

# **Finance and Tax Committee**

# Thursday, January 26, 2012 2:30 p.m. Morris Hall

# **ACTION PACKET**

Dean Cannon Speaker Stephen Precourt Chair

### Finance & Tax Committee

1/26/2012 2:30:00PM

| Location: Mor | ris Hall | (17 | HOB) |
|---------------|----------|-----|------|
|---------------|----------|-----|------|

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| Summary:                                   |
|--|
| Finance & Tax Committee                    |
| Thursday January 26, 2012 02:30 pm         |
| HB 123 Temporarily Deferred                |
| HB 251 Temporarily Deferred                |
| HB 737 Favorable With Committee Substitute |
| HB 859 Favorable With Committee Substitute |
| HB 1393 Temporarily Deferred               |
| HB 7031 Favorable                          |
| PCB FTC 12-01 Not Considered               |
| PCB FTC 12-02 Not Considered               |
| PCB FTC 12-03 Not Considered               |
| PCB FTC 12-04 Favorable                    |

PCB FTC 12-05 Favorable

- PCS for HB 1063 Temporarily Deferred
- PCS for HB 809 Favorable

Yeas: 23 Nays: 0

Yeas: 23 Nays: 0

Yeas: 22 Nays: 1

Yeas: 21 Nays: 0

Yeas: 17 Nays: 6

Yeas: 16 Nays: 8

Finance & Tax Committee

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB)

### Attendance:

6

|                              | Present | Absent | Excused |
|------------------------------|---------|--------|---------|
| Stephen Precourt (Chair)     | Х       |        |         |
| Joseph Abruzzo               | X       |        |         |
| Larry Ahern                  | x       |        |         |
| Ben Albritton                | x       |        |         |
| Lori Berman                  | x       |        |         |
| Douglas Broxson              | x       |        |         |
| Matthew Caldwell             | x       |        |         |
| Fredrick Costello            | x       |        |         |
| Jose Diaz                    | x       |        |         |
| Reggie Fullwood              | x       |        |         |
| James Grant                  | x       |        |         |
| John Julien                  | x       |        |         |
| Debbie Mayfield              | x       |        |         |
| George Moraitis, Jr.         | ×       |        |         |
| Scott Randolph               | x       |        |         |
| Lake Ray                     | x       |        |         |
| Michelle Rehwinkel Vasilinda | x       |        |         |
| Hazelle Rogers               | x       |        |         |
| Patrick Rooney, Jr.          | x       |        |         |
| W. Gregory Steube            | x       |        |         |
| Perry Thurston, Jr.          | X       |        |         |
| Charles Van Zant             | x       |        | *       |
| Michael Weinstein            | X       |        |         |
| Ritch Workman                | X       |        |         |
| Totals:                      | 24      | 0      | 0       |

**Finance & Tax Committee** 

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB) HB 123 : Use of Cigarette Tax Proceeds

X Temporarily Deferred

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Finance & Tax Committee

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB) HB 251 : Property Assessments

X Temporarily Deferred

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**Finance & Tax Committee** 

1/26/2012 2:30:00PM

### Location: Morris Hall (17 HOB)

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### HB 737 : Tax on Sales, Use, and Other Transactions

X Favorable With Committee Substitute

|                              | Yea            | Nay         | No Vote | Absentee<br>Yea | Absentee<br>Nay |
|------------------------------|----------------|-------------|---------|-----------------|-----------------|
| Joseph Abruzzo               | X              |             |         | 160             | Ivay            |
| Larry Ahern                  |                |             |         | x               |                 |
| Ben Albritton                | X              |             |         |                 |                 |
| Lori Berman                  | X              |             |         |                 | ······          |
| Douglas Broxson              | X              |             |         |                 |                 |
| Matthew Caldwell             | X              |             |         |                 |                 |
| Fredrick Costello            | Х              |             |         |                 |                 |
| Jose Diaz                    | X              |             |         |                 |                 |
| Reggie Fullwood              | X              |             | ·····   |                 |                 |
| James Grant                  |                |             |         | Х               |                 |
| John Julien                  | X              |             |         |                 |                 |
| Debbie Mayfield              | X              |             |         |                 |                 |
| George Moraitis, Jr.         | Х              |             |         |                 |                 |
| Scott Randolph               | Х              |             |         |                 |                 |
| Lake Ray                     |                |             | х       |                 |                 |
| Michelle Rehwinkel Vasilinda | Х              | · · · · · · |         |                 |                 |
| Hazelle Rogers               | Х              |             |         |                 |                 |
| Patrick Rooney, Jr.          | Х              |             |         |                 |                 |
| W. Gregory Steube            | Х              |             |         |                 | · ·             |
| Perry Thurston, Jr.          | Х              |             |         |                 |                 |
| Charles Van Zant             | X              |             |         |                 |                 |
| Michael Weinstein            | Х              |             |         |                 |                 |
| Ritch Workman                | X              |             |         |                 |                 |
| Stephen Precourt (Chair)     | X              |             |         |                 |                 |
|                              | Total Yeas: 21 | Total Nays: | 0       |                 |                 |

