

Bill No. CS for CS for CS for SB 1928

Barcode 600518

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator King moved the following amendment:

**Senate Amendment (with title amendment)**

On page 9, between lines 20 and 21,

insert:

Section 2. Subsection (1) of section 120.52, Florida Statutes, is amended to read:

120.52 Definitions.--As used in this act:

(1) "Agency" means:

(a) The Governor in the exercise of all executive powers other than those derived from the constitution.

(b) Each:

1. State officer and state department, and each departmental unit described in s. 20.04.

2. Authority, including a regional water supply authority.

3. Board.

4. Commission, including the Commission on Ethics and the Fish and Wildlife Conservation Commission when acting pursuant to statutory authority derived from the Legislature.

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- 1           5. Regional planning agency.
- 2           6. Multicounty special district with a majority of its
- 3 governing board comprised of nonelected persons.
- 4           7. Educational units.
- 5           8. Entity described in chapters 163, 373, 380, and 582
- 6 and s. 186.504.

7           (c) Each other unit of government in the state,  
 8 including counties and municipalities, to the extent they are  
 9 expressly made subject to this act by general or special law  
 10 or existing judicial decisions.

11  
 12 This definition does not include any legal entity or agency  
 13 created in whole or in part pursuant to chapter 361, part II,  
 14 any metropolitan planning organization created pursuant to s.  
 15 339.175, any separate legal or administrative entity created  
 16 pursuant to s. 339.175 of which a metropolitan planning  
 17 organization is a member, an expressway authority pursuant to  
 18 chapter 348 or transportation authority under chapter 349, any  
 19 legal or administrative entity created by an interlocal  
 20 agreement pursuant to s. 163.01(7), unless any party to such  
 21 agreement is otherwise an agency as defined in this  
 22 subsection, or any multicounty special district with a  
 23 majority of its governing board comprised of elected persons;  
 24 however, this definition shall include a regional water supply  
 25 authority.

26           Section 3. Subsection (3) of section 349.03, Florida  
 27 Statutes, is amended to read:

28           349.03 Jacksonville Transportation Authority.--

29           (3) The terms of appointed members shall be for 4  
 30 years deemed to have commenced on June 1 of the year in which  
 31 they are appointed. Each member shall hold office until a

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1 successor has been appointed and has qualified. A vacancy  
2 during a term shall be filled by the respective appointing  
3 authority only for the balance of the unexpired term. Any  
4 member appointed to the authority for two consecutive full  
5 terms shall not be eligible for appointment to the next  
6 succeeding term. One of the members so appointed shall be  
7 designated annually by the members as chair of the authority,  
8 one member shall be designated annually as the vice chair of  
9 the authority, one member shall be designated annually as the  
10 secretary of the authority, and one member shall be designated  
11 annually as the treasurer of the authority. The members of the  
12 authority shall not be entitled to compensation, but shall be  
13 reimbursed for travel expenses or other expenses actually  
14 incurred in their duties as provided by law. Four voting  
15 members of the authority shall constitute a quorum, and no  
16 resolution adopted by the authority shall become effective  
17 unless with the affirmative vote of at least four members. The  
18 authority ~~shall~~ may employ an executive director, and the  
19 executive director may hire such staff, permanent or  
20 temporary, as he or she may determine and may organize the  
21 staff of the authority into such departments and units as he  
22 or she may determine ~~divisions as it deems necessary.~~ The  
23 executive director ~~It~~ may appoint department directors, deputy  
24 directors, division chiefs, and staff assistants to the  
25 executive director, as he or she may determine. In so  
26 appointing the executive director, the authority may fix the  
27 compensation of such appointee ~~those appointees,~~ who shall  
28 serve at the pleasure of the authority. All employees of the  
29 authority shall be exempt from the provisions of part II of  
30 chapter 110.The authority may employ such financial advisers  
31 and consultants, technical experts, engineers, and agents and

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1 employees, permanent or temporary, as it may require and may  
 2 fix the compensation and qualifications of such persons,  
 3 firms, or corporations. The authority may delegate to one or  
 4 more of its agents or employees such of its powers as it shall  
 5 deem necessary to carry out the purposes of this chapter,  
 6 subject always to the supervision and control of the governing  
 7 body of the authority.

8 Section 4. Paragraph (n) is added to subsection (2) of  
 9 section 349.04, Florida Statutes, to read:

10 349.04 Purposes and powers.--

11 (2) The authority is hereby granted, and shall have  
 12 and may exercise all powers necessary, appurtenant,  
 13 convenient, or incidental to the carrying out of the aforesaid  
 14 purposes, including, but without being limited to, the right  
 15 and power:

16 (n) To adopt rules to carry out the powers and  
 17 obligations herein granted, which set forth a purpose,  
 18 necessary definitions, forms, general conditions and  
 19 procedures, and fines and penalties, including, without  
 20 limitation, suspension or debarment, and charges for  
 21 nonperformance, with respect to any aspect of the work or  
 22 function of the authority for the permitting, planning,  
 23 funding, design, acquisition, construction, equipping,  
 24 operation, and maintenance of transportation facilities,  
 25 transit and highway, within the state, provided or operated by  
 26 the authority or others in cooperation with or at the  
 27 direction of the authority, and for carrying out all other  
 28 purposes of the authority set forth or authorized in this  
 29 chapter.

30  
 31 (Redesignate subsequent sections.)

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1 ===== T I T L E    A M E N D M E N T =====

2 And the title is amended as follows:

3            On page 1, line 6, after the first semicolon,

4

5 insert:

6            amending s. 120.52, F.S.; excluding expressway  
7            authorities under ch. 349, F.S., from the  
8            definition of the term "agency" for certain  
9            purposes; amending s. 349.03, F.S.; revising  
10           provisions for officers and employees of the  
11           Jacksonville Transportation Authority; amending  
12           s. 349.04, F.S.; providing for the adoption of  
13           rules by the Jacksonville Transportation  
14           Authority for certain purposes;

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