



Full Appropriations Council on Education & Economic Development and General Government & Health Care

Thursday, April 9, 2010
8:45 AM – 10:45 AM
212 Knott Building

Council Action Packet

Larry Cretul
Speaker

David Rivera
Chair

COUNCIL MEETING REPORT
Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

Summary:

Full Appropriations Council on Education & Economic Development

Friday April 09, 2010 08:45 am

CS/HB 121	Favorable	Yeas: 15	Nays: 0
CS/HB 633	Favorable With Council Substitute	Yeas: 15	Nays: 0
Amendment 1	Adopted Without Objection		
Amendment 2	Adopted Without Objection		
Amendment 3	Adopted Without Objection		
Amendment 4	Adopted Without Objection		
CS/HB 795	Favorable	Yeas: 15	Nays: 0
CS/HB 963	Favorable With Council Substitute	Yeas: 16	Nays: 0
Amendment 01	Adopted as Amended		
Amendment 1a	Adopted Without Objection		
Amendment 02	Adopted Without Objection		
Amendment 03	Adopted Without Objection		
CS/HB 1073	Favorable With Council Substitute	Yeas: 15	Nays: 0
Amendment 01	Adopted as Amended		
Amendment 01a	Adopted Without Objection		
Amendment 02	Adopted Without Objection		
CS/HB 1203	Not Considered		
CS/HB 1243	Favorable	Yeas: 15	Nays: 0
CS/HB 1253	Favorable	Yeas: 15	Nays: 0
HB 7019	Favorable	Yeas: 14	Nays: 0
HB 7127	Favorable With Council Substitute	Yeas: 14	Nays: 1
Amendment 01	Adopted Without Objection		
Amendment 02	Adopted as Amended		
Amendment 2a	Adopted Without Objection		
HB 7205	Favorable With Council Substitute	Yeas: 15	Nays: 0
Amendment 01	Adopted Without Objection		
Amendment 02	Withdrawn		
Amendment 03	Withdrawn		
Amendment 04	Withdrawn		
HB 7209	Favorable With Council Substitute	Yeas: 14	Nays: 0
Amendment 01	Adopted Without Objection		

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT
Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

Amendment 02 Adopted Without Objection

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT
Full Appropriations Council on Education & Economic Development
4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
David Rivera (Chair)	X		
Sandra Adams	X		
Ellyn Setnor Bogdanoff	X		
Ronald Brisé	X		
Charles Chestnut IV	X		
Anitere Flores	X		
Bill Galvano	X		
Joseph Gibbons	X		
Richard Glorioso	X		
Denise Grimsley	X		
D. Alan Hays	X		
Ralph Poppell	X		
William Proctor	X		
Ron Reagan	X		
Ron Saunders	X		
Kelly Skidmore	X		
Geraldine Thompson			X
Will Weatherford			X
Totals:	16	0	2

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 121 : Cost-benefit, Return-on-investment, and Dynamic Scoring Techniques

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 633 : Human Trafficking

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15		Total Nays: 0			

CS/HB 633 Amendments

Amendment 1

Adopted Without Objection

Amendment 2

Adopted Without Objection

Amendment 3

Adopted Without Objection

Amendment 4

Adopted Without Objection

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

Amendment No. 1

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative Burgin offered the following:
4

Amendment (with title amendment)

6 Remove line 29 and insert:
7 services for compensation or on behalf of a massage
8 establishment or for any business must have in his or her
9 possession, and it is unlawful

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

13 Remove line 5 and insert:
14 massage services in certain circumstances; requiring
15 presentation of such documents

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 633 (2010)

Amendment No. 2

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative Burgin offered the following:

4

5 **Amendment**

6 Remove line 42 and insert:

7 providing or offering to provide massage services for
8 compensation or on behalf of a massage establishment or for any
9 business must present

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 633 (2010)

Amendment No. 3

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative Burgin offered the following:

4

5

Amendment

6

Remove line 44 and insert:

7

issued in his or her name by the Department of Health pursuant
8 to s. 456.013, plus

Amendment No. 4

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative Burgin offered the following:

Amendment (with title amendment)

Between lines 58 and 59, insert:

7 (3) A person may not offer or provide massage services for
8 compensation, or on behalf of a massage establishment or for any
9 business, without being in possession of a valid wallet-size
10 identification license card or wall license card issued in his
11 or her name by the Department of Health pursuant to s. 456.013
12 and one of the following documents issued in his or her name:

- 13 (a) A current driver's license;
- 14 (b) An identification card issued by a state;
- 15 (c) A valid passport issued by the Department of State of
16 the United States;
- 17 (d) A valid I-551 permanent residence card; or
- 18 (e) A valid employment authorization document.

