuance of such bonds pursuant to this part.

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

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581 operating, or owning tolled or nontolled facilities funded and
582 constructed from nonauthority sources that are part of the State
583 Highway System within the geographical boundaries of the Tampa
584 Bay Area Regional Transit ~~Transportation~~ Authority.

585 Section 10. Section 343.976, Florida Statutes, is amended
586 to read:

587 343.976 Effect on local government action.—This act does
588 not prohibit any local government that is a member of the Tampa
589 Bay Area Regional Transit ~~Transportation~~ Authority from
590 participating in or creating any other transit authority,
591 regional transportation authority, or expressway authority.

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