### **Appearances:**

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

Joe Gonzalez (Lobbyist) - Proponent AIF 516 N. Adams Street Tallahassee FL 32301 Phone: 850-224-7173

Bill No. HB 737 (2012)

Amendment No. 1

| COMMITTEE/SUBCOMMIT   | TTEE ACTION |
|-----------------------|-------------|
| ADOPTED               | (Y/N)       |
| ADOPTED AS AMENDED    | (Y/N)       |
| ADOPTED W/O OBJECTION | (Y)N)       |
| FAILED TO ADOPT       | (Y/N)       |
| WITHDRAWN             | (Y/N)       |
| OTHER                 | W           |
|                       |             |

Committee/Subcommittee hearing bill: Finance & Tax Committee Representative Porter offered the following:

Amendment

Remove lines 14-16 and insert:

a.m. on August 10, 2012, through 11:59 p.m. on August 12, 2012, on the sale of:

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Bill No. HB 737 (2012)

Amendment No. 2

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| 1  |   |  |  |  |
|----|---|--|--|--|
|    | COMMITTEE/SUBCOMMI  | TTEE ACTION                              |  |  |
|    | ADOPTED   | (Y/N)                                    |  |  |
|    | ADOPTED AS AMENDED  | (Y/N)                                    |  |  |
|    | ADOPTED W/O OBJECTION                                       | $\mathbf{X}$ ( $\mathbf{Y}$ N)           |  |  |
|    | FAILED TO ADOPT   | (Y/N)                                    |  |  |
|    | WITHDRAWN   | (Y/N)                                    |  |  |
|    | OTHER   |  |  |  |
| Ì  |   |  |  |  |
| 1  | Committee/Subcommittee                                      | hearing bill: Finance & Tax Committee    |  |  |
| 2  | Representative Porter of                                    | ffered the following:                    |  |  |
| 3  |   |  |  |  |
| 4  | Amendment (with ti  | tle amendment)                           |  |  |
| 5  | Remove line 42 and  | insert:                                  |  |  |
| 6  | Section 2. For the 2011-2012 fiscal year, the sum of \$226, |  |  |  |
| 7  | 284 is appropriated from the General Revenue Fund to the    |  |  |  |
| 8  | Department of Revenue for                                   | or the purposes of administering section |  |  |
| 9  | 1. Funds remaining unexpended or unencumbered from this     |  |  |  |
| 10 | appropriation as of June                                    | e_30, 2012 shall revert and be           |  |  |
| 11 | reappropriated for the                                      | same purpose in the 2012-2013 fiscal     |  |  |
| 12 | year.   |  |  |  |
| 13 | Section 3. This ac  | t shall take effect upon becoming a law. |  |  |
| 14 |   |  |  |  |
| 15 |   |  |  |  |
| 16 |   |  |  |  |
| 17 |   |  |  |  |
| 18 | ТІТ   | TLE AMENDMENT                            |  |  |
| 19 | Remove lines 7-8 as   | nd insert:                               |  |  |
| 1  | 238049 - h0737-line 42.0<br>Published On: 1/25/2012         |  |  |  |

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Bill No. HB 737 (2012)

| 20 | Amendment No. 2   |
|----|---|
| 21 | Revenue to adopt emergency rules; providing an appropriation; |
| 22 | providing an effective date.                                  |
| 23 |   |
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**Finance & Tax Committee** 

1/26/2012 2:30:00PM

### Location: Morris Hall (17 HOB)

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### HB 859 : Florida Tax Credit Scholarship Program

