

Government Efficiency & Accountability Council

ACTION PACKET

**Tuesday, April 22, 2008
10:00 AM – 11:00 AM
404 HOB**

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

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:	15	0	1

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

CS/HB 131 : State Symbols

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: 15		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 131

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 WITHDRAWN _____ (Y/N)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 (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 15.0526, Florida Statutes, is created
 8 to read:

9 15.0526 Official state horse.--

10 (1) The Florida Cracker Horse (Marshackie) is designated
 11 as the official Florida state horse.

12 (2) This section is repealed July 1, 2018, unless reviewed
 13 and reenacted by the Legislature before that date.

14 Section 2. This act shall take effect July 1, 2008.
 15
 16

17 -----

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

19 Remove the entire title and insert:

20 An act relating to state symbols; creating s. 15.0526, F.S.;
 21 designating the Florida Cracker Horse (Marshackie) as the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 official state horse; providing for future legislative review
23 and repeal; providing an effective date.

24

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HB 181 : State and Local Government Spending

Temporarily Deferred

Appearances:

Rick Watson, Legislative Counsel (Lobbyist) - Proponent

Americans for Tax Reform

P.O. Bxo 10038

Tallahassee FL 32302

Phone: 850-222-000

Kraig Conn (Lobbyist) - Opponent

Florida League of Cities

301 S. Bronough

Tallahassee FL 32301

Phone: 850-222-9684

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 0181

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	—	

*Bill Temporarily
Patroned*

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

3 Representative Harrell offered the following:

4
5 **Substitute Amendment for Strike-all Amendment by**
6 **Representative Harrell (with title amendment)**

7 Remove everything after the enacting clause and insert:

8 Section 1. Section 218.315, Florida Statutes, is created
9 to read:

10 218.315 Local government transparency; contracts.--

11 (1) As used in this act, the term:

12 (a) "Contract" means any legally binding agreement
13 executed by a local government and a corporation or an
14 individual for the purchase of commodities or contractual
15 services which requires the expenditure of \$5,000 or more. The
16 term excludes the contractual rights of local government
17 employees and retirees who are members of the Florida Retirement
18 System or who are members of a local government retirement
19 system.

20 (b) "Corporation" means all corporations registered to do
21 business in the state, whether for profit or not for profit;
22 foreign corporations qualified to do business in this state or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 actually doing business in this state, whether for profit or not
24 for profit; limited liability companies under chapter 608;
25 partnerships under chapter 620; sole proprietorships as defined
26 in s. 440.02; or any other legal business entity, whether for
27 profit or not for profit.

28 (c) "County officer" means a sheriff, tax collector,
29 property appraiser, supervisor of elections, or a clerk of the
30 circuit court.

31 (d) "Local government" means counties, municipalities,
32 water management districts, and special taxing districts with
33 the authority to levy ad valorem taxes or non-ad valorem
34 assessments, but excludes school districts.

35 (e) "Individual" means a person, but excludes an employee
36 of a governmental entity or an employee of the Federal
37 Government while acting in the capacity as employee.

38 (2) In accordance with the schedule provided in subsection
39 (5), the Department of Financial Services shall develop and
40 maintain a portal linking to websites maintained by the local
41 governments subject to the requirements of this section.

42 (3) (a) Each local government with a website must
43 electronically post contract information relating to each
44 contract executed between the local government and a corporation
45 or an individual, or for a county officer, between the county
46 officer and a corporation or an individual. The information must
47 be posted using the basic expenditure categories required in the
48 uniform format established under paragraph (c). The website must
49 be accessible without charge to any individual with Internet
50 access using standard browsing software.

51 (b) To the extent possible, each local government's
52 website shall provide a link to an electronic copy of the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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53 contract. The portion of a public record that is confidential or
54 exempt shall be redacted prior to posting.

55 (c) The Department of Financial Services shall develop a
56 uniform format to be used by each local government when posting
57 contract information. The uniform format must include:

58 1. The name of the local government or county officer that
59 is a party to the contract.

60 2. The name of each corporation or individual that is a
61 party to the contract.

62 3. The date and amount of the contract.

63 4. The purpose of the contract.

64 5. The basic expenditure categories reported by local
65 governments in the annual financial report submitted to the
66 department under s. 218.32.

67 (4) Except as provided in this subsection, each local
68 government shall designate one central office to maintain all
69 contract information required to be reported. The county shall
70 maintain all contract information required to be reported by a
71 county officer. If a local government does not have an official
72 website, the contract information must be maintained in a local
73 government office that is reasonably accessible to the general
74 public during normal business hours and is capable of providing
75 contract information to a member of the general public as a
76 public records request.

77 (5) (a) Information on contracts executed by a local
78 government or a county officer shall be reported at least
79 quarterly by each local government according to the following
80 schedule and in a uniform reporting format:

81 1. On or before December 31, 2009, all water management
82 districts; any county with a population of 300,000 or more; any
83 municipality with a population of 50,000 or more; and any

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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84 special taxing authority within such county or municipality
85 shall report contract information required by this section for
86 contracts executed on or after October 1, 2009.

87 2. On or before December 31, 2010, any county with a
88 population of at least 50,000 but fewer than 300,000; any
89 municipality with a population of at least 10,000 but fewer than
90 50,000; and any special taxing authority within such county or
91 municipality shall report contract information required by this
92 section for contracts executed on or after October 1, 2010.

93 3. On or before December 31, 2011, any county with a
94 population of fewer than 50,000; any municipality with a
95 population of fewer than 10,000; and any special taxing
96 authority within such county or municipality shall report
97 contract information required by this act for contracts executed
98 on or after October 1, 2011.

99 (b) The population estimates used by counties and
100 municipalities to meet the schedule requirements of this
101 subsection shall be those reported on April 1, 2009, by the
102 Office of Economic and Demographic Research to the Executive
103 Office of the Governor under s. 186.901.

104 (6) The Department of Financial Services is authorized to
105 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
106 the provisions of this section requiring the development and
107 maintenance of the state portal that links to the local
108 government website and the development and distribution of the
109 uniform reporting format.

110 Section 2. State government transparency; contracts.--

111 (1) As used in this section, the term:

112 (a) "Contract" means any legally binding agreement
113 executed by a state agency and a corporation or an individual
114 for the purchase of commodities or contractual services which

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

115 requires the expenditure of \$5,000 or more. The term excludes
116 the contractual rights of state employees and retirees who are
117 members of the Florida Retirement System.

118 (b) "Corporation" means all corporations registered to do
119 business in this state, whether for profit or not for profit;
120 foreign corporations qualified to do business in this state or
121 actually doing business in this state, whether for profit or not
122 for profit; limited liability companies under chapter 608,
123 Florida Statutes; partnerships under chapter 620, Florida
124 Statutes; a sole proprietorship as defined in s. 440.02, Florida
125 Statutes; or any other legal business entity, whether for profit
126 or not for profit.

127 (c) "Expenditure" means a payment that a state agency
128 makes to a corporation or an individual under a contract.

129 (d) "Individual" means a person, but excludes an employee
30 of a state agency or an employee of the Federal Government while
131 acting in the capacity as employee.

132 (2) The Executive Office of the Governor is directed to
133 develop and maintain a portal linking to the state agency
134 contract expenditures report maintained by the Department of
135 Financial Services and required under this section.

136 (3) (a) The Department of Financial Services is directed to
137 develop and maintain a contract expenditures report that
138 provides the following information:

139 1. The name of the state agency that is a party to a
140 contract;

141 2. The name of each corporation or individual that is a
142 party to a contract;

143 3. The date, amount, and purpose of the contract; and

144 4. Each expenditure made under the contract.

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145 (b) The contract expenditures report must be maintained by
146 the department in a searchable website containing a navigation
147 bar that allows an individual having Internet access to search
148 for expenditure reports by governmental function, state agency,
149 or appropriation category.

150 (4) (a) Each state agency shall record each contract
151 executed between the agency and a corporation or an individual
152 and each payment made under the contract along with the contract
153 number in the department's Florida Accounting and Information
154 Resources contract subsystem as provided in s. 215.94(2),
155 Florida Statutes.

156 (b) To the extent possible, each state agency shall
157 provide a link to an electronic copy of the contract. The
158 portion of a public record which is confidential or exempt from
159 inspection and copying shall be redacted prior to posting.

