



State Affairs Committee

Thursday, April 7, 2011

8:00 AM

Morris Hall (17 HOB)

Action Packet

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

Summary:

State Affairs Committee

Thursday April 07, 2011 08:00 am

CS/HJR 1	Favorable	Yeas: 13	Nays: 5
CS/HB 121	Favorable With Committee Substitute	Yeas: 15	Nays: 0
CS/HB 125	Favorable	Yeas: 16	Nays: 0
CS/HB 227	Favorable	Yeas: 17	Nays: 0
HB 229	Favorable	Yeas: 15	Nays: 0
CS/HB 231	Favorable	Yeas: 16	Nays: 0
CS/HB 293	Favorable With Committee Substitute	Yeas: 16	Nays: 0
CS/HB 389	Favorable With Committee Substitute	Yeas: 15	Nays: 0
CS/CS/HB 457	Favorable With Committee Substitute	Yeas: 14	Nays: 3
CS/HB 579	Favorable	Yeas: 17	Nays: 0
HB 597	Favorable	Yeas: 18	Nays: 0
CS/HB 613	Favorable	Yeas: 15	Nays: 2
CS/HB 663	Favorable	Yeas: 17	Nays: 0
CS/HB 667	Favorable	Yeas: 18	Nays: 0
CS/HB 677	Favorable	Yeas: 17	Nays: 0
CS/HB 869	Favorable	Yeas: 18	Nays: 0
CS/HB 965	Favorable	Yeas: 12	Nays: 3
HB 1027	Favorable	Yeas: 17	Nays: 0
HB 1311	Favorable	Yeas: 16	Nays: 1
HB 4075	Favorable	Yeas: 18	Nays: 0

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7155	Favorable	Yeas: 17	Nays: 0
HB 7187	Favorable	Yeas: 18	Nays: 0
HB 7191	Favorable	Yeas: 18	Nays: 0
HB 7211	Favorable With Committee Substitute	Yeas: 17	Nays: 0
HB 7223	Favorable With Committee Substitute	Yeas: 18	Nays: 0
HB 7225	Temporarily Deferred		
HB 7229	Favorable With Committee Substitute	Yeas: 18	Nays: 0
PCS for HB 1261	Favorable	Yeas: 11	Nays: 5

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Seth McKeel (Chair)	X		
Leonard Bembry	X		
Rachel V. Burgin	X		
Matthew Caldwell	X		
Jeff Clemens	X		
Steve Crisafulli	X		
Clay Ford	X		
Luis Garcia, Jr.	X		
Paige Kreegel	X		
Rick Kriseman	X		
Debbie Mayfield	X		
Jimmy Patronis	X		
W. Keith Perry	X		
Scott Plakon	X		
Elizabeth Porter	X		
Dwayne Taylor	X		
Alan Williams	X		
Trudi Williams	X		
Totals:	18	0	0

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HJR 1 : Health Care Freedom

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens		X			
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.		X			
Paige Kreegel	X				
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor		X			
Alan Williams		X			
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 13		Total Nays: 5			

Appearances:

Health Care Services

Karen Cyphers, Policy Director (Lobbyist) - Proponent

Florida Medical Association

123 S Adams St

Tallahassee FL 32301

Phone: (850)224-6496

Health Care Services

Beatriz Macia, Board Member, State Committee Director - Waive In Support

Tallahassee Tea Party

2632 Bedford Way

Tallahassee FL 32308

Phone: 850-385-7549

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 121 : Pub. Rec./Donor Information/Performing Arts Centers

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell			X		
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel				X	
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Pub. Rec./Donor Information/Performing Arts Centers

Cassini, Marty (Lobbyist) - Waive In Support

JM Family

1815 Cordoba Rd. Suite 203

Fort Lauderdale FL 33316

Phone: 954-895-5325

Pub. Rec./Donor Information/Performing Arts Centers

Candice Ericks (Lobbyist) - Waive In Support

Broward Center for the Performing Arts

205 South Adams Street

Tallahassee FL 32301

Phone: (850)224-0880

Pub. Rec./Donor Information/Performing Arts Centers

Ron Richmond - Waive In Support

Historic Capitol

1394 Millstream Rd.

Tallahassee FL 32312

Phone: 850-545-5964

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 121 (2011)

Amendment No.

19 is confidential and exempt from s. 119.07(1), Florida Statutes,
20 and s. 24(a), Article I of the State Constitution.

21 (3) This section is subject to the Open Government Sunset
22 Review Act in accordance with s. 119.15, Florida Statutes, and
23 shall stand repealed on October 2, 2016, unless reviewed and
24 saved from repeal through reenactment by the Legislature.

25 Section 2. Subsection (7) is added to section 272.136,
26 Florida Statutes, to read:

27 272.136 Direct-support organization.—The Legislative
28 Research Center and Museum at the Historic Capitol and the
29 Capitol Curator may establish a direct-support organization to
30 provide assistance and promotional support through fundraising
31 for the Florida Historic Capitol and the Legislative Research
32 Center and Museum, including, but not limited to, their
33 educational programs and initiatives.

34 (7)(a) The identity of a donor or prospective donor to the
35 direct-support organization who desires to remain anonymous and
36 all information identifying such donor or prospective donor is
37 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
38 of the State Constitution. Such anonymity shall be maintained in
39 any auditor's report created pursuant to the annual financial
40 audits required under subsection (5).

41 (b) This subsection is subject to the Open Government
42 Sunset Review Act in accordance with s. 119.15 and shall stand
43 repealed on October 2, 2016, unless reviewed and saved from
44 repeal through reenactment by the Legislature.

45 Section 3. The Legislature finds that it is a public
46 necessity that information that would identify the name,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 121 (2011)

Amendment No.

47 address, or telephone number of a donor or prospective donor of
48 a donation made for the benefit of a publicly owned performing
49 arts center be made confidential and exempt from public-records
50 requirements if such donor or prospective donor desires to
51 remain anonymous. The Legislature further finds that it is a
52 public necessity that information identifying a donor or
53 prospective donor to the direct-support organization for the
54 Florida Historic Capitol and the Legislative Research Center and
55 Museum be made confidential and exempt from public-records
56 requirements if such donor or prospective donor desires to
57 remain anonymous. In order to encourage private support for
58 publicly owned performing arts centers and the direct-support
59 organization, it is a public necessity to promote the giving of
60 gifts to, and the raising of private funds for, the acquisition,
61 renovation, rehabilitation, and operation of publicly owned
62 performing arts centers and the programming and preservation of
63 the Florida Historic Capitol and the Legislative Research Center
64 and Museum. An essential element of an effective plan for
65 promoting the giving of private gifts and the raising of private
66 funds is the need to protect the identity of prospective and
67 actual donors who desire to remain anonymous. If the identity of
68 prospective and actual donors who desire to remain anonymous is
69 subject to disclosure, there is a chilling effect on donations
70 because donors are concerned about disclosure of personal
71 information leading to theft and, in particular, identity theft,
72 including personal safety and security. Therefore, the
73 Legislature finds that it is a public necessity to make
74 confidential and exempt from public-records requirements

Amendment No.