X Favorable With Committee Substitute

|                              | Yea            | Nay           | No Vote                               | Absentee<br>Yea                        | Absentee<br>Nay |
|------------------------------|----------------|---------------|---------------------------------------|--|-----------------|
| Joseph Abruzzo               |                | x             |                                       | 7.0                                    |                 |
| Larry Ahern                  | X              |               |                                       |  |                 |
| Ben Albritton                | X              |               |                                       |  |                 |
| Lori Berman                  |                | х             | · · · · · · · · · · · · · · · · · · · |  |                 |
| Douglas Broxson              | X              |               | ·····                                 |  |                 |
| Matthew Caldwell             | X              |               |                                       |  |                 |
| Fredrick Costello            | X              |               |                                       |  |                 |
| Jose Diaz                    | X              |               |                                       |  |                 |
| Reggie Fullwood              |                | X             |                                       |  |                 |
| James Grant                  | X              |               |                                       |  |                 |
| John Julien                  | X              |               |                                       |  |                 |
| Debbie Mayfield              | X              |               |                                       |  |                 |
| George Moraitis, Jr.         | X              |               |                                       |  |                 |
| Scott Randolph               | ,              | х             |                                       |  |                 |
| Lake Ray                     |                |               | x                                     |  |                 |
| Michelle Rehwinkel Vasilinda |                | X             |                                       |  |                 |
| Hazelle Rogers               | Х              |               |                                       |  |                 |
| Patrick Rooney, Jr.          | X              |               |                                       |  |                 |
| W. Gregory Steube            | X              |               |                                       |  | · ·             |
| Perry Thurston, Jr.          |                | Х             |                                       | ······································ |                 |
| Charles Van Zant             | X              |               |                                       |  |                 |
| Michael Weinstein            | X              |               |                                       |  |                 |
| Ritch Workman                | X              |               |                                       |  |                 |
| Stephen Precourt (Chair)     | Х              |               |                                       |  |                 |
|                              | Total Yeas: 17 | Total Nays: 6 |                                       |  |                 |

### **Appearances:**

Hassell, Joanna (Lobbyist) (General Public) - Proponent Foundation for Florida's Future 215 S. Monroe Street Tallahassee FL undefined Phone: 850-391-3070

Lynda Russell (Lobbyist) - Opponent 215 S. Adams Street Tallahassee FL 32301 Phone: 850-224-2078

Denise Lastter (Lobbyist) - Proponent Step up for Studies 17513 Mallard Lutz FL

Finance & Tax Committee

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB)

### HB 859 : Florida Tax Credit Scholarship Program (continued)

### Appearances: (continued)

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David Hart (Lobbyist) - Proponent FL Chamber 136 S. Bronough Street Tallahassee FL 32301 Phone: 850-521-1200

Bill No. HB 859 (2012)

Amendment No. 1

| COMMITTEE/SUBCOMMI    | TTEE ACTION         |
|-----------------------|---------------------|
| ADOPTED               | (Y/N)               |
| ADOPTED AS AMENDED    | _ (Y/N)             |
| ADOPTED W/O OBJECTION | $\mathbf{X}$ (Y) N) |
| FAILED TO ADOPT       | (Y/N)               |
| WITHDRAWN             | (Y/N)               |
| OTHER                 |                     |

Committee/Subcommittee hearing bill: Finance & Tax Committee Representative Corcoran offered the following:

### Amendment (with title amendment)

Remove everything after the enacting clause and insert: Section 1. Subsection (3), paragraph (a) of subsection (5), paragraph (e) of subsection (7), paragraph (c) of subsection (8), paragraphs (j) and (n) of subsection (9), subsection (10), and paragraphs (a) and (c) of subsection (11) of section 1002.395, Florida Statutes, are amended, and paragraph (p) is added to subsection (9) of that section, to read:

1002.395 Florida Tax Credit Scholarship Program.-

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(3) PROGRAM; SCHOLARSHIP ELIGIBILITY.-

14 (a) The Florida Tax Credit Scholarship Program is 15 established.

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(b) Contingent upon available funds, +

1. A student is eligible for a Florida tax credit 18 scholarship under this section if:

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Amendment No. 1

19 <u>1.</u> The student qualifies for free or reduced-price school
 20 lunches under the National School Lunch Act or is on the direct
 21 certification list and:

a. Was counted as a full-time equivalent student during the
previous state fiscal year for purposes of state per-student
funding;

b. Received a scholarship from an eligible nonprofit
scholarship-funding organization or from the State of Florida
during the previous school year; or

28 c. Is eligible to enter kindergarten <u>through fifth</u> or first 29 grade.<del>; or</del>

30 <u>2.-d.</u> <u>The student is currently placed</u>, or during the 31 previous state fiscal year was placed, in foster care as defined 32 in s. 39.01.

33 <u>3.2.</u> A student may continue in the scholarship program as 34 long as the student's household income level does not exceed 230 35 percent of the federal poverty level.

36 <u>4.3.</u> A sibling of a student who is continuing in the 37 scholarship program and who resides in the same household as the 38 student shall also be eligible as a first-time tax credit 39 scholarship recipient if the sibling meets one or more of the 40 criteria specified in <u>subparagraphs</u> <del>subparagraph</del> 1. <u>and 2.</u> and 41 as long as the student's and sibling's household income level 42 does exceed not 230 percent of the federal poverty level.

