



Policy and Budget Council

**April 10, 2008
12:30 p.m.
212 Knott Building**

ACTION Packet

REVISED

(Change -- HB 7083 under "Appearances" – made a correction to reflect Mr. Hampton is a State Employee and not a Lobbyist)

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ray Sansom (Chair)	X		
Kevin Ambler	X		
Frank Attkisson	X		
Loranne Ausley	X		
Aaron Bean	X		
Dorothy Bendross-Mindingall	X		
Ellyn Setnor Bogdanoff	X		
Marsha Bowen	X		
Mary Brandenburg	X		
Donald Brown	X		
Dean Cannon	X		
Joyce Cusack	X		
Bill Galvano			X
Michael Grant	X		
Adam Hasner	X		
Dorothy Hukill	X		
Will Kendrick	X		
Dick Kravitz	X		
Carlos Lopez-Cantera	X		
Stan Mayfield	X		
Matthew Meadows	X		
Joe Pickens	X		
Ron Reagan	X		
Curtis Richardson	X		
David Rivera	X		
Yolly Roberson	X		
Dennis Ross	X		
Ron Saunders	X		
John Seiler	X		
Priscilla Taylor	X		
Anthony Traviesa	X		
Baxter Troutman	X		
Shelley Vana	X		
Will Weatherford	X		
Juan Zapata	X		
Totals:	34	0	1

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

Summary:

Policy & Budget Council

Thursday April 10, 2008 12:30 pm

CS/HB 3	Favorable	Yeas: 28	Nays: 0
CS/HB 289	Favorable	Yeas: 28	Nays: 0
CS/HB 297	Favorable	Yeas: 30	Nays: 0
HB 535	Favorable with Council Substitute	Yeas: 31	Nays: 0
CS/CS/HB 565	Favorable with Council Substitute	Yeas: 27	Nays: 0
CS/HB 595	Favorable with Council Substitute	Yeas: 30	Nays: 0
CS/HB 605	Favorable with Council Substitute	Yeas: 31	Nays: 0
CS/HB 637	Favorable with Council Substitute	Yeas: 27	Nays: 0
HB 659	Favorable	Yeas: 28	Nays: 0
HB 669	Favorable	Yeas: 29	Nays: 1
HB 687	Favorable	Yeas: 30	Nays: 0
CS/HB 745	Favorable with Council Substitute	Yeas: 28	Nays: 4
HB 843	Favorable	Yeas: 30	Nays: 0
CS/HB 893	Favorable with Council Substitute	Yeas: 27	Nays: 2
HB 925	Favorable	Yeas: 27	Nays: 0
HB 955	Favorable with Council Substitute	Yeas: 30	Nays: 0
HB 7043	Favorable with Council Substitute	Yeas: 26	Nays: 0
HB 7045	Favorable with Council Substitute	Yeas: 31	Nays: 0
HB 7069	Favorable with Council Substitute	Yeas: 32	Nays: 0
HB 7071	Favorable with Council Substitute	Yeas: 32	Nays: 0

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7081	Favorable with Council Substitute	Yeas: 23	Nays: 8
HB 7083	Favorable with Council Substitute	Yeas: 29	Nays: 0
HB 7085	Favorable	Yeas: 31	Nays: 0
PCB PBC 08-11	Favorable	Yeas: 25	Nays: 6

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 3 : Children's Zones

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick				X	
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 0			

Appearances:

CHILDREN'S ZONE
 JIM HENRY (Lobbyist) (State Employee) - Proponent
 DEPARTMENT OF CHILDREN & FAMILIES
 WINEWOOD BOULEVARD
 TALLAHASSEE FL 32399
 Phone: 850-488-9410

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

SECRETARY BOB BUTTERWORTH (Lobbyist) (State Employee) - Proponent

DEPARMTENT OF CHILDREN & FAMILIES

WINEWOOD BOULEVARD

TALLAHASSEE FL 32399

Phone: 850-487-1111

CHILDREN'S ZONE

KARIN BROWN - Proponent

FLORIDA PTA

15201 SW 82ND AVENUE

PALMETTO BAY FL 33157

Phone: 305-632-6282

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 289 : State Parks

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall				X	
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 0			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 297 : Gifted and Academically Talented Student Education

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson			X		
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30					
		Total Nays: 0			

Appearances:

KARIN BROWN - Proponent
 FLORIDA PTA
 15201 SW 82ND AVENUE
 PALMETTO BAY FL 33157
 Phone: 305-632-6282

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 535 : Health Insurance

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31		Total Nays: 0			

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COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/CS/HB 565 : Insurance Representatives

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack				X	
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield				X	
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera				X	
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

LAURA PEARCE (Lobbyist) - Proponent
 FLORIDA ASSOCIATION OF INSURANCE AGENTS

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

TRAVIS MOORE (Lobbyist) - Proponent

SPECIALTY AGENCTS ASSOCIATION

P.O. BOX 781

LARGO FL 33779

Phone: 727-421-6902

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. 0565

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: Policy & Budget Council

2 Representative Nelson offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line(s) 50-53 and insert:

6 Section 2. Subsection (2), paragraph (f) of subsection
7 (3), and paragraph (j) of subsection (4) of section 626.2815,
8 Florida Statutes, are amended to read:

9 626.2815 Continuing education required; application;
10 exceptions; requirements; penalties.--

11 (2) Except as otherwise provided in this section, the
12 provisions of this section apply to persons licensed to engage
13 in the sale of insurance in this state for all lines of
14 insurance for which an examination is required for licensing and
15 to each insurer, employer, or appointing entity, including, but
16 not limited to, those created or existing pursuant to s.
17 627.351. The provisions of this section shall not apply to any
18 person holding a license for the sale of any line of insurance
19 for which an examination is not required by the laws of this
20 state, nor shall the provisions of this section apply to any
21 limited license as the department may exempt by rule.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

22 (3)

23 (f)1. Except as provided in subparagraph 2., compliance
24 with continuing education requirements is a condition precedent
25 to the issuance, continuation, reinstatement, or renewal of any
26 appointment subject to this section.

27 2.a. An appointing entity, except one that appoints
28 individuals who are employees or exclusive independent
29 contractors of the appointing entity, may not require, directly
30 or indirectly, as a condition of such appointment or the
31 continuation of such appointment, the taking of an approved
32 course or program by any appointee or potential appointee that
33 is not of the appointee's choosing.

34 b. Any entity created or existing pursuant to s. 627.351
35 may require employees to take training of any type relevant to
36 their employment but may not require appointees who are not
37 employees to take any approved course or program unless the
38 course or program deals solely with the appointing entity's
39 internal procedures or products or with subjects substantially
40 unique to the appointing entity.

41
42
43 -----
44 **T I T L E A M E N D M E N T**

45 Remove line 5 and insert:

46 amending s. 626.2815, F.S.; expanding application of certain
47 continuing education requirements; providing limited exceptions
48 to compliance with continuing education requirements as a
49 condition precedent to certain appointments; providing an
50 exception to
51

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (02)

Bill No. 0565

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: Policy & Budget Council

2 Representative Nelson offered the following:

3
4 **Amendment (with title amendment)**

5 Between lines 127 and 128, insert:

6 Section 4. Subsections (6) and (7) of section 626.381,
7 Florida Statutes, are renumbered as subsections (8) and (9),
8 respectively, and new subsections (6) and (7) are added to that
9 section, to read:

10 626.381 Renewal, continuation, reinstatement, or
11 termination of appointment.--

12 (6) An appointing entity may require an appointee to
13 attend training and education programs of the appointing entity
14 in order for the appointee to receive a new appointment or
15 maintain an existing appointment. However, an appointing entity
16 may not require, directly or indirectly, any appointee to attend
17 any training programs that are wholly or partially approved for
18 general continuing education credit as provided in s. 626.2815.

19 (7) Each appointing entity may appoint only those persons
20 who have met the continuing education requirements of the
21 license necessary for such appointment as provided in s.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (02)

22 626.2815. However, an appointing entity may not make or allow,
23 directly or indirectly, the appointment of any appointee or
24 potential appointee to be contingent, in whole or in part, on
25 any appointee's attendance at any course that is approved, in
26 whole or in part, for continuing education credit pursuant to s.
27 626.2815.

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

32 Remove line 12 and insert:
33 insurance consultants; amending s. 626.381, F.S.; authorizing
34 appointing entities to require appointees to attend certain
35 training and education programs for certain purposes; providing
36 an exception; limiting an appointing entity's appointment
37 authority; prohibiting appointments to be contingent upon an
38 appointee's attendance at certain courses; providing effective
39 dates.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (03)

22 authorized by this paragraph may be billed in equal
23 installments.

24

25 The agent may also impose a service charge for processing, as a
26 convenience and accommodation to the insured, a premium
27 installment payment to an insurance company or premium finance
28 company which the insured could have made directly. The agent
29 may not collect more than one service charge on any one payment.

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

37

Remove line 12 and insert:

38

insurance consultants; amending s. 627.901, F.S.; authorizing an
39 agent to impose a service charge for processing an insured's
40 premium installment payment to an insurance company or premium
41 finance company; providing a limitation; providing effective
42 dates.

43

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 595 : Ad Valorem Taxation

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 605 : Exploited Children

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley			X		
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick				X	
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31		Total Nays: 0			

Appearances:

JEFF TAKACS (Lobbyist) (State Employee) - Proponent
 ATTORNEY GENERAL'S OFFICE
 THE CAPITOL, PL 01
 TALLAHASSEE FL 32399
 Phone: 850-245-0155

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

MAUREEN HORKAN (State Employee) - Information Only

ATTORNEY GENERAL'S OFFICE

THE CAPITOL, PL 01

TALLAHASSEE FL 32399

Phone: 850-245-0140

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

21 (c) Provide case information to the Child Victim
22 Identification Program, as required by the National Center for
23 Missing and Exploited Children guidelines, in any case where the
24 law enforcement officer identifies an identified victim of child
25 pornography, as defined in s. 960.03.

26 (2) Any law enforcement officer submitting a case for
27 prosecution that involves the production, promotion, or
28 possession of child pornography shall submit to the designated
29 prosecutor the law enforcement contact information provided by
30 the Child Victim Identification Program at the National Center
31 for Missing and Exploited Children, for any images or movies
32 involved in the case which contain the depiction of an
33 identified victim of child pornography as defined in s. 960.03.

