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# **Government Efficiency & Accountability Council**

## **ACTION PACKET**

**Wednesday, April 18, 2007  
9:30 AM – 11:30 AM  
Morris Hall (17 HOB)**

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**Attendance:**

|                       | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|-----------------------|----------------|---------------|----------------|
| Andy Gardiner (Chair) | X              |               |                |
| Frank Attkisson       | X              |               |                |
| Carl Domino           | X              |               |                |
| Greg Evers            | X              |               |                |
| Joseph Gibbons        | X              |               |                |
| Eduardo Gonzalez      | X              |               |                |
| Michael Grant         | X              |               |                |
| Ed Homan              | X              |               |                |
| Stan Jordan           | X              |               |                |
| Matthew Meadows       | X              |               |                |
| Julio Robaina         | X              |               |                |
| Franklin Sands        | X              |               |                |
| Robert Schenck        | X              |               |                |
| Michael Scionti       | X              |               |                |
| Geraldine Thompson    | X              |               |                |
| <b>Totals:</b>        | <b>15</b>      | <b>0</b>      | <b>0</b>       |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**Summary:**

**Government Efficiency & Accountability Council**

*Wednesday April 18, 2007 09:30 am*

|         |                                   |          |         |
|---------|-----------------------------------|----------|---------|
| HB 17   | Favorable with Council Substitute | Yeas: 11 | Nays: 0 |
| HB 185  | Favorable                         | Yeas: 13 | Nays: 2 |
| HB 307  | Favorable with Council Substitute | Yeas: 12 | Nays: 0 |
| HB 473  | Favorable with Council Substitute | Yeas: 13 | Nays: 0 |
| HB 541  | Favorable with Council Substitute | Yeas: 13 | Nays: 0 |
| HB 635  | Favorable                         | Yeas: 15 | Nays: 0 |
| HB 821  | Favorable with Council Substitute | Yeas: 15 | Nays: 0 |
| HB 871  | Favorable                         | Yeas: 15 | Nays: 0 |
| HB 875  | Favorable with Council Substitute | Yeas: 8  | Nays: 5 |
| HM 931  | Favorable                         | Yeas: 15 | Nays: 0 |
| HB 1145 | Favorable with Council Substitute | Yeas: 13 | Nays: 1 |
| HB 1159 | Favorable with Council Substitute | Yeas: 12 | Nays: 0 |
| HB 1405 | Favorable with Council Substitute | Yeas: 14 | Nays: 0 |
| HB 1433 | Favorable                         | Yeas: 13 | Nays: 0 |
| HB 1489 | Favorable with Council Substitute | Yeas: 13 | Nays: 0 |
| HB 1557 | Favorable with Council Substitute | Yeas: 13 | Nays: 0 |

**Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM**

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

|                  |                                   |          |         |
|------------------|-----------------------------------|----------|---------|
| HB 1585          | Favorable with Council Substitute | Yeas: 11 | Nays: 0 |
| PCB GEAC 07-02   | Favorable With Amendments (2)     | Yeas: 13 | Nays: 0 |
| PCB GEAC 07-08   | Favorable                         | Yeas: 13 | Nays: 0 |
| PCB GEAC 07-15   | Favorable With Amendments (2)     | Yeas: 13 | Nays: 0 |
| PCB GEAC 07-29   | Favorable                         | Yeas: 13 | Nays: 0 |
| PCB GEAC 07-30   | Favorable                         | Yeas: 13 | Nays: 0 |
| PCSCB for HB 703 | Favorable with Council Substitute | Yeas: 15 | Nays: 0 |

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**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 17 : Payment Card Transaction Exactions**

*Favorable with Council Substitute*

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          |            |            | X              |                         |                         |
| Carl Domino                              | X          |            |                |                         |                         |
| Greg Evers                               |            |            | X              |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              | X          |            |                |                         |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            |            |            | X              |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       |            |            | X              |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 11      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 0017

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative(s) Galvano offered the following:  
4

5                   **Amendment (with title amendment)**

6                   Remove everything after the enacting clause and insert:  
7                   Section 1. Section 212.17, Florida Statutes, is amended to  
8 read:

9                   212.17 Credits for returned goods, rentals, or admissions;  
10 goods acquired for dealer's own use and subsequently resold;  
11 additional powers of department.--

12                   (1) (a) In the event purchases are returned to a dealer by  
13 the purchaser or consumer after the tax imposed by this chapter  
14 has been collected from or charged to the account of the  
15 consumer or user, the dealer shall be entitled to reimbursement  
16 of the amount of tax collected or charged by the dealer, in the  
17 manner prescribed by the department.

18                   (b) A registered dealer that purchases property for the  
19 dealer's own use, pays tax on acquisition, and sells the  
20 property subsequent to acquisition without ever having used the  
21 property is entitled to reimbursement, in the manner prescribed

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 by the department, of the amount of tax paid on the property's  
23 acquisition.

24 (c) If the tax has not been remitted by a dealer to the  
25 department, the dealer may deduct the same in submitting his or  
26 her return upon receipt of a signed statement of the dealer as  
27 to the gross amount of such refunds during the period covered by  
28 said signed statement, which period shall not be longer than 90  
29 days. The department shall issue to the dealer an official  
30 credit memorandum equal to the net amount remitted by the dealer  
31 for such tax collected or paid. Such memorandum shall be  
32 accepted by the department at full face value from the dealer to  
33 whom it is issued, in the remittance for subsequent taxes  
34 accrued under the provisions of this chapter. If a dealer has  
35 retired from business and has filed a final return, a refund of  
36 tax may be made if it can be established to the satisfaction of  
37 the department that the tax was not due.

38 (2) A dealer who has paid the tax imposed by this chapter  
39 on tangible personal property sold under a retained title,  
40 conditional sale, or similar contract, or under a contract  
41 wherein the dealer retains a security interest in the property  
42 pursuant to chapter 679, may take credit or obtain a refund for  
43 the tax paid by the dealer on the unpaid balance due him or her  
44 when he or she repossesses (with or without judicial process)  
45 the property within 12 months following the month in which the  
46 property was repossessed. When such repossessed property is  
47 resold, the sale is subject in all respects to the tax imposed  
48 by this chapter.

49 (3) A dealer who has paid the tax imposed by this chapter  
50 on tangible personal property or services may take a credit or  
51 obtain a refund for any tax paid by the dealer on the unpaid  
52 balance due on worthless accounts within 12 months following the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

53 month in which the bad debt has been charged off for federal  
54 income tax purposes. If any accounts so charged off for which a  
55 credit or refund has been obtained are thereafter in whole or in  
56 part paid to the dealer, the amount so paid shall be included in  
57 the first return filed after such collection and the tax paid  
58 accordingly.

59 (4) (a) A dealer who has paid the tax imposed by this  
60 chapter may take a credit on its sales and use tax return for  
61 the tax paid by the dealer on the percentage of tax not  
62 reimbursed because of any fee charged or deducted from a payment  
63 card sale to the dealer by an issuer of a payment card for  
64 processing the payment card transaction. The credit shall be  
65 equal to the percentage of the payment card fee multiplied by  
66 the amount of tax of each payment card transaction. The amount  
67 of the credit is limited to the amount owed on that tax return  
68 and shall not be carried forward. A dealer can only obtain a  
69 credit and may not apply for a refund.

70 (b) This subsection applies to all taxes, surtaxes, and  
71 any local option taxes administered under this chapter and  
72 remitted directly to the department. This subsection does not  
73 apply to any locally imposed and self-administered convention  
74 development tax, tourist development tax, or tourist impact tax  
75 administered under this chapter.

76 (5)-(4)(a) The department shall design, prepare, print and  
77 furnish to all dealers, except dealers filing through electronic  
78 data interchange, or make available or prescribe to the dealers,  
79 all necessary forms for filing returns and instructions to  
80 ensure a full collection from dealers and an accounting for the  
81 taxes due, but failure of any dealer to secure such forms does  
82 not relieve the dealer from the payment of the tax at the time  
83 and in the manner provided.



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

84 (b) The department shall prescribe the format and  
85 instructions necessary for filing returns in a manner that is  
86 initiated through an electronic data interchange to ensure a  
87 full collection from dealers and an accounting for the taxes  
88 due. The failure of any dealer to use such format does not  
89 relieve the dealer from the payment of the tax at the time and  
90 in the manner provided.

91 ~~(6)~~(5) The department and its assistants are hereby  
92 authorized and empowered to administer the oath for the purpose  
93 of enforcing and administering the provisions of this chapter.

94 ~~(7)~~(6) The department has authority to adopt rules  
95 pursuant to ss. 120.536(1) and 120.54 to enforce the provisions  
96 of this chapter.

97 ~~(8)~~(7) The department, where admissions, license fees, or  
98 rental payments or payments for services are made and thereafter  
99 returned to the payors after the taxes thereon have been paid,  
100 shall return or credit the taxpayer for taxes so paid on the  
101 moneys returned in the same manner as is provided for returns or  
102 credits of taxes where purchases or tangible personal property  
103 are returnable to a dealer.

104 Section 2. This Act shall take effect July 1, 2007

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

106 Remove the entire title and insert:

107 An act relating to payment card transaction extractions;  
108 amending s. 212.17, F.S.; specifying a credit for the tax paid  
109 by the dealer on the percentage of tax not reimbursed to the  
110 dealer as a result of issuer fees or deductions; specifying  
111 conditions and the amount of the credit; providing a return  
112 requirement; exempting locally imposed and self-administered  
113 convention development taxes, tourist development taxes, or  
114 tourist impact taxes; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 185 : Discretionary Sales Surtaxes**

Favorable

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         |            | X                    |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) |            | X                    |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 2</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 307 : Sales and Use Tax Credits or Refunds**

*Favorable with Council Substitute*

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          |            |            | X              |                         |                         |
| Carl Domino                              | X          |            |                |                         |                         |
| Greg Evers                               |            |            | X              |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              | X          |            |                |                         |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            | X          |            |                |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       |            |            | X              |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 12      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0307

COUNCIL/COMMITTEE ACTION

|                       |          |       |
|-----------------------|----------|-------|
| ADOPTED               | ___      | (Y/N) |
| ADOPTED AS AMENDED    | ___      | (Y/N) |
| ADOPTED W/O OBJECTION | <u>✓</u> | (Y/N) |
| FAILED TO ADOPT       | ___      | (Y/N) |
| WITHDRAWN             | ___      | (Y/N) |
| OTHER                 | _____    |       |

Council/Committee hearing bill: Government Efficiency & Accountability Council

Representative(s) Holder offered the following:

**Amendment (with title amendment)**

Between lines 110 and 111, insert:

(j) This subsection is repealed December 31, 2010, unless reviewed and saved from repeal through reenactment by the Legislature.

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

Remove line 12 and insert:

refunds; providing for future repeal unless reviewed and saved from repeal by the Legislature; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 473 : Residential Property Just Valuation**

*Favorable with Council Substitute*

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         |            |                      | X              |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 473

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council

3 Representative(s) Schneck offered the following:  
4

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Effective January 1, 2008, the assessed  
8 valuation of all homestead real property in this state,  
9 notwithstanding any other provision of law, shall be rolled back  
10 to the assessed value for a similar home in the same county for  
11 1994 and then the assessments shall be adjusted for each  
12 subsequent year as if the limitations in assessment contained in  
13 s. 4(c), Art. VII of the State Constitution, had been  
14 continuously in effect since January 1, 1995 and had been  
15 applied in each subsequent year. The assessed value for 2009  
16 and all subsequent years shall be adjusted pursuant to the  
17 provisions of s. 4(c), Art. VII of the State Constitution.

18 Section 2. Section 1 does not apply to ad valorem taxes  
19 levied for the payment of bonds issued pursuant to s. 12,  
20 Article VII of the State Constitution, or levied for periods not  
21 longer than 2 years when authorized by a vote of the electors.

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23  
24  
25  
26  
27  
28  
29  
30  
31

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

Remove the entire title and insert:

An act relating to the assessed value of homestead real property; providing for rolling back the assessed value of homestead real property to the value of similar property as of certain date; providing for adjusting such value from such date to the present by certain factors; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 541 : Public Records**

*Favorable with Council Substitute*

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          |            |            | X              |                         |                         |
| Carl Domino                              | X          |            |                |                         |                         |
| Greg Evers                               |            |            | X              |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              | X          |            |                |                         |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            | X          |            |                |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       | X          |            |                |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 13      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 0541

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | ___                                 | (Y/N) |
| ADOPTED AS AMENDED    | ___                                 | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | ___                                 | (Y/N) |
| WITHDRAWN             | ___                                 | (Y/N) |
| OTHER                 | _____                               |       |

1 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative Vana offered the following:  
4

5 **Amendment to Strike-All Amendment by Representative Vana**

6 Remove line(s) 22 and insert:

7 must acknowledge requests to inspect or copy records promptly  
8 and respond to such requests  
9  
10

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 635 : Florida Retirement System**

|                       | <input checked="" type="checkbox"/> <i>Favorable</i> | <i>Yea</i>            | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee</i> |            |
|-----------------------|--|-----------------------|----------------------|----------------|-----------------|------------|
|                       |  |                       |                      |                | <i>Yea</i>      | <i>Nay</i> |
| Frank Attkisson       |  | X                     |                      |                |                 |            |
| Carl Domino           |  | X                     |                      |                |                 |            |
| Greg Evers            |  | X                     |                      |                |                 |            |
| Joseph Gibbons        |  | X                     |                      |                |                 |            |
| Eduardo Gonzalez      |  | X                     |                      |                |                 |            |
| Michael Grant         |  | X                     |                      |                |                 |            |
| Ed Homan              |  | X                     |                      |                |                 |            |
| Stan Jordan           |  | X                     |                      |                |                 |            |
| Matthew Meadows       |  | X                     |                      |                |                 |            |
| Julio Robaina         |  | X                     |                      |                |                 |            |
| Franklin Sands        |  | X                     |                      |                |                 |            |
| Robert Schenck        |  | X                     |                      |                |                 |            |
| Michael Scionti       |  | X                     |                      |                |                 |            |
| Geraldine Thompson    |  | X                     |                      |                |                 |            |
| Andy Gardiner (Chair) |  | X                     |                      |                |                 |            |
|                       |  | <b>Total Yeas: 15</b> | <b>Total Nays: 0</b> |                |                 |            |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)  
**HB 821 : Retirement**

*Favorable with Council Substitute*

|                       | <i>Yea</i>           | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|----------------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X                    |            |                |                         |                         |
| Carl Domino           | X                    |            |                |                         |                         |
| Greg Evers            | X                    |            |                |                         |                         |
| Joseph Gibbons        | X                    |            |                |                         |                         |
| Eduardo Gonzalez      | X                    |            |                |                         |                         |
| Michael Grant         | X                    |            |                |                         |                         |
| Ed Homan              | X                    |            |                |                         |                         |
| Stan Jordan           | X                    |            |                |                         |                         |
| Matthew Meadows       | X                    |            |                |                         |                         |
| Julio Robaina         | X                    |            |                |                         |                         |
| Franklin Sands        | X                    |            |                |                         |                         |
| Robert Schenck        | X                    |            |                |                         |                         |
| Michael Scionti       | X                    |            |                |                         |                         |
| Geraldine Thompson    | X                    |            |                |                         |                         |
| Andy Gardiner (Chair) | X                    |            |                |                         |                         |
| <b>Total Yeas: 15</b> | <b>Total Nays: 0</b> |            |                |                         |                         |

**Appearances:**

Retirement

Perry Pierce, Sgt. - Proponent  
 Orange County Sheriff's Office  
 2500 W Colonial Drive  
 Orlando FL 32804  
 Phone: 407-254-7316

Retirement

Frank Fabrizio, Chief - Proponent  
 Orange County Sheriff's Office  
 2500 W. Colonial Dr.  
 Orlando FL 32804  
 Phone: 407-254-7420

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 0821

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | —                                   | (Y/N) |
| ADOPTED AS AMENDED    | —                                   | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | —                                   | (Y/N) |
| WITHDRAWN             | —                                   | (Y/N) |
| OTHER                 | _____                               |       |

1 Council/Committee hearing bill: Government Efficiency &  
 2 Accountability Council  
 3 Representative(s) Precourt offered the following:

**Amendment (with title amendment)**

6 Remove line 42 and insert:

7 Section 1. This act may be cited as the "Adam Pierce  
 8 Special Risk Retirement Act."

9 Section 2. It is declared by the Legislature that persons  
 10 employed in law enforcement, firefighting, and criminal  
 11 detention positions perform state and municipal functions; that  
 12 it is their duty to protect life and property at their own risk  
 13 and peril; that it is their duty to continuously instruct school  
 14 personnel, public officials, and private citizens about safety;  
 15 and that their activities are vital to public safety. Therefore,  
 16 the Legislature declares that it is a proper and legitimate  
 17 state purpose to provide a uniform retirement system for the  
 18 benefit of persons employed in law enforcement, firefighting,  
 19 and criminal detention positions, and intends, in implementing  
 20 the provisions of s. 14, Art. X of the State Constitution as  
 21 they relate to pension trust fund systems and plans, that such

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 retirement systems or plans be managed, administered, operated,  
23 and funded in such manner as to maximize the protection of  
24 pension trust funds. Pursuant to s. 18, Art. VII of the State  
25 Constitution, the Legislature hereby determines and declares  
26 that the provisions of this act fulfill an important state  
27 interest.