Amendment No. 4

20
21
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24
25
26

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

Remove line 11 and insert:
officer; prohibiting a person from providing or offering to
provide massage services without possession of a license and
specified documentation; prohibiting the use of a massage
establishment

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 795 : Penalties for Violations of Traffic Laws

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 963 : Seaports

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores	X				
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 16		Total Nays: 0			

CS/HB 963 Amendments

Amendment 01

Adopted as Amended

Amendment 02

Adopted Without Objection

Amendment 03

Adopted Without Objection

Amendment 1a

Adopted Without Objection

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 963 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative Ray offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 231 and 232, insert:

7 Section 2. Paragraph (a) of subsection (3) of section
8 311.07, Florida Statutes, is amended to read:

9 311.07 Florida seaport transportation and economic
10 development funding.—

11 (3)(a) Program funds shall be used to fund approved
12 projects on a 50-50 matching basis with any of the deepwater
13 ports, as listed in s. 403.021(9)(b), which is governed by a
14 public body or any other deepwater port which is governed by a
15 public body and which complies with the water quality provisions
16 of s. 403.061, the comprehensive master plan requirements of s.
17 163.3178(2)(k), and the local financial management and reporting
18 provisions of part III of chapter 218. However, program funds
19 used to fund projects that involve the rehabilitation of

Amendment No. 01

20 wharves, docks, berths, bulkheads, or similar structures shall
21 require a 25-percent match of funds. In addition, projects that
22 involve the construction or rehabilitation of wharves, docks,
23 berths, bulkheads, or similar structures at strategic intermodal
24 system facilities designated pursuant to s. 339.63 are eligible
25 for funding under the Strategic Intermodal System Plan. Program
26 funds also may be used by the Seaport Transportation and
27 Economic Development Council to develop with the Florida Trade
28 Data Center such trade data information products which will
29 assist Florida's seaports and international trade.

30
31
32 -----
33 **T I T L E A M E N D M E N T**

34 Between lines 30 and 31, insert:

35 amending s. 311.07, F.S.; revising matching-fund requirements
36 for projects to rehabilitate wharves, docks, berths, bulkheads,
37 or similar structures; providing that projects to construct or
38 rehabilitate wharves, docks, berths, bulkheads, or similar
39 structures at strategic intermodal system facilities are
40 eligible for certain funding;

Amendment No. 1a

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Ray offered the following:
4

5 **Amendment to Amendment (1) by Representative Ray (with**
6 **title amendment)**

7 Remove lines 21-25 and insert:
8 require a 25-percent match of funds. Program
9

10
11 -----
12 **T I T L E A M E N D M E N T**

13 Remove lines 37-40 and insert:
14 or similar structures

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Ray offered the following:

Amendment (with title amendment)

6 Remove line 263 and insert:
7 commitment. Notwithstanding the provisions of s. 339.135(7)(c),
8 any work program amendment to transfer prior year funds from one
9 approved seaport project to another seaport project shall be
10 subject to the procedures in s. 339.135(7)(d)2. Notwithstanding
11 any provision of law to the contrary, the department may
12 transfer unexpended budget between the seaport projects as
13 identified in the approved work program amendments.

14 -----
15
16 **T I T L E A M E N D M E N T**

17 Remove line 35 and insert:

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 963 (2010)

Amendment No. 02

18 | timeframe; providing for the transfer of unexpended budget
19 | between seaport projects; amending s. 403.061, F.S.; removing
20 | the

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 963 (2010)

Amendment No. 03

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Ray offered the following:

4
5
6
7

Amendment

Remove line 318 and insert:
except that the mixing zone may ~~does~~ not extend ~~outside~~ into

COUNCIL MEETING REPORT
Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 1073 : Education of Children with Disabilities

Favorable With Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15		Total Nays: 0			

CS/HB 1073 Amendments

Amendment 01

Adopted as Amended

Amendment 01a

Adopted Without Objection

Amendment 02

Adopted Without Objection

Appearances:

HB 1073 --Education of Children with Disabilities
 Margaret J. Hooper, Public Policy Coordinator (Lobbyist) - Proponent
 Florida Developmental Disabilities Council
 124 Marriott Drive
 Tallahassee FL 32301
 Phone: (850) 294-0052

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

Amendment No. 01

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: PreK-12 Policy Committee
2 Representative Llorente offered the following:

Amendment (with title amendment)

Remove lines 39-297 and insert:

Section 1. Paragraph (h) of subsection (4) and subsections
(7) and (9) of section 393.067, Florida Statutes, are amended to
read:

393.067 Facility licensure.—

(4) The application shall be under oath and shall contain
the following:

(h) Certification that the staff of the facility or
program will receive training to detect, report, and prevent
sexual abuse, abuse, neglect, exploitation, and abandonment, as
defined in ss. 39.01 and 415.102, of residents and clients.

(7) The agency shall adopt rules establishing minimum
standards for facilities and programs licensed under this
section, including rules requiring facilities and programs to
train staff to detect, report, and prevent sexual abuse, abuse,

Amendment No. 01

20 neglect, exploitation, and abandonment, as defined in ss. 39.01
21 and 415.102, of residents and clients, minimum standards of
22 quality and adequacy of client care, incident reporting
23 requirements, and uniform firesafety standards established by
24 the State Fire Marshal which are appropriate to the size of the
25 facility or of the component centers or units of the program.

