

Amendment No. 1 SA

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Transportation & Economic
 2 Development Appropriations Subcommittee
 3 Representative Nuñez offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 348.0003, Florida Statutes, is amended
 8 to read:

9 348.0003 Expressway authority; formation; membership.—

10 (1) Any county, or two or more contiguous counties located
 11 within a single district of the department, may, by resolution
 12 adopted by the board of county commissioners, form an expressway
 13 authority, which shall be an agency of the state, pursuant to
 14 the Florida Expressway Authority Act.

15 (2) The governing body of an authority shall consist of
 16 not fewer than five nor more than nine voting members. The
 17 district secretary of the affected department district shall

Amendment No. 1 SA

18 | serve as a nonvoting member of the governing body of each
19 | authority located within the district. Each member of the
20 | governing body must at all times during his or her term of
21 | office be a permanent resident of the county which he or she is
22 | appointed to represent.

23 | (a) Two members of the authority shall be appointed for
24 | terms of 4 years by the Governor, subject to confirmation by the
25 | Senate. Such persons may not hold elective office during their
26 | terms of office.

27 | (b) For a single-county authority, the remaining members
28 | shall be appointed by the board of county commissioners for
29 | terms of 3 years.

30 | (c) For a multicounty authority, the remaining members
31 | shall be apportioned, based on the population of such counties,
32 | among the counties within the authority. Each such member shall
33 | be appointed by the applicable board of county commissioners for
34 | a term of 3 years.

35 | (d) Notwithstanding any provision of ~~to the contrary in~~
36 | this subsection, in any county as defined in s. 125.011(1), the
37 | governing body of an authority shall consist of nine ~~up to 13~~
38 | members, and the following provisions of this paragraph shall
39 | apply specifically to such authority. Except for the district
40 | secretary of the department, the members must be residents of
41 | the county. Four ~~Seven~~ voting members shall be appointed by the
42 | governing body of the county. At the discretion of the governing
43 | body of the county, up to two of the members appointed by the

Amendment No. 1 SA

44 governing body of the county may be elected officials residing
45 in the county. Four ~~Five~~ voting members of the authority shall
46 be appointed by the Governor. One member shall be the district
47 secretary of the department serving in the district that
48 contains such county. This member shall be an ex officio voting
49 member of the authority. If the governing board of an authority
50 includes any member originally appointed by the governing body
51 of the county as a nonvoting member, when the term of such
52 member expires, that member shall be replaced by a member
53 appointed by the Governor until the governing body of the
54 authority is composed of four ~~seven~~ members appointed by the
55 governing body of the county and four ~~five~~ members appointed by
56 the Governor. The qualifications, terms of office, and
57 obligations and rights of members of the authority shall be
58 determined by resolution or ordinance of the governing body of
59 the county in a manner that is consistent with this paragraph,
60 paragraphs (e)-(i), and subsections (3)-(12) ~~(3) and (4)~~.

61 (e) A member of the authority appointed by the governing
62 board of the county or appointed by the Governor may not serve
63 as a member of any other transportation-related board,
64 commission, or organization while serving as a member of the
65 authority.

66 (f) A lobbyist, as defined in s. 112.3215, may not be
67 appointed or serve as a member of an authority.

Amendment No. 1 SA

68 (g) A member of an authority may be removed from office by
69 the Governor for misconduct, malfeasance, misfeasance, or
70 nonfeasance in office.

71 (h) Members of an authority are entitled to receive from
72 the authority their travel and other necessary expenses incurred
73 in connection with the business of the authority as provided in
74 s. 112.061, but they may not draw salaries or other
75 compensation.

76 (i) Members of each expressway authority, transportation
77 authority, bridge authority, or toll authority, created pursuant
78 to this chapter, chapter 343, or any other general law, shall
79 comply with the applicable financial disclosure requirements of
80 s. 8, Art. II of the State Constitution. This paragraph does not
81 subject any statutorily created authority, other than an
82 expressway authority created under this part, to any other
83 requirement of this part except the requirement of this
84 paragraph.

