



Government Operations Subcommittee

**Tuesday, January 31, 2012
9:00 AM
Morris Hall (17 HOB)**

Action Packet

**Dean Cannon
Speaker**

**Jimmy Patronis
Chair**

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

Summary:

Government Operations Subcommittee

Tuesday January 31, 2012 09:00 am

HB 337	Favorable	Yeas: 12	Nays: 0
HB 395	Favorable	Yeas: 13	Nays: 0
HB 469	Favorable	Yeas: 13	Nays: 0
HB 525	Favorable With Committee Substitute	Yeas: 7	Nays: 6
HB 605	Favorable	Yeas: 13	Nays: 0
CS/HB 897	Favorable	Yeas: 12	Nays: 0
CS/HB 971	Favorable	Yeas: 10	Nays: 3
HB 1089	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 1105	Favorable	Yeas: 13	Nays: 0
CS/HB 1211	Favorable	Yeas: 13	Nays: 0
HB 1301	Favorable	Yeas: 13	Nays: 0
HB 1325	Favorable	Yeas: 13	Nays: 0
HB 1339	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1461	Favorable	Yeas: 9	Nays: 6
HB 1479	Favorable	Yeas: 12	Nays: 0
CS/HB 1481	Favorable	Yeas: 13	Nays: 0
PCS for HB 365	Favorable	Yeas: 7	Nays: 6

Draft legislation amending section 288.075, Florida Statutes,
which provides public record exemptions for economic
development agencies Workshopped

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Jimmy Patronis (Chair)	X		
Larry Ahern	X		
Douglas Broxson	X		
Jeff Clemens	X		
Janet Cruz	X		
Ana Logan	X		
Debbie Mayfield	X		
George Moraitis, Jr.	X		
Bryan Nelson	X		
H. Marlene O'Toole			X
Kenneth Roberson	X		
Irving Slosberg	X		
Cynthia Stafford	X		
Barbara Watson	X		
Dana Young	X		
Totals:	14	0	1

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COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 337 : Public-Private Partnerships

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan			X		
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Public-Private Partnerships

Bernardino, Frank (Lobbyist) - Proponent

Florida Water Advocates

324 E. Virginia Street

Tallahassee FL 32301

Phone: 561-718-2345

C. Scott Dudley (Lobbyist) - Waive In Support

Florida League of Cities

301 S. Bronough

Tallahassee FL

Phone: 850-222-9684

Public-Private Partnerships

Watson, Richard (Lobbyist) - Proponent

Builders Notice Corporation

P.O. Box 10038

Tallahassee FL 32302

Phone: (850)222-0000

Support of Williams Bill 337

Hansen, Chris (Lobbyist) - Waive In Support

Associated Builders & Contractors

Tallahassee FL 32301

Phone: 850-577-9090

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Location: Morris Hall (17 HOB)

HB 337 : Public-Private Partnerships (continued)

Appearances: (continued)

CCNA Exemption

Lanier Mathews - Opponent

Florida Surveying & Mapping Society

4464 Luminous Lane

Tallahassee FL

Phone: 850-519-7466

Public-Private Partnerships

Perdue, Tamela (Lobbyist) - Waive In Support

Associated Industries of Florida

516 N. Adams Street

Tallahassee FL 32301

Phone: (850)224-7173

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
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Location: Morris Hall (17 HOB)

HB 395 : Official State Designations

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan			X		
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Support Broxson bill 395
Hansen, Christopher (Lobbyist) - Waive In Support
City of Key West
Tallahassee FL 32301
Phone: (850)577-9090

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 469 : Special Observances

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Purple Heart Day
 Holmich (Lobbyist) - Waive In Support
 VFW/American Legion
 303 Johns Drive
 Tallahassee FL 32301

Purple Heart
 Haynes, John - Waive In Support
 Major USMC (Retired)/Florida Veterans Foundations
 FL
 Phone: 850-443-3451

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

Purple Heart
 Holland, Jim (General Public) - Proponent
 Post Dept. Cdr Military Order of the Purple Heart
 2985 Gwerny Drive
 Tallahassee FL 32309
 Phone: 850-575-9576

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COMMITTEE MEETING REPORT
Government Operations Subcommittee

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Location: Morris Hall (17 HOB)

HB 469 : Special Observances (continued)

Appearances: (continued)

