

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
 2 Representative Nuñez offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (d) of subsection (2) and paragraph
 7 (a) of subsection (5) of section 348.0003, Florida Statutes, are
 8 amended, and paragraphs (l), (m), and (n) are added to
 9 subsection (5) of that section, to read:

10 348.0003 Expressway authority; formation; membership.—

11 (2) The governing body of an authority shall consist of
 12 not fewer than five nor more than nine voting members. The
 13 district secretary of the affected department district shall
 14 serve as a nonvoting member of the governing body of each
 15 authority located within the district. Each member of the
 16 governing body must at all times during his or her term of
 17 office be a permanent resident of the county which he or she is

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18 appointed to represent.

19 (d) Notwithstanding any provision to the contrary in this
20 subsection, in any county as defined in s. 125.011(1), the
21 governing body of an authority shall consist of up to nine ~~13~~
22 members, and the following provisions of this paragraph shall
23 apply specifically to such authority. Except for the district
24 secretary of the department, the members must be residents of
25 the county. Five ~~Seven~~ voting members shall be appointed by the
26 governing body of the county. At the discretion of the governing
27 body of the county, up to two of the members appointed by the
28 governing body of the county may be elected officials residing
29 in the county. Three ~~Five~~ voting members of the authority shall
30 be appointed by the Governor. One member shall be the district
31 secretary of the department serving in the district that
32 contains such county. This member shall be an ex officio voting
33 member of the authority. ~~If the governing board of an authority~~
34 ~~includes any member originally appointed by the governing body~~
35 ~~of the county as a nonvoting member, when the term of such~~
36 ~~member expires, that member shall be replaced by a member~~
37 ~~appointed by the Governor until the governing body of the~~
38 ~~authority is composed of seven members appointed by the~~
39 ~~governing body of the county and five members appointed by the~~
40 ~~Governor.~~ Except as provided in subsection (5), the
41 qualifications, terms of office, and obligations and rights of
42 members of the authority shall be determined by resolution or
43 ordinance of the governing body of the county in a manner that

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44 is consistent with subsections (3) and (4).

45 (5) In a county as defined in s. 125.011(1):

46 (a)1. A lobbyist, as defined in s. 112.3215, may not be
47 appointed or serve as a member of the governing body of an
48 authority.

49 2. A person may not be appointed to or serve as a member
50 of the governing body of an authority if that person or any
51 member of that person's immediate family currently represents or
52 has in the previous 4 years represented any client for
53 compensation before the expressway authority to which that
54 person may be appointed.

55 3. A person may not be appointed to or serve as a member
56 of the governing body of an authority if that person or any
57 member of that person's immediate family currently represents,
58 is employed by, or acts as an agent for, or has in the previous
59 4 years represented, been employed by, or acted as an agent for,
60 any person or entity that is performing construction,
61 engineering, and inspection services or construction and design-
62 build services, or within the previous 4 years has performed
63 construction, engineering, and inspection services or
64 construction and design-build services, with the expressway
65 authority to which that person may be appointed.

66 (1) A finding of a violation of this subsection or chapter
67 112, or failure to comply within 90 days after receiving a
68 notice of failure to comply with financial disclosure
69 requirements, results in immediate termination from the

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70 governing body of the authority.

71 (m) To ensure transparency, accountability, and uniform
72 standards throughout the state, actions and decisions rendered
73 by an authority or its duly constituted committees in connection
74 with a procurement in excess of \$20 million is subject to the
75 administrative review provisions of chapter 120.

76 (n) For purposes of this subsection, the term "immediate
77 family" means any parent, spouse, child, or sibling of the
78 person serving or seeking appointment to serve as a member of
79 the governing body of an authority.

80 Section 2. Vacancies on the governing body of an
81 expressway authority subject to s. 348.0003(2)(d), Florida
82 Statutes, shall not be filled until the reduction in the number
83 of members specified by s. 348.0003(2)(d), Florida Statutes, as
84 amended by this act, is achieved. Within 60 days after this act
85 takes effect, the Governor and the governing body of the county
86 shall choose which members of the authority who have been
87 appointed by each respective entity will be removed from the
88 authority to achieve the composition of the governing body of
89 the authority specified in s. 348.0003(2)(d), Florida Statutes,
90 as amended by this act.

91 Section 3. This act shall take effect upon becoming a law.

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

95 Remove everything before the enacting clause and insert:

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96 A bill to be entitled
97 An act relating to expressway authorities; amending s.
98 348.0003, F.S.; revising membership and qualifications
99 for membership on the governing body of certain
100 expressway authorities; providing for termination from
101 an authority's governing body upon a finding of a
102 violation of specified ethical conduct provisions or
103 failure to comply with a notice of failure to comply
104 with financial disclosure requirements; providing a
105 definition; providing for reorganization of such
106 authorities within a specified timeframe; providing an
107 effective date.