160 Section 3. This act shall take effect July 1, 2008.

161 -----
162
163 **T I T L E A M E N D M E N T**

164 Remove the entire title and insert:

165 A bill to be entitled
166 An act relating to local government transparency; creating
167 s. 218.315, F.S.; defining the terms "contract,"
168 "corporation," "county officer," "local government," and
169 "individual" for purposes of the act; directing the
170 Department of Financial Services to develop and maintain a
171 portal linking to websites maintained by local
172 governments; requiring local governments with a website to
173 electronically post contract information relating to
174 certain contracts; providing an exemption for contracts
175 protected under chapter 119 or by general law; requiring

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Amendment No. (for drafter's use only)

176 that access to the website be provided at no cost;
177 requiring that electronic copies of contracts be provided
178 in certain circumstances; requiring the Department of
179 Financial Services to develop a uniform format to be used
180 by local governments when posting contract information;
181 requiring specific information be provided under the
182 uniform format; requiring each local government to
183 designate a central office to maintain all contract
184 information; providing reporting requirements for local
185 governments without a website; requiring that contract
186 information be posted at least quarterly using the uniform
187 format; establishing a schedule for local governments to
188 meet requirements of the act; providing rulemaking
189 authority; defining the terms "contract," "corporation,"
190 "expenditure," and "individual" for purposes of state
91 government contract reporting; providing that contractual
192 rights of state employees and retirees who are members of
193 the Florida Retirement System are not considered
194 contracts; directing the Executive Office of the Governor
195 to develop and maintain a port linking to the state agency
196 contract expenditures report maintained by the Department
197 of Financial Services; directing the department to develop
198 and maintain a contract information report containing
199 specified information; directing that the report be
200 maintained by the department in a searchable website;
201 directing that access to the website be provided at no
202 charge to a user who has Internet access; directing each
203 state agency to record information relating to contracts
204 between the agency and a corporation or an individual;
205 directing each agency to record payment information on
06 specified contracts in the Florida Accounting and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

207 Information Resources contract subsystem; requiring that
208 electronic copies of contracts be provided in certain
209 circumstances; providing that portions of public records
210 which are confidential and exempt from inspection and
211 copying shall be redacted prior to posting; providing an
212 effective date.

213



Committee on

GEAC

Date

4/22/08

Darned
Roll Call
vote

Action

11/4

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. _____

Bill No.

181

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

Representative(s)/The Committee on

~~GEAC~~ Joe Gibbons

offered the following amendment:

Amendment

on page

, line

15 / 115

Remove \$5,000 and insert
\$25,000



Committee on _____

Date _____

Action adopted w/out objection

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

Amendment No. 2

Bill No. 181

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

Representative(s)/The Committee on Thompson

offered the following amendment:

Amendment to Substitute Amendment
between
on page 186, line 144 & 145,

S. & Whether or not the contractor is
with a majority individual or minority
owned corporation.



Committee on

Gov's EFFICIENCY AND ACCOUNTABILITY

Date 4-22-2008

Action adopted w/out objection

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

Amendment No. 3

Bill No. 181

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

Representative(s)/The Committee on THOMPSON

offered the following amendment:

Amendment TO SUBSTITUTE AMENDMENT

on page 3, line BETWEEN LINES 66 AND 67

~~ADD "6. WHETHER OR NOT THE CONTRACT IS WITH A MINORITY OWNED CORPORATION."~~
~~IDENTIFY WHETHER OR NOT CONTRACT IS WITH A MINORITY OWNED CORPORATION.~~

ADD 6. WHETHER OR NOT THE CONTRACT IS WITH A MINORITY INDIVIDUAL OR MINORITY OWNED CORPORATION.

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HJR 441 : Commercial or Residential Rental Property Assessment Increase Limitation

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Carl Domino	X				
Greg Evers	X				
Andy Gardiner					
Joseph Gibbons	X		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: 15 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N) 4/9/08
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

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

5 **Amendment (with schedule and ballot amendments)**

6 Remove line(s) 14-89 and insert:

7 ARTICLE VII

8 FINANCE AND TAXATION

9 SECTION 4. Taxation; assessments.--

10 By general law regulations shall be prescribed which shall
11 secure a just valuation of all property for ad valorem taxation,
12 provided:

13 (a) Agricultural land, land producing high water recharge
14 to Florida's aquifers, or land used exclusively for
15 noncommercial recreational purposes may be classified by general
16 law and assessed solely on the basis of character or use.

17 (b) Pursuant to general law tangible personal property
18 held for sale as stock in trade and livestock may be valued for
19 taxation at a specified percentage of its value, may be
20 classified for tax purposes, or may be exempted from taxation.

21 (c) All persons entitled to a homestead exemption under
22 Section 6 of this Article shall have their homestead assessed at

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 just value as of January 1 of the year following the effective
24 date of this amendment. This assessment shall change only as
25 provided herein.

26 (1) Assessments subject to this provision shall be changed
27 annually on January 1st of each year; but those changes in
28 assessments shall not exceed the lower of the following:

29 a. Three percent (3%) of the assessment for the prior
30 year.

31 b. The percent change in the Consumer Price Index for all
32 urban consumers, U.S. City Average, all items 1967=100, or
33 successor reports for the preceding calendar year as initially
34 reported by the United States Department of Labor, Bureau of
35 Labor Statistics.

36 (2) No assessment shall exceed just value.

37 (3) After any change of ownership, as provided by general
38 law, homestead property shall be assessed at just value as of
39 January 1 of the following year, unless the provisions of
40 paragraph (8) apply. Thereafter, the homestead shall be assessed
41 as provided herein.

42 (4) New homestead property shall be assessed at just value
43 as of January 1st of the year following the establishment of the
44 homestead, unless the provisions of paragraph (8) apply. That
45 assessment shall only change as provided herein.

46 (5) Changes, additions, reductions, or improvements to
47 homestead property shall be assessed as provided for by general
48 law; provided, however, after the adjustment for any change,
49 addition, reduction, or improvement, the property shall be
50 assessed as provided herein.

51 (6) In the event of a termination of homestead status, the
52 property shall be assessed as provided by general law.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 (7) The provisions of this amendment are severable. If any
54 of the provisions of this amendment shall be held
55 unconstitutional by any court of competent jurisdiction, the
56 decision of such court shall not affect or impair any remaining
57 provisions of this amendment.

58 (8)a. A person who establishes a new homestead as of
59 January 1, 2009, or January 1 of any subsequent year and who has
60 received a homestead exemption pursuant to Section 6 of this
61 Article as of January 1 of either of the two years immediately
62 preceding the establishment of the new homestead is entitled to
63 have the new homestead assessed at less than just value. If this
64 revision is approved in January of 2008, a person who
65 establishes a new homestead as of January 1, 2008, is entitled
66 to have the new homestead assessed at less than just value only
67 if that person received a homestead exemption on January 1,
68 2007. The assessed value of the newly established homestead
69 shall be determined as follows:

70 1. If the just value of the new homestead is greater than
71 or equal to the just value of the prior homestead as of January
72 1 of the year in which the prior homestead was abandoned, the
73 assessed value of the new homestead shall be the just value of
74 the new homestead minus an amount equal to the lesser of
75 \$500,000 or the difference between the just value and the
76 assessed value of the prior homestead as of January 1 of the
77 year in which the prior homestead was abandoned. Thereafter, the
78 homestead shall be assessed as provided herein.

79 2. If the just value of the new homestead is less than the
80 just value of the prior homestead as of January 1 of the year in
81 which the prior homestead was abandoned, the assessed value of
82 the new homestead shall be equal to the just value of the new
83 homestead divided by the just value of the prior homestead and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 multiplied by the assessed value of the prior homestead.

85 However, if the difference between the just value of the new
86 homestead and the assessed value of the new homestead calculated
87 pursuant to this sub-subparagraph is greater than \$500,000, the
88 assessed value of the new homestead shall be increased so that
89 the difference between the just value and the assessed value
90 equals \$500,000. Thereafter, the homestead shall be assessed as
91 provided herein.

92 b. By general law and subject to conditions specified
93 therein, the Legislature shall provide for application of this
94 paragraph to property owned by more than one person.

95 (d) The legislature may, by general law, for assessment
96 purposes and subject to the provisions of this subsection, allow
97 counties and municipalities to authorize by ordinance that
98 historic property may be assessed solely on the basis of
99 character or use. Such character or use assessment shall apply
100 only to the jurisdiction adopting the ordinance. The
101 requirements for eligible properties must be specified by
102 general law.

103 (e) A county may, in the manner prescribed by general law,
104 provide for a reduction in the assessed value of homestead
105 property to the extent of any increase in the assessed value of
106 that property which results from the construction or
107 reconstruction of the property for the purpose of providing
108 living quarters for one or more natural or adoptive grandparents
109 or parents of the owner of the property or of the owner's spouse
110 if at least one of the grandparents or parents for whom the
111 living quarters are provided is 62 years of age or older. Such a
112 reduction may not exceed the lesser of the following:

113 (1) The increase in assessed value resulting from
114 construction or reconstruction of the property.

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115 (2) Twenty percent of the total assessed value of the
16 property as improved.

117 (f) ~~For all levies other than school district levies,~~
118 Pursuant to general law and subject to conditions specified
119 therein, assessments of residential real property, ~~as defined by~~
120 ~~general law, which contains nine units or fewer and which is not~~
121 subject to the assessment limitations set forth in subsections
122 (a) through (c) shall change only as provided in this
123 subsection.