75 information that would identify a donor or prospective donor of
76 a donation made for the benefit of a publicly owned performing
77 arts center or a donor or prospective donor to the direct-
78 support organization for the Florida Historic Capitol and the
79 Legislative Research Center and Museum if such donor or
80 prospective donor wishes to remain anonymous.

81 Section 4. This act shall take effect October 1, 2011.

82
83 -----
84 **T I T L E A M E N D M E N T**

85 Remove the entire title and insert:

86 A bill to be entitled

87 An act relating to public records; defining the term
88 "publicly owned performing arts center"; creating an
89 exemption from public-records requirements for information
90 that identifies a donor or prospective donor of a donation
91 made for the benefit of a publicly owned performing arts
92 center if the donor desires to remain anonymous; providing
93 for future legislative review and repeal of the exemption
94 under the Open Government Sunset Review Act; amending s.
95 272.136, F.S.; creating an exemption from public-records
96 requirements for information identifying a donor or
97 prospective donor to the direct-support organization of
98 the Legislative Research Center and Museum at the Historic
99 Capitol; providing for future legislative review and
100 repeal of the exemption under the Open Government Sunset
101 Review Act; providing a statement of public necessity;
102 providing an effective date.

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 125 : Animal Cruelty

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembrly	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford			X		
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

Animal Cruelty

Lasher, Denise (Lobbyist) - Waive In Support

Best Friends Animal Society

17513 Mallard

Lutz IL 62234

Phone: (813)240-4567

Animal Cruelty

Ann Church, SR Director, Gov. ASPCA (Lobbyist) - Waive In Support

ASPCA

Lawton St.

Mchean VA 22101

Phone: 703-848-1867

Animal Cruelty

Hobgood, Jennifer - Waive In Support

Humane Society of the United States, The

1624 Metropolitan Cir Ste B

Tallahassee FL 32308

Phone: (850)386-3435

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 227 : Federal Write-in Absentee Ballot

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams			X		
Seth McKeel (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

Voting Methods and Procedure

Michael Ertel, Supervisor - Information Only

Seminole County Supervisor of Elections

1500 E. Airport Blvd. P O Box 1479

Sanford FL 32771

Phone: 407-708-7700

Voting Methods and Procedure

Brodie, James (Lobbyist) (State Employee) - Waive In Support

Department of Veterans' Affairs

4040 Esplanade Way Ste 152

Tallahassee FL 32399-0950

Phone: (850)487-1533

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 229 : City of Tampa, Hillsborough County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel			X		
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams			X		
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 231 : City Pension Fund for Firefighters and Police Officers in the City of Tampa,
Hillsborough County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel			X		
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

City Pension Fund for Firefighters and Police Officers in teh City of Tampa County

PJ Gray, Chairman - Waive In Support

3001 N. Blvd.

Tampa FL 33603

Phone: 813-309-0477

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 293 : Vessels

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford			X		
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 16		Total Nays: 0			

Appearances:

Vessels

Farrar, Matthew (Lobbyist) - Waive In Support
Marine Industries Association of Florida
2910 Kerry Forst Pkwy D4-368
Tallahassee FL 32309
Phone: (850)832-1763

Vessels

Colonel Jim Brown (Lobbyist) (State Employee) - Waive In Support
Florida Fish and Wildlife Conservation Commission
620 S Meridian St
Tallahassee FL 32399
Phone: (850)488-6251

Vessels

Martene Famlen (Lobbyist) - Waive In Support
Diving Equipment and Marketing Association
2618 Centennial Place
Tallahassee FL 32308
Phone: 850-222-0720

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 293 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Harrell offered the following:

3

4 **Amendment**

5 Remove line 77 and insert:

6 a. For a first offense, up to a maximum of \$250.

Amendment 1

Amendment No. 2

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Harrell offered the following:

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

5 Between lines 40 and 41, insert:

6 Section 2. Subsection (6) of section 327.395, Florida
7 Statutes, is amended to read:

8 327.395 Boating safety identification cards.—

9 (6) A person is exempt from subsection (1) if he or she:

10 (a) Is licensed by the United States Coast Guard to serve
11 as master of a vessel.

12 (b) Operates a vessel only on a private lake or pond.

13 (c) Is accompanied in the vessel by a person who is exempt
14 from this section or who holds an identification card in
15 compliance with this section, is 18 years of age or older, and
16 is attendant to the operation of the vessel and responsible for
17 the safe operation of the vessel and for any violation that
18 occurs during the operation.

19 (d) Is a nonresident who has in his or her possession
Amendment 2

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 293 (2011)

Amendment No. 2

20 proof that he or she has completed a boater education course or
21 equivalency examination in another state which meets or exceeds
22 the requirements of subsection (1).

23 (e) Is operating a vessel within 90 days after the
24 purchase of that vessel and has available for inspection aboard
25 that vessel a bill of sale meeting the requirements of s.
26 328.46(1).

27 (f) Is operating a vessel within 90 days after completing
28 the requirements of paragraph (1)(a) or paragraph (1)(b) and has
29 available for inspection photographic identification and his or
30 her boater education certificate as proof that the course was
31 successfully completed. The boater education certificate must
32 provide, at a minimum, the student's first and last name, the
33 student's date of birth, and the date he or she passed the
34 course examination.

35 (g)~~(f)~~ Is exempted by rule of the commission.