Lecroy, Charles (General Public) - Waive In Support
American Legion
459 Barineau Road
Tallahassee FL 32304
Phone: (850) 575-9234

Ford, Mike - Proponent
Purple Heart/DAV
3093 Killlearn Pt.Ct
Tallahassee FL 32312
Phone: 850893-6257

Thomas, Cleveland, Jr. - Proponent
MOPH
P.O. Box 637
Sneads FL 32460-0637
Phone: 850-593-6923

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 525 : Florida Retirement System

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens		X			
Janet Cruz		X			
Ana Logan			X		
Debbie Mayfield	X				
George Moraitis, Jr.		X			
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg		X			
Cynthia Stafford		X			
Barbara Watson		X			
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 7		Total Nays: 6			

Appearances:

FRS

Puckett, Matthew (Lobbyist) - Proponent
 Florida Police Benevolent Association, Inc
 300 E Brevard St
 Tallahassee FL 32301
 Phone: (850)222-3329

Bolin, Marty - Waive In Opposition

FPF
 806 SW El Prado
 Lake City FL 32025
 Phone: 386-719-9133

FRS

Sandlin, Brett - Waive In Opposition
 Fire Rescue Prof. of Alachua County
 1949 NE 27th Ave
 Gainesville FL 32609
 Phone: 352-535-5342

FRS

Dix, Walter - Opponent
 Broward County Firefighters
 2650 W. St. Rd. 84
 Ft. Lauderdale FL 33312
 Phone: 954-587-3333

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Location: Morris Hall (17 HOB)

HB 525 : Florida Retirement System (continued)

Appearances: (continued)

Spence, Richard - Waive In Opposition
Reedy Creek Firefighters
6303 Abbeydale Ct.
Orlando FL 32818
Phone: 404-595-4579

Dietrich, Eric (State Employee) - Waive In Support
Captain, Volusia County Sheriff's Office & FSA
123 W Indiana Ave
Deland FL 32720
Phone: 386-736-5999

McCrystal, Darrel - Waive In Opposition
Florida Professional Fire Fighters

Goodwin, Lori - Opponent
Fraternal Order of Police
Milton FL

Henning, Lisa (Lobbyist) - Waive In Opposition
Florida Fraternal Order of Police
242 Office Plaza Dr
Tallahassee FL 32301
Phone: (850)656-9881

Perez, Andre (Lobbyist) - Waive In Opposition
Orange County Prof. Fire Fighters L2057/FL. Prof. Fire Fighters
6828 Hanging Moss Rd
Orlando FL 32807
Phone: 321-276-4719

Default to Investment Plan
Edson, Linda (General Public) - Opponent
Florida Retired Educators Association
1841 Myrick Rd.
Tallahassee FL 32303
Phone: 850-385-3196

Pension; State Retirement System
Sanchez, Robert F. - Information Only
The James Madison Institute
2017 Delta Boulevard
Tallahassee FL 32303
Phone: 850-386-3131

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COMMITTEE MEETING REPORT
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Location: Morris Hall (17 HOB)

HB 525 : Florida Retirement System (continued)

Appearances: (continued)

FRS

Vroman, Kurt - Waive In Opposition
9th District Fire Fighters
318 Colombia Rd
DeBary FL 32713
Phone: 386-235-6765

Rowan, Taylor - Opponent
Miami-Dade Fire Fighters
8000 NW 21st St.
Miami FL

Florida Retirement
Parkerson, Dean - Opponent
South Florida Council of Fire Fighters
8000 NW 21st St. #205
Miami FL 33122
Phone: 305-525-6250

FRS

Suarez, Robert - Opponent
Florida Professional Fire Fighters
345 W. Madison Street
Tallahassee FL

Pensions

Templin, Rich (Lobbyist) - Opponent
Florida AFL-CIO
135 S. Monroe
Tallahassee FL 32301
Phone: 850-224-6926

Holobinko, Michael - Waive In Opposition
S.W. Florida Professional Fire Fighters and Paramedics, IAFF
2030 West 1st Street Suite C
Ft. Myers FL 33901
Phone: 239-334-8222

FRS

Messersmith, Frank (Lobbyist) - Proponent
Florida Sheriffs Association
2901 Lake Bradford Road
Tallahassee FL 32301
Phone: (850) 576-5858

Adams, Leticia (Lobbyist) - Proponent
Florida Chamber of Commerce
136 S. Bronough St.
Tallahassee FL 32301
Phone: (850) 521-1279

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COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 525 : Florida Retirement System (continued)

Appearances: (continued)

Florida Retirement System

Tolley, Jim (Lobbyist) - Opponent

Florida Prof Fire Fighters

345 West Madison St

Tallahassee FL 32301

Mattingly, Dwight (General Public) - Waive In Opposition

Amalgamated Transit union Legislative Conference Bd.