85 (3) (a) The governing body of each authority shall elect
86 one of its members as its chair and shall elect a secretary and
87 a treasurer who need not be members of the authority. The chair,
88 secretary, and treasurer shall hold their offices at the will of
89 the authority. A simple majority of the governing body of the
90 authority constitutes a quorum, and the vote of a majority of
91 those members present is necessary for the governing body to
92 take any action. A vacancy on an authority shall not impair the

Amendment No. 1 SA

93 right of a quorum of the authority to exercise all of the rights
94 and perform all of the duties of the authority.

95 (b) Upon the effective date of his or her appointment, or
96 as soon thereafter as practicable, each appointed member of an
97 authority shall enter upon his or her duties.

98 (4)~~(a)~~ An authority may employ an executive secretary, an
99 executive director, its own counsel and legal staff, technical
100 experts, and such engineers and employees, permanent or
101 temporary, as it may require and shall determine the
102 qualifications and fix the compensation of such persons, firms,
103 or corporations. An authority may employ a fiscal agent or
104 agents; however, the authority must solicit sealed proposals
105 from at least three persons, firms, or corporations for the
106 performance of any services as fiscal agents. An authority may
107 delegate to one or more of its agents or employees such of its
108 power as it deems necessary to carry out the purposes of the
109 Florida Expressway Authority Act, subject always to the
110 supervision and control of the authority. ~~Members of an~~
111 ~~authority may be removed from office by the Governor for~~
112 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

113 ~~(b) Members of an authority are entitled to receive from~~
114 ~~the authority their travel and other necessary expenses incurred~~
115 ~~in connection with the business of the authority as provided in~~
116 ~~s. 112.061, but they may not draw salaries or other~~
117 ~~compensation.~~

Amendment No. 1 SA

118 ~~(c) Members of each expressway authority, transportation~~
119 ~~authority, bridge authority, or toll authority, created pursuant~~
120 ~~to this chapter, chapter 343, or any other general law, shall~~
121 ~~comply with the applicable financial disclosure requirements of~~
122 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~
123 ~~subject any statutorily created authority, other than an~~
124 ~~expressway authority created under this part, to any other~~
125 ~~requirement of this part except the requirement of this~~
126 ~~paragraph.~~

127 (5) A member or the executive director of an authority may
128 not:

129 (a) Personally represent another person or entity for
130 compensation before the authority for a period of 2 years
131 following vacation of his or her position.

132 (b) After retirement or termination, have an employment or
133 contractual relationship with a business entity other than an
134 agency, as defined in s. 112.312, in connection with a contract
135 in which the member or executive director personally and
136 substantially participated through decision, approval,
137 disapproval, recommendation, rendering of advice, or
138 investigation while he or she was a member or employee of the
139 authority.

140 (6) The authority's general counsel shall serve as the
141 authority's ethics officer.

142 (7) Authority board members, employees, and consultants
143 who hold positions that may influence authority decisions shall

Amendment No. 1 SA

144 refrain from engaging in any relationship that may adversely
145 affect their judgment in carrying out authority business. To
146 prevent such conflicts of interest and preserve the integrity
147 and transparency of the authority to the public, the following
148 disclosures must be made annually on a disclosure form:

149 (a) Any relationship that a board member, employee, or
150 consultant has which affords a current or future financial
151 benefit to such board member, employee, or consultant, or to a
152 relative or business associate of such board member, employee,
153 or consultant, and which a reasonable person would conclude has
154 the potential to create a prohibited conflict of interest. As
155 used in this subsection, the term "relative" has the same
156 meaning as provided in s. 112.312.

157 (b) Whether a relative of such board member, employee, or
158 consultant is a registered lobbyist, and, if so, the names of
159 such lobbyist's clients. Such names shall be provided in writing
160 to the ethics officer.

161 (c) Any and all interests in real property that such board
162 member, employee, or consultant has, or that a relative,
163 principal, client, or business associate of such board member,
164 employee, or consultant has, if such real property is located
165 within, or within a 1/2-mile radius of, any actual or
166 prospective authority roadway project. The executive director
167 shall provide a corridor map and a property ownership list
168 reflecting the ownership of all real property within the

Amendment No. 1 SA

169 disclosure area, or an alignment map with a list of associated
170 owners, to all board members, employees, and consultants.