34 (3) In every filed case involving an identified victim of
35 child pornography, as defined in s. 960.03, the prosecuting
36 agency shall enter the following information into the Victims in
37 Child Pornography Tracking Repeat Exploitation database
38 maintained by the Office of the Attorney General:

39 (a) The case number and agency file number.

40 (b) The named defendant.

41 (c) The circuit court division and county.

42 (d) Current court dates and the status of the case.

43 (e) Contact information for the prosecutor assigned.

44 (f) Verification that the prosecutor is or is not in
45 possession of a victim impact statement and will use the
46 statement in sentencing.

47 Section 6. Section 847.01357, Florida Statutes, is created
48 to read:

49 847.01357 Exploited children's civil remedy.--

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

50 (1) Any person who, while under the age of 18, was a
51 victim of a sexual abuse crime listed in chapter 794, chapter
52 800, chapter 827, or chapter 847, wherein any portion of such
53 abuse was used in the production of child pornography, and who
54 suffers personal or psychological injury as a result of the
55 production, promotion, or possession of such images or movies,
56 may bring an action in any appropriate state court against the
57 producer, promoter, or possessor of such images or movies,
58 regardless of whether the victim is now an adult. In any action
59 brought under this section, a prevailing plaintiff shall recover
60 the actual damages such person sustained and the cost of the
61 suit, including reasonable attorney's fees. Any such victim who
62 is awarded damages under this section shall be deemed to have
63 sustained damages of no less than \$150,000.

64 (2) Notwithstanding any other provisions of law, any
65 action commenced under this section must be filed within 3 years
66 of the later of:

67 (a) The conclusion of a related criminal case;

68 (b) The notification to the victim by a member of law
69 enforcement of the creation, possession, or promotion of
70 pornographic images; or

71 (c) In the case of a victim under the age of 18, within 3
72 years after the person reaches the age of 18.

73 (3) Any victim who has a bona fide claim under this
74 section shall, upon request, be provided a pseudonym, pursuant
75 to s. 92.56(3), which shall be issued and maintained by the
76 Department of Legal Affairs for use in all legal pleadings. This
77 identifier shall be fully recognized in all courts in this state
78 as a valid legal identity.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

79 (4) It is not a defense to a civil cause of action under
80 this section that the respondent did not know the victim or
81 commit the abuse depicted in any image of child pornography.

82 (5) To prevent the further exploitation of victims for
83 monetary gain by any other person, at the victim's request and
84 pursuant to agency approval, the Office of the Attorney General
85 may pursue cases on behalf of any Florida victim under this
86 section. All damages obtained in such cases shall go to the
87 victim, and the Office of the Attorney General may seek
88 reasonable attorney's fees and costs as authorized under this
89 section.

90 Section 7. Paragraph (d) is added to subsection (3) of
91 section 960.03, Florida Statutes, subsections (10) through (13)
92 of that section are renumbered as subsections (11) through (14),
93 respectively, a new subsection (10) is added to that section,
94 and present subsection (13) of that section is amended, to read:

95 960.03 Definitions; ss. 960.01-960.28.--As used in ss.
96 960.01-960.28, unless the context otherwise requires, the term:

97 (3) "Crime" means:

98 (d) Any violation of s. 827.071, s. 847.0135, s. 847.0137,
99 or s. 847.0138, related to online sexual exploitation and child
100 pornography.

101 (10) "Identified victim of child pornography" means any
102 person who, while under the age of 18, was depicted in any image
103 or movie of child pornography and who has been identified
104 through a report generated by a member of law enforcement and
105 provided to the National Center for Missing and Exploited
106 Children's Child Victim Identification Program.

107 (14)-(13) "Victim" means:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

108 (a) A person who suffers personal physical injury or death
109 as a direct result of a crime;

110 (b) A person less than 18 ~~16~~ years of age who was present
111 at the scene of a crime, saw or heard the crime, and suffered a
112 psychiatric or psychological injury because of the crime, but
113 who was not physically injured; or

114 (c) A person against whom a forcible felony was committed
115 and who suffers a psychiatric or psychological injury as a
116 direct result of that crime but who does not otherwise sustain a
117 personal physical injury or death.

118 Section 8. Section 960.197, Florida Statutes, is created
119 to read:

120 960.197 Assistance to victims of online sexual
121 exploitation and child pornography.--

122 (1) Notwithstanding the criteria set forth in s. 960.13
123 for crime victim compensation awards, the department may award
124 compensation for counseling and other mental health services to
125 treat psychological injury or trauma to:

126 (a) A child less than 18 years of age who suffers
127 psychiatric or psychological injury as a direct result of online
128 sexual exploitation under any provision of s. 827.071, s.
129 847.0135, s. 847.0137, or s. 847.0138, and who does not
130 otherwise sustain a personal injury or death; or

131 (b) Any person who, while under the age of 18, was
132 depicted in any image or movie, regardless of length, of child
133 pornography as defined in s. 847.001 and who has been identified
134 by law enforcement or the National Center for Missing and
135 Exploited Children as an identified victim of child pornography,
136 who suffers psychiatric or psychological injury as a direct

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

37 result of the crime, and who does not otherwise sustain a
138 personal injury or death.

139 (2) Compensation under this section is not contingent upon
140 pursuit of a criminal investigation or prosecution.

141

142

143

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

144

Remove line 39 insert:

145

"identified victim of child pornography;"; expanding the

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 637 : Electronic Health Records

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon				X	
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows				X	
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman			X		
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

TRAVIS COKER (Lobbyist) - Proponent
 FL ASSOCIATION OF COMMUNITY HEALTH CENTERS
 2340 HANSEN LANE
 TALLAHASSEE FL 32301
 Phone: 850-942-1822

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. CS/HB 637

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: Policy & Budget Council
2 Representative(s) Grimsley, Denise offered the following:

3
4 **Amendment**

5 Remove line 439 and insert:

6 council. The council shall consult with experts in the use of
7 health information in medical research to ensure that all
8 recommendations are consistent with the Health Insurance
9 Portability and Accountability Act of 1996, Pub. L. No. 104-199,
10 42 U.S.C. s. 1301 et seq., and take into account the legitimate
11 uses of health care information for medical research, drug
12 development, clinical trials, post-approval surveillance, and
13 public health and public agency reporting requirements.

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 659 : Service Learning in the Public School System

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman			X		
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 0			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 669 : School Safety

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown		X			
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 29		Total Nays: 1			

Appearances:

MALLORY WELLS (Lobbyist) - Information Only
 THE FLORIDA SAFE SCHOOLS COALITION
 1700 WOODBURY ROAD
 ORLANDO FL

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

JEFF PORTER (Lobbyist) - Proponent
FLORIDA JUSTICE ASSOCIATION
218 SOUTH MONROE STREET
TALLAHASSEE FL 32301
Phone: 850-212-7222

SCHOOL SAFETY

JOHN CERRA (Lobbyist) - Proponent
FLORIDA ASSOCIATION OF SCHOOL PSYCHOLOGISTS
206-B SOUTH MONROE STREET
TALLAHASSEE FL 32301
Phone: 786-525-6233

SCHOOL SAFETY

MARY WHITE - Proponent
FLORIDA PTA
1560 CHATEAU WOOD DRIVE
CLEARWATER FL 33764
Phone: 727-244-5487

JEANNE DOZIER - Proponent

LEE COUNTY SCHOOL BOARD
1818 LLAVELYN DRIVE
FT. MYERS FL 33901
Phone: 239-337-8304

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 687 : Service-Disabled Veteran Business Enterprises

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Appearances:

CASEY REED (Lobbyist) - Proponent
 TECHNOLOGICAL RRESEARCH & DEVELOPMENT AUTHORITY
 101 NORTH GADSDEN STREET
 TALLAHASSEE FL
 Phone: 850-201-2075

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building
DISABLED VETERANS SUPPORT
JOHN HAYNES - Proponent
DAV
424 HIAWATHA FARMS
MONTICELLO FL 32344
Phone: 850-997-8325

JOE MARINO (Lobbyist) (State Employee) - Proponent
FLORIDA DEPARTMENT OF VETERANS AFFAIRS
4040 ESPLANADE WAY
TALLAHASSEE FL 32399
Phone: 850-487-1533

DISABLED VETERANS
JIM BRODIE (Lobbyist) (State Employee) - Proponent
FLORIDA DEPARTMENT OF VETERANS AFFAIRS
4040 ESPLANADE WAY
TALLAHASSEE FL 32399
Phone: 850-487-1533

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 745 : Postsecondary Education

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall		X			
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack		X			
Bill Galvano	X				
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson		X			
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana		X			
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 28		Total Nays: 4			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. 0745

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: Policy & Budget Council
2 Representative Precourt offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line 640 and insert:

6 2008 2007, and which remain in effect, are exempt from the
7 payment of

8

9 -----

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

11 Remove line 28 and insert:

12 provisions relating to establishment and conditions of the
13 undergraduate

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (02)

Bill No. CS/HB 745

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget Council

2 Representative(s) Precourt offered the following:

3
4 **Amendment (with title amendment)**

5 Between line(s) 793 -794 insert:

6 Section 12. Subsection (7) of section 1007.24, Florida
7 Statutes, is amended to read:

8 1007.24 Statewide course numbering system.--

9 (7) Any student who transfers among postsecondary
10 institutions that are fully accredited by a regional or national
11 accrediting agency recognized by the United States Department of
12 Education and that participate in the statewide course numbering
13 system shall be awarded credit by the receiving institution for
14 courses satisfactorily completed by the student at the previous
15 institutions. Credit shall be awarded if the courses are judged
16 by the appropriate statewide course numbering system faculty
17 committees representing school districts, public postsecondary
18 educational institutions, and participating nonpublic
19 postsecondary educational institutions to be academically
20 equivalent to courses offered at the receiving institution,
21 including equivalency of faculty credentials, regardless of the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (02)

22 United States Department of Education recognized accrediting
23 agency and public or nonpublic control of the previous
24 institution. The Department of Education shall ensure that
25 credits to be accepted by a receiving institution are generated
26 in courses for which the faculty possess credentials that are
27 comparable to those required by the accrediting association of
28 the receiving institution. The award of credit may be limited to
29 courses that are entered in the statewide course numbering
30 system. Credits awarded pursuant to this subsection shall
31 satisfy institutional requirements on the same basis as credits
32 awarded to native students.