36 Section 3. Subsection (2) of section 327.54, Florida
37 Statutes, is amended to read:

38 327.54 Liveries; safety regulations; penalty.—

39 (2) A livery may not knowingly lease, hire, or rent any
40 vessel powered by a motor of 10 horsepower or greater to any
41 person who is required to comply with s. 327.395, unless such
42 person presents to the livery a valid boater safety
43 identification card or proof of meeting the temporary exemption
44 provided by s. 327.395(6)(f) ~~to the livery.~~

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Amendment 2

Amendment No. 2

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

Remove line 8 and insert:
noncriminal violation; amending s. 327.395, F.S.; providing an
exemption from the requirement that certain persons must possess
a boating safety identification card while operating a motor
vessel of a specified horsepower or greater; amending s. 327.54,
F.S.; requiring liveries to require that a person present a
valid boater safety identification card or provide proof that
the person passed the boating education safety course or
examination; amending s. 327.73, F.S.; providing

Amendment 2

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 389 : Conceptual Permits for Urban Redevelopment Projects

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel				X	
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams				X	
Trudi Williams	X				
Seth McKeel (Chair)	X				
	Total Yeas: 15	Total Nays: 0			

Appearances:

Conceptual Permits for Urban Redevelopment Projects

Peterson, Karen (Lobbyist) - Information Only

Florida Redevelopment Association

306 West College Ave.

Tallahassee FL 32301

Phone: (850)212-7485

Conceptual Permits for Urban Redevelopment Projects

James, Stephen, Legislative Staff Attorney (Lobbyist) - Waive In Support

Florida Association of Counties

100 S Monroe Street

Tallahassee FL 32301

Phone: 850-922-4300

Conceptual Permits for Urban Redevelopment Projects

C. Scott Dudbey, Associate Director, Legislative Affairs (State Employee) - Waive In Support

Florida League of Cities

301 Bronough St.

Tallahassee FL 32301

Phone: 850-222-9604

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

Conceptual Permits for Urban Redevelopment Projects

Colleen Thayer, Legislative Affairs (Lobbyist) - Waive In Support

Southwest Florida Water Management District

6760 Fruitville Rd.

Sarasota FL 34604-6899

Phone: 941-737-3754

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 389 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Glorioso offered the following:

Amendment (with title amendment)

Remove lines 15-50 and insert:

6 Section 1. Section 218.075, Florida Statutes, is amended
7 to read:

8 218.075 Reduction or waiver of permit processing fees.—
9 Notwithstanding any other provision of law, the Department of
10 Environmental Protection and the water management districts
11 shall reduce or waive permit processing fees for counties with a
12 population of 50,000 or fewer ~~less~~ on April 1, 1994, until such
13 counties exceed a population of 75,000 and municipalities with a
14 population of 25,000 or fewer; an entity created by special act,
15 local ordinance, or interlocal agreement of such counties or
16 municipalities; ~~less,~~ or any county or municipality not included
17 within a metropolitan statistical area. Fee reductions or
18 waivers shall be approved on the basis of fiscal hardship or
19 environmental need for a particular project or activity. The

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 389 (2011)

Amendment No. 1

governing body must certify that the cost of the permit processing fee is a fiscal hardship due to one of the following factors:

(1) Per capita taxable value is less than the statewide average for the current fiscal year;

(2) Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;

(3) Any condition specified in s. 218.503(1) which results in the county or municipality being in a state of financial emergency;

(4) Ad valorem operating millage rate for the current fiscal year is greater than 8 mills; or

(5) A financial condition that is documented in annual financial statements at the end of the current fiscal year and indicates an inability to pay the permit processing fee during that fiscal year.

The permit applicant must be the governing body of a county or municipality, ~~or~~ a third party under contract with a county or municipality, or an entity created by special act, local ordinance, or interlocal agreement, and the project for which the fee reduction or waiver is sought must serve a public purpose. If a permit processing fee is reduced, the total fee may ~~shall~~ not exceed \$100.

Section 2. Subsection (6) is added to section 373.118, Florida Statutes, to read:

373.118 General permits; delegation.-

Amendment No. 1

48 (6) By July 1, 2011, the department shall initiate
49 rulemaking to adopt a general permit for stormwater management
50 systems serving airside activities at airports. The general
51 permit applies statewide and shall be administered by any water
52 management district or any delegated local government pursuant
53 to the operating agreements applicable to part IV of this
54 chapter, with no additional rulemaking required. These rules are
55 not subject to any special rulemaking requirements related to
56 small business.

57 Section 3. Section 373.4131, Florida Statutes, is created
58 to read:

59 373.4131 Conceptual permits for urban redevelopment
60 projects.-

61 (1) A municipality or county that has created a community
62 redevelopment area or an urban infill and redevelopment area
63 pursuant to chapter 163 may adopt a stormwater adaptive
64 management plan that addresses the quantity and quality of
65 stormwater discharges for the redevelopment or infill area and
66 may obtain a conceptual permit from the water management
67 district or the Department of Environmental Protection.

68 (2) The conceptual permit established by a water
69 management district in consultation with the department:

70 (a) Must allow for the rate and volume of stormwater
71 discharges for stormwater management systems of urban
72 redevelopment projects located within a community redevelopment
73 area created under part III of chapter 163 or an urban infill
74 and redevelopment area designated under s. 163.2517 to continue
75 up to the maximum rate and volume of stormwater discharges

Amendment No. 1

76 within the area as of the date the stormwater adaptive
77 management plan was adopted.

78 (b) Must presume that stormwater discharges for stormwater
79 management systems of urban redevelopment projects located
80 within a community redevelopment area created under part III of
81 chapter 163 or an urban infill and redevelopment area designated
82 under s. 163.2517 that demonstrate a net improvement of the
83 quality of the discharged water that existed as of the date the
84 stormwater adaptive management plan was adopted for any
85 applicable pollutants of concern in the receiving water body do
86 not cause or contribute to violations of water quality criteria.

87 (c) May not prescribe additional or more stringent
88 limitations concerning the quantity and quality of stormwater
89 discharges from stormwater management systems than provided in
90 this section.

91 (d) Shall be issued for a duration of 20 years, and may be
92 renewed, unless a shorter duration is requested by the
93 applicant.