28 Section 3. Subsection (12) and paragraph (b) of subsection  
29  
30

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

32 Remove line(s) 2 and insert:

33 An act relating to retirement; providing a short title;  
34 providing legislative intent; providing a statement of important  
35 state interest; amending s. 121.021, F.S.;

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**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 871 : Display of United States Flags**

Favorable

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 15</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

**Appearances:**

Display of USA Flag  
 Kraig Conn, Legislative Council (Lobbyist) - Opponent  
 Florida League of Cities  
 301 S. Bronough  
 Tallahassee FL 32301  
 Phone: 850-222-9684

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 875 : Public Employee Charitable Campaigns**

| <input checked="" type="checkbox"/> Favorable with Council Substitute | Yea | Nay | No Vote | Absentee<br>Yea | Absentee<br>Nay |
|---|-----|-----|---------|-----------------|-----------------|
| Frank Attkisson   | X   |     |         |                 |                 |
| Carl Domino   |     |     | X       |                 |                 |
| Greg Evers  | X   |     |         |                 |                 |
| Joseph Gibbons  | X   |     |         |                 |                 |
| Eduardo Gonzalez  |     | X   |         |                 |                 |
| Michael Grant   |     | X   |         |                 |                 |
| Ed Homan  | X   |     |         |                 |                 |
| Stan Jordan   |     | X   |         |                 |                 |
| Matthew Meadows   | X   |     |         |                 |                 |
| Julio Robaina   |     |     | X       |                 |                 |
| Franklin Sands  | X   |     |         |                 |                 |
| Robert Schenck  | X   |     |         |                 |                 |
| Michael Scionti   |     | X   |         |                 |                 |
| Geraldine Thompson  | X   |     |         |                 |                 |
| Andy Gardiner (Chair)   |     | X   |         |                 |                 |
| <b>Total Yeas: 8      Total Nays: 5</b>                               |     |     |         |                 |                 |

**Appearances:**

Public Employee Charitable Campaign  
 C. Scott Dudley, Sr. Legislative Advocate (Lobbyist) - Opponent  
 Florida League of Cities  
 301 S. Bronough  
 Tallahassee FL 32301  
 Phone: 850 222-9684

Public Employee Charitable Campaign  
 Gwen Cooper (Lobbyist) - Proponent  
 Community Health Charities  
 15A Crescent Way  
 Crawfordville FL 32327  
 Phone: 850-926-7003

Public Employee Charitable Campaign  
 Barton Cooper (Lobbyist) - Proponent  
 Community Health Charities  
 15A Crescent Way  
 Crawfordville FL 32328  
 Phone: 850-926-7003

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

Public Employee Charitable Campaign  
Ted Granger, President (Lobbyist) - Opponent  
United Way of Florida  
307 E. 7th Ave.  
Tallahassee FL 32303  
Phone: 850-488-8276

Public Employee Charitable Campaign  
Ken Armstrong, President - Opponent  
United Way of the Big Bend  
307 E. 7th Ave.  
Tallahassee FL 32303  
Phone: 850-414-0844

**Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM**



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0875

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative Skidmore offered the following:  
4

5 **Substitute Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 110.182, Florida Statutes, is created  
8 to read:

9 110.182 Florida Public Employees' Charitable Campaign.--

10 (1) DEFINITIONS.--As used in this section, the term:

11 (a) "Federation" means a group of not-for-profit  
12 charitable organizations that have voluntarily joined together  
13 for purposes of raising and distributing contributions for and  
14 among themselves.

15 (b) "Member agency" means a not-for-profit charitable  
16 organization belonging to a federation.

17 (c) "Public employee" means an employee of a local  
18 governmental agency or any of its departments, bureaus,  
19 committees, or officers.

20 (d) "Public employer" means a local governmental agency or  
21 any of its departments, bureaus, committees, or officers.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22        (2) CREATION AND ORGANIZATION OF PUBLIC EMPLOYEES'  
23        CHARITABLE CAMPAIGN.--

24        (a) Any public employer that conducts or wishes to conduct  
25        charitable workplace giving campaigns shall include charitable  
26        organizations that meet the eligibility requirements for  
27        participation in each local campaign. This annual Florida Public  
28        Employees' Charitable Campaign is the only authorized charitable  
29        fundraising drive directed toward public employees within work  
30        areas during work hours and for which the public employer will  
31        provide payroll deduction. This campaign may be held any time  
32        during the year either in conjunction with or separately from  
33        any current charitable workplace giving campaign.

34        (b) Any public employer that conducts or wishes to conduct  
35        charitable workplace giving campaigns, in coordination with the  
36        payroll department of such employer, is authorized and permitted  
37        to make deductions from the salary or wage of any public  
38        employee in such amount as shall be authorized and requested by  
39        that employee and for such purpose as shall be authorized and  
40        requested by the public employee and shall pay such sums so  
41        deducted as directed by such employee.

42        (c) Public employee contributions toward the Florida  
43        Public Employees' Charitable Campaign must be entirely  
44        voluntary.

45        (d) An applicable public employer shall authorize  
46        deductions from the salaries or wages of its public employees of  
47        an amount specified by each employee for payment to an eligible  
48        charitable organization. The request for the deduction may be  
49        withdrawn by the public employee at any time by filing a written  
50        notification of withdrawal with the applicable treasurer or  
51        responsible official in charge of the payroll system. If such  
52        employer authorizes deductions from the salaries or wages of its

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 employees for payment to any eligible charitable organization,  
54 such employer shall ensure that an employee shall be permitted  
55 to authorize a deduction to any eligible charitable  
56 organization.

57 (e) Participation in the annual Florida Public Employees'  
58 Charitable Campaign must be limited to any nonprofit charitable  
59 federation or member agency that has as its principal mission:

- 60 1. Public health and welfare;
- 61 2. Education;
- 62 3. Environmental restoration and conservation;
- 63 4. Civil and human rights; or
- 64 5. Relief of human suffering and poverty.

65 (f) To qualify as a nonprofit charitable federation or  
66 member agency:

67 1. A federation or member agency must have had an office  
68 open at least 20 hours per week employing full-time or part-time  
69 employees in this state for the last 3 years.

70 2. A federation must represent at least 10 health and  
71 human services, social welfare, or environmental agencies that  
72 also have an office open at least 20 hours per week employing  
73 full-time or part-time employees.

74 3. A member agency must document available services in the  
75 local service area in which the campaign takes place in order to  
76 participate in any local public employer campaign.

77 4. A federation or member agency must be governed by an  
78 active, voluntary board that exercises administrative control.

79 (g) Any nonprofit charitable federation or member agency  
80 participating in the Florida Public Employees' Charitable  
81 Campaign must have its financial records audited annually by an  
82 independent public accountant whose examination conforms to  
83 generally accepted accounting principles.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 (h) Local unaffiliated eligible charitable organizations  
85 may apply to a participating federation for inclusion in the  
86 local public employer campaign, provided the charitable  
87 organization meets the eligibility requirements of the  
88 participating federation; thus, ensuring that all local eligible  
89 charitable organizations can participate.

90 (i) An independent charitable organization is exempt from  
91 the federation or member agency membership requirement in  
92 paragraph (e) if the organization currently participates in an  
93 established public employer campaign and is in compliance with  
94 the provisions of paragraphs (f) and (j).

95 (j) Federations and member agencies ineligible to  
96 participate in the Florida Public Employees' Charitable Campaign  
97 include, but are not limited to, the following:

98 1. A federation or member agency whose fundraising and  
99 administrative expenses exceed 25 percent, unless extraordinary  
100 circumstances can be demonstrated.

101 2. A federation or member agency whose activities contain  
102 an element that is more than incidentally political in nature or  
103 whose activities are primarily political, religious,  
104 professional, or fraternal in nature.

105 3. A federation or member agency that discriminates  
106 against any individual or group on account of race, color,  
107 religion, sex, national origin, age, handicap, or political  
108 affiliation.

109 4. A federation or member agency that is not properly  
110 registered as a charitable organization as required by the  
111 Solicitation of Contributions Act, ss. 496.401-496.424.

112 5. A federation or member agency that has not received  
113 tax-exempt status under s. 501(c)(3) of the Internal Revenue  
114 Code.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

15           (3) SELECTION OF FISCAL AGENTS; COST.--

116           (a) Any public employer that conducts or wishes to conduct  
117 charitable workplace giving campaigns is not required to select  
118 a fiscal agent to act on its behalf for campaign fund  
119 distribution but may select through the competitive procurement  
120 process a fiscal agent or agents to receive, account for, and  
121 distribute charitable contributions among participating  
122 charitable organizations.

123           (b) The fiscal agent shall withhold the reasonable costs  
124 for conducting the campaign and for accounting and distribution  
125 to the participating organizations, not to exceed 12 percent of  
126 gross campaign pledges, and shall reimburse the public employer  
127 the actual cost, not to exceed 1 percent of gross pledges, for  
128 coordinating the campaign in accordance with the rules of the  
129 public employer.

130           (c) The fiscal agent shall furnish the public employer and  
131 participating charitable federations and member agencies a  
132 report of the accounting and distribution activities. Records  
133 relating to these activities shall be open for inspection.

134           (d) A local committee shall be established by each public  
135 employer to assist in conducting the campaign.

136           (e) Participating charitable federations and member  
137 agencies shall receive the same percentage of undesignated funds  
138 raised in any campaign as the percentage of designated funds  
139 they receive.

140           (f) All charitable organizations shall be represented  
141 equally and fairly in each Florida Public Employees' Charitable  
142 Campaign.

143           Section 2. This act shall take effect July 1, 2007.

144  
145           ===== T I T L E   A M E N D M E N T =====

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

146 Remove the entire title and insert:

147

148 A bill to be entitled

149 An act relating to public employee charitable campaigns;  
150 creating s. 110.182, F.S.; providing definitions; creating  
151 the Florida Public Employees' Charitable Campaign;  
152 providing organization of campaign; authorizing salary or  
153 wage deductions for purposes of the campaign; providing  
154 that campaign contributions must be voluntary; providing  
155 criteria for the application and withdrawal from the  
156 campaign; providing that participation must be limited to  
157 certain nonprofit charitable federations and member  
158 agencies; providing an exception; excluding certain  
159 organizations from participation; providing for selection  
160 of fiscal agent; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HM 931 : Darfur**

Favorable

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 15</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1145 : Legislature**

*Favorable with Council Substitute*

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      |            |                      | X              |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              |            | X                    |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 1</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 1145**

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | ___                                 | (Y/N) |
| ADOPTED AS AMENDED    | ___                                 | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | ___                                 | (Y/N) |
| WITHDRAWN             | ___                                 | (Y/N) |
| OTHER                 | _____                               |       |

1 Council/Committee hearing bill: Government Efficiency &  
 2 Accountability Council  
 3 Representative Llorente offered the following:

**Amendment (with title amendment)**

On page 1, line 21, insert:

Section 1. This act may be cited as the "Truth in  
Government Act."

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

On page 1, line 2, after the semicolon, insert:

providing a short title;

000000

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1159 : Unauthorized Use of the Name or Image of a Member of the Armed Forces for Business Purposes**

Favorable with Council Substitute

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       |            |                      | X              |                         |                         |
| Julio Robaina         |            |                      | X              |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 12</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 1159

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | <input type="checkbox"/>            | (Y/N) |
| ADOPTED AS AMENDED    | <input type="checkbox"/>            | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | <input type="checkbox"/>            | (Y/N) |
| WITHDRAWN             | <input type="checkbox"/>            | (Y/N) |
| OTHER                 | <input type="checkbox"/>            |       |

1 Council/Committee hearing bill: Government Efficiency &  
 2 Accountability Council  
 3 Representative Grimsley offered the following:

4  
 5 **Substitute Strike-All Amendment for Amendment ( 1 ) by**  
 6 **Representative Grimsley (with title amendment)**

7 Remove everything after the enacting clause and insert:  
 8 Section 1. This act may be cited as the "Robert A. Wise  
 9 Military Protection Act."

10 Section 2. Present subsections (3), (4), (5), and (6) of  
 11 section 540.08, Florida Statutes, are redesignated as  
 12 subsections (4), (5), (6), and (7), respectively, and a new  
 13 subsection (3) is added to that section, to read:

14 540.08 Unauthorized publication of name or likeness.—  
 15 (3) If a person uses the name, portrait, photograph, or  
 16 other likeness of a member of the armed forces without obtaining  
 17 the consent required in subsection (1) and such use is not  
 18 subject to any exception listed in this section, a court may  
 19 impose a civil penalty of up to \$1,000 per violation in addition  
 20 to the civil remedies contained in subsection (2). Each  
 21 commercial transaction constitutes a violation under this  
 22 section. As used in this section, the term "member of the armed

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 forces" means an officer or enlisted member of the Army, Navy,  
24 Air Force, Marine Corps, or Coast Guard of the United States,  
25 the Florida National Guard, and United States Reserve Forces,  
26 including any officer or enlisted member who died as a result of  
27 injuries sustained in the line of duty.

28 Section 3. This act shall take effect July 1, 2007.

29

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

31 Remove the entire title and insert:

32 A bill to be entitled

33 An act relating to the unauthorized use of a name or likeness;  
34 providing a short title; amending s. 540.08, F.S.; prohibiting  
35 the use of the name or image of a member of the armed forces for  
36 certain purposes without obtaining consent in the manner  
37 prescribed by applicable state law; defining the term "member of  
38 the armed forces"; providing penalties for such unauthorized  
39 use; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1405 : Pub. Rec. & Meetings/Donors to Publicly Owned House Museums**

Favorable with Council Substitute

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 14</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1405

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative(s) Bullard offered the following:  
4

5       **Amendment (with title amendment)**

6       Remove everything after the enacting clause and insert:

7  
8       Section 1. Section 267.076, Florida Statutes, is created  
9 to read:

10       267.076 Confidentiality of certain donor information  
11 related to publicly owned house museums designated as National  
12 Historic Landmarks.--Information that would identify a donor or  
13 prospective donor, who desires to remain anonymous, to a  
14 publicly owned house museum designated by the United States  
15 Department of the Interior as a National Historic Landmark, is  
16 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
17 of the State Constitution. This section is subject to the Open  
18 Government Sunset Review Act in accordance with s. 119.15, and  
19 shall stand repealed on October 2, 2012, unless reviewed and  
20 saved from repeal through reenactment by the Legislature.

21       Section 2. The Legislature finds that it is a public  
22 necessity that information that would identify a donor or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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23 prospective donor, who desires to remain anonymous, to a  
24 publicly owned house museum designated by the United States  
25 Department of the Interior as a National Historic Landmark, be  
26 made confidential and exempt from public records requirements.  
27 In order to protect Florida's historic resources, it is a public  
28 necessity to promote the giving of gifts to, and the raising of  
29 private funds for, the acquisition, renovation, rehabilitation,  
30 and operation of publicly owned house museums designated by the  
31 United States Department of the Interior as National Historic  
32 Landmarks. An essential element of a robust plan of promoting  
33 the giving of private gifts and the raising of private funds is  
34 the need to protect the identity of prospective and actual  
35 donors who desire to remain anonymous. If the identity of  
36 prospective and actual donors who desire to remain anonymous is  
37 subject to disclosure, there is a chilling effect on donations  
38 because donors are concerned about disclosure of personal  
39 information leading to theft and, in particular, identity theft,  
40 including personal safety and security. Therefore, the  
41 Legislature finds that it is a public necessity to make  
42 confidential and exempt from public records requirements  
43 information that would identify a donor or prospective donor who  
44 wishes to remain anonymous, to a publicly owned house museum  
45 designated by the United States Department of the Interior as a  
46 National Historic Landmark.

47 Section 3. This act shall take effect July 1, 2007.

48  
49 ===== T I T L E A M E N D M E N T =====

50 Remove the entire title and insert:

51  
52 A bill to be entitled

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53 An act relating to public records; creating s. 267.076,  
54 F.S.; creating an exemption from public records  
55 requirements for information that identifies a donor or  
56 prospective donor information involving any publicly owned  
57 house museum that is designated by the United States  
58 Department of the Interior as a National Historic  
59 Landmark; providing for future legislative review and  
60 repeal of the exemption under the Open Government Sunset  
61 Review Act; providing a finding of public necessity;  
62 providing an effective date.