33

34

35

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

36

Remove line 37 and insert:

37

conforming cross-references; amending s. 1007.24, F.S.; revising
38 provisions regarding determination of equivalency of courses;
39 providing an effective date.

40

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (03)

Bill No. CS/HB 745

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: Policy & Budget Council

2 Representative(s) Coley offered the following:

3
4 **Amendment (with title amendment)**

5 Between line(s) 793-794 insert:

6 Section 12. Subsection (1) of section 1009.265, Florida
7 Statutes, is amended to read:

8 1009.265 State employee fee waivers.--

9 (1) As a benefit to the employer and employees of the
10 state, ~~subject to approval by an employee's agency head or the~~
11 ~~equivalent,~~ each state university and community college shall
12 waive tuition and fees for state employees to enroll for up to 6
13 credit hours of courses, including distance learning or on-line
14 courses, per term on a space-available basis. The employee must
15 have approval of his or her supervisor to use the waiver to take
16 a course or courses during normal work hours. For purposes of
17 implementing this section, the space available in a course is to
18 be determined based on the number of seats or capacity remaining
19 in the course at the end of the drop-add period. State employee
20 fee waivers may not be used for dissertation, thesis, directed
21 individual study (DIS), or other one-to-one instruction.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (03)

22
23
24
25
26
27
28
29

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

Remove line 37 and insert:

conforming cross-references; amending s. 1009.265, F.S.;
revising provisions relating to state employee fee waivers;
providing an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (04)

Bill No. CS/HB 745

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: Policy & Budget Council

2 Representative(s) Pickens offered the following:

3
4 **Amendment (with directory and title amendment)**

5 Between line(s) 471-472 insert:

6
7 (8) (a) Each community college board of trustees is
8 authorized to establish a separate fee for financial aid
9 purposes in an additional amount up to, but not to exceed, 5
10 percent of the total student tuition or out-of-state fees
11 collected. Each community college board of trustees may collect
12 up to an additional 2 percent if the amount generated by the
13 total financial aid fee is less than \$500,000 ~~\$250,000~~. If the
14 amount generated is less than \$500,000 ~~\$250,000~~, a community
15 college that charges tuition and out-of-state fees at least
16 equal to the average fees established by rule may transfer from
17 the general current fund to the scholarship fund an amount equal
18 to the difference between \$500,000 ~~\$250,000~~ and the amount
19 generated by the total financial aid fee assessment. No other
20 transfer from the general current fund to the loan, endowment,
21 or scholarship fund, by whatever name known, is authorized.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (04)

22 (c) Up to 25 percent or \$600,000 ~~\$300,000~~, whichever is
23 greater, of the financial aid fees collected may be used to
24 assist students who demonstrate academic merit; who participate
25 in athletics, public service, cultural arts, and other
26 extracurricular programs as determined by the institution; or
27 who are identified as members of a targeted gender or ethnic
28 minority population. The financial aid fee revenues allocated
29 for athletic scholarships and fee exemptions provided pursuant
30 to s. 1009.25(3) for athletes shall be distributed equitably as
31 required by s. 1000.05(3)(d). A minimum of 75 percent of the
32 balance of these funds for new awards shall be used to provide
33 financial aid based on absolute need, and the remainder of the
34 funds shall be used for academic merit purposes and other
35 purposes approved by the boards of trustees. Such other purposes
36 shall include the payment of child care fees for students with
37 financial need. The State Board of Education shall develop
38 criteria for making financial aid awards. Each college shall
39 report annually to the Department of Education on the revenue
40 collected pursuant to this paragraph, the amount carried
41 forward, the criteria used to make awards, the amount and number
42 of awards for each criterion, and a delineation of the
43 distribution of such awards. The report shall include an
44 assessment by category of the financial need of every student
45 who receives an award, regardless of the purpose for which the
46 award is received. Awards which are based on financial need
47 shall be distributed in accordance with a nationally recognized
48 system of need analysis approved by the State Board of
49 Education. An award for academic merit shall require a minimum
50 overall grade point average of 3.0 on a 4.0 scale or the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (04)

51 equivalent for both initial receipt of the award and renewal of
52 the award.

53

54

55

56

D I R E C T O R Y A M E N D M E N T

57

58 Remove line(s) 453-454 and insert:

59

60 Section 6. Paragraphs (a) and (c) of subsection (8) and
61 subsections (7) and (12) of section 1009.23, Florida Statutes,
62 are amended to read:

63

64

65

66

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

67

68 Remove line 22 and insert:

69

70 service student fee; authorizing an increase in the amount of
71 fees collected for financial aid purposes; increasing the amount
72 of financial aid fees that may be used to assist students who
73 meet specified criteria; authorizing rulemaking; amending s.

74

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 843 : Family Readiness Program

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley			X		
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Appearances:

GLENN SUTPHIN (Lobbyist) (State Employee) - Information Only
 DEPARTMENT OF MILITARY AFFAIRS
 THE CAPITOL, ROOM 908
 TALLAHASSEE FL 32399
 Phone: 850-414-9049

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CS/HB 893 : Tax on Sales, Use, and Other Transactions

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley			X		
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson		X			
David Rivera	X				
Yolly Roberson		X			
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 2			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. **CS/HB 893**

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: Policy & Budget Council

2 Representative Coley offered the following:

3

4 **Amendment**

5 Remove lines 47-49 and insert:

6 Revenue for fiscal year 2007-2008 for purposes of implementing
7 section 1 of this act.

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

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 925 : Florida's K-20 Education Performance Accountability System

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen				X	
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera			X		
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 27		Total Nays: 0			

Appearances:

DR. FRANCES HAITHCOCK (Lobbyist) (State Employee) - Proponent
 DEPARTMENT OF EDUCATION
 325 WEST GAINES STREET #514
 TALLAHASSEE FL 32399
 Phone: 850-245-0509

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 955 : Money Services Businesses

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens			X		
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 30		Total Nays: 0			

Appearances:

ANDREA MORELAND (Lobbyist) (State Employee) - Proponent
 OFFICE OF FINANCIAL REGULATIONS
 200 EAST GAINES STREET
 TALLAHASSEE FL 32399
 Phone: 850-410-9662

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

NOT CALLED

BRIAN PITTS - Information Only

JUSTICE-2-JESUS

1119 NEWTON AVENUE SOUTH

ST. PETERSBURG FL 33705

Phone: 727-897-9291

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. **CS/HB 955**

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget Council
2 Representative(s) Richter offered the following:

3
4 **Amendment**

5 Remove line(s) 1763 and insert:

6 (e) Declaration as a deferred presentment provider \$1,000.

7
8
9
10

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7043 : Maximum Class Size

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler				X	
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen				X	
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield				X	
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan				X	
Curtis Richardson	X				
David Rivera			X		
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor				X	
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 26					Total Nays: 0

Appearances:

Class Size
 MARSHALL OGLETREE (Lobbyist) - Proponent
 FEA
 213 South Adams Street
 TALLAHASSEE FL 32301
 Phone: 850-224-2078

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

CLASS SIZE

STACEY WESS (Lobbyist) - Proponent

ASSOCIATED INDUSTRIES

120 SOUTH MONROE STREET

TALLAHASSEE FL 32301

Phone: 850-671-4401

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. 7043

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: Policy & Budget Council
2 Representative Pickens offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 79-465 and insert:

6 2. In the 2008-2009 fiscal year and each fiscal year
7 thereafter, implementation shall be as provided in s. 1011.685.

8 (b) Determination of the number of students per classroom
9 in paragraph (a) shall be calculated as follows:

10 1. For fiscal years 2003-2004 through 2005-2006, the
11 calculation for compliance for each of the three 3 grade
12 groupings shall be the average at the district level.

13 2. For fiscal years 2006-2007 through 2007-2008, the
14 calculation for compliance for each of the three 3 grade
15 groupings shall be the average at the school level.

16 3. For fiscal year years 2008-2009, ~~2009-2010,~~ and
17 ~~thereafter,~~ the calculation for compliance shall be the average
18 at the school level. However, each district should strive in
19 every practical way to achieve the goal that the constitutional
20 class size maximums in subsection (1) be exceeded by no more
21 than four students at the individual classroom level.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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12 4. For fiscal year 2009-2010, the calculation for
23 compliance shall be the average at the school level. However,
24 each district should strive in every practical way to achieve
25 the goal that the constitutional class size maximums in
26 subsection (1) be exceeded by no more than two students at the
27 individual classroom level.

28 5. Beginning with the October student membership survey of
29 the 2010-2011 school year and at the October student membership
30 survey of each school year thereafter, compliance shall be
31 calculated at the individual classroom level based on the
32 constitutional class size maximums in subsection (1).

33 6. The calculation for class size compliance for charter
34 schools, public magnet programs, and other public school
35 parental choice programs shall be the average for the applicable
36 grade grouping at the school level established at the October
37 student membership survey of the district in which the charter
38 school, public magnet program, or other public school parental
39 choice program is operated.

40 7.4. For fiscal years 2006-2007 through 2009-2010 and
41 thereafter, each teacher assigned to any classroom shall be
42 included in the calculation for compliance.