94
95
96 -----
97 **T I T L E A M E N D M E N T**

98 Remove lines 2-3 and insert:

99 An act relating to environmental permits; amending s.
100 218.075, F.S.; providing for an entity created by special
101 act, local ordinance, or interlocal agreement of a county
102 or municipality to receive certain reduced or waived
103 permit processing fees; requiring that the project for

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 389 (2011)

Amendment No. 1

104 | which such fee reduction or waiver is sought serves a
105 | public purpose; amending s. 373.118, F.S.; requiring that
106 | the Department of Environmental Protection initiate
107 | rulemaking to adopt a general permit for stormwater
108 | management systems serving airside activities at airports;
109 | providing for statewide application of the general permit;
110 | providing for any water management district or delegated
111 | local government to administer the general permit;
112 | providing that the rules are not subject to any special
113 | rulemaking requirements relating to small business;
114 | creating s. 373.4131, F.S.;

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/CS/HB 457 : Fertilizer

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby		X			
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams		X			
Seth McKeel (Chair)	X				
	Total Yeas: 14	Total Nays: 3			

Appearances:

Fertilizer

Dickinson, Fred (Lobbyist) - Waive In Support

City of Sanibel

106 E. College Ave., Ste 1100

Tallahassee FL 32301

Phone: (850)681-1980

Fertilizer

C. Scott Dubbey, Associate Director, Legislative Affairs (Lobbyist) - Waive In Support

Florida League of Cities

301 Bronough St.

Tallahassee FL 32301

Phone: 850-222-9604

Fertilizer

Lauren Facemire, Seniore Policy analyst (Lobbyist) - Waive In Support

Sarasota County

101 N. Monroe St., Suite 900

Tallahassee FL 32301

Phone: (850)222-8611

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

Fertilizer

Green, Carole (Lobbyist) - Waive In Support
City of Bonita Springs
Tallahassee FL 32301
Phone: (850)590-2206

Fertilizer

David Cullen (Lobbyist) - Opponent
Sierra Club
820 E. Call
Tallahassee FL 32301
Phone: (941)323-2404

Fertilizer

Mary Jean Yon (Lobbyist) - Opponent
Audubon of Florida
3324 Charleston Rd.
Tallahassee FL 32309
Phone: 850-519-7859

Fertilizer

Todd Jasko (Lobbyist) - Waive In Support
The Service Master Co.
2900 W. Azeele St., Unite A
Tampa FL 33609
Phone: 813-374-4618

Fertilizer

Stephen James, Legislative Staff Attorney (Lobbyist) - Proponent
FL
100 S Monroe Street
Tallahassee FL
Phone: 850-922-4300

Fertilizer

Spratt, James, Director of Government Affairs (Lobbyist) - Waive In Support
Florida Nursery Growers and Landscape Association
1533 Park Center Dr
Orlando FL 32835
Phone: (407)383-7204

Fertilizer

Jose Gonzalez VP Govt. Affairs (Lobbyist) - Waive In Support
AIF
576 N. Adams
Tallahassee FL 32301
Phone: 850-224-7173

Fertilizer

Sally West, Director, Government affairs (Lobbyist) - Waive In Support
Florida Retail Federation

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Brandes offered the following:

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

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 403.9336, Florida Statutes, is amended
7 to read:

8 403.9336 Legislative findings.—The Legislature finds that
9 the implementation of the Model Ordinance for Florida-Friendly
10 Fertilizer Use on Urban Landscapes 2010 ~~(2008)~~, which was
11 developed by the department in conjunction with the Consumer
12 Fertilizer Task Force, the Department of Agriculture and
13 Consumer Services, and the University of Florida Institute of
14 Food and Agricultural Sciences, will assist in protecting the
15 quality of Florida's surface water and groundwater resources.
16 The Legislature further finds that local conditions, including
17 variations in the types and quality of water bodies, site-
18 specific soils and geology, and urban or rural densities and
19 characteristics, may necessitate the implementation of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

20 additional or more stringent fertilizer management practices at
21 the local government level.

22 Section 2. Section 403.9337, Florida Statutes, is amended
23 to read:

24 403.9337 Model Ordinance for Florida-Friendly Fertilizer
25 Use on Urban Landscapes.—Except as otherwise provided in ss.
26 570.07(41) and 576.181(5):

27 (1) All county and municipal governments are encouraged to
28 adopt and enforce the most recent version of the Model Ordinance
29 for Florida-Friendly Fertilizer Use on Urban Landscapes or an
30 equivalent requirement as a mechanism for protecting local
31 surface and groundwater quality.

32 (2) Unless exempt pursuant to subsection (4)(a), each
33 county and municipal government located within the watershed of
34 a water body or water segment that is listed as impaired by
35 nutrients pursuant to s. 403.067, shall, ~~at a minimum,~~ adopt and
36 enforce the most recent version of the department's Model
37 Ordinance for Florida-Friendly Fertilizer Use on Urban
38 Landscapes.

39 (3) Notwithstanding subsection (2), a county or municipal
40 ~~A local~~ government may adopt fertilizer ordinances that
41 establish standards that are in addition to ~~additional~~ or more
42 stringent ~~standards~~ than the model ordinance if each of the
43 following criteria is ~~are~~ met:

44 (a) The county or municipal ~~local~~ government has
45 ~~demonstrated, as part of~~ a comprehensive program to address
46 multiple nonpoint sources of nutrient pollution which is
47 science-based, and economically and technically feasible, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

48 the additional or more stringent standards that additional or
49 more stringent standards than the model ordinance are necessary
50 in order to adequately address urban fertilizer contributions to
51 nonpoint source nutrient loading to a water body; -

52 (b) The county or municipal local government documents
53 that it has considered all relevant scientific information,
54 including input from the department, ~~the institute~~, the
55 Department of Agriculture and Consumer Services, and the
56 University of Florida Institute of Food and Agricultural
57 Sciences, if provided, on the need for additional or more
58 stringent provisions to address fertilizer use as a contributor
59 to water quality degradation. All documentation must become part
60 of the public record before adoption of the additional or more
61 stringent criteria; and -

62 (c) The county or municipal government reports the
63 adoption of its fertilizer ordinances to the department.

64 (4) (a) ~~(3)~~ This section and the preemption provisions of
65 ss. 570.07(41) and 576.181(5) do not apply to the fertilizer
66 ordinances of a Any county or municipal government that adopted
67 such ordinances before July 1, 2011 its own fertilizer use
68 ordinance before January 1, 2009, is exempt from this section.
69 Ordinances adopted or amended on or after January 1, 2009, must
70 substantively conform to the most recent version of the model
71 fertilizer ordinance and are subject to subsections (1) and (2),
72 as applicable.