26 (9) The agency may conduct unannounced inspections to
27 determine compliance by foster care facilities, group home
28 facilities, residential habilitation centers, and comprehensive
29 transitional education programs with the applicable provisions
30 of this chapter and the rules adopted pursuant hereto, including
31 the rules adopted for training staff of a facility or a program
32 to detect, report, and prevent sexual abuse, abuse, neglect,
33 exploitation, and abandonment, as defined in ss. 39.01 and
34 415.102, of residents and clients. The facility or program shall
35 make copies of inspection reports available to the public upon
36 request.

37 Section 2. Paragraph (a) of subsection (3) of section
38 393.13, Florida Statutes, is amended to read:

39 393.13 Treatment of persons with developmental
40 disabilities.—

41 (3) RIGHTS OF ALL PERSONS WITH DEVELOPMENTAL
42 DISABILITIES.—The rights described in this subsection shall
43 apply to all persons with developmental disabilities, whether or
44 not such persons are clients of the agency.

45 (a) Persons with developmental disabilities shall have a
46 right to dignity, privacy, and humane care, including the right

Amendment No. 01

47 to be free from abuse, including sexual abuse, neglect, and
48 exploitation in residential facilities.

49 Section 3. Paragraph (d) of subsection (2) of section
50 402.305, Florida Statutes, is amended to read:

51 402.305 Licensing standards; child care facilities.—

52 (2) PERSONNEL.—Minimum standards for child care personnel
53 shall include minimum requirements as to:

54 (d) Minimum training requirements for child care
55 personnel.

56 1. Such minimum standards for training shall ensure that
57 all child care personnel take an approved 40-clock-hour
58 introductory course in child care, which course covers at least
59 the following topic areas:

60 a. State and local rules and regulations which govern
61 child care.

62 b. Health, safety, and nutrition.

63 c. Identifying and reporting child abuse and neglect.

64 d. Child development, including typical and atypical
65 language, cognitive, motor, social, and self-help skills
66 development.

67 e. Observation of developmental behaviors, including using
68 a checklist or other similar observation tools and techniques to
69 determine the child's developmental age level.

70 f. Specialized areas, including computer technology for
71 professional and classroom use and early literacy and language
72 development of children from birth to 5 years of age, as
73 determined by the department, for owner-operators and child care
74 personnel of a child care facility.

Amendment No. 01

75 g. Developmental disabilities, including autism spectrum
76 disorder and Down Syndrome, and early identification, use of
77 available state and local resources, classroom integration, and
78 positive behavioral supports for children with developmental
79 disabilities.

80
81 Within 90 days after employment, child care personnel shall
82 begin training to meet the training requirements. Child care
83 personnel shall successfully complete such training within 1
84 year after the date on which the training began, as evidenced by
85 passage of a competency examination. Successful completion of
86 the 40-clock-hour introductory course shall articulate into
87 community college credit in early childhood education, pursuant
88 to ss. 1007.24 and 1007.25. Exemption from all or a portion of
89 the required training shall be granted to child care personnel
90 based upon educational credentials or passage of competency
91 examinations. Child care personnel possessing a 2-year degree or
92 higher that includes 6 college credit hours in early childhood
93 development or child growth and development, or a child
94 development associate credential or an equivalent state-approved
95 child development associate credential, or a child development
96 associate waiver certificate shall be automatically exempted
97 from the training requirements in sub-subparagraphs b., d., and
98 e.

99 2. The introductory course in child care shall stress, to
100 the extent possible, an interdisciplinary approach to the study
101 of children.

102 3. The introductory course shall cover recognition and

Amendment No. 01

103 prevention of shaken baby syndrome, prevention of sudden infant
104 death syndrome, recognition and care of infants and toddlers
105 with developmental disabilities, including autism spectrum
106 disorder and Down Syndrome, and early childhood brain
107 development within the topic areas identified in this paragraph.

108 4. On an annual basis in order to further their child care
109 skills and, if appropriate, administrative skills, child care
110 personnel who have fulfilled the requirements for the child care
111 training shall be required to take an additional 1 continuing
112 education unit of approved inservice training, or 10 clock hours
113 of equivalent training, as determined by the department.

114 5. Child care personnel shall be required to complete 0.5
115 continuing education unit of approved training or 5 clock hours
116 of equivalent training, as determined by the department, in
117 early literacy and language development of children from birth
118 to 5 years of age one time. The year that this training is
119 completed, it shall fulfill the 0.5 continuing education unit or
120 5 clock hours of the annual training required in subparagraph 4.

121 6. Procedures for ensuring the training of qualified child
122 care professionals to provide training of child care personnel,
123 including onsite training, shall be included in the minimum
124 standards. It is recommended that the state community child care
125 coordination agencies (central agencies) be contracted by the
126 department to coordinate such training when possible. Other
127 district educational resources, such as community colleges and
128 career programs, can be designated in such areas where central
129 agencies may not exist or are determined not to have the
130 capability to meet the coordination requirements set forth by

Amendment No. 01

131 the department.

