



Government Efficiency & Accountability Council

ACTION PACKET

**Tuesday, April 8, 2008
9:00 AM – 12:00 PM
404 HOB**

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Frank Attkisson (Chair)	X		
Carl Domino	X		
Greg Evers	X		
Andy Gardiner	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		
Darren Soto	X		
Geraldine Thompson	X		
Totals:	16	0	0

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 51 : Partial Payment of Property Taxes

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino			X		
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Patsy Heffner, Osceola County Tax Collector - Opponent
 Florida Tax Collectors Assoc.
 2501 E. Irla Bronson Hwy.
 Kissimmee FL
 Phone: 407-742-4035

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 127 : Property Appraisers

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 165 : Agency Inspectors General

Not Considered

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HJR 441 : Commercial or Residential Rental Property Assessment Increase Limitation

Not Considered

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 639 : Pub. Rec./Judicial Officials

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino			X		
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

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) Flores offered the following:
4

5 **Amendment to Amendment (traveling strike-all amendment) by**
6 **Representative Flores (with title amendment)**

7 Remove line(s) 54-181 and insert:
8 magistrates, special magistrates, judges of compensation claims,
9 administrative law judges of the Division of Administrative
10 Hearings, and child support enforcement hearing officers; the
11 home addresses, telephone numbers, and places of employment of
12 the spouses and children of general magistrates, special
13 magistrates, judges of compensation claims, administrative law
14 judges of the Division of Administrative Hearings, and child
15 support enforcement hearing officers; and the names and
16 locations of schools and day care facilities attended by the
17 children of general magistrates, special magistrates, judges of
18 compensation claims, administrative law judges of the Division
19 of Administrative Hearings, and child support enforcement
20 hearing officers are exempt from s. 119.07(1) and s. 24(a), Art.
21 I of the State Constitution if the general magistrate, special
22 magistrate, judge of compensation claims, administrative law
23 judge of the Division of Administrative Hearings, or child

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

24 support enforcement hearing officer provides a written statement
25 that the general magistrate, special magistrate, judge of
26 compensation claims, administrative law judge of the Division of
27 Administrative Hearings, or child support enforcement hearing
28 officer has made reasonable efforts to protect such information
29 from being accessible through other means available to the
30 public. This sub-subparagraph is subject to the Open Government
31 Sunset Review Act in accordance with s. 119.15 and shall stand
32 repealed on October 2, 2013, unless reviewed and saved from
33 repeal through reenactment by the Legislature.

34 2. The home addresses, telephone numbers, and photographs
35 of current or former human resource, labor relations, or
36 employee relations directors, assistant directors, managers, or
37 assistant managers of any local government agency or water
38 management district whose duties include hiring and firing
39 employees, labor contract negotiation, administration, or other
40 personnel-related duties; the names, home addresses, telephone
41 numbers, and places of employment of the spouses and children of
42 such personnel; and the names and locations of schools and day
43 care facilities attended by the children of such personnel are
44 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
45 Constitution.

46 3. The home addresses, telephone numbers, social security
47 numbers, and photographs of current or former United States
48 attorneys and assistant United States attorneys; the home
49 addresses, telephone numbers, social security numbers,
50 photographs, and places of employment of the spouses and
51 children of current or former United States attorneys and
52 assistant United States attorneys; and the names and locations
53 of schools and day care facilities attended by the children of
54 current or former United States attorneys and assistant United
55 States attorneys are exempt from s. 119.07(1) and s. 24(a), Art.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

56 I of the State Constitution. This subparagraph is subject to the
57 Open Government Sunset Review Act in accordance with s. 119.15
58 and shall stand repealed on October 2, 2009, unless reviewed and
59 saved from repeal through reenactment by the Legislature.

60 4. The home addresses, telephone numbers, social security
61 numbers, and photographs of current or former judges of United
62 States Courts of Appeal, United States district judges, and
63 United States magistrate judges; the home addresses, telephone
64 numbers, social security numbers, photographs, and places of
65 employment of the spouses and children of current or former
66 judges of United States Courts of Appeal, United States district
67 judges, and United States magistrate judges; and the names and
68 locations of schools and day care facilities attended by the
69 children of current or former judges of United States Courts of
70 Appeal, United States district judges, and United States
71 magistrate judges are exempt from s. 119.07(1) and s. 24(a),
72 Art. I of the State Constitution. This subparagraph is subject
73 to the Open Government Sunset Review Act in accordance with s.
74 119.15 and shall stand repealed on October 2, 2009, unless
75 reviewed and saved from repeal through reenactment by the
76 Legislature.

77 5. The home addresses, telephone numbers, and photographs
78 of current or former code enforcement officers; the names, home
79 addresses, telephone numbers, and places of employment of the
80 spouses and children of such personnel; and the names and
81 locations of schools and day care facilities attended by the
82 children of such personnel are exempt from s. 119.07(1) and s.
83 24(a), Art. I of the State Constitution.

84 6. The home addresses, telephone numbers, places of
85 employment, and photographs of current or former guardians ad
86 litem, as defined in s. 39.820, and the names, home addresses,
87 telephone numbers, and places of employment of the spouses and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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88 children of such persons, are exempt from s. 119.07(1) and s.
89 24(a), Art. I of the State Constitution, if the guardian ad
90 litem provides a written statement that the guardian ad litem
91 has made reasonable efforts to protect such information from
92 being accessible through other means available to the public.
93 This subparagraph is subject to the Open Government Sunset
94 Review Act in accordance with s. 119.15 and shall stand repealed
95 on October 2, 2010, unless reviewed and saved from repeal
96 through reenactment by the Legislature.

