



Finance & Tax Council

Wednesday, February 17, 2010
1:30 PM
404 HOB

Action Packet

Larry Cretul
Speaker

Ellyn Setnor Bogdanoff
Chair

COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

Summary:

Finance & Tax Council

Wednesday February 17, 2010 01:30 pm

HJR 313	Favorable	Yeas: 15	Nays: 0
CS/HB 399	Favorable	Yeas: 14	Nays: 0
HB 7005	Favorable	Yeas: 14	Nays: 0
HB 7033	Favorable With Council Substitute	Yeas: 16	Nays: 0
PCB FTC 10-01	Favorable With Amendments (2)	Yeas: 13	Nays: 1

Committee meeting was reported out: Wednesday, February 17, 2010 5:10:55PM

COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ellyn Setnor Bogdanoff (Chair)	X		
Joseph Abruzzo	X		
Gary Aubuchon	X		
Mackenson Bernard	X		
Chris Dorworth	X		
Keith Fitzgerald	X		
Erik Fresen	X		
Doug Holder	X		
Kurt Kelly	X		
H. Marlene O'Toole	X		
Ron Schultz	X		
William Snyder	X		
Perry Thurston	X		
John Tobia	X		
James Waldman	X		
Michael Weinstein	X		
Totals:	16	0	0

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COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

HJR 313 : Disabled Veterans' Property Tax Discount

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Gary Aubuchon	X				
Mackenson Bernard	X				
Chris Dorworth			X		
Keith Fitzgerald	X				
Erik Fresen	X				
Doug Holder	X				
Kurt Kelly	X				
H. Marlene O'Toole	X				
Ron Schultz	X				
William Snyder	X				
Perry Thurston	X				
John Tobia	X				
James Waldman	X				
Michael Weinstein	X				
Ellyn Setnor Bogdanoff (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Lee F. Kichen - Proponent
Veterans of Foreign Wars
4234 Cascade Falls
Sarasota FL 34243
Phone: (941) 780-3223

James D. Reichenback (Lobbyist) - Proponent
ABATE of Florida, Inc.
P. O. Box 712
Silver Springs FL 34489
Phone: (352) 625-6353

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COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

CS/HB 399 : Motor Vehicles

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Gary Aubuchon	X				
Mackenson Bernard	X				
Chris Dorworth			X		
Keith Fitzgerald	X				
Erik Fresen	X				
Doug Holder	X				
Kurt Kelly	X				
H. Marlene O'Toole	X				
Ron Schultz	X				
William Snyder	X				
Perry Thurston	X				
John Tobia				X	
James Waldman	X				
Michael Weinstein	X				
Ellyn Setnor Bogdanoff (Chair)	X				
Total Yeas: 14		Total Nays: 0			

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COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

HB 7005 : Renewable Energy Property Tax Exemption

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Joseph Abruzzo	X				
Gary Aubuchon	X				
Mackenson Bernard	X				
Chris Dorworth			X		
Keith Fitzgerald	X				
Erik Fresen			X		
Doug Holder	X				
Kurt Kelly	X				
H. Marlene O'Toole	X				
Ron Schultz	X				
William Snyder	X				
Perry Thurston	X				
John Tobia	X				
James Waldman	X				
Michael Weinstein	X				
Ellyn Setnor Bogdanoff (Chair)	X				
Total Yeas: 14		Total Nays: 0			

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COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

HB 7033 : Unemployment Compensation

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Gary Aubuchon	X				
Mackenson Bernard	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Erik Fresen	X				
Doug Holder	X				
Kurt Kelly	X				
H. Marlene O'Toole	X				
Ron Schultz	X				
William Snyder	X				
Perry Thurston	X				
John Tobia	X				
James Waldman	X				
Michael Weinstein	X				
Ellyn Setnor Bogdanoff (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

Samantha Hunter Padgett (Lobbyist) - Proponent
Florida Retail Federation
227 S. Adams Street
Tallahassee FL 32301
Phone: (850) 222-4082

Committee meeting was reported out: Wednesday, February 17, 2010 5:10:55PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7033 (2010)

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Finance & Tax Council

2 Representative(s) Carroll and Murzin offered the following:

3
4 **Amendment**

5 Remove lines 390-393 and insert:

6 employment during a calendar year as described in s.