124 (1) For all levies other than school district levies,
125 assessments of residential rental property which contains nine
126 units or fewer ~~subject to this subsection~~ shall be changed
127 annually on the date of assessment provided by law; but those
128 changes in assessments shall not exceed ten percent (10%) of the
129 assessment for the prior year.

130 (2) Should increased in assessment of real property used
31 for residential rental purposes exceed five percent of the
132 assessment for the prior year, the assessment shall be limited
133 to the average annual percentage growth in revenues derived from
134 the property over the proceeding three years if ownership has
135 not changed.

136 (3) No assessment shall exceed just value.

137 (4)~~(3)~~ After a change of ownership or control, as defined
138 by general law, including any change of ownership of a legal
139 entity that owns the property, such property shall be assessed
140 at just value as of the next assessment date. Thereafter, such
141 property shall be assessed as provided in this subsection.

142 (5)~~(4)~~ Changes, additions, reductions, or improvements to
143 such property shall be assessed as provided for by general law;
144 however, after the adjustment for any change, addition,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

145 reduction, or improvement, the property shall be assessed as
146 provided in this subsection.

147 ~~(g) For all levies other than school district levies,~~
148 Pursuant to general law and subject to conditions specified
149 therein, assessments of real property that is not subject to the
150 assessment limitations set forth in subsections (a) through (c)
151 and (f) shall change only as provided in this subsection.

152 (1) Assessments subject to this subsection shall be
153 changed annually on the date of assessment provided by law; but
154 those changes in assessments shall not exceed ten percent (10%)
155 of the assessment for the prior year.

156 (2) Should increases in assessments of real property used
157 for commercial purposes exceed five percent of the assessment
158 for the prior year, the assessment shall be limited to the
159 average annual percentage growth in revenues derived from the
160 property over the preceding three years if ownership has not
161 changed.

162 ~~(3)-(2)~~ No assessment shall exceed just value.

163 ~~(4)-(3)~~ The legislature must provide that such property
164 shall be assessed at just value as of the next assessment date
165 after a qualifying improvement, as defined by general law, is
166 made to such property. Thereafter, such property shall be
167 assessed as provided in this subsection.

168 ~~(5)-(4)~~ The legislature may provide that such property
169 shall be assessed at just value as of the next assessment date
170 after a change of ownership or control, as defined by general
171 law, including any change of ownership of the legal entity that
172 owns the property. Thereafter, such property shall be assessed
173 as provided in this subsection.

174 ~~(6)-(5)~~ Changes, additions, reductions, or improvements to
175 such property shall be assessed as provided for by general law;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

176 however, after the adjustment for any change, addition,
177 reduction, or improvement, the property shall be assessed as
178 provided in this subsection.

181 **S C H E D U L E A M E N D M E N T**

182 Between line(s) 89-90 insert:

183 **ARTICLE XII**

184 SECTION 28. Commercial or Residential Rental Property
185 Assessment Increase Limitation.—The amendment to Section 4 of
186 Article VII, providing for assessment limitations for
187 residential real property and property used for commercial
188 purposes, if submitted to the electors of this state for
189 approval or rejection at the next general election, shall take
190 effect January 1 of the year following such general election.

193 **B A L L O T A M E N D M E N T**

194 Remove line(s) 92-100 and insert:

195 **CONSTITUTIONAL AMENDMENT**

196 **ARTICLE VII, SECTION 4**

197 **COMMERCIAL OR RESIDENTIAL RENTAL PROPERTY ASSESSMENT**
198 **INCREASE LIMITATION.**—Proposing an amendment to the State
199 Constitution to limit increases in assessments of real property
200 used for commercial or residential rental purposes which exceed
201 five percent of the assessment for the prior year to the average
202 annual percentage growth in revenues derived from the property
203 over the preceding three years if ownership has not changed.
204

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 1a (for drafter's use only)

Bill No. 441

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION (Y/N) 4/9/08
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER _____

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

5 **Amendment to Amendment (1) by Representative Domino**

6 Remove line 130 and insert:

7 (2) Should increases in assessment of real property used
8
9
10
11

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HB 501 : Special Risk Class Retirement Benefits

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:

Jim Spearing, Lobbyist (Lobbyist) - Proponent
 Fla. Police Benevolent Assn.
 300 E. Brevard St.
 Tallahassee FL 32301
 Phone: 850-222-3329

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 501**

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) Robaina offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 WHEREAS, one of the most fundamental mechanisms for
 8 ensuring the safety and welfare of the public is through the
 9 state's law enforcement agencies and correctional institutions,
 10 and

11 WHEREAS, law enforcement agencies and correctional
 12 institutions throughout this state and the nation are
 13 experiencing great difficulty in recruiting and retaining well-
 14 qualified law enforcement and correctional officers, and

15 WHEREAS, this need is projected to become more critical in
 16 the future, and

17 WHEREAS, the most critical need is to recruit and retain
 18 line officers who have daily and direct contact with the
 19 criminal element, and

20 WHEREAS, because such work is physically demanding or
 21 arduous and often requires extraordinary agility and mental
 22 acuity that can diminish with age, persons employed in these

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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23 positions are classified as special risk and able to retire at
24 an earlier age, and

25 WHEREAS, one mechanism for retaining qualified officers is
26 to extend the amount of time that such officers can remain in
27 the Deferred Retirement Option Program (DROP) if such officers
28 can demonstrate that they retain the necessary physical and
29 mental capacity to competently perform their job duties, NOW,
30 THEREFORE,

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Paragraph (d) is added to subsection (9) of
35 section 121.091, Florida Statutes, and paragraphs (a) and (b) of
36 subsection (13) of that section are amended, to read:

37 121.091 Benefits payable under the system.--Benefits may
38 not be paid under this section unless the member has terminated
39 employment as provided in s. 121.021(39) (a) or begun
40 participation in the Deferred Retirement Option Program as
41 provided in subsection (13), and a proper application has been
42 filed in the manner prescribed by the department. The department
43 may cancel an application for retirement benefits when the
44 member or beneficiary fails to timely provide the information
45 and documents required by this chapter and the department's
46 rules. The department shall adopt rules establishing procedures
47 for application for retirement benefits and for the cancellation
48 of such application when the required information or documents
49 are not received.

50 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.--

51 (d) Notwithstanding any other provision in this section, a
52 member of the Special Risk Class who is employed as a law
53 enforcement officer, correctional officer, or community-based

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

54 correctional probation officer, as described in s. 121.0515(2),
55 and who has a rank or the equivalent rank of captain or below,
56 at the conclusion of his or her participation in DROP, may not
57 be employed, reemployed, or retained in a contractual capacity
58 by the same employing agency from which the member retired;
59 however, the member may be retained by the employing agency as a
60 part-time or auxiliary law enforcement officer, as those terms
61 are defined in s. 943.10, if the member is serving on a
62 voluntary basis and receives no more than \$1 per calendar year
63 in remuneration for services rendered directly for the employing
64 agency. Any person who is reemployed or retained in a
65 contractual capacity in violation of this paragraph shall void
66 his or her application for retirement benefits. Any person who
67 violates this paragraph and any employing agency that knowingly
68 employs or contracts with such person in violation of this
69 paragraph is jointly and severally liable for reimbursement to
70 the Florida Retirement System Trust Fund for any retirement
71 benefits improperly paid during the reemployment or contractual
72 period. This provision does not otherwise limit the employment
73 or contractual opportunities for a retiree at any other
74 employing agency. This paragraph does not apply to a retiree who
75 is elected to an office or appointed to an office by the
76 Governor.

77 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general, and
78 subject to the provisions of this section, the Deferred
79 Retirement Option Program, hereinafter referred to as the DROP,
80 is a program under which an eligible member of the Florida
81 Retirement System may elect to participate, deferring receipt of
82 retirement benefits while continuing employment with his or her
83 Florida Retirement System employer. The deferred monthly
84 benefits shall accrue in the System Trust Fund on behalf of the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

85 participant, plus interest compounded monthly, for the specified
86 period of the DROP participation, as provided in paragraph (c).
87 Upon termination of employment, the participant shall receive
88 the total DROP benefits and begin to receive the previously
89 determined normal retirement benefits. Participation in the DROP
90 does not guarantee employment for the specified period of DROP.
91 Participation in the DROP by an eligible member beyond the
92 initial 60-month period as authorized in this subsection shall
93 be on an annual contractual basis for all participants.

94 (a) Eligibility of member to participate in the DROP.--All
95 active Florida Retirement System members in a regularly
96 established position, and all active members of ~~either~~ the
97 Teachers' Retirement System established in chapter 238 or the
98 State and County Officers' and Employees' Retirement System
99 established in chapter 122, which systems are consolidated
100 within the Florida Retirement System under s. 121.011, are
101 eligible to elect participation in the DROP if provided that:

102 1. The member is not a renewed member ~~of the Florida~~
103 ~~Retirement System~~ under s. 121.122, or a member of the State
104 Community College System Optional Retirement Program under s.
105 121.051, the Senior Management Service Optional Annuity Program
106 under s. 121.055, or the optional retirement program for the
107 State University System under s. 121.35.