8907 SE Pine Cone Lane

Hobe Sound FL 33455

Phone: 561-523-0525

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative Workman offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (29) and paragraph (b) of subsection
8 (45) of section 121.021, Florida Statutes, are amended, and
9 paragraph (c) is added to subsection (45) of that section, to
10 read:

11 121.021 Definitions.—The following words and phrases as
12 used in this chapter have the respective meanings set forth
13 unless a different meaning is plainly required by the context:

14 (29) "Normal retirement date" means the date a member
15 attains normal retirement age and is vested, which is determined
16 as follows:

17 (a) ~~1.~~ If a Regular Class member, a Senior Management
18 Service Class member, or an Elected Officers' Class member
19 initially enrolled:

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20 1. Before July 1, 2011:

21 a. The first day of the month the member attains age 62;

22 or

23 b. The first day of the month following the date the
24 member completes 30 years of creditable service, regardless of
25 age.

26 ~~2. If a Regular Class member, a Senior Management Service~~
27 ~~Class member, or an Elected Officers' Class member initially~~
28 ~~enrolled~~ On or after July 1, 2011:

29 a. The first day of the month the member attains age 65;

30 or

31 b. The first day of the month following the date the
32 member completes 33 years of creditable service, regardless of
33 age.

34 ~~(b)1.~~ (b)1. If a Special Risk Class member initially enrolled:

35 1. Before July 1, 2011:

36 a. The first day of the month the member attains age 55
37 and completes the years of creditable service in the Special
38 Risk Class equal to or greater than the years of service
39 required for vesting;

40 b. The first day of the month following the date the
41 member completes 25 years of creditable service in the Special
42 Risk Class, regardless of age; or

43 c. The first day of the month following the date the
44 member completes 25 years of creditable service and attains age
45 52, which service may include a maximum of 4 years of military
46 service credit if such credit is not claimed under any other
47 system and the remaining years are in the Special Risk Class.

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48 2. ~~If a Special Risk Class member initially enrolled~~ On or
49 after July 1, 2011:

50 a. The first day of the month the member attains age 55 ~~60~~
51 and completes the years of creditable service in the Special
52 Risk Class equal to or greater than the years of service
53 required for vesting;

54 b. The first day of the month the member attains age 50
55 and following the date the member completes 25 ~~30~~ years of
56 creditable service in the Special Risk Class, ~~regardless of age;~~
57 or

58 c. The first day of the month following the date the
59 member completes 25 ~~30~~ years of creditable service and attains
60 age 52 ~~57~~, which service may include a maximum of 4 years of
61 military service credit if such credit is not claimed under any
62 other system and the remaining years are in the Special Risk
63 Class.

64
65 For pension plan members, "normal retirement age" is attained on
66 the "normal retirement date." For investment plan members,
67 normal retirement age is the date a member attains his or her
68 normal retirement date as provided in this section, or the date
69 a member is vested under the investment plan as provided in s.
70 121.4501(6), whichever is later.

71 (45) "Vested" or "vesting" means the guarantee that a
72 member is eligible to receive a future retirement benefit upon
73 completion of the required years of creditable service for the
74 employee's class of membership, even though the member may have
75 terminated covered employment before reaching normal or early

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Amendment No.

76 retirement date. Being vested does not entitle a member to a
77 disability benefit. Provisions governing entitlement to
78 disability benefits are set forth under s. 121.091(4).

79 (b) Any member initially enrolled in the Florida
80 Retirement System on or after July 1, 2011, but before July 1,
81 2012, shall be vested in the pension plan upon completion of 8
82 years of creditable service.

83 (c) Any member initially enrolled in the Florida
84 Retirement System on or after July 1, 2012, shall be vested in
85 the pension plan upon completion of 11 years of creditable
86 service.