(c) Household income for purposes of a student who is
currently in foster care as defined in s. 39.01 shall consist
only of the income that may be considered in determining whether

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Amendment No. 1

46 he or she qualifies for free or reduced-price school lunches47 under the National School Lunch Act.

48

(5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.-

(a)1. The tax credit cap amount is  $\frac{229}{140}$  million in the 2012-2013  $\frac{2010-2011}{2010}$  state fiscal year.

2. In the 2013-2014  $\frac{2011-2012}{2012}$  state fiscal year and each 51 52 state fiscal year thereafter, the tax credit cap amount is the 53 tax credit cap amount in the prior state fiscal year. However, 54 in any state fiscal year when the annual tax credit amount for 55 the prior state fiscal year is equal to or greater than 90 56 percent of the tax credit cap amount applicable to that state 57 fiscal year, the tax credit cap amount shall increase by 25 percent. The department shall publish on its website information 58 59 identifying the tax credit cap amount when it is increased 60 pursuant to this subparagraph.

61 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 62 PARTICIPATION.—

63 (e) The parent shall ensure that the student participating in the scholarship program takes the norm-referenced assessment 64 65 offered by the private school. The parent may also choose to 66 have the student participate in the statewide assessments 67 pursuant to s. 1008.22. If the parent requests that the student participating in the scholarship program take statewide 68 assessments pursuant to s. 1008.22 and the private school has 69 70 not chosen to offer and administer the statewide assessments, 71 the parent is responsible for transporting the student to the 72 assessment site designated by the school district.

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Amendment No. 1

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
private school may be sectarian or nonsectarian and must:
(c) Be academically accountable to the parent for meeting the
educational needs of the student by:

77 1. At a minimum, annually providing to the parent a written78 explanation of the student's progress.

2. Annually administering or making provision for students 79 participating in the scholarship program in grades 3 through 10 80 to take one of the nationally norm-referenced tests identified 81 by the Department of Education or the statewide assessments 82 83 pursuant to s. 1008.22. Students with disabilities for whom 84 standardized testing is not appropriate are exempt from this requirement. A participating private school must report a 85 86 student's scores to the parent. A participating private school must annually report the scores of all participating students 87 88 and to the independent research organization by August 15 selected by the Department of Education as described in 89 90 paragraph (9)(j).

91 3. Cooperating with the scholarship student whose parent 92 chooses to have the student participate in the statewide 93 assessments pursuant to s. 1008.22 or, if a private school 94 <u>chooses to offer the statewide assessments, administering the</u> 95 assessments at the school.

<u>a. A participating private school must submit a request in</u>
 writing to the Department of Education by March 1 each year in
 <u>order to administer the statewide assessments in the subsequent</u>
 school year.

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|     | Amendment No. 1   |
|-----|---|
| 100 | b. A participating private school may choose to offer and                             |
| 101 | administer the statewide assessments to all students who attend                       |
| 102 | the private school in grades 3 through 10.  |
| 103 |   |
| 104 | The inability of a private school to meet the requirements of                         |
| 105 | this subsection shall constitute a basis for the ineligibility                        |
| 106 | of the private school to participate in the scholarship program                       |
| 107 | as determined by the Department of Education.   |
| 108 | (9) DEPARTMENT OF EDUCATION OBLIGATIONSThe Department of                              |
| 109 | Education shall:  |
| 110 | (j) Select an independent research organization, which may                            |
| 111 | be a public or private entity or university, to which                                 |
| 112 | participating private schools must report the scores of                               |
| 113 | participating students on the nationally norm-referenced tests                        |
| 114 | or the statewide assessments administered by the private school                       |
| 115 | in grades 3 through 10.   |
| 116 | 1. The independent research organization must annually                                |
| 117 | report to the Department of Education on the year-to-year                             |
| 118 | learning gains of participating students:   |
| 119 | a. On a statewide basis. The report shall also include, to                            |
| 120 | the extent possible, a comparison of these learning gains to the                      |
| 121 | statewide learning gains of public school students with                               |
| 122 | socioeconomic backgrounds similar to those of students                                |
| 123 | participating in the scholarship program. To minimize costs and                       |
| 124 | reduce time required for the independent research organization's                      |
| 125 | analysis and evaluation, the Department of Education shall                            |
| 126 | conduct analyses of matched students from public school                               |
| 127 | assessment data and calculate control group learning gains using                      |
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Amendment No. 1

128 an agreed-upon methodology outlined in the contract with the 129 independent research organization; and

