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# **Transportation & Economic Development Appropriations Subcommittee**

**Wednesday, March 27, 2013  
8:00 AM - 10:00 AM  
Reed Hall (102 HOB)**

**ACTION PACKET**

**Will Weatherford  
Speaker**

**Ed Hooper  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Transportation & Economic Development Appropriations Subcommittee

**Start Date and Time:** Wednesday, March 27, 2013 08:00 am  
**End Date and Time:** Wednesday, March 27, 2013 10:00 am  
**Location:** Reed Hall (102 HOB)  
**Duration:** 2.00 hrs

**Consideration of the following bill(s):**

CS/HB 135 Spaceport Territory by Economic Development & Tourism Subcommittee, Goodson  
CS/HB 345 Northeast Florida Regional Transportation Commission by Transportation & Highway Safety Subcommittee, Cummings  
HB 363 Disabled Parking Permits by Watson, B.  
HB 699 Florida Salutes Veterans License Plate by Smith  
HB 975 Archeological Sites and Specimens by Metz  
HB 4033 Technological Research & Development Authority by Workman  
HB 4045 Agricultural Lands by Raulerson

Chair's Budget Proposal for FY 2013-14

**NOTICE FINALIZED on 03/25/2013 16:17 by MRI**

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/27/2013 8:00:00AM**

**Location:** Reed Hall (102 HOB)

**Summary:**

**Transportation & Economic Development Appropriations Subcommittee**

*Wednesday March 27, 2013 08:00 am*

CS/HB 135	Favorable	Yeas: 12	Nays: 0
CS/HB 345	Favorable	Yeas: 12	Nays: 0
HB 363	Favorable	Yeas: 12	Nays: 0
HB 699	Favorable	Yeas: 12	Nays: 0
HB 975	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 014149	Adopted Without Objection	
	Amendment 378769	Adopted Without Objection	
HB 4033	Favorable	Yeas: 12	Nays: 0
HB 4045	Favorable	Yeas: 12	Nays: 0

**Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM**

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/27/2013 8:00:00AM**

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ed Hooper (Chair)	X		
Bruce Antone	X		
Frank Artiles	X		
Daniel Davis	X		
Mike Fasano	X		
Reggie Fullwood	X		
Tom Goodson	X		
Jeanette Nuñez	X		
Elizabeth Porter	X		
Lake Ray	X		
David Richardson	X		
Hazelle Rogers	X		
Victor Torres, Jr.	X		
<b>Totals:</b>	<b>13</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM

# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/27/2013 8:00:00AM

Location: Reed Hall (102 HOB)

CS/HB 135 : Spaceport Territory

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

CS/HB 135

Sansom, Jerry (Lobbyist) - Waive In Support  
Titusville-Cocoa Airport Authority  
P.O. Box 98  
Cocoa FL undefined  
Phone: 321-777-8130

CS/HB 135

Bishop, Barney (Lobbyist) - Waive In Support  
Ec. Dev. Commission of Florida's Space Coast and Astrotech Space Operations  
204 South Monroe Street  
Tallahassee FL 32301  
Phone: 850-907-3436

Snow, Chris (Lobbyist) - Waive In Support  
Director of Government Relations, Space Florida  
1580 Waldo Palmer Lane  
Tallahassee FL 32301  
Phone: 321-474-9754

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**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**  
**3/27/2013 8:00:00AM**

**Location:** Reed Hall (102 HOB)

**CS/HB 345 : Northeast Florida Regional Transportation Commission**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM

# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/27/2013 8:00:00AM

Location: Reed Hall (102 HOB)

HB 363 : Disabled Parking Permits

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
	<b>Total Yeas: 12</b>	<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM

**COMMITTEE MEETING REPORT**  
**Transportation & Economic Development Appropriations Subcommittee**

**3/27/2013 8:00:00AM**

**Location:** Reed Hall (102 HOB)

**HB 699 : Florida Salutes Veterans License Plate**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**Appearances:**

HB 699

Prendergast, Mike (Lobbyist) (State Employee) - Proponent

Department of Veterans' Affairs  
 Ste 2105B The Capitol 400 S Monroe St  
 Tallahassee FL  
 Phone: 850-487-1533

HB 699

John Haynes - Waive In Support

Florida Veterans Foundation

HB 699

Mirabella, Frank - Opponent

Disabled American Veterans, Department of Florida  
 521 North Adams  
 Tallahassee FL 32301  
 Phone: (850)222-1877

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM



# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/27/2013 8:00:00AM

**Location:** Reed Hall (102 HOB)

### HB 975 : Archeological Sites and Specimens

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray	X				
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

### HB 975 Amendments

#### Amendment 014149

Adopted Without Objection

#### Amendment 378769

Adopted Without Objection

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

*Adopted w/out  
objection  
3/27/13*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Metz offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Section 267.12, Florida Statutes, is amended to  
8 read:

9 267.12 Research permits; procedure.—

10 (1) As used in this section and s. 267.13, the term "water  
 11 authority" means an independent special district created by  
 12 special act whose purpose is to control and conserve freshwater  
 13 resources.

