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Advisory Opinion to the Attorney General: High Speed Rail

NEXT CASE ON THE COURT'S CALENDAR IS ADVISORY OPINION TO THE ATTORNEY GENERAL, FLORIDA TRANSPORTATION INITIATIVE, A STATEWIDE HIGH SPEED MONORAIL. MR. HUBENER.

THANK YOU, YOUR HONOR. LOUISE HUBENER WITH THE STATE ATTORNEY GENERAL'S OFFICE -- LOUIS HUBENER WITH THE STATE ATTORNEY GENERAL'S OFFICE. NO REPORTS HAVE BEEN FILED IN OPPOSITION. MR. STEVEN GRIMES WILL ARGUE IN SUPPORT OF THE PROPOSED AMENDMENT.

THANK YOU. MR. GRIMES.

MAY IT PLEASE THE COURT. MY NAME IS STEVEN GRIMES, AND I REPRESENT THE FLORIDIANS FOR A 21st CENTURY TRAVEL CONNECTIONS AND CHOICES. THEY ARE PROPOSE AGO INITIATIVE FOR A STATEWIDE HIGH SPEED GROUND TRANSPORTATION SYSTEM. KIND OF IN AN UNUSUAL SEMIDEFAULT POSITION, BECAUSE NOBODY HAS ATTACKED THE LEGALITY OF THIS, BUT I KNOW THAT THE COURT HAS A RESPONSIBILITY TO ENSURE THAT IT ENCOMPASSES A SINGLE SUBJECT AND THAT THE BALLOT SUMMARY ENTITLED FAIRLY REPRESENTS THE CONTENT OF THE PROPOSED AMENDMENT. I WOULD LIKE TO ASK THAT -- TO DISCUSS THE STANDARD OF REVIEW. A LOT OF THE RECENT CASES HAVEN'T MENTIONED THAT, BECAUSE I THINK IT IS IMPORTANT FOR THE COURT TO REALIZE THAT -- AND I THINK THAT THE STANDARD OF REVIEW IS, STILL, THAT WHICH WAS SET FORTH IN ASKEW V FIRESTONE, WHERE THE OPINION SAID THAT A COURT MUST ACT WITH EXTREME CARE CAUTION, AND RESTRAINT, BEFORE IT MOVES THE CONSTITUTIONAL AMENDMENT FROM THE VOTE OF THE PEOPLE, AND, AGAIN, IN FLORIDA, AGAINST CASINO TAKE OVER, VERSUS LET'S HELP FLORIDA, THE OPINION SAID THAT THE COURT'S DUTY IS TO UPHOLD AN INITIAL PETITION, UNLESS IT CAN BE SHOWN TO BE CLEARLY AND CONCLUSIVELY DEFECTIVE, AND SO WITHOUT A DOUBT, INITIATIVE PETITIONS ARE ENTITLED TO GREAT DEFERENCE AND JUSTIFIABLY SO, SINCE, IF THE COURT WERE TO CONCLUDE AND RULE AGAINST THE INITIATIVE, THEN THE VOTERS WOULD BE DEPRIVED AN OPPORTUNITY TO SPEAK THEIR OPINION ON IT. THE ATTORNEY GENERAL, AS GENERALLY DO, TAKES NO POSITION ON THE INITIATIVE BUT POSES A COUPLE OF QUESTIONS THAT I WOULD LIKE TO DISCUSS. THE ATTORNEY GENERAL ACKNOWLEDGES THAT, EVEN THOUGH AN INITIATIVE AFFECTS MULTIPLE BRANCHES OF GOVERNMENT, IT DOESN'T VIOLATE THE SINGLE SUBJECT RULE, UNLESS IT SUBSTANTIALLY ALTERS OR PERFORMS THE FUNCTIONS OF THOSE MULTIPLE BRANCHS.

WHAT ABOUT THAT ISSUE? WOULDN'T IT AFFECT ALL OF GOVERNMENT? IT SEEMS TO ME IT WOULD BE A RATHER EXPENSIVE PROPOSITION THAT WOULD IMPACT ON JUST ABOUT EVERY BRANCH AND AGENCY IN GOVERNMENT.

