$\mathbf{B}\mathbf{y}$ the Committee on Community Affairs; and Senators Webster, Fasano and Constantine

578-2074-07

1	A bill to be entitled
2	An act relating to the Florida Transportation
3	Commission; amending s. 20.23, F.S.; requiring
4	the commission to monitor transportation
5	authorities and conduct periodic reviews of
6	each authority; prohibiting a member of the
7	commission from entering into the day-to-day
8	operation of a monitored authority; requiring
9	that the salary and benefits of the executive
10	director of the commission be set in accordance
11	with the Senior Management Service; providing
12	an effective date.
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14	Be It Enacted by the Legislature of the State of Florida:
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16	Section 1. Paragraphs (b), (c), and (h) of subsection
17	(2) of section 20.23, Florida Statutes, are amended to read:
18	20.23 Department of TransportationThere is created
19	a Department of Transportation which shall be a decentralized
20	agency.
21	(2)
22	(b) The commission shall have the primary functions
23	to:
24	1. Recommend major transportation policies for the
25	Governor's approval, and assure that approved policies and any
26	revisions thereto are properly executed.
27	2. Periodically review the status of the state
28	transportation system including highway, transit, rail,
29	seaport, intermodal development, and aviation components of
30	the system and recommend improvements therein to the Governor
31	and the Legislature.

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CODING: Words stricken are deletions; words underlined are additions.

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- 3. Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all applicable laws and established departmental policies. Except as specifically provided in s. 339.135(4)(c)2., (d), and (f), the commission may not consider individual construction projects, but shall consider methods of accomplishing the goals of the department in the most effective, efficient, and businesslike manner.
- 4. Monitor the financial status of the department on a regular basis to assure that the department is managing revenue and bond proceeds responsibly and in accordance with law and established policy.
- 5. Monitor on at least a quarterly basis, the efficiency, productivity, and management of the department, using performance and production standards developed by the commission pursuant to s. 334.045.
- 6. Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Legislature and the Governor methods to eliminate or reduce the disruptive effects of these factors.
- 7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission shall determine if the current district organizational structure is responsive to Florida's changing economic and demographic development patterns. The initial report by the commission must be delivered to the Governor and Legislature by December 15, 2000, and each year thereafter, as appropriate. The

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commission may retain such experts as are reasonably necessary to effectuate this subparagraph, and the department shall pay the expenses of such experts.

- 8. Monitor the efficiency, productivity, and management of the authorities created under chapters 343 and 348, including any authority formed using the provisions of part I of chapter 348. The commission shall also conduct periodic reviews of each authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.
- (c) The commission or a member thereof may not enter into the day-to-day operation of the department or a monitored authority and is specifically prohibited from taking part in:
 - 1. The awarding of contracts.
- 2. The selection of a consultant or contractor or the prequalification of any individual consultant or contractor. However, the commission may recommend to the secretary standards and policies governing the procedure for selection and prequalification of consultants and contractors.
 - 3. The selection of a route for a specific project.
 - 4. The specific location of a transportation facility.
 - 5. The acquisition of rights-of-way.
- 6. The employment, promotion, demotion, suspension, transfer, or discharge of any department personnel.
- 7. The granting, denial, suspension, or revocation of any license or permit issued by the department.
- (h) The commission shall appoint an executive director and assistant executive director, who shall serve under the direction, supervision, and control of the commission. The executive director, with the consent of the commission, shall

1	employ such staff as are necessary to perform adequately the
2	functions of the commission, within budgetary limitations.
3	All employees of the commission are exempt from part II of
4	chapter 110 and shall serve at the pleasure of the commission.
5	The salaries and benefits of all employees of the commission,
6	except for the executive director, shall be set in accordance
7	with the Selected Exempt Service; provided, however, the
8	salary and benefits of the executive director shall be set in
9	accordance with the Senior Management Service. that The
10	commission shall have complete authority for fixing the salary
11	of the executive director and assistant executive director.
12	Section 2. This act shall take effect July 1, 2007.
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14	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
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17	The committee substitute (CS) clarifies its provisions also apply to a transportation authority created using the process
18	under part I of ch. 348, F.S. The CS requires the salary and benefits of the executive director of the Florida
19	Transportation Commission to be set in accordance with the Senior Management Service.
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