171 (8) The disclosure forms required under subsection (7)
172 must be reviewed by the ethics officer or, if a form is filed by
173 the general counsel, by the executive director.

174 (9) The conflict of interest process shall be outlined in
175 the authority's code of ethics.

176 (10) Authority employees and consultants are prohibited
177 from serving on the governing body of the authority while
178 employed by or under contract with the authority.

179 (11) The code of ethics policy shall be reviewed and
180 updated by the ethics officer and presented for board approval
181 at least once every 2 years.

182 (12) Employees shall be adequately informed and trained on
183 the code of ethics and shall continually participate in ongoing
184 ethics education.

185 (13) The requirements of subsections (5)-(12) are in
186 addition to the requirements that the members and the executive
187 director of the authority are required to follow under chapter
188 112.

189 (14) Violations of subsections (5), (7), and (10) are
190 punishable in accordance with s. 112.317.

191 Section 2. Paragraph (e) of subsection (2) of section
192 348.0004, Florida Statutes, is amended to read:

193 348.0004 Purposes and powers.—

194 (2) Each authority may exercise all powers necessary,

Amendment No. 1 SA

195 appurtenant, convenient, or incidental to the carrying out of
196 its purposes, including, but not limited to, the following
197 rights and powers:

198 (e) To fix, alter, charge, establish, and collect tolls,
199 rates, fees, rentals, and other charges for the services and
200 facilities system, which tolls, rates, fees, rentals, and other
201 charges must always be sufficient to comply with any covenants
202 made with the holders of any bonds issued pursuant to the
203 Florida Expressway Authority Act. However, such right and power
204 may be assigned or delegated by the authority to the department.
205 Notwithstanding any other provision of law, but subject to any
206 contractual requirements contained in documents securing any
207 indebtedness outstanding on July 1, 2014, that is payable from
208 tolls, in any county as defined in s. 125.011(1), any authority
209 toll increase must first be approved by resolution adopted by a
210 supermajority vote, consisting of one vote greater than a
211 majority, of the governing board of the county. Notwithstanding
212 s. 338.165 or any other provision of law to the contrary, in any
213 county as defined in s. 125.011(1), to the extent surplus
214 revenues exist, they may be used for purposes enumerated in
215 subsection (7), provided the expenditures are consistent with
216 the metropolitan planning organization's adopted long-range
217 plan. Notwithstanding any other provision of law to the
218 contrary, but subject to any contractual requirements contained
219 in documents securing any outstanding indebtedness payable from
220 tolls, in any county as defined in s. 125.011(1), the board of

Amendment No. 1 SA

221 county commissioners may, by ordinance adopted on or before
222 September 30, 1999, alter or abolish existing tolls and
223 currently approved increases thereto if the board provides a
224 local source of funding to the county expressway system for
225 transportation in an amount sufficient to replace revenues
226 necessary to meet bond obligations secured by such tolls and
227 increases.

228 Section 3. Section 348.52, Florida Statutes, is amended to
229 read:

230 348.52 Tampa-Hillsborough County Expressway Authority.—

231 (1) There is hereby created and established a body politic
232 and corporate, an agency of the state, to be known as the
233 "Tampa-Hillsborough County Expressway Authority."

234 (2) The governing body of the authority shall consist of a
235 board of seven members.

236 (a) Four of the members shall be appointed by the Governor
237 subject to confirmation by the Senate at the next regular
238 session of the Legislature. Refusal or failure of the Senate to
239 confirm an appointment shall create a vacancy.

240 1. Each such member's term of office shall be for 4 years
241 or until his or her successor shall have been appointed and
242 qualified.

243 2. Vacancies occurring in the governing body for any such
244 members prior to the expiration of the affected term shall be
245 filled for the unexpired term.

