



FROM APRIL 21, 2003

SPECIAL REPORT - HIGH SPEED RAIL

One of the hot topics this session is the implementation of the high-speed rail constitutional mandate. In 2000, Florida voters approved a constitutional amendment requiring the state to begin construction of a high-speed rail system to connect the five largest urban areas in the state. Construction must begin on or before November 1, 2003.

During the 2001 Legislative Session, the Florida High Speed Rail Authority Act was enacted. The act created a nine-member High Speed Rail Authority and charged it with planning, administering, and managing the preliminary engineering and environmental assessment for an intrastate high-speed rail system. The act also required the first segment of the system to be developed and operated between St. Petersburg, Tampa and Orlando with future service to Miami (Phase II). Phase I links the Orlando International Airport to Tampa and St. Petersburg. A request for proposal (RFP) was issued by the authority in October 2002 and four proposals have been submitted by private sector consortiums. Phase I is slated to be completed by December 2008.

Proponents of the constitutional amendment say that the people of Florida have spoken and want a high-speed rail system. Opponents of the constitutional amendment say that the voters were misled on the issue and did not realize that state funding would be required to build the system.

HB 855, sponsored by Representative Dennis Ross (R-Lakeland), along with its Senate counterpart, SB 2140, sponsored by Senator Paula Dockery (R-Lakeland), authorize the Division of Bond Finance to issue revenue bonds to build the high-speed rail system and to replace, build, or repair bridges and roads impacted by the train's construction; \$75 million in state transportation funds would be required for the next 30 fiscal years, roughly 1.5 percent of the state transportation budget. The money will come from the interest on trust funds that the Department of Transportation use for public transportation.

Inter-modal transportation is also addressed in the legislation to connect the local communities to the new rail stations.

Senator Ron Klein (D-Delray Beach), on the other hand, would like to place on the ballot an amendment to the state constitution to repeal the provision requiring the development and operation of the high-speed rail. With the tight budget restraints this year, Senator Klein wants Florida voters to decide whether they still want the high-speed rail after finding out its cost. SB 1400 would place the amendment on the November 2004 general-election ballot. His bill narrowly passed the Transportation Committee on a vote of five to four.

Senator Jim Sebesta (R-St. Petersburg) has advanced a bill to give broad tax-exemption status to the authority and its agents. SB 2034 exempts from taxation

- facilities directly related to the operation of the high-speed-rail system
- real property directly related to the operation of the high-speed rail system
- income derived directly from the operation of the high-speed rail system

The bill has cleared the Senate Transportation Committee, which Senator Sebesta chairs.

AIF will continue to track the high-speed-rail bills as they roll on through the legislative process.

HOME DEFENSE

Today, the Senate Home Defense, Public Security and Ports Committee heard a proposed committee substitute for SB 1612, sponsored by Senator Paula Dockery, which relates to homeland security.

After September 11, 2001, the governor directed the Florida Department of Law Enforcement and the Division of Emergency Management to assess Florida's capacity to prevent, mitigate, and respond to a terrorist attack. During the November 2001 Special Session, the Legislature created a chief of domestic security initiatives within the Department of Law Enforcement.

PCS/SB 1612 modifies the powers and duties of the chief of domestic security initiatives within the Department of Law Enforcement. The bill requires the chief to conduct a security assessment of state agencies, state universities, and community colleges by December 1, 2003, and to submit an annual report of prioritized suggestions for specific security enhancements to the governor and Legislature. The chief must identify in his report any agency, university, or college that fails to cooperate in making a security assessment. The chief must encourage local governments to conduct security assessments of their buildings and to advise those governments about options for obtaining assessments.

The committee unanimously passed this bill with no additional amendments.

The Senate Home Defense, Public Security and Ports Committee also heard SB 2578, sponsored by Senator Jim Sebesta (R-St. Petersburg), regarding the Secure Airports for Florida Act.

As we reported two weeks ago, the bill creates the Secure Airports for Florida's Economy (SAFE) Council. The SAFE Council must develop a five-year SAFE master plan defining goals and objectives needed to develop airport facilities and an inter-modal transportation system. The master plan must include recommendations for the acquisition and construction of transportation facilities connecting any airport with another mode of transportation, and the acquisition and construction of transportation or aviation facilities designed to protect passengers and crews, enhance international trade, and increase airport revenues. The master plan must be updated annually, and submitted by February 1 each year to the president of the Senate, the speaker of the House of Representatives, the Office of Tourism, Trade, and Economic Development, the Department of Community Affairs, and Florida Department of Transportation.

Another unique part of this proposed legislation authorizes the SAFE Council to review existing programs in Florida and other states when developing programs for the training of minorities and secondary school students interested in aviation careers.

AIF supports legislation to promote homeland security in the State of Florida.

PRIVATE PROPERTY RIGHTS

The House Local Government and Veteran's Affairs Committee heard HB 113, sponsored by Representative Jeff Kottkamp (R-Cape Coral). This bill strengthens the Bert J. Harris Private Property Rights Protection Act (Harris Act). As we previously reported, this bill is designed to correct a circuit-court decision that undermined the original intent of the law dealing with certain issues relating to the statute of limitations and sovereign immunity. The committee passed the bill with clarifying language to assure that the waiver of sovereign immunity is applied prospectively only.

AIF supports legislation that protects private property rights. The Harris Act provides an avenue for a property owner to take against government overreaching on property rights. Legislative action is necessary to ensure that the Harris Act continues to work to protect Florida citizens and businesses from government over-regulation.

HEALTH CARE

Today, the Senate Health, Aging and Long-Term Care Committee heard SB 2174, sponsored by Senator Alex Villalobos (R-Miami), relating to infant eye care and examinations.

This bill would amend Florida law to require that every baby born in a hospital receive, prior to discharge, an eye examination with an ophthalmoscope as the light source and dilation of the pupils for detection of pediatric congenital and ocular abnormalities. An ophthalmoscope is a diagnostic instrument that enables the examiner to detect abnormalities of the eye. This bill would also require private health insurance policies and health maintenance organization contracts to cover tests at birth, at six to eight weeks, and at six to nine months of age.

The committee adopted an amendment and passed the bill unanimously.

Mandated benefits increase the cost of health insurance premiums, which results in fewer working families with affordable health care coverage. As such, AIF opposes SB 2174 and its House counterpart, HB 115.

Please send your comments or suggestions to us at aif@aif.com or call the Governmental Affairs department at (850)224-7173.

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