73 (b) ~~(4)~~ This section does not apply to the use of
74 fertilizer on farm operations as defined in s. 823.14 or on
75 lands classified as agricultural lands pursuant to s. 193.461.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

76 Section 3. Subsection (16) of section 570.07, Florida
77 Statutes, are amended, present subsection (41) is renumbered as
78 subsection (42), and a new subsection is added to that section,
79 to read:

80 570.07 Department of Agriculture and Consumer Services;
81 functions, powers, and duties.—The department shall have and
82 exercise the following functions, powers, and duties:

83 (16) To enforce the state laws and rules relating to:

84 (a) Fruit and vegetable inspection and grading;

85 (b) Pesticide spray, residue inspection, and removal;

86 (c) Registration, labeling, inspection, and analysis of
87 commercial stock feeds and commercial fertilizers;

88 (d) Classification, inspection, and sale of poultry and
89 eggs;

90 (e) Registration, inspection, and analysis of gasolines
91 and oils;

92 (f) Registration, labeling, inspection, and analysis of
93 pesticides;

94 (g) Registration, labeling, inspection, germination
95 testing, and sale of seeds, both common and certified;

96 (h) Weights, measures, and standards;

97 (i) Foods, as set forth in the Florida Food Safety Act;

98 (j) Inspection and certification of honey;

99 (k) Sale of liquid fuels;

100 (l) Licensing of dealers in agricultural products;

101 (m) Administration and enforcement of all regulatory
102 legislation applying to milk and milk products, ice cream, and
103 frozen desserts;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

104 (n) Recordation and inspection of marks and brands of
105 livestock; and

106 (o) Regulation of fertilizer, including its sale,
107 composition, packaging, labeling, retail and wholesale
108 distribution, and formulation, including nutrient content level
109 and release rates; and

110 (p) ~~(e)~~ All other regulatory laws relating to agriculture.

111

112 In order to ensure uniform health and safety standards, the
113 adoption of standards and fines in the subject areas of
114 paragraphs (a)-(n) is expressly preempted to the state and the
115 department. Any local government enforcing the subject areas of
116 paragraphs (a)-(n) must use the standards and fines set forth in
117 the pertinent statutes or any rules adopted by the department
118 pursuant to those statutes.

119 (41) (a) Except as otherwise provided in paragraph (b) and
120 s. 403.9337(4) (a), the department has exclusive authority to
121 regulate the sale, composition, packaging, labeling, retail and
122 wholesale distribution, and formulation, including nutrient
123 content level and release rates, of fertilizer under chapter
124 576. This subsection expressly preempts such regulation of
125 fertilizer to the state.

126 (b) Each county or municipal government is authorized
127 pursuant to ss. 403.9336 and 403.9337 to enforce the Model
128 Ordinance for Florida-Friendly Fertilizer Use on Urban
129 Landscapes. As provided in s. 403.9337(4) (a), any county or
130 municipal government that adopted its fertilizer ordinances

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 457 (2011)

Amendment No.

131 before July 1, 2011, is authorized to enforce such ordinances
132 within its respective jurisdiction.

133 (42)-(41) Notwithstanding the provisions of s. 287.057(22)
134 that require all agencies to use the online procurement system
135 developed by the Department of Management Services, the
136 department may continue to use its own online system. However,
137 vendors utilizing such system shall be prequalified as meeting
138 mandatory requirements and qualifications and shall remit fees
139 pursuant to s. 287.057(22), and any rules implementing s.
140 287.057.

141 Section 4. Subsection (5) is added to section 576.181,
142 Florida Statutes, to read:

143 576.181 Administration; rules; procedure.-

144 (5) Except as otherwise provided in paragraph (b) and s.
145 403.9337(4)(a), the department has exclusive authority to
146 regulate the sale, composition, packaging, labeling, retail and
147 wholesale distribution, and formulation, including nutrient
148 content level and release rates, of fertilizer. This subsection
149 expressly preempts such regulation of fertilizer to the state.

150 (b) Each county or municipal government is authorized
151 pursuant to ss. 403.9336 and 403.9337 to enforce the Model
152 Ordinance for Florida-Friendly Fertilizer Use on Urban
153 Landscapes. As otherwise provided in s. 403.9337(4)(a), any
154 county or municipal government that adopted its fertilizer
155 ordinances before July 1, 2011, is authorized to enforce such
156 ordinances within its respective jurisdiction.

157 Section 5. This act shall take effect July 1, 2011.
158

Amendment No.

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

Remove the entire title and insert:

A bill to be entitled

An act relating to fertilizer; amending s. 403.9336, F.S.;
correcting the version of the Model Ordinance for Florida-
Friendly Fertilizer Use on Urban Landscape; amending s.
403.9337, F.S.; revising the authority of county and municipal
governments to adopt fertilizer standards that are in addition
to or more stringent than standards of a specified model
ordinance; requiring county and municipal governments to report
the adoption of such standards to the Department of
Environmental Protection; providing for applicability of
specified provisions; amending s. 570.07 and 576.181, F.S.;
requiring the Department of Agriculture and Consumer Services to
regulate the sale, composition, packaging, labeling, retail and
wholesale distribution, and formulation of fertilizer;
preempting such regulation of fertilizer to the state;
authorizing county and municipal governments to enforce the
model ordinance and certain ordinances adopted before a
specified date; providing an effective date.

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 579 : Pub. Rec./Regional Autism Centers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
	Total Yeas: 17	Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 597 : Pub. Rec./Agency Emergency Notification Information

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 613 : Domestic Wastewater Discharged through Ocean Outfalls

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield		X			
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams		X			
Seth McKeel (Chair)	X				
	Total Yeas: 15	Total Nays: 2			

Appearances:

Domestic Wastewater Discharged through Ocean Outfalls

Douglas Yoder, Dep. Director - Waive In Support

Miami-Dade County

3071 SW 38 Ave

Miami FL 33146

Phone: 786-552-8979

Domestic Wastewater Discharged through Ocean Outfalls

Edward Labrador, Legislative Council (Lobbyist) - Waive In Support

Broward County

115 S Andrews Ave, Suite 427

Ft Lauderdale FL 33301

Phone: 954-357-7575

Domestic Wastewater Discharged through Ocean Outfalls

Falmlen, Marlene (Lobbyist) - Waive In Support

Diving Equipment and Marketing Association (DEMA)

2618 Centennial Place

Tallahassee FL 32308

Phone: (850)222-0720

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 663 : State Forests

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
	Total Yeas: 17	Total Nays: 0			

Appearances:

State Forests

Jim Brodie, Director Legislative and Cabinet Affairs (Lobbyist) (State Employee) - Waive In Support
Department of Veterans' Affairs
4040 Esplanade Way Ste 152
Tallahassee FL 32399-0950
Phone: (850)487-1533

State Forests

Justin Hollis, Deputy Legislative Affairs Director/Dept of Ag. (Lobbyist) (State Employee) - Waive In Support
Department of Agriculture
PL-10 402 S. Monroe Street
Tallahassee FL 32399
Phone: (850)488-3022

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 667 : Pub. Rec./Local Government Inspector General

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
	Total Yeas: 18	Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 677 : Pub. Rec./Office of Financial Regulation