Amendment No. 1 SA

246 ~~3. The Governor shall have the authority to remove from~~
247 ~~office any such member of the governing body in the manner and~~
248 ~~for cause defined by the laws of this state.~~

249 3.4. Each such member, before entering upon his or her
250 official duties, shall take and subscribe to an oath before some
251 official authorized by law to administer oaths that he or she
252 will honestly, faithfully, and impartially perform the duties
253 devolving upon him or her in office as a member of the governing
254 body of the authority and that he or she will not neglect any
255 duties imposed upon him or her by this part.

256 (b) One member shall be the mayor, or the mayor's
257 designate, who shall be the chair of the city council of the
258 city in Hillsborough County having the largest population,
259 according to the latest decennial census, who shall serve as a
260 member ex officio.

261 (c) One member shall be a member of the Board of County
262 Commissioners of Hillsborough County, selected by such board,
263 who shall serve as a member ex officio.

264 (d) One member shall be the district secretary of the
265 Department of Transportation serving in the district that
266 contains Hillsborough County, who shall serve ex officio.

267 (e) A member of the authority appointed by the governing
268 board of the county or appointed by the Governor may not serve
269 as a member of any other transportation-related board,
270 commission, or organization while serving as a member of the
271 authority.

Amendment No. 1 SA

272 (f) A lobbyist, as defined in s. 112.3215, may not be
273 appointed or serve as a member of the authority.

274 (g) A member of the authority may be removed from office
275 by the Governor for misconduct, malfeasance, misfeasance, or
276 nonfeasance in office.

277 (h) Members of the authority are entitled to receive
278 reimbursement from the authority for travel and other necessary
279 expenses incurred in connection with the business of the
280 authority as provided in s. 112.061 but may not draw salaries or
281 other compensation.

282 (3) The authority shall designate one of its members as
283 chair. ~~The members of the authority shall not be entitled to~~
284 ~~compensation but shall be entitled to receive their travel and~~
285 ~~other necessary expenses as provided in s. 112.061.~~ A majority
286 of the members of the authority shall constitute a quorum, and
287 resolutions enacted or adopted by a vote of a majority of the
288 members present and voting at any meeting shall become effective
289 without publication or posting or any further action of the
290 authority.

291 (4) The authority may employ a secretary and executive
292 director, its own counsel and legal staff, and such legal,
293 financial, and other professional consultants, technical
294 experts, engineers, and employees, permanent or temporary, as it
295 may require and may determine the qualifications and fix the
296 compensation of such persons, firms, or corporations. The
297 authority may contract with the Division of Bond Finance of the

Amendment No. 1 SA

298 State Board of Administration for any financial services
299 authorized herein.

300 (5) The authority may delegate to one or more of its
301 officers or employees such of its powers as it shall deem
302 necessary to carry out the purposes of this part, subject always
303 to the supervision and control of the authority. ~~Members of the~~
304 ~~authority may be removed from their office by the Governor for~~
305 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

306 (6) A member or the executive director of the authority
307 may not:

308 (a) Personally represent another person or entity for
309 compensation before the authority for a period of 2 years
310 following vacation of his or her position.

311 (b) After retirement or termination, have an employment or
312 contractual relationship with a business entity other than an
313 agency, as defined in s. 112.312, in connection with a contract
314 in which the member or executive director personally and
315 substantially participated through decision, approval,
316 disapproval, recommendation, rendering of advice, or
317 investigation while he or she was a member or employee of the
318 authority.

319 (7) The authority's general counsel shall serve as the
320 authority's ethics officer.

321 (8) Authority board members, employees, and consultants
322 who hold positions that may influence authority decisions shall
323 refrain from engaging in any relationship that may adversely

Amendment No. 1 SA

324 affect their judgment in carrying out authority business. To
325 prevent such conflicts of interest and preserve the integrity
326 and transparency of the authority to the public, the following
327 disclosures must be made annually on a disclosure form:

328 (a) Any relationship a board member, employee, or
329 consultant has which affords a current or future financial
330 benefit to such board member, employee, or consultant, or to a
331 relative or business associate of such board member, employee,
332 or consultant, and which a reasonable person would conclude has
333 the potential to create a prohibited conflict of interest. As
334 used in this subsection, the term "relative" has the same
335 meaning as provided in s. 112.312.