**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1433 : Exemptions from the Tax on Sales, Use, and Other Transactions**

|                       | <input checked="" type="checkbox"/> Favorable | Yea                   | Nay                  | No Vote | Absentee |     |
|-----------------------|---|-----------------------|----------------------|---------|----------|-----|
|                       |   |                       |                      |         | Yea      | Nay |
| Frank Attkisson       |   | X                     |                      |         |          |     |
| Carl Domino           |   | X                     |                      |         |          |     |
| Greg Evers            |   | X                     |                      |         |          |     |
| Joseph Gibbons        |   | X                     |                      |         |          |     |
| Eduardo Gonzalez      |   | X                     |                      |         |          |     |
| Michael Grant         |   | X                     |                      |         |          |     |
| Ed Homan              |   | X                     |                      |         |          |     |
| Stan Jordan           |   | X                     |                      |         |          |     |
| Matthew Meadows       |   |                       |                      |         | X        |     |
| Julio Robaina         |   |                       |                      | X       |          |     |
| Franklin Sands        |   | X                     |                      |         |          |     |
| Robert Schenck        |   | X                     |                      |         |          |     |
| Michael Scionti       |   | X                     |                      |         |          |     |
| Geraldine Thompson    |   | X                     |                      |         |          |     |
| Andy Gardiner (Chair) |   | X                     |                      |         |          |     |
|                       |   | <b>Total Yeas: 13</b> | <b>Total Nays: 0</b> |         |          |     |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1489 : Public Project Construction Bonds**

*Favorable with Council Substitute*

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          |            |            | X              |                         |                         |
| Carl Domino                              | X          |            |                |                         |                         |
| Greg Evers                               |            |            | X              |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              | X          |            |                |                         |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            | X          |            |                |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       | X          |            |                |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 13      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1489**

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council

3 Representative(s) Aubuchon offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (c) is added to subsection (1) of  
7 section 255.05, Florida Statutes, to read:

8 255.05 Bond of contractor constructing public buildings;  
9 form; action by materialmen.--

10 (1)

11 (c)1. The amount of the bond shall equal the contract  
12 price, except that for a contract in excess of \$250 million, if  
13 the state, county, municipality, political subdivision, or other  
14 public entity finds that a bond in the amount of the contract  
15 price is not reasonably available, the public owner shall set  
16 the amount of the bond at the largest amount reasonably  
17 available, but not less than \$250 million.

18 2. For a construction-management or design-build contract,  
19 if the public owner does not include in the bond amount the cost  
20 of design or other nonconstruction services, the bond may not be  
21 conditioned on performance of such services or payment to  
22 persons furnishing such services. Notwithstanding paragraph (a),

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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23 such a bond may exclude persons furnishing such services from  
24 the classes of persons protected by the bond.

25 Section 2. Section 255.103, Florida Statutes, is created  
26 to read:

27 255.103 Construction or program management entities. -

28 (1) "Agency" as used in this section means a county,  
29 municipality, special district as defined in chapter 189, or  
30 other political subdivision of the state.

31 (2) An agency may select a construction management entity,  
32 pursuant to the process provided by s. 287.055, that would be  
33 responsible for all scheduling and coordination in both design  
34 and construction phases and is generally responsible for the  
35 successful, timely, and economical completion of the  
36 construction project. The construction management entity must  
37 consist of or contract with licensed or registered professionals  
38 for the specific fields or areas of construction to be  
39 performed, as required by law. The construction management  
40 entity may retain necessary design professionals selected under  
41 the process provided in s. 287.055. At the option of the  
42 agency, the construction management entity, after having been  
43 selected, may be required to offer a guaranteed maximum price or  
44 a guaranteed completion date; in which case, the construction  
45 management entity must secure an appropriate surety bond  
46 pursuant to s. 255.05 and must hold construction subcontracts.  
47 If a project, as defined in s. 287.055(2)(f), solicited by an  
48 agency under the process provided in s. 287.055 includes a  
49 grouping of substantially similar construction, rehabilitation,  
50 or renovation activities as permitted under s. 287.055(2)(f),  
51 the agency may require the construction management entity to  
52 provide for a separate guaranteed maximum price and a separate  
53 guaranteed completion date for each grouping of substantially

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54 similar construction, rehabilitation, or renovation activities  
55 included within the project.

56 (3) An agency may select a program management entity,  
57 pursuant to the process provided by s. 287.055, that would act  
58 as the agent of the public agency and would be responsible for  
59 schedule control, cost control, and coordination in providing or  
60 procuring planning, design, and construction services. The  
61 program management entity must consist of or contract with  
62 licensed or registered professionals for the specific areas of  
63 design or construction to be performed as required by law. The  
64 program management entity may retain necessary design  
65 professionals selected under the process provided in s. 287.055.  
66 At the option of the agency, the program management entity,  
67 after having been selected, may be required to offer a  
68 guaranteed maximum price or a guaranteed completion date, in  
69 which case the program management entity must secure an  
70 appropriate surety bond pursuant to s. 255.05 and must hold  
71 design and construction subcontracts. If a project, as defined  
72 in s. 287.055(2)(f), solicited by an agency under the process  
73 provided in s. 287.055 includes a grouping of substantially  
74 similar construction, rehabilitation, or renovation activities  
75 as permitted under s. 287.055(2)(f), the agency may require the  
76 program management entity to provide for a separate guaranteed  
77 maximum price and a separate guaranteed completion date for each  
78 grouping of substantially similar construction, rehabilitation,  
79 or renovation activities included within the project.

80 Section 3: This act shall take effect July 1, 2007.

81  
82 ===== T I T L E A M E N D M E N T =====

83 Remove the entire title and insert:

84 An act relating to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

85 public project construction; amending s. 255.05, F.S.; providing  
86 that the amount of a bond shall equal the contract price except  
87 under certain conditions; providing that a bond may not be  
88 conditioned on the performance of design or nonconstruction  
89 services if such services are not included in the bond amount;  
90 creating s. 255.103, F.S., relating to construction or program  
91 management entities; providing a definition; providing for  
92 selection of construction or program management entities;  
93 providing an effective date.

94

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1557 : State Information Technology**

*Favorable with Council Substitute*

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       |            |                      | X              |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            |            |                      | X              |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1557

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | ___                                 | (Y/N) |
| ADOPTED AS AMENDED    | ___                                 | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | ___                                 | (Y/N) |
| WITHDRAWN             | ___                                 | (Y/N) |
| OTHER                 | _____                               |       |

1 Council/Committee hearing bill: Government Efficiency &  
 2 Accountability Council

3 Representative(s) Weatherford offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Section 14.204, Florida Statutes, is created to  
 8 read:

9 14.204 Agency for Enterprise Information Technology.--The  
 10 Agency for Enterprise Information Technology is created within  
 11 the Executive Office of the Governor. The head of the agency  
 12 shall be the Governor and Cabinet, which shall take action by  
 13 majority vote consisting of at least three affirmative votes  
 14 with the Governor on the prevailing side. The agency shall be a  
 15 separate budget entity that is not subject to control,  
 16 supervision, or direction by the Executive Office of the  
 17 Governor in any manner, including, but not limited to,  
 18 purchasing, transactions involving real or personal property,  
 19 personnel, or budgetary matters.

20 (1) The executive director of the agency shall be  
 21 appointed by the Governor and Cabinet, is subject to  
 22 confirmation by the Senate, and shall serve at the pleasure of



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 the Governor and Cabinet. The executive director shall be the  
24 chief information officer of the state and the executive sponsor  
25 for all enterprise information technology projects. The  
26 executive director must have a degree from an accredited  
27 postsecondary institution, and at least 7 years of executive-  
28 level experience in managing information technology  
29 organizations.

30 (2) The agency shall have the following duties and  
31 responsibilities:

32 (a) Develop and implement strategies for the design,  
33 delivery, and management of the enterprise information  
34 technology services established in law.

35 (b) Monitor the delivery and management of the enterprise  
36 information technology services as established in law.

37 (c) Make recommendations to the agency head and the  
38 Legislature concerning other information technology services  
39 that should be designed, delivered, and managed at the  
40 enterprise level as defined in s. 282.0041(8).

41 (d) Plan and establish policies for managing proposed  
42 statutorily authorized enterprise information technology  
43 services, which includes developing business cases that, when  
44 applicable, include the components identified in s. 287.0574;  
45 establishing and coordinating project-management teams;  
46 establishing formal risk-assessment and mitigation processes;  
47 and providing for independent monitoring of projects for  
48 recommended corrective actions.

49 (e) Not earlier than July 1, 2008, define the architecture  
50 standards for enterprise information technology and develop  
51 implementation approaches for statewide migration to those  
52 standards.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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53        (f) Develop and publish a strategic enterprise information  
54 technology plan that identifies and recommends strategies for  
55 how enterprise information technology will deliver effective and  
56 efficient government services to state residents and improve the  
57 operations of state agencies.

58        (3) The agency shall operate in such a manner as to ensure  
59 participation and representation of state agencies and the  
60 Agency Chief Information Officers Council established in s.  
61 282.315.

62        Section 2. Section 20.22, Florida Statutes, is amended to  
63 read:

64        20.22 Department of Management Services.--There is created  
65 a Department of Management Services.

66        (1) The head of the Department of Management Services is  
67 the Secretary of Management Services, who shall be appointed by  
68 the Governor, subject to confirmation by the Senate, and shall  
69 serve at the pleasure of the Governor.

70        (2) The following divisions and programs within the  
71 Department of Management Services are established:

72        (a) Facilities Program.

73        (b) Technology Program ~~State Technology Office.~~

74        (c) Workforce Program.

75        (d)1. Support Program.

76        2. Federal Property Assistance Program.

77        (e) Administration Program.

78        (f) Division of Administrative Hearings.

79        (g) Division of Retirement.

80        (h) Division of State Group Insurance.

81        ~~(3) The State Technology Office shall operate and manage~~  
82 ~~the Technology Resource Center.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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83        ~~(3)(4)~~ The duties of the Chief Labor Negotiator shall be  
84 determined by the Secretary of Management Services, and must  
85 include, but need not be limited to, the representation of the  
86 Governor as the public employer in collective bargaining  
87 negotiations pursuant to the provisions of chapter 447.

88        Section 3. Section 216.0446, Florida Statutes, is amended  
89 to read:

90        216.0446 Review of information technology resources  
91 management needs.--

92        (1) There is created within the Legislature the Technology  
93 Review Workgroup. The workgroup and the State Technology Office  
94 shall ~~independently~~ review and make recommendations with respect  
95 to the portion of agencies' long-range program plans which  
96 pertains to information technology resources management needs  
97 and with respect to agencies' legislative budget requests for  
98 information technology and related resources. The Technology  
99 Review Workgroup shall report such recommendations, together  
100 with the findings and conclusions on which such recommendations  
101 are based, to the Legislative Budget Commission. ~~The State  
102 Technology Office shall report such recommendations, together  
103 with the findings and conclusions on which such recommendations  
104 are based, to the Executive Office of the Governor and to the  
105 chairs of the legislative appropriations committees.~~

106        (2) In addition to its primary duty specified in  
107 subsection (1), the Technology Review Workgroup shall have  
108 powers and duties that include, but are not limited to, the  
109 following:

110        (a) To evaluate the information technology resource  
111 management needs identified in the agency long-range program  
112 plans for consistency with the State Annual Report on Enterprise  
113 Resource Planning and Management and statewide policies

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

114 ~~recommended by the State Technology Office,~~ and make  
115 recommendations to the Legislative Budget Commission.

116 (b) To review and make recommendations to the Legislative  
117 Budget Commission on proposed budget amendments and agency  
118 transfers associated with information technology initiatives or  
119 projects that involve more than one agency, that have an outcome  
120 that impacts another agency, that exceed \$500,000 in total cost  
121 over a 1-year period, or that are requested by the Legislative  
122 Budget Commission to be reviewed.

123 Section 4. Section 282.0041, Florida Statutes, is amended  
124 to read:

125 282.0041 Definitions.--For the purposes of this part, the  
126 term:

127 (1) "Agency" means those entities described in s.  
128 216.011(1)(qq).

129 ~~(2) "Agency Annual Enterprise Resource Planning and~~  
130 ~~Management Report" means the report prepared by each Agency~~  
131 ~~Chief Information Officer as required by s. 282.3063.~~

132 (2)(3) "Agency Chief Information Officer" means the person  
133 appointed by the agency head State Technology Office to  
134 coordinate and manage the information technology functions  
135 policies and responsibilities activities applicable to that  
136 agency and to participate and represent his or her agency in  
137 developing strategies for implementing enterprise information  
138 technology services identified in law and developing  
139 recommendations for enterprise information technology policy.

140 (3)(4) "Agency Chief Information Officers Council" means  
141 the council created in s. 282.315 to facilitate the sharing and  
142 coordination of information technology issues and initiatives  
143 among the agencies.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

144 (4) "Agency for Enterprise Information Technology" means  
145 the agency created in s. 14.204.

146 (5) "Agency information technology service" means a  
147 service that directly helps the agency fulfill its statutory or  
148 constitutional responsibilities and policy objectives and is  
149 usually associated with the agency's primary or core business  
150 functions.

151 (6) "Customer relationship management" or "CRM" means the  
152 business processes, software, and Internet capabilities that can  
153 help state agencies manage customer relationships of the  
154 organization at the enterprise level.

155 (7) "Enterprise level" means all executive branch agencies  
156 created or authorized in statute to perform legislatively  
157 delegated functions.

158 (8) "Enterprise information technology service" means an  
159 information technology service that is used in all agencies or a  
160 subset of agencies and is established in law to be designed,  
161 delivered, and managed at the enterprise level.

162 (9) "E-mail, messaging, and calendaring service" means the  
163 enterprise information technology service that enables users to  
164 send, receive, file, store, manage, and retrieve electronic  
165 messages, attachments, appointments, and addresses.

166 ~~(5) "Enterprise resources management infrastructure" means~~  
167 ~~the hardware, software, networks, data, human resources,~~  
168 ~~policies, standards, facilities, maintenance, and related~~  
169 ~~materials and services that are required to support the business~~  
170 ~~processes of an agency or state enterprise.~~

171 ~~(6) "Enterprise resource planning and management" means~~  
172 ~~the planning, budgeting, acquiring, developing, organizing,~~  
173 ~~directing, training, control, and related services associated~~  
174 ~~with government information technology. The term encompasses~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

75 ~~information and related resources, as well as the controls~~  
176 ~~associated with their acquisition, development, dissemination,~~  
177 ~~and use.~~

178 (10)(7) "Information technology" means equipment,  
179 hardware, software, firmware, programs, systems, networks,  
180 infrastructure, media, and related material used to  
181 automatically, electronically, and wirelessly collect, receive,  
182 access, transmit, display, store, record, retrieve, analyze,  
183 evaluate, process, classify, manipulate, manage, assimilate,  
184 control, communicate, exchange, convert, converge, interface,  
185 switch, or disseminate information of any kind or form.

186 (11) "Information technology policy" means statements that  
187 describe clear choices for how information technology will  
188 deliver effective and efficient government services to residents  
189 and improve state agency operations. Such a policy may relate to  
190 investments, business applications, architecture, or  
191 infrastructure. A policy describes its rationale, implications  
192 of compliance or noncompliance, the timeline for implementation,  
193 metrics for determining compliance, and the accountable  
194 structure responsible for its implementation.

195 (12)(8) "Project" means an endeavor that has a defined  
196 start and end point; is undertaken to create or modify a unique  
197 product, service, or result; and has specific objectives that,  
198 when attained, signify completion ~~undertaking directed at the~~  
199 ~~accomplishment of a strategic objective relating to enterprise~~  
200 ~~resources management or a specific appropriated program.~~

201 ~~(9)~~ "State Annual Report on Enterprise Resource Planning  
202 and Management" means the report prepared by the State  
203 Technology Office as defined in s. 282.102.

204 (13)(10) "Standards" means the use of current, open,  
205 nonproprietary, or non-vendor-specific technologies.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

206 ~~(11) "State Technology Office" or "office" means the~~  
207 ~~office created in s. 282.102.~~

208 (14)~~(12)~~ "Total cost" means all costs associated with  
209 information technology projects or initiatives, including, but  
210 not limited to, value of hardware, software, service,  
211 maintenance, incremental personnel, and facilities. Total cost  
212 of a loan or gift of information technology resources to an  
213 agency includes the fair market value of the resources, except  
214 that the total cost of loans or gifts of information technology  
215 to state universities to be used in instruction or research does  
216 not include fair market value.

217 Section 5. Section 282.0055, Florida Statutes, is created  
218 to read:

219 282.0055 Assignment of information technology.--In order  
220 to ensure the most effective and efficient use of the state's  
221 information technology and information technology resources and  
222 notwithstanding other provisions of law to the contrary, the  
223 design, planning, project management, and implementation of the  
224 enterprise information technology services defined in s.  
225 282.0041(8) shall be the responsibility of the Agency for  
226 Enterprise Information Technology for executive branch agencies  
227 created or authorized in statute to perform legislatively  
228 delegated functions. The design, delivery, and management of the  
229 agency information technology services defined in s. 282.0041(5)  
230 shall be the responsibility of the individual state agency.