14 (2) The division may issue permits for excavation and  
 15 surface reconnaissance on land owned or controlled by the state,  
 16 land owned by a water authority, ~~lands~~ or ~~land~~ ~~lands~~ within the  
 17 boundaries of a designated state archaeological landmark  
 18 ~~landmarks~~ or landmark zone zones to institutions that ~~which~~ the  
 19 division deems ~~shall deem~~ to be properly qualified to conduct

Amendment No. 1

20 such activity, subject to such rules and regulations as the  
21 division may prescribe, provided such activity is undertaken by  
22 reputable museums, universities, colleges, or other historical,  
23 scientific, or educational institutions or societies that  
24 possess or will secure the archaeological expertise for the  
25 performance of systematic archaeological field research,  
26 comprehensive analysis, and interpretation in the form of  
27 publishable reports and monographs, such reports to be submitted  
28 to the division.

29 ~~(3)-(2)~~ Those state institutions considered by the division  
30 permanently to possess the required archaeological expertise to  
31 conduct the archaeological activities allowed under ~~the~~  
32 ~~provisions of~~ the permit may be designated as accredited  
33 institutions which will be allowed to conduct archaeological  
34 field activities on land owned or controlled by the state, land  
35 owned by a water authority, ~~state-owned or controlled lands~~ or  
36 land within the boundaries of a any designated state  
37 archaeological landmark or ~~any~~ landmark zone without obtaining  
38 an individual permit for each project, except that those  
39 accredited institutions will be required to give prior written  
40 notice of all anticipated archaeological field activities on  
41 land owned or controlled by the state, land owned by a water  
42 authority, ~~state-owned or controlled lands~~ or land within the  
43 boundaries of a any designated state archaeological landmark or  
44 landmark zone to the division, together with such information as  
45 may reasonably be required by the division to ensure the proper  
46 preservation, protection, and excavation of the archaeological  
47 resources. However, ~~no~~ archaeological activity may not be

## Amendment No. 1

48 commenced by the accredited institution until the division has  
49 determined that the planned project will be in conformity with  
50 the guidelines, regulations, and criteria adopted pursuant to  
51 ss. 267.11-267.14. Such determination will be made by the  
52 division and notification to the institution given within a  
53 ~~period of 15 days~~ after ~~from the time of~~ receipt of the prior  
54 notification by the division.

55 ~~(4)~~ ~~(3)~~ All specimens collected under a permit issued by  
56 the division or under the procedures adopted for accredited  
57 institutions shall belong to the state with the title thereto  
58 vested in the division for the purpose of administration and  
59 protection. The division may arrange for the disposition of the  
60 specimens so collected by accredited state institutions at those  
61 institutions and for the temporary or permanent loan of such  
62 specimens at permitholding institutions for the purpose of  
63 further scientific study, interpretative displays, and  
64 curatorial responsibilities.

65 Section 2. Subsections (1) and (2) of section 267.13,  
66 Florida Statutes, are amended to read:

67 267.13 Prohibited practices; penalties.—

68 (1) (a) Any person who by means other than excavation  
69 ~~either~~ conducts archaeological field investigations on, or  
70 removes or attempts to remove, or defaces, destroys, or  
71 otherwise alters any archaeological site or specimen located  
72 upon, any land owned or controlled by the state, land owned by a  
73 water authority, or land within the boundaries of a designated  
74 state archaeological landmark or landmark zone, except in the  
75 course of activities pursued under the authority of a permit or

Amendment No. 1

76 under procedures relating to accredited institutions granted by  
77 the division, commits a misdemeanor of the first degree,  
78 punishable as provided in s. 775.082 or s. 775.083, and, in  
79 addition, shall forfeit to the state all specimens, objects, and  
80 materials collected, together with all photographs and records  
81 relating to such material.

