



849284

LEGISLATIVE ACTION

Senate

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House

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04/14/2009 02:09 PM

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Senator Joyner moved the following:

Senate Amendment (with title amendment)

Delete lines 42 - 94
and insert:

(1) "Agency" means the following officers or governmental entities if acting pursuant to powers other than those derived from the constitution:

(a) The Governor; each state officer and state department, and each departmental unit described in s. 20.04; the Board of Governors of the State University System; the Commission on Ethics; the Fish and Wildlife Conservation Commission; a



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13 regional water supply authority; a regional planning agency; a
14 multicounty special district, but only when a majority of its
15 governing board is comprised of nonelected persons; educational
16 units; and each entity described in chapters 163, 373, 380, and
17 582 and s. 186.504 in the exercise of all executive powers other
18 than those derived from the constitution.

19 (b) Each officer and governmental entity in the state
20 having statewide jurisdiction or jurisdiction in more than one
21 county.÷

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

24 2. ~~Authority, including a regional water supply authority.~~

25 3. ~~Board, including the Board of Governors of the State~~
26 ~~University System and a state university board of trustees when~~
27 ~~acting pursuant to statutory authority derived from the~~
28 ~~Legislature.~~

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

32 5. ~~Regional planning agency.~~

33 6. ~~Multicounty special district with a majority of its~~
34 ~~governing board comprised of nonelected persons.~~

35 7. ~~Educational units.~~

36 8. ~~Entity described in chapters 163, 373, 380, and 582 and~~
37 ~~s. 186.504.~~

38 (c) Each officer and governmental entity in the state
39 having jurisdiction in one county or less than one county ~~other~~
40 ~~unit of government in the state, including counties and~~
41 ~~municipalities, to the extent they are expressly made subject to~~



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42 this act by general or special law or existing judicial
43 decisions.

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45 This definition does not include any municipality or legal
46 entity created solely by a municipality; any legal entity or
47 agency created in whole or in part pursuant to part II of
48 chapter 361; ~~part II,~~ any metropolitan planning organization
49 created pursuant to s. 339.175; ~~;~~ any separate legal or
50 administrative entity created pursuant to s. 339.175 of which a
51 metropolitan planning organization is a member; ~~;~~ an expressway
52 authority pursuant to chapter 348 or transportation authority
53 under chapter 349; or any legal or administrative entity
54 created by an interlocal agreement pursuant to s. 163.01(7),
55 unless any party to such agreement is otherwise an agency as
56 defined in this subsection, ~~or any multicounty special district~~
57 ~~with a majority of its governing board comprised of elected~~
58 ~~persons; however, this definition shall include a regional water~~
59 ~~supply authority.~~

60 Section 2. The amendments to subsection 120.52(1), Florida
61 Statutes, made by this act are not intended to effect a
62 substantive change in meaning of that subsection. The amendments
63 are intended to clarify and simplify existing law and are
64 intended to be consistent with judicial interpretations of that
65 statute.

66
67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:

69 Delete line 4

70 and insert:



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"agency" for purposes of ch. 120, F.S.; providing legislative
intent; amending s.