132 7. Training requirements shall not apply to certain
133 occasional or part-time support staff, including, but not
134 limited to, swimming instructors, piano teachers, dance
135 instructors, and gymnastics instructors.

136 8. The department shall evaluate or contract for an
137 evaluation for the general purpose of determining the status of
138 and means to improve staff training requirements and testing
139 procedures. The evaluation shall be conducted every 2 years. The
140 evaluation shall include, but not be limited to, determining the
141 availability, quality, scope, and sources of current staff
142 training; determining the need for specialty training; and
143 determining ways to increase inservice training and ways to
144 increase the accessibility, quality, and cost-effectiveness of
145 current and proposed staff training. The evaluation methodology
146 shall include a reliable and valid survey of child care
147 personnel.

148 9. The child care operator shall be required to take basic
149 training in serving children with disabilities within 5 years
150 after employment, either as a part of the introductory training
151 or the annual 8 hours of inservice training.

152 Section 4. Section 1003.573, Florida Statutes, is created
153 to read:

154 1003.573 Use, monitoring, and reduction of unnecessary
155 seclusion and restraint on students with disabilities in public
156 schools.-

157 (1) DEFINITIONS.-As used in this section, the term:

158 (a) "Imminent risk of disruption or damage to the

Amendment No. 01

159 environment" means a high probability of disruption or damage to
160 property which is likely to endanger the safety of others.

161 (b) "Imminent risk of injury to the student or others"
162 means a high probability of injury, such as a laceration, bone
163 fracture, hematoma, bruise, or injury to internal organs.

164 (c) "Manual physical restraint" means the use of a
165 physical restraint technique that involves physical force
166 applied to restrict the movement of all or part of a student's
167 body for purposes of protecting the student.

168 (d) "Mechanical restraint" means a physical device used to
169 restrict a student's movement or restrict the normal function of
170 a student's body for purposes of protecting the student. This
171 term includes, but is not limited to, belts, vests, helmets,
172 padded mittens, tie-downs, chairs with straps, and seatbelts.
173 This term does not include:

174 1. Medical protective equipment prescribed by a physician
175 or dentist;

176 2. Physical equipment or orthopedic appliances, surgical
177 dressings or bandages, or supportive body bands or other
178 restraints necessary for medical treatment that is ongoing in
179 the educational setting;

180 3. Devices used only for the purpose of supporting
181 functional body position or proper balance or preventing a
182 person from falling out of a bed or a wheelchair; or

183 4. Equipment used for safety during transportation, such
184 as seatbelts or wheelchair tie-downs.

185 (e) "Seclusion" means removing a student from an
186 educational environment, confining the student in a room, and

Amendment No. 01

187 preventing the student from leaving the room by locking or
188 otherwise physically blocking the student's exit from the room.

189 This term does not include the use of a time-out. As used in
190 this paragraph, the term "time-out" means a procedure in which
191 access to varied sources of reinforcement is removed or reduced
192 for a particular time period.

193 (f) "Student" means a student with a disability.

194 (2) USE OF MANUAL PHYSICAL RESTRAINT.-

195 (a) School personnel may use a manual physical restraint
196 on a student only:

197 1. When there is an imminent risk of injury to the student
198 or others;

199 2. When there is an imminent risk of disruption or damage
200 to the environment; or

201 3. When authorized by a comprehensive behavior
202 intervention plan developed by a certified behavior analyst and
203 approved by an individual educational plan team.

204 (b) School personnel shall limit the use of a manual
205 physical restraint to the duration necessary to eliminate the
206 circumstances necessitating the use of the restraint under
207 paragraph (a).

208 (c) The school shall have a student evaluated by staff
209 trained to monitor the physical condition of a student as soon
210 as possible after the student has been manually physically
211 restrained by school personnel.

212 (d) Each time a manual physical restraint is used, the
213 school shall attempt to notify the student's parent before the
214 end of the school day on which the restraint occurs.

Amendment No. 01

215 (3) PROHIBITED RESTRAINT.—School personnel shall not use a
216 mechanical restraint on a student or a manual physical restraint
217 that restricts a student's breathing.

218 (4) SECLUSION.—

219 (a) Seclusion may be used only when a manual physical
220 restraint is highly likely to lead to injury to the student and:

221 1.a. There is an imminent risk of injury to the student or
222 others;

223 b. There is an imminent risk of disruption or damage to
224 the environment; or

225 c. The seclusion is authorized by a comprehensive behavior
226 intervention plan developed by a certified behavior analyst and
227 approved by an individual educational plan team.

228 2. School personnel have unsuccessfully tried other
229 interventions.

230 3. School personnel constantly observe the student for the
231 duration of the seclusion.

232 (b) The seclusion must end immediately when the student is
233 sufficiently calm to return to his or her educational
234 environment.

235 (c) Seclusion may not be used as a punishment for a
236 student's behavior.