7 443.1217(2). For the purposes of the employer rate calculation

8 that will take effect January 1, 2012, and January 1, 2013, the

9 tax collection service

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7033 (2010)

Amendment No. 2

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: Finance & Tax Council
2 Representative(s) Carroll and Murzin offered the following:

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

5 Remove lines 443-447 and insert:

6 assessment is not received on or before June 30. Paragraphs (d)
7 and (e) of s. 443.141(1) do not apply to this separately
8 collected assessment. The tax collection service provider shall
9 maintain those funds in the tax collection service provider's
10 Audit and Warrant Clearing Trust Fund until the provider is
11 directed by the Governor or the Governor's designee to make the
12 interest payment to the Federal Government. Assessments on
13 deposit may be invested and any interest earned shall be part of
14 the balance available to pay the interest on advances received
15 from the Federal Government under the provisions of 42 U.S.C. s.
16 1321. In the calendar year that all advances from the Federal
17 Government under 42 U.S.C. s. 1321 and associated interest is
18 repaid, if there are assessment funds in excess of the amount
19 required to meet the final interest payment, any such excess

Amendment No. 2

20 assessed funds shall be credited to employer accounts in the
21 Unemployment Compensation Trust Fund in an amount equal to the
22 employer's contribution to the assessment for that year divided
23 by the total amount of the assessment for that year, the result
24 of which is multiplied by the amount of excess assessed funds.
25 However, if the state is

26
27

28 -----

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

30 Remove line 26 and insert:
31 interest collected until payment is directed; providing for
32 credit of excess interest funds collected; providing

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7033 (2010)

Amendment No. 3

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: Finance & Tax Council
2 Representative(s) Carroll and Murzin offered the following:

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

5 Remove lines 478-552 and insert:

6 (d) Payments for 2010 Contributions.- For an annual
7 administrative fee not to exceed \$5.00, a contributing employer
8 may pay its quarterly contributions due for wages paid in the
9 first three quarters of 2010 in equal installments if those
10 contributions are paid as follows:

11 1. For contributions due for wages paid in the first
12 quarter of 2010, one-fourth of the contributions due must be
13 paid on or before April 30, 2010, one-fourth must be paid on or
14 before July 31, 2010, one-fourth must be paid on or before
15 October 31, 2010, and the remaining one-fourth must be paid on
16 or before December 31, 2010.

17 2. In addition to the payments specified in subparagraph
18 1., for contributions due for wages paid in the second quarter
19 of 2010, one-third of the contributions due must be paid on or

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7033 (2010)

Amendment No. 3

20 before July 31, 2010, one-third must be paid on or before
21 October 31, 2010, and the remaining one-third must be paid on or
22 before December 31, 2010.

23 3. In addition to the payments specified in subparagraphs
24 1. and 2., for contributions due for wages paid in the third
25 quarter of 2010, one-half of the contributions due must be paid
26 on or before October 31, 2010, and the remaining one-half must
27 be paid on or before December 31, 2010.

28 4. The annual administrative fee not to exceed \$5.00 for
29 the election to pay under the installment method shall be
30 collected at the time the employer makes the first installment
31 payment. The \$5.00 fee shall be segregated from the payment and
32 shall be deposited in the Operating Trust Fund within the
33 Department of Revenue.

34 5. Interest does not accrue on any contribution that
35 becomes due for wages paid in the first three quarters of 2010
36 if the employer pays the contribution in accordance with
37 subparagraphs 1.-4. Interest and fees continue to accrue on
38 prior delinquent contributions and commence accruing on all
39 contributions due for wages paid in the first three quarters of
40 2010 which are not paid in accordance with subparagraphs 1.-3.
41 Penalties may be assessed in accordance with this chapter. The
42 contributions due for wages paid in the fourth quarter of 2010
43 are not affected by this paragraph and are due and payable in
44 accordance with this chapter.

