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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
05/01/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 134 and 135  
insert:

Section 1. Subsection (1) and paragraph (a) of subsection (4) of section 20.23, Florida Statutes, are amended to read:  
20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(1) (a) The Department of Transportation shall consist of:



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11           1. A central office that establishes policies and  
12 procedures; and

13           2. Districts that carry out projects as authorized or  
14 required under the policies and procedures implemented by the  
15 central office pursuant to paragraph (3) (a).

16           (b)~~(a)~~ The head of the Department of Transportation is the  
17 Secretary of Transportation. The secretary shall be appointed by  
18 the Governor from among three persons nominated by the Florida  
19 Transportation Commission and shall be subject to confirmation  
20 by the Senate. The secretary shall serve at the pleasure of the  
21 Governor.

22           (c)~~(b)~~ The secretary shall be a proven, effective  
23 administrator who by a combination of education and experience  
24 shall clearly possess a broad knowledge of the administrative,  
25 financial, and technical aspects of the development, operation,  
26 and regulation of transportation systems and facilities or  
27 comparable systems and facilities.

28           (d)~~(c)~~ The secretary shall provide to the Florida  
29 Transportation Commission or its staff, such assistance,  
30 information, and documents as are requested by the commission or  
31 its staff to enable the commission to fulfill its duties and  
32 responsibilities.

33           (e)~~(d)~~ The secretary may appoint up to three assistant  
34 secretaries who shall be directly responsible to the secretary  
35 and who shall perform such duties as are assigned by the  
36 secretary. The secretary shall designate to an assistant  
37 secretary the duties related to enhancing economic prosperity,  
38 including, but not limited to, the responsibility of liaison  
39 with the head of economic development in the Executive Office of



40 the Governor. Such assistant secretary shall be directly  
41 responsible for providing the Executive Office of the Governor  
42 with investment opportunities and transportation projects that  
43 expand the state's role as a global hub for trade and investment  
44 and enhance the supply chain system in the state to process,  
45 assemble, and ship goods to markets throughout the eastern  
46 United States, Canada, the Caribbean, and Latin America. The  
47 secretary may delegate to any assistant secretary the authority  
48 to act in the absence of the secretary.

49 (f)1.(e) Any secretary appointed after July 1, 2019 ~~57~~  
50 ~~1989~~, and the assistant secretaries are ~~shall be~~ exempt from the  
51 ~~provisions of~~ part III of chapter 110 and shall receive  
52 compensation commensurate with their qualifications and  
53 competitive with compensation for comparable responsibility in  
54 other public sector organizations and in the private sector.

55 2. The salaries of the secretary and the assistant  
56 secretaries shall be established by the Florida Transportation  
57 Commission and determined by a market analysis focused on  
58 comparably skilled individuals in other public sector  
59 organizations, including, but not limited to, expressway  
60 authorities, aviation authorities, and port authorities, and on  
61 comparably skilled individuals in the private sector. The market  
62 analysis must serve as a basis for ascertaining compensation  
63 levels required to retain the secretary and assistant  
64 secretaries in their positions within the department and to  
65 attract external talent that can fulfill the department's  
66 mission and effect change. The salary of the secretary must be  
67 at least \$180,000. The salary of an assistant secretary must be  
68 10 percent below that of the secretary who appoints him or her.



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69           (4) (a) 1. The operations of the department shall be  
70 organized into seven districts, each headed by a district  
71 secretary, and a turnpike enterprise and a rail enterprise, each  
72 enterprise headed by an executive director. The district  
73 secretaries and the executive directors shall be registered  
74 professional engineers in accordance with ~~the provisions of~~  
75 chapter 471 or the laws of another state, or, in lieu of  
76 professional engineer registration, a district secretary or  
77 executive director may hold an advanced degree in an appropriate  
78 related discipline, such as a Master of Business Administration.

79           2. The district secretaries and the executive director of  
80 the turnpike enterprise are exempt from part III of chapter 110  
81 and shall receive compensation commensurate with their  
82 qualifications and competitive with compensation for comparable  
83 responsibility in other public sector organizations and in the  
84 private sector. The salaries of the district secretaries and the  
85 executive director of the turnpike enterprise must be 15 percent  
86 below that of the secretary, as determined under subparagraph  
87 (1) (f) 2., who is head of the department at the time the district  
88 secretaries and the executive director of the turnpike  
89 enterprise take their positions.

90           3. The headquarters of the districts shall be located in  
91 Polk, Columbia, Washington, Broward, Volusia, Miami-Dade, and  
92 Hillsborough Counties. The headquarters of the turnpike  
93 enterprise shall be located in Orange County. The headquarters  
94 of the rail enterprise shall be located in Leon County. In order  
95 to provide for efficient operations and to expedite the  
96 decisionmaking process, the department shall provide for maximum  
97 decentralization to the districts.



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

And the title is amended as follows:

Delete line 2

and insert:

An act relating to transportation; amending s. 20.23, F.S.; requiring the Department of Transportation to consist of a central office and districts, subject to certain requirements; providing that any secretary appointed after a specified date and the assistant secretaries are exempt from membership in the Senior Management Service System Class; requiring the secretary and assistant secretaries to receive compensation competitive with compensation for comparable responsibility in other public sector organizations; requiring that the salaries of the secretary and the assistant secretaries be established by the Florida Transportation Commission and determined by a certain market analysis, subject to certain requirements; providing minimum specified salaries for the secretary and assistant secretaries; providing that the district secretaries and the executive director of the turnpike enterprise are exempt from membership in the Senior Management Service System Class; requiring that the district secretaries receive compensation commensurate with their qualifications and competitive with compensation for comparable responsibility in other public sector organizations and in the private sector; providing



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salary requirements for the district secretaries;  
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