237 (5) INCIDENT REPORTING.—

238 (a) A school shall prepare an incident report by the close
239 of the second business day after a student is released from a
240 manual physical restraint, which shall include:

241 1. The name of the student restrained.

242 2. The date, time, and location of the incident and the

Amendment No. 01

243 duration and type of the restraint.

244 3. The names of the persons restraining or assisting in
245 the restraint of the student.

246 4. The specific positive behavioral strategies used to
247 prevent and deescalate the behavior.

248 5. Steps taken to notify the parent.

249 (b) Incident reports prepared pursuant to this subsection
250 shall be provided to the Department of Education each month that
251 the school is in session.

252 (6) DISTRICT POLICIES AND PROCEDURES.-

253 (a) School districts shall develop policies and procedures
254 consistent with this section regarding:

255 1. The prohibition of the use of mechanical restraints on
256 students.

257 2. The appropriate use of manual physical restraints and
258 seclusion on students.

259 3. Personnel authorized to use manual physical restraints.

260 4. Incident-reporting procedures.

261 (b) Each school district shall:

262 1. Provide the policies and procedures required under this
263 subsection to the department no later than January 31, 2011.

264 2. Publish the policies and procedures required under this
265 subsection in the district's special policies and procedures
266 manual.

267 3. Make available to the parents of its students, at the
268 beginning of each school year, its policies regarding the use of
269 manual physical restraint and seclusion. Such policies may be
270 provided by mail or electronic mail or published on the school

Amendment No. 01

271 district's website.

272 Section 5. Paragraphs (f) and (g) are added to subsection
273 (4) of section 1004.55, Florida Statutes, to read:

274 1004.55 Regional autism centers.—

275 (4) Each center shall provide:

276 (f) Coordination and dissemination of local and regional
277 information regarding available resources for services for
278 children with the developmental disabilities described in
279 subsection (1).

280 (g) Support to state agencies in the development of
281 training for early child care providers and educators with
282 respect to the developmental disabilities described in
283 subsection (1).

284 Section 6. Section 1012.582, Florida Statutes, is created
285 to read:

286 1012.582 Continuing education and inservice training for
287 teaching students with developmental disabilities.—

288 (1) The Commissioner of Education shall develop
289 recommendations to incorporate instruction regarding autism
290 spectrum disorder, Down Syndrome, and other developmental
291 disabilities into continuing education or inservice training
292 requirements for instructional personnel. These recommendations
293 shall address:

294 (a) Early identification of, and intervention for,
295 students who have autism spectrum disorder, Down Syndrome, or
296 other developmental disabilities.

Amendment No. 01

297 (b) Curriculum planning and curricular and instructional
298 modifications, adaptations, and specialized strategies and
299 techniques.

300 (c) The use of available state and local resources.

301 (d) The use of positive behavioral supports to deescalate
302 problem behaviors.

303 (e) Appropriate use of manual physical restraint and
304 seclusion techniques.

305 (2) In developing the recommendations, the commissioner
306 shall consult with the State Surgeon General, the Director of
307 the Agency for Persons with Disabilities, representatives from
308 the education community in the state, and representatives from
309 entities that promote awareness about autism spectrum disorder,
310 Down syndrome,

311

312

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

313

314 Remove lines 2-3 and insert:

315 An act relating to persons with disabilities; amending s.
316 393.067, F.S.; revising provisions relating to licensure and
317 standards for facilities and programs for persons with
318 developmental disabilities; amending s. 393.13, F.S.; revising
319 rights for persons with developmental disabilities; amending s.
320 402.305, F.S.; requiring minimum

Amendment No. 01a

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Hukill offered the following:
4

5 **Amendment to Amendment (1) by Representative Llorente (with**
6 **title amendment)**

7 Remove lines 154-271 and insert:

8 1003.573 Use of seclusion and restraint on students with
9 disabilities.—

10 (1) DOCUMENTATION AND REPORTING.—

11 (a) A school shall prepare an incident report within 24
12 hours after a student is released from restraint or seclusion.

13 If the student's release occurs on a day before the school
14 closes for the weekend, a holiday, or another reason, the
15 incident report must be completed by the end of the school day
16 on the day the school reopens.

17 (b) The following must be included in the incident report:

18 1. The name of the student restrained or secluded.

19 2. The date and time of the event and the duration of the

Amendment No. 01a

20 restraint or seclusion.

21 3. The location at which the restraint or seclusion
22 occurred.

23 4. The type of restraint used.

24 5. The name of the person using or assisting in the
25 restraint or seclusion of the student.

26 6. The name of any nonstudent who was present to witness
27 the restraint or seclusion.

28 7. A description of the incident, including:

29 a. The context in which the restraint or seclusion
30 occurred.

31 b. The student's behavior leading up to and precipitating
32 the decision to use manual physical restraint or seclusion,
33 including an indication as to why there was an imminent risk of
34 serious injury or death to the student or others.

35 c. The specific positive behavioral strategies used to
36 prevent and deescalate the behavior.