231 Section 6. Section 282.0056, Florida Statutes, is created  
232 to read:

233 282.0056 Development of work plan; development of  
234 implementation plans; and policy recommendations.--

235 (1) For purposes of carrying out its responsibilities set  
236 forth in s. 282.0055, the Agency for Enterprise Information

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

37 Technology shall develop a work plan describing the activities  
238 that the agency intends to undertake and the proposed outcomes.  
239 The work plan must be approved by the Governor and Cabinet and  
240 submitted to the President of the Senate and the Speaker of the  
241 House of Representatives. The work plan may be amended as needed  
242 to ensure that the enterprise information technology services  
243 will be provided in an efficient, effective, and accountable  
244 manner. For the 2007-2008 fiscal year, the agency's work plan  
245 shall include the development of recommended enterprise  
246 information technology policies, as defined in s. 282.0041(11).

247 (2) For the fiscal year beginning in 2008-2009, the agency  
248 shall develop implementation plans for up to three of the  
249 following proposed enterprise information technology services to  
250 be established in law:

251 (a) Consolidation of the deployment, management, and  
252 operation of state-owned or state-operated computer rooms and  
253 data centers.

254 (b) A shared or consolidated enterprise information  
255 technology service delivery and support model for the e-mail,  
256 messaging, and calendaring service defined in s. 282.0041(9).

257 (c) Information security.

258 (d) A shared customer relationship management system that  
259 consolidates agency requirements for receiving, managing,  
260 responding to, tracking, and reporting on telephone, e-mail,  
261 personnel, and other communications received from citizens.

262 (e) Consideration of a planned replacement cycle for  
263 computer equipment.

264 (3) In developing policy recommendations and  
265 implementation plans for established and proposed enterprise  
266 information technology services, the agency shall describe the  
267 scope of operation, conduct costs and requirements analyses,



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Amendment No. (for drafter's use only)

268 conduct an inventory of all existing information technology  
269 resources that are associated with each service, and develop  
270 strategies and timeframes for statewide migration. For purposes  
271 of consolidating state-owned or state-operated computer rooms  
272 and data centers, the Agency for Enterprise Information  
273 Technology shall develop a migration plan prior to initiating  
274 any consolidation effort.

275 (4) For the purpose of completing its work activities,  
276 each state agency shall provide to the Agency for Enterprise  
277 Information Technology all requested information, including, but  
278 not limited to, the agency's costs, service requirements, and  
279 equipment inventories.

280 Section 7. Section 282.20, Florida Statutes, is amended to  
281 read:

282 282.20 Technology Resource Center.--

283 (1) (a) The Department of Management Services State  
284 Technology Office shall operate and manage the Technology  
285 Resource Center.

286 (b) For the purposes of this section, the term:

287 1. "Information-system utility" means a full-service  
288 information-processing facility offering hardware, software,  
289 operations, integration, networking, and consulting services.

290 2. "Customer" means a state agency or other entity which  
291 is authorized to utilize the SUNCOM Network pursuant to this  
292 part.

293 (2) The Technology Resource Center shall:

294 (a) Serve ~~the office and other~~ customers as an  
295 information-system utility.

296 (b) Cooperate with customers to offer, develop, and  
297 support a wide range of services and applications needed by  
298 users of the Technology Resource Center.

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99 ~~(c) Cooperate with the Florida Legal Resource Center of~~  
300 ~~the Department of Legal Affairs and other state agencies to~~  
301 ~~develop and provide access to repositories of legal information~~  
302 ~~throughout the state.~~

303 ~~(c)(d)~~ Cooperate with the Agency for Enterprise  
304 Information Technology ~~office~~ to identify and facilitate  
305 interdepartmental networking and integration of network services  
306 for its customers.

307 ~~(d)(e)~~ Assist customers in testing and evaluating new and  
308 emerging technologies that could be used to meet the needs of  
309 the state.

310 (3) The department ~~office~~ may contract with customers to  
311 provide any combination of services necessary for agencies to  
312 fulfill their responsibilities and to serve their users.

313 (4) The Technology Resource Center may plan, design,  
314 establish pilot projects for, and conduct experiments with  
315 information technology resources, and may implement enhancements  
316 in services when such implementation is cost-effective. Funding  
317 for experiments and pilot projects shall be derived from service  
318 revenues and may not exceed 5 percent of the service revenues  
319 for the Technology Resource Center for any single fiscal year.  
320 Any experiment, pilot project, plan, or design must be approved  
321 by the Agency for Enterprise Information Technology Chief  
322 Information Officer.

323 (5) Beginning in the 2007-2008 fiscal year and annually  
324 thereafter, the Technology Resource Center shall submit to the  
325 Agency for Enterprise Information Technology for its review a  
326 copy of its current and proposed services and service rates and  
327 cost-allocation plan. When appropriate, the Agency for  
328 Enterprise Information Technology shall request review and  
329 comment from the customers and Agency Chief Information Officers

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330 Council concerning the center's current and proposed rate and  
331 services structure.

332 ~~(5) Notwithstanding the provisions of s. 216.272, the~~  
333 ~~Technology Resource Center may spend funds in the reserve~~  
334 ~~account of the Technology Enterprise Operating Trust Fund for~~  
335 ~~enhancements to center operations or for information technology~~  
336 ~~resources. Any expenditure of reserve account funds must be~~  
337 ~~approved by the Chief Information Officer. Any funds remaining~~  
338 ~~in the reserve account at the end of the fiscal year may be~~  
339 ~~carried forward and spent as approved by the Chief Information~~  
340 ~~Officer, provided that such approval conforms to any applicable~~  
341 ~~provisions of chapter 216.~~

342 Section 8. Section 282.3055, Florida Statutes, is amended  
343 to read:

344 282.3055 Agency chief information officer; appointment;  
345 duties.--

346 (1) (a) Each agency head shall ~~To assist the State~~  
347 ~~Technology Officer in carrying out the enterprise resource~~  
348 ~~planning and management responsibilities, the Chief Information~~  
349 ~~Officer may appoint or contract for an agency chief information~~  
350 ~~officer. This position may be full time or part time.~~

351 (b) The agency chief information officer must, at a  
352 minimum, have knowledge and experience in both management and  
353 information technology resources.

354 (2) The duties of the agency chief information officer  
355 include, but are not limited to:

356 (a) Coordinating and facilitating the agency enterprise  
357 resource planning and management of agency information  
358 technology services projects and initiatives.

359 ~~(b) Preparing an agency annual report on enterprise~~  
360 ~~resource planning and management pursuant to s. 282.3063.~~

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61            ~~(b)(c)~~ Developing and Implementing agency information  
362 technology enterprise resource planning and management policies,  
363 procedures, guidelines, and standards that are consistent with  
364 the procedures and standards adopted by the Agency for  
365 Enterprise Information Technology, including specific policies  
366 and procedures for review and approval of the agency's purchases  
367 of information technology resources in accordance with the  
368 office's policies and procedures.

369            ~~(c)(d)~~ Advising agency senior management as to the  
370 information technology enterprise resource planning and  
371 management needs of the agency for inclusion in planning  
372 documents required by law.

373            ~~(d)(e)~~ Assisting in the development and prioritization of  
374 the information technology enterprise resource needs for  
375 planning and management schedule of the agency's legislative  
376 budget request.

377            (e) Assisting the Agency for Enterprise Information  
378 Technology in the development of strategies for implementing the  
379 enterprise information technology services established in law  
380 and developing recommendations for enterprise information  
381 technology policy.

382            Section 9. Section 282.315, Florida Statutes, is amended  
383 to read:

384            282.315 Agency Chief Information Officers Council;  
385 creation.--The Legislature finds that enhancing communication,  
386 consensus building, coordination, and facilitation with respect  
387 to issues concerning of statewide enterprise information  
388 technology resources are resource planning and management issues  
389 is essential to improving the state management of such  
390 resources.

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391 (1) There is created an Agency Chief Information Officers  
392 Council to:

393 (a) Enhance communication and collaboration among the  
394 Agency Chief Information Officers and the Agency for Enterprise  
395 Information Technology by sharing enterprise resource planning  
396 and management experiences and exchanging ideas.

397 (b) Identify and recommend ~~Facilitate the sharing of~~ best  
398 practices that are characteristic of highly successful  
399 technology organizations, as well as exemplary information  
400 technology applications for use by of state agencies, and assist  
401 the Agency for Enterprise Information Technology in developing  
402 strategies for implementing the enterprise information  
403 technology services established in law and developing  
404 recommendations for enterprise information technology policy.

405 (c) Identify efficiency opportunities among state agencies  
406 and make recommendations for action to the Agency for Enterprise  
407 Information Technology.

408 ~~(d) Serve as an educational forum for enterprise resource~~  
409 ~~planning and management issues.~~

410 ~~(d)(e)~~ Assist the Agency for Enterprise Information  
411 Technology State Technology Office in identifying critical  
412 enterprise information technology statewide issues and, when  
413 appropriate, make recommendations for solving enterprise  
414 resource planning and management deficiencies.

415 (2) Members of the council shall include the Agency Chief  
416 Information Officers, including the Chief Information Officers  
417 of the agencies and governmental entities ~~enumerated in s.~~  
418 ~~282.3031~~, except that there shall be one Chief Information  
419 Officer selected by the state attorneys and one Chief  
420 Information Officer selected by the public defenders. The  
421 council shall appoint a chair, vice chair, and secretary from

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22 among its members to a 1-year term each. The council shall  
423 establish procedures governing council business. ~~The chairs, or~~  
424 ~~their designees, of the Florida Financial Management Information~~  
425 ~~System Coordinating Council, the Criminal and Juvenile Justice~~  
426 ~~Information Systems Council, and the Health Information Systems~~  
427 ~~Council shall represent their respective organizations on the~~  
428 ~~Chief Information Officers Council as voting members.~~

429 (3) The Agency for Enterprise Information Technology State  
430 Technology Office shall provide administrative support to the  
431 council.

432 Section 10. Section 282.318, Florida Statutes, is amended  
433 to read:

434 282.318 Security of data and information technology  
435 resources.--

436 (1) This section may be cited as the "Security of Data and  
37 Information Technology Infrastructure Resources Act."

438 (2) (a) The Agency for Enterprise Information Technology  
439 State Technology Office, in consultation with each agency head,  
440 is responsible ~~and accountable~~ for assessing and recommending  
441 minimum operating procedures for ensuring ~~assuring~~ an adequate  
442 level of security for all data and information technology  
443 resources ~~for executive branch agencies created or authorized in~~  
444 statute to perform legislatively delegated functions. To assist  
445 the agency in carrying out this responsibility, ~~of~~ each agency  
446 head and, ~~to carry out this responsibility,~~ shall, at a minimum:

447 1. Designate an information security manager who shall  
448 administer the security program of the each agency for its data  
449 and information technology resources.

450 2. Conduct, and ~~periodically~~ update every 3 years, a  
451 comprehensive risk analysis to determine the security threats to  
52 the data, information, and information technology resources of

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453 the each agency. The risk analysis information is confidential  
454 and exempt from the provisions of s. 119.07(1), except that such  
455 information shall be available to the Auditor General and the  
456 Agency for Enterprise Information Technology in performing ~~his~~  
457 ~~or her~~ postauditing duties.

458 3. Develop, and periodically update, written internal  
459 policies and procedures, which shall include procedures for  
460 notifying the Agency for Enterprise Information Technology when  
461 an information security incident occurs or data is compromised.  
462 Such policies and procedures must be consistent with the  
463 standard operating procedures adopted by the Agency for  
464 Enterprise Information Technology in order to ensure ~~to assure~~  
465 the security of the data, information, and information  
466 technology resources of the each agency. The internal policies  
467 and procedures that ~~which~~, if disclosed, could facilitate the  
468 unauthorized modification, disclosure, or destruction of data or  
469 information technology resources are confidential information  
470 and exempt from the provisions of s. 119.07(1), except that such  
471 information shall be available to the Auditor General and the  
472 Agency for Enterprise Information Technology in performing ~~his~~  
473 ~~or her~~ postauditing duties.

474 4. Implement appropriate cost-effective safeguards to  
475 reduce, eliminate, or recover from the identified risks to the  
476 data, information, and information technology resources of the  
477 each agency.

478 5. Ensure that periodic internal audits and evaluations of  
479 the agency's each security program for the data, information,  
480 and information technology resources of the agency are  
481 conducted. The results of such internal audits and evaluations  
482 are confidential information and exempt from the provisions of  
483 s. 119.07(1), except that such information shall be available to

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84 the Auditor General and the Agency for Enterprise Information  
485 Technology in performing ~~his or her~~ postauditing duties.

486 6. Include appropriate security requirements, ~~as~~  
487 ~~determined by the State Technology Office, in consultation with~~  
488 ~~each agency head,~~ in the written specifications for the  
489 solicitation of information technology and information  
490 technology resources which are consistent with the standard  
491 security operating procedures adopted by the Agency for  
492 Enterprise Information Technology.

493 (b) In those instances under this subsection in which the  
494 state agency or department State Technology Office develops  
495 state contracts for use by state agencies, the state agency or  
496 department office shall include appropriate security  
497 requirements in the specifications for the solicitation for  
498 state contracts for procuring information technology or  
99 information technology resources.

500 (3) The Agency for Enterprise Information Technology shall  
501 designate a chief information security officer.

502 (4) The Agency for Enterprise Information Technology shall  
503 develop standards and templates for conducting comprehensive  
504 risk analyses and information security audits by state agencies,  
505 assist agencies in their compliance with the provisions of this  
506 section, pursue appropriate funding provided for the purpose of  
507 enhancing domestic security, establish minimum guidelines and  
508 procedures for the recovery of information technology following  
509 a disaster, and provide training for agency information security  
510 managers. Standards, templates, guidelines, and procedures shall  
511 be published annually, no later than September 30 each year, to  
512 enable agencies to incorporate them in their planning for the  
513 following fiscal year.



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514       (5) The Agency for Enterprise Information Technology may  
515 adopt rules pursuant to ss. 120.536(1) and 120.54 relating to  
516 information security and to administer the provisions of this  
517 section.

518       ~~(3) Notwithstanding subsection (2), the Department of~~  
519 ~~Management Services, hereafter referred to as the "department,"~~  
520 ~~in consultation with each agency head, is responsible for~~  
521 ~~coordinating, assessing, and recommending minimum operating~~  
522 ~~procedures for ensuring an adequate level of security for data~~  
523 ~~and information technology resources. To assist the department~~  
524 ~~in carrying out this responsibility, each agency shall, at a~~  
525 ~~minimum:~~

526       ~~(a) Designate an information security manager who shall~~  
527 ~~administer the security program of the agency for its data and~~  
528 ~~information technology resources.~~

529       ~~(b) Conduct, and update every 3 years, a comprehensive~~  
530 ~~risk analysis to determine the security threats to the data,~~  
531 ~~information, and information technology resources of the agency.~~  
532 ~~The risk analysis information made confidential and exempt under~~  
533 ~~subparagraph (2) (a)2. shall be available to the Auditor General~~  
534 ~~in performing his or her postauditing duties.~~

535       ~~(c) Develop, and periodically update, written internal~~  
536 ~~policies and procedures that are consistent with the standard~~  
537 ~~operating procedures recommended by the department to ensure the~~  
538 ~~security of the data and information technology resources of the~~  
539 ~~agency. The internal policies and procedures that, if disclosed,~~  
540 ~~could facilitate the unauthorized modification, disclosure, or~~  
541 ~~destruction of data or information technology resources made~~  
542 ~~confidential and exempt under subparagraph (2) (a)3. shall be~~  
543 ~~available to the Auditor General in performing his or her~~  
544 ~~postauditing duties.~~

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45 ~~(d) Implement appropriate cost-effective safeguards to~~  
546 ~~reduce, eliminate, or recover from the identified risks to the~~  
547 ~~data and information technology resources of the agency.~~

548 ~~(e) Ensure that periodic internal audits and evaluations~~  
549 ~~of the security program for the data, information, and~~  
550 ~~information technology resources of the agency are conducted.~~  
551 ~~The results of such internal audits and evaluations made~~  
552 ~~confidential and exempt under subparagraph (2) (a)5. shall be~~  
553 ~~available to the Auditor General in performing his or her~~  
554 ~~postauditing duties.~~

555 ~~(f) Include appropriate security requirements in the~~  
556 ~~written specifications for the solicitation of information~~  
557 ~~technology resources that are consistent with the standard~~  
558 ~~security operating procedures as recommended by the department.~~

559 ~~(g) This subsection expires July 1, 2007.~~

60  
561 ~~In those instances under this subsection in which the~~  
562 ~~department develops state contracts for use by state agencies,~~  
563 ~~the department shall include appropriate security requirements~~  
564 ~~in the specifications for the solicitation for state contracts~~  
565 ~~for procuring information technology resources.~~

566 ~~(4) In order to ensure the security of data, information,~~  
567 ~~and information technology resources, the department shall~~  
568 ~~establish the Office of Information Security and shall designate~~  
569 ~~a Chief Information Security Officer as the head of the office.~~  
570 ~~The office shall coordinate its activities with the Agency Chief~~  
571 ~~Information Officers Council as established in s. 282.315. The~~  
572 ~~office is responsible for developing a strategic plan for~~  
573 ~~information technology security which shall be submitted by~~  
574 ~~March 1, 2007, to the Executive Office of the Governor, the~~  
575 ~~President of the Senate, and the Speaker of the House of~~

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576 ~~Representatives; developing standards and templates for~~  
577 ~~conducting comprehensive risk analyses and information security~~  
578 ~~audits by state agencies; assisting agencies in their compliance~~  
579 ~~with the provisions of this section; establishing minimum~~  
580 ~~standards for the recovery of information technology following a~~  
581 ~~disaster; and conducting training for agency information~~  
582 ~~security managers. This subsection expires July 1, 2007.~~

583 Section 11. Subsection (2) of section 282.322, Florida  
584 Statutes, is amended to read:

585 282.322 Special monitoring process for designated  
586 information resources management projects.--

587 (2) The Agency for Enterprise Information Technology  
588 ~~Project Management Office of the State Technology Office~~ shall  
589 report on any information technology project that the  
590 Legislature projects the office identifies as high-risk to the  
591 Executive Office of the Governor, the President of the Senate,  
592 the Speaker of the House of Representatives, and the chairs of  
593 the appropriations committees. Within the limits of current  
594 appropriations, the Agency for Enterprise Information Technology  
595 ~~Project Management Office~~ shall monitor and report on such high-  
596 risk information technology projects, and assess the levels of  
597 risks associated with proceeding to the next stage of the  
598 project.