97 7. The home addresses, telephone numbers, and photographs
98 of current or former juvenile probation officers, juvenile
99 probation supervisors, detention superintendents, assistant
100 detention superintendents, senior juvenile detention officers,
101 juvenile detention officer supervisors, juvenile detention
102 officers, house parents I and II, house parent supervisors,
103 group treatment leaders, group treatment leader supervisors,
104 rehabilitation therapists, and social services counselors of the
105 Department of Juvenile Justice; the names, home addresses,
106 telephone numbers, and places of employment of spouses and
107 children of such personnel; and the names and locations of
108 schools and day care facilities attended by the children of such
109 personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of
110 the State Constitution. This subparagraph is subject to the Open
111 Government Sunset Review Act in accordance with s. 119.15 and
112 shall stand repealed on October 2, 2011, unless reviewed and
113 saved from repeal through reenactment by the Legislature.

114 8. An agency that is the custodian of the personal
115 information specified in subparagraph 1., subparagraph 2.,
116 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
117 6., or subparagraph 7. and that is not the employer of the
118 officer, employee, justice, judge, or other person specified in
119 subparagraph 1., subparagraph 2., subparagraph 3., subparagraph

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120 4., subparagraph 5., subparagraph 6., or subparagraph 7. shall
121 maintain the exempt status of the personal information only if
122 the officer, employee, justice, judge, other person, or
123 employing agency of the designated employee submits a written
124 request for maintenance of the exemption to the custodial
125 agency.

126 Section 2. The Legislature finds that it is a public
127 necessity that the home addresses and telephone numbers of
128 general magistrates, special magistrates, judges of compensation
129 claims, administrative law judges of the Division of
130 Administrative Hearings, and child support enforcement hearing
131 officers be made exempt from public records requirements. The
132 Legislature also finds that it is a public necessity that the
133 home addresses, telephone numbers, and places of employment of
134 the spouses and children of general magistrates, special
135 magistrates, judges of compensation claims, administrative law
136 judges of the Division of Administrative Hearings, and child
137 support enforcement hearing officers be made exempt from public
138 records requirements. The Legislature also finds that it is a
139 public necessity that the names and locations of schools and day
140 care facilities attended by the children of general magistrates,
141 special magistrates, judges of compensation claims,
142 administrative law judges of the Division of Administrative
143 Hearings, and child support enforcement hearing officers be made
144 exempt from public records requirements. The Legislature finds
145 that these exemptions shall be subject to the general
146 magistrate, special magistrate, judge of compensation claims,
147 administrative law judge of the Division of Administrative
148 Hearings, or child support enforcement hearing officer providing
149 a written statement that the general magistrate, special
150 magistrate, judge of compensation claims, administrative law

Amendment No. (for drafter's use only)

151 judge of the Division of Administrative Hearings, or child
152 support enforcement

153

154

155

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

156

Remove line(s) 199-205 and insert:

157

special magistrates, judges of compensation claims,

158

administrative law judges of the Division of Administrative

159

Hearings, and child support enforcement hearing officers, the

160

home addresses, telephone numbers, and places of employment of

161

the spouses and children of general magistrates, special

162

magistrates, judges of compensation claims, administrative law

163

judges of the Division of Administrative Hearings, and child

164

support enforcement hearing officers, and the names and

165

locations of schools and day care facilities attended by the

166

children of general magistrates, special magistrates, judges of

167

compensation claims, administrative law judges of the Division

168

of Administrative Hearings, and child support enforcement

169

hearing

170

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 683 : Public Construction Works

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner	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				
Darren Soto	X				
Geraldine Thompson		X			
Frank Attkisson (Chair)	X				
Total Yeas: 13		Total Nays: 2			

Appearances:

Ramon Gavarrete, County Engineer/Utilities Director - Information Only
 Highland county Board of County Commissioner
 505 So. Commerce Ave.
 Sebring FL 33870
 Phone: 863-402-6877

Ken Wheeler, P.E. - Information Only
 Highlands County Bd. County Commissioners
 Highlands County, 12,700 Arbuckle Creek Rd.
 Sebring FL 33870
 Phone: 863-655-6483

Kraig Conn (Lobbyist) - Opponent
 Florida League of Cities
 301 S. Bronough
 Tallahassee FL 32301
 Phone: 222-9684

Eric Poole, Asst. Legis Director (Lobbyist) - Opponent
 Fla. Association of Counties
 100 Monroe
 Tallahassee FL
 Phone: 922-4300

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

Bob Burleson, President (Lobbyist) - Proponent
Fl. Transportation Builders Assoc.
1007 E. DeSoto Park Dr.
Tallahassee FL 32301
Phone: 942-1404

Robert Vezina, Attorney - Proponent
FTBA
413 E. Park Ave.
Tallahassee FL 32301
Phone: 850-224-6205

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **HB 683**

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) Weatherford offered the following:
4

5 **Substitute Amendment for Amendment (traveling strike-all**
6 **amendment) by Representative Weatherford (with title amendment)**

7 Remove line(s) 7-410 and insert:

8 Section 1. Subsection (1) of section 255.20, Florida
9 Statutes, is amended to read:

10 255.20 Local bids and contracts for public construction
11 works; specification of state-produced lumber.--