∘ 130

b. According to each participating private school in which there are at least 30 participating students who have scores for 131 132 tests administered during or after the 2009-2010 school year for 2 consecutive years at that private school. 133

2. The sharing and reporting of student learning gain data 134 under this paragraph must be in accordance with requirements of 135 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy 136 137 Act, and shall be for the sole purpose of creating the annual report required by subparagraph 1. All parties must preserve the 138 confidentiality of such information as required by law. The 139 annual report must not disaggregate data to a level that will 140 identify individual participating schools, except as required 141 under sub-subparagraph 1.b., or disclose the academic level of 142 individual students. 143

3. The annual report required by subparagraph 1. shall be 144 published by the Department of Education on its website. 145

146 (n)1. Conduct random site visits to private schools participating in the Florida Tax Credit Scholarship Program. The 147 purpose of the site visits is solely to verify the information 148 reported by the schools concerning the enrollment and attendance 149 of students, the credentials of teachers, background screening 150 of teachers, and teachers' fingerprinting results. The 151 Department of Education may not make more than seven random site 152 visits each year; however, the Department of Education may make 153 additional site visits at any time to any school that has 154received a notice of noncompliance or a notice of proposed 155 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM

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Bill No. HB 859 (2012)

Amendment No. 1 156 action within the previous two years and may not make more than 157 one random site visit each year to the same private school.

2. Annually, by December 15, report to the Governor, the 158 159 President of the Senate, and the Speaker of the House of 160Representatives the Department of Education's actions with 161 respect to implementing accountability in the scholarship 162 program under this section and s. 1002.421, any substantiated 163 allegations or violations of law or rule by an eligible private school under this program concerning the enrollment and 164 165 attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results and 166 the corrective action taken by the Department of Education. 167

(p) Upon the request of a participating private school, provide at no cost to the school the statewide assessments required under s. 1008.22 and any related materials for administering the assessments.

172

(10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

(a) Upon the request of any eligible nonprofit scholarship-173 funding organization, a school district shall inform all 174 175 households within the district receiving free or reduced-priced meals under the National School Lunch Act of their eligibility 176 177 to apply for a tax credit scholarship. The form of such notice 178 shall be provided by the eligible nonprofit scholarship-funding organization, and the district shall include the provided form, 179 if requested by the organization, in any normal correspondence 180 with eligible households. If an eligible nonprofit scholarship-181 funding organization requests a special communication to be 182 issued to households within the district receiving free or 183 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM

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Amendment No. 1 184 reduced-price meals under the National School Lunch Act, the 185 organization shall reimburse the district for the cost of 186 postage. Such notice is limited to once a year.

187 (b) Upon the request of the Department of Education, a
 188 school district shall coordinate with the Department of
 189 Education to provide the statewide assessments required under s.
 190 1008.22 and any related materials for administering the
 191 assessments to a participating private school.

192

(11) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.-

193 (a)1. The Commissioner of Education shall denv, suspend, or 194 revoke a private school's participation in the scholarship program if it is determined that the private school has failed 195 196 to comply with the provisions of this section. However, in instances in which the noncompliance is correctable within a 197 reasonable amount of time and in which the health, safety, or 198 welfare of the students is not threatened, the commissioner may 199 200 issue a notice of noncompliance that shall provide the private 201 school with a timeframe within which to provide evidence of 202 compliance prior to taking action to suspend or revoke the private school's participation in the scholarship program. 203

204 2. The Commissioner of Education may deny, suspend, or 205 revoke a private school's participation in the scholarship 206 program if the commissioner determines that:

207 <u>a. An owner or operator of a private school has exhibited a</u>
 208 previous pattern of failure to comply with the provisions of
 209 <u>this section or s. 1002.421, or;</u>

210 <u>b.</u> An owner or operator of the private school is operating 211 or has operated an educational institution in this state or 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM Page 8 of 12

Bill No. HB 859 (2012)

Amendment No. 1 another state or jurisdiction in a manner contrary to the 212 213 health, safety, or welfare of the public. In making the this determination under this subparagraph, the commissioner may 214 consider factors that include, but are not limited to, acts or 215 216 omissions by an owner or operator that led to a previous denial or revocation of participation in an education scholarship 217 218 program; an owner's or operator's failure to reimburse the 219 Department of Education or a scholarship-funding organization for scholarship funds improperly received or retained by a 220 221 school; imposition of a prior criminal sanction, or civil fine, 222 administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation 223 224 sanction related to an owner's or operator's management or 225 operation of an educational institution; or other types of 226 criminal proceedings in which the owner or operator was found quilty of, regardless of adjudication, or entered a plea of nolo 227 228 contendere or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude. 229

