

By Senators Constantine and Alexander

17-848A-05

1 A bill to be entitled

2 An act relating to the Commission for the

3 Transportation Disadvantaged; amending s.

4 427.012, F.S.; revising the membership of the

5 commission within the Department of

6 Transportation; revising the number of members

7 of the commission needed to constitute a

8 quorum; requiring that candidates for

9 appointment to the commission meet certain

10 requirements for background screening;

11 requiring that the Department of Transportation

12 report to the commission any candidate who

13 fails to meet the screening standards;

14 requiring that the costs of screening be borne

15 by the department or the candidate for

16 appointment; providing an effective date.

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

20 Section 1. Subsections (1) and (4) of section 427.012,

21 Florida Statutes, are amended, present subsections (5), (6),

22 (7), and (8) of that section are redesignated as subsections

23 (6), (7), (8), and (9), respectively, and a new subsection (5)

24 is added to that section, to read:

25 427.012 The Commission for the Transportation

26 Disadvantaged.--There is created the Commission for the

27 Transportation Disadvantaged in the Department of

28 Transportation.

29 (1) The commission shall consist of the following

30 members:

1 (a) The Secretary ~~of the Department~~ of Transportation
2 or the secretary's designee.

3 (b) The Secretary ~~of the Department~~ of Children and
4 Family Services or the secretary's designee.

5 (c) The Commissioner of Education or the
6 commissioner's designee.

7 (d) The director of Workforce Innovation or the
8 director's designee. ~~The secretary of the Department of Labor~~
9 ~~and Employment Security or the secretary's designee.~~

10 ~~(e) The executive director of the Department of~~
11 ~~Veterans' Affairs or the executive director's designee.~~

12 ~~(e)(f)~~ The Secretary ~~of the Department~~ of Elderly
13 Affairs or the secretary's designee.

14 ~~(f)(g)~~ The Secretary ~~director~~ of the ~~Agency for~~ Health
15 Care Administration or the secretary's ~~director's~~ designee.

16 ~~(h) A representative of the Florida Association for~~
17 ~~Community Action, who shall serve at the pleasure of that~~
18 ~~association.~~

19 ~~(g)(i)~~ A representative of the Florida Public
20 Transportation Transit ~~Association~~, who shall serve at the
21 pleasure of that association.

22 ~~(h)(j)~~ A person over the age of 60 who is a member of
23 a recognized statewide organization representing elderly
24 Floridians. Such person shall be appointed by the Governor to
25 represent elderly Floridians and shall be appointed to serve a
26 term of 4 years.

27 ~~(i)(k)~~ A ~~handicapped~~ person with a disability who is a
28 member of a recognized statewide organization representing
29 disabled ~~handicapped~~ Floridians. Such person shall be
30 appointed by the Governor to represent disabled ~~handicapped~~
31 Floridians and shall be appointed to ~~serve~~ a term of 4 years.

1 ~~(j)(l)~~ Two citizen advocate representatives who shall
2 be appointed by the Commissioner of Agriculture to terms
3 ~~Governor for a term~~ of 4 years, one representing rural
4 citizens and one representing urban citizens.

5 ~~(k)(m)~~ Two representatives ~~A representative~~ of the
6 community transportation coordinators who. ~~Such person~~ shall
7 be appointed by the Florida Association of Coordinated
8 Transportation Systems to terms ~~Governor to represent all~~
9 ~~community transportation coordinators and shall be appointed~~
10 ~~to serve a term~~ of 4 years, one representing urban
11 coordinators and one representing rural coordinators.

12 ~~(n)~~ ~~One member of the Early Childhood Council. Such~~
13 ~~person shall be appointed by the Governor to represent~~
14 ~~maternal and child health care providers and shall be~~
15 ~~appointed to serve a term of 4 years.~~

16 ~~(l)(o)~~ Four ~~Two~~ representatives of current private
17 for-profit or private not-for-profit transportation operators
18 each of which have a minimum of 5 years of continuous
19 experience operating a broad-based system of ambulatory and
20 wheelchair/stretchers type transportation, ~~utilizing not less~~
21 ~~than 50 vehicles and~~ including dispatch and scheduling
22 responsibilities. The President of the Senate and the Speaker
23 of the House of Representatives shall each appoint one urban
24 and one rural representative. Such appointments shall be to
25 terms of 4 years. Such persons shall be appointed by the
26 ~~Commissioner of Agriculture to serve a term of 4 years.~~

27 ~~(m)~~ One representative of a metropolitan planning
28 organization who shall be appointed by the Governor to a term
29 of 4 years.
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1 (n) One representative of a designated official
2 planning organization who shall be appointed by the Governor
3 to a term of 4 years.

4 ~~(p) Four representatives of current private for profit~~
5 ~~or private not for profit transportation operators, each of~~
6 ~~which having a minimum of 5 years of continuous experience~~
7 ~~operating a broad based system of ambulatory and wheelchair or~~
8 ~~stretcher type transportation, utilizing not less than 50~~
9 ~~vehicles, and including dispatch and scheduling~~
10 ~~responsibilities. Such persons shall be appointed by the~~
11 ~~Commissioner of Agriculture to serve a term of 4 years.~~

12 ~~(q) Six citizens representing the nontransportation~~
13 ~~business community of the state, three members appointed by~~
14 ~~the President of the Senate and three members appointed by the~~
15 ~~Speaker of the House of Representatives.~~

16 (4) The commission shall meet at least quarterly, or
17 more frequently at the call of the chairperson. Seven ~~Nine~~
18 members of the commission constitute a quorum, and a majority
19 vote of the members present is necessary for any action taken
20 by the commission.

21 (5) Each candidate for appointment to the commission
22 shall, before accepting the appointment, undergo background
23 screening pursuant to s. 435.04 by filing with the Department
24 of Transportation a complete set of fingerprints taken by an
25 authorized law enforcement agency. These fingerprints shall be
26 submitted to the Department of Law Enforcement for state
27 processing, and that department shall in turn submit the
28 fingerprints to the Federal Bureau of Investigation for
29 federal processing. The Department of Transportation shall
30 screen the background results and report to the commission any
31 candidate who fails to meet level 2 screening standards

1 pursuant to s. 435.04. Any candidate found through fingerprint
2 processing to have failed to meet level 2 screening standards
3 pursuant to s. 435.04 may not be appointed as a member of the
4 commission. The cost of the background screening may be borne
5 by the Department of Transportation or the candidate for
6 appointment to the commission.

7 Section 2. This act shall take effect July 1, 2005.

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10 SENATE SUMMARY

11 Revises the membership of the Commission for the
12 Transportation Disadvantaged in the Department of
13 Transportation. Revises the number of members of the
14 commission needed to constitute a quorum at meetings.
15 Requires that candidates for appointment meet level 2
16 screening standards. Requires that the department or
17 candidate for appointment pay the costs of screening.
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