82 (b) Any person who by means of excavation ~~either~~ conducts  
83 archaeological field investigations on, or removes or attempts  
84 to remove, or defaces, destroys, or otherwise alters any  
85 archaeological site or specimen located upon, any land owned or  
86 controlled by the state, land owned by a water authority, or  
87 land within the boundaries of a designated state archaeological  
88 landmark or landmark zone, except in the course of activities  
89 pursued under the authority of a permit or under procedures  
90 relating to accredited institutions granted by the division,  
91 commits a felony of the third degree, punishable as provided in  
92 s. 775.082, s. 775.083, or s. 775.084, and any vehicle or  
93 equipment of any person used in connection with the violation is  
94 subject to forfeiture to the state if it is determined by any  
95 court of law that the vehicle or equipment was involved in the  
96 violation. Such person shall forfeit to the state all specimens,  
97 objects, and materials collected or excavated, together with all  
98 photographs and records relating to such material. The court may  
99 also order the defendant to make restitution to the state for  
100 the archaeological or commercial value and cost of restoration  
101 and repair as defined in subsection (4).

102 (c) Any person who offers for sale or exchange any object  
103 with knowledge that it has previously been collected or

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104 excavated in violation of any of the terms of ss. 267.11-267.14,  
105 or who procures, counsels, solicits, or employs any other person  
106 to violate any prohibition contained in ss. 267.11-267.14 or to  
107 sell, purchase, exchange, transport, receive, or offer to sell,  
108 purchase, or exchange any archaeological resource excavated or  
109 removed from ~~any~~ land owned or controlled by the state, land  
110 owned by a water authority, or land within the boundaries of a  
111 designated state archaeological landmark or landmark zone,  
112 except with the express consent of the division, commits a  
113 felony of the third degree, punishable as provided in s.  
114 775.082, s. 775.083, or s. 775.084, and any vehicle or equipment  
115 of any person used in connection with the violation is subject  
116 to forfeiture to the state if it is determined by any court of  
117 law that such vehicle or equipment was involved in the  
118 violation. All specimens, objects, and material collected or  
119 excavated, together with all photographs and records relating to  
120 such material, shall be forfeited to the state. The court may  
121 also order the defendant to make restitution to the state for  
122 the archaeological or commercial value and cost of restoration  
123 and repair as defined in subsection (4).

124 (2) (a) The division may institute an administrative  
125 proceeding to impose an administrative fine of not more than  
126 \$500 a day on any person or business organization that, without  
127 written permission of the division, explores for, salvages, or  
128 excavates treasure trove, artifacts, sunken or abandoned ships,  
129 or other objects having historical or archaeological value  
130 located upon land owned or controlled by the state ~~on state-~~  
131 ~~owned or state-controlled lands,~~ including state sovereignty

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132 submerged land, or land owned by a water authority ~~lands~~.

133 (b) The division shall institute an administrative  
134 proceeding by serving written notice of a violation by certified  
135 mail upon the alleged violator. The notice shall specify the law  
136 or rule allegedly violated and the facts upon which the  
137 allegation is based. The notice shall also specify the amount of  
138 the administrative fine sought by the division. The fine is  
139 ~~shall not become~~ due until after service of notice and an  
140 administrative hearing. However, the alleged violator has ~~shall~~  
141 ~~have~~ 20 days after ~~from~~ service of notice to request an  
142 administrative hearing. Failure to respond within that time  
143 constitutes ~~shall constitute~~ a waiver, and the fine becomes  
144 ~~shall become~~ due without a hearing.

145 (c) The division may enter its judgment for the amount of  
146 the administrative penalty imposed in a court of competent  
147 jurisdiction, pursuant to s. 120.69. The judgment may be  
148 enforced as any other judgment.

149 (d) The division may apply to a court of competent  
150 jurisdiction for injunctive relief against any person or  
151 business organization that explores for, salvages, or excavates  
152 treasure trove, artifacts, sunken or abandoned ships, or other  
153 objects having historical or archaeological value located upon  
154 ~~on state-owned or state-controlled~~ land owned or controlled by  
155 the state, including state sovereignty submerged land, or land  
156 owned by a water authority without the written permission of the  
157 division.

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158 (e) The division shall adopt rules pursuant to ss.  
159 120.536(1) and 120.54 to administer ~~implement the provisions of~~  
160 this section.