37 d. What occurred with the student immediately after the
38 termination of the restraint or seclusion.

39 e. Any injuries, visible marks, or possible medical
40 emergencies that may have occurred during the restraint or
41 seclusion, documented according to district policies.

42 f. Evidence of steps taken to notify the student's parent
43 or guardian.

44 (c) A school shall notify the parent or guardian of a
45 student each time manual physical restraint or seclusion is
46 used. Such notification must be in writing and provided before
47 the end of the school day on which the restraint or seclusion

Amendment No. 01a

48 occurs. Reasonable efforts must also be taken to notify the
49 parent or guardian by telephone or computer e-mail, or both, and
50 these efforts must be documented. The school shall obtain, and
51 keep in its records, the parent's or guardian's signed
52 acknowledgement that he or she was notified of his or her
53 child's restraint or seclusion.

54 (d) A school shall also provide the parent or guardian
55 with the completed incident report in writing by mail within 3
56 school days after a student was manually physically restrained
57 or secluded. The school shall obtain, and keep in its records,
58 the parent's or guardian's signed acknowledgement that he or she
59 received a copy of the incident report.

60 (2) MONITORING.-

61 (a) Monitoring of the use of manual physical restraint or
62 seclusion on students shall occur at the classroom, building,
63 district, and state levels.

64 (b) Beginning July 1, 2010, documentation prepared as
65 required in subsection (1) shall be provided to the school
66 principal, the district director of Exceptional Student
67 Education, and the bureau chief of the Bureau of Exceptional
68 Education and Student Services electronically each month that
69 the school is in session.

70 (c) The department shall maintain aggregate data of
71 incidents of manual physical restraint and seclusion and
72 disaggregate the data for analysis by county, school, student
73 exceptionality, and other variables. This information shall be
74 updated monthly.

75 (3) SCHOOL DISTRICT POLICIES AND PROCEDURES.-

Amendment No. 01a

76 (a) Each school district shall develop policies and
77 procedures that are consistent with this section and that govern
78 the following:

79 1. Incident-reporting procedures.

80 2. Data collection.

81 3. Monitoring and reporting of data collected.

82 (b) Any revisions to such policies and procedures, which
83 must be prepared as part of the school district's special
84 policies and procedures, must be filed with the bureau chief of
85 the Bureau of Exceptional Education and Student Services no
86 later than January 31, 2011.

87 (4) PROHIBITED RESTRAINT.—School personnel may not use a
88 mechanical restraint on a student or a manual physical restraint
89 that restricts a student's breathing.

90 (5) SECLUSION.—School personnel may not close, lock, or
91 physically block a student in a room that is unlit and does not
92 meet the rules of the State Fire Marshal for seclusion time-out
93 rooms.

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

97 Remove line 320 and insert:

98 402.305, F.S.; requiring minimum training for child
99 care personnel to include the identification and care
100 of children with developmental disabilities; creating
101 s. 1003.573, F.S.; requiring that each school prepare
102 an incident report within a specified period after
103 each occasion of student restraint or seclusion;

Amendment No. 01a

104 specifying the contents of such report; requiring that
105 each school notify a student's parent or guardian if
106 manual physical restraint or seclusion is used;
107 requiring certain reporting and monitoring; requiring
108 that each school district develop and revise policies
109 and procedures governing the incident reports, data
110 collection, and the monitoring and reporting of such
111 data; prohibiting school personnel from using
112 mechanical restraint on a student or a manual physical
113 restraint that restricts a student's breathing;
114 prohibiting school personnel from closing, locking, or
115 physically blocking a student in a room that is unlit
116 and does not meet the rules of the State Fire Marshal
117 for seclusion time-out rooms; amending s.

118
119
120

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: PreK-12 Policy Committee
2 Representative Llorente offered the following:

Amendment (with title amendment)

Between lines 311 and 312, insert:

Section 5. Subject to legislative authorization and appropriation of funding, the Division of Vocational Rehabilitation within the Department of Education shall develop an implementation plan for the establishment of a state vocational college for persons with developmental disabilities.

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

Remove line 35 and insert:

Education to adopt rules; requiring the Division of Vocational Rehabilitation within the Department of Education to develop an implementation plan for the establishment of a state vocational college for persons with developmental disabilities if

COUNCIL/COMMITTEE AMENDMENT

Bill No. CS/HB 1073 (2010)

Amendment No. 02

20 | legislatively authorized and provided an appropriation to do so;
21 | providing an effective date.