599 Section 12. Paragraph (a) of subsection (4) of section  
600 216.023, Florida Statutes, is amended to read:

601 216.023 Legislative budget requests to be furnished to  
602 Legislature by agencies.--

603 (4)(a) The legislative budget request must contain for  
604 each program:

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605 1. The constitutional or statutory authority for a  
606 program, a brief purpose statement, and approved program  
607 components.

608 2. Information on expenditures for 3 fiscal years (actual  
609 prior-year expenditures, current-year estimated expenditures,  
610 and agency budget requested expenditures for the next fiscal  
611 year) by appropriation category.

612 3. Details on trust funds and fees.

613 4. The total number of positions (authorized, fixed, and  
614 requested).

615 5. An issue narrative describing and justifying changes in  
616 amounts and positions requested for current and proposed  
617 programs for the next fiscal year.

618 6. Information resource requests.

619 7. Supporting information, including applicable cost-  
620 benefit analyses, business case analyses, performance  
621 contracting procedures, service comparisons, and impacts on  
622 performance standards for any request to outsource or privatize  
623 agency functions. The cost-benefit and business case analyses  
624 must include an assessment of the impact on each affected  
625 activity from those identified in accordance with paragraph (b).  
626 Performance standards must include standards for each affected  
627 activity and be expressed in terms of the associated unit of  
628 activity.

629 8. An evaluation of any major outsourcing and  
630 privatization initiatives undertaken during the last 5 fiscal  
631 years having aggregate expenditures exceeding \$10 million during  
632 the term of the contract. The evaluation shall include an  
633 assessment of contractor performance, a comparison of  
634 anticipated service levels to actual service levels, and a  
635 comparison of estimated savings to actual savings achieved.

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636 Consolidated reports issued by the Department of Management  
637 Services may be used to satisfy this requirement.

638 9. Supporting information for any proposed consolidated  
639 financing of deferred-payment commodity contracts including  
640 guaranteed energy performance savings contracts. Supporting  
641 information must also include narrative describing and  
642 justifying the need, baseline for current costs, estimated cost  
643 savings, projected equipment purchases, estimated contract  
644 costs, and return on investment calculation.

645 10. For projects that exceed \$10 million in total cost,  
646 the statutory reference of the existing policy or the proposed  
647 substantive policy that establishes and defines the project's  
648 governance structure, scope, main business objectives that must  
649 be achieved, and completion timeframes. Information technology  
650 budget requests for the continuance of existing hardware and  
651 software maintenance agreements, renewal of existing software  
652 licensing agreements, or the replacement of desktop units with  
653 new technology that is similar to the technology currently in  
654 use are exempt from this requirement.

655 Section 13. Paragraph (a) of subsection (1) of section  
656 943.0313, Florida Statutes, is amended to read:

657 943.0313 Domestic Security Oversight Council.--The  
658 Legislature finds that there exists a need to provide executive  
659 direction and leadership with respect to terrorism prevention,  
660 preparation, protection, response, and recovery efforts by state  
661 and local agencies in this state. In recognition of this need,  
662 the Domestic Security Oversight Council is hereby created. The  
663 council shall serve as an advisory council pursuant to s.  
664 20.03(7) to provide guidance to the state's regional domestic  
665 security task forces and other domestic security working groups  
666 and to make recommendations to the Governor and the Legislature

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667 regarding the expenditure of funds and allocation of resources  
668 related to counter-terrorism and domestic security efforts.

669 (1) MEMBERSHIP.--

670 (a) The Domestic Security Oversight Council shall consist  
671 of the following voting members:

672 1. The executive director of the Department of Law  
673 Enforcement.

674 2. The director of the Division of Emergency Management  
675 within the Department of Community Affairs.

676 3. The Attorney General.

677 4. The Commissioner of Agriculture.

678 5. The Secretary of Health.

679 6. The Commissioner of Education.

680 7. The State Fire Marshal.

681 8. The adjutant general of the Florida National Guard.

682 9. The state chief information officer ~~of the State~~  
683 ~~Technology Office within the Department of Management Services.~~

684 10. Each sheriff or chief of police who serves as a co-  
685 chair of a regional domestic security task force pursuant to s.  
686 943.0312(1)(b).

687 11. Each of the department's special agents in charge who  
688 serve as a co-chair of a regional domestic security task force.

689 12. Two representatives of the Florida Fire Chiefs  
690 Association.

691 13. One representative of the Florida Police Chiefs  
692 Association.

693 14. One representative of the Florida Prosecuting  
694 Attorneys Association.

695 15. The chair of the Statewide Domestic Security  
696 Intelligence Committee.

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697 16. One representative of the Florida Hospital  
698 Association.

699 17. One representative of the Emergency Medical Services  
700 Advisory Council.

701 18. One representative of the Florida Emergency  
702 Preparedness Association.

703 19. One representative of the Florida Seaport  
704 Transportation and Economic Development Council.

705 Section 14. Unless otherwise specified in this act, the  
706 Department of Management Services, established in s. 20.22,  
707 Florida Statutes, shall assume the duties and responsibilities  
708 of the State Technology Office as set forth in ss. 215.322(2),  
709 282.102, 282.103, 282.104, 282.105, 282.106, 282.107, 282.1095,  
710 282.111, 282.21, 282.22, 288.1092, 288.1093, 365.171, 365.172,  
711 and 365.173, Florida Statutes.

712 Section 15. Sections 186.022, 282.005, 282.101, 282.23,  
713 282.3031, 282.3032, 282.3063, and 282.310, Florida Statutes, and  
714 subsection (24) of section 287.057, Florida Statutes, are  
715 repealed.

716 Section 16. Paragraph (d) of subsection (2) of section  
717 215.95, Florida Statutes, is amended to read:

718 215.95 Financial Management Information Board.--

719 (2) To carry out its duties and responsibilities, the  
720 board shall by majority vote:

721 ~~(d) By March 1 of each year, approve a strategic plan~~  
722 ~~pursuant to the requirements set forth in s. 186.022(9).~~

723 Section 17. Paragraph (a) of subsection (3) of section  
724 215.96, Florida Statutes, is amended to read:

725 215.96 Coordinating council and design and coordination  
726 staff.--

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27 (3) The coordinating council, assisted by the design and  
728 coordination staff, shall have the following duties, powers, and  
729 responsibilities pertaining to the Florida Financial Management  
730 Information System:

731 (a) To conduct such studies and to establish committees,  
732 workgroups, and teams to develop recommendations for rules,  
733 policies, procedures, principles, and standards to the board as  
734 necessary to assist the board in its efforts to design,  
735 implement, and perpetuate a financial management information  
736 system, including, but not limited to, the establishment of  
737 common data codes, and the development of integrated financial  
738 management policies that address the information and management  
739 needs of the functional owner subsystems, ~~and the development of~~  
740 ~~a strategic plan pursuant to the requirements set forth in s.~~  
741 ~~186.022.~~ The coordinating council shall make available a copy of  
742 the approved plan in writing or through electronic means to each  
743 of the coordinating council members, the fiscal committees of  
744 the Legislature, and any interested person.

745 Section 18. Subsection (1) of section 282.103, Florida  
746 Statutes, is amended to read:

747 282.103 SUNCOM Network; exemptions from the required use.-

748 -

749 (1) There is created within the Department of Management  
750 Services State Technology Office the SUNCOM Network which shall  
751 be developed to serve as the state communications system for  
752 providing local and long-distance communications services to  
753 state agencies, political subdivisions of the state,  
754 municipalities, state universities, and nonprofit corporations  
755 pursuant to ss. 282.102-282.111 ~~ss. 282.101-282.111~~. The SUNCOM  
756 Network shall be developed to transmit all types of  
757 communications signals, including, but not limited to, voice,



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758 data, video, image, and radio. State agencies shall cooperate  
759 and assist in the development and joint use of communications  
760 systems and services.

761 Section 19. Subsections (1) and (2) of section 282.107,  
762 Florida Statutes, are amended to read:

763 282.107 SUNCOM Network; criteria for usage.--

764 (1) The Department of Management Services State Technology  
765 ~~Office~~ shall periodically review the qualifications of  
766 subscribers using the state SUNCOM Network and shall terminate  
767 services provided to any facility not qualified pursuant to ss.  
768 282.101-282.111 or rules adopted hereunder. In the event of  
769 nonpayment of invoices by subscribers whose SUNCOM Network  
770 invoices are paid from sources other than legislative  
771 appropriations, such nonpayment represents good and sufficient  
772 reason to terminate service.

773 (2) The Department of Management Services State Technology  
774 ~~Office~~ shall adopt rules for implementing and operating the  
775 state SUNCOM Network, which shall include setting forth its  
776 procedures for withdrawing and restoring authorization to use  
777 the state SUNCOM Network. Such rules shall provide a minimum of  
778 30 days' notice to affected parties prior to termination of  
779 voice communications service.

780 Section 20. Paragraph (b) of subsection (3) and subsection  
781 (4) of section 339.155, Florida Statutes, are amended to read:

782 339.155 Transportation planning.--

783 (3) FORMAT, SCHEDULE, AND REVIEW.--The Florida  
784 Transportation Plan shall be a unified, concise planning  
785 document that clearly defines the state's long-range  
786 transportation goals and objectives and documents the  
787 department's short-range objectives developed to further such  
788 goals and objectives. The plan shall include a glossary that

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789 clearly and succinctly defines any and all phrases, words, or  
790 terms of art included in the plan, with which the general public  
791 may be unfamiliar and shall consist of, at a minimum, the  
792 following components:

793 (b) A short-range component documenting the short-term  
794 objectives and strategies necessary to implement the goals and  
795 long-term objectives contained in the long-range component. The  
796 short-range component must define the relationship between the  
797 long-range goals and the short-range objectives, specify those  
798 objectives against which the department's achievement of such  
799 goals will be measured, and identify transportation strategies  
800 necessary to efficiently achieve the goals and objectives in the  
801 plan. It must provide a policy framework within which the  
802 department's legislative budget request, the strategic  
803 information resource management plan, and the work program are  
804 developed. The short-range component shall serve as the  
805 department's annual agency strategic plan pursuant to s.  
806 186.021. The short-range component shall be developed ~~consistent~~  
807 ~~with the requirements of s. 186.022~~ and consistent with  
808 available and forecasted state and federal funds. ~~In addition to~~  
809 ~~those entities listed in s. 186.022,~~ The short-range component  
810 shall also be submitted to the Florida Transportation  
811 Commission.

812 (4) ANNUAL PERFORMANCE REPORT.--The department shall  
813 develop an annual performance report evaluating the operation of  
814 the department for the preceding fiscal year. The report, ~~which~~  
815 ~~shall meet the requirements of s. 186.022,~~ shall also include a  
816 summary of the financial operations of the department and shall  
817 annually evaluate how well the adopted work program meets the  
818 short-term objectives contained in the short-range component of  
819 the Florida Transportation Plan. ~~In addition to the entities~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

820 ~~listed in s. 186.022,~~ This performance report shall also be  
821 submitted to the Florida Transportation Commission and the  
822 legislative appropriations and transportation committees.

823 Section 21. Subsection (7) of section 381.90, Florida  
824 Statutes, is amended to read:

825 381.90 Health Information Systems Council; legislative  
826 intent; creation, appointment, duties.--

827 (7) The council's duties and responsibilities include, but  
828 are not limited to, the following:

829 ~~(a) By June 1 of each year, to develop and approve a~~  
830 ~~strategic plan pursuant to the requirements set forth in s.~~  
831 ~~186.022.~~

832 ~~(a)(b)~~ To develop a mission statement, goals, and plan of  
833 action, ~~based on the guiding principles specified in s.~~  
834 ~~282.3032,~~ for the identification, collection, standardization,  
835 sharing, and coordination of health-related data across federal,  
836 state, and local government and private-sector entities.

837 ~~(b)(c)~~ To develop a review process to ensure cooperative  
838 planning among agencies that collect or maintain health-related  
839 data.

840 ~~(c)(d)~~ To create ad hoc issue-oriented technical  
841 workgroups, on an as-needed basis, to make recommendations to  
842 the council.

843 Section 22. Subsection (4) of section 403.973, Florida  
844 Statutes, is amended to read:

845 403.973 Expedited permitting; comprehensive plan  
846 amendments.--

847 ~~(4) The office may delegate to a Quick Permitting County~~  
848 ~~designated under s. 288.1093 the responsibility for convening~~  
849 ~~regional permit teams and, in consultation with the office, for~~  
850 ~~certifying as eligible for expedited review projects that meet~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

851 ~~the criteria of subsection (3) and that are consistent with the~~  
852 ~~economic goals of the county. In order to receive such a~~  
853 ~~delegation, the Quick Permitting County must hold the public~~  
854 ~~hearing required under subsection (7) and agree to execute a~~  
855 ~~memorandum of agreement for each qualified project.~~

856 Section 23. Paragraph (h) of subsection (8) of section  
857 408.05, Florida Statutes, is amended to read:

858 408.05 Florida Center for Health Information and Policy  
859 Analysis.--

860 (8) STATE CONSUMER HEALTH INFORMATION AND POLICY ADVISORY  
861 COUNCIL.--

862 (h) The council's duties and responsibilities include, but  
863 are not limited to, the following:

864 1. To develop a mission statement, goals, and a plan of  
865 ~~action based on the guiding principles specified in s. 282.3032~~  
866 for the identification, collection, standardization, sharing,  
867 and coordination of health-related data across federal, state,  
868 and local government and private sector entities.

869 2. To develop a review process to ensure cooperative  
870 planning among agencies that collect or maintain health-related  
871 data.

872 3. To create ad hoc issue-oriented technical workgroups on  
873 an as-needed basis to make recommendations to the council.

874 Section 24. Paragraph (b) of subsection (4) of section  
875 420.0003, Florida Statutes, is amended to read:

876 420.0003 State housing strategy.--

877 (4) IMPLEMENTATION.--The Department of Community Affairs  
878 and the Florida Housing Finance Corporation in carrying out the  
879 strategy articulated herein shall have the following duties:

880 (b) The agency strategic plan of the Department of  
881 Community Affairs, ~~prepared pursuant to the provisions of ss.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

882 ~~186.021 and 186.022~~, shall include specific goals, objectives,  
883 and strategies that implement the housing policies in this  
884 section and shall include the strategic plan for housing  
885 production prepared by the corporation pursuant to s. 420.511.

886 Section 25. Subsection (2) of section 420.511, Florida  
887 Statutes, is amended to read:

888 420.511 Business plan; strategic plan; annual report.--

889 (2) The corporation, in equal partnership with the  
890 department, shall develop annually a strategic plan for the  
891 provision of affordable housing in Florida as part of the  
892 department's agency strategic plan required pursuant to chapter  
893 186. In part, the plan shall include provisions that maximize  
894 the abilities of the corporation and the department to implement  
895 the state housing strategy established under s. 420.0003, to  
896 respond to federal housing initiatives, and to develop programs  
897 in a manner that is more responsive to the needs of public and  
898 private partners. The plan shall be developed on a schedule  
899 consistent with that established by s. ss. ~~186.021 and 186.022~~.  
900 For purposes of this act, the executive director or his or her  
901 designee shall serve as the corporation's representative to  
902 achieve a coordinated and integrated planning relationship with  
903 the department.