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin			X		
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

Pub. Rec./Office of Financial Regulation

Andrea Moreland, Legislative Director (Lobbyist) (State Employee) - Waive In Support

Office of Financial Regulation

200 E Gaines St Ste 118

Tallahassee FL 32399-0370

Phone: (850)410-9601

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 869 : Manatee County Port Authority

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Appearances:

Manatee County Port Authority

Lauren Facemire, Seniore Policy analyst (Lobbyist) - Waive In Support

Manatee County Board of County Commisssoners

101 N. Monroe St., Suite 900

Tallahassee FL 32301

Phone: (850)222-8611

Manatee County Port Authority

Killinger, Lori (Lobbyist) - Waive In Support

Manatee County Port Authority

2600 Centennial Pl.

Tallahassee FL 32308

Phone: (850)222-7502

Manatee County Port Authority

Terry Lewis, Attorney (Lobbyist) - Waive In Support

Manatee County Port Authority

515 M. Flagler

West Palm Beach FL 33401

Phone: 561-714-1135

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 965 : Florida Tax Credit Scholarship Program

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens		X			
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter			X		
Dwayne Taylor			X		
Alan Williams		X			
Trudi Williams			X		
Seth McKeel (Chair)	X				
Total Yeas: 12		Total Nays: 3			

Appearances:

Florida Tax Credit Scholarship Program

Denise Lasher (Lobbyist) - Waive In Support

Step Up for Students

339 S Plant Ave

Lutz FL 33606

Phone: (813)240-4567

Florida Tax Credit Scholarship Program

LaQuinta Demous (Fredericka Chaires) - Proponent

Parent of the Florida Tax Credit Scholarship Student

128 North 14th St.

Quincy FL 32351

Phone: 850-627-0844

Florida Tax Credit Scholarship Program

James Herzog, Associate Director for Education (Lobbyist) - Waive In Support

Florida Catholic Conference

201 W Park Ave

Tallahassee FL 32301

Phone: (850)205-6823

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 965 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) A. Williams offered the following:

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

5 Remove lines 35-45 and insert:

6 allocations in the prior year, or a district school board
7 direct-support organization created pursuant to s.1001.453. An
8 eligible nonprofit scholarship-funding organization or a
9 district school board direct-support organization may request
10 the information for any of the taxes identified in subparagraphs
11 1.-4. but may not make more than one such request for each tax
12 in any 12-month period. The department shall provide such
13 information within 45 days after a request by an eligible
14 nonprofit scholarship-funding organization or a district school
15 board direct-support organization. The information may be used
16 by the eligible nonprofit scholarship-funding organization or
17 only for purposes of notifying the taxpayer of the opportunity
18 to make an eligible contribution to the Florida Tax Credit
19 Scholarship Program under s. 1002.395, or by the the district

Amendment No. 1

20 school board direct-support organization for purposes of
21 notifying the taxpayer of the opportunity to make an eligible
22 contribution to the direct-support organization. This paragraph
23 applies only to

24
25
26 -----
27 **T I T L E A M E N D M E N T**

28 Remove lines 6-11 and insert:

29 scholarship-funding organization or a district school board
30 direct-support organization; providing for application to
31 specified taxes; providing restrictions; amending ss. 220.1875
32 and 624.51055, F.S.; revising provisions relating to the amount
33 of a tax credit allowed for a contribution made to an eligible
34 nonprofit scholarship-funding organization or a school board
35 direct-support organization; amending s. 1002.395,

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 1027 : Pub. Rec./Law Enforcement & Investigatory Personnel & Firefighters

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Appearances:

Pub. Rec./Law Enforcement & Investigatory Personnel & Firefighters

C. Scott Dubbey, Associate Director, Legislative Affairs (Lobbyist) - Waive In Support

Florida League of Cities

301 Bronough St.

Tallahassee FL 32301

Phone: 850-222-4684

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 1311 : Walton County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 16		Total Nays: 1			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 4075 : Dangerous Dogs

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembrly	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Appearances:

Dangerous dogs

Dr. Sondra Brown, Northwood animal-Owner - Waive In Support

Self

N. MLK Blvd.

Tallahassee FL

Phone: 850-385-7387

Dangerous dogs

Lasher, Denise (Lobbyist) - Waive In Support

Best Friends Animal Society

17513 Mallard

Lutz FL

Phone: (813)240-4567

Dangerous Dogs

Margie Menduni (Lobbyist) - Waive In Support

FL Animal Control Ass.

119 S. Monroe

Tallahassee FL 32301

Phone: 850-681-6788

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

Dangerous Dogs

Ann Church, SR Director, Gov. ASPCA (Lobbyist) - Waive In Support
ASPCA

Lawton St.

Mchean VA 22101

Phone: (703)848-1867

Dangerous Dogs

Jennifer Hobgood, Florida State Director - Waive In Support

Humane Society of the United States, The

1624 Metropolitan Cir Ste B

Tallahassee FL 32308

Phone: (850)386-3435

Dangerous Dogs

Jack Cory (Lobbyist) - Waive In Support

Florida Greyhound Association

110 E. College Avenue

Tallahassee FL

Phone: (850)893-0995

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7155 : State Financial Matters

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon			X		
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7187 : Florida Water Resources Act of 1972

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7191 : Forest Development

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7211 : Organization and Standards of the Public Service Commission

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams			X		
Seth McKeel (Chair)	X				
Total Yeas: 17		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) Nehr offered the following:

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

5 Between lines 59 and 60, insert:

6 Section 1. Paragraph (b) of subsection (1) of section
7 20.055, Florida Statutes, is amended to read:

8 (1) For the purposes of this section:

9 (b) "Agency head" means the Governor, a Cabinet officer, a
10 secretary as defined in s. 20.03(5), or an executive director as
11 defined in s. 20.03(6). It also includes ~~the chair of the Public~~
12 ~~Service Commission,~~ the Director of the Office of Insurance
13 Regulation of the Financial Services Commission, the Director of
14 the Office of Financial Regulation of the Financial Services
15 Commission, and the Chief Justice of the State Supreme Court.
16
17
18
19 -----

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No.