(c) The commissioner may immediately suspend payment of
scholarship funds if it is determined that there is probable
cause to believe that there is:

233 1. An imminent threat to the health, safety, and welfare of234 the students;

# 235 <u>2. A previous pattern of failure to comply with this</u> 236 section or s. 1002.421; or

237 <u>3.2.</u> Fraudulent activity on the part of the private school. 238 Notwithstanding s. 1002.22, in incidents of alleged fraudulent 239 activity pursuant to this section, the Department of Education's 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM Page 9 of 12

Bill No. HB 859 (2012)

Amendment No. 1

240 Office of Inspector General is authorized to release personally 241 identifiable records or reports of students to the following 242 persons or organizations:

a. A court of competent jurisdiction in compliance with an
order of that court or the attorney of record in accordance with
a lawfully issued subpoena, consistent with the Family
Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

c. Any person, entity, or authority issuing a subpoena for 252 law enforcement purposes when the court or other issuing agency 253 has ordered that the existence or the contents of the subpoena 254 or the information furnished in response to the subpoena not be 255 disclosed, consistent with the Family Educational Rights and 256 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31. 257 258 The commissioner's order suspending payment pursuant to this paragraph may be appealed pursuant to the same procedures and 259 timelines as the notice of proposed action set forth in 260 261 paragraph (b).

Section 2. Paragraph (b) of subsection (6) of section 1002.20, Florida Statutes, is amended to read: 1002.20 K-12 student and parent rights.-Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM Page 10 of 12

Bill No. HB 859 (2012)

Amendment No. 1

268 and their parents are afforded numerous statutory rights 269 including, but not limited to, the following:

°270

(6) EDUCATIONAL CHOICE.-

(b) Private school choices.-Parents of public school
students may seek private school choice options under certain
programs.

1. Under the McKay Scholarships for Students with Disabilities Program, the parent of a public school student with a disability may request and receive a McKay Scholarship for the student to attend a private school in accordance with the provisions of s. 1002.39.

279 2. Under the Florida Tax Credit Scholarship Program, the 280 parent of a student who qualifies for free or reduced-price 281 school lunch or who is currently placed, or during the previous 282 state fiscal year was placed, in foster care as defined in s. 283 <u>39.01</u> may seek a scholarship from an eligible nonprofit 284 scholarship-funding organization in accordance with the 285 <del>provisions of</del> s. 1002.395.

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

# TITLE AMENDMENT

291 Remove lines 12-14 and insert: 292 reporting of test scores and site visits; requiring the 293 Department of Education to provide at no cost statewide 294 assessments and related materials to a school that makes such a 295 request; requiring a school district to coordinate with the 681955 - h0859-line strike.docx Published On: 1/25/2012 8:00:43 PM Page 11 of 12

Bill No. HB 859 (2012)

| 296 | Amendment No. 1<br>Department of Education to provide statewide assessments and |
|-----|---|
|     |   |
| 297 | related materials to a participating private school;                            |
| 298 |   |
|     |   |
|     |   |
|     |   |
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**Finance & Tax Committee** 

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB) HB 1393 : Taxation Of Transient Rentals

X Temporarily Deferred

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Finance & Tax Committee

1/26/2012 2:30:00PM

### Location: Morris Hall (17 HOB)

### HB 7031 : Financial Emergencies

X Favorable

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|                              | Yea                                   | Nay                                   | No Vote                                | Absentee<br>Yea | Absentee<br>Nay |
|------------------------------|---------------------------------------|---------------------------------------|--|-----------------|-----------------|
| Joseph Abruzzo               |                                       | x                                     |  | 100             | IVAY            |
| Larry Ahern                  | X                                     |                                       |  | ······          |                 |
| Ben Albritton                | X                                     | · · · · · · · · · · · · · · · · · · · |  |                 |                 |
| Lori Berman                  |                                       | Х                                     |  |                 |                 |
| Douglas Broxson              | X                                     |                                       |  |                 |                 |
| Matthew Caldwell             | X                                     |                                       |  |                 |                 |
| Fredrick Costello            | X                                     |                                       |  |                 |                 |
| Jose Diaz                    | Х                                     |                                       |  |                 |                 |
| Reggie Fullwood              | · · · · · · · · · · · · · · · · · · · | х                                     |  |                 |                 |
| James Grant                  | X                                     |                                       |  |                 |                 |
| John Julien                  |                                       | х                                     |  |                 |                 |
| Debbie Mayfield              | Х                                     |                                       |  |                 |                 |
| George Moraitis, Jr.         | Х                                     |                                       |  |                 |                 |
| Scott Randolph               |                                       | x                                     |  |                 |                 |
| Lake Ray                     | Х                                     |                                       |  |                 |                 |
| Michelle Rehwinkel Vasilinda |                                       | x                                     |  |                 |                 |
| Hazelle Rogers               |                                       | Х                                     |  |                 |                 |
| Patrick Rooney, Jr.          | X                                     |                                       |  |                 | -               |
| W. Gregory Steube            | Х                                     |                                       |  |                 |                 |
| Perry Thurston, Jr.          |                                       | X                                     |  |                 |                 |
| Charles Van Zant             | X                                     |                                       |  |                 |                 |
| Michael Weinstein            | X                                     |                                       | ······································ |                 |                 |
| Ritch Workman                | Х                                     |                                       |  |                 |                 |
| Stephen Precourt (Chair)     | X                                     |                                       |  |                 |                 |
|                              | Total Yeas: 16                        | Total Nays: 8                         |  |                 |                 |