336 (b) Whether a relative of such board member, employee, or
337 consultant is a registered lobbyist, and, if so, the names of
338 such lobbyist's clients. Such names shall be provided in writing
339 to the ethics officer.

340 (c) Any and all interests in real property that such board
341 member, employee, or consultant has, or that a relative,
342 principal, client, or business associate of such board member,
343 employee, or consultant has, if such real property is located
344 within, or within a 1/2-mile radius of, any actual or
345 prospective authority roadway project. The executive director
346 shall provide a corridor map and a property ownership list
347 reflecting the ownership of all real property within the
348 disclosure area, or an alignment map with a list of associated
349 owners, to all board member, employees, and consultants.

Amendment No. 1 SA

350 (9) The disclosure forms required under subsection (8)
351 must be reviewed by the ethics officer or, if a form is filed by
352 the general counsel, by the executive director.

353 (10) The conflict of interest process shall be outlined in
354 the authority's code of ethics.

355 (11) Authority employees and consultants are prohibited
356 from serving on the governing body of the authority while
357 employed by or under contract with the authority.

358 (12) The code of ethics policy shall be reviewed and
359 updated by the ethics officer and presented for board approval
360 at least once every 2 years.

361 (13) Employees shall be adequately informed and trained on
362 the code of ethics and shall continually participate in ongoing
363 ethics education.

364 (14) The requirements of subsections (6)-(13) are in
365 addition to the requirements that the members and the executive
366 director of the authority are required to follow under chapter
367 112.

368 (15) Violations of subsections (6), (8), and (11) are
369 punishable in accordance with s. 112.317.

370 Section 4. Section 348.753, Florida Statutes, is amended
371 to read:

372 348.753 Orlando-Orange County Expressway Authority.—

373 (1) There is hereby created and established a body politic
374 and corporate, an agency of the state, to be known as the

Amendment No. 1 SA

375 Orlando-Orange County Expressway Authority, hereinafter referred
376 to as "authority."

377 (2) (a) The governing body of the authority shall consist
378 of five members. Three members shall be citizens of Orange
379 County, who shall be appointed by the Governor. The fourth
380 member shall be, ex officio, the chair of the County
381 Commissioners of Orange County, and the fifth member shall be,
382 ex officio, the district secretary of the Department of
383 Transportation serving in the district that contains Orange
384 County. The term of each appointed member shall be for 4 years.
385 Each appointed member shall hold office until his or her
386 successor has been appointed and has qualified. A vacancy
387 occurring during a term shall be filled only for the balance of
388 the unexpired term. Each appointed member of the authority shall
389 be a person of outstanding reputation for integrity,
390 responsibility, and business ability, but no person who is an
391 officer or employee of any city or of Orange County in any other
392 capacity shall be an appointed member of the authority. Any
393 member of the authority shall be eligible for reappointment.

394 (b) A member of the authority appointed by the Governor
395 may not serve as a member of any other transportation-related
396 board, commission, or organization while serving as a member of
397 the authority.

398 (c) A lobbyist, as defined in s. 112.3215, may not be
399 appointed or serve as a member of the authority.

Amendment No. 1 SA

400 (d) A member of the authority may be removed from office
401 by the Governor for misconduct, malfeasance, misfeasance, or
402 nonfeasance in office.

403 (e) Members of the authority are entitled to receive
404 reimbursement from the authority for travel and other necessary
405 expenses incurred in connection with the business of the
406 authority as provided in s. 112.061, but may not draw salaries
407 or other compensation.

408 (3) (a) The authority shall elect one of its members as
409 chair of the authority. The authority shall also elect a
410 secretary and a treasurer who may or may not be members of the
411 authority. The chair, secretary, and treasurer shall hold such
412 offices at the will of the authority. Three members of the
413 authority shall constitute a quorum, and the vote of three
414 members shall be necessary for any action taken by the
415 authority. No vacancy in the authority shall impair the right of
416 a quorum of the authority to exercise all of the rights and
417 perform all of the duties of the authority.

418 (b) Upon the effective date of his or her appointment, or
419 as soon thereafter as practicable, each appointed member of the
420 authority shall enter upon his or her duties.

