

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Kravitz offered the following:

2  
3 **Amendment (with title amendment)**

4 Between lines 329 and 330, insert:

5 Section 3. Subsection (1) of section 120.52, Florida  
6 Statutes, is amended to read:

7 120.52 Definitions.--As used in this act:

8 (1) "Agency" means:

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

11 (b) Each:

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

14 2. Authority, including a regional water supply authority.

15 3. Board.

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

19           5. Regional planning agency.

20           6. Multicounty special district with a majority of its  
21 governing board comprised of nonelected persons.

22           7. Educational units.

23           8. Entity described in chapters 163, 373, 380, and 582 and  
24 s. 186.504.

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

29  
30 This definition does not include any legal entity or agency  
31 created in whole or in part pursuant to chapter 361, part II,  
32 any metropolitan planning organization created pursuant to s.  
33 339.175, any separate legal or administrative entity created  
34 pursuant to s. 339.175 of which a metropolitan planning  
35 organization is a member, an expressway authority pursuant to  
36 chapter 348 or transportation authority under chapter 349, any  
37 legal or administrative entity created by an interlocal  
38 agreement pursuant to s. 163.01(7), unless any party to such  
39 agreement is otherwise an agency as defined in this subsection,  
40 or any multicounty special district with a majority of its  
41 governing board comprised of elected persons; however, this  
42 definition shall include a regional water supply authority.

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43 Section 4. Subsection (3) of section 349.03, Florida  
44 Statutes, is amended to read:

45 349.03 Jacksonville Transportation Authority.--

46 (3) The terms of appointed members shall be for 4 years  
47 deemed to have commenced on June 1 of the year in which they are  
48 appointed. Each member shall hold office until a successor has  
49 been appointed and has qualified. A vacancy during a term shall  
50 be filled by the respective appointing authority only for the  
51 balance of the unexpired term. Any member appointed to the  
52 authority for two consecutive full terms shall not be eligible  
53 for appointment to the next succeeding term. One of the members  
54 so appointed shall be designated annually by the members as  
55 chair of the authority, one member shall be designated annually  
56 as the vice chair of the authority, one member shall be  
57 designated annually as the secretary of the authority, and one  
58 member shall be designated annually as the treasurer of the  
59 authority. The members of the authority shall not be entitled to  
60 compensation, but shall be reimbursed for travel expenses or  
61 other expenses actually incurred in their duties as provided by  
62 law. Four voting members of the authority shall constitute a  
63 quorum, and no resolution adopted by the authority shall become  
64 effective unless with the affirmative vote of at least four  
65 members. The authority shall ~~may~~ employ an executive director,  
66 and the executive director may hire such staff, permanent or  
67 temporary, as he or she may determine and may organize the staff  
68 of the authority into such departments and units as he or she  
69 may determine ~~divisions as it deems necessary.~~ The executive  
70 director ~~It~~ may appoint department directors, deputy directors,  
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71 | division chiefs, and staff assistants to the executive director,  
72 | as he or she may determine. In so appointing the executive  
73 | director, the authority may fix the compensation of such  
74 | appointee ~~those appointees,~~ who shall serve at the pleasure of  
75 | the authority. All employees of the authority shall be exempt  
76 | from the provisions of part II of chapter 110. The authority may  
77 | employ such financial advisers and consultants, technical  
78 | experts, engineers, and agents and employees, permanent or  
79 | temporary, as it may require and may fix the compensation and  
80 | qualifications of such persons, firms, or corporations. The  
81 | authority may delegate to one or more of its agents or employees  
82 | such of its powers as it shall deem necessary to carry out the  
83 | purposes of this chapter, subject always to the supervision and  
84 | control of the governing body of the authority.

85 | Section 5. Paragraph (n) is added to subsection (2) of  
86 | section 349.04, Florida Statutes, to read:

87 | 349.04 Purposes and powers.--

88 | (2) The authority is hereby granted, and shall have and  
89 | may exercise all powers necessary, appurtenant, convenient, or  
90 | incidental to the carrying out of the aforesaid purposes,  
91 | including, but without being limited to, the right and power:

92 | (n) To adopt rules to carry out the powers and obligations  
93 | herein granted, which set forth a purpose, necessary  
94 | definitions, forms, general conditions and procedures, and fines  
95 | and penalties, including, without limitation, suspension or  
96 | debarment, and charges for nonperformance, with respect to any  
97 | aspect of the work or function of the authority for the  
98 | permitting, planning, funding, design, acquisition,

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99 construction, equipping, operation, and maintenance of  
100 transportation facilities, transit and highway, within the  
101 state, provided or operated by the authority or others in  
102 cooperation with or at the direction of the authority, and for  
103 carrying out all other purposes of the authority set forth or  
104 authorized in this chapter.

105

106

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

108 Remove line 9 and insert:

109 reimbursement rates; amending s. 120.52, F.S.; excluding  
110 expressway authorities under ch. 349, F.S., from the  
111 definition of the term "agency" for certain purposes;  
112 amending s. 349.03, F.S.; revising provisions for officers  
113 and employees of the Jacksonville Transportation  
114 Authority; amending s. 349.04, F.S.; providing for the  
115 adoption of rules by the Jacksonville Transportation  
116 Authority for certain purposes; amending s. 121.021, F.S.;

117 defining