Finance & Tax Committee

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB) PCB FTC 12-01 : Property Tax Oversight

X Not Considered

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Finance & Tax Committee

1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB) PCB FTC 12-02 : General Tax Administration

X Not Considered

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Finance & Tax Committee

1/26/2012 2:30:00PM

# Location: Morris Hall (17 HOB) PCB FTC 12-03 : Corporate Income Tax

X Not Considered

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Finance & Tax Committee

1/26/2012 2:30:00PM

## Location: Morris Hall (17 HOB) PCB FTC 12-04 : Corporate Income Tax

X Favorable

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|                              | Yea            | Nay         | No Vote      | Absentee<br>Yea | Absentee<br>Nay |
|------------------------------|----------------|-------------|--------------|-----------------|-----------------|
| Joseph Abruzzo               | X              |             |              | ,               | nay             |
| Larry Ahern                  | X              |             |              |                 |                 |
| Ben Albritton                | Х              |             |              |                 |                 |
| Lori Berman                  | Х              |             |              |                 |                 |
| Douglas Broxson              | X              |             | ************ |                 |                 |
| Matthew Caldwell             | Х              |             |              |                 |                 |
| Fredrick Costello            | X              |             |              |                 |                 |
| Jose Diaz                    | Х              |             |              |                 |                 |
| Reggie Fullwood              | X              |             |              |                 |                 |
| James Grant                  | X              |             |              |                 |                 |
| John Julien                  | Х              |             |              |                 |                 |
| Debbie Mayfield              | · X            |             |              |                 |                 |
| George Moraitis, Jr.         | Х              |             |              |                 |                 |
| Scott Randolph               | Х              |             |              |                 |                 |
| Lake Ray                     | Х              |             |              |                 |                 |
| Michelle Rehwinkel Vasilinda | Х              |             |              |                 |                 |
| Hazelle Rogers               | X              |             |              |                 | -               |
| Patrick Rooney, Jr.          | X              |             |              |                 |                 |
| W. Gregory Steube            | X              |             |              |                 | •               |
| Perry Thurston, Jr.          |                |             |              | x               |                 |
| Charles Van Zant             | X              |             |              |                 |                 |
| Michael Weinstein            | X              |             |              |                 |                 |
| Ritch Workman                | X              |             |              |                 |                 |
| Stephen Precourt (Chair)     | X              |             |              |                 |                 |
|                              | Total Yeas: 23 | Total Nays: | 0            |                 |                 |

### **Appearances:**

Frank Meiners (Lobbyist) - Proponent Associated Industries of Florida P.O. Box 1633 Tallahassee FL 32301