CERTAINLY. IT WOULD AFFECT MULTIPLE BRANCHES OF GOVERNMENT, BUT I SUBMIT THAT IT WOULD NOT SUBSTANTIALLY ALTER THEIR FUNCTIONS, AS THIS COURT HAS SAID. IN FACT, JUSTICE SHAW, IN ADVISORY OPINION TO THE ATTORNEY GENERAL, AT 681 SO.2D 1124, THIS COURT STATED THAT IT IS DIFFICULT TO CONCEIVE AFTER CONTUSION AL -- OF A CONSTITUTIONAL AMENDMENT THAT WOULD NOT AFFECT OTHER ASPECTS OF GOVERNMENT TO SOME EXTENT, AND A PROPOSAL MAY AFFECT MULTIPLE BRANCHES OF GOVERNMENT, AS DOES THE INSTANT PROPOSAL, SO LONG AS IT DOES NOT SUBSTANTIALLY ALTER OR PERFORM THESE DUTIES. WE CONCEDE THAT IT WOULD HAVE SOME EFFECT ON THE BRANCHES OF GOVERNMENT. ESSENTIALLY, HOWEVER, THE EFFECT WOULD BE PRIMARILY LEGISLATIVE, AND THE OTHER BRANCHES, WELL, EXECUTIVE, WOULD HAVE A PART IN IMPLEMENTING IT.

WOULD THIS PRECLUDE THE GOVERNOR FROM VETOING LEGISLATION THAT WAS ENACTED PURSUANT TO IT?

IF THE -- I THINK THAT -- I BELIEVE THE GOVERNOR, IF HE FELT THE LEGISLATION WAS INAPPROPRIATE, COULD PROBABLY VETO IT, BUT THAT THE LEGISLATURE WOULD BE, THEN, COMPELLED TO, BECAUSE THE CONSTITUTION REQUIRES IT, TO GO BACK AND HAVE A DIFFERENT -- BACK AND HAVE A DIFFERENT MODE. I THINK THE PURPOSE OF THIS, OF COURSE, IS TO ULTIMATELY REQUIRE THE STATE TO HAVE THIS HIGH SPEED GROUND TRANSPORTATION SYSTEM. THE -- YOU KNOW, A PUREIES MIGHT SAY, WELL, YOU -- A PURIST MIGHT SAY, WELL, YOU KNOW, WHY IS THIS THING IN THE CONSTITUTION? YOU WOULDN'T WRITE A CONSTITUTION AND PUT THIS IN THERE. YOU WOULD NORMALLY DO IT BY STATUTE, BUT, OF COURSE THE SAME THING COULD BE SAID WITH, SAY, A NET BAN. NOBODY WOULD NORMALLY PUT A NET BAN INTO THE CONSTITUTION, BUT THE PROBLEM, THERE, WAS THAT THE LEGISLATURE DECLINED TO GO FORWARD TO REQUIRE THE ENVIRONMENTAL REQUIREMENTS THAT THE PEOPLE FELT WERE APPROPRIATE FOR A NET BAN, AND THEREFORE THE PROPONENTS HAD NO OTHER ALTERNATIVE BUT TO SEEK A CITIZENS INITIATIVE TO PASS IT, AND IN THIS IN SPANS, AS THE COURT KNOWS, THERE HAS BEEN A HIGH SPEED RAIL COMMISSION FOR MANY YEARS. IT WAS COMMENCED UNDER, STARTED UNDER GOVERNOR GRAHAM, AND AT ONE POINT THE LEGISLATURE, EVEN, COMMITTED ITSELF TO APPROPRIATE \$100 MILLION-A-YEAR FOR 20 YEARS.

IF THE GOVERNOR VETOED IT, HOW COULD HE EVER BE IN COMPLIANCE WITH THE CONSTITUTIONAL AMENDMENT, AND HOW WOULD YOU EVER HAVE THIS ACCOMPLISHED?

