

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Adams offered the following:

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

4 Between lines 38-39 and insert:

5 Section 3. Section 116.105, Florida Statutes, is created
6 to read:

7 116.105 Authority of clerk to perform audits of the
8 county.--The clerk of the circuit court may employ an
9 independent certified public accounting firm to audit any funds,
10 accounts, and financial records of the county and county
11 agencies and governmental subdivisions. Additionally, the clerk
12 of the circuit court may conduct performance audits of the
13 county or any entity funded wholly or in part by the county. An
14 entity shall not be considered as funded by the county by virtue
15 of the fact that such entity uses the county to collect taxes,
16 assessments, fees, or other revenues. If an independent special

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17 district receives county funds pursuant to a contract or
18 interlocal agreement for purposes of funding, in whole or in
19 part, a discrete program of the district, only that program may
20 be required by the county to undergo a performance audit. Not
21 fewer than five copies of each complete audit report, with
22 accompanying documents, shall be filed with the clerk of the
23 circuit court and maintained by the clerk for public inspection.
24 Upon the complete audit report being filed with the clerk, the
25 clerk shall forward one complete copy of the audit report with
26 accompanying documents to the Auditor General.

27 Section 4. Paragraphs (x) through (dd) of subsection (1)
28 of section 125.01, Florida Statutes, are amended to read:

29 125.01 Powers and duties.--

30 (1) The legislative and governing body of a county shall
31 have the power to carry on county government. To the extent not
32 inconsistent with general or special law, this power includes,
33 but is not restricted to, the power to:

34 ~~(x) Employ an independent certified public accounting firm~~
35 ~~to audit any funds, accounts, and financial records of the~~
36 ~~county and its agencies and governmental subdivisions. Entities~~
37 ~~that are funded wholly or in part by the county, at the~~
38 ~~discretion of the county, may be required by the county to~~
39 ~~conduct a performance audit paid for by the county. An entity~~
40 ~~shall not be considered as funded by the county by virtue of the~~
41 ~~fact that such entity utilizes the county to collect taxes,~~
42 ~~assessments, fees, or other revenue. If an independent special~~
43 ~~district receives county funds pursuant to a contract or~~
44 ~~interlocal agreement for the purposes of funding, in whole or in~~

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45 ~~part, a discrete program of the district, only that program may~~
46 ~~be required by the county to undergo a performance audit. Not~~
47 ~~fewer than five copies of each complete audit report, with~~
48 ~~accompanying documents, shall be filed with the clerk of the~~
49 ~~circuit court and maintained there for public inspection. The~~
50 ~~clerk shall thereupon forward one complete copy of the audit~~
51 ~~report with accompanying documents to the Auditor General.~~

52 ~~(x)(y)~~ Place questions or propositions on the ballot at
53 any primary election, general election, or otherwise called
54 special election, when agreed to by a majority vote of the total
55 membership of the legislative and governing body, so as to
56 obtain an expression of elector sentiment with respect to
57 matters of substantial concern within the county. No special
58 election may be called for the purpose of conducting a straw
59 ballot. Any election costs, as defined in s. 97.021, associated
60 with any ballot question or election called specifically at the
61 request of a district or for the creation of a district shall be
62 paid by the district either in whole or in part as the case may
63 warrant.

64 ~~(y)(z)~~ Approve or disapprove the issuance of industrial
65 development bonds authorized by law for entities within its
66 geographic jurisdiction.

67 ~~(z)(aa)~~ Use ad valorem tax revenues to purchase any or all
68 interests in land for the protection of natural floodplains,
69 marshes, or estuaries; for use as wilderness or wildlife
70 management areas; for restoration of altered ecosystems; or for
71 preservation of significant archaeological or historic sites.

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72 (aa)~~(bb)~~ Notwithstanding the prohibition against extra
73 compensation set forth in s. 215.425, provide for an extra
74 compensation program, including a lump-sum bonus payment
75 program, to reward outstanding employees whose performance
76 exceeds standards, if the program provides that a bonus payment
77 may not be included in an employee's regular base rate of pay
78 and may not be carried forward in subsequent years.

79 (bb)~~(cc)~~ Enforce the Florida Building Code, as provided in
80 s. 553.80, and adopt and enforce local technical amendments to
81 the Florida Building Code, pursuant to s. 553.73(4)(b) and (c).

82 (cc)~~(dd)~~ Prohibit a business entity, other than a county
83 tourism promotion agency, from using names as specified in s.
84 125.0104(9)(e) when representing itself to the public as an
85 entity representing tourism interests of the county levying the
86 local option tourist development tax under s. 125.0104.

87 Section 5. Subsection (1) of section 159.287, Florida
88 Statutes, is amended to read:

89 159.287 Special act development commissions, councils,
90 boards, or authorities; approval required to issue bonds.--

91 (1) Notwithstanding any other provision of this part or of
92 any special act, any commission, council, board, or authority
93 created by special act with the authority to issue bonds for the
94 purpose of promoting economic development throughout a county
95 shall be deemed to have been created for the purpose of issuing
96 bonds on behalf of the county in which jurisdiction or under or
97 by the authority of which such commission, council, board, or
98 authority is located or is acting; and any bonds issued by such
99 commission, council, board, or authority are subject to the

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100 approval or disapproval of the county commission of such county
101 pursuant to s. 125.01(1)(y) ~~125.01(1)(z)~~.

102 Section 6. Paragraphs (f) and (i) of subsection (1) of
103 section 159.47, Florida Statutes, are amended to read:

104 159.47 Powers of the authority.--

105 (1) The authority is authorized and empowered:

106 (f) To issue revenue bonds or other debt obligations
107 repayable solely from revenues derived from the sale, operation,
108 or leasing of projects or other payments received under
109 financing agreements with respect thereto, subject to the
110 approval or disapproval of the commission pursuant to s.
111 125.01(1)(y) ~~125.01(1)(z)~~.

112 (i) To secure the issuance and repayment of industrial
113 development bonds by a lease, mortgage, or other security
114 instrument encumbering only the capital improvements which are
115 financed by the authority in any case in which an addition to a
116 project is financed or in which less than the entire project is
117 financed or refinanced by industrial development bonds, subject
118 to the approval or disapproval of the commission pursuant to s.
119 125.01(1)(y) ~~125.01(1)(z)~~. The lease, mortgage, or other
120 security instrument may include a security interest in both the
121 land and personal property or may include a lease, mortgage, or
122 other security instrument sufficient for the purpose encumbering
123 only the personal property, including machinery and equipment,
124 which is being financed. In financing projects, authorities may
125 enter into financing agreements of such types as they may
126 approve with such security instruments or trust agreements as
127 the authority shall deem adequate.

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128 Section 7. Subsection (6) of section 159.705, Florida
129 Statutes, is amended to read:

130 159.705 Powers of the authority.--The authority is
131 authorized and empowered:

132 (6) To issue revenue bonds or other debt obligations
133 repayable solely from revenues derived from the sale, operation,
134 or leasing of such capital projects in the manner prescribed in
135 subsection (7), subject to the approval of the board pursuant to
136 s. 125.01(1)(y) ~~125.01(1)(z)~~.

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

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Between lines 10-11 insert:

144

creating s. 116.105, F.S., and amending s. 125.01, F.S.;

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transferring from the board of county commissioner to the clerk

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of circuit court the authority to employ independent auditors

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for certain county audit purposes; amending ss. 159.287, 159.47,

148

and 159.705, F.S.; conforming cross-references;