161 Section 3. Subsection (1) of section 1004.56, Florida  
162 Statutes, is amended to read:

163 1004.56 Florida Museum of Natural History; functions.—

164 (1) The functions of the Florida Museum of Natural  
165 History, located at the University of Florida, are to make  
166 scientific investigations toward the sustained development of  
167 natural resources and a greater appreciation of human cultural  
168 heritage, including, but not limited to, biological surveys,  
169 ecological studies, environmental impact assessments, in-depth  
170 archaeological research, and ethnological analyses, and to  
171 collect and maintain a depository of biological, archaeological,  
172 and ethnographic specimens and materials in sufficient numbers  
173 and quantities to provide within the state and region a base for  
174 research on the variety, evolution, and conservation of wild  
175 species; the composition, distribution, importance, and  
176 functioning of natural ecosystems; and the distribution of  
177 prehistoric and historic archaeological sites and an  
178 understanding of the aboriginal and early European cultures that  
179 occupied them. State institutions, departments, and agencies may  
180 deposit type collections from archaeological sites in the  
181 museum, and it shall be the duty of each state institution,  
182 department, and agency to cooperate by depositing in the museum  
183 voucher and type biological specimens collected as part of the  
184 normal research and monitoring duties of its staff and to  
185 transfer to the museum those biological specimens and



## Amendment No. 1

186 collections in its possession but not actively being curated or  
187 used in the research or teaching of that institution,  
188 department, or agency. The Florida Museum of Natural History is  
189 empowered to accept, preserve, maintain, or dispose of these  
190 specimens and materials in a manner which makes each collection  
191 and its accompanying data available for research and use by the  
192 staff of the museum and by cooperating institutions,  
193 departments, agencies, and qualified independent researchers.  
194 The biological, archaeological, and ethnographic collections  
195 shall belong to the state with the title vested in the Florida  
196 Museum of Natural History, except as provided in s. 267.12(4)  
197 ~~267.12(3)~~. In collecting or otherwise acquiring these  
198 collections, the museum shall comply with pertinent state  
199 wildlife, archaeological, and agricultural laws and rules.  
200 However, all collecting, quarantine, and accreditation permits  
201 issued by other institutions, departments, and agencies shall be  
202 granted routinely for said museum research study or collecting  
203 effort on state lands or within state jurisdiction which does  
204 not pose a significant threat to the survival of endangered wild  
205 species, habitats, or ecosystems. In addition, the museum shall  
206 develop exhibitions and conduct programs which illustrate,  
207 interpret, and explain the natural history of the state and  
208 region and shall maintain a library of publications pertaining  
209 to the work as herein provided. The exhibitions, collections,  
210 and library of the museum shall be open, free to the public,  
211 under suitable rules to be promulgated by the director of the  
212 museum and approved by the University of Florida.

213 Section 4. This act shall take effect July 1, 2013.

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214

215

216

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**T I T L E   A M E N D M E N T**

217

Remove everything before the enacting clause and insert:

218

A bill to be entitled

219

An act relating to archeological sites and specimens;

220

amending s. 267.12, F.S.; authorizing the Division of

221

Historical Resources of the Department of State to

222

issue permits for excavation, surface reconnaissance,

223

and archaeological activities on land owned by

224

specified independent special districts; amending s.

225

267.13, F.S.; providing that specified activities

226

relating to archaeological sites and specimens located

227

upon such lands are prohibited and subject to

228

penalties; authorizing the division to impose an

229

administrative fine on and seek injunctive relief

230

against certain entities; amending s. 1004.56, F.S.;

231

correcting a cross-reference; providing an effective

232

date.

Amendment No. Aml to Strike All

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	—	

*Adopted without objection  
3/27/13*

1 Committee/Subcommittee hearing bill: Transportation & Economic  
 2 Development Appropriations Subcommittee  
 3 Representative Metz offered the following:

**Amendment to Amendment (014149) by Representative Metz**

6 Remove line 13 of the amendment and insert:  
 7 resources. The term does not include any water management  
 8 district created pursuant to s. 373.069.  
 9

# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/27/2013 8:00:00AM

Location: Reed Hall (102 HOB)

HB 4033 : Technological Research & Development Authority

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM

# COMMITTEE MEETING REPORT

## Transportation & Economic Development Appropriations Subcommittee

3/27/2013 8:00:00AM

Location: Reed Hall (102 HOB)

HB 4045 : Agricultural Lands

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles	X				
Daniel Davis	X				
Mike Fasano	X				
Reggie Fullwood	X				
Tom Goodson	X				
Jeanette Nuñez	X				
Elizabeth Porter	X				
Lake Ray			X		
David Richardson	X				
Hazelle Rogers	X				
Victor Torres, Jr.	X				
Ed Hooper (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

### Appearances:

HB 4045

Proctor, Cissy (Lobbyist) (State Employee) - Waive In Support

Dept of Economic Opportunity

107 E. Madison Street

Tallahassee Florida 32399

Phone: 850-245-7163

Committee meeting was reported out: Wednesday, March 27, 2013 10:38:43AM