421 (4) ~~(a)~~ The authority may employ an executive secretary, an
422 executive director, its own counsel and legal staff, technical
423 experts, such engineers, and such employees, permanent or
424 temporary, as it may require and may determine the
425 qualifications and fix the compensation of such persons, firms,

Amendment No. 1 SA

426 or corporations and may employ a fiscal agent or agents,
427 provided, however, that the authority shall solicit sealed
428 proposals from at least three persons, firms, or corporations
429 for the performance of any services as fiscal agents. The
430 authority may delegate to one or more of its agents or employees
431 such of its power as it shall deem necessary to carry out the
432 purposes of this part, subject always to the supervision and
433 control of the authority. ~~Members of the authority may be~~
434 ~~removed from their office by the Governor for misconduct,~~
435 ~~malfeasance, misfeasance, or nonfeasance in office.~~

436 ~~(b) Members of the authority shall be entitled to receive~~
437 ~~from the authority their travel and other necessary expenses~~
438 ~~incurred in connection with the business of the authority as~~
439 ~~provided in s. 112.061, but they shall draw no salaries or other~~
440 ~~compensation.~~

441 (5) A member or the executive director of the authority
442 may not:

443 (a) Personally represent another person or entity for
444 compensation before the authority for a period of 2 years
445 following vacation of his or her position.

446 (b) After retirement or termination, have an employment or
447 contractual relationship with a business entity other than an
448 agency, as defined in s. 112.312, in connection with a contract
449 in which the member or executive director personally and
450 substantially participated through decision, approval,
451 disapproval, recommendation, rendering of advice, or

Amendment No. 1 SA

452 investigation while he or she was a member or employee of the
453 authority.

454 (6) The authority's general counsel shall serve as the
455 authority's ethics officer.

456 (7) Authority board members, employees, and consultants
457 who hold positions that may influence authority decisions shall
458 refrain from engaging in any relationship that may adversely
459 affect their judgment in carrying out authority business. To
460 prevent such conflicts of interest and preserve the integrity
461 and transparency of the authority to the public, the following
462 disclosures must be made annually on a disclosure form:

463 (a) Any relationship a board member, employee, or
464 consultant has which affords a current or future financial
465 benefit to such board member, employee, or consultant, or to a
466 relative or business associate of such board member, employee,
467 or consultant, and which a reasonable person would conclude has
468 the potential to create a prohibited conflict of interest. As
469 used in this subsection, the term "relative" has the same
470 meaning as provided in s. 112.312.

471 (b) Whether a relative of such board member, employee, or
472 consultant is a registered lobbyist, and if so, the names of
473 such lobbyist's clients. Such names shall be provided in writing
474 to the ethics officer.

475 (c) Any and all interests in real property that such board
476 member, employee, on consultant has, or that a relative,
477 principal, client, or business associate of such board member,

Amendment No. 1 SA

478 employee, or consultant has, if such real property is located
479 within, or within a 1/2-mile radius of, any actual or
480 prospective authority roadway project. The executive director
481 shall provide a corridor map and a property ownership list
482 reflecting the ownership of all real property within the
483 disclosure area, or an alignment map with a list of associated
484 owners, to all board member, employees, and consultants.

485 (8) The disclosure forms required under subsection (7)
486 must be reviewed by the ethics officer or, if a form is filed by
487 the general counsel, by the executive director.

488 (9) The conflict of interest process shall be outlined in
489 the authority's code of ethics.

490 (10) Authority employees and consultants are prohibited
491 from serving on the governing body of the authority while
492 employed by or under contract with the authority.

493 (11) The code of ethics policy shall be reviewed and
494 updated by the ethics officer and presented for board approval
495 at least once every 2 years.

496 (12) Employees shall be adequately informed and trained on
497 the code of ethics and shall continually participate in ongoing
498 ethics education.

499 (13) The requirements of subsections (5)-(12) are in
500 addition to the requirements that the members and the executive
501 director of the authority are required to follow under chapter
502 112.

Amendment No. 1 SA

503 (14) Violations of subsections (5), (7), and (10) are
504 punishable in accordance with s. 112.317.

