

1 A bill to be entitled
 2 An act relating to the Florida Transportation Commission;
 3 amending s. 20.23, F.S.; requiring the commission to
 4 monitor transportation authorities and conduct periodic
 5 reviews of each authority; prohibiting a member of the
 6 commission from entering into the day-to-day operation of
 7 a monitored authority; requiring that the salary and
 8 benefits of the executive director of the commission be
 9 set in accordance with the Senior Management Service;
 10 providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraphs (b), (c), and (h) of subsection (2)
 15 of section 20.23, Florida Statutes, are amended to read:

16 20.23 Department of Transportation.--There is created a
 17 Department of Transportation which shall be a decentralized
 18 agency.

19 (2)

20 (b) The commission shall have the primary functions to:

21 1. Recommend major transportation policies for the
 22 Governor's approval, and assure that approved policies and any
 23 revisions thereto are properly executed.

24 2. Periodically review the status of the state
 25 transportation system including highway, transit, rail, seaport,
 26 intermodal development, and aviation components of the system
 27 and recommend improvements therein to the Governor and the
 28 Legislature.

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29 3. Perform an in-depth evaluation of the annual department
30 budget request, the Florida Transportation Plan, and the
31 tentative work program for compliance with all applicable laws
32 and established departmental policies. Except as specifically
33 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
34 not consider individual construction projects, but shall
35 consider methods of accomplishing the goals of the department in
36 the most effective, efficient, and businesslike manner.

37 4. Monitor the financial status of the department on a
38 regular basis to assure that the department is managing revenue
39 and bond proceeds responsibly and in accordance with law and
40 established policy.

41 5. Monitor on at least a quarterly basis, the efficiency,
42 productivity, and management of the department, using
43 performance and production standards developed by the commission
44 pursuant to s. 334.045.

45 6. Perform an in-depth evaluation of the factors causing
46 disruption of project schedules in the adopted work program and
47 recommend to the Legislature and the Governor methods to
48 eliminate or reduce the disruptive effects of these factors.

49 7. Recommend to the Governor and the Legislature
50 improvements to the department's organization in order to
51 streamline and optimize the efficiency of the department. In
52 reviewing the department's organization, the commission shall
53 determine if the current district organizational structure is
54 responsive to Florida's changing economic and demographic
55 development patterns. The initial report by the commission must
56 be delivered to the Governor and Legislature by December 15,

57 | 2000, and each year thereafter, as appropriate. The commission
 58 | may retain such experts as are reasonably necessary to
 59 | effectuate this subparagraph, and the department shall pay the
 60 | expenses of such experts.

61 | 8. Monitor the efficiency, productivity, and management of
 62 | the authorities created under chapters 343 and 348, including
 63 | any authority formed using the provisions of part I of chapter
 64 | 348. The commission shall also conduct periodic reviews of each
 65 | authority's operations and budget, acquisition of property,
 66 | management of revenue and bond proceeds, and compliance with
 67 | applicable laws and generally accepted accounting principles.

68 | (c) The commission or a member thereof may not enter into
 69 | the day-to-day operation of the department or a monitored
 70 | authority and is specifically prohibited from taking part in:

- 71 | 1. The awarding of contracts.
- 72 | 2. The selection of a consultant or contractor or the
- 73 | prequalification of any individual consultant or contractor.
- 74 | However, the commission may recommend to the secretary standards
- 75 | and policies governing the procedure for selection and
- 76 | prequalification of consultants and contractors.
- 77 | 3. The selection of a route for a specific project.
- 78 | 4. The specific location of a transportation facility.
- 79 | 5. The acquisition of rights-of-way.
- 80 | 6. The employment, promotion, demotion, suspension,
- 81 | transfer, or discharge of any department personnel.
- 82 | 7. The granting, denial, suspension, or revocation of any
- 83 | license or permit issued by the department.

84 | (h) The commission shall appoint an executive director and

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85 assistant executive director, who shall serve under the
86 direction, supervision, and control of the commission. The
87 executive director, with the consent of the commission, shall
88 employ such staff as are necessary to perform adequately the
89 functions of the commission, within budgetary limitations. All
90 employees of the commission are exempt from part II of chapter
91 110 and shall serve at the pleasure of the commission. The
92 salaries and benefits of all employees of the commission, except
93 for the executive director, shall be set in accordance with the
94 Selected Exempt Service; ~~provided,~~ however, the salary and
95 benefits of the executive director shall be set in accordance
96 with the Senior Management Service. ~~that~~ The commission shall
97 have complete authority for fixing the salary of the executive
98 director and assistant executive director.

99 Section 2. This act shall take effect July 1, 2007.