43 (c) The Department of Education shall annually calculate
44 ~~each of the three average~~ class size measures defined in
45 paragraphs (a) and (b) based upon the October student membership
46 survey and annually report to the Legislature by February 1
47 those districts that are not in compliance. For fiscal year
48 2008-2009, the department shall also report, by each grade
49 grouping, those districts with individual classrooms exceeding
50 the constitutional class size maximums in subsection (1) by more
51 than four students. For fiscal year 2009-2010, the department

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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52 shall also report, by each grade grouping, those districts with
53 individual classrooms exceeding the constitutional class size
54 maximums in subsection (1) by more than two students. For
55 ~~purposes of determining the baseline from which each district's~~
56 ~~average class size must be reduced for the 2003-2004 school~~
57 ~~year, the department shall use data from the February 2003~~
58 ~~student membership survey updated to include classroom~~
59 ~~identification numbers as required by the department.~~

60 (d) The State Board of Education may use the enforcement
61 authority provided in s. 1008.32 to ensure that school districts
62 comply with the provisions of this subsection. The Commissioner
63 of Education shall require each district with individual
64 classrooms that exceed the constitutional class size maximums in
65 subsection (1) by more than four students in fiscal year 2008-
66 2009 or by more than two students in fiscal year 2009-2010 to
57 implement policies, including, but not limited to, team-teaching
68 strategies, to ensure that the district comes into compliance by
69 the following school year. Prior to the adoption of the district
70 ~~school budget for 2004-2005, each district school board shall~~
71 ~~hold public hearings to review school attendance zones in order~~
72 ~~to ensure maximum use of facilities while minimizing the~~
73 ~~additional use of transportation in order to comply with the~~
74 ~~two-student per-year reduction required in paragraph (a). School~~
75 ~~districts that meet the constitutional class size maximums~~
76 ~~described in subsection (1) are exempt from this requirement.~~

77 (3) IMPLEMENTATION OPTIONS.--District school boards must
78 consider, but are not limited to, implementing the following
79 items in order to meet the constitutional class size maximums
80 described in subsections subsection (1) and the ~~two-student-per-~~
81 ~~year reduction required in subsection (2):~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

32 (a) Adopt policies to encourage qualified students to take
83 dual enrollment courses.

84 (b) Adopt policies to encourage students to take courses
85 from the Florida Virtual School.

86 (c)1. Repeal district school board policies that require
87 students to have more than 24 credits to graduate from high
88 school.

89 2. Adopt policies to allow students to graduate from high
90 school as soon as they pass the grade 10 FCAT and complete the
91 courses required for high school graduation.

92 (d) Use methods to maximize use of instructional staff,
93 such as changing required teaching loads and scheduling of
94 planning periods, deploying district employees that have
95 professional certification to the classroom, using adjunct
96 educators, or any other method not prohibited by law.

97 (e) Use innovative methods to reduce the cost of school
98 construction by using prototype school designs, using SMART
99 Schools designs, participating in the School Infrastructure
100 Thrift Program, or any other method not prohibited by law.

101 (f) Use joint-use facilities through partnerships with
102 community colleges, state universities, and private colleges and
103 universities. Joint-use facilities available for use as K-12
104 classrooms that do not meet the K-12 State Regulations for
105 Educational Facilities in the Florida Building Code may be used
106 at the discretion of the district school board provided that
107 such facilities meet all other health, life, safety, and fire
108 codes.

109 (g) Adopt alternative methods of class scheduling, such as
110 block scheduling.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

11 (h) Redraw school attendance zones to maximize use of
112 facilities while minimizing the additional use of
113 transportation.

114 (i) Operate schools beyond the normal operating hours to
115 provide classes in the evening or operate more than one session
116 of school during the day.

117 (j) Use year-round schools and other nontraditional
118 calendars that do not adversely impact annual assessment of
119 student achievement.

120 (k) Review and consider amending any collective bargaining
121 contracts that hinder the implementation of class size
122 reduction.

123 (l) Use any other approach not prohibited by law.

124 (4) ACCOUNTABILITY.--Beginning with the October student
125 membership survey of the 2010-2011 school year and at the
126 October student membership survey of each school year
127 thereafter, if the department determines that any individual
128 classroom exceeds the constitutional class size maximums in
129 subsection (1) and a flexibility determination in subsection (6)
130 has not been timely granted by the district school board, the
131 department shall:

132 (a) Identify, for each of the three grade groupings, the
133 number of classrooms with a student enrollment that exceeds the
134 constitutional class size maximums in subsection (1), the number
135 of students over the maximum for each classroom, and the total
136 number of students over the maximum for all classrooms in each
137 school and each school district.

138 (b) Determine the number of full-time equivalent students
139 that are over the constitutional class size maximums in
140 subsection (1) for each of the three grade groupings.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

11 (c) Multiply the total number of full-time equivalent
142 students under paragraph (b) for each of the three grade
143 groupings by the class size reduction operating categorical
144 allocation factor for that grade grouping as established in the
145 Florida Education Finance Program calculation that is
146 incorporated by reference in the General Appropriations Act or
147 any subsequent special appropriations act and calculate the
148 total for all three grade groupings.

149 (d) Upon verification of the department's calculation by
150 the Florida Education Finance Program Appropriation Allocation
151 Conference and not later than March 1 of each year, reduce the
152 district's class size reduction operating categorical allocation
153 as calculated in the third Florida Education Finance Program
154 calculation by an amount equal to the lesser of the remaining
155 undisbursed balance of the allocation or the sum of the
56 calculations in paragraph (c).

157 ~~(a)1. Beginning in the 2003-2004 fiscal year, if the~~
158 ~~department determines for any year that a school district has~~
159 ~~not reduced average class size as required in subsection (2) at~~
160 ~~the time of the third FEFP calculation, the department shall~~
161 ~~calculate an amount from the class size reduction operating~~
162 ~~categorical which is proportionate to the amount of class size~~
163 ~~reduction not accomplished. Upon verification of the~~
164 ~~department's calculation by the Florida Education Finance~~
165 ~~Program Appropriation Allocation Conference and not later than~~
166 ~~March 1 of each year, the Executive Office of the Governor shall~~
167 ~~transfer undistributed funds equivalent to the calculated amount~~
168 ~~from the district's class size reduction operating categorical~~
169 ~~to an approved fixed capital outlay appropriation for class size~~
170 ~~reduction in the affected district pursuant to s. 216.292(2)(d).~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

71 ~~The amount of funds transferred shall be the lesser of the~~
172 ~~amount verified by the Florida Education Finance Program~~
173 ~~Appropriation Allocation Conference or the undistributed balance~~
174 ~~of the district's class size reduction operating categorical.~~

175 ~~2. In lieu of the transfer required by subparagraph 1.,~~
176 ~~the Commissioner of Education may recommend a budget amendment,~~
177 ~~subject to approval by the Legislative Budget Commission, to~~
178 ~~transfer an alternative amount of funds from the district's~~
179 ~~class size reduction operating categorical to its approved fixed~~
180 ~~capital outlay account for class size reduction if the~~
181 ~~commissioner finds that the State Board of Education has~~
182 ~~reviewed evidence indicating that a district has been unable to~~
183 ~~meet class size reduction requirements despite appropriate~~
184 ~~effort to do so. The commissioner's budget amendment must be~~
185 ~~submitted to the Legislative Budget Commission by February 15 of~~
36 ~~each year.~~

187 ~~3. For the 2007-2008 fiscal year and thereafter, if in any~~
188 ~~fiscal year funds from a district's class size operating~~
189 ~~categorical are required to be transferred to its fixed capital~~
190 ~~outlay fund and the district's class size operating categorical~~
191 ~~allocation in the General Appropriations Act for that fiscal~~
192 ~~year has been reduced by a subsequent appropriation, the~~
193 ~~Commissioner of Education may recommend a 10 percent reduction~~
194 ~~in the amount of the transfer.~~

195 ~~(b) Beginning in the 2005-2006 school year, the department~~
196 ~~shall determine by January 15 of each year which districts have~~
197 ~~not met the two student per year reduction required in~~
198 ~~subsection (2) based upon a comparison of the district's October~~
199 ~~student membership survey for the current school year and the~~
200 ~~February 2003 baseline student membership survey. The department~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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201 ~~shall report such districts to the Legislature. Each district~~
202 ~~that has not met the two student per year reduction shall be~~
203 ~~required to implement one of the following policies in the~~
204 ~~subsequent school year unless the department finds that the~~
205 ~~district comes into compliance based upon the February student~~
206 ~~membership survey:~~

- 207 ~~1. Year-round schools;~~
- 208 ~~2. Double sessions;~~
- 209 ~~3. Rezoning; or~~
- 210 ~~4. Maximizing use of instructional staff by changing~~
211 ~~required teacher loads and scheduling of planning periods,~~
212 ~~deploying school district employees who have professional~~
213 ~~certification to the classroom, using adjunct educators,~~
214 ~~operating schools beyond the normal operating hours to provide~~
215 ~~classes in the evening, or operating more than one session~~
216 ~~during the day.~~

217
218 ~~A school district that is required to implement one of the~~
219 ~~policies outlined in subparagraphs 1. 4. shall correct in the~~
220 ~~year of implementation any past deficiencies and bring the~~
221 ~~district into compliance with the two student per year reduction~~
222 ~~goals established for the district by the department pursuant to~~
223 ~~subsection (2). A school district may choose to implement more~~
224 ~~than one of these policies. The district school superintendent~~
225 ~~shall report to the Commissioner of Education the extent to~~
226 ~~which the district implemented any of the policies outlined in~~
227 ~~subparagraphs 1. 4. in a format to be specified by the~~
228 ~~Commissioner of Education. The Department of Education shall use~~
229 ~~the enforcement authority provided in s. 1008.32 to ensure that~~
230 ~~districts comply with the provisions of this paragraph.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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231 ~~(c) Beginning in the 2006-2007 school year, the department~~
232 ~~shall annually determine which districts do not meet the~~
233 ~~requirements described in subsection (2). In addition to~~
234 ~~enforcement authority provided in s. 1008.32, the Department of~~
235 ~~Education shall develop a constitutional compliance plan for~~
236 ~~each such district which includes, but is not limited to,~~
237 ~~redrawing school attendance zones to maximize use of facilities~~
238 ~~while minimizing the additional use of transportation unless the~~
239 ~~department finds that the district comes into compliance based~~
240 ~~upon the February student membership survey and the other~~
241 ~~accountability policies listed in paragraph (b). Each district~~
242 ~~school board shall implement the constitutional compliance plan~~
243 ~~developed by the state board until the district complies with~~
244 ~~the constitutional class size maximums.~~

245 (5) TEAM-TEACHING STRATEGIES.--

246 (a) School districts may use teaching strategies that
247 include the assignment of more than one teacher to a classroom
248 of students and that were implemented before July 1, 2005.
249 Effective July 1, 2005, school districts may implement
250 additional teaching strategies that include the assignment of
251 more than one teacher to a classroom of students for the
252 following purposes only:

- 253 1. Pairing teachers for the purpose of staff development.
- 254 2. Pairing new teachers with veteran teachers.
- 255 3. Reducing turnover among new teachers.
- 256 4. Pairing teachers who are teaching out-of-field with
257 teachers who are in-field.
- 258 5. Providing for more flexibility and innovation in the
259 classroom.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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50 6. Improving learning opportunities for students,
261 including students who have disabilities.