505 Section 5. Section 348.9952, Florida Statutes, is amended
506 to read:

507 348.9952 Osceola County Expressway Authority.—

508 (1) There is created a body politic and corporate, an
509 agency of the state, to be known as the Osceola County
510 Expressway Authority.

511 (2) (a) The governing body of the authority shall consist
512 of six members. Five members, at least one of whom must be a
513 member of a racial or ethnic minority group, must be residents
514 of Osceola County, three of whom shall be appointed by the
515 governing body of the county and two of whom shall be appointed
516 by the Governor. The sixth member shall be the district
517 secretary of the department serving in the district that
518 includes Osceola County, who shall serve as an ex officio,
519 nonvoting member. The term of each appointed member shall be for
520 4 years, except that the first term of the initial members
521 appointed by the Governor shall be 2 years each. Each appointed
522 member shall hold office until his or her successor has been
523 appointed and has qualified. A vacancy occurring during a term
524 shall be filled only for the balance of the unexpired term. Each
525 appointed member of the authority shall be a person of
526 outstanding reputation for integrity, responsibility, and
527 business ability, but a person who is an officer or employee of
528 any municipality or of Osceola County in any other capacity may

Amendment No. 1 SA

529 not be an appointed member of the authority. A member of the
530 authority is eligible for reappointment.

531 (b) A member of the authority appointed by the governing
532 board of the county or appointed by the Governor may not serve
533 as a member of any other transportation-related board,
534 commission, or organization while serving as a member of the
535 authority.

536 (c) A lobbyist, as defined in s. 112.3215, may not be
537 appointed or serve as a member of the authority.

538 (d) ~~(b)~~ Members of the authority may be removed from office
539 by the Governor for misconduct, malfeasance, ~~misfeasance,~~ or
540 nonfeasance in office.

541 (e) Members of the authority are entitled to receive
542 reimbursement from the authority for travel and other necessary
543 expenses incurred in connection with the business of the
544 authority as provided in s. 112.061, but may not draw salaries
545 or other compensation.

546 (3) (a) The authority shall elect one of its members as
547 chair. The authority shall also elect a secretary and a
548 treasurer, who may be members of the authority. The chair,
549 secretary, and treasurer shall hold such offices at the will of
550 the authority.

551 (b) Three members of the authority constitute a quorum,
552 and the vote of three members is necessary for any action taken
553 by the authority. A vacancy in the authority does not impair the

Amendment No. 1 SA

554 right of a quorum of the authority to exercise all of the rights
555 and perform all of the duties of the authority.

556 (4) (a) The authority may employ an executive secretary, an
557 executive director, its own counsel and legal staff, technical
558 experts, engineers, and other employees, permanent or temporary,
559 as it may require, and may determine the qualifications and fix
560 the compensation of such persons, firms, or corporations.

561 Additionally, the authority may employ a fiscal agent or agents.
562 However, the authority shall solicit sealed proposals from at
563 least three persons, firms, or corporations for the performance
564 of any services as fiscal agents. The authority may delegate to
565 one or more of its agents or employees such of its power as it
566 deems necessary to carry out the purposes of this part, subject
567 always to the supervision and control of the authority.

568 ~~(b) Members of the authority are entitled to receive from~~
569 ~~the authority their travel and other necessary expenses incurred~~
570 ~~in connection with the business of the authority as provided in~~
571 ~~s. 112.061, but members shall not draw salaries or other~~
572 ~~compensation.~~

573 (b) ~~(e)~~ The department is not required to grant funds for
574 startup costs to the authority. However, the governing body of
575 the county may provide funds for such startup costs.

576 (c) ~~(d)~~ The authority shall cooperate with and participate
577 in any efforts to establish a regional expressway authority.

578 (d) ~~(e)~~ Notwithstanding any other provision of law,
579 including s. 339.175(3), the authority is not entitled to voting

Amendment No. 1 SA

580 membership in a metropolitan planning organization in which
581 Osceola County, or any of the municipalities therein, are also
582 voting members.

583 (5) A member or the executive director of the authority
584 may not:

585 (a) Personally represent another person or entity for
586 compensation before the authority for a period of 2 years
587 following vacation of his or her position.