904 Section 26. Subsection (3) of section 943.08, Florida  
905 Statutes, is amended to read:

906 943.08 Duties; Criminal and Juvenile Justice Information  
907 Systems Council.--

908 (3) The council shall develop and approve a long-range  
909 program ~~strategie~~ plan pursuant to the requirements set forth in  
910 s. 186.021 ~~s. 186.022~~. Copies of the approved plan shall be  
911 transmitted, electronically or in writing, to the Executive  
912 Office of the Governor, the Speaker of the House of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

913 Representatives, the President of the Senate, and the council  
914 members.

915 Section 27. Paragraph (a) of subsection (2) of section  
916 1001.26, Florida Statutes, is amended to read:

917 1001.26 Public broadcasting program system.--

918 (2)(a) The Department of Education is responsible for  
919 implementing the provisions of this section ~~pursuant to s.~~  
920 ~~282.102~~ and may employ personnel, acquire equipment and  
921 facilities, and perform all duties necessary for carrying out  
922 the purposes and objectives of this section.

923 Section 28. This act shall take effect July 1, 2007.

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

925 Remove the entire title and insert:

926 An act relating to state information technology; creating s.  
927 14.204, F.S.; creating the Agency for Enterprise Information  
928 Technology within the Executive Office of the Governor;  
929 providing for the Governor and Cabinet to be the head of the  
930 agency; requiring that the agency be a separate budget entity  
931 that is not subject to the control of the Executive Office of  
932 the Governor; providing for an executive director of the agency  
933 to be subject to confirmation by the Senate; providing for the  
934 executive director to be the chief information officer of the  
935 state and the executive sponsor for all enterprise information  
936 technology projects; specifying the duties and responsibilities  
937 of the agency, which include defining architecture standards for  
938 information technology and developing a strategic enterprise  
939 information technology plan; requiring each state agency and the  
940 Agency Chief Information Officers Council to participate in the  
941 activities of the Agency for Enterprise Information Technology;  
942 amending s. 20.22, F.S.; removing the State Technology Office  
943 within the Department of Management Services; providing for a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

944 Technology Program within the department; amending s. 216.0446,  
945 F.S.; revising the duties of the Technology Review Workgroup  
946 within the Legislature to conform to the transfer of duties  
947 concerning the management of information technology for state  
948 agencies; amending s. 282.0041, F.S.; revising and providing  
949 definitions; creating s. 282.0055, F.S.; providing for the  
950 Agency for Enterprise Information Technology to oversee  
951 information technology services that are common to all executive  
952 branch agencies and for agency information technology services  
953 to be responsible for information technology within an  
954 individual state agency; creating s. 282.0056, F.S.; requiring  
955 the Agency for Enterprise Information Technology to develop a  
956 work plan; requiring that the work plan be approved by the  
957 Governor and Cabinet and submitted to the Legislature; requiring  
958 that certain specified policies be included in the initial work  
959 plan; requiring that the agency develop policy recommendations  
960 and strategies for consolidating computer rooms and data  
961 centers; requiring each state agency to provide assistance in  
962 the development of the work plan upon request; amending s.  
963 282.20, F.S.; transferring management of the Technology Resource  
964 Center from the State Technology Office to the Department of  
965 Management Services; revising the duties of the center to  
966 conform to changes made by the act; requiring that the center  
967 submit its service rates and cost-allocation plan to the Agency  
968 for Enterprise Information Technology for review; amending s.  
969 282.3055, F.S.; revising the duties of the agency chief  
970 information officers; amending s. 282.315, F.S.; revising the  
971 duties of the Agency Chief Information Officers Council;  
972 requiring that the council assist the Agency for Enterprise  
973 Information Technology in developing strategies for information  
974 technology services and projects and make policy

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

975 recommendations; revising the membership of the council;  
976 providing for the appointment of a chair, vice chair, and  
977 secretary; amending s. 282.318, F.S.; providing duties of the  
978 Agency for Enterprise Information Technology with respect to the  
979 security of data and information technology resources; requiring  
980 state agencies to conduct a comprehensive risk analysis at  
981 specified intervals, develop and update internal policies and  
982 procedures, and ensure compliance with certain security  
983 requirements; requiring the Agency for Enterprise Information  
984 Technology to designate a chief information security officer,  
985 develop standards for risk analyses and security audits, and  
986 provide training for agency information security managers;  
987 providing rulemaking authority; deleting provisions specifying  
988 duties of the Department of Management Services to conform to  
989 changes made by the act; amending s. 282.322, F.S.; requiring  
990 that the Agency for Enterprise Information Technology perform  
991 contract monitoring duties formerly performed by the Enterprise  
992 Project Management Office of the State Technology Office;  
993 amending s. 216.023, F.S.; requiring that certain legislative  
994 budget requests include the statutory reference to the policy  
995 requiring a new information technology project; amending s.  
996 943.0313, F.S., relating to the Domestic Security Oversight  
997 Council; conforming terminology to changes made by the act;  
998 providing for the transfer of specified duties from the State  
999 Technology Office to the Department of Management Services;  
1000 repealing ss. 186.022, 282.005, 282.101, 282.23, 282.3031,  
1001 282.3032, 282.3063, 282.310, and 287.057(24), F.S., relating to  
1002 information technology strategic plans, duties of the State  
1003 Technology Office, the State Strategic Information Technology  
1004 Alliance, information resources management responsibilities,  
1005 guiding principles, the Agency Annual Enterprise Resource



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

1006 Planning and Management Report, the State Annual Report on  
1007 Enterprise Resource Planning and Management, and state strategic  
1008 information technology alliances; amending ss. 215.95, 215.96,  
1009 282.103, 282.107, 339.155, 381.90, 403.973, 408.05, 420.0003,  
1010 420.511, 943.08, and 1001.26, F.S., relating to the Financial  
1011 Management Information Board and its coordination council, the  
1012 SUNCOM Network, transportation planning, the Health Information  
1013 Systems Council, expedited permitting, the Florida Center for  
1014 Health Information and Policy Analysis, the state housing  
1015 strategy and the Florida Housing Finance Corporation, the  
1016 Criminal and Juvenile Justice Information System Council, and  
1017 the public broadcasting program system; conforming cross-  
1018 references and other references to provisions repealed by the  
1019 act; providing an effective date.

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**HB 1585 : City of Clearwater, Pinellas County**

*Favorable with Council Substitute*

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          |            |            | X              |                         |                         |
| Carl Domino                              | X          |            |                |                         |                         |
| Greg Evers                               |            |            | X              |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              |            |            |                | X                       |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            | X          |            |                |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       |            |            | X              |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 11      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 management of sovereignty submerged lands of this state by the  
24 Board of Trustees of the Internal Improvement Fund, including  
25 rules of the board concerning private marinas and docking  
26 facilities: If the use of any area under the control of the  
27 portions of the property granted under chapter 11050, Laws of  
28 Florida, 1925, including any portion of the property that may  
29 include the Clearwater City Beach Marina Property, is altered  
30 from the existing public intended open space recreation or any  
31 other existing public land use designation, the change of use  
32 must first be approved by a site specific referendum put before  
33 the voters of the City of Clearwater. A dock or mooring  
34 facility for a multifamily dwelling or a dock for a single-  
35 family dwelling authorized under this act which is consistent  
36 with such laws and rules does not violate this act. The City of  
37 Clearwater shall use any revenue generated by authorizing any  
38 private use of the submerged land to fund water-related  
39 activities for the benefit of the public.

40 Section 3. If the Board of Trustees of the Internal  
41 Improvement Trust Fund finds that any use of a portion of the  
42 submerged lands granted under chapter 11050, Laws of Florida,  
43 1925, which was authorized by the City of Clearwater and not  
44 ratified by Section 1 of this act is inconsistent with the laws  
45 and rules governing the board's management of the state's  
46 sovereignty submerged lands, that portion shall, notwithstanding  
47 the 1925 special act, revert to the state to be held and managed  
48 by the Board of Trustees of the Internal Improvement Trust Fund.

49 Section 4. This act does not modify or supersede any  
50 provision of the Charter of the City of Clearwater concerning  
51 the requirement of a referendum for the use of waterfront  
52 property that is owned by the City of Clearwater which shall  
53 include the causeway as provided in section 2 of the act.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

54 Section 5. This act shall take effect upon becoming a law.  
55  
56

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

58 Remove the entire title and insert:

59 A bill to be entitled

60 An act relating to the City of Clearwater, Pinellas  
61 County; ratifying certain uses of property granted to the  
62 city by the state which were authorized by the city;  
63 providing that certain uses of such property are  
64 consistent with a grant made by the state; providing for  
65 limited private use of certain undeveloped submerged  
66 portions of the property if the city has received an  
67 application on or before December 31, 2006 and determines  
68 that the use is consistent with the laws governing the  
69 management of sovereignty submerged lands by the Board of  
70 Trustees of the Internal Improvement Trust Fund; providing  
71 for a referendum for certain changes of use; requiring the  
72 city to use revenues from any such limited private use to  
73 fund certain water-related activities; providing for a  
74 right of reverter in the Board of Trustees of the Internal  
75 Improvement Trust Fund; providing that the act does not  
76 modify or supersede the city's charter referendum  
77 requirement for use of waterfront property owned by the  
78 city; providing an effective date.  
79

80 WHEREAS, the right-of-way for the causeway to Clearwater  
81 Beach known as Memorial Causeway and certain adjacent submerged  
82 lands was granted to the City of Clearwater under chapter 11050,  
83 Laws of Florida, 1925, to be owned and maintained as provided in  
84 the 1925 special act, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

85 WHEREAS, the 1925 special act limits the use of property  
86 granted to public purposes and uses as specified in the act and  
87 provides for reversion of such property to the state in  
88 circumstances involving use of the property in a manner that is  
89 inconsistent with those specifications, and

90 WHEREAS, chapter 86-345, Laws of Florida, released a  
91 portion of the property granted by the 1925 special act from the  
92 reverter in order to permit the development and maintenance of a  
93 portion of the property as a marine science center as approved  
94 by the city commission and electors of the City of Clearwater,  
95 and

96 WHEREAS, the property granted by the 1925 special act now  
97 consists of uplands and submerged lands adjacent to those  
98 uplands, which have been developed for public purposes and uses,  
99 plus additional submerged lands that are adjacent to the  
100 developed uplands and that remain undeveloped, and

101 WHEREAS, the City of Clearwater wishes to make use of  
102 portions of the undeveloped adjacent submerged lands for public  
103 purposes and certain limited private uses as specified in this  
104 act which are consistent with the laws and rules governing the  
105 management of sovereignty submerged lands by the Board of  
106 Trustees of the Internal Improvement Trust Fund, and

107 WHEREAS, the Board of Trustees of the Internal Improvement  
108 Trust Fund and the City of Clearwater desire that the extent and  
109 manner of the use of the adjacent portions of the submerged  
110 lands be consistent with the use of other sovereignty submerged  
111 lands of the state, NOW, THEREFORE,

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB GEAC 07-02 : Public Records Exemptions for Economic Development Agencies**

Favorable With Amendments (2) - 2

|  | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|--|------------|------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                          | X          |            |                |                         |                         |
| Carl Domino                              |            |            | X              |                         |                         |
| Greg Evers                               | X          |            |                |                         |                         |
| Joseph Gibbons                           | X          |            |                |                         |                         |
| Eduardo Gonzalez                         | X          |            |                |                         |                         |
| Michael Grant                            | X          |            |                |                         |                         |
| Ed Homan                                 | X          |            |                |                         |                         |
| Stan Jordan                              | X          |            |                |                         |                         |
| Matthew Meadows                          | X          |            |                |                         |                         |
| Julio Robaina                            |            |            | X              |                         |                         |
| Franklin Sands                           | X          |            |                |                         |                         |
| Robert Schenck                           | X          |            |                |                         |                         |
| Michael Scionti                          | X          |            |                |                         |                         |
| Geraldine Thompson                       | X          |            |                |                         |                         |
| Andy Gardiner (Chair)                    | X          |            |                |                         |                         |
| <b>Total Yeas: 13      Total Nays: 0</b> |            |            |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **PCB GEAC 07-02**

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative(s) Attkisson offered the following:

4  
5 **Amendment**

6 Remove line(s) 33 insert:  
7 municipality or, if the county or municipality does not have a  
8 public economic development agency, the officers or employees  
9 assigned the duty to promote the general business interests or  
10 industrial interests of that county or municipality or  
11 responsibilities related thereto;

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **PCB GEAC 07-02**

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | <input type="checkbox"/>            | (Y/N) |
| ADOPTED AS AMENDED    | <input type="checkbox"/>            | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | <input type="checkbox"/>            | (Y/N) |
| WITHDRAWN             | <input type="checkbox"/>            | (Y/N) |
| OTHER                 | <input type="checkbox"/>            |       |

1 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council

3 Representative(s) Attkisson offered the following:  
4

5 **Amendment (with directory and title amendments)**

6 Between lines 145 and 146 insert:

7 h. State communications services taxes paid pursuant to  
8 chapter 202.  
9

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**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB GEAC 07-08 : OGSR Social Security Numbers and Financial Account Numbers**

Favorable

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         |            |                      | X              |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB GEAC 07-15 : OGSR Work Papers**

Favorable With Amendments (2) - 2

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         |            |                      | X              |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **PCB GEAC 07-15**

COUNCIL/COMMITTEE ACTION

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

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1 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative(s) Attkisson offered the following:  
4

5 **Amendment**

6 Remove line(s) 58 and insert:  
7 119.07(1) and s. 24(a), Art. I of the State Constitution, until  
8 the examination report is filed or until the investigation is  
9 completed or ceases to be active.  
10  
11  
12  
13

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. **PCB GEAC 07-15**

COUNCIL/COMMITTEE ACTION

|                       |          |       |
|-----------------------|----------|-------|
| ADOPTED               | ___      | (Y/N) |
| ADOPTED AS AMENDED    | ___      | (Y/N) |
| ADOPTED W/O OBJECTION | <u>✓</u> | (Y/N) |
| FAILED TO ADOPT       | ___      | (Y/N) |
| WITHDRAWN             | ___      | (Y/N) |
| OTHER                 | _____    |       |

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1 Council/Committee hearing bill: Government Efficiency &  
2 Accountability Council  
3 Representative(s) Attkisson offered the following:

4  
5 **Amendment**

6 Remove line(s) 90 and insert:

7 a. Jeopardize the integrity of another active examination  
8 or investigation;  
9

10  
11  
12  
000000

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB GEAC 07-29 : Taxation**

Favorable

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           |            |                      | X              |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         |            |                      | X              |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCB GEAC 07-30 : Public Records Exemption for Local Update of Census Addresses Program**

| <input checked="" type="checkbox"/> Favorable | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|---|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson                               | X          |                      |                |                         |                         |
| Carl Domino                                   |            |                      | X              |                         |                         |
| Greg Evers                                    | X          |                      |                |                         |                         |
| Joseph Gibbons                                | X          |                      |                |                         |                         |
| Eduardo Gonzalez                              | X          |                      |                |                         |                         |
| Michael Grant                                 | X          |                      |                |                         |                         |
| Ed Homan                                      | X          |                      |                |                         |                         |
| Stan Jordan                                   | X          |                      |                |                         |                         |
| Matthew Meadows                               | X          |                      |                |                         |                         |
| Julio Robaina                                 |            |                      | X              |                         |                         |
| Franklin Sands                                | X          |                      |                |                         |                         |
| Robert Schenck                                | X          |                      |                |                         |                         |
| Michael Scionti                               | X          |                      |                |                         |                         |
| Geraldine Thompson                            | X          |                      |                |                         |                         |
| Andy Gardiner (Chair)                         | X          |                      |                |                         |                         |
| <b>Total Yeas: 13</b>                         |            | <b>Total Nays: 0</b> |                |                         |                         |

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM

**COUNCIL MEETING REPORT**  
**Government Efficiency & Accountability Council**

**4/18/2007 9:30:00AM**

**Location:** Morris Hall (17 HOB)

**PCSCB for HB 703 & HB 1431 : State Board of Administration Investments**

HB 703 laid on table under Rule 7.19; Refer to CS for HB 703 & HB 1431

HB 1431 laid on table under Rule 7.19; Refer to CS for HB 703 & HB 1431

*Favorable with Council Substitute*

|                       | <i>Yea</i> | <i>Nay</i>           | <i>No Vote</i> | <i>Absentee<br/>Yea</i> | <i>Absentee<br/>Nay</i> |
|-----------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Frank Attkisson       | X          |                      |                |                         |                         |
| Carl Domino           | X          |                      |                |                         |                         |
| Greg Evers            | X          |                      |                |                         |                         |
| Joseph Gibbons        | X          |                      |                |                         |                         |
| Eduardo Gonzalez      | X          |                      |                |                         |                         |
| Michael Grant         | X          |                      |                |                         |                         |
| Ed Homan              | X          |                      |                |                         |                         |
| Stan Jordan           | X          |                      |                |                         |                         |
| Matthew Meadows       | X          |                      |                |                         |                         |
| Julio Robaina         | X          |                      |                |                         |                         |
| Franklin Sands        | X          |                      |                |                         |                         |
| Robert Schenck        | X          |                      |                |                         |                         |
| Michael Scionti       | X          |                      |                |                         |                         |
| Geraldine Thompson    | X          |                      |                |                         |                         |
| Andy Gardiner (Chair) | X          |                      |                |                         |                         |
| <b>Total Yeas: 15</b> |            | <b>Total Nays: 0</b> |                |                         |                         |

**Appearances:**

State Board of Administration Investments  
 Daniel Millenson, National Advocacy Director - Proponent  
 Sudan Divestment Task Force  
 1333 H. Street, N.W.  
 Washington DC 20005  
 Phone: 847-436-2627

Committee meeting was reported out: Wednesday, April 18, 2007 2:27:32PM



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **PCSCB for HB 703 and HB 1431**

COUNCIL/COMMITTEE ACTION

|                       |                                     |       |
|-----------------------|-------------------------------------|-------|
| ADOPTED               | ___                                 | (Y/N) |
| ADOPTED AS AMENDED    | ___                                 | (Y/N) |
| ADOPTED W/O OBJECTION | <input checked="" type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT       | ___                                 | (Y/N) |
| WITHDRAWN             | ___                                 | (Y/N) |
| OTHER                 | _____                               |       |

1 Council/Committee hearing bill: Government Efficiency &  
 2 Accountability Council  
 3 Representative(s) Porth offered the following:

**Amendment (with title amendment)**

Removes 190-623, and insert:

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 215.442, Florida Statutes, is created to read:

215.442 Executive director; reporting requirements; public meeting.--

(1) Beginning October 2007 and quarterly thereafter, the executive director shall present to the Board of Trustees of the State Board of Administration a quarterly report to include the following:

(a) The name of each equity in which the State Board of Administration has invested for the quarter.