262 (b) Teaching strategies, including team teaching, co-
263 teaching, or inclusion teaching, implemented on or after July 1,
264 2005, pursuant to paragraph (a) may be implemented subject to
265 the following restrictions:

266 1. Reasonable limits shall be placed on the number of
267 students in a classroom so that classrooms are not overcrowded.
268 Teacher-to-student ratios within a curriculum area or grade
269 level must not exceed constitutional limits.

270 2. At least one member of the team must have at least 3
271 years of teaching experience.

272 3. At least one member of the team must be teaching in-
273 field.

274 4. The teachers must be trained in team-teaching methods
75 within 1 year after assignment.

276 (c) As used in this subsection, the term:

277 1. "Team teaching" or "co-teaching" means two or more
278 teachers are assigned to a group of students and each teacher is
279 responsible for all of the students during the entire class
280 period. In order to be considered team teaching or co-teaching,
281 each teacher is responsible for planning, delivering, and
282 evaluating instruction for all students in the class or subject
283 for the entire class period.

284 2. "Inclusion teaching" means two or more teachers are
285 assigned to a group of students, but one of the teachers is
286 responsible for only one student or a small group of students in
287 the classroom.

288

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

39 The use of strategies implemented as outlined in this subsection
290 meets the letter and intent of the Florida Constitution and the
291 Florida Statutes which relate to implementing class size
292 reduction, and this subsection applies retroactively. A school
293 district may not be penalized financially or otherwise as a
294 result of the use of any legal strategy, including, but not
295 limited to, those set forth in subsection (3) and this
296 subsection.

297 (6) FLEXIBILITY DETERMINATION.--

298 (a) Beginning with the October student membership survey
299 of the 2010-2011 school year and at the October student
300 membership survey of each school year thereafter, each school
301 district shall make assignments to meet the constitutional class
302 size maximums in subsection (1).

303 (b) In the event of unexpected student enrollment growth
304 after the October student membership survey, which will require
305 a school district to take further action to meet the
306 constitutional class size maximums in subsection (1), the
307 alternatives in subsections (3) and (5) shall be considered and
308 implemented as deemed practical by the school district. For
309 purposes of this subsection, unexpected student enrollment
310 growth is student enrollment in excess of the school's official
311 staffing plan and capacity.

312 (c)1. Upon a finding that taking further action to attain
313 compliance is either impractical or educationally unsound and
314 disruptive to students, a district school board may make a
315 flexibility determination at a public meeting that has been
316 noticed pursuant to s. 120.525; however, a school board's
317 determination under this paragraph is not subject to challenge
318 under chapter 120. The district school board shall file the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

19 record of its public meeting, together with documentation of its
320 flexibility determination, with the department.

321 2. If a flexibility determination is made by a district
322 school board, the following conditions shall apply:

323 a. The flexibility determination shall expire at the end
324 of the school year.

325 b. The flexibility determination for all schools within
326 the district shall not be greater than the amount by which the
327 district's full-time equivalent students from the October
328 student membership survey exceed the district's projection used
329 in the Florida Education Finance Program calculation that is
330 incorporated by reference in the General Appropriations Act.

331 c. The flexibility determination shall not exceed three
332 students above the constitutional class size maximum in
333 paragraph (1)(a) for prekindergarten through grade 3 and shall
334 not exceed five students above the constitutional class size
335 maximum in paragraph (1)(b) or paragraph (1)(c) for grades 4
336 through 8 or grades 9 through 12, respectively.

337 d. If the unexpected student enrollment growth would
338 result in more than three students or five students above the
339 constitutional class size maximums as provided in sub-
340 subparagraph c., the school district shall add classrooms and
341 teachers or take such other action as necessary to comply with
342 the constitutional class size maximums in subsection (1).

343 e. The class size average for each of the three grade
344 groupings at a school shall not exceed the average established
345 from the October student membership survey.

346 f. The district school board shall develop a plan to
347 provide that each school will be in full compliance with the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

48 constitutional class size maximums in subsection (1) by the next
349 October student membership survey.

350 (d) A school shall be considered to be in compliance with
351 the constitutional class size maximums in subsection (1) when it
352 has classrooms utilizing the flexibility determination granted
353 by the district school board.

354 (7) RULES.--The State Board of Education shall adopt
355 rules, pursuant to ss. 120.536(1) and 120.54, governing
356 compliance calculations under this section, the timeliness and
357 required documentation for district school board flexibility
358 determinations, and district school board appeals under this
359 section.

360 Section 2. Section 1011.685, Florida Statutes, is amended
361 to read:

362 1011.685 Class size reduction; operating categorical
53 fund.--

364 (1) There is created an operating categorical fund for
365 implementing the class size reduction provisions of s. 1, Art.
366 IX of the State Constitution. These funds shall be allocated to
367 each school district in the amount prescribed by the Legislature
368 in the General Appropriations Act.

369 (2) (a) Beginning with the October student membership
370 survey in the 2008-2009 fiscal year, each school district that
371 has individual classrooms exceeding the constitutional class
372 size maximums in s. 1003.03(1) by more than four students shall
373 use 100 percent of its class size reduction operating
374 categorical allocation for purposes of achieving compliance with
375 the constitutional maximums in any lawful manner, including, but
376 not limited to, the alternatives in s. 1003.03(3) and (5) until
377 the constitutional class size maximums are met. Each school

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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78 district that has no individual classrooms in excess of the
379 constitutional class size maximums in s. 1003.03(1) by more than
380 four students may use its class size reduction operating
381 categorical allocation for any lawful operating expenditure;
382 however, priority shall be given to increase salaries of
383 classroom teachers as defined in s. 1012.01(2)(a) and to
384 implement the differentiated-pay provisions provided in s.
385 1012.22.

386 (b) Beginning with the October student membership survey
387 in the 2009-2010 fiscal year, each school district that has
388 individual classrooms exceeding the constitutional class size
389 maximums in s. 1003.03(1) by more than two students shall use
390 100 percent of its class size reduction operating categorical
391 allocation for purposes of achieving compliance with the
392 constitutional maximums in any lawful manner, including, but not
93 limited to, the alternatives in s. 1003.03(3) and (5) until the
394 constitutional class size maximums are met. Each school district
395 that has no individual classrooms in excess of the
396 constitutional class size maximums in s. 1003.03(1) by more than
397 two students may use its class size reduction operating
398 categorical allocation for any lawful operating expenditure;
399 however, priority shall be given to increase salaries of
400 classroom teachers as defined in s. 1012.01(2)(a) and to
401 implement the differentiated-pay provisions provided in s.
402 1012.22.

403 (c) Beginning with the October student membership survey
404 in the 2010-2011 fiscal year and in each fiscal year thereafter,
405 each individual classroom shall be in compliance with the
406 constitutional class size maximums in s. 1003.03(1).

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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407 ~~(2) Class size reduction operating categorical funds shall~~
408 ~~be used by school districts for the following:~~

409 ~~(a) To reduce class size in any lawful manner, if the~~
410 ~~district has not met the constitutional maximums identified in~~
411 ~~s. 1003.03(1) or the reduction of two students per year required~~
412 ~~by s. 1003.03(2).~~

413 ~~(b) For any lawful operating expenditure, if the district~~
414 ~~has met the constitutional maximums identified in s. 1003.03(1)~~
415 ~~or the reduction of two students per year required by s.~~
416 ~~1003.03(2); however, priority shall be given to increase~~
417 ~~salaries of classroom teachers as defined in s. 1012.01(2)(a)~~
418 ~~and to implement the differentiated pay provisions detailed in~~
419 ~~s. 1012.22.~~

420
421
422 -----
423 **T I T L E A M E N D M E N T**

424 Remove lines 3-28 and insert:

425 1003.03, F.S.; revising the schedule for implementing the
426 constitutional class size maximums; revising the calculations
427 for compliance; requiring the Department of Education to
428 determine which school districts do not meet the class size
429 requirements and report such districts to the Legislature;
430 providing State Board of Education enforcement authority and
431 Commissioner of Education duties to ensure district compliance
432 with class size requirements; revising accountability provisions
433 to require the department to reduce the class size reduction
434 operating categorical allocation for noncompliance; deleting
435 accountability provisions relating to the transfer of funds, the
436 requirement that noncompliant districts implement certain

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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37 policies, and the development of compliance plans; requiring
438 school districts to make assignments to meet class size maximums
439 no later than the October student membership survey; requiring
440 school districts with unexpected student enrollment growth to
441 consider alternatives to comply with class size requirements;
442 defining unexpected student enrollment growth; authorizing a
443 district school board to make a flexibility determination to
444 attain compliance; requiring a public hearing with notice;
445 providing conditions for a flexibility determination; requiring
446 rulemaking; amending s. 1011.685, F.S.; revising requirements
447 for school district use of the class size reduction operating
448 categorical allocation; amending s.