12 (1) A county, municipality, special district as defined in
13 chapter 189, or other political subdivision of the state seeking
14 to construct, ~~or~~ improve, repair, or perform maintenance on a
15 public building, structure, or other public construction works
16 must competitively award to an appropriately licensed contractor
17 each project that is estimated in accordance with generally
18 accepted cost-accounting principles to have total construction
19 project costs of more than \$200,000. For electrical work, local
20 government must competitively award to an appropriately licensed
21 contractor each project that is estimated in accordance with
22 generally accepted cost-accounting principles to have a cost of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 more than \$50,000. As used in this section, the term
24 "competitively award" means to award contracts based on the
25 submission of sealed bids, proposals submitted in response to a
26 request for proposal, proposals submitted in response to a
27 request for qualifications, or proposals submitted for
28 competitive negotiation. This subsection expressly allows
29 contracts for construction management services, design/build
30 contracts, continuation contracts based on unit prices, and any
31 other contract arrangement with a private sector contractor
32 permitted by any applicable municipal or county ordinance, by
33 district resolution, or by state law. For purposes of this
34 section, construction costs include the cost of all labor,
35 except inmate labor, and include the cost of equipment and
36 materials to be used in the construction of the project. Subject
37 to the provisions of subsection (3), the county, municipality,
38 special district, or other political subdivision may establish,
39 by municipal or county ordinance or special district resolution,
40 procedures for conducting the bidding process.

41 (a) Notwithstanding any other law to the contrary, a
42 county, municipality, special district as defined in chapter
43 189, or other political subdivision of the state seeking to
44 construct or improve bridges, roads, streets, highways, or
45 railroads, and services incidental thereto, at costs in excess
46 of \$250,000 may require that persons interested in performing
47 work under contract first be certified or qualified to perform
48 such work. Any contractor may be considered ineligible to bid by
49 the governmental entity if the contractor is behind on
50 completing an approved progress schedule for the governmental
51 entity by 10 percent or more at the time of advertisement of the
52 work. Any contractor prequalified and considered eligible by the
53 Department of Transportation to bid to perform the type of work

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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54 described under the contract shall be presumed to be qualified
55 to perform the work described. The governmental entity may
56 provide an appeal process to overcome that presumption with de
57 novo review based on the record below to the circuit court.

58 (b) With respect to contractors not prequalified with the
59 Department of Transportation, the governmental entity shall
60 publish prequalification criteria and procedures prior to
61 advertisement or notice of solicitation. Such publications shall
62 include notice of a public hearing for comment on such criteria
63 and procedures prior to adoption. The procedures shall provide
64 for an appeal process within the authority for objections to the
65 prequalification process with de novo review based on the record
66 below to the circuit court within 30 days.

67 (c) The provisions of this subsection do not apply:

68 1. When the project is undertaken to replace, reconstruct,
69 or repair an existing public building, structure, or other
70 public construction works facility damaged or destroyed by a
71 sudden unexpected turn of events, such as an act of God, riot,
72 fire, flood, accident, or other urgent circumstances, and such
73 damage or destruction creates:

74 a. An immediate danger to the public health or safety;

75 b. Other loss to public or private property which requires
76 emergency government action; or

77 c. An interruption of an essential governmental service.

78 2. When, after notice by publication in accordance with
79 the applicable ordinance or resolution, the governmental entity
80 does not receive any responsive bids or proposals ~~responses~~.

81 3. To construction, remodeling, repair, or improvement to
82 a public electric or gas utility system when such work on the
83 public utility system is performed by personnel of the system.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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84 4. To construction, remodeling, repair, or improvement by
85 a utility commission whose major contracts are to construct and
86 operate a public electric utility system.

87 ~~5. When the project is undertaken as repair or maintenance~~
88 ~~of an existing public facility.~~

89 5.6. When the project is undertaken exclusively as part of
90 a public educational program.

91 6.7. When the funding source of the project will be
92 diminished or lost because the time required to competitively
93 award the project after the funds become available exceeds the
94 time within which the funding source must be spent, so long as
95 the governmental entity undertaking the project has not
96 materially contributed to a delay in funding or competitively
97 awarding the project.

98 7.8. When the local government has competitively awarded a
99 project to a private sector contractor and the contractor has
100 abandoned the project before completion or the local government
101 has terminated the contract.

102 8.9. When the local government, after receiving
103 competitive bids or proposals, decides to perform the project
104 using its own services, employees, and equipment in compliance
105 with the procedure in this subparagraph. If the local government
106 receives bids or proposals that are otherwise responsive but are
107 all at least 10 percent greater than the local government's
108 estimated cost of the project, the governing board of the local
109 government, after public notice, must conduct ~~conducts~~ a public
110 meeting under s. 286.011 and decide ~~finds~~ by a majority vote of
111 the governing board that it is in the public's best interest to
112 perform the project using its own services, employees, and
113 equipment. The public notice must be published at least 14 days
114 prior to the date of the public meeting at which the governing

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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115 board takes final action to apply this subparagraph. The notice
116 must identify the project and, the estimated cost of the
117 project, and specify that the purpose for the public meeting is
118 to consider whether ~~it is in the public's best interest~~ to
119 perform the project using the local government's own services,
120 employees, and equipment. A local government's determination in
121 ~~deciding whether it is in the public's best interest for local~~
122 ~~government to perform a project using its own services,~~
123 ~~employees, and equipment~~ must be supported by the following
124 factual findings, which are subject to challenge under
125 subsection (4):

126 a. The local government's estimated cost of the project as
127 specified in the bid documents reasonably represents the fair
128 market cost of performing the project using private-sector
129 contractors; and