87 Section 2. Paragraph (f) of subsection (1) and paragraph
88 (e) of subsection (6) of section 121.055, Florida Statutes, are
89 amended to read:

90 121.055 Senior Management Service Class.—There is hereby
91 established a separate class of membership within the Florida
92 Retirement System to be known as the "Senior Management Service
93 Class," which shall become effective February 1, 1987.

94 (1)

95 (f) Effective July 1, 1997:

96 1. Except as provided in subparagraph 3., an elected state
97 officer eligible for membership in the Elected Officers' Class
98 under s. 121.052(2)(a), (b), or (c) who elects membership in the
99 Senior Management Service Class under s. 121.052(3)(c) may,
100 within 6 months after assuming office or within 6 months after
101 this act becomes a law for serving elected state officers, elect
102 to participate in the Senior Management Service Optional Annuity

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Bill No. HB 525 (2012)

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103 Program, as provided in subsection (6), in lieu of membership in
104 the Senior Management Service Class.

105 2. Except as provided in subparagraph 3., an elected
106 officer of a local agency employer eligible for membership in
107 the Elected Officers' Class under s. 121.052(2)(d) who elects
108 membership in the Senior Management Service Class under s.
109 121.052(3)(c) may, within 6 months after assuming office, or
110 within 6 months after this act becomes a law for serving elected
111 officers of a local agency employer, elect to withdraw from the
112 Florida Retirement System, as provided in subparagraph (b)2., in
113 lieu of membership in the Senior Management Service Class.

114 3. A retiree of a state-administered retirement system who
115 is initially reemployed in a regularly established position on
116 or after July 1, 2010, as an elected official eligible for the
117 Elected Officers' Class may not be enrolled in renewed ~~renew~~
118 membership in the Senior Management Service Class or in the
119 Senior Management Service Optional Annuity Program as provided
120 in subsection (6), and may not withdraw from the Florida
121 Retirement System as a renewed member as provided in
122 subparagraph (b)2., as applicable, in lieu of membership in the
123 Senior Management Service Class.

124 (6)

125 (e) *Benefits.*—

126 1. Benefits under the Senior Management Service Optional
127 Annuity Program are payable only to members of the program, or
128 their beneficiaries as designated by the member in the contract
129 with the provider company, and must be paid by the designated
130 company in accordance with the terms of the annuity contract

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Bill No. HB 525 (2012)

Amendment No.

131 applicable to the member. A member must be terminated from all
132 employment relationships with Florida Retirement System
133 employers for 3 calendar months to begin receiving the employer-
134 funded and employee-funded benefit. The department may authorize
135 a distribution of up to 10 percent of the member's account after
136 being terminated from employment with participating employers
137 for 1 calendar month if the member has reached the normal
138 retirement date as defined in s. 121.021. The department may
139 adopt rules to implement this provision. The member must meet
140 the definition of termination in s. 121.021(39) beginning the
141 month after receiving a benefit, including a distribution.
142 Benefits funded by employer and employee contributions are
143 payable under the terms of the contract to the member, his or
144 her beneficiary, or his or her estate, in addition to:

145 a. A lump-sum payment to the beneficiary upon the death of
146 the member;

147 b. A cash-out of a de minimis account upon the request of
148 a former member who has been terminated for a minimum of 6
149 calendar months from the employment that entitled him or her to
150 optional annuity program participation. Such cash-out must be a
151 complete liquidation of the account balance with that company
152 and is subject to the Internal Revenue Code;

153 c. A mandatory distribution of a de minimis account of a
154 former member who has been terminated for a minimum of 6
155 calendar months from the employment that entitled him or her to
156 optional annuity program participation as authorized by the
157 department; or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

158 d. A lump-sum direct rollover distribution whereby all
159 accrued benefits, plus interest and investment earnings, are
160 paid from the member's account directly to the custodian of an
161 eligible retirement plan, as defined in s. 402(c)(8)(B) of the
162 Internal Revenue Code, on behalf of the member.