108 2. Except as provided in subparagraph 6., election to
109 participate is made within 12 months immediately following the
110 date on which the member first reaches normal retirement date,
111 or, for a member who reaches normal retirement date ~~based on~~
112 ~~service~~ before he or she reaches age 62, or age 55 for Special
113 Risk Class members, election to participate may be deferred to
114 the 12 months immediately following the date the member attains
115 57, or age 52 for Special Risk Class members. ~~For a member who~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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116 ~~first reached normal retirement date or the deferred eligibility~~
117 ~~date described above prior to the effective date of this~~
118 ~~section, election to participate shall be made within 12 months~~
119 ~~after the effective date of this section.~~ A member who fails to
120 make an election within the such 12-month limitation period
121 forfeits ~~shall forfeit~~ all rights to participate in the DROP.
122 The member shall advise his or her employer and the division in
123 writing of the date on which ~~the~~ DROP shall begin. The Such
124 beginning date may be subsequent to the 12-month election
125 period, but must be within the maximum participation ~~60-month~~
126 ~~or, with respect to members who are instructional personnel~~
127 ~~employed by the Florida School for the Deaf and the Blind and~~
128 ~~who have received authorization by the Board of Trustees of the~~
129 ~~Florida School for the Deaf and the Blind to participate in the~~
130 ~~DROP beyond 60 months, or who are instructional personnel as~~
131 ~~defined in s. 1012.01(2)(a)-(d) in grades K-12 and who have~~
132 ~~received authorization by the district school superintendent to~~
133 ~~participate in the DROP beyond 60 months, the 96-month~~
134 ~~limitation period as provided in subparagraph (b)1. When~~
135 ~~establishing eligibility of the member to participate in the~~
136 ~~DROP for the 60-month or, with respect to members who are~~
137 ~~instructional personnel employed by the Florida School for the~~
138 ~~Deaf and the Blind and who have received authorization by the~~
139 ~~Board of Trustees of the Florida School for the Deaf and the~~
140 ~~Blind to participate in the DROP beyond 60 months, or who are~~
141 ~~instructional personnel as defined in s. 1012.01(2)(a)-(d) in~~
142 ~~grades K-12 and who have received authorization by the district~~
143 ~~school superintendent to participate in the DROP beyond 60~~
144 ~~months, the 96-month maximum participation period, the member~~
145 may elect to include or exclude any optional service credit
146 purchased by the member from the total service used to establish

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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147 the normal retirement date. A member who has ~~with~~ dual normal
148 retirement dates is ~~shall be~~ eligible to elect to participate in
149 DROP within 12 months after attaining normal retirement date in
150 either class.

151 3. The employer of a member electing to participate in ~~the~~
152 DROP, or employers if dually employed, shall acknowledge in
153 writing to the division the date the member's participation in
154 ~~the~~ DROP begins and the date the member's employment and DROP
155 participation will terminate.

156 4. Simultaneous employment of a participant by additional
157 Florida Retirement System employers subsequent to the
158 commencement of participation in ~~the~~ DROP is ~~shall be~~
159 permissible if ~~provided~~ such employers acknowledge in writing a
160 DROP termination date no later than the participant's existing
161 termination date or the maximum participation ~~60-month~~
162 ~~limitation~~ period as provided in subparagraph (b)1.

163 5. A DROP participant may change employers while
164 participating in ~~the~~ DROP, subject to the following:

165 a. A change of employment must take place without a break
166 in service so that the member receives salary for each month of
167 continuous DROP participation. If a member receives no salary
168 during a month, DROP participation shall cease unless the
169 employer verifies a continuation of the employment relationship
170 for such participant pursuant to s. 121.021(39)(b).

171 b. Such participant and new employer shall notify the
172 division of the identity of the new employer on forms required
173 by the division ~~as to the identity of the new employer.~~

174 c. The new employer shall acknowledge, in writing, the
175 participant's DROP termination date, which may be extended but
176 not beyond the maximum participation ~~original 60-month or, with~~
177 ~~respect to members who are instructional personnel employed by~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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178 ~~the Florida School for the Deaf and the Blind and who have~~
179 ~~received authorization by the Board of Trustees of the Florida~~
180 ~~School for the Deaf and the Blind to participate in the DROP~~
181 ~~beyond 60 months, or who are instructional personnel as defined~~
182 ~~in s. 1012.01(2)(a)-(d) in grades K-12 and who have received~~
183 ~~authorization by the district school superintendent to~~
184 ~~participate in the DROP beyond 60 months, the 96-month period~~
185 ~~provided in subparagraph (b)1., shall acknowledge liability for~~
186 ~~any additional retirement contributions and interest required if~~
187 ~~the participant fails to timely terminate employment, and shall~~
188 ~~be subject to the adjustment required in sub-subparagraph~~
189 ~~(c)5.d.~~

190 6. Effective July 1, 2001, for instructional personnel as
191 defined in s. 1012.01 ~~s. 1012.01(2)~~, election to participate in
192 the DROP may ~~shall~~ be made at any time following the date on
193 which the member first reaches normal retirement date. The
194 member shall advise his or her employer and the division in
195 writing of the date on which DROP ~~the Deferred Retirement Option~~
196 ~~Program~~ shall begin. When establishing eligibility of the member
197 to participate in the DROP for the 60-month or, ~~with respect to~~
198 ~~members who are instructional personnel employed by the Florida~~
199 ~~School for the Deaf and the Blind and who have received~~
200 ~~authorization by the Board of Trustees of the Florida School for~~
201 ~~the Deaf and the Blind to participate in the DROP beyond 60~~
202 ~~months, or who are instructional personnel as defined in s.~~
203 ~~1012.01(2)(a)-(d) in grades K-12 and who have received~~
204 ~~authorization by the district school superintendent to~~
205 ~~participate in the DROP beyond 60 months, the 96-month maximum~~
206 ~~participation period, as provided in subparagraph (b)1., the~~
207 ~~member may elect to include or exclude any optional service~~
208 ~~credit purchased by the member from the total service used to~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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209 establish the normal retirement date. A member who has ~~with~~ dual
210 normal retirement dates is ~~shall be~~ eligible to elect to
211 participate in either class.

212 (b) Participation in ~~the~~ DROP.--

213 1. Subject to the following exceptions, an eligible member
214 may elect to participate in ~~the~~ DROP for a period not to exceed
215 a maximum of 60 calendar months. ~~or, with respect to~~

216 a. Eligible members who are instructional personnel
217 employed by the Florida School for the Deaf and the Blind and
218 who have received authorization by the Board of Trustees of the
219 Florida School for the Deaf and the Blind to participate in the
220 DROP beyond 60 months, or who are instructional personnel as
221 defined in s. 1012.01(2)(a)-(d) ~~in grades K-12~~ and who have
222 received authorization by the district school superintendent to
223 participate in ~~the~~ DROP beyond 60 calendar months, may elect to
224 participate for a period up to 96 calendar months immediately
225 following the date on which the member first reaches his or her
226 normal retirement date or the date to which he or she is
227 eligible to defer his or her election to participate as provided
228 in subparagraph (a)2. However, ~~a member who has reached normal~~
229 ~~retirement date prior to the effective date of the DROP shall be~~
230 ~~eligible to participate in the DROP for a period of time not to~~
231 ~~exceed 60 calendar months or, with respect to members who are~~
232 ~~instructional personnel employed by the Florida School for the~~
233 ~~Deaf and the Blind and who have received authorization by the~~
234 ~~Board of Trustees of the Florida School for the Deaf and the~~
235 ~~Blind to participate in the DROP beyond 60 months, or who are~~
236 ~~instructional personnel as defined in s. 1012.01(2)(a)-(d) in~~
237 ~~grades K-12 and who have received authorization by the district~~
238 ~~school superintendent to participate in the DROP beyond 60~~
239 ~~calendar months, 96 calendar months immediately following the~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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?40 ~~effective date of the DROP, except a member of the Special Risk~~
241 ~~Class who has reached normal retirement date prior to the~~
242 ~~effective date of the DROP and whose total accrued value exceeds~~
243 ~~75 percent of average final compensation as of his or her~~
244 ~~effective date of retirement shall be eligible to participate in~~
245 ~~the DROP for no more than 36 calendar months immediately~~
246 ~~following the effective date of the DROP.~~

247 b. Special Risk Class members who are employed as law
248 enforcement officers, correctional officers, or community-based
249 correctional probation officers, as described in s. 121.0515(2),
250 who have a rank or the equivalent rank of captain or below, and
251 who are currently participating in DROP for up to 60 months may
252 participate for an additional 36 calendar months. However, in
253 order to participate the member must, before beginning the
254 additional 36 months, receive authorization from the member's
255 employer to participate in DROP beyond 60 months, and pass the
256 same physical examination required for new officers under s.
257 943.13(6) and provide an accompanying statement from the
258 officer's examining physician, physician assistant, or certified
259 advanced registered nurse practitioner that the officer is
260 capable of performing the essential functions of his or her
261 duties as a law enforcement officer, correctional officer, or
262 probation officer. The member's rank at the time of entering
263 DROP shall be used for determining eligibility for the
264 additional 36 calendar months of DROP.