130 b. The local government can perform the project using its
131 own services, employees, and equipment at a cost equal to or
132 less than its estimated cost of the project, using generally
133 accepted accounting principles that fully account for all
134 employee compensation and benefits, equipment, and material
135 costs and any other associated costs and expenses, ~~the governing~~
136 ~~board may consider the cost of the project, whether the project~~
137 ~~requires an increase in the number of government employees, an~~
138 ~~increase in capital expenditures for public facilities,~~
139 ~~equipment or other capital assets, the impact on local economic~~
140 ~~development, the impact on small and minority business owners,~~
141 ~~the impact on state and local tax revenues, whether the private~~
142 ~~sector contractors provide health insurance and other benefits~~
143 ~~equivalent to those provided by the local government, and any~~
144 ~~other factor relevant to what is in the public's best interest.~~

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145 ~~9.10.~~ When the governing board of the local government
146 determines upon consideration of specific substantive criteria
147 and administrative procedures that it is in the best interest of
148 the local government to award the project to an appropriately
149 licensed private sector contractor according to procedures
150 established by and expressly set forth in a charter, ordinance,
151 or resolution of the local government adopted prior to July 1,
152 1994. The criteria and procedures must be set out in the
153 charter, ordinance, or resolution and must be applied uniformly
154 by the local government to avoid award of any project in an
155 arbitrary or capricious manner. This exception shall apply when
156 all of the following occur:

157 a. When the governing board of the local government, after
158 public notice, conducts a public meeting under s. 286.011 and
159 finds by a two-thirds vote of the governing board that it is in
160 the public's best interest to award the project according to the
161 criteria and procedures established by charter, ordinance, or
162 resolution. The public notice must be published at least 14 days
163 prior to the date of the public meeting at which the governing
164 board takes final action to apply this subparagraph. The notice
165 must identify the project, the estimated cost of the project,
166 and specify that the purpose for the public meeting is to
167 consider whether it is in the public's best interest to award
168 the project using the criteria and procedures permitted by the
169 preexisting ordinance.

170 b. If ~~In the event~~ the project is to be awarded by any
171 method other than a competitive selection process, the governing
172 board must find evidence that:

173 (I) There is one appropriately licensed contractor who is
174 uniquely qualified to undertake the project because that

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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175 contractor is currently under contract to perform work that is
176 affiliated with the project; or

177 (II) The time to competitively award the project will
178 jeopardize the funding for the project, or will materially
179 increase the cost of the project or will create an undue
180 hardship on the public health, safety, or welfare.

181 c. ~~If In the event~~ the project is to be awarded by any
182 method other than a competitive selection process, the published
183 notice must clearly specify the ordinance or resolution by which
184 the private sector contractor will be selected and the criteria
185 to be considered.

186 d. ~~If In the event~~ the project is to be awarded by a
187 method other than a competitive selection process, the architect
188 or engineer of record has provided a written recommendation that
189 the project be awarded to the private sector contractor without
190 competitive selection; and the consideration by, and the
191 justification of, the government body are documented, in
192 writing, in the project file and are presented to the governing
193 board prior to the approval required in this paragraph.

194 ~~10.11.~~ To projects subject to chapter 336.

195 (d)1. If the project is to be awarded based on price, the
196 contract must be awarded to the lowest qualified and responsive
197 bidder in accordance with the applicable county or municipal
198 ordinance or district resolution and in accordance with the
199 applicable contract documents. The county, municipality, or
200 special district may reserve the right to reject all bids and to
201 rebid the project or elect not to proceed with the project. This
202 subsection is not intended to restrict the rights of any local
203 government to reject the low bid of a nonqualified or
204 nonresponsive bidder and to award the contract to any other
205 qualified and responsive bidder in accordance with the standards

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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206 and procedures of any applicable county or municipal ordinance
207 or any resolution of a special district.

208 2. If the project uses a request for proposal or a request
209 for qualifications, the request must be publicly advertised and
210 the contract must be awarded in accordance with the applicable
211 local ordinances.

212 3. If the project is subject to competitive negotiations,
213 the contract must be awarded in accordance with s. 287.055.

214 (e) If a construction project greater than \$200,000, or
215 \$50,000 for electrical work, is started after October 1, 1999,
216 and is to be performed by a local government using its own
217 employees in a county or municipality that issues registered
218 contractor licenses and the project would require a licensed
219 contractor under chapter 489 if performed by a private sector
220 contractor, the local government must use a person appropriately
221 registered or certified under chapter 489 to supervise the work.

222 (f) If a construction project greater than \$200,000, or
223 \$50,000 for electrical work, is started after October 1, 1999,
224 and is to be performed by a local government using its own
225 employees in a county that does not issue registered contractor
226 licenses and the project would require a licensed contractor
227 under chapter 489 if performed by a private sector contractor,
228 the local government must use a person appropriately registered
229 or certified under chapter 489 or a person appropriately
230 licensed under chapter 471 to supervise the work.

231 (g) Projects performed by a local government using its own
232 services and employees must be inspected in the same manner as
233 inspections required for work performed by private sector
234 contractors.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

235 (h) A construction project provided for in this subsection
236 may not be divided into more than one project for the purpose of
237 evading this subsection.

238 (i) This subsection does not preempt the requirements of
239 any small-business or disadvantaged-business enterprise program
240 or any local-preference ordinance.