20

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

21

Remove line 3 and insert:

22

Public Service Commission; amending s. 20.055, F.S.; relating to

23

agency inspectors general; amending s. 112.324, F.S.;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) Nehr offered the following:

4 **Amendment**

5 Remove lines 149-155 and insert:

6 (1) (a) Neither the Governor, the President of the Senate,
7 the Speaker of the House of Representatives, nor a member of the
8 Public Service Commission Nominating Council may attempt to sway
9 the independent judgment of the commission by bringing pressure
10 to bear upon a commissioner, an applicant to fill a vacancy on
11 the commission, or a commission employee by threat or offer of
12 reward in relation to the nomination, appointment, or
13 confirmation of a commissioner.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No. **3**

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) Nehr offered the following:

3
4 **Amendment**

5 Remove lines 207-222 and insert:

6 commissioners.

7 (3) Each commissioner must annually complete no less than
8 10 hours of continuing professional education directly related
9 to substantive matters within the jurisdiction of the
10 commission.

11 (4) At least once every 12 months, each commissioner and
12 commission employee must receive training, in a form developed
13 by the commission's executive director and general counsel,
14 which addresses the ethical standards of conduct applicable to
15 commissioners and the commission's staff.

16 (5) The chair of the commission shall certify the
17 commission's compliance with the requirements provided in this
18 section, and each commissioner shall certify his or her
19 individual compliance with the continuing professional education

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No.

20 requirements provided in subsection (2). Each certification of
21 compliance shall be provided to the President of the Senate and
22 the Speaker of the House of Representatives.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7211 (2011)

Amendment No.

4

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative(s) Nehr offered the following:

Amendment (with title amendment)

Remove line 508 and insert:

6 ~~commission.~~ The executive director shall serve as the agency
 7 head for the purposes of chapters 110, 112, 216, 282, and 287.
 8 Selection of the executive director shall be subject

11 -----
 12 **T I T L E A M E N D M E N T**

Remove line 40 and insert:

14 payment of moneys, and employment of personnel; establishing the
 15 executive director as the agency head for certain purposes;
 16 amending

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7223 : OGSR/Competitive Solicitations

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

20 agency provides notice of an a decision or intended decision
21 ~~pursuant to s. 120.57(3)(a) or until 30 within 10~~ days after
22 opening the bids, proposals, or final replies bid or proposal
23 opening, whichever is earlier.

24 3.b. If an agency rejects all bids, ~~or~~ proposals, or
25 replies submitted in response to a competitive solicitation an
26 ~~invitation to bid or request for proposals~~ and the agency
27 concurrently provides notice of its intent to reissue the
28 competitive solicitation invitation to bid or request for
29 ~~proposals~~, the rejected bids, ~~or~~ proposals, or replies remain
30 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution until such time as the agency provides notice of an
32 ~~a decision or~~ intended decision pursuant to ~~s. 120.57(3)(a)~~
33 concerning the reissued competitive solicitation invitation to
34 ~~bid or request for proposals~~ or until the agency withdraws the
35 reissued competitive solicitation invitation to bid or request
36 ~~for proposals~~. A bid, proposal, or reply is not exempt for
37 longer than 12 months after the initial agency notice rejecting
38 all bids, proposals, or replies. ~~This sub-subparagraph is~~
39 ~~subject to the Open Government Sunset Review Act in accordance~~
40 ~~with s. 119.15 and shall stand repealed on October 2, 2011,~~
41 ~~unless reviewed and saved from repeal through reenactment by the~~
42 ~~Legislature.~~

43 ~~2.a.~~ A competitive sealed reply in response to an
44 ~~invitation to negotiate, as defined in s. 287.012, is exempt~~
45 ~~from s. 119.07(1) and s. 24(a), Art. I of the State Constitution~~
46 ~~until such time as the agency provides notice of a decision or~~
47 ~~intended decision pursuant to s. 120.57(3)(a) or until 20 days~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

48 ~~after the final competitive sealed replies are all opened,~~
49 ~~whichever occurs earlier.~~

50 ~~b. If an agency rejects all competitive sealed replies in~~
51 ~~response to an invitation to negotiate and concurrently provides~~
52 ~~notice of its intent to reissue the invitation to negotiate and~~
53 ~~reissues the invitation to negotiate within 90 days after the~~
54 ~~notice of intent to reissue the invitation to negotiate, the~~
55 ~~rejected replies remain exempt from s. 119.07(1) and s. 24(a),~~
56 ~~Art. I of the State Constitution until such time as the agency~~
57 ~~provides notice of a decision or intended decision pursuant to~~
58 ~~s. 120.57(3)(a) concerning the reissued invitation to negotiate~~
59 ~~or until the agency withdraws the reissued invitation to~~
60 ~~negotiate. A competitive sealed reply is not exempt for longer~~
61 ~~than 12 months after the initial agency notice rejecting all~~
62 ~~replies.~~

63 ~~4.e.~~ This paragraph ~~subparagraph~~ is subject to the Open
64 Government Sunset Review Act in accordance with s. 119.15 and
65 shall stand repealed on October 2, 2016 ~~2011~~, unless reviewed
66 and saved from repeal through reenactment by the Legislature.

67 Section 2. Subsection (2) of section 286.0113, Florida
68 Statutes, is amended to read:

69 286.0113 General exemptions from public meetings.—

70 (2) (a) For purposes of this subsection:

71 1. "Competitive solicitation" means the process of
72 requesting and receiving sealed bids, proposals, or replies in
73 accordance with the terms of a competitive process, regardless
74 of the method of procurement.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

75 2. "Team" means a group of members established by an
76 agency for the purpose of conducting negotiations as part of a
77 competitive solicitation.

78 (b)1. Any portion of a meeting at which a negotiation with
79 a vendor is conducted pursuant to a competitive solicitation, at
80 which a vendor makes an oral presentation as part of a
81 competitive solicitation, or at which a vendor answers questions
82 as part of a competitive solicitation s. 287.057(1) is exempt
83 from s. 286.011 and s. 24(b), Art. I of the State Constitution.

84 2. Any portion of a team meeting at which negotiation
85 strategies are discussed is exempt from s. 286.011 and s. 24(b),
86 Art. I of the State Constitution.

87 (c)-(b)1. A complete recording shall be made of any portion
88 of an exempt meeting made exempt in paragraph (a). No portion of
89 the exempt meeting may be held off the record.

90 2. The recording of, and any records presented at, the
91 exempt meeting are required under subparagraph 1. is exempt from
92 s. 119.07(1) and s. 24(a), Art. I of the State Constitution
93 until such time as the agency provides notice of an a decision
94 or intended decision pursuant to s. 120.57(3)(a) or until 30 20
95 days after opening the bids, proposals, or final replies the
96 final competitive sealed replies are all opened, whichever
97 occurs earlier.