265 2. Upon deciding to participate in the DROP, the member
266 shall submit, on forms required by the division:

267 a. A written election to participate in the DROP;

268 b. Selection of the DROP participation and termination
269 dates, which satisfy the limitations stated in paragraph (a) and
?70 subparagraph 1. The ~~Such~~ termination date must ~~shall~~ be in a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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271 binding letter of resignation to ~~with~~ the employer, establishing
272 a deferred termination date. The member may change the
273 termination date within the limitations of subparagraph 1., but
274 only with the written approval of the ~~his or her~~ employer;

275 c. A properly completed DROP application for service
276 retirement as provided in this section; and

277 d. Any other information required by the division.

278 3. The DROP participant shall be a retiree under the
279 Florida Retirement System for all purposes, except for paragraph
280 (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053,
281 and 121.122. However, participation in ~~the~~ DROP does not alter
282 the participant's employment status and the member is such
283 ~~employee shall~~ not be deemed retired from employment until his
284 or her deferred resignation is effective and termination occurs
285 as provided in s. 121.021(39).

286 4. Elected officers are ~~shall be~~ eligible to participate
287 in ~~the~~ DROP subject to the following:

288 a. An elected officer who reaches normal retirement date
289 during a term of office may defer the election to participate in
290 ~~the~~ DROP until the next succeeding term in that office. An Such
291 elected officer who exercises this option may participate in ~~the~~
292 DROP for up to 60 calendar months or for a period of no longer
293 than the ~~such~~ succeeding term of office, whichever is less.

294 b. An elected or a nonelected participant may run for a
295 term of office while participating in DROP and, if elected,
296 extend ~~the~~ DROP termination date accordingly, except that,
297 ~~however,~~ if such additional term of office exceeds the 60-month
298 limitation established in subparagraph 1., and the officer does
299 not resign from office within such 60-month limitation, the
300 retirement and the participant's DROP shall be null and void as
301 provided in sub-subparagraph (c)5.d.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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302 c. An elected officer who is dually employed and elects to
303 participate in DROP must ~~shall be required to~~ satisfy the
304 definition of termination within the maximum participation ~~60-~~
305 ~~month or, with respect to members who are instructional~~
306 ~~personnel employed by the Florida School for the Deaf and the~~
307 ~~Blind and who have received authorization by the Board of~~
308 ~~Trustees of the Florida School for the Deaf and the Blind to~~
309 ~~participate in the DROP beyond 60 months, or who are~~
310 ~~instructional personnel as defined in s. 1012.01(2)(a)-(d) in~~
311 ~~grades K-12 and who have received authorization by the district~~
312 ~~school superintendent to participate in the DROP beyond 60~~
313 ~~months, the 96-month limitation period as provided in~~
314 subparagraph 1. for the nonelected position and may continue
315 employment as an elected officer as provided in s. 121.053. The
316 elected officer shall ~~will~~ be enrolled as a renewed member in
317 the Elected Officers' Class or the Regular Class, as provided in
318 ss. 121.053 and 121.122, on the first day of the month after
319 termination of employment in the nonelected position and
320 termination of DROP. Distribution of ~~the~~ DROP benefits shall be
321 made as provided in paragraph (c).

322 Section 2. The Legislature finds and declares that
323 ensuring the availability of experienced law enforcement,
324 correctional, and probation officers to protect the safety and
325 welfare of the public is an important state interest. Providing
326 such officers who are members of the Florida Retirement System
327 with an opportunity to extend their employment as law
328 enforcement officers, correctional officers, or probation
329 officers by increasing the maximum participation period in the
330 Deferred Retirement Option Program will help serve that
331 interest. Funding for such retirement benefits must be made,
332 administered, and funded in an actuarially sound manner as

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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333 required by s. 14, Art. X of the State Constitution and part VII
334 of chapter 112, Florida Statutes.

335 Section 3. This act shall take effect July 1, 2008.
336

337

338

339

340

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

341

Remove the entire title and insert:

342

An act relating to Special Risk Class retirement benefits;

343

amending s. 121.091, F.S.; prohibiting certain members of the

344

Special Risk Class from being reemployed or contracting with the

345

same employing agency from which the member retired; extending

346

the period of time during which certain Special Risk Class

347

members may participate in the Florida Retirement System

348

Deferred Retirement Option program; providing requirements for

349

extended participation; deleting obsolete provisions; providing

350

legislative findings with respect to the state's interest in

351

protecting the public's safety and welfare by extending

352

retirement benefits for officers and funding increased

353

retirement benefits in an actuarially sound manner; providing an

354

effective date.

355

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HB 531 : 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: 15 Total Nays: 0					

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 531**

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 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (h) of subsection (2) and subsection
8 (4) of section 121.0515, Florida Statutes, are amended,
9 paragraphs (i) and (j) are added to subsection (2) of that
10 section, and paragraph (c) is added to subsection (9) of that
11 section, to read:

12 121.0515 Special risk membership.--

13 (2) CRITERIA.--A member, to be designated as a special
14 risk member, must meet the following criteria:

15 (h) Effective October 1, 2005, through June 30, 2008, the
16 member must be employed by a law enforcement agency or medical
17 examiner's office in a forensic discipline recognized by the
18 International Association for Identification and must qualify
19 for active membership in the International Association for
20 Identification. The member's primary duties and responsibilities
21 must include the collection, examination, preservation,
22 documentation, preparation, or analysis of physical evidence or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 testimony, or both, or the member must be the direct supervisor,
24 quality management supervisor, or command officer of one or more
25 individuals with such responsibility. Administrative support
26 personnel, including, but not limited to, those whose primary
27 responsibilities are clerical or in accounting, purchasing,
28 legal, and personnel, shall not be included.

29 (i) Effective July 1, 2008, the member must be employed by
30 the Department of Law Enforcement in the crime laboratory or by
31 the Division of State Fire Marshal in the forensic laboratory in
32 one of the following classes:

- 33 1. Forensic technologist (class code 8459);
- 34 2. Crime laboratory technician (class code 8461);
- 35 3. Crime laboratory analyst (class code 8463);
- 36 4. Senior crime laboratory analyst (class code 8464);
- 37 5. Crime laboratory analyst supervisor (class code 8466);
- 38 6. Forensic chief (class code 9602); or
- 39 7. Forensic services quality manager (class code 9603).

40 (j) Effective July 1, 2008, the member must be employed by
41 a local government law enforcement agency or medical examiner's
42 office and must spend at least 65 percent of his or her time
43 performing duties that involve the collection, examination,
44 preservation, documentation, preparation, or analysis of human
45 tissues or fluids or physical evidence having potential
46 biological, chemical, or radiological hazard or contamination,
47 or use chemicals, processes, or materials that may have
48 carcinogenic or health damaging properties in the analysis of
49 said evidence, or the member must be the direct supervisor of
50 one or more individuals having such responsibility. If a special
51 risk member changes to another position within the same agency,
52 he or she must submit a complete application as provided
53 paragraph (3) (a).

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54 (4) REMOVAL OF SPECIAL RISK MEMBERSHIP.--

55 (a) Any member who is a special risk member on October 1,
56 1978, and who fails to meet the criteria for special risk
57 membership established by this section shall have his or her
58 special risk designation removed and thereafter shall be a
59 regular member and shall earn only regular membership credit.
60 The department shall have the authority to review the special
61 risk designation of members to determine whether or not those
62 members continue to meet the criteria for special risk
63 membership.

64 (b) Any member who is a special risk member on July 1,
65 2008, and who became eligible to participate under paragraph
66 (2) (h) but fails to meet the criteria for special risk
67 membership established by paragraph (2) (i) or paragraph (2) (j)
68 shall have his or her special risk designation removed and
69 thereafter shall be a regular member and earn only regular
70 membership credit. The department may review the special risk
71 designation of members to determine whether or not those members
72 continue to meet the criteria for special risk membership.