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7045 : Public School Curricular Standards

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler				X	
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick			X		
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31					
		Total Nays: 0			

Appearances:

PATRICIA LEVESQUE (Lobbyist) - Proponent
 FOUNDATION OF FLORIDA'S FUTURE
 215 SOUTH MONROE STREET #110
 TALLAHASSEE FL 32302
 Phone: 850-391-3070

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

DR. FRANCES HAITHCOCK (Lobbyist) (State Employee) - Proponent
DEPARTMENT OF EDUCATION
325 WEST GAINES STREET #514
TALLAHASSEE FL 32399
Phone: 850-245-0509

CURRICULAR STANDARDS

STACEY WEBB (Lobbyist) - Proponent
ASSOCIATED INDUSTRIES
120 SOUTH MONROE STREET
TALLAHASSEE FL 32301
Phone: 850-671-4401

BRIAN PITTS - Information Only

JUSTICE-2-JESUS
1119 NEWTON AVENUE SOUTH
ST. PETERSBURG FL 33705
Phone: 727-897-9291

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 01 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget

2 Representative(s) Pickens offered the following:

3

4 **Amendment**

5 On line(s) 79-80 & 203 remove "K-12 public school students"

6 and insert:

7

8 "the next generation of K-12 public school students"

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 02 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget Council
2 Representative(s) Pickens and Flores offered the following:

3
4 **Amendment**

5 Remove line(s) 90-93 and insert:

6
7 language arts standards must also identify a specific list of
8 respected works of literature which a student is expected to
9 have read by each individual grade level. The list of literary
10 works for grades 9 through 12 must be aligned, to the maximum
11 extent practicable, with the historical time periods identified
12 in the social studies courses approved by the State Board of
13 Education for grades 9 through 12. The state board shall, in
14 accordance with

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 03 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget Council
2 Representative(s) Pickens offered the following:

3
4 **Amendment (with title amendment)**

5 Between line(s) 194 & 195 insert:

6
7 Section 2. Paragraph (i) of subsection (9) of section
8 220.187, Florida Statutes, is amended to read:

9 220.187 Credits for contributions to nonprofit
10 scholarship-funding organizations.--

11 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.--The Department
12 of Education shall:

13 (i) In accordance with State Board of Education rule,
14 identify and select the nationally norm-referenced tests that
15 meet ~~are comparable to the norm-referenced provisions of the~~
16 ~~Florida Comprehensive Assessment Test (FCAT) provided that the~~
17 ~~FCAT may be one of the tests selected. However, the Department~~
18 ~~of Education may approve the use of an additional assessment by~~
19 ~~the school if the assessment meets industry standards of quality~~
20 ~~and comparability.~~
21

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 03 (for drafter's use only)

22
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31

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

Remove line(s) 9 and insert:

authorizing the adoption of rules; amending s. 220.187,
F.S., revising requirements for the selection of norm-
referenced tests administered by private schools for
purposes of the Corporate Income Tax Credit Scholarship
Program; amending s. 1000.21,

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 04 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget Council
2 Representative(s) Pickens offered the following:
3

4 **Amendment (with title amendment)**

5 Between line(s) 378 & 379 insert:
6

7 Section 10. Paragraph (d) of subsection (6) of section
8 1003.63, Florida Statutes, is amended to read:

9 1003.63 Deregulated public schools pilot program.--

10 (6) ELEMENTS OF THE PROPOSAL.--The major issues involving
11 the operation of a deregulated public school shall be considered
12 in advance and written into the proposal.

13 (d) Upon receipt of the annual report required by
14 paragraph (b), the Department of Education shall provide the
15 State Board of Education, the Commissioner of Education, the
16 President of the Senate, and the Speaker of the House of
17 Representatives with a copy of each report and an analysis and
18 comparison of the overall performance of students, to include
19 all students in deregulated public schools whose scores are
20 counted as part of the statewide assessment tests, versus
21 comparable public school students in the district as determined

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 04 (for drafter's use only)

22 by statewide assessments administered under s. 1008.22(3) FCAT
23 and district assessment tests and, ~~as appropriate, the Florida~~
24 ~~Writes Assessment Test, and other assessments administered~~
25 ~~pursuant to s. 1008.22(3).~~

26

27

28

29

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

30

Remove line(s) 20 and insert:

31

32

ss. 1003.428, 1003.429, 1003.43, 1003.433, 1003.63,

33

1006.28, and

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 05 (for drafter's use only)

Bill No. **HB 7045**

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: Policy & Budget Council
2 Representative(s) Flores offered the following:

3

4 **Amendment**

5 Remove line(s) 545-546 and insert:

6

7 used to purchase digital or online content, or technology
8 devices with digital or online content, if the publisher or
9 manufacturer clearly

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 06 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget
2 Representative(s) Flores offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line(s) 648 and insert:

6

7 established in the Sunshine State Standards. The Commissioner of
8 Education may select one or more nationally developed
9 comprehensive examinations, which may include, but are not
10 limited to, examinations for a College Board Advanced Placement
11 course, International Baccalaureate course, or Advanced
12 International Certificate of Education course, for use as end-
13 of-course assessments under this paragraph, if the commissioner
14 determines that the content knowledge and skills assessed by the
15 examinations meet or exceed the grade-level expectations of the
16 Sunshine State Standards for the course.

17

18

19

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

20

21 Remove line(s) 39 and insert:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 06 (for drafter's use only)

22
23
24
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26

Standards; authorizing the commissioner to select certain nationally developed examinations as end-of-course assessments under specified conditions; deleting provisions relating to documentation

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 07 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget
2 Representative(s) Pickens offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line(s) 677-685 and insert:

6

7 2. The testing program shall be composed ~~will include a~~
8 ~~combination of norm-referenced and criterion-referenced tests,~~
9 which shall and include, to the extent determined by the
10 commissioner, include test items ~~questions~~ that require the
11 student to produce information or perform tasks in such a way
12 that the core content knowledge and skills and competencies he
13 or she uses can be measured.

14

15

16 -----

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

18 Remove line(s) 42 and insert:

19

20 materials; deleting requirements for norm-referenced

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 08 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget

2 Representative(s) Pickens offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line(s) 686-690 and insert:

6

7 3. Beginning with the 2008-2009 school year, the
8 commissioner shall discontinue administration of the selected-
9 response test items on the comprehensive assessments of writing.

10 Beginning with the 2012-2013 school year, the comprehensive
11 assessments of writing shall be composed of a combination of
12 selected-response test items, short-response performance tasks,
13 and extended-response performance tasks, which shall measure a
14 student's content knowledge of writing, including, but not
15 limited to, paragraph and sentence structure, sentence
16 construction, grammar and usage, punctuation, capitalization,
17 spelling, parts of speech, verb tense, irregular verbs, subject-
18 verb agreement, and noun-pronoun agreement. Each testing
19 program, whether at the elementary, middle, or high school
20 level, includes a test of writing in which students are required

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 08 (for drafter's use only)

21 ~~to produce writings that are then scored by appropriate and~~
22 ~~timely methods.~~

23

24

25

26

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

27

Remove line(s) 36 and insert:

28

29

time; revising requirements for assessments of writing;

30

providing for end-of-course assessments; requiring

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 09 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget
2 Representative(s) Flores and Vana offered the following:

3

4 **Amendment**

5 Remove line(s) 826-835 and insert:

6

7 (4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED
8 ACTIVITIES.--Beginning with the 2008-2009 school year, a
9 district school board shall prohibit each public school from
10 suspending a regular program of curricula for purposes of
11 administering practice tests or engaging in other test-
12 preparation activities for a statewide assessment. However, a
13 district school board may authorize a public school to engage in
14 the following test-preparation activities for a statewide
15 assessment:

16 (a) Distributing to students the sample test books and
17 answer keys published by the Department of Education;

18 (b) Providing individualized instruction in test-taking
19 strategies, without suspending the school's regular program of
20 curricula, for a student who scores at Level 1 or Level 2 on a
21 prior administration of the statewide assessment;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 09 (for drafter's use only)

22 (c) Providing individualized instruction in the content
23 knowledge and skills assessed, without suspending the school's
24 regular program of curricula, for a student who scores at Level 1
25 or Level 2 on a prior administration of the statewide assessment,
26 or a student who, through a diagnostic assessment administered by
27 the school district, is identified as having a deficiency in the
28 content knowledge and skills assessed;

29 (d) Incorporating test-taking exercises and strategies into
30 curricula for intensive reading and mathematics intervention
31 courses; and

32 (e) Administering a practice test or engaging in other
33 test-preparation activities for the statewide assessment, which
34 are determined necessary to familiarize students with the
35 organization of the assessment, format of the test items, and
36 the test directions, or otherwise necessary for the valid and
37 reliable administration of the assessment, as set forth in rules
38 adopted by the State Board of Education with specific reference
39 to this paragraph.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 10 (for drafter's use only)

Bill No. HB 7045

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget
 2 Representative(s) Pickens offered the following:

Amendment (with title amendment)

Remove line(s) 971-973 and insert:

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)-(e) Other student performance data based on national norm-

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

Remove line(s) 54 and insert:

the FCAT; revising requirements for an annual report on student performance; amending s. 1008.25, F.S.; requiring each

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 11 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget

2 Representative(s) Pickens offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line(s) 1112-1113 and insert:

6

7 in the school who have been assessed on the FCAT, ~~including~~
8 ~~Florida Writes~~, and who have scored at or in the lowest 25th

9

10

11

12

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

13

Remove line(s) 63 and insert:

14

15

students attending an alternative school; conforming
16 provisions; amending s.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 12 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget

2 Representative(s) Pickens offered the following:

3

4 **Amendment**

5 Remove line(s) 1151-1152 and insert:

6

7 mathematics math, or writing on the FCAT, ~~including Florida~~

8 ~~writes~~, unless these students are exhibiting satisfactory

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 13 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget
2 Representative(s) Pickens offered the following:

3

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

5 Between line(s) 1187 & 1188 insert:

6

7 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.--Student
8 data used in determining an alternative school's school
9 improvement rating shall include:

10 (a) The aggregate scores of all eligible students who were
11 assigned to and enrolled in the school during the October or
12 February FTE count, who have been assessed on the FCAT, and who
13 have FCAT or comparable scores for the preceding school year.

14 (b) The aggregate scores of all eligible students who were
15 assigned to and enrolled in the school during the October or
16 February FTE count, who have been assessed on the FCAT,
17 ~~including Florida Writes,~~ and who have scored in the lowest 25th
18 percentile of students in the state on FCAT Reading.

19

20 The assessment scores of students who are subject to district
21 school board policies for expulsion for repeated or serious

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 13 (for drafter's use only)

22 offenses, who are in dropout retrieval programs serving students
23 who have officially been designated as dropouts, or who are in
24 programs operated or contracted by the Department of Juvenile
25 Justice may not be included in an alternative school's school
26 improvement rating.

27

28

29

D I R E C T O R Y A M E N D M E N T

30

31

Remove line(s) 1154-1155 and insert:

32

33

Section 18. Subsections (2) and (3) of section 1008.341,
34 Florida Statutes, are amended to read:

35

36

37

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

38

39

Remove line(s) 65 and insert:

40

41

receiving school improvement ratings; conforming
42 provisions; amending s.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 14 (for drafter's use only)

Bill No. HB 7045

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: Policy & Budget
2 Representative(s) Pickens offered the following:

3
4 **Amendment (with title amendment)**

5 Between line(s) 1196 & 1197 insert:

6
7 Section 20. Subsection (2) of section 1008.36, Florida
8 Statutes, is amended to read:

9 1008.36 Florida School Recognition Program.--

10 (2) The Florida School Recognition Program is created to
11 provide financial awards to public schools that:

12 (a) Sustain high performance by receiving a school grade
13 of "A," making excellent progress; or

14 (b) Demonstrate exemplary improvement due to innovation
15 and effort by improving at least one a letter grade or by
16 improving more than one letter grade and sustaining the
17 improvement the following school year.