98 3. If the agency rejects all bids, proposals, or sealed
99 replies and concurrently provides notice of its intent to
100 reissue a competitive solicitation, the recording and any
101 records presented at the exempt meeting remain remains exempt
102 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

103 until such time as the agency provides notice of an a decision
 104 ~~or~~ intended decision ~~pursuant to s. 120.57(3)(a)~~ concerning the
 105 reissued competitive solicitation invitation to negotiate or
 106 until the agency withdraws the reissued competitive solicitation
 107 ~~invitation to negotiate~~. A recording and any records presented
 108 at an exempt meeting are ~~is~~ not exempt for longer than 12 months
 109 after the initial agency notice rejecting all bids, proposals,
 110 or replies.

111 ~~(d)(e)~~ This subsection is subject to the Open Government
 112 Sunset Review Act in accordance with s. 119.15 and shall stand
 113 repealed on October 2, 2016 ~~2011~~, unless reviewed and saved from
 114 repeal through reenactment by the Legislature.

115 Section 3. (1) The Legislature finds that it is a public
 116 necessity that bids, proposals, or replies submitted to an
 117 agency in response to a competitive solicitation be made
 118 temporarily exempt from public records requirements. Such
 119 records shall be made available when the agency provides notice
 120 of an intended decision, or when the agency rejects all bids,
 121 proposals, or replies and ultimately withdraws a reissued
 122 competitive solicitation. Temporarily protecting such
 123 information ensures that the process of responding to a
 124 competitive solicitation remains fair and economical for
 125 vendors, while still preserving oversight after a competitive
 126 solicitation decision is made or withdrawn.

127 (2) The Legislature also finds that it is a public
 128 necessity that a meeting at which a negotiation with a vendor is
 129 conducted pursuant to a competitive solicitation, at which a
 130 vendor makes an oral presentation as part of a competitive

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

131 solicitation, or at which a vendor answers questions as part of
132 a competitive solicitation be made exempt from public meetings
133 requirements. In addition, it is a public necessity that any
134 records presented at such meetings be made temporarily exempt
135 from public records requirements. The recording of the meeting
136 and any such records shall be made available when the agency
137 provides notice of an intended decision to make a contract award
138 on the competitive solicitation, or when the agency rejects all
139 bids, proposals, or replies and ultimately withdraws a reissued
140 competitive solicitation. Protecting such meetings and
141 temporarily protecting the recording and any records presented
142 by a vendor at such meetings, ensures that the process of
143 responding to a competitive solicitation remains fair and
144 economical for vendors, while still preserving oversight after a
145 competitive solicitation decision is made or withdrawn. It is
146 unfair and inequitable to compel vendors to disclose to
147 competitors the nature and details of their proposals during
148 such meetings or through the minutes or records presented at
149 such meetings. Such disclosure impedes full and frank discussion
150 of the strengths, weaknesses, and value of a bid, proposal, or
151 response, thereby limiting the ability of the agency to obtain
152 the best value for the public. The public and private harm
153 stemming from these practices outweighs the temporary delay in
154 access to records related to the competitive solicitation.

155 (3) The Legislature further finds that it is a public
156 necessity that any portion of a team meeting at which
157 negotiation strategies are discussed be made exempt from public
158 meetings requirements. In addition, it is a public necessity

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

159 that the recording of such meeting be made temporarily exempt
160 from public records requirements. The recording of the meeting
161 shall be made available when the agency provides notice of an
162 intended decision, or when the agency rejects all bids,
163 proposals, or replies and ultimately withdraws a reissued
164 competitive solicitation. Team members often meet to strategize
165 about competitive solicitations and the approach to take as part
166 of the evaluation process. Without the public meeting exemption
167 and the limited public record exemption, the effective and
168 efficient administration of the competitive solicitation process
169 would be hindered.

170 Section 4. This act shall take effect upon becoming a law.
171

172

173

174

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

175
176 Remove the entire title and insert:

177 A bill to be entitled

178

179

180

181

182

183

184

185

186

An act relating to a review under the Open Government
Sunset Review Act; amending s. 119.071, F.S., which
provides an exemption from public records requirements for
bids, proposals, or replies submitted to an agency in
response to a competitive solicitation; expanding the
public records exemption by extending the duration of the
exemption; providing a definition; reorganizing the
exemption; providing for future repeal and legislative
review of the exemption under the Open Government Sunset

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7223 (2011)

Amendment No.

187 Review Act; amending s. 286.0113, F.S., which provides an
188 exemption from public meetings requirements for meetings
189 at which a negotiation with a vendor is conducted and
190 which provides an exemption from public records
191 requirements for recordings of exempt meetings; expanding
192 the public meetings exemption to include meetings at which
193 a negotiation with a vendor is conducted pursuant to a
194 competitive solicitation, at which a vendor makes an oral
195 presentation as part of a competitive solicitation, at
196 which a vendor answers questions as part of a competitive
197 solicitation, and at which team members discuss
198 negotiation strategies; expanding the public records
199 exemption to include any records presented at an exempt
200 meeting; providing definitions; reorganizing the
201 exemption; providing for future repeal and legislative
202 review of the public meetings and public records
203 exemptions under the Open Government Sunset Review Act;
204 providing a statement of public necessity; providing an
205 effective date.

206

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7225 : OGSR/SBA Alternative Investments

Temporarily Deferred

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

HB 7229 : Procurement

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel	X				
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 18		Total Nays: 0			

Committee meeting was reported out: Thursday, April 07, 2011 2:22:13PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7229 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) Patronis offered the following:

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

5 Remove lines 84-85 and insert:
6 and relative merit of the bid, proposal, or reply.

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

11 Remove lines 6-7 and insert:
12 specifying conditions for preference in award

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7229 (2011)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative(s) Patronis offered the following:

3

4 **Amendment**

5 Remove line 150 and insert:

6 acceptability of the reply and guiding the

COMMITTEE MEETING REPORT

State Affairs Committee

4/7/2011 8:00:00AM

Location: Morris Hall (17 HOB)

PCS for HB 1261 : Election Ballots

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby		X			
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens		X			
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.		X			
Paige Kreegel	X				
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry			X		
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor			X		
Alan Williams		X			
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 11		Total Nays: 5			

Appearances:

Election Ballots

Michael Ertel, Supervisor - Information Only
Seminole County Supervisor of Elections
1500 E. Airport Blvd.
Sanford FL 32771
Phone: 407-708-7700

Election Ballots

Ron Labasky (Lobbyist) - Information Only
Fl. St. Assoc of Supervisors of Elections
225 S. Adams St.
Tallahassee FL
Phone: 850-222-7206