WELL, THE -- THIS WOULD BE TRUE, YOU KNOW, THE FACT THAT A GOVERNOR HAS AN OPPORTUNITY TO VETO, WHAT I WAS SUGGESTING WAS IT COULD BE, THE LEGISLATURE COULD CRAFT IT IN SUCH A WAY THAT FOR TECHNICAL REASONS, THE GOVERNOR COULD VETO IT, BUT ULTIMATELY THERE WOULD HAVE TO BE ONE, IF IT WERE PASSED. THAT WOULD BE TRUE OF ALMOST ANY CONSTITUTIONAL INITIATIVE THAT REQUIRED SOMETHING TO BE DONE BY THE LEGISLATURE. AND ALMOST EVERY CONSTITUTIONAL INITIATIVE REQUIRES SOMETHING TO BE DONE.

DOESN'T THIS, THEN, THOUGH, SUBSTANTIALLY INTERFERE WITH THE INHERENT AUTHORITY OF THE GOVERNOR AND HIS MOST FUNDAMENTAL RESPONSIBILITY, TO CONSIDER WHETHER OR NOT TO APPROVE OR TO VETO MAJOR LEGISLATION? I AM HAVING DIFFICULTY SEEING HOW THE GOVERNOR COULD HONOR THIS MANDATE THAT WOULD, THEN, BE IN THE CONSTITUTION, AND YET VETO THE LEGISLATION. WHAT WOULD BE THE BASIS AFTER VETO? -- BASIS OF A VETO?

WELL, YOU KNOW, MAYBE HE COULDN'T, BUT I WAS GIVEN HIM THE BENEFIT OF THE DOUBT THAT THE LEGISLATURE COULD CRAFT IT IN SUCH A WAY THAT IT WOULD BE SUBJECT TO A VETO-IN SUCH A WAY THAT IT WOULD BE SUBJECT TO A VETO, BUT ULTIMATELY I WOULD HAVE TO AGREE WITH WHAT YOU ARE SUGGESTING, THAT THERE WOULD HAVE TO BE A GROUND TRANSPORTATION INITIATIVE THAT WOULD BE ENACTED, FROM WHICH THE GOVERNOR COULDN'T VETO, BUT THE FACT IS, IN ALMOST EVERY INITIATIVE THAT REQUIRES LEGISLATION, FOR EXAMPLE, MANY INITIATIVES HAVE REQUIRED LEGISLATION TO IMPOSE TAXES AND DIFFERENT THINGS. THE LEGISLATURE WOULD HAVE TO DO IT, AND YOU WOULD ALWAYS HAVE THE QUESTION OF WHETHER THE GOVERNOR COULD VETO IT OR NOT.

BUT AT THIS PARTICULAR -- IS RARE THAT WE HAVE A CONSTITUTIONAL AMENDMENT THAT ACTUALLY MANDATES THAT THE GOVERNOR SIGN ON, ALSO, AND THIS IS UNIQUE IN THAT RESPECT, IS IT NOT?

IT PROVIDES THAT THE GOVERNOR AND THE LEGISLATURE SHALL IMPLEMENT IT, BUT IT WOULD BE THE SAME PROPOSITION, AS IF YOU HAD AN INITIATIVE TO DO ANYTHING ELSE THAT WOULD REQUIRE LEGISLATIVE ACTION. THE QUESTION WOULD, THEN, COME UP, CAN THE GOVERNOR

VETO IT, BECAUSE OF THE CONSTITUTIONAL AMENDMENT REQUIRED IT? SO PULLED YOU WOULD BE IN THE -- SO YOU WOULD BE IN THE SAME POSTURE.

MR. GRIMES, IS THERE A DIFFERENCE BETWEEN THOSE SAME CONCEPTS THAT ARE IN THE NATURE OF A PROHIBITION, SUCH AS DISCRIMINATION, NET BANS, AND IT IS SIMPLY PROHIBITION, AND ONE SUCH AS THIS, WHICH IS AN AFFIRMATIVE PLAN THAT IS MULTIFACETED, AND IT IS SOMETHING THAT MUST BE CARRIED OUT AND CARRIED FORT, AND IT HAS SO MANY TEN ACKLES THAT FLOW FROM IT. IS THERE A DIFFERENCE OR IS THERE NOT?

