

By Senator Sebesta

16-835-04

1                                   A bill to be entitled  
2           An act relating to the Department of  
3           Transportation; amending s. 20.23, F.S.;  
4           authorizing the secretary of the department to  
5           appoint an additional assistant secretary and  
6           deputy assistant secretaries or directors;  
7           revising the organization of the department to  
8           specify areas of program responsibility;  
9           authorizing the secretary to reorganize offices  
10          within the department in consultation with the  
11          Executive Office of the Governor; amending s.  
12          110.205, F.S., relating to career service;  
13          conforming provisions to changes made by the  
14          act; providing an effective date.

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

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18           Section 1. Paragraph (d) of subsection (1), subsection  
19 (3), and paragraph (b) of subsection (4) of section 20.23,  
20 Florida Statutes, are amended to read:

21           20.23 Department of Transportation.--There is created  
22 a Department of Transportation which shall be a decentralized  
23 agency.

24           (1)

25           (d) The secretary may ~~shall~~ appoint up to three ~~two~~  
26 assistant secretaries who shall be directly responsible to the  
27 secretary and who shall perform such duties as are assigned by  
28 the secretary. The secretary may delegate to any assistant  
29 secretary the authority to act in the absence of the  
30 secretary.

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1           (3)(a) The central office shall establish departmental  
2 policies, rules, procedures, and standards and shall monitor  
3 the implementation of such policies, rules, procedures, and  
4 standards in order to ensure uniform compliance and quality  
5 performance by the districts and central office units that  
6 implement transportation programs. Major transportation  
7 policy initiatives or revisions shall be submitted to the  
8 commission for review.

9           ~~(b) The secretary shall appoint an Assistant Secretary  
10 for Transportation Development and Operations and an Assistant  
11 Secretary for Transportation Support.~~

12           (b)(c) The secretary may appoint positions at the  
13 level of deputy assistant secretary or director which the  
14 secretary deems necessary to accomplish the mission and goals  
15 of the department, including, but not limited to, the areas of  
16 program responsibility provided in this paragraph following  
17 ~~offices are established and shall be headed by a manager, each~~  
18 ~~of whom shall be appointed by and serve at the pleasure of the~~  
19 ~~secretary. The secretary may combine, separate, or delete~~  
20 ~~offices as needed in consultation with the Executive Office of~~  
21 ~~the Governor. The department's areas of program responsibility~~  
22 ~~include, but are not limited to positions shall be classified~~  
23 ~~at a level equal to a division director:~~

- 24           1. ~~The Office of Administration;~~
- 25           2. ~~The Office of Planning and Environmental~~  
26 ~~Management;~~
- 27           3. ~~The Office of Design;~~
- 28           4. ~~The Office of Highway operations;~~
- 29           5. ~~The Office of Right-of-way;~~
- 30           6. ~~The Office of Toll operations;~~
- 31           7. ~~The Office of Information systems;~~

1           8. ~~The Office of~~ Motor carrier compliance;

2           9. ~~The Office of~~ Management and budget;

3           10. ~~The Office of~~ Comptroller;

4           11. ~~The Office of~~ Construction;

5           12. ~~The Office of~~ Maintenance; and

6           13. ~~The Office of~~ Materials.

7           (c)~~(d)~~ Other offices may be established in accordance  
8 with s. 20.04(7). The heads of such offices are exempt from  
9 part II of chapter 110. ~~No office or organization shall be~~  
10 ~~created at a level equal to or higher than a division without~~  
11 ~~specific legislative authority.~~

12           (d)~~(e)~~ The secretary shall appoint an inspector  
13 general pursuant to s. 20.055 who shall be directly  
14 responsible to the secretary and shall serve at the pleasure  
15 of the secretary.

16           (e)~~(f)~~ The secretary shall appoint a general counsel  
17 who shall be directly responsible to the secretary. The  
18 general counsel is responsible for all legal matters of the  
19 department. The department may employ as many attorneys as it  
20 deems necessary to advise and represent the department in all  
21 transportation matters.