73 (9) CREDIT FOR UPGRADED SERVICE.--

74 (c) Any member of the Special Risk Class who has earned
75 creditable service in another membership class of the Florida
76 Retirement System in a position with the Department of Law
77 Enforcement or the Division of State Fire Marshal and became
78 covered by the Special Risk Class as described in paragraph
79 (2) (i), or with a local government law enforcement agency or
80 medical examiner's office and became covered by the Special Risk
81 Class as described in paragraph (2) (j), which service is within
82 the purview of the Special Risk Class, and is employed in such
83 position on or after July 1, 2008, may purchase additional
84 retirement credit to upgrade such service to Special Risk Class

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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85 service, to the extent of the percentages of the member's
86 average final compensation provided in s. 121.091(1)(a)2. The
87 cost for such credit shall be an amount representing the
88 actuarial accrued liability for the difference in accrual value
89 during the affected period of service. The cost shall be
90 calculated using the discount rate and other relevant actuarial
91 assumptions that were used to value the Florida Retirement
92 System defined benefit plan liabilities in the most recent
93 actuarial valuation. The division shall ensure that the transfer
94 sum is prepared using a formula and methodology certified by an
95 enrolled actuary. The cost must be paid immediately upon
96 notification by the division. The local government employer may
97 purchase the upgraded service credit on behalf of the member if
98 the member has been employed by that employer for at least 3
99 years.

100 Section 2. The Legislature finds that a proper and
101 legitimate state purpose is served when employees and retirees
102 of the state and its political subdivisions, and the dependents,
103 survivors, and beneficiaries of such employees and retirees, are
104 extended additional protections afforded by governmental
105 retirement systems. These persons must be provided benefits that
106 are fair and adequate and that are managed, administered, and
107 funded in a sound actuarial manner, as required by Section 14,
108 Article X of the State Constitution and part VII of chapter 112,
109 Florida Statutes. Therefore, the Legislature determines and
110 declares that this act fulfills an important state interest.

111 Section 3. This act shall take effect July 1, 2008.

112 -----
113
114 **T I T L E A M E N D M E N T**

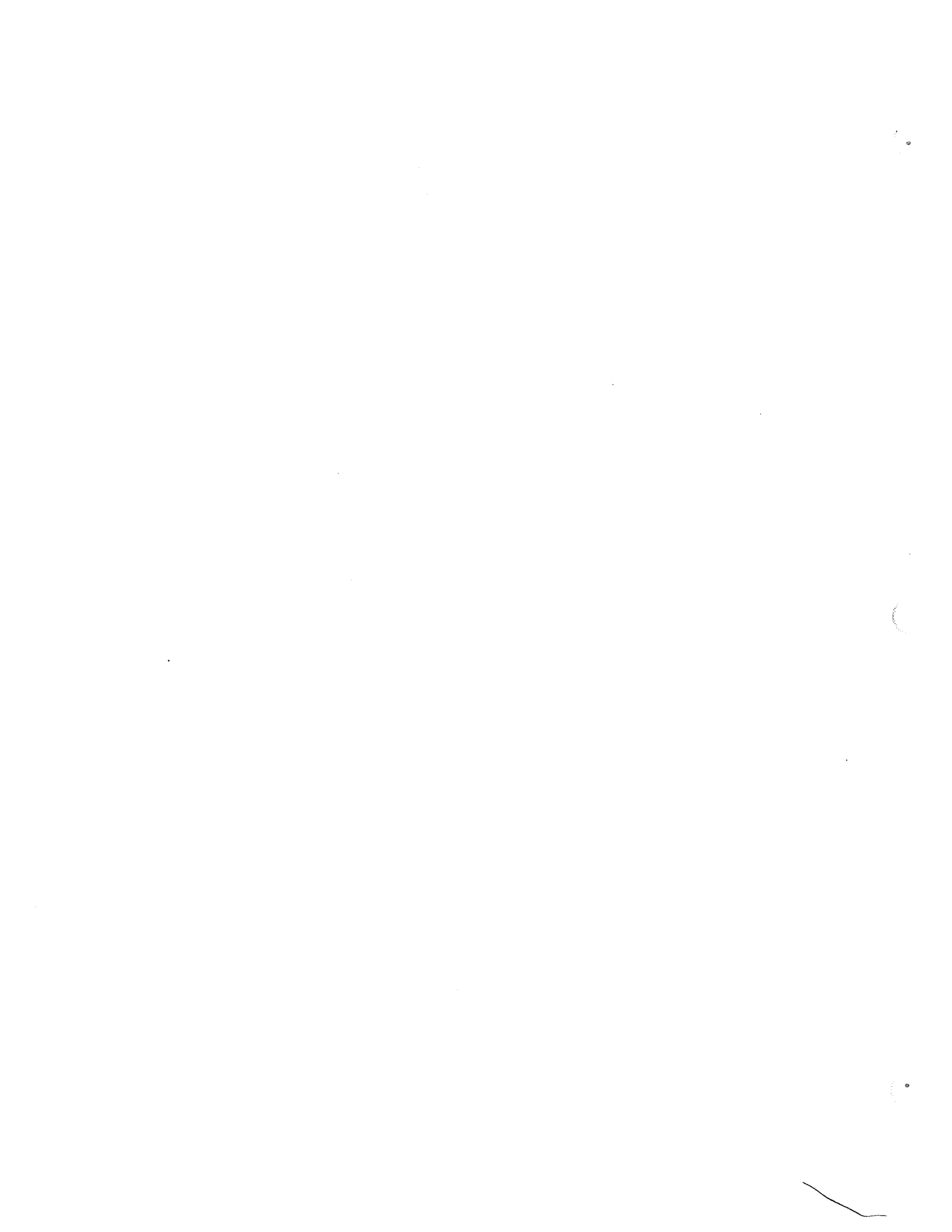
115 Remove the entire title and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

116 A bill to be entitled
117 An act relating to the Florida Retirement System; amending s.
118 121.0515, F.S.; revising the criteria under which certain
119 employees of the Department of Law Enforcement, the Division of
120 State Fire Marshal, or a local government law enforcement agency
121 or medical examiner's office are eligible for membership in the
122 Special Risk Class; authorizing the Department of Management
123 Services to review the special risk designation of certain
124 members; authorizing certain members to purchase additional
125 retirement credit to upgrade prior service to Special Risk Class
126 service; providing for the calculation of contributions for such
127 service upgrade; authorizing the employer to purchase such
128 additional credit for certain members; providing a declaration
129 of important state interest; providing an effective date.

130



COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HB 891 : Discretionary Sales Surtaxes

Temporarily Deferred

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. HB 891

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 _____

*Bill Temporarily
Patented*

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

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
7 Section 1. Subsection (8) is added to section 212.055,
8 Florida Statutes, to read:
9 212.055 Discretionary sales surtaxes; legislative intent;
10 authorization and use of proceeds.--It is the legislative intent
11 that any authorization for imposition of a discretionary sales
12 surtax shall be published in the Florida Statutes as a
13 subsection of this section, irrespective of the duration of the
14 levy. Each enactment shall specify the types of counties
15 authorized to levy; the rate or rates which may be imposed; the
16 maximum length of time the surtax may be imposed, if any; the
17 procedure which must be followed to secure voter approval, if
18 required; the purpose for which the proceeds may be expended;
19 and such other requirements as the Legislature may provide.
20 Taxable transactions and administrative procedures shall be as
21 provided in s. 212.054.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

22 (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES

23 SURTAX.--

24 (a) If the governing authority of a county provides
25 emergency fire rescue services to municipalities within the
26 county which do not possess adequate facilities and personnel,
27 employs more personnel and receives more call volume than any
28 other provider in the county, and funds emergency fire rescue
29 services through the imposition of ad valorem taxes, the
30 governing authority may levy by ordinance a discretionary sales
31 surtax of 1 percent for emergency fire rescue services and
32 facilities as provided in this subsection. For purposes of this
33 subsection, emergency fire rescue services include, but are not
34 limited to, the prevention and extinguishment of fires;
35 protection and saving of life and property from fires or natural
36 or intentional acts or disasters; enforcement of municipal,
37 county, or state fire prevention codes and any law pertaining to
38 the prevention and control of fires; and the provision of
39 prehospital emergency medical treatment within a majority of the
40 geographic extent of the county, including all unincorporated
41 areas. The governing authority of such county shall designate
42 the regional service provider for emergency fire rescue services
43 within the county if a surtax is authorized pursuant to this
44 subsection.

45 (b) Upon the adoption of the ordinance, the levy of the
46 surtax shall be placed on the ballot by the governing authority
47 of the county enacting the ordinance and shall take effect if
48 approved by a majority of the electors of the county voting in
49 the referendum. The referendum statement shall briefly describe
50 the purpose and uses of the surtax and conform to the
51 requirements of s. 101.161.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

52 (c) Pursuant to s. 212.054(4), the proceeds of the
53 discretionary sales surtax collected under this subsection, less
54 the cost of administration, shall be distributed to the regional
55 service provider. The regional service provider shall distribute
56 the appropriate portions of the proceeds to the municipalities
57 and independent special districts pursuant to an interlocal
58 agreement between the county governing authority and the
59 governing bodies of the municipalities or independent special
60 district. The interlocal agreement shall indicate the amount of
61 the proceeds from the surtax to be distributed to the
62 municipality or independent special district based on the actual
63 amounts collected from the municipality or independent special
64 district. Additionally, the interlocal agreement shall specify
65 at a minimum that:

66 1. The municipality or independent special district shall
67 provide a level of service within its jurisdiction which is
68 equivalent to or better than the level of service provided
69 within the area served by the regional service provider.