Finance & Tax Committee

1/26/2012 2:30:00PM

### Location: Morris Hall (17 HOB)

### PCB FTC 12-05 : Communication Services Tax

X Favorable

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|                              | Yea            | Nay           | No Vote | <i>Absentee</i><br><i>Yea</i> | Absentee<br>Nay                       |
|------------------------------|----------------|---------------|---------|-------------------------------|---------------------------------------|
| Joseph Abruzzo               | Х              |               |         | ·····                         |                                       |
| Larry Ahern                  | X              |               |         |                               |                                       |
| Ben Albritton                | X              |               |         |                               |                                       |
| Lori Berman                  | Х              |               |         |                               |                                       |
| Douglas Broxson              | Х              |               |         |                               |                                       |
| Matthew Caldwell             | X              |               |         |                               |                                       |
| Fredrick Costello            |                | х             |         |                               |                                       |
| Jose Diaz                    | X              |               |         |                               |                                       |
| Reggie Fullwood              | X              |               |         |                               |                                       |
| James Grant                  | Х              |               |         |                               |                                       |
| John Julien                  | X              |               |         |                               |                                       |
| Debbie Mayfield              | X              |               |         |                               |                                       |
| George Moraitis, Jr.         | X              |               |         |                               |                                       |
| Scott Randolph               | Х              |               |         |                               |                                       |
| Lake Ray                     | X              |               |         |                               |                                       |
| Michelle Rehwinkel Vasilinda | X              |               |         |                               |                                       |
| Hazelle Rogers               | X              |               |         |                               |                                       |
| Patrick Rooney, Jr.          | Х              |               |         |                               |                                       |
| W. Gregory Steube            | X              |               |         |                               | · · · · · · · · · · · · · · · · · · · |
| Perry Thurston, Jr.          |                |               |         | х                             |                                       |
| Charles Van Zant             | X              |               |         |                               |                                       |
| Michael Weinstein            | Х              |               |         |                               |                                       |
| Ritch Workman                | Х              |               |         |                               |                                       |
| Stephen Precourt (Chair)     | X              |               |         |                               |                                       |
|                              | Total Yeas: 22 | Total Nays: 1 | L       |                               |                                       |

Finance & Tax Committee

1/26/2012 2:30:00PM

# Location: Morris Hall (17 HOB) PCS for HB 1063 : Local Business Tax

X Temporarily Deferred

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Finance & Tax Committee

1/26/2012 2:30:00PM

#### Location: Morris Hall (17 HOB)

PCS for HB 809 : Communication Services Tax

X Favorable

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|                              | Yea            | Nay         | No Vote | Absentee<br>Yea | Absentee<br>Nay |
|------------------------------|----------------|-------------|---------|-----------------|-----------------|
| Joseph Abruzzo               | X              |             |         |                 |                 |
| Larry Ahern                  | X              |             | -       |                 |                 |
| Ben Albritton                | X              |             |         |                 |                 |
| Lori Berman                  | X              |             |         |                 |                 |
| Douglas Broxson              | X              |             |         |                 |                 |
| Matthew Caldwell             | X              |             |         |                 |                 |
| Fredrick Costello            | X              |             |         |                 | - <u> </u>      |
| Jose Diaz                    | X              |             |         |                 |                 |
| Reggie Fullwood              | X              |             |         |                 |                 |
| James Grant                  | X              |             |         |                 |                 |
| John Julien                  | X              |             |         |                 |                 |
| Debbie Mayfield              | Х              |             |         |                 |                 |
| George Moraitis, Jr.         | Х              |             |         |                 |                 |
| Scott Randolph               | X              |             |         |                 |                 |
| Lake Ray                     | Х              |             |         |                 |                 |
| Michelle Rehwinkel Vasilinda |                |             | x       |                 |                 |
| Hazelle Rogers               | Х              |             |         |                 |                 |
| Patrick Rooney, Jr.          | Х              |             |         |                 |                 |
| W. Gregory Steube            | X              |             |         |                 |                 |
| Perry Thurston, Jr.          | X              |             |         |                 |                 |
| Charles Van Zant             | X              |             |         |                 |                 |
| Michael Weinstein            | X              |             |         |                 |                 |
| Ritch Workman                | x              |             |         |                 |                 |
| Stephen Precourt (Chair)     | X              |             |         |                 |                 |
|                              | Total Yeas: 23 | Total Nays: | 0       |                 |                 |

### **Appearances:**

Jim Smith (Lobbyist) - Proponent CenturyLink 315 S. Calhoun Street Tallahassee FL 32301 Phone: 850-212-5901

Woody Simmons' (Lobbyist) - Waive In Support Verizon 106 East College Avenue Tallahassee FL 32301 Phone: 850-222-6304

Charles Dudley (Lobbyist) - Proponent <sup>•</sup> Florida Cable Telecom Assoc. 108 South Monroe Street, #200 Tallahassee FL 32301 Phone: 850-681-0024

Finance & Tax Committee

## 1/26/2012 2:30:00PM

Location: Morris Hall (17 HOB)

PCS for HB 809 : Communication Services Tax (continued)

### Appearances: (continued)

Jose Gonzalez (Lobbyist) - Proponent AIF 516 N. Adams Street

Tallahassee FL 32301 Phone: 850-224-7173

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David Hart (Lobbyist) - Proponent Florida Chamber 136 S. Bronough Street Tallahassee FL 32301 Phone: 850-521-1200

Christina Johnson (Lobbyist) - Proponent Citizens for a Digital Future P.O. Box 1369 Tallahassee FL 32301 Phone: 850-391-5040

Frank Meiners (Lobbyist) - Proponent AT & T P.O. Box 1633 Tallahassee FL 32301 Phone: 850-591-0177