22           ~~(g) The secretary shall appoint a state transportation~~  
23 ~~development administrator. This position shall be classified~~  
24 ~~at a level equal to a deputy assistant secretary.~~

25           ~~(h) The secretary shall appoint a state transportation~~  
26 ~~operations administrator. This position shall be classified at~~  
27 ~~a level equal to a deputy assistant secretary.~~

28           ~~(i) The secretary shall appoint a state public~~  
29 ~~transportation and modal administrator. This position shall be~~  
30 ~~classified at a level equal to a deputy assistant secretary.~~

31           (4)

1           (b) Each district secretary may appoint up to three ~~a~~  
2 district directors ~~director for transportation development, a~~  
3 ~~district director for transportation operations, and a~~  
4 ~~district director for transportation support~~ or, until July 1,  
5 2005, each district secretary may appoint up to four ~~a~~  
6 district directors ~~director for planning and programming, a~~  
7 ~~district director for production, a district director for~~  
8 ~~operations, and a district director for administration.~~ These  
9 positions are exempt from part II of chapter 110.

10           Section 2. Paragraphs (j) and (m) of subsection (2) of  
11 section 110.205, Florida Statutes, are amended to read:

12           110.205 Career service; exemptions.--

13           (2) EXEMPT POSITIONS.--The exempt positions that are  
14 not covered by this part include the following:

15           (j) The appointed secretaries, assistant secretaries,  
16 deputy secretaries, and deputy assistant secretaries of all  
17 departments; the executive directors, assistant executive  
18 directors, deputy executive directors, and deputy assistant  
19 executive directors of all departments; the directors of all  
20 divisions and those positions determined by the department to  
21 have managerial responsibilities comparable to such positions,  
22 which positions include, but are not limited to, program  
23 directors, assistant program directors, district  
24 administrators, deputy district administrators, the Director  
25 of Central Operations Services of the Department of Children  
26 and Family Services, the State Transportation Development  
27 Administrator, State Public Transportation and Modal  
28 Administrator, district secretaries, district directors of  
29 transportation development, transportation operations,  
30 transportation support, and the managers of the offices  
31 specified in s. 20.23(3)(b)~~s. 20.23(3)(c)~~, of the Department

1 of Transportation. Unless otherwise fixed by law, the  
2 department shall set the salary and benefits of these  
3 positions in accordance with the rules of the Senior  
4 Management Service; and the county health department directors  
5 and county health department administrators of the Department  
6 of Health.

7 (m) All assistant division director, deputy division  
8 director, and bureau chief positions in any department, and  
9 those positions determined by the department to have  
10 managerial responsibilities comparable to such positions,  
11 which positions include, but are not limited to:

12 1. Positions in the Department of Health and the  
13 Department of Children and Family Services that are assigned  
14 primary duties of serving as the superintendent or assistant  
15 superintendent of an institution.

16 2. Positions in the Department of Corrections that are  
17 assigned primary duties of serving as the warden, assistant  
18 warden, colonel, or major of an institution or that are  
19 assigned primary duties of serving as the circuit  
20 administrator or deputy circuit administrator.

21 3. Positions in the Department of Transportation that  
22 are assigned primary duties of serving as regional toll  
23 managers and managers of offices as defined in s. 20.23(3)(b)  
24 ~~s. 20.23(3)(c)~~ and (4)(d), and captains and majors of the  
25 Office of Motor Carrier Compliance.

26 4. Positions in the Department of Environmental  
27 Protection that are assigned the duty of an Environmental  
28 Administrator or program administrator.

29 5. Positions in the Department of Health that are  
30 assigned the duties of Environmental Administrator, Assistant  
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1 County Health Department Director, and County Health  
2 Department Financial Administrator.

3  
4 Unless otherwise fixed by law, the department shall set the  
5 salary and benefits of the positions listed in this paragraph  
6 in accordance with the rules established for the Selected  
7 Exempt Service.

8 Section 3. This act shall take effect upon becoming a  
9 law.

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SENATE SUMMARY

Authorizes the Secretary of Transportation to appoint an additional assistant secretary and deputy assistant secretaries or directors. Provides the areas of program responsibility for the department. Authorizes the secretary to reorganize offices within the department in consultation with the Executive Office of the Governor.