70 2.a. The municipality or independent special district
71 shall provide personnel levels for a facility or pieces of
72 equipment maintained or operated equal to the personnel levels
73 or equipment maintained by the regional service provider; or

74 b. The municipality or independent special district shall
75 agree that the regional service provider is entitled to payment
76 from the municipal or district share of the surtax proceeds for
77 any personnel, equipment, or other costs incurred by the
78 regional service provider to maintain the specified level of
79 service or adequate personnel within the municipality or special
80 district service area.

81 (d) Upon the surtax taking effect and the initiation of
82 collections, the regional service provider shall reduce the ad

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

83 valorem tax levy for fire rescue services in its next and
84 subsequent budgets by the estimated amount of revenue provided
85 by the surtax. A municipality or special district entering into
86 an interlocal agreement with a regional service provider shall
87 reduce the ad valorem tax levy for fire rescue services in its
88 next and subsequent budgets by the estimated amount of revenue
89 provided by the surtax.

90 (e) Municipalities and independent special districts not
91 entering into an interlocal agreement are not entitled to
92 receive a portion of the proceeds of this surtax.

93 (f) Surtax collections shall be initiated following a
94 successful referendum to coincide with the fiscal year of the
95 county, municipalities and independent fire rescue districts.

96 Section 2. This act shall take effect July 1, 2008.

97 -----
98
99 **T I T L E A M E N D M E N T**

100 Remove the entire title and insert:

101 An act relating to discretionary sales surtaxes; amending
102 s. 212.055, F.S.; authorizing certain counties to levy, by
103 ordinance, a surtax for emergency fire rescue services and
104 facilities under certain circumstances; requiring a
105 referendum; providing for a referendum statement;
106 providing for distribution of surtax proceeds; providing
107 distribution requirements; providing for interlocal
108 agreements; providing requirements for such agreements;
109 providing requirements for reducing ad valorem tax levies
110 for fire rescue services; providing additional
111 requirements for distribution of proceeds from the surtax;
112 providing that certain municipalities and independent

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

13 special districts are not eligible to receive proceeds
114 from the surtax; providing an effective date.
115

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

Bill No. **HB 891**

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 ✓ *explained*

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

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (8) is added to section 212.055,
8 Florida Statutes, to read:

9 212.055 Discretionary sales surtaxes; legislative intent;
10 authorization and use of proceeds.--It is the legislative intent
11 that any authorization for imposition of a discretionary sales
12 surtax shall be published in the Florida Statutes as a
13 subsection of this section, irrespective of the duration of the
14 levy. Each enactment shall specify the types of counties
15 authorized to levy; the rate or rates which may be imposed; the
16 maximum length of time the surtax may be imposed, if any; the
17 procedure which must be followed to secure voter approval, if
18 required; the purpose for which the proceeds may be expended;
19 and such other requirements as the Legislature may provide.
20 Taxable transactions and administrative procedures shall be as
21 provided in s. 212.054.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

22 (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES

23 SURTAX.--

24 (a) If the governing authority of a county provides
25 emergency fire rescue services to municipalities within the
26 county which do not possess adequate facilities and personnel,
27 employs more personnel and receives more call volume than any
28 other provider in the county, and funds emergency fire rescue
29 services through the imposition of ad valorem taxes, the
30 governing authority may levy by ordinance a discretionary sales
31 surtax of 1 percent for emergency fire rescue services and
32 facilities as provided in this subsection. For purposes of this
33 subsection, emergency fire services include, but are not limited
34 to, the prevention and extinguishment of fires; protection and
35 saving of life and property from fires or natural or intentional
36 acts or disasters; enforcement of municipal, county, or state
37 fire prevention codes and any law pertaining to the prevention
38 and control of fires; and the provision of prehospital emergency
39 medical treatment within a majority of the geographic extent of
40 the county, including all unincorporated areas. The governing
41 authority of such county shall designate the regional service
42 provider for emergency fire rescue services within the county if
43 a surtax is authorized pursuant to this subsection.

44 (b) Upon the adoption of the ordinance, the levy of the
45 surtax shall be placed on the ballot by the governing authority
46 of the county enacting the ordinance and shall take effect if
47 approved by a majority of the electors of the county voting in
48 the referendum. The referendum statement shall briefly describe
49 the purpose and uses of the surtax and conform to the
50 requirements of s. 101.161.

51 (c) Pursuant to s. 212.054(4), the proceeds of the
52 discretionary sales surtax collected under this subsection, less

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

53 the cost of administration, shall be distributed to the regional
54 service provider. The regional service provider shall distribute
55 the appropriate portions of the proceeds to the municipalities
56 and independent special districts pursuant to an interlocal
57 agreement between the county governing authority and the
58 governing bodies of the municipalities or independent special
59 district. The interlocal agreement shall indicate the amount of
60 the proceeds from the surtax to be distributed to the
61 municipality or independent special district based on the actual
62 amounts collected from the municipality or independent special
63 district. Additionally, the interlocal agreement shall specify
64 at a minimum that:

65 1. The municipality or independent special district shall
66 provide a level of service within its jurisdiction which is
67 equivalent to or better than the level of service provided
68 within the area served by the regional service provider.

69 2.a. The municipality or independent special district
70 shall provide personnel levels for a facility or pieces of
71 equipment maintained or operated equal to the personnel levels
72 or equipment maintained by the regional service provider; or

73 b. The municipality or independent special district shall
74 agree that the regional service provider is entitled to payment
75 from the municipal or district share of the surtax proceeds for
76 any personnel, equipment, or other costs incurred by the
77 regional service provider to maintain the specified level of
78 service or adequate personnel within the municipality or special
79 district service area.

80 (d) Upon the surtax taking effect and the initiation of
81 collections, the regional service provider shall reduce the ad
82 valorem tax levy for fire rescue services in its next and
83 subsequent budgets by the estimated amount of revenue provided

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

84 by the surtax. A municipality or special district entering into
85 an interlocal agreement with a regional service provider shall
86 reduce the ad valorem tax levy for fire rescue services in its
87 next and subsequent budgets by the estimated amount of revenue
88 provided by the surtax.

89 (e) Municipalities and independent special districts not
90 entering into an interlocal agreement are not entitled to
91 receive a portion of the proceeds of this surtax.

92 (f) If a county has an independent special fire control
93 and rescue district within its boundaries, the surtax proceeds
94 shall be distributed among the county, municipalities, and
95 independent special fire control and rescue districts based on
96 the expenditure of ad valorem taxes and non-ad valorem
97 assessments for fire rescue services of each for the immediately
98 preceding 5 fiscal years, as a proportion of the total of such
99 expenditures for fire rescue services within the county, all
100 municipalities, and all independent special fire control and
101 rescue districts. The requirements of subparagraphs (c)1. and 2.
102 do not apply to the interlocal agreement entered into pursuant
103 to this subsection. The county may charge an administrative fee
104 that may not exceed 2 percent for receiving revenue from the
105 state and distributing it pursuant to this subsection.

106 (g) Surtax collections shall be initiated following a
107 successful referendum to coincide with the fiscal year of the
108 county, municipalities and independent fire rescue districts.

109 Section 2. This act shall take effect July 1, 2008.

111 -----
112 **T I T L E A M E N D M E N T**

113 Remove the entire title and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.2 (for drafter's use only)

114 An act relating to discretionary sales surtaxes; amending s.
115 212.055, F.S.; authorizing certain counties to levy, by
116 ordinance, a surtax for emergency fire rescue services and
117 facilities under certain circumstances; requiring a referendum;
118 providing for a referendum statement; providing for distribution
119 of surtax proceeds; providing distribution requirements;
120 providing for interlocal agreements; providing requirements for
121 agreements; providing requirements for reducing ad valorem tax
122 levies for fire rescue services; providing additional
123 requirements for distribution of proceeds from the surtax;
124 providing that certain municipalities and independent special
125 districts are not eligible to receive proceeds from the surtax;
126 clarifying the requirements related to counties with independent
127 special fire control and rescue districts; providing for surtax
128 to take effect to coincide with fiscal year of local
129 governments, providing an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. (for drafter's use only)

Bill No. 891

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 *explained*

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

5 **Amendment to Amendment (2) by Representative Vana (with**
6 **directory and title amendments)**

7 Remove everything after the enacting clause and insert:
8 Section 1. Subsection (8) is added to section 212.055, Florida
9 Statutes, to read:

10 212.055 Discretionary sales surtaxes; legislative intent;
11 authorization and use of proceeds.--It is the legislative intent
12 that any authorization for imposition of a discretionary sales
13 surtax shall be published in the Florida Statutes as a
14 subsection of this section, irrespective of the duration of the
15 levy. Each enactment shall specify the types of counties
16 authorized to levy; the rate or rates which may be imposed; the
17 maximum length of time the surtax may be imposed, if any; the
18 procedure which must be followed to secure voter approval, if
19 required; the purpose for which the proceeds may be expended;
20 and such other requirements as the Legislature may provide.
21 Taxable transactions and administrative procedures shall be as
22 provided in s. 212.054.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 | (8) EMERGENCY FIRE RESCUE SERVICES AND FACILITIES