I THINK THERE IS A DIFFERENCE BETWEEN THOSE TYPES OF INITIATIVES THAT YOU REFER TO THAT ARE PROHIBITING SOMETHING. I AGREE. BUT MANY INITIATIVES HAVE BEEN AFFIRMATIVE, AND, AGAIN, I REFER TO THE CASE I WAS TALKING ABOUT, BEFORE, THE EVERGLADES CASE, IN WHICH IT -- THE OPPONENTS IN THAT CASE CONTENDED THAT THE FEE INITIATIVE PERFORMS THE FOLLOWING FUNCTIONS OF GOVERNMENT, THE JUDICIAL FUNCTION OF DESIGNATED FLORIDA'S SUGAR INDUSTRY TO BE LIABLE FOR POLLUTION AND DETERMINING AMOUNT OF DAMAGES IT MUST PAY. THE LEGISLATIVE FUNCTIONS OF IMPOSING A TAX TO PROVIDE AGAINST POLLUTION, THE LEGISLATION OF PERMANENT BOUNDARIES WITHOUT APPLYING STATUTORY CHANGES AND THE EXECUTIVE FUNCTION OF ENFORCING CHANGES THAT EXERCISE THESE FUNCTION IN HIS THE REMEDIAL FAX. IN OTHER WORDS THOSE ARE AFFIRMATIVE THING THAT IS HAVE TO BE DONE. I AGREE WITH YOU ON THAT ONE THAT PROHIBITS IT. THE GOVERNOR, IF THIS WAS APPROVED, IF LEGISLATION WAS REQUIRED UNDER THIS, THE GOVERNOR WOULD BE IN THE SAME POSTURE. THE QUESTION OF WHETHER THE GOVERNOR COULD VETO IT OR NOT WOULD BE IN THE SAME POSTURE AS THIS ONE WOULD BE, AND BECAUSE IT IS AN AFFIRMATIVE SOMETHING THAT REQUIRES SUBSTANTIAL LEGISLATION.

WAS THERE A REQUIREMENT, IN THAT EVERGLADES INITIATIVE, FOR THERE TO BE AN APPROPRIATION

THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT SHOULD LEVY A FEE THAT WOULD REQUIRE A FEE. IT SHOULD REQUIRE THE LEGISLATION TO GO FORWARD WITH THAT.

A FEE.

YEAH, BUT, IT IS STILL A TAX.

HAS THERE BEEN AN INITIATIVE IN WHICH THE COURT HAS DEALT WITH A SITUATION IN WHICH THERE WOULD HAVE TO BE AN APPROPRIATION, BY THE LEGISLATE -- BY THE LEGISLATURE, IN ORDER TO CARRY OUT THE REQUIREMENT OF THE AMENDMENT?

IT SEEMS TO ME THAT THESE CASES, FOR EXAMPLE, I CAN'T THINK OF ONE THAT SPECIFICALLY SAID YOU WILL APPROPRIATE SO MUCH MONEY OR SOMETHING LIKE THAT, BUT, FOR EXAMPLE, THE CASINO CASES THAT HAVE BEEN APPROVED, IT REQUIRED ALL KIND OF REGULATIONS TO BE PASSED, AND TO BE REQUIRED FOR THE COMMISSIONS TO REGULATE THESE CASINOS,, WHICH OBVIOUSLY, REQUIRED APPROPRIATIONS OF MONEY TO DO THIS. IN OTHER WORDS THE AFFIRMATIVE REQUIRED CERTAIN ACTIONS TO BE DONE, WHICH WOULD REQUIRE AN APPROPRIATION OF MONEY. I DON'T KNOW THAT THE WORDING OF THE AMENDMENT, ITSELF, SAYS THAT IT SHALL PROPRIETOR SOMETHING LIKE THAT, BUT THEY -- SHALL PROPOSE RATE OR SOMETHING LIKE THAT, BUT THEY -- A PROPOSE RATE BUT THEY --

WHAT DOES THAT LANGUAGE MEAN?