(b) The industry category of each equity.

(2) The executive director shall present each quarterly report at a meeting of the board of trustees, which shall be

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 open and noticed to the public pursuant to the requirements of  
23 s. 286.011 and s. 24(b), Art. I of the State Constitution.

24 (3) The State Board of Administration shall publish a copy  
25 of each quarterly report on its website prior to presenting the  
26 report at each quarterly meeting of the board of trustees.

27 Section 2. Section 215.473, Florida Statutes, is created  
28 to read:

29 215.473 Divestiture by the State Board of Administration;  
30 Sudan; Iran.--

31 (1) DEFINITIONS.--As used in this act, the term:

32 (a) "Active business operations" means all business  
33 operations that are not inactive business operations.

34 (b) "Business operations" means engaging in commerce in  
35 any form in Sudan or Iran, including, but not limited to,  
36 acquiring, developing, maintaining, owning, selling, possessing,  
37 leasing, or operating equipment, facilities, personnel,  
38 products, services, personal property, real property, or any  
39 other apparatus of business or commerce.

40 (c) "Company" means any sole proprietorship, organization,  
41 association, corporation, partnership, joint venture, limited  
42 partnership, limited liability partnership, limited liability  
43 company, or other entity or business association, including all  
44 wholly owned subsidiaries, majority-owned subsidiaries, parent  
45 companies, or affiliates of such entities or business  
46 associations, that exists for the purpose of making profit.

47 (d) "Complicit" means taking actions during any preceding  
48 20-month period which have directly supported or promoted the  
49 genocidal campaign in Darfur, including, but not limited to,  
50 preventing Darfur's victimized population from communicating  
51 with each other, encouraging Sudanese citizens to speak out

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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52 against an internationally approved security force for Darfur,  
53 actively working to deny, cover up, or alter the record on human  
54 rights abuses in Darfur, or other similar actions.

55 (e) "Direct holdings" in a company means all securities of  
56 that company that are held directly by the public fund or in an  
57 account or fund in which the public fund owns all shares or  
58 interests.

59 (f) "Government of Iran" means the government of Iran, its  
60 instrumentalities, and companies owned or controlled by the  
61 government of Iran.

62 (g) "Government of Sudan" means the government in  
63 Khartoum, Sudan, that is led by the National Congress Party,  
64 formerly known as the National Islamic Front, or any successor  
65 government formed on or after October 13, 2006, including the  
66 coalition National Unity Government agreed upon in the  
67 Comprehensive Peace Agreement for Sudan, and does not include  
68 the regional government of southern Sudan.

69 (h) "Inactive business operations" means the mere  
70 continued holding or renewal of rights to property previously  
71 operated for the purpose of generating revenues but not  
72 presently deployed for such purpose.

73 (i) "Indirect holdings" in a company means all securities  
74 of that company that are held in an account or fund, such as a  
75 mutual fund, managed by one or more persons not employed by the  
76 public fund, in which the public fund owns shares or interests  
77 together with other investors not subject to the provisions of  
78 this act.

79 (j) "Iran" means the Islamic Republic of Iran.

80 (k) "Marginalized populations of Sudan" include, but are  
81 not limited to, the portion of the population in the Darfur

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

82 region that has been genocidally victimized; the portion of the  
83 population of southern Sudan victimized by Sudan's north-south  
84 civil war; the Beja, Rashidiya, and other similarly underserved  
85 groups of eastern Sudan; the Nubian and other similarly  
86 underserved groups in Sudan's Abyei, Southern Blue Nile, and  
87 Nuba Mountain regions; and the Amri, Hamadab, Manasir, and other  
88 similarly underserved groups of northern Sudan.

89 (l) "Military equipment" means weapons, arms, military  
90 supplies, and equipment that may readily be used for military  
91 purposes, including, but not limited to, radar systems,  
92 military-grade transport vehicles, or supplies or services sold  
93 or provided directly or indirectly to any force actively  
94 participating in armed conflict in Sudan.

95 (m) "Mineral-extraction activities" include the exploring,  
96 extracting, processing, transporting, or wholesale selling or  
97 trading of elemental minerals or associated metal alloys or  
98 oxides (ore), including gold, copper, chromium, chromite,  
99 diamonds, iron, iron ore, silver, tungsten, uranium, and zinc,  
100 as well as facilitating such activities, including providing  
101 supplies or services in support of such activities.

102 (n) "Oil-related activities" include, but are not limited  
103 to, owning rights to oil blocks; exporting, extracting,  
104 producing, refining, processing, exploring for, transporting,  
105 selling, or trading of oil; constructing, maintaining, or  
106 operating a pipeline, refinery, or other oil-field  
107 infrastructure; and facilitating such activities, including  
108 providing supplies or services in support of such activities,  
109 except that the mere retail sale of gasoline and related  
110 consumer products is not considered an oil-related activity.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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111 (o) "Petroleum resources" means petroleum, petroleum  
112 byproducts, or natural gas.

113 (p) "Power-production activities" means any business  
114 operation that involves a project commissioned by the National  
115 Electricity Corporation (NEC) of Sudan or other similar entity  
116 of the Government of Sudan whose purpose is to facilitate power  
117 generation and delivery, including, but not limited to,  
118 establishing power-generating plants or hydroelectric dams,  
119 selling or installing components for the project, providing  
120 service contracts related to the installation or maintenance of  
121 the project, as well as facilitating such activities, including  
122 providing supplies or services in support of such activities.

123 (q) "Public fund" means all funds, assets, trustee, and  
124 other designates under the State Board of Administration  
125 pursuant to chapter 121.

126 (r) "Scrutinized active business operations" means active  
127 business operations that have resulted in a company becoming a  
128 scrutinized company.

129 (s) "Scrutinized business operations" means business  
130 operations that have resulted in a company becoming a  
131 scrutinized company.

132 (t) "Scrutinized company" means any company that meets any  
133 of the following criteria:

134 1. The company has business operations that involve  
135 contracts with or provision of supplies or services to the  
136 Government of Sudan, companies in which the Government of Sudan  
137 has any direct or indirect equity share, consortiums or projects  
138 commissioned by the Government of Sudan, or companies involved  
139 in consortiums or projects commissioned by the Government of  
140 Sudan, and:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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141 a. More than 10 percent of the company's revenues or  
142 assets linked to Sudan involve oil-related activities or  
143 mineral-extraction activities; less than 75 percent of the  
144 company's revenues or assets linked to Sudan involve contracts  
145 with or provision of oil-related or mineral-extracting products  
146 or services to the regional government of southern Sudan or a  
147 project or consortium created exclusively by that regional  
148 government; and the company has failed to take substantial  
149 action; or

150 b. More than 10 percent of the company's revenues or  
151 assets linked to Sudan involve power-production activities; less  
152 than 75 percent of the company's power-production activities  
153 include projects whose intent is to provide power or electricity  
154 to the marginalized populations of Sudan; and the company has  
155 failed to take substantial action.

156 2. The company is complicit in the Darfur genocide.

157 3. The company supplies military equipment within Sudan,  
158 unless it clearly shows that the military equipment cannot be  
159 used to facilitate offensive military actions in Sudan or the  
160 company implements rigorous and verifiable safeguards to prevent  
161 use of that equipment by forces actively participating in armed  
162 conflict. Examples of safeguards include post-sale tracking of  
163 such equipment by the company, certification from a reputable  
164 and objective third party that such equipment is not being used  
165 by a party participating in armed conflict in Sudan, or sale of  
166 such equipment solely to the regional government of southern  
167 Sudan or any internationally recognized peacekeeping force or  
168 humanitarian organization.

169 4. The company has business operations that involve  
170 contracts with or provision of supplies or services to the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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171 Government of Iran, companies in which the Government of Iran  
172 has any direct or indirect equity share, consortiums, or  
173 projects commissioned by the Government of Iran, or companies  
174 involved in consortiums or projects commissioned by the  
175 Government of Iran and:

176 a. More than 10 percent of the company's total revenues or  
177 assets are linked to Iran and involve oil-related activities or  
178 mineral-extraction activities; and the company has failed to  
179 take substantial action; or

180 b. The company has, with actual knowledge, on or after  
181 August 5, 1996, made an investment of \$20 million or more, or  
182 any combination of investments of at least \$10 million each  
183 which in the aggregate equals or exceeds \$20 million in any 12-  
184 month period, that directly or significantly contributes to the  
185 enhancement of Iran's ability to develop the petroleum resources  
186 of Iran.

187 (u) "Social-development company" means a company whose  
188 primary purpose in Sudan is to provide humanitarian goods or  
189 services, including medicine or medical equipment; agricultural  
190 supplies or infrastructure; educational opportunities;  
191 journalism-related activities; information or information  
192 materials; spiritual-related activities; services of a purely  
193 clerical or reporting nature; food, clothing, or general  
194 consumer goods that are unrelated to oil-related activities;  
195 mineral-extraction activities; or power-production activities.

196 (v) "Substantial action specific to Iran" means adopting,  
197 publicizing, and implementing a formal plan to cease scrutinized  
198 business operations within 1 year and to refrain from any such  
199 new business operations.

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200 (w) "Substantial action specific to Sudan" means adopting,  
201 publicizing, and implementing a formal plan to cease scrutinized  
202 business operations within 1 year and to refrain from any such  
203 new business operations; undertaking humanitarian efforts in  
204 conjunction with an international organization, the government  
205 of Sudan, the regional government of Southern Sudan, or a  
206 nonprofit entity evaluated and certified by an independent third  
207 party to be substantially in a relationship to the company's  
208 Sudan business operations and of benefit to one or more  
209 marginalized populations of Sudan; or, through engagement with  
210 the Government of Sudan, materially improving conditions for the  
211 genocidally victimized population in Darfur.

212 (2) IDENTIFICATION OF COMPANIES.--

213 (a) Within 90 days after the effective date of this act,  
214 the public fund shall make its best efforts to identify all  
215 scrutinized companies in which the public fund has direct or  
216 indirect holdings or could possibly have such holdings in the  
217 future. Such efforts include:

218 1. Reviewing and relying, as appropriate in the public  
219 fund's judgment, on publicly available information regarding  
220 companies having business operations in Sudan, including  
221 information provided by nonprofit organizations, research firms,  
222 international organizations, and government entities;

223 2. Contacting asset managers contracted by the public fund  
224 that invest in companies having business operations in Sudan; or

225 3. Contacting other institutional investors that have  
226 divested from or engaged with companies that have business  
227 operations in Sudan.

228 4. Laws of the United States regarding the levels of  
229 business activity that would cause application of sanctions for

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

230 companies conducting business or investing in countries that are  
231 designated state sponsors of terror.

232 (b) By the first meeting of the public fund following the  
233 90-day period described in paragraph (a), the public fund shall  
234 assemble all scrutinized companies that fit criteria specified  
235 in subparagraphs (1)(t)1., 2., and 3. into a "Scrutinized  
236 Companies with Activities in Sudan List" and shall assemble all  
237 scrutinized companies that fit criteria specified in  
238 subparagraph (1)(t)4. into a "Scrutinized Companies with  
239 Activities in the Iran Petroleum Energy Sector List."

240 (c) The public fund shall update and make publicly  
241 available quarterly the Scrutinized Companies with Activities in  
242 Sudan List and the Scrutinized Companies with Activities in the  
243 Iran Petroleum Energy Sector List based on evolving information  
244 from, among other sources, those listed in paragraph (a).

245 (d) Notwithstanding the provisions of this act, a social-  
246 development company that is not complicit in the Darfur genocide  
247 is not considered a scrutinized company under subparagraph  
248 (1)(t)1., subparagraph (1)(t)2., subparagraph (1)(t)3., or  
249 subparagraph (1)(t)4.

250 (3) REQUIRED ACTIONS.--The public fund shall adhere to the  
251 following procedure for assembling companies on the Scrutinized  
252 Companies with Activities in Sudan List and the Scrutinized  
253 Companies with Activities in the Iran Petroleum Energy Sector  
254 List:

255 (a) Engagement.--

256 1. The public fund shall immediately determine the  
257 companies on the Scrutinized Companies with Activities in Sudan  
258 List and the Scrutinized Companies with Activities in the Iran

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

259 Petroleum Energy Sector List in which the public fund owns  
260 direct or indirect holdings.

261 2. For each company identified in this paragraph that has  
262 only inactive business operations, the public fund shall send a  
263 written notice informing the company of this act and encouraging  
264 it to continue to refrain from initiating active business  
265 operations in Sudan or Iran until it is able to avoid  
266 scrutinized business operations. The public fund shall continue  
267 such correspondence semiannually.

268 3. For each company newly identified under this paragraph  
269 that has active business operations, the public fund shall send  
270 a written notice informing the company of its scrutinized  
271 company status and that it may become subject to divestment by  
272 the public fund. The notice must inform the company of the  
273 opportunity to clarify its Sudan-related or Iran-related  
274 activities and encourage the company, within 90 days, to cease  
275 its scrutinized business operations or convert such operations  
276 to inactive business operations in order to avoid qualifying for  
277 divestment by the public fund.

278 4. If, within 90 days after the public fund's first  
279 engagement with a company pursuant to this paragraph, that  
280 company ceases scrutinized business operations, the company  
281 shall be removed from the Scrutinized Companies with Activities  
282 in Sudan List and the Scrutinized Companies with Activities in  
283 the Iran Petroleum Energy Sector List, and the provisions of  
284 this act shall cease to apply to that company unless that  
285 company resumes scrutinized business operations. If, within 90  
286 days after the public fund's first engagement, the company  
287 converts its scrutinized active business operations to inactive  
288 business operations, the company is subject to all provisions

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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289 relating to inactive business operations. A company may be  
290 removed from one list but remain on the other list, in which  
291 case the company shall be subject to the provisions applicable  
292 to the list on which the company remains.

293 (b) Divestment.--

294 1. If, after 90 days following the public fund's first  
295 engagement with a company pursuant to paragraph (a), the company  
296 continues to have scrutinized active business operations, and  
297 only while such company continues to have scrutinized active  
298 business operations, the public fund shall sell, redeem, divest,  
299 or withdraw all publicly traded securities of the company,  
300 except as provided in paragraph (d), from the public fund's  
301 assets under management within 12 months after the company's  
302 most recent appearance on the Scrutinized Companies with  
303 Activities in Sudan List or on the Scrutinized Companies with  
304 Activities in the Iran Petroleum Energy Sector List.

305 2. If a company that ceased scrutinized active business  
306 operations following engagement pursuant to paragraph (a)  
307 resumes such operations, this paragraph immediately applies, and  
308 the public fund shall send a written notice to the company. The  
309 company shall also be immediately reintroduced onto the  
310 Scrutinized Companies with Activities in Sudan List or on the  
311 Scrutinized Companies with Activities in the Iran Petroleum  
312 Energy Sector List, as applicable.

313 (c) Prohibition.--The public fund may not acquire  
314 securities of companies on the Scrutinized Companies with  
315 Activities in Sudan List or the Scrutinized Companies with  
316 Activities in the Iran Petroleum Energy Sector List that have  
317 active business operations, except as provided in paragraph (d).

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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318 (d) Exemption.--A company that the United States  
319 Government affirmatively declares to be excluded from its  
320 present or any future federal sanctions regime relating to Sudan  
321 or Iran is not subject to divestment or the investment  
322 prohibition pursuant to paragraphs (b) and (c).