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 1203 : Early Learning

Not Considered

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 1243 : Determination of Resident Status for Tuition Purposes

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Willi Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

CS/HB 1253 : Continuing Care Facilities

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15					
		Total Nays: 0			

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

HB 7019 : Trust Funds/Creation/Mortgage Guaranty Trust Fund/Office of Financial Regulation

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff				X	
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores	X				
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)				X	
Total Yeas: 14					
		Total Nays: 0			

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

HB 7127 : Working Waterfront Property

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore		X			
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 14					
		Total Nays: 1			

HB 7127 Amendments

Amendment 01

Adopted Without Objection

Amendment 02

Adopted as Amended

Amendment 2a

Adopted Without Objection

Appearances:

HB 7127--Working Waterfront Property
 Ken Reecy, Program Manager (State Employee) - Information Only
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee FL 32399
 Phone: (850) 922-1701

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

HB 7127--Working Waterfront Property

Missy Timmins (Lobbyist) - Opponent

Marine Industries Association

2910 Kerry Forest Parkway D4-368

Tallahassee FL 32309

Phone: (850) 264-3225

HB 7127--Working Waterfront Property

Keyna Cory, Senior Lobbyist (Lobbyist) - Proponent

AIF

110 East College Avenue

Tallahassee FL

Phone: (850) 681-1065

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7127 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Bogdanoff offered the following:
4

5 **Amendment**

6 Remove lines 128-136 and insert:

7 1. If the income approach to value is appropriate to the
8 property and if adequate local data on comparable rental rates,
9 expense rates, and vacancy rates are available to the property
10 appraiser, the assessed value shall be established using the
11 income approach to value, using an overall capitalization rate
12 based upon the debt coverage ratio formula, adjusted for the
13 effective tax rate. The overall capitalization rate shall be
14 calculated annually and shall be based on local data.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7127 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Bogdanoff offered the following:

Amendment (with title amendment)

6 Between lines 315 and 316, insert:

8 Section 4. Effective July 1, 2010, subsection (2) of
9 section 380.5105, Florida Statutes, is amended to read:

10 380.5105 The Stan Mayfield Working Waterfronts; Florida
11 Forever program.—

12 (2) The trust and the Department of Agriculture and
13 Consumer Services shall jointly develop rules specifically
14 establishing an application process and a process for the
15 evaluation, scoring and ranking of working waterfront
16 acquisition projects. The applicant must be a municipality or
17 county. The proposed rules jointly developed pursuant to this
18 subsection shall be promulgated by the trust. Such rules shall
19 ensure that the following general program objectives are

Amendment No. 02

20 ~~considered in selecting establish a system of weighted criteria~~
21 ~~to give increased priority to projects:~~

22 (a) That projects demonstrate a strong contribution to the
23 preservation of Florida's commercial fishing, marine, or
24 aquaculture industries;

25 (b) That projects are located in areas being converted or
26 threatened with conversion to uses that are incompatible with
27 working waterfront uses or are not marine or fishing uses;

28 (c) That projects provide a demonstrable benefit to the
29 local or state economy leading to employment opportunities in
30 the commercial fishing, marine, or aquaculture and related
31 industries; and

32 (d) That projects have been utilized for commercial
33 fishing, marine uses, or aquaculture uses or would create an
34 opportunity for commercial fishing, marine, or aquaculture uses.

35 ~~(a) Within a municipality with a population less than~~
36 ~~30,000;~~

37 ~~(b) Within a municipality or area under intense growth and~~
38 ~~development pressures, as evidenced by a number of factors,~~
39 ~~including a determination that the municipality's growth rate~~
40 ~~exceeds the average growth rate for the state;~~

41 ~~(c) Within the boundary of a community redevelopment~~
42 ~~agency established pursuant to s. 163.356;~~

43 ~~(d) Adjacent to state-owned submerged lands designated as~~
44 ~~an aquatic preserve identified in s. 258.39; or~~

45 ~~(e) That provide a demonstrable benefit to the local~~
46 ~~economy.~~

Amendment No. 02

47 Section 5. Notwithstanding the provisions of Section 4 of
48 this act, any project funded under s. 380.5105 prior to June 30,
49 2010, shall retain its status as a funded project.

50

51

52

53

54

55

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

56

Remove line 29 and insert:

57

calendar year 2010; amending s. 380.5105, F.S.; providing new

58

program objectives for the Stan Mayfield Working Waterfronts

59

Program and the Florida Forever Program which are to be

60

considered in selecting projects; grandfathering funded

61

projects; providing emergency rulemaking authority; providing

62

for severability; providing

63

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7127 (2010)

Amendment No. 2a

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Poppell offered the following:

4
5 **Amendment to Amendment (2) by Representative Bogdanoff**
6 Remove lines 16-17 and insert:
7 acquisition projects. The proposed rules jointly developed
8 pursuant to this

COUNCIL MEETING REPORT

Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

HB 7205 : Professional Sports Franchises

Favorable With Council Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Sandra Adams	X				
Ellyn Setnor Bogdanoff	X				
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores			X		
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)	X				
Total Yeas: 15					
		Total Nays: 0			

HB 7205 Amendments

Amendment 01

Adopted Without Objection

Amendment 02

Withdrawn

Amendment 03

Withdrawn

Amendment 04

Withdrawn

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7205 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development

3 Representative ~~Schenck~~ offered the following:

Proctor

4
5 **Amendment**

6 Remove line 189 and insert:

7 spring training franchise. that has been certified as a

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7205 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Mayfield offered the following:

Amendment

6 Remove line 289 and insert:
7 any provision of this section or any single purpose entity
8 affiliate of the National Association of Professional Baseball
9 Leagues, Inc., including but not limited to Minor League
10 Baseball or any of its wholly owned subsidiaries that has an
11 authorized location in this State.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7205 (2010)

Amendment No. 03

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Mayfield offered the following:

4
5 **Amendment**

6 Remove line 753 and insert:

7 franchise or any single purpose entity affiliate of the National
8 Association of Professional Baseball Leagues, Inc., including
9 but not limited to Minor League Baseball, or any of its wholly
10 owned subsidiaries that has an authorized location in this
11 State.