24 | SURTAX.--

25 | (a) ~~If~~ The governing authority of a county that provides
26 | emergency fire rescue services, to municipalities within the
27 | county which do not possess adequate facilities and personnel,
28 | employs more personnel and receives more call volume than any
29 | other provider in the county, and funds emergency fire rescue
30 | services through the imposition of ad valorem taxes, the
31 | governing authority may levy by ordinance a discretionary sales
32 | surtax of 1 percent for emergency fire rescue services and
33 | facilities as provided in this subsection. For purposes of this
34 | subsection, emergency fire services include, but are not limited
35 | to, the prevention and extinguishment of intentionally or
36 | naturally occurring fires; protection and saving of life and
37 | property from fires or natural or intentional acts or disasters;
38 | enforcement of municipal, county, or state fire prevention codes
39 | and any law pertaining to the prevention and control of fires;
40 | and the provision of prehospital emergency medical treatment
41 | within a majority of the geographic extent of the county,
42 | including all unincorporated areas. The governing authority of
43 | such county shall designate, as the regional service provider
44 | for emergency fire rescue services within the county, the
45 | provider that provides emergency fire rescue services to
46 | municipalities within the county which do not possess adequate
47 | facilities and personnel, employs more personnel and receives
48 | more call volume than any other provider in the county, and
49 | funds emergency fire rescue services through the imposition of
50 | ad valorem taxes, if a surtax is authorized pursuant to this
51 | subsection.

52 | (b) Upon the adoption of the ordinance, the levy of the
53 | surtax shall be placed on the ballot by the governing authority
54 | of the county enacting the ordinance and shall take effect if

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

55 approved by a majority of the electors of the county voting in
56 the referendum. The referendum statement shall briefly describe
57 the purpose and uses of the surtax and conform to the
58 requirements of s. 101.161.

59 (c) Pursuant to s. 212.054(4), the proceeds of the
60 discretionary sales surtax collected under this subsection, less
61 the cost of administration, shall be distributed to ~~the regional~~
62 ~~service provider~~ the County. The ~~regional service provider~~
63 County shall distribute the appropriate portions of the proceeds
64 to the municipalities and independent special districts pursuant
65 to an interlocal agreement between the county governing
66 authority and the governing bodies of the dependent special
67 districts, municipalities and/or independent special districts
68 representing a majority of the municipal population of the
69 County. This interlocal agreement shall be a condition
70 precedent to holding the referendum authorized by this
71 subsection. The county may charge an administrative fee that may
72 not exceed 2 percent for receiving revenue from the state and
73 distributing it pursuant to this subsection.

74 The interlocal agreement shall indicate the amount of the
75 proceeds from the surtax to be distributed to the municipality
76 or independent special district based on the actual amounts
77 collected from the municipality or independent special district.
78 Additionally, the interlocal agreement shall specify at a
79 minimum that:

80 1. A distribution formula for dividing the entire
81 proceeds of the surtax among county government, all
82 municipalities and all independent fire rescue districts within
83 the county choosing to participate, which shall be based on the
84 amounts collected in the respective areas.

85 ± 2. That the dependent special district, municipality,
86 or independent special district shall provide a level of service

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

87 within its jurisdiction which is equivalent to or better than
88 the level of service provided within the area ~~served by the~~
89 ~~regional service provider~~ those providers covering the majority
90 of the population of the county.

91 2. 3. a. The dependant special district, municipality, or
92 independent special district shall provide personnel levels ~~for~~
93 ~~a facility or~~ on pieces of equipment maintained or operated
94 equal equivalent to the personnel levels or equipment maintained
95 by the ~~regional service provider~~ those providers covering the
96 majority of the population of the county; or

97 b. The dependent special district, municipality, or
98 independent special district shall agree that the regional
99 service provider is entitled to payment from the municipal or
100 district share of the surtax proceeds for any personnel,
101 equipment, or other costs incurred by the regional service
102 provider to maintain the specified level of service or adequate
103 personnel within the municipality or special district service
104 area on a long term basis.

105 (d) Upon the surtax taking effect and the initiation of
106 collections, the regional service provider shall reduce the ad
107 valorem tax levy for fire rescue services in its next and
108 subsequent budgets by the estimated amount of revenue provided
109 by the surtax. A dependent special district, municipality, or
110 special district entering into an interlocal agreement with a
111 ~~regional service provider~~ County shall reduce the ad valorem tax
112 levy for fire rescue services in its next and subsequent budgets
113 by the estimated amount of revenue provided by the surtax.

114 (e) Utilization of the surtax authorized pursuant to the
115 provisions of this act shall not relieve any local government of
116 the provisions of Chapter 200 f.s. and any related statutes
117 which establish millage caps, limits on undesignated budget
118 reserves and the procedures for establishing rollback rates for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

119 ad valorem taxes and budget adoption. In the event surtax
120 collections exceed projected collections in any fiscal year, any
121 surplus distribution shall be used to further reduce ad valorem
122 taxes in the next fiscal year.

123 ~~(e)~~ (f) Dependent special districts, municipalities, and
124 independent special districts not entering into an interlocal
125 agreement are not entitled to receive a portion of the proceeds
126 of this surtax.

127 ~~(f)~~ (g) If a county has an independent special fire
128 control and rescue district within its boundaries, the surtax
129 proceeds shall be distributed among the county, municipalities,
130 and independent special fire control and rescue districts based
131 on the expenditure of ad valorem taxes and non-ad valorem
132 assessments for fire rescue services of each for the immediately
133 preceding 5 fiscal years, as a proportion of the total of such
134 expenditures for fire rescue services within the county, all
135 municipalities, and all independent special fire control and
136 rescue districts. The requirements of subparagraphs (c)1. and 2.
137 do not apply to the interlocal agreement entered into pursuant
138 to this subsection. The county may charge an administrative fee
139 that may not exceed 2 percent for receiving revenue from the
140 state and distributing it pursuant to this subsection.

141 ~~(G)~~ (h) Surtax collections shall be initiated following a
142 successful referendum to coincide with the fiscal year of the
143 county, dependent special district municipalities and
144 independent fire rescue districts.

145 Section 2. This act shall take effect July 1, 2008.
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T I T L E A M E N D M E N T

Remove the entire title and insert:
amending s. 212.055, F.S.; authorizing certain counties to
levy, by ordinance, a surtax for emergency fire rescue
services and facilities under certain circumstances;
requiring a referendum; providing for a referendum
statement; providing for distribution of surtax proceeds;
providing distribution requirements; providing for
interlocal agreements; providing requirements for such
agreements; providing requirements for reducing ad valorem
tax levies for fire rescue services; providing terms and
procedures for establishing the millage rates, maximum
amounts of the surtax that may be reserved for potential
future collection shortfalls, carrying forward overages in
collections for the reduction of next year's ad valorem
taxes; providing additional requirements for distribution
of proceeds from the surtax; providing that certain
municipalities and independent special districts are not
eligible to receive proceeds from the surtax; clarifying
the requirements as it relates to counties with
independent special fire control and rescue districts

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

HB 1083 : Port of Palm Beach District, Palm Beach County

Temporarily Deferred

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council

4/22/2008 10:00:00AM

Location: 404 HOB

PCB GEAC 08-33 : Information Technology Used To Manage Public Records

Favorable With Amendments (1)

	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: 13		Total Nays: 1			

Appearances:

Jim Daughton - Metz Law Firm (Lobbyist) - Proponent
 Microsoft
 215 S. Monroe
 Tallahassee FL

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. **PCB GEAC 08-33**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input 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) Gardiner offered the following:
4

5 **Amendment**

6 Remove line(s) 47-50 and insert:
7 system is capable of providing data in some common format.
8
9

COUNCIL MEETING REPORT
Government Efficiency & Accountability Council
4/22/2008 10:00:00AM

Location: 404 HOB

Summary:

Government Efficiency & Accountability Council

Tuesday April 22, 2008 10:00 am

CS/HB 131	Favorable with Council Substitute	Yeas: 15	Nays: 0
HB 181	Temporarily Deferred		
HJR 441	Favorable with Council Substitute	Yeas: 15	Nays: 0
HB 501	Favorable with Council Substitute	Yeas: 14	Nays: 0
HB 531	Favorable with Council Substitute	Yeas: 15	Nays: 0
HB 891	Temporarily Deferred		
HB 1083	Temporarily Deferred		
PCB GEAC 08-33	Favorable With Amendments (1)	Yeas: 13	Nays: 1

Committee meeting was reported out: Tuesday, April 22, 2008 1:45:07PM