588 (b) After retirement or termination, have an employment or
589 contractual relationship with a business entity other than an
590 agency, as defined in s. 112.312, in connection with a contract
591 in which the member or executive director personally and
592 substantially participated through decision, approval,
593 disapproval, recommendation, rendering of advice, or
594 investigation while he or she was a member or employee of the
595 authority.

596 (6) The authority's general counsel shall serve as the
597 authority's ethics officer.

598 (7) Authority board members, employees, and consultants
599 who hold positions that may influence authority decisions shall
600 refrain from engaging in any relationship that may adversely
601 affect their judgment in carrying out authority business. To
602 prevent such conflicts of interest and preserve the integrity
603 and transparency of the authority to the public, the following
604 disclosures must be made annually on a disclosure form:

Amendment No. 1 SA

605 (a) Any relationship a board member, employee, or
606 consultant has which affords a current or future financial
607 benefit to such board member, employee, or consultant, or to a
608 relative or business associate of such board member, employee,
609 or consultant, and which a reasonable person would conclude has
610 the potential to create a prohibited conflict of interest. As
611 used in this subsection, the term "relative" has the same
612 meaning as provided in s. 112.312.

613 (b) Whether a relative of such board member, employee, or
614 consultant is a registered lobbyist, and, if so, the names of
615 such lobbyist's clients. Such names shall be provided in writing
616 to the ethics officer.

617 (c) Any and all interests in real property that such board
618 member, employee, or consultant has, or that a relative,
619 principal, client, or business associate of such board member,
620 employee, or consultant has, if such real property is located
621 within, or within a 1/2-mile radius of, any actual or
622 prospective authority roadway project. The executive director
623 shall provide a corridor map and a property ownership list
624 reflecting the ownership of all real property within the
625 disclosure area, or an alignment map with a list of associated
626 owners, to all board member, employees, and consultants.

627 (8) The disclosure forms required under subsection (7)
628 must be reviewed by the ethics officer or, if a form is filed by
629 the general counsel, by the executive director.

Amendment No. 1 SA

630 (9) The conflict of interest process shall be outlined in
631 the authority's code of ethics.

632 (10) Authority employees and consultants are prohibited
633 from serving on the governing body of the authority while
634 employed by or under contract with the authority.

635 (11) The code of ethics policy shall be reviewed and
636 updated by the ethics officer and presented for board approval
637 at least once every 2 years.

638 (12) Employees shall be adequately informed and trained on
639 the code of ethics and shall continually participate in ongoing
640 ethics education.

641 (13) The requirements of subsections (5)-(12) are in
642 addition to the requirements that the members and the executive
643 director of the authority are required to follow under chapter
644 112.

645 (14) Violations of subsections (5), (7), and (10) are
646 punishable in accordance with s. 112.317

647 Section 6. This act shall take effect July 1, 2014.

648

649

650

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

652 Remove everything before the enacting clause and insert:

653 A bill to be entitled

654 An act relating to expressway authorities; amending s.

655 348.0003, F.S.; revising provisions for membership of

Amendment No. 1 SA

656 an expressway authority in specified counties;
657 prohibiting certain activities by authority board
658 members and executive directors during and after
659 membership or employment; providing for an ethics
660 officer; requiring disclosure of certain relationships
661 and interest; prohibiting employees and consultants
662 from membership on a board; providing for a code of
663 ethics policy; providing for violations; amending s.
664 348.0004, F.S.; requiring approval by the governing
665 board of the county for a toll increase by an
666 expressway authority in specified counties; amending
667 ss. 348.52, 348.753, and 348.9952, F.S., relating to
668 the Tampa-Hillsborough County Expressway Authority,
669 the Orlando-Orange County Expressway Authority and the
670 Osceola County Expressway Authority, respectively;
671 prohibiting certain activities by authority board
672 members and executive directors during and after
673 membership or employment; providing for an ethics
674 officer; requiring disclosure of certain relationships
675 and interest; prohibiting employees and consultants
676 from membership on a board; providing for a code of
677 ethics policy; providing for violations; providing an
678 effective date.