241 (j) Notwithstanding any other law to the contrary, any
242 provision contained in a public construction contract with a
243 county, municipality, special district as defined in chapter
244 189, or other political subdivision of the state which purports
245 to limit, waive, release, or extinguish the rights of a
246 contractor to recover costs or damages for delay in performing
247 such contract, on its behalf or on behalf of its subcontractors,
248 if and to the extent the delay is caused by acts or omissions of
249 the county, municipality, special district, or political
250 subdivision, its agents or employees, or other entities with
251 which it is in privity and due to causes within its control, is
252 void and unenforceable as against public policy. The decisions
253 of a county, municipality, special district, or other political
254 subdivision concerning additional compensation or time to which
255 a contractor is entitled in connection with any public
256 construction contract is subject to de novo review in a state
257 court of appropriate jurisdiction. This paragraph does not make
258 void any provision in such construction contract which provides
259 for reasonable liquidated damages in case of a delay to the
260 completion of the project for which the contractor is
261 responsible or which provides for reasonable liquidated damages
262 to fairly compensate the contractor for its indirect costs and
263 overhead expenses associated with a delay.

264 (k) A local government owning or operating a public-use
265 airport, as defined in s. 332.04(1), is exempt from this section

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

266 if performing repairs or maintenance on the airport's buildings,
267 structures, or public construction works using the local
268 government's own services, employees, and equipment, regardless
269 of the total construction cost. A public construction contract
270 with such a local government for any construction, improvement,
271 repair, or maintenance work performed on a public-use airport is
272 not subject to paragraph (j).

273 (1) A local government owning or operating a seaport, as
274 identified in s. 403.021(9)(b), is exempt from this section if
275 performing repairs or maintenance on the seaport's buildings,
276 structures, or public construction works using the local
277 government's own services, employees, and equipment, regardless
278 of the total construction cost. A public construction contract
279 with such a local government for any construction, improvement,
280 repair, or maintenance work performed on a public seaport is not
281 subject to paragraph (j).

282 (m) A local government owning or operating a public
283 transit system, as defined in s. 343.52, a public transportation
284 system, as defined in s. 343.62, or a mass transit system, as
285 defined in s. 349.04(1)(b), is exempt from this section if
286 performing repairs or maintenance on the buildings, structures,
287 or public construction works, of a public transit system, public
288 transportation system, or mass transit system using the local
289 government's own services, employees, and equipment, regardless
290 of the total construction cost. A public construction contract
291 with such a local government for any construction, improvement,
292 repair, or maintenance work performed on a public transit
293 system, public transportation system, or mass transit system is
294 not subject to paragraph (j).

295 Section 2. Section 336.41, Florida Statutes, is amended to
296 read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

297 336.41 Counties and municipalities; employing labor and
298 providing road equipment; accounting; when competitive bidding
299 required.--

300 ~~(1) The commissioners may employ labor and provide~~
301 ~~equipment as may be necessary, except as provided in subsection~~
302 ~~(3), for constructing and opening of new roads or bridges and~~
303 ~~repair and maintenance of any existing roads and bridges.~~

304 ~~(1)(2)~~ It is shall be the duty of all persons to whom the
305 governing body of a county or municipality delivers
306 ~~commissioners deliver~~ equipment and construction materials
307 supplies for road and bridge purposes to make a strict
308 accounting of the same to the governing body ~~commissioners~~.

309 ~~(2)(a)(3)~~ The governing body of a county or municipality
310 shall competitively award to a private-sector contractor all
311 construction, and reconstruction, or repair of roads and
312 bridges, including resurfacing, full scale mineral seal coating,
313 and major bridge and bridge system repairs. ~~to be performed~~
314 ~~utilizing the proceeds of the 80-percent portion of the surplus~~
315 ~~of the constitutional gas tax shall be let to contract to the~~
316 ~~lowest responsible bidder by competitive bid~~

317 (b) Notwithstanding paragraph (a), the county or
318 municipality may use its own forces, ~~except for:~~

319 1.(a) Construction and maintenance in emergency
320 situations. ~~and~~

321 2.(b) In addition to emergency work, Construction, and
322 reconstruction, or repair of roads and bridges, including
323 resurfacing, full-scale mineral seal coating, and major bridge
324 and bridge system repairs. However; ~~having a total cumulative~~
325 ~~annual value not to exceed 5 percent of its 80-percent portion~~
326 ~~of the constitutional gas tax or \$400,000, whichever is greater,~~
327 ~~and~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

328 a. A single project may not exceed \$250,000 in value or as
329 adjusted by the percentage change in the Construction Cost Index
330 dated January 1, 2009, exclusive of materials purchased in
331 accordance with sub-subparagraph c.

332 b. A project under this subsection may not be divided into
333 more than one project for the purpose of avoiding the
334 requirements of this subsection.

335 c. All materials for such projects must be purchased or
336 furnished from a commercial source, with the exception of
337 government-owned local material pits for sand, shell, gravel,
338 and rock existing before January 1, 2008.

339 d. A county or municipality is not subject to the maximum
340 project value in sub-subparagraph a. for paving dirt roads only.
341 Such county or municipality is subject to sub-subparagraph c.

342 3.(e) Construction of sidewalks, curbing, accessibility
343 ramps, or appurtenances incidental to roads and bridges if each
344 project is estimated in accordance with generally accepted cost-
345 accounting principles to have total construction project costs
346 of less than \$400,000 or as adjusted by the percentage change in
347 the Construction Cost Index from January 1, 2008.⁷

348
349 ~~for which the county may utilize its own forces.~~

350 (c) However, if, after proper advertising, no bids are
351 received by a county or municipality for a specific project, the
352 county or municipality may use its own forces to construct the
353 project, notwithstanding the limitation of this subsection.

354 (d) As used in this section, the term "competitively
355 award" means to award a contract based on the submission of
356 sealed bids, proposals submitted in response to a request for
357 qualifications, or proposals submitted for competitive
358 negotiations. This subsection expressly allows contracts for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

359 construction management services, design-build contracts,
360 continuation contracts based on unit prices, and any other
361 contract arrangement with a private-sector contractor permitted
362 by any applicable municipal or county ordinance, by district
363 resolution, or by state law.