IT IS TO GO FORWARD, TO TAKE THE NECESSARY STEPS TO DO IT. THE FACT THAT THE -- IF YOU ARE SUGGESTING THAT, WELL, THAT IS KIND OF VAGUE OR SOMETHING LIKE THAT, OF COURSE, THAT IS NOT THE QUESTION FOR THE COURT HERE, TODAY. IF THEY DIDN'T DO IT FOR TEN YEARS, PRESUMABLY, THEN, ACTION WOULD BE TAKEN TO TRY TO FORCE IT TO BE DONE.

WELL, THE SENSE OF MY QUESTION IS TRYING TO UNDERSTAND THE IMPACT UPON THESE VARIOUS PARTS OF THE GOVERNMENT. THE GOVERNOR, THE LEGISLATURE. THE CABINET. WHAT THEY HAVE TO DO OR WHAT THEY ARE BEING DIRECTED TO DO INSOFAR AS BEING DIRECTED TO PROCEED.

WELL, I SUGGEST THAT THIS IS PRIMARY -- PRIMARILY THE LEGISLATURE IS PRIMARILY GOING TO BE -- WOULD HAVE TO TAKE THE NECESSARY STEPS TO PROCEED TO THE EXTENT THAT ANYONE ELSE WAS INVOLVED, IF THE CABINET WERE INVOLVED OR THE GOVERNOR, I GUESS -- YOU HAVE GOT THE DISCUSSION OF THE VETO THING, BUT THEY WOULD BECOME INVOLVED, IF THE CABINET HAS ANYTHING TO DO WITH IT. I AM NOT CERTAIN THAT THE CABINET WOULD, BECAUSE I THINK HE IS ESSENTIALLY IT WOULD BE A LEGISLATIVE AND, TO A LESSER EXTENT, EXECUTIVE RESPONSIBILITY.

BUT I THINK GOING BACK TO WHAT WAS ASKED EARLIER, WOULDN'T THE GOVERNOR WOULD BE DEPRIVED OF HIS ABILITY TO VETO ANY OF THE MONIES SPENT FOR THIS HIGH SPEED SYSTEM, BECAUSE THE CONSTITUTION WOULD REQUIRE IT. AND THE LEGISLATURE WOULD, IN TERMS OF TRYING TO DECIDE WHAT THE BUDGET SHOULD CONSISTS OF, WOULD HAVE TO FUND THIS, TO THE -- POSSIBLY TO THE SECLUSION OF OTHER ITEMS. DOESN'T THAT SUBSTANTIALLY AFFECT, BOTH, THE LEGISLATIVE AND EXECUTIVE BRANCH, BECAUSE OF THAT, IN A WAY THAT THE OTHER CASES THAT YOU HAVE MENTIONED DO?

I SUGGEST IT SUBSTANTIALLY AFFECTS THE LEGISLATIVE. I WOULD NOT THINK THAT IT WOULD SUBSTANTIALLY AFFECT THE OTHER BRANCHES. AND, OF COURSE, IT WOULD REQUIRE THE LEGISLATURE TO MAKE SOME CHOICES. OBVIOUSLY WHERE THE LEGISLATURE WOULD BE SPENDING MORE ON RAIL TRANSPORTATION, I MEAN HIGH SPEED GROUND TRANSPORTATION AND LESS ON ROADS, TO MEET THE REQUIREMENT.

HOW WOULD YOU COMPARE THIS OR HOW DOES IT COMPARE WITH THE PUBLIC EDUCATION CONSTITUTIONAL INITIATIVE?