163 2. Under the Senior Management Service Optional Annuity
164 Program, benefits, including employee contributions, are not
165 payable for employee hardships, unforeseeable emergencies,
166 loans, medical expenses, educational expenses, purchase of a
167 principal residence, payments necessary to prevent eviction or
168 foreclosure on an employee's principal residence, or any other
169 reason except a requested distribution for retirement, a
170 mandatory de minimis distribution authorized by the
171 administrator, or a required minimum distribution provided
172 pursuant to the Internal Revenue Code ~~before termination from~~
173 ~~all employment relationships with participating employers for 3~~
174 ~~calendar months.~~

175 3. The benefits payable to any person under the Senior
176 Management Service Optional Annuity Program, and any
177 contribution accumulated under such program, are not subject to
178 assignment, execution, or attachment or to any legal process
179 whatsoever.

180 4. Except as provided in subparagraph 5., a member who
181 terminates employment and receives a distribution, including a
182 rollover or trustee-to-trustee transfer, funded by employer and
183 required employee contributions is a retiree of ~~deemed to be~~
184 ~~retired from~~ a state-administered retirement system. A retiree
185 of a state-administered retirement system who is initially

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Bill No. HB 525 (2012)

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186 reemployed in a regularly established position on or after July
187 1, 2010, is not eligible to be enrolled in renewed membership if
188 ~~the member is subsequently employed with an employer that~~
189 ~~participates in the Florida Retirement System.~~

190 5. A member who receives optional annuity program benefits
191 funded by employer and employee contributions as a mandatory
192 distribution of a de minimis account authorized by the
193 department is not considered a retiree.

194
195 As used in this paragraph, a "de minimis account" means an
196 account with a provider company containing employer and employee
197 contributions and accumulated earnings of not more than \$5,000
198 made under this chapter.

199 Section 3. Paragraph (a) of subsection (3) and paragraph
200 (a) of subsection (4) of section 121.091, Florida Statutes, are
201 amended to read:

202 121.091 Benefits payable under the system.—Benefits may
203 not be paid under this section unless the member has terminated
204 employment as provided in s. 121.021(39)(a) or begun
205 participation in the Deferred Retirement Option Program as
206 provided in subsection (13), and a proper application has been
207 filed in the manner prescribed by the department. The department
208 may cancel an application for retirement benefits when the
209 member or beneficiary fails to timely provide the information
210 and documents required by this chapter and the department's
211 rules. The department shall adopt rules establishing procedures
212 for application for retirement benefits and for the cancellation

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213 of such application when the required information or documents
214 are not received.

215 (3) EARLY RETIREMENT BENEFIT.—Upon retirement on his or
216 her early retirement date, the member shall receive an immediate
217 monthly benefit that shall begin to accrue on the first day of
218 the month of the retirement date and be payable on the last day
219 of that month and each month thereafter during his or her
220 lifetime. Such benefit shall be calculated as follows:

221 (a) For a member initially enrolled:

222 1. Before July 1, 2011, the amount of each monthly payment
223 shall be computed in the same manner as for a normal retirement
224 benefit, in accordance with subsection (1), but shall be based
225 on the member's average monthly compensation and creditable
226 service as of the member's early retirement date. The benefit so
227 computed shall be reduced by five-twelfths of 1 percent for each
228 complete month by which the early retirement date precedes the
229 normal retirement date of age 62 for a member of the Regular
230 Class, Senior Management Service Class, or the Elected Officers'
231 Class, and age 55 for a member of the Special Risk Class, or age
232 52 if a Special Risk member has completed 25 years of creditable
233 service in accordance with s. 121.021(29)(b)1.c.

234 2. On or after July 1, 2011, the amount of each monthly
235 payment shall be computed in the same manner as for a normal
236 retirement benefit, in accordance with subsection (1), but shall
237 be based on the member's average monthly compensation and
238 creditable service as of the member's early retirement date. The
239 benefit so computed shall be reduced by five-twelfths of 1
240 percent for each complete month by which the early retirement

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241 date precedes the normal retirement date of age 65 for a member
242 of the Regular Class, Senior Management Service Class, or the
243 Elected Officers' Class, and age 55 ~~60~~ for a member of the
244 Special Risk Class, or age 50 ~~57~~ if a Special Risk member has
245 completed 25 ~~30~~ years of creditable service in accordance with
246 s. 121.021(29)(b)2.b. ~~s. 121.021(29)(b)2.c.~~

