

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1605 with CS Department of Transportation/Reorganization
SPONSOR(S): Waters
TIED BILLS: **IDEN./SIM. BILLS:** SB 2658 (s)

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Transportation	18 Y, 0 N w/CS	PUGH	MILLER
2) Transportation & Econ.Dev.Apps. (SUB)			
3) Appropriations			
4)			
5)			

SUMMARY ANALYSIS

Chapter 20, F.S., includes creation and organization structure of 30 state agencies. The Florida Department of Transportation (FDOT) has one of the most detailed statutory descriptions of any state agency in terms of internal organization, the duties and responsibilities of agency officers, and other requirements.

HB 1605 with CS substantially rewrites s. 20.23, F.S., which specifies FDOT's organizational structure and amends s. 110.205, F.S., related to career service exemptions, to reflect the aforementioned changes. The bill also amends s. 334.14, F.S., to make FDOT engineers comply with the same registration requirements in chapter 471, F.S., as other agencies' engineers and private-sector engineers, but it also eliminates the requirement that certain positions at FDOT must be held by engineers.

HB 1605 with CS has no fiscal impact. It raises no apparent constitutional concerns. The bill takes effect upon becoming a law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1605a.tr.doc
DATE: April 10, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

B. EFFECT OF PROPOSED CHANGES:

FDOT has one of the most detailed statutory descriptions of any state agency in terms of internal organization, the duties and responsibilities of agency officers, and reporting requirements. The agency is in the midst of a five-year organizational efficiency plan, where outsourcing and privatization efforts, and other staffing efficiencies will result in 2,779 fewer positions by FY 05-06. According to FDOT, amendments are needed to streamline s. 20.23, F.S., so that the Secretary has the flexibility to address these workforce changes.

HB 1605 with CS extensively amends s. 20.23, F.S., to delete unnecessary instructions on the Secretary’s responsibilities and to whom the Secretary may delegate; delete language regarding tasks assigned to other Department officers and supervisors; revise provisions to reflect the organizational efficiency plan; and delete obsolete references in general. Some of these changes reflect how FDOT has operated for many years. In concert with these changes, the bill also amends s.110.205, F.S., to reflect new job titles and positions that are exempt from state career-service regulations.

As a further effort to streamline and provide consistency, HB 1605 with CS amends s. 334.14, F.S., which provides lengthy detail regarding FDOT employees who are required to be engineers. The language is streamlined by requiring that each employee performing engineering duties, as defined by Florida law, be a registered engineer. The other effect of the bill is to eliminate requirements that certain jobs at FDOT – supervisors in charge of transportation system design, materials testing, traffic operations, and maintenance, to name a few – no longer have to be engineers. The requirement that FDOT district secretaries and the Turnpike Enterprise Executive Director must be engineers or have advanced degrees in related fields is moved to s. 20.23(4), F.S., under the bill.

HB 1605 with CS takes effect upon becoming a law.

C. SECTION DIRECTORY:

Section 1: Amends s. 20.23, F.S., extensively to reflect internal organization and operations of FDOT. Deletes obsolete provisions.

Section 2: Amends s. 110.205, F.S., to correct cross-references and name changes of FDOT positions that are exempt from career service provisions.

Section 3: Amends s. 334.14, F.S., to require FDOT engineers to be registered in accordance with the provisions of chapter 471, F.S., as all other agencies’ engineers are. Deletes requirements that certain FDOT employees be engineers.

Section 4: Specifies this act shall take effect upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. HB 1605 with CS does not impact cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

FDOT has sufficient existing rule-making authority to implement the provisions of HB 1605 with CS.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

At its April 9, 2003, meeting the Transportation Committee adopted without objection three largely technical amendments. The first amendment deleted a reference to a proposed "Office of Modal Development," and the second amendment officially added modal development to the responsibilities of the current State Public Transportation Administrator. That administrator currently oversees modal development projects. Finally, the third amendment restored mistakenly deleted language.

The committee then voted 18-0 in favor of HB 1605, as amended.