WELL, THAT REQUIRED 40% OF ALL OF THE EXPENNETURES TO -- EVERY TIME YOU HAD AN APPROPRIATION, YOU HAD TO HAVE 40% OF THE ENTIRE TOTAL APPROPRIATION SPENT ON EDUCATION AND EVERY TIME, EVEN IF YOU ARE TRYING TO MAKE IT UP BY ADDITIONAL APPROPRIATIONS, YOU WOULD HAVE TO HAVE 40% OF THAT. IT WAS A -- IT WOULD TOTALLY SUPERSEDE THE ABILITY OF THE LEGISLATURE TO MEET THE APPROPRIATIONS FOR EVERYTHING ELSE. I THINK THAT THIS IS NOT NEARLY -- HAS THAT KIND OF IMPACT.

HOW DO WE KNOW THAT? HOW DO WE KNOW THAT THIS WON'T BE 20%? HOW CAN YOU MAKE THAT CALL, AS A PRACTICAL MATTER, AT THIS POINT, TO SAY THAT IT IS NOT GOING TO SUBSTANTIALLY AFFECT THE FUNCTIONS, WHEN WE DON'T KNOW WHAT IT WILL COST? ALL WE KNOW IS LEGISLATURE AND EXECUTIVE, YOU ARE DIRECTED TO ALLOCATE ENOUGH MONEY TO BUILD THE RAIL.

WE ARE TALKING ABOUT TRANSPORTATION, AND IN EFFECT, IT WOULD BE A DETERMINATION THAT YOU WILL BE SPENDING A GOOD DEAL LESS MONEY ON ROADS AND MORE ON GROUND TRANSPORTATION.

YOU WOULD BE SPENDING LESS ON EDUCATION, COULDN'T YOU? COULDN'T IT IMPACT UPON THE EDUCATIONAL BUDGET?

I SUBMIT IT WOULD NOT BE TO THAT DEGREE. BECAUSE OF THE FACT THAT WE ARE DEALING, ESSENTIALLY, WITH A SINGLE SUBJECT OF TRANSPORTATION TRANSPORTATION.

WELL, YOU HAVE A FINITE POT OF MONEY TO BE SPENT IN FLORIDA. AND, NOW, YOU HAVE A

DIRECTIVE, WITH THIS INITIATIVE. YOU MUST BUILD THIS RAIL. SO THAT CUTS INTO THAT POT. HOW DO WE KNOW HOW FAR IT CUTS INTO IT? HOW CAN WE MAKE THE CALL THAT IT DOESN'T SUBSTANTIALLY AFFECT OTHER FUNCTIONS?

-- IF IT COST \$50 BILLION OR IF IT COST \$5 BILLION, CAN WE DETERMINE THAT?

WELL, YOU KNOW, OF COURSE THE RAIL COMMISSION HAD THESE FIGURES AND WHAT THE LEGISLATURE HAD GONE FORWARD WITH IT. THEY HAD A FINITE FIGURE THAT WOULD DO THE JOB. THE NEW LEGISLATURE AND ADMINISTRATION DECIDED THEY WOULD RATHER SPEND MORE MONEY ON ROADS AND NOT DO THAT. YOU KNOW, I THINK THAT IT IS SUCH A THING THAT YOU ARE DEALING WITH A SPECIFIC AREA, AND THE LEGISLATURE CAN DO IT ON A CONSERVATIVE BASIS. OBVIOUSLY THERE IS ALWAYS COMPELLING PEOPLE WANTING MORE MONEY THAN THE LEGISLATURE HAS TO MAKE THOSE CHOICES, BUT I SUBMIT THAT IT IS A MATTER OF DEGREE, AND THAT IN THIS INSTANCE, THAT THE LEGISLATURE WOULD HAVE TO DO IT, IN ITS MOST EFFICIENT WAY IT COULD, BUT IT WOULD NOT HAVE SUCH AN IMPACT THAT IT WOULD AFFECT THE APPROPRIATIONS, LIKE THE 40 PERSON THAT JUSTICE PARIENTE WAS TALKING ABOUT.