247 (4) DISABILITY RETIREMENT BENEFIT.—

248 (a) Disability retirement; entitlement and effective
249 date.—

250 1.a. A member who becomes totally and permanently
251 disabled, as defined in paragraph (b), after completing 5 years
252 of creditable service, or a member who becomes totally and
253 permanently disabled in the line of duty regardless of service,
254 is entitled to a monthly disability benefit; except that any
255 member with less than 5 years of creditable service on July 1,
256 1980, or any person who becomes a member of the Florida
257 Retirement System on or after such date must have completed 10
258 years of creditable service before becoming totally and
259 permanently disabled in order to receive disability retirement
260 benefits for any disability which occurs other than in the line
261 of duty. However, if a member employed on July 1, 1980, who has
262 less than 5 years of creditable service as of that date becomes
263 totally and permanently disabled after completing 5 years of
264 creditable service and is found not to have attained fully
265 insured status for benefits under the federal Social Security
266 Act, such member is entitled to a monthly disability benefit.

267 b. Effective July 1, 2001, for a member initially enrolled
268 before July 1, 2012, a member of the pension plan who becomes

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269 totally and permanently disabled, as defined in paragraph (b),
270 after completing 8 years of creditable service, or a member who
271 becomes totally and permanently disabled in the line of duty
272 regardless of service, is entitled to a monthly disability
273 benefit.

274 c. For a member of the pension plan who is initially
275 enrolled on or after July 1, 2012, and becomes totally and
276 permanently disabled, as defined in paragraph (b), after
277 completing the years of service for vesting in s. 121.021, or a
278 member who becomes totally and permanently disabled in the line
279 of duty regardless of service, is entitled to a monthly
280 disability benefit.

281 2. If the division has received from the employer the
282 required documentation of the member's termination of
283 employment, the effective retirement date for a member who
284 applies and is approved for disability retirement shall be
285 established by rule of the division.

286 3. For a member who is receiving Workers' Compensation
287 payments, the effective disability retirement date may not
288 precede the date the member reaches Maximum Medical Improvement
289 (MMI), unless the member terminates employment before reaching
290 MMI.

291 Section 4. Paragraphs (a), (b), and (g) of subsection (5)
292 of section 121.35, Florida Statutes, are amended to read:

293 121.35 Optional retirement program for the State
294 University System.—

295 (5) BENEFITS.—

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296 (a) Benefits are payable under the optional retirement
297 program only to vested members participating in the program, or
298 their beneficiaries as designated by the member in the contract
299 with a provider company, and such benefits shall be paid only by
300 the designated company in accordance with s. 403(b) of the
301 Internal Revenue Code and the terms of the annuity contract or
302 investment contracts applicable to the member. A "benefit" under
303 the optional retirement program is a distribution requested by
304 the member or surviving beneficiary funded in part or in whole
305 by employer or required employee contributions, plus earnings
306 and includes rolling a distribution over to another qualified
307 plan. Benefits accrue in individual accounts that are member-
308 directed, portable, and funded by employer and employee
309 contributions and the earnings thereon. The member must be
310 terminated for 3 calendar months from all employment
311 relationships with all Florida Retirement System employers to
312 begin receiving the benefit. The department may authorize a
313 distribution of up to 10 percent of the member's account after
314 being terminated from employment with participating employers
315 for 1 calendar month if the member has reached the normal
316 retirement date as defined in s. 121.021. The department may
317 adopt rules to implement this provision. Benefits funded by
318 employer and required employee contributions are payable in
319 accordance with the following terms and conditions:

320 1. Benefits shall be paid only to a participating member,
321 to his or her beneficiaries, or to his or her estate, as
322 designated by the member.

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323 2. Benefits shall be paid by the provider company or
324 companies in accordance with the law, the provisions of the
325 contract, and any applicable department rule or policy.

326 3. In the event of a member's death, moneys accumulated
327 by, or on behalf of, the member, less withholding taxes remitted
328 to the Internal Revenue Service, if any, shall be distributed to
329 the member's designated beneficiary or beneficiaries, or to the
330 member's estate, as if the member retired on the date of death,
331 as provided in paragraph (d). No other death benefits are
332 available to survivors of members under the optional retirement
333 program except for such benefits, or coverage for such benefits,
334 as are separately afforded by the employer, at the employer's
335 discretion.