364 (e) For purposes of this section, the value of a project
365 includes the cost of all labor, except inmate labor, labor
366 burden, and equipment, including ownership, fuel, and
367 maintenance costs to be used in the construction and
368 reconstruction of the project.

369 (f) ~~Nothing in~~ This section does not shall prevent the
370 county or municipality from performing routine maintenance as
371 authorized by law and defined in s. 334.03, including the
372 grading and shaping of dirt roads.

373 (g) Notwithstanding any law to the contrary, a county,
374 municipality, or special district may not own or operate an
375 asphalt plant or a portable or stationary concrete batch plant
376 having an independent mixer.

377 (3)-(4)(a) For contracts in excess of \$250,000, any county
378 or municipality may require that persons interested in
379 performing work under the contract first be certified or
380 qualified to do the work. Any contractor prequalified and
381 considered eligible to bid by the department to perform the type
382 of work described under the contract shall be presumed to be
383 qualified to perform the work so described. Any contractor may
384 be considered ineligible to bid by the county or municipality if
385 the contractor is behind an approved progress schedule by 10
386 percent or more on another project for that county or
387 municipality at the time of the advertisement of the work. The
388 county or municipality may provide an appeal process to overcome

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

389 such consideration with de novo review based on the record below
390 to the circuit court.

391 (b) The county or municipality, as appropriate, shall
392 publish prequalification criteria and procedures prior to
393 advertisement or notice of solicitation. Such publications shall
394 include notice of a public hearing for comment on such criteria
395 and procedures before ~~prior to~~ adoption. The procedures shall
396 provide for an appeal process within the county or municipality
397 for objections to the prequalification process with de novo
398 review based on the record below to the circuit court.

399 (c) The county or municipality, as appropriate, shall also
400 publish for comment, before ~~prior to~~ adoption, the selection
401 criteria and procedures to be used by the county or municipality
402 if such procedures would allow selection of other than the
403 lowest responsible bidder. The selection criteria shall include
404 an appeal process within the county or municipality with de novo
405 review based on the record below to the circuit court.

406 Section 3. Subsection (1) of section 336.44, Florida
407 Statutes, is amended, and subsection (6) is added to that
408 section, to read:

409 336.44 Counties; contracts for construction of roads;
410 procedure; contractor's bond.--

411 (1) The commissioners shall let the work on roads out on
412 contract, in accordance with s. 336.41(2) ~~s. 336.41(3)~~.

413 (6) Notwithstanding any other law to the contrary, any
414 provision contained in any public construction contract with a
415 county, municipality, special district as defined in chapter
416 189, or other political subdivision of the state that purports
417 to limit, waive, release, or extinguish the rights of a
418 contractor to recover costs or damages for delay in performing
419 such contract, either on its behalf or on behalf of its

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

'20 subcontractors, if and to the extent the delay is caused by acts
421 or omissions of the county, municipality, special district, or
422 political subdivision, its agents or employees, or other
423 entities with which it is in privity and due to causes within
424 its control, shall be void and unenforceable as against public
425 policy. The decisions of a county, municipality, special
426 district, or other political subdivision concerning additional
427 compensation or time to which a contractor is entitled in
428 connection with any public construction contract shall be
429 subject to de novo review in a state court of appropriate
430 jurisdiction. This subsection shall not be construed to void any
431 provision in such construction contract that provides for
432 reasonable liquidated damages in case of a delay to the
433 completion of the project for which the contractor is
434 responsible or that provides for reasonable liquidated damages
35 to fairly compensate the contractor for its indirect costs and
436 overhead expenses associated with a delay.

437 Section 4. This act shall take effect July 1, 2008.

438
439 -----
440 **T I T L E A M E N D M E N T**

441 Remove line(s) 415-477 and insert:

442 A bill to be entitled
443 An act relating to public construction works; amending s.
444 255.20, F.S.; revising provisions requiring a county,
445 municipality, special district, or other political subdivision
446 of the state to competitively award contracts for certain
447 construction projects; revising exceptions to such requirements;
448 revising provisions relating to an exemption for projects
449 performed by a local government using its own services,
50 employees, and equipment; providing that certain construction

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

451 contract terms purporting to limit recovery of certain costs or
452 damages by a contractor are void; providing that certain
453 decisions by the local governmental entity concerning additional
454 compensation or time to which a contractor is entitled are
455 subject to de novo review in state court; providing an
456 exception; exempting a local government owning or operating a
457 public-use airport from specified requirements if performing
458 certain tasks relating to the airport's buildings, structures,
459 or public construction works; exempting a local government
460 owning or operating a seaport from specified requirements when
461 performing certain tasks relating to the seaport's buildings,
462 structures, or public construction works; exempting a local
463 government owning or operating a public transit system, public
464 transportation system, or mass transit system from specified
465 requirements when performing certain tasks relating to its
466 buildings, structures, or public construction works; amending s.
467 336.41, F.S.; revising provisions authorizing a county to employ
468 labor and provide equipment for road and bridge projects;
469 removing a provision authorizing a county to use its own
470 resources for constructing and opening new roads and bridges;
471 revising requirements regarding contracting for certain county
472 road and bridge projects; requiring that certain contracts be
473 competitively awarded; authorizing a county or municipality to
474 use its own forces for certain projects; providing restrictions
475 and limitations; providing for the purchase of materials for
476 such projects; providing that a county or municipality is exempt
477 from a certain restriction with regard to paving dirt roads;
478 defining the term "competitively award" for specified purposes;
479 clarifying applicability of certain provisions; specifying costs
480 included in determining the value of a project for certain
481 purposes; revising provisions allowing a county or municipality