YOU THINK THE LEGISLATURE HAS THAT LUXURY, IN THE FACE OF THIS MANDATORY --

THEY HAVE A LUXURY TO DO IT IN A WAY THAT IS AS CONSERVATIVE AS POSSIBLE. SURE. AND THE POINT I AM MAKING, I GUESS, IS THAT OBVIOUSLY, SURE, IT TAKES MONEY AWAY FROM OTHER THINGS, BUT ESSENTIALLY IT WOULD TAKE MONEY AWAY FROM BUILDING EIGHT-LANE OR TWELVE-LANE HIGHWAYS OR SUCH AS THAT, BECAUSE THE LEGISLATURE SPENDS AN AWFUL LOT OF MONEY HIGHWAYS, NOW.

LET ME ASK YOU THIS. THIS IS A CITIZENS' INITIATIVE, AND THE INITIATIVE, NOT THE INITIATIVE BUT THE AMENDMENT CONCERNING ARTICLE V, WHERE THIS CAME FROM, THE CONSTITUTIONAL REVISION COMMISSION, AND BASICALLY YOU HAVE GOT TO TAKE OVER THE WHOLE COURT SYSTEM, THAT INITIATIVE, THAT AMENDMENT, IS IN IN ANY WAY SIMILAR TO THAT SINCE BOTH OF THEM SEEM TO BE AMENDMENTS THAT REQUIRE THE LEGISLATURE TO EXPEND THE MONEY? IS THIS SIMILAR TO THAT?

WELL, IT IS SIMILAR, IN THE SENSE THAT YOU ARE, OF COURSE, DIRECTED TOWARD DIFFERENT PURPOSES. IT IS SIMILAR, I GUESS, TO THE EXTENT THAT IT REQUIRES, YOU KNOW, AN EXPENDITURE OF MONEY FOR THIS PURPOSE. IN THAT RESPECT. BUT, YOU KNOW --

BUT IN THAT AMENDMENT, THE LEGISLATURE HAS THE AUTHORITY TO DETERMINE WHAT WILL BE PAID BY THE, ULTIMATELY PAID BY THE STATE AND BY THE COUNTY.

YEAH. YEAH. I AGREE. I AGREE WITH THAT. THE -- YOU KNOW, AS I WAS -- AND THE ROBE I REFERRED TO THE NET BAN THING IS THAT THIS -- THE STUDIES HAVE BEEN MADE AND THE COMMISSION HAD RECOMMENDED THE BUILDING OF THESE -- THIS HIGH SPEED GROUND TRANSPORTATION. IT WAS DONE. IT COULD BE DONE FEASIBLY AND HE CAN NO, MA'AM CHRIB, AND THE LEGISLATE -- ECONOMICALLY, AND THE LEGISLATURE STARTED IT AND THE SUBSEQUENT ADMINISTRATION CONCLUDED THEY DIDN'T WANT TO DO IT, AND THIS IS THE ONLY WAY, THEN, THAT PROPONENTS OF HAVING SUCH A HIGH SPEED TRANSPORTATION SYSTEM, WHICH, AS THE COURT KNOWS ARE BEING BUILT IN OTHER AREAS, THIS IS THE ONLY WAY THAT THEY COULD -- THE ONLY RECOURSE IS BY CITIZENS' INITIATIVE, AND THIS IS WHY THEY HAD CHOSEN TO BRING THIS FORWARD. INsofar AS THE BALLOT TITLE AND SUMMARY, I JUST WANT TO MENTION ONE THING. ATTORNEY GENERAL MADE A COMMENT ABOUT -- THAT IT DIDN'T -- THE TITLE DIDN'T SAY FIVE MAJOR URBAN AREAS, BUT THIS COURT HAS HELD THAT, IN DETERMINING THE ADEQUACY OF THE BALLOT TITLE AND SUMMARY, YOU READ THEM, BOTH, TOGETHER, AND THERE CAN BE NO QUESTION THE TITLE IS JUST A TITLE TO HAVE SO PEOPLE CAN REFER TO IT, AND YOU READ THEM ALL TOGETHER, AND THERE IS NO QUESTION, BY READING THE SUBSTANCE OF THE AMENDMENT, THAT IT DOES TALK ABOUT THE FIVE URBAN AREAS. I THINK MY TIME IS UP.

THANK YOU VERY MUCH, MR. GRIMES. THANK YOU, MR. HOOVER.