18
19 Notwithstanding statutory provisions to the contrary, incentive
20 awards are not subject to collective bargaining.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 14 (for drafter's use only)

22
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T I T L E A M E N D M E N T

Remove line(s) 66 and insert:

1008.345, F.S.; conforming provisions; amending s.
1008.36, F.S.; revising criteria for financial awards
under the Florida School Recognition Program; providing an

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7069 : College and Career Preparation

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 32		Total Nays: 0			

Appearances:

CORE AP COURSES IN EACH HIGH SCHOOL
 PATRICIA LEVESQUE (Lobbyist) - Proponent
 FOUNDATION OF FLORIDA'S FUTURE
 215 SOUTH MONROE STREET #110
 TALLAHASSEE FL 32302
 Phone: 850-391-3070

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building
COLLEGE & CAREER PREP
STACEY WEBB (Lobbyist) - Proponent
ASSOCIATED INDUSTRIES
120 SOUTH MONROE STREET
TALLAHASSEE FL 32301
Phone: 850-671-4401

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7071 : Postsecondary Education

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Sellar	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 32		Total Nays: 0			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

22 degree-granting institutions as adopted by the State Board of
23 Education pursuant to s. 1007.23.

24 (3) LOCAL BOARDS OF TRUSTEES.--Each institution within the
25 Florida College System shall be governed by a local board of
26 trustees as provided in s. 1001.64. The membership of each local
27 board of trustees shall be as provided in s. 1001.61.

28 Section 3. Section 1004.35, Florida Statutes, is amended
29 to read:

30 1004.35 Broward County campuses of Florida Atlantic
31 University; coordination with other institutions.--The State
32 Board of Education, the Board of Governors, and Florida Atlantic
33 University shall consult with Broward ~~Community~~ College and
34 Florida International University in coordinating course
35 offerings at the postsecondary level in Broward County. Florida
36 Atlantic University may contract with the Board of Trustees of
37 Broward ~~Community~~ College and with Florida International
38 University to provide instruction in courses offered at the
39 Southeast Campus. Florida Atlantic University shall increase
40 course offerings at the Southeast Campus as facilities become
41 available.

42 Section 4. Section 1004.87, Florida Statutes, is created
43 to read:

44 1004.87 Florida College System Task Force.--

45 (1) The Florida College System Task Force is established
46 within the Division of Community Colleges of the Department of
47 Education for the purpose of developing findings and issuing
48 recommendations regarding the transition of community colleges
49 to baccalaureate-degree-granting colleges and the criteria for
50 establishing and funding state colleges.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

51 (2) (a) All members of the task force must be appointed on
52 or before August 31, 2008, and the task force shall hold its
53 first meeting on or before September 15, 2008.

54 (b) The task force shall be comprised of 12 members
55 appointed by the Commissioner of Education. The appointees shall
56 include eight community college presidents, one state university
57 president, the president of an institution that is eligible to
58 participate in the William L. Boyd, IV, Florida Resident Access
59 Grant Program, the president of an institution that is licensed
60 by the Commission for Independent Education and grants
61 baccalaureate degrees, and one member at large. The community
62 college presidents appointed to the task force may not include
63 the presidents of the institutions named to participate in the
64 State College Pilot Project. The community college presidents
65 appointed to the task force must reflect the diversity of
66 program offerings and service areas of the 28 community colleges
67 and include representatives of community colleges that are
68 authorized to grant baccalaureate degrees, community colleges
69 that are not authorized to grant baccalaureate degrees,
70 community colleges that have urban service areas, community
71 colleges that have rural service areas, community colleges the
72 service areas of which have populations of 500,000 or more, and
73 community colleges the service areas of which have populations
74 of fewer than 500,000. The Commissioner of Education shall be a
75 voting member of the task force and the chair of the task force.

76 (3) The task force shall:

77 (a) Recommend a program approval process for new
78 baccalaureate degree programs that are designed to meet the
79 employment needs of Florida, including approval as a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

80 baccalaureate-degree-granting community college and as a state
81 college.

82 (b) Recommend a funding model that considers projected
83 enrollment, adjustments for actual enrollment, program mix, and
84 comparable support for similar programs across all institutions,
85 including state colleges and community colleges authorized by
86 the State Board of Education to award baccalaureate degrees
87 pursuant to s. 1007.33. The funding model must ensure that the
88 programs and services offered by institutions in the Florida
89 College System in providing associate and baccalaureate degrees
90 are delivered in a cost-effective manner that demonstrates
91 substantial savings to the student and to the state over the
92 cost of providing the degree at a state university.

93 (c) Identify the areas, both geographic and academic, in
94 which an increased number of graduates who have baccalaureate
95 degrees are necessary in order to meet regional and statewide
96 workforce needs.

97 (d) Monitor implementation of the State College Pilot
98 Project.

99 (e) Recommend priorities and criteria for baccalaureate
100 programs that may be offered without specific approval by the
101 State Board of Education.

102 (4) Any recommendation from the task force to the
103 Legislature requires approval by at least 9 members of the task
104 force.

105 (5) The task force shall be staffed by existing employees
106 of the Division of Community Colleges.

107 (6) (a) Community colleges, state universities, the
108 Commission for Independent Education, and the Agency for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

109 Workforce Innovation shall provide information and assistance to
110 the task force.

111 (b) Independent postsecondary educational institutions,
112 representatives of the business community, and other
113 stakeholders are encouraged to provide the task force with
114 information to assist the task force in its deliberations.

115 (7) The task force shall submit a report and
116 recommendations to the Governor, the State Board of Education,
117 the President of the Senate, and the Speaker of the House of
118 Representatives by March 2, 2009. The report must include any
119 comments from the task force regarding the final report
120 resulting from the State College Pilot Project and any specific
121 recommendations of the task force for legislative action during
122 the 2009 Regular Session of the Legislature.

123 (8) The task force shall be dissolved effective June 30,
124 2010, prior to which time it shall issue its final report with
125 recommended detailed criteria for implementing the Florida
126 College System as a permanent part of the state system of higher
127 education.

128 Section 5. Section 1004.875, Florida Statutes, is created
129 to read:

130 1004.875 State College Pilot Project.--

131 (1) The Legislature finds it is in the best interest of
132 the state to provide the residents of the state affordable
133 access to baccalaureate degree programs that are designed to
134 meet regional and statewide employment needs.

135 (2) (a) Beginning with the 2008-2009 fiscal year, the State
136 College Pilot Project is created, which shall be conducted by
137 St. Petersburg College, Okaloosa-Walton College, Miami-Dade
138 College, and Indian River College in collaboration with the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

139 Florida College System Task Force. The purpose of the pilot
140 project is to recommend to the Legislature an approval process
141 for the transition of baccalaureate-degree-granting community
142 colleges to state colleges in order to meet the employment needs
143 of Florida, criteria for the transition of institutions in the
144 Florida College System to state colleges, and a funding model
145 for the Florida College System.

146 (b) With the approval of the community college's board of
147 trustees and continued compliance with the provisions of
148 subsection (3), a community college identified in paragraph (a)
149 as a participant in the State College Pilot Project may change
150 the institution's name and use the designation "state college."
151 An institution participating in the State College Pilot Project
152 shall not use the designation "university."

153 (3) The institutions participating in the pilot project
154 shall:

155 (a) Maintain, as the institution's primary mission,
156 responsibility for responding to community needs for
157 postsecondary academic education and career degree education as
158 prescribed in s. 1004.65(6).

159 (b) Maintain an open-door admissions policy for associate-
160 level degree programs and workforce education programs.

161 (c) Require, as a condition of admission to upper-division
162 programs, successful completion of the college-level
163 communication and mathematics skills examination established
164 pursuant to s. 1008.29 unless the student has been awarded an
165 associate degree from a community college or state university.
166 Notwithstanding any other provision of law to the contrary, an
167 institution must administer the examination to each student
168 admitted to an upper division program unless the student has

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

169 previously achieved the minimum scores that constitute
170 successful completion of the examination as established pursuant
171 to s. 1008.29(4). The institution shall report annually the
172 test score or scores of each student tested pursuant to the
173 provisions of this paragraph and any exemption or exemptions the
174 student has been provided pursuant to s. 1008.29(9) to the Task
175 Force until its dissolution, to the State Board of Education
176 once the Task Force is dissolved, and to the Office of Program
177 Policy Analysis and Government Accountability for purposes of a
178 longitudinal analysis of the relationship of the pass rate on
179 the examinations required pursuant to s. 1008.29 and the
180 exemptions authorized pursuant to s. 1008.29(9).

181 (d) Continue to provide outreach to underserved
182 populations.

183 (e) Continue to provide remedial education.

184 (f) Comply with all provisions of the statewide
185 articulation agreement that relate to 2-year and 4-year public
186 degree-granting institutions as adopted by the State Board of
187 Education pursuant to s. 1007.23.

188 (g) Be prohibited from awarding graduate credit or
189 graduate degrees.

190 (h) Be prohibited from participating in intercollegiate
191 athletics beyond the 2-year level.

192 (i) Deliver the programs and services in providing
193 associate and baccalaureate degrees in a cost-effective manner
194 that demonstrates substantial savings to the student and to the
195 state over the cost of providing the degree at a state
196 university.

197 (4) (a) The institutions participating in the pilot project
198 shall collaborate with the Florida College System Task Force to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

199 make recommendations to the State Board of Education, the
_00 President of the Senate, and the Speaker of the House of
201 Representatives on specific issues that should be addressed in
202 the transition of a community college to a state college. Any
203 recommendations of the institutions participating in the pilot
204 project require approval by three-fourths of the participating

205

206

207

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7081 : Affordable Health Coverage

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley		X			
Aaron Bean	X				
Dorothy Bendross-Mindingall		X			
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg		X			
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack		X			
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz	X				
Carlos Lopez-Cantera			X		
Stan Mayfield	X				
Matthew Meadows		X			
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson		X			
Dennis Ross	X				
Ron Saunders		X			
John Seiler		X			
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 23		Total Nays: 8			

Appearances:

Not Called / Information only
 MARY BETH SENKEWICZ (Lobbyist) (State Employee) - Information Only
 OFFICE OF INSURANCE REGULATION
 200 EAST GAINES STREET
 TALLAHASSEE FL 32399
 Phone: 850-413-5069

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (01)

Bill No. HB 7081

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: Policy and Budget Council
 2 Representative(s) Hukill offered the following:

Amendment (with title amendment)

Between line(s) 857 and 858, insert:

6 10. Develop a plan, in coordination with the Department of
 7 Revenue, to establish tax credits or refunds for employers that
 8 participate in the program. The corporation shall submit the
 9 plan to the Governor, President of the Senate, and Speaker of
 10 the Florida House of Representatives no later than January 1,
 11 2009.