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

482 to perform routine maintenance; prohibiting a county,
483 municipality, or special district from owning or operating an
484 asphalt plant or a portable or stationary concrete batch plant
485 with an independent mixer; authorizing a municipality to require
486 that persons interested in performing work under the contract
487 first be certified or qualified to do the work when the contract
488 amount exceeds a certain threshold; providing that a contractor
489 may be considered ineligible to bid by the municipality if the
490 contractor is behind an approved progress schedule by more than
491 a certain amount on another project for that municipality at the
492 time of the advertisement of the work requiring
493 prequalification; authorizing an appeal process; requiring that
494 prequalification criteria and procedures be published before
495 advertisement or notice of solicitation; requiring notice of a
496 public hearing for comment on such criteria and procedures
497 before adoption; requiring that the procedures provide for an
498 appeal process for objections to the prequalification process;
499 requiring the municipality to publish for comment, before
500 adoption, the selection criteria and procedures to be used if
501 such procedures would allow selection of other than the lowest
502 responsible bidder; requiring that the selection criteria
503 include an appeal process; amending s. 336.44, F.S.; conforming
504 a cross-reference; providing that certain construction contract
505 terms purporting to limit recovery of certain costs or damages
506 by contractors are void; providing that certain decisions by the
507 local governmental entity concerning additional compensation or
508 time to which a contractor is entitled are subject to de novo
509 review in state court; providing an exception; providing an
510 effective date.

511

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 687 : Service-Disabled Veteran Business Enterprises

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino			X		
Greg Evers			X		
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 747 : Charter County Transit System Surtax

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 843 : Family Readiness Program

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 887 : Career Service System

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

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) Coley offered the following:
4

5 **Amendment to Amendment (traveling strike-all amendment) by**
6 **Representative Coley**

7 Remove line(s) 135 and insert:
8 effort to retain the employee, subject to the provisions of
9 paragraph (2) (a).
10
11

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) Coley offered the following:
4

5 **Amendment to Amendment (traveling strike-all amendment) by**
6 **Representative Coley**

7 Remove line(s) 182 and insert:
8 mitigation of the discipline for any appropriate cause or
9
10

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 909 : Value Adjustment Boards

Not Considered

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 991 : Public Meetings/Governing Boards of Local Government Authorities

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Appearances:

Charles Pattison, President (Lobbyist) - Proponent
 1000 Friends of Florida
 926 E. Park Ave.
 Tallahassee FL 32301
 Phone: 222-6277 x 103

Brian Pitts, Chair - Information Only
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

Marilynn Wills, 1st V.P. LWVF - Proponent
 League of Women Voters of Fla.
 2326 Kilkenny Dr. West
 Tallahassee FL 32309
 Phone: 850-893-4104

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0991

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 Hukill offered the following:

Amendment (with title amendment)

Remove line 284 and insert:

(7) OPTIONAL EXEMPTION FROM REQUIREMENTS.--

(a) Each local government authority may opt out of the
requirements of subsections (1) through (6) by adopting a
written policy which sets forth the local government authority's
policies with regard to public participation in the meetings of
the authority. Such written policy must be adopted by the local
government authority by October 1, 2008, in order for the
authority to exempt itself from the requirements of subsections
(1) through (6). Such exemption shall be subject to the
requirements and criteria in paragraph (b):

(b)1. A local government authority choosing to opt out of
the requirements of subsections (1) through (6) as provided
under paragraph (a) must conduct at least one public workshop,
the purpose of which is to solicit the input of the public with
respect to public participation in the meetings of the authority

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 and to develop the authority's written policy with participation
23 from the public. The workshop or workshops shall be advertised
24 pursuant to the authority's requirements for noticing public
25 meetings.

26 2. At a minimum, the workshop or workshops shall address
27 the following:

28 a. An explanation of the authority's current procedures
29 for public participation in meetings of the authority, if any;

30 b. Suggestions from the public regarding changes to any
31 current procedures of the authority with respect to public
32 participation in meetings or for the development of new
33 procedures with respect to public participation in such
34 meetings;

35 c. The scheduling of public testimony for various types of
36 issues and agendas at meetings of the local government authority
37 and the specification of appropriate duration of public
38 testimony;

39 d. A process by which members of the public can submit
40 written documents or petitions to the authority; and

41 e. A process for members of the local government authority
42 to present reports on the various boards, committees, or groups
43 organized under the local government authority on which the
44 members of the local government authority serve.

45 (c) If the local government authority maintains a website,
46 the written policy adopted under this subsection or a link
47 thereto shall be available on the homepage of the website within
48 30 days after the adoption of the policy.

49 (8) CONSTRUCTION.--Nothing in subsections (1) through (6)
50 shall preclude a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

52
53
54
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56
57
58
59
60

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

Remove line 21 and insert:
notification of policy; authorizing local government
authorities to opt out of the requirements of the act;
providing requirements and criteria with respect thereto;
providing construction; providing



Committee on _____

Date 4/8

Action _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY
(may be used in Committee, but not on House Floor)

Amendment No. _____

Bill No. 991

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

Representative(s)/The Committee on Rehain

offered the following amendment:

Amendment

w/d

on page 3, line 76,

after the period, insert:

The term "public meeting" does not include
a workshop of the governing body.