323 (e) Excluded securities.--Notwithstanding the provisions  
324 of this act, paragraphs (b) and (c) do not apply to indirect  
325 holdings in actively managed investment funds. However, the  
326 public fund shall submit letters to the managers of such  
327 investment funds containing companies that have scrutinized  
328 active business operations requesting that they consider  
329 removing such companies from the fund or create a similar  
330 actively managed fund having indirect holdings devoid of such  
331 companies. If the manager creates a similar fund, the public  
332 fund shall replace all applicable investments with investments  
333 in the similar fund in an expedited timeframe consistent with  
334 prudent investing standards. For the purposes of this section, a  
335 private equity fund is deemed to be an actively managed  
336 investment fund.

337 (f) Further exclusions.--Notwithstanding any other  
338 provision of this act, the public fund, when discharging its  
339 responsibility for operation of a defined contribution plan,  
340 shall engage the manager of the investment offerings in such  
341 plans requesting that they consider removing scrutinized  
342 companies from the investment offerings or create an alternative  
343 investment offering devoid of scrutinized companies. If the  
344 manager creates an alternative investment offering and the  
345 offering is deemed by the public fund to be consistent with  
346 prudent investor standards, the public fund shall consider  
347 including such investment offering in the plan.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

348 (4) REPORTING.--

349 (a) The public fund shall file a report with each member  
350 of the Board of Trustees of the State Board of Administration,  
351 the President of the Senate, and the Speaker of the House of  
352 Representatives that includes the Scrutinized Companies with  
353 Activities in Sudan List and the Scrutinized Companies with  
354 Activities in the Iran Petroleum Energy Sector List within 30  
355 days after the list is created. This report shall be made  
356 available to the public.

357 (b) At each quarterly meeting of the Board of Trustees  
358 thereafter, the public fund shall file a report, which shall be  
359 made available to the public and to each member of the Board of  
360 Trustees of the State Board of Administration, the President of  
361 the Senate, and the Speaker of the House of Representatives, and  
362 send a copy of that report to the United States Presidential  
363 Special Envoy to Sudan and the United States Presidential  
364 Special Envoy to Iran, or an appropriate designee or successor,  
365 which includes:

366 1. A summary of correspondence with companies engaged by  
367 the public fund under subparagraphs (3)(a)2. and 3.;

368 2. All investments sold, redeemed, divested, or withdrawn  
369 in compliance with paragraph (3)(b);

370 3. All prohibited investments under paragraph (3)(c); and

371 4. Any progress made under paragraph (3)(e).

372 5. A list of all publicly traded securities held directly  
373 by this state.

374 (5) EXPIRATION.--This act expires upon the occurrence of  
375 all of the following:

376 (a) If any of the following occur, the public fund shall  
377 no longer scrutinize companies according to subparagraphs

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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378 (1)(t)1., 2., and 3. and shall no longer assemble the  
379 Scrutinized Companies with Activities in Sudan List, shall cease  
380 engagement and divestment of such companies, and may reinvest in  
381 such companies as long as such companies do not satisfy the  
382 criteria for inclusion in the Scrutinized Companies with  
383 Activities in the Iran Petroleum Energy Sector List:

384 1. The Congress or President of the United States,  
385 affirmatively and unambiguously states, by means including, but  
386 not limited to, legislation, executive order, or written  
387 certification from the President to Congress, that the Darfur  
388 genocide has been halted for at least 12 months;

389 2. The United States revokes all sanctions imposed against  
390 the Government of Sudan;

391 3. The Congress or President of the United States  
392 affirmatively and unambiguously states, by means including, but  
393 not limited to, legislation, executive order, or written  
394 certification from the President to Congress, that the  
395 government of Sudan has honored its commitments to cease attacks  
396 on civilians, demobilize and demilitarize the Janjaweed and  
397 associated militias, grant free and unfettered access for  
398 deliveries of humanitarian assistance, and allow for the safe  
399 and voluntary return of refugees and internally displaced  
400 persons; or

401 4. The Congress or President of the United States  
402 affirmatively and unambiguously states, by means including, but  
403 not limited to, legislation, executive order, or written  
404 certification from the President to Congress, that mandatory  
405 divestment of the type provided for in this act interferes with  
406 the conduct of United States foreign policy.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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407 (b) If any of the following occur, the public fund shall  
408 no longer scrutinize companies according to subparagraph  
409 (1)(t)4. and shall no longer assemble the Scrutinized Companies  
410 with Activities in the Iran Petroleum Energy Sector List and  
411 shall cease engagement, investment prohibitions, and divestment.  
412 The public fund may reinvest in such companies as long as such  
413 companies do not satisfy the criteria for inclusion in the  
414 Scrutinized Companies with Activities in Sudan List:

415 1. The Congress or President of the United States  
416 affirmatively and unambiguously states, by means including, but  
417 not limited to, legislation, executive order, or written  
418 certification from the President to Congress, that the  
419 government of Iran has ceased to acquire weapons of mass  
420 destruction and support international terrorism;

421 2. The United States revokes all sanctions imposed against  
422 the government of Iran; or

423 3. The Congress or President of the United States  
424 affirmatively and unambiguously declares, by means including,  
425 but not limited to, legislation, executive order, or written  
426 certification from the President to Congress, that mandatory  
427 divestment of the type provided for in this act interferes with  
428 the conduct of United States foreign policy.

429 (6) OTHER LEGAL OBLIGATIONS.--With respect to actions  
430 taken in compliance with this act, including all good faith  
431 determinations regarding companies as required by this act, the  
432 public fund is exempt from any conflicting statutory or common  
433 law obligations, including any such obligations with respect to  
434 choice of asset managers, investment funds, or investments for  
435 the public fund's securities portfolios.

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436 (7) REINVESTMENT IN CERTAIN COMPANIES HAVING SCRUTINIZED  
437 ACTIVE BUSINESS OPERATIONS.--Notwithstanding any other provision  
438 of this act to the contrary, the public fund may cease divesting  
439 from certain scrutinized companies pursuant to paragraph (3) (b)  
440 or reinvest in certain scrutinized companies from which it  
441 divested pursuant to paragraph (3) (b) if clear and convincing  
442 evidence shows that the value of all assets under management by  
443 the public fund becomes equal to or less than 99.50 percent, or  
444 50 basis points, of the hypothetical value of all assets under  
445 management by the public fund assuming no divestment for any  
446 company had occurred under paragraph (3) (b). Cessation of  
447 divestment, reinvestment, or any subsequent ongoing investment  
448 authorized by this act is limited to the minimum steps necessary  
449 to avoid the contingency set forth in this subsection or that no  
450 divestment of any company is required for less than fair value.  
451 For any cessation of divestment, reinvestment, or subsequent  
452 ongoing investment authorized by this act, the public fund shall  
453 provide a written report to each member of the Board of Trustees  
454 of the State Board of Administration, the President of the  
455 Senate, and the Speaker of the House of Representatives in  
456 advance of initial reinvestment, updated semiannually thereafter  
457 as applicable, setting forth the reasons and justification,  
458 supported by clear and convincing evidence, for its decisions to  
459 cease divestment, reinvest, or remain invested in companies  
460 having scrutinized active business operations. This act does not  
461 apply to reinvestment in companies on the grounds that they have  
462 ceased to have scrutinized active business operations.

463 Section 3. If any provision of this act or its application  
464 to any person or circumstance is held invalid, the invalidity  
465 does not affect other provisions or applications of the act that

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466 can be given effect without the invalid provision or  
467 application, and to this end the provisions of this act are  
468 severable. The Legislature hereby declares that it would have  
469 passed this act and each provision of this act, irrespective of  
470 the fact that any one or more provisions of this act might be  
471 declared invalid, illegal, unenforceable or unconstitutional,  
472 including, but not limited to, each of the engagement,  
473 divestment, and prohibition provisions of this act.

474 Section 4. This act shall take effect upon becoming a law.  
475

476  
477 ===== T I T L E A M E N D M E N T =====

478 Removes 8-188, the entire title, and insert:

479 A bill to be entitled

480 An act relating to State Board of Administration  
481 investments; creating s. 215.442, F.S.; providing  
482 reporting requirements for the executive director of the  
483 State Board of Administration; requiring the State Board  
484 of Administration to publish certain quarterly reports on  
485 its website; amending s. 215.473, F.S.; providing  
486 legislative findings; providing definitions; requiring the  
487 State Board of Administration to identify all companies in  
488 which public moneys are invested that are doing certain  
489 types of business in or with Sudan and Iran; requiring the  
490 board to create and maintain certain scrutinized companies  
491 lists that name all such companies; requiring the board to  
492 periodically contact all scrutinized companies and  
493 encourage them to refrain from engaging in certain types  
494 of business in or with Sudan or Iran; requiring the board  
495 to inform scrutinized companies of their status as a

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496 scrutinized company and to ask for clarification as to the  
497 nature of each company's business activities; providing  
498 that a company may be removed from the list under certain  
499 conditions; providing for reintroduction of a company onto  
500 the list; requiring the board to divest of all publicly  
501 traded securities of a scrutinized company under certain  
502 conditions; providing exceptions to the divestment  
503 requirement; prohibiting the board from acquiring  
504 securities of scrutinized companies that have active  
505 business operations; providing exceptions to the  
506 investment prohibition; providing an additional exception  
507 from the divestment requirement and the investment  
508 prohibition to certain indirect holdings in actively  
509 managed investment funds; requiring the board to request  
510 that the managers of such investment funds consider  
511 removing scrutinized companies from the fund or create a  
512 similar fund that excludes such companies; requiring the  
513 board to file a report with the Governor, the Legislature,  
514 and Attorney General within a specified period after  
515 creation of each scrutinized companies list; requiring the  
516 annual filing of an updated report; requiring that all  
517 such reports be made available to the public; requiring  
518 that the report include certain information; providing for  
519 the expiration of the act; exempting the board from  
520 certain statutory or common law obligations; authorizing  
521 the board to cease divesting or to reinvest in certain  
522 scrutinized companies if the value for all assets under  
523 management by the board becomes equal to or less than a  
524 specified amount; requiring the board to provide a written  
525 report to the Governor, the Legislature, and Attorney

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526 General before such reinvestment; requiring that the  
527 report contain certain information; requiring semiannual  
528 updates to such reports when applicable; providing for  
529 severability; providing an effective date.

530

531 WHEREAS, on July 23, 2004, the United States Congress  
532 declared that "the atrocities unfolding in Darfur, Sudan, are  
533 genocide," and

534 WHEREAS, on December 7, 2004, the United States Congress  
535 noted that the genocidal policy in Darfur has led to reports of  
536 "systematic rape of thousands of women and girls, the abduction  
537 of women and children, and the destruction of hundreds of  
538 ethnically African villages, including the poisoning of their  
539 wells and the plunder of their crops and cattle upon which the  
540 people of such villages sustain themselves," and

541 WHEREAS, on December 7, 2004, Congress found that "the  
542 Government of Sudan has restricted access by humanitarian and  
543 human rights workers to the Darfur area through intimidation by  
544 military and security forces, and through bureaucratic and  
545 administrative obstruction, in an attempt to inflict the most  
546 devastating harm on those individuals displaced from their  
547 villages and homes without any means of sustenance or shelter,"  
548 and

549 WHEREAS, on September 25, 2006, Congress reaffirmed that  
550 "the genocide unfolding in the Darfur region of Sudan is  
551 characterized by acts of terrorism and atrocities directed  
552 against civilians, including mass murder, rape, and sexual  
553 violence committed by the Janjaweed and associated militias with  
554 the complicity and support of the National Congress Party-led  
555 faction of the Government of Sudan," and

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556 WHEREAS, on September 26, 2006, the United States House of  
557 Representatives stated that "an estimated 300,000 to 400,000  
558 people have been killed by the Government of Sudan and its  
559 Janjaweed allies since the crisis began in 2003, more than  
560 2,000,000 people have been displaced from their homes, and more  
561 than 250,000 people from Darfur remain in refugee camps in  
562 Chad," and

563 WHEREAS, the Darfur crisis represents the first time the  
564 United States Government has labeled ongoing atrocities as  
565 genocide," and

566 WHEREAS, the Federal Government has imposed sanctions  
567 against the Government of Sudan since 1997. These sanctions are  
568 monitored through the United States Treasury Department's Office  
569 of Foreign Assets Control (OFAC)," and

570 WHEREAS, according to a former chair of the United States  
571 Securities and Exchange Commission, "the fact that a foreign  
572 company is doing material business with a country, government,  
573 or entity on OFAC's sanctions list is, in the SEC staff's view,  
574 substantially likely to be significant to a reasonable  
575 investor's decision about whether to invest in that company,"  
576 and

577 WHEREAS, since 1993, the United States Secretary of State  
578 has determined that Sudan is a country whose government has  
579 repeatedly provided support for acts of international terrorism,  
580 and, as a result, the United States has restricted assistance,  
581 defense exports, defense sales, financial transactions, and  
582 various other transactions with the Government of Sudan," and

583 WHEREAS, a 2006 report by United States House of  
584 Representatives states that "a company's association with  
585 sponsors of terrorism and human rights abuses, no matter how

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586 large or small, can have a materially adverse result on a public  
587 company's operations, financial condition, earnings, and stock  
588 prices, all of which can negatively affect the value of an  
589 investment," and

590 WHEREAS, in response to the financial risk posed by  
591 investments in companies doing business with a state that  
592 sponsors terrorists, the Securities and Exchange Commission  
593 established its Office of Global Security Risk to provide for  
594 enhanced disclosure of material information regarding such  
595 companies," and

596 WHEREAS, the current Sudan divestment movement encompasses  
597 nearly 100 universities, municipalities, states, and private  
598 pension plans," and

599 WHEREAS, companies facing such widespread divestment  
600 present further material risk to remaining investors," and

601 WHEREAS, it is a fundamental responsibility of the State of  
602 Florida to decide where, how, and by whom financial resources in  
603 its control should be invested, taking into account numerous  
604 pertinent factors," and

605 WHEREAS, it is the prerogative and desire of the State of  
606 Florida, with respect to investment resources in its control and  
607 to the extent reasonable, with due consideration for return on  
608 investment on behalf of the state and its investment  
609 beneficiaries, not to participate in an ownership or capital-  
610 providing capacity with entities that provide significant  
611 practical support for genocide, including certain non-United  
612 States companies presently doing business in Sudan," and

613 WHEREAS, a resolution of the United Nations Security  
614 Council imposes sanctions on Iran for its failure to suspend its  
615 uranium-enrichment activities, and

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616 WHEREAS, the United Nations Security Council voted  
617 unanimously for an additional embargo on Iranian arms exports,  
618 which is a freeze on assets abroad of an expanded list of  
619 individuals and companies involved in Iran's nuclear and  
620 ballistic missile programs, and calls for nations and  
621 institutions to bar new grants or loans to Iran except for  
622 humanitarian and developmental purposes, and

623 WHEREAS, Iran's financial ability to pay its debts to  
624 foreign entities involved in the petroleum-energy sector  
625 amounting to more than \$20 million is put at risk by the Iran  
626 and Libya Sanctions Act embargo and sanctions, and

627 WHEREAS, foreign entities have invested in Iran's  
628 petroleum-energy sector despite United States and United Nations  
629 sanctions against Iran, and

630 WHEREAS, all United States and foreign entities that have  
631 invested more than \$20 million in Iran's energy sector since  
632 August 5, 1996, are subject to sanctions under United States law  
633 pursuant to the Iran and Libya Sanctions Act of 1996, and

634 WHEREAS, United States renewed the Iran and Libya  
635 Sanctions Act of 1996 in 2001 and 2006, and

636 WHEREAS, while divestiture should be considered with the  
637 intent to improve investment performance and, by the rules of  
638 prudence, fiduciaries must take into account all relevant  
639 substantive factors in arriving at an investment decision, and

640 WHEREAS, the State of Florida is deeply concerned about  
641 investments in publicly traded companies that have business  
642 activities in and ties to Iran's petroleum-energy sector as a  
643 financial risk to the shareholders, and

644 WHEREAS, by investing in publicly traded companies having  
645 ties to Iran's petroleum-energy sector, the Florida State Board

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646 of Administration is putting the funds it oversees at  
647 substantial financial risk, and

648 WHEREAS, divestiture from markets that are vulnerable to  
649 embargo, loan restrictions, and sanctions from the United States  
650 and the international community, including the United Nations  
651 Security Council, is in accordance with the rules of prudence,  
652 and

653 WHEREAS, The Legislature finds that this act should remain  
654 in effect only insofar as it continues to be consistent with and  
655 does not unduly interfere with the foreign policy of the United  
656 States as determined by the Federal Government," and

657 WHEREAS, to protect Florida's assets, it is in the best  
658 interest of the state to enact a statutory prohibition regarding  
659 the investments managed by the State Board of Administration  
660 doing business in Sudan or in Iran's petroleum-energy sector,  
661 NOW, THEREFORE,

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