45 (e) Payments for 2011 Contributions.--For an annual
46 administrative fee not to exceed \$5.00, a contributing employer
47 may pay its quarterly contributions due for wages paid in the

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7033 (2010)

Amendment No. 3

48 first three quarters of 2011 in equal installments provided
49 those contributions are paid as follows:

50 1. For contributions due for wages paid in the first
51 quarter of 2011, one-fourth of the contributions due must be
52 paid on or before April 30, 2011, one-fourth must be paid on or
53 before July 31, 2011, one-fourth must be paid on or before
54 October 31, 2011, and the remaining one-fourth must be paid on
55 or before December 31, 2011.

56 2. In addition to the payments specified in subparagraph
57 1., for contributions due for wages paid in the second quarter
58 of 2011, one-third of the contributions due must be paid on or
59 before July 31, 2011, one-third must be paid on or before
60 October 31, 2011, and the remaining one-third must be paid on or
61 before December 31, 2011.

62 3. In addition to the payments specified in subparagraphs
63 1. and 2., for contributions due for wages paid in the third
64 quarter of 2011, one-half of the contributions due must be paid
65 on or before October 31, 2011, and the remaining one-half must
66 be paid on or before December 31, 2011.

67 4. The annual administrative fee not to exceed \$5.00 for
68 the election to pay under the installment method shall be
69 collected at the time the employer makes the first installment
70 payment. The \$5.00 fee shall be segregated from the payment and
71 shall be deposited in the Operating Trust Fund within the
72 Department of Revenue.

73 5. Interest does not accrue on any contribution that
74 becomes due for wages paid in the first three quarters of 2011
75 if the employer pays the contribution in accordance with

Amendment No. 3

76 subparagraphs 1.-4. Interest and fees continue to accrue on
77 prior delinquent contributions and commence accruing on all
78 contributions due for wages paid in the first three quarters of
79 2011 which are not paid in accordance with subparagraphs 1.-3.
80 Penalties may be assessed in accordance with this chapter. The
81 contributions due for wages paid in the fourth quarter of 2011
82 are not affected by this paragraph and are due and payable in
83 accordance with this chapter.

84 Section 6. For Fiscal Year 2009-2010, the sum of \$903,642
85 in nonrecurring funds is appropriated from the Operating Trust
86 Fund to the Administration of Unemployment Compensation Tax
87 Special Category in the Department of Revenue to be used to
88 implement the provisions of this act. In addition, for Fiscal
89 Year 2009-2010, the sum of \$643,862 in nonrecurring funds is
90 appropriated from the Employment Security Administration Trust
91 Fund in the contracted services appropriation category to the
92 Agency for Workforce Innovation to be used to contract with the
93 Department of Revenue for tax-related services as required to
94 implement the provisions of this act.

95
96
97 -----
98 **T I T L E A M E N D M E N T**

99 Remove line 35 and insert:

100 wages; requiring employer to pay a fee of up to \$5.00 to
101 participate in the new schedule; providing for penalties,
102 interest, and fees on

COUNCIL MEETING REPORT

Finance & Tax Council

2/17/2010 1:30:00PM

Location: 404 HOB

AMENDED

PCB FTC 10-01 : Deleting obsolete provisions of the Florida Statutes

Favorable With Amendments (2)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Joseph Abruzzo	X				
Gary Aubuchon	X				
Mackenson Bernard	X				
Chris Dorworth			X		
Keith Fitzgerald	X				
Erik Fresen	X				
Doug Holder	X				
Kurt Kelly	X				
H. Marlene O'Toole		X			
Ron Schultz			X		
William Snyder	X				
Perry Thurston	X				
John Tobia	X				
James Waldman	X				
Michael Weinstein	X				
Ellyn Setnor Bogdanoff (Chair)	X				
Total Yeas: 13		Total Nays: 1			

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Amendment No. 1

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

1 Council/Committee hearing PCB: Finance and Tax
2 Representative(s) Waldman offered the following:

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

5 Remove lines 19-82
6
7
8

9 -----
10 **T I T L E A M E N D M E N T**

11 Remove lines 7-10 and insert:

12 tax exemptions or deductions; annual report;

Amendment No. 2

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 PCB: Finance & Tax Council
2 Representative(s) Waldman offered the following:

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

5 Remove line 17 and insert:
6 Sections 195.095 and 213.054,

7
8
9 -----
10 **T I T L E A M E N D M E N T**

11 Remove lines 4-5 and insert:
12 approved bidder list; standard contracts;