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1049 : Florida Retirement System

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. HB 1049

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) Pickens offered the following:

4
5 **Amendment**

6 Remove line(s) 59-62 and insert:

7 Department of Management Services, except for school districts
8 serving as the fiscal agent for a regional consortium service
9 organization as established pursuant to s. 1001.451. School
10 districts serving as the fiscal agent for a regional consortium
11 service organization established pursuant to s. 1001.451 may
12 designate up to 15 nonelective full-time positions. Local, ~~for~~
13 local

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1061 : Ad Valorem Tax Data

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino			X		
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1273 : Seminole Tribe

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson			X		
Frank Attkisson (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1279 : Homestead Property Assessments

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 14 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1467 : Access to Confidential Records of Children

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino	X				
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 13 Total Nays: 0					

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:
4

5 **Amendment to Amendment (traveling strike-all amendment) by**
6 **Representative Weatherford**

7 Remove line(s) 23 and insert:
8 by the child's attorney must be submitted in writing.
9

10

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) Weatherford offered the following:
 4

5 **Amendment to Amendment (traveling strike-all amendment) by**
 6 **Representative Weatherford**

7 Remove line(s) 88-90 and insert:
 8 actively considered or has been granted, including a foster
 9 parent upon whom an approved home study has been conducted, the
 10 designee of a licensed residential group home pursuant to s.
 11 39.523, an approved relative or non-relative placement pursuant
 12 to s. 39.402(4), a preadoptive parent upon whom a favorable
 13 preliminary adoptive home study has been conducted, an adoptive
 14 parent, or an adoption entity acting on their behalf.
 15
 16

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1477 : County Lease Arrangements

Not Considered

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

HB 1539 : Relief/Schneidine Theogene/Miami-Dade County

Favorable with Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Carl Domino			X		
Greg Evers	X				
Andy Gardiner			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				
Darren Soto	X				
Geraldine Thompson	X				
Frank Attkisson (Chair)	X				
Total Yeas: 13 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

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 to Amendment (1) by Committee on Urban and Local**
6 **Affairs**

7 Remove line(s) 7-11 and insert:
8 the injuries to Schneidine Theogene. Not more than 25 percent of
9 the award may be paid by the claimant for attorney's fees,
10 lobbying fees, costs, or other similar expenses.
11

12 -----
13
14 **D I R E C T O R Y A M E N D M E N T**

15 Remove line(s) Start Line-End Line and insert:

16 Directory Amendment Text
17

18 -----
19 **T I T L E A M E N D M E N T**

20 Remove line(s) Start Line-End Line and insert:

21 Title Amendment Text
22

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

PCB GEAC 08-24 : Transparency in Local Government Spending

Not Considered

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/8/2008 9:00:00AM

Location: 404 HOB

Summary:

Government Efficiency & Accountability Council

Tuesday April 08, 2008 09:00 am

HB 51	Favorable	Yeas: 13	Nays: 0
HB 127	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 165	Not Considered		
HJR 441	Not Considered		
HB 639	Favorable with Council Substitute	Yeas: 13	Nays: 0
HB 683	Favorable with Council Substitute	Yeas: 13	Nays: 2
HB 687	Favorable with Council Substitute	Yeas: 11	Nays: 0
HB 747	Favorable	Yeas: 14	Nays: 0
HB 843	Favorable with Council Substitute	Yeas: 13	Nays: 0
HB 887	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 909	Not Considered		
HB 991	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 1049	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 1061	Favorable	Yeas: 12	Nays: 0
HB 1273	Favorable	Yeas: 13	Nays: 0
HB 1279	Favorable	Yeas: 14	Nays: 0
HB 1467	Favorable with Council Substitute	Yeas: 13	Nays: 0
HB 1477	Not Considered		
HB 1539	Favorable with Council Substitute	Yeas: 13	Nays: 0
PCB GEAC 08-24	Not Considered		

Committee meeting was reported out: Tuesday, April 08, 2008 4:16:44PM

Department of Revenue

Evaluation of Lease v Build

Purpose:

To measure the benefits of lease versus build occupancy strategies through a comparison of cash flow

Summary:

<u>Model</u>	<u>Advantages/Disadvantages</u>
1) Model - Efficiency	Creates new campus Consolidates eighteen (18) locations from existing private and state premises Benefits from value of contributed land assets to system Benefits from negotiation flexibility at end of term due to asset ownership
2) Model - Efficiency w Energy Savings	Improves utility cost to system in new facility v current Productivity efficiencies from consolidated workforce not in model
3) Model - Status quo	Retains current lease structure Triggers reversion of land assets Abandons sunk costs Retains higher utility costs in system No productivity efficiency potential from consolidated campus

Financial Highlights	Model 1	Model 2	Model 3
	Efficiency	Efficiency w Energy Savings	Status Quo
Lease Costs over term (a)	\$ 311,205,169	\$ 311,205,169	\$ 427,493,431
Energy Efficiency over term (b)		\$ (43,185,251)	
Sale of land parcels Year 1 (c)	\$ (9,150,648)	\$ (9,150,648)	
Net Gain on Campus - Sale less cost (d)	\$ (156,640,460)	\$ (156,640,460)	
Net Cash Flow over Term	\$ 145,414,061	\$ 102,228,810	\$ 427,493,431
NPV of Cash Flow	\$197,927,986	\$177,760,714	\$308,324,941
\$ Advantage for Proceeding	\$10,296,955	\$30,464,228	
IRR on decision to proceed	4.81%	5.51%	

Key Factors/Assumptions

- a Rental Rates have used historical escalation patterns
- b Utility escalation rate of 5% projected in savings analysis
- c Additional land parcels reflect sale at beginning of analysis at current market value
- d Exit value of new campus based on assumption of 2.25% annual increase in value over term