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

Remove line(s) 80 and insert:

16 corporation; requiring the corporation to coordinate with
 17 the Department of Revenue to develop a plan by January 1,
 18 2009 for creating tax exemptions or refunds for
 19 participating in the program; requiring the corporation to
 20 submit an annual

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

. AMENDED

HB 7083 : Health Care

Favorable with Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown			X		
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner	X				
Dorothy Hukill	X				
Will Kendrick	X				
Dick Kravitz			X		
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross				X	
Ron Saunders	X				
John Seller	X				
Priscilla Taylor	X				
Anthony Traviesa			X		
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford			X		
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 29		Total Nays: 0			

Appearances:

DREW SMITH (Lobbyist) - Proponent
 NATIONAL PRIVATE DUTY ASSOCIATION
 200 SOUTH MONROE STREET
 TALLAHASSEE FL 32301
 Phone: 850-222-2595

Committee meeting was reported out: Friday, April 11, 2008 9:42:26AM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

JIM HAMPTON (State Employee) - Information Only

AGENCY FOR HEALTH CARE ADMINISTRATION

2727 MAHAN DRIVE

TALLAHASSEE FL 32308

Phone: 850-414-8113

AMENDED

Committee meeting was reported out: Friday, April 11, 2008 9:42:26AM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. **7083**

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: Policy & Budget
2 Representative(s) Seiler offered the following:

Amendment (with title amendment)

Between lines 83 and 84, insert:

Section 1. Paragraph (e) of subsection (5) of section 400.147, Florida Statutes, is amended to read:

400.147 Internal risk management and quality assurance program.--

(5) For purposes of reporting to the agency under this section, the term "adverse incident" means:

(e) An event that is reported to a law enforcement agency regarding a resident, other than for transportation.

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

Remove line 2 and insert:

An act relating to health care; amending s. 400.147, F.S.;
revising the definition of adverse incident; amending s.
400.462, F.S.;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

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

Bill No. 7083

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: Policy & Budget
2 Representative(s) Zapata offered the following:
3

4 **Amendment**

5 Remove line 483 and insert:
6 qualifications. In the event of a change of ownership involving
7 a skilled nursing facility licensed under chapter 400, part II,
8 liability for all outstanding overpayments, administrative
9 finances, and any moneys owed to the agency prior to the effective
10 date of the change of ownership shall be determined in
11 accordance with the provisions of s. 400.179. In the event of a
12 change of ownership for all other Medicaid providers, the
13 transferor
14

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. 7083

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget
2 Representative(s) Zapata offered the following:
3

4 **Amendment**

5 Remove line 501 and insert:

6 agency for the recovery of moneys owed to the Medicaid program.
7 In the event of a change of ownership involving a skilled
8 nursing facility licensed under chapter 400, part II, liability
9 for all outstanding overpayments, administrative fines, and any
10 moneys owed to the agency prior to the effective date of the
11 change of ownership shall be determined in accordance with the
12 provisions of s. 400.179, if the Medicaid provider enrollment
13 application for change of ownership is submitted prior to the
14 change of ownership.
15

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. 7083

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: Policy & Budget

2 Representative(s) Zapata offered the following:

3
4 **Amendment**

5 Delete lines 705-706 and insert:

6 d. The physician's office must maintain inventory records
7 of stored nebulizers, including documentation of the durable
8 medical equipment provider source.

9 e. Physicians contracted with a Medicaid durable medical
10 equipment provider must not have a financial relationship with
11 or receive any financial gain from the delivery of nebulizers to
12 patients.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

Bill No. 7083

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

Refer to SA to A5

1 Council/Committee hearing bill: Policy & Budget
2 Representative(s) Zapata offered the following:
3

4 **Amendment**

5 Delete lines 707-723 and insert:

6 4. Providers must have a physical business location and a
7 functional landline business phone. The location shall be within
8 the state of Florida or no more than fifty miles from the
9 Florida state line. The agency may make exceptions for providers
10 of durable medical equipment or supplies not otherwise available
11 from other enrolled providers located within the state.

12 5. Physical business locations must be clearly identified
13 as a business that furnishes durable medical equipment or
14 medical supplies by signage which can be read from 20 feet away.
15 The location must be readily accessible to the public during
16 normal, scheduled, posted business hours and must operate no
17 less than five hours per day and no less than five days per
18 week, with the exception of scheduled and posted holidays. The
19 location shall not be located within or at the same numbered
20 street address as another enrolled Medicaid durable medical
21 equipment or medical supply provider or as an enrolled Medicaid

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

22 pharmacy that is also enrolled as a durable medical equipment
23 provider. A licensed orthotist or prothetist that provides only
24 orthotic or prosthetic devices as a Medicaid durable medical
25 equipment provider is exempt from the provisions in this
26 paragraph.
27

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 7083

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 — (Y/N)

SA to A5

Temporarily Postponed

Council/Committee hearing bill: Policy and Budget Council
 Representative(s) Zapata offered the following:

Substitute Amendment for Amendment 5 by Representative Zapata

Remove line(s) 707-737 and insert:

4. Providers must have a physical business location and a functional landline business phone. The location shall be within the state of Florida or no more than fifty miles from the Florida state line. The agency may make exceptions for providers of durable medical equipment or supplies not otherwise available from other enrolled providers located within the state.

5. Physical business locations must be clearly identified as a business that furnishes durable medical equipment or medical supplies by signage which can be read from 20 feet away. The location must be readily accessible to the public during normal, scheduled, posted business hours and must operate no less than five hours per day and no less than five days per week, with the exception of scheduled and posted holidays. The location shall not be located within or at the same numbered street address as another enrolled Medicaid durable medical equipment or medical supply provider or as an enrolled Medicaid

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 pharmacy that is also enrolled as a durable medical equipment
24 provider. A licensed orthotist or prothetist that provides only
25 orthotic or prosthetic devices as a Medicaid durable medical
26 equipment provider is exempt from the provisions in this
27 paragraph.

28 6. Providers must provide a surety bond of \$50,000 for each
29 provider location, up to a maximum of five bonds statewide or an
30 aggregate bond of \$250,000 statewide, as identified by Federal
31 Employer Identification Number. Providers who post a statewide
32 or an aggregate bond must identify all of their locations in any
33 Medicaid durable medical equipment and medical supply provider
34 enrollment application or bond renewal. Each provider location's
35 surety bond must be renewed annually, and the provider must
36 submit proof of renewal even if the original bond is a
37 continuous bond. A licensed orthotist or prothetist that
38 provides only orthotic or prosthetic devices as a Medicaid
39 durable medical equipment provider is exempt from the provisions
40 in this paragraph.

41
42
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45

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6 (for drafter's use only)

Bill No. 7083

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: Policy and Budget Council
2 Representative(s) Zapata offered the following:
3

4 **Amendment**

5 Remove line(s) 755-757.

6 **Body Amendment Text**

7
8
9
10
11

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (07)

Bill No. 7083

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget Council

2 Representative Troutman offered the following:

3

4 **Amendment (with title amendment)**

5 Remove line 330 and insert:

6 (c) A home health agency that does not provide skilled
 7 care or provides only physical,

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

9 Remove line 36 and insert:

10 agency that does not provide skilled care or provides only
 11 physical, occupational, or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (08)

Bill No. 7083

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Policy & Budget Council

2 Representative Troutman offered the following:

3

4 **Amendment**

5 Remove line 195 and insert:

6 that is located within 10 miles of the applicant and is in the

7 same county. The agency

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

HB 7085 : Mental Health and Substance Abuse

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley	X				
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack	X				
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick				X	
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield				X	
Matthew Meadows	X				
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson	X				
Dennis Ross	X				
Ron Saunders	X				
John Seiler	X				
Priscilla Taylor	X				
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana	X				
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 31		Total Nays: 0			

Appearances:

BILL JAMES (Lobbyist) (State Employee) - Proponent
 DEPARTMENT OF CHILDREN & FAMILIES
 TALLAHASSEE FL 32399
 Phone: 850-414-9064

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

MENTAL HEALTH

SECRETARY BOB BUTTERWORTH (Lobbyist) (State Employee) - Proponent

DEPARTMENT OF CHILDREN & FAMILIES

TALLAHASSEE FL 32399

Phone: 850-487-1111

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM

COUNCIL MEETING REPORT

Policy & Budget Council

4/10/2008 12:30:00PM

Location: 212 Knott Building

PCB PBC 08-11 : Property Tax Administration

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Kevin Ambler	X				
Frank Attkisson	X				
Loranne Ausley			X		
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Ellyn Setnor Bogdanoff	X				
Marsha Bowen	X				
Mary Brandenburg	X				
Donald Brown	X				
Dean Cannon	X				
Joyce Cusack		X			
Bill Galvano				X	
Michael Grant	X				
Adam Hasner				X	
Dorothy Hukill	X				
Will Kendrick			X		
Dick Kravitz	X				
Carlos Lopez-Cantera	X				
Stan Mayfield	X				
Matthew Meadows		X			
Joe Pickens	X				
Ron Reagan	X				
Curtis Richardson	X				
David Rivera	X				
Yolly Roberson		X			
Dennis Ross	X				
Ron Saunders	X				
John Seiler		X			
Priscilla Taylor		X			
Anthony Traviesa	X				
Baxter Troutman	X				
Shelley Vana		X			
Will Weatherford	X				
Juan Zapata	X				
Ray Sansom (Chair)	X				
Total Yeas: 25		Total Nays: 6			

Committee meeting was reported out: Thursday, April 10, 2008 6:57:12PM