Amendment No. 04

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Mayfield offered the following:

Amendment

Between lines 785 and 786, insert:

4
5
6
7 (f) No local government as defined in S. 218.369 shall be
8 decertified that has paid or pledged for the payment of debt
9 service on, or to fund debt service reserve funds, arbitrage
10 rebate obligations, or other amounts payable with respect
11 thereto , bonds issued for the acquisition, construction,
12 reconstruction, or renovation of the facility for which it was
13 certified, or for the reimbursement of such costs or the
14 refinancing of bonds issued for such purpose. Nothing in this
15 section shall preclude or restrict the ability of a certified
16 local government to refinance, refund, or defease such bonds.

COUNCIL MEETING REPORT
Full Appropriations Council on Education & Economic Development

4/9/2010 8:45:00AM

Location: Webster Hall (212 Knott)

HB 7209 : Reorganization of the Public Service Commission

Favorable With Council Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Sandra Adams	X				
Ellyn Setnor Bogdanoff				X	
Ronald Brisé	X				
Charles Chestnut IV	X				
Anitere Flores	X				
Bill Galvano	X				
Joseph Gibbons	X				
Richard Glorioso	X				
Denise Grimsley	X				
D. Alan Hays	X				
Ralph Poppell	X				
William Proctor	X				
Ron Reagan	X				
Ron Saunders	X				
Kelly Skidmore	X				
Geraldine Thompson				X	
Will Weatherford				X	
David Rivera (Chair)				X	
Total Yeas: 14	Total Nays: 0				

HB 7209 Amendments

Amendment 01

Adopted Without Objection

Amendment 02

Adopted Without Objection

Committee meeting was reported out: Friday, April 09, 2010 5:16:15PM

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7209 (2010)

Amendment No. 01

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Precourt offered the following:
4

5 **Amendment**

6 Between lines 951 and 952, insert:

7 Section 17. (1) All powers, duties, functions, records,
8 offices, personnel, property, pending issues, and existing
9 contracts, administrative authority, administrative rules, and
10 unexpended balances of appropriations, allocations, and other
11 funds relating to the Office of Public Counsel pursuant to s.
12 350.061, Florida Statutes, is transferred by a type two
13 transfer, as defined in s. 20.06(2), Florida Statutes, from the
14 Legislature to the Office of Attorney General. The Office of
15 Public Counsel shall be funded from the General Revenue Fund.

16 (2) Notwithstanding ss. 216.292 and 216.351, Florida
17 Statutes, upon approval by the Legislative Budget Commission,
18 the Executive Office of the Governor shall transfer funds and

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7209 (2010)

Amendment No. 01

19 positions between the Legislature and the Office of Attorney

20 General to implement this act.

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7209 (2010)

Amendment No. 02

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Full Appropriations Council on
2 Education & Economic Development
3 Representative(s) Precourt offered the following:

4
5 **Amendment**

6 Between lines 1119 and 1120, insert:

7 Section 21. (1) The commission may employ clerical,
8 technical, and professional personnel reasonably necessary for
9 the performance of its duties and responsibilities. The
10 commission may also employ one or more persons capable of
11 stenographic court reporting, to be known as the official
12 reporters of the commission.

13 (2) All powers, duties, functions, records, offices,
14 personnel, property, pending issues, and existing contracts,
15 administrative authority, administrative rules, and unexpended
16 balances of appropriations, allocations, and other funds not
17 related to the duties and responsibilities of the commission
18 shall be transferred by a type two transfer, as defined in s.
19 20.06(2), Florida Statutes, from the commission to the Office of

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 7209 (2010)

Amendment No. 02

20 Regulatory Staff, as created pursuant to s. 350.071, Florida
21 Statutes, to fulfill its duties and responsibilities in
22 accordance with ss. 350.072, 350.073, 350.074, and 350.075,
23 Florida Statutes, and in accordance with any other provision of
24 law.

25 (3) The Regulatory Trust Fund, FLAIR number 61-2-573, is
26 transferred from the commission to the Office of Regulatory
27 Staff within the Financial Services Commission.

28 (4) Notwithstanding ss. 216.292 and 216.351, Florida
29 Statutes, upon approval by the Legislative Budget Commission,
30 the Executive Office of the Governor shall transfer funds and
31 positions between the commission and the Office of Regulatory
32 Staff to implement this act.