336 (b) Benefits, including employee contributions, are not
337 payable for employee hardships, unforeseeable emergencies,
338 loans, medical expenses, educational expenses, purchase of a
339 principal residence, payments necessary to prevent eviction or
340 foreclosure on an employee's principal residence, or any other
341 reason except a requested distribution for retirement, a
342 mandatory de minimis distribution authorized by the
343 administrator, or a required minimum distribution provided
344 pursuant to the Internal Revenue Code before termination from
345 all employment relationships with participating employers for 3
346 calendar months.

347 (g) Benefits funded by the participating member's
348 voluntary personal contributions may be paid out after
349 termination from employment with all participating employers for
350 3 calendar months at any time and in any form within the limits

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351 provided in the contract between the member and the provider
352 company. The member shall notify the provider company regarding
353 the date and provisions under which he or she wants to receive
354 the employee-funded portion of the plan.

355 Section 5. Paragraph (i) of subsection (2), paragraph (b)
356 of subsection (3), and subsection (4) of section 121.4501,
357 Florida Statutes, are amended to read:

358 121.4501 Florida Retirement System Investment Plan.—

359 (2) DEFINITIONS.—As used in this part, the term:

360 (i) "Member" or "employee" means an eligible employee who
361 enrolls in or is defaulted into the investment plan as provided
362 in subsection (4), a terminated Deferred Retirement Option
363 Program member as described in subsection (21), or a beneficiary
364 or alternate payee of a member or employee.

365 (3) RETIREMENT SERVICE CREDIT; TRANSFER OF BENEFITS.—

366 (b) Notwithstanding paragraph (a), an eligible employee
367 who elects to participate in or is defaulted into the investment
368 plan and establishes one or more individual member accounts may
369 elect to transfer to the investment plan a sum representing the
370 present value of the employee's accumulated benefit obligation
371 under the pension plan, except as provided in paragraph (4)(d).
372 Upon transfer, all service credit earned under the pension plan
373 is nullified for purposes of entitlement to a future benefit
374 under the pension plan. A member may not transfer the
375 accumulated benefit obligation balance from the pension plan
376 after the time period for enrolling ~~in the investment plan~~ has
377 expired.

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378 1. For purposes of this subsection, the present value of
379 the member's accumulated benefit obligation is based upon the
380 member's estimated creditable service and estimated average
381 final compensation under the pension plan, subject to
382 recomputation under subparagraph 2. For state employees, initial
383 estimates shall be based upon creditable service and average
384 final compensation as of midnight on June 30, 2002; for district
385 school board employees, initial estimates shall be based upon
386 creditable service and average final compensation as of midnight
387 on September 30, 2002; and for local government employees,
388 initial estimates shall be based upon creditable service and
389 average final compensation as of midnight on December 31, 2002.
390 The dates specified are the "estimate date" for these employees.
391 The actuarial present value of the employee's accumulated
392 benefit obligation shall be based on the following:

393 a. The discount rate and other relevant actuarial
394 assumptions used to value the Florida Retirement System Trust
395 Fund at the time the amount to be transferred is determined,
396 consistent with the factors provided in sub-subparagraphs b. and
397 c.

398 b. A benefit commencement age, based on the member's
399 estimated creditable service as of the estimate date.

400 c. Except as provided under sub-subparagraph d., for a
401 member initially enrolled:

402 (I) Before July 1, 2011, the benefit commencement age is
403 the younger of the following, but may not be younger than the
404 member's age as of the estimate date:

405 (A) Age 62; or

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406 (B) The age the member would attain if the member
407 completed 30 years of service with an employer, assuming the
408 member worked continuously from the estimate date, and
409 disregarding any vesting requirement that would otherwise apply
410 under the pension plan.

411 (II) On or after July 1, 2011, the benefit commencement
412 age is the younger of the following, but may not be younger than
413 the member's age as of the estimate date:

414 (A) Age 65; or

415 (B) The age the member would attain if the member
416 completed 33 years of service with an employer, assuming the
417 member worked continuously from the estimate date, and
418 disregarding any vesting requirement that would otherwise apply
419 under the pension plan.

420 d. For members of the Special Risk Class and for members
421 of the Special Risk Administrative Support Class entitled to
422 retain the special risk normal retirement date:

423 (I) Initially enrolled before July 1, 2011, the benefit
424 commencement age is the younger of the following, but may not be
425 younger than the member's age as of the estimate date:

426 (A) Age 55; or

427 (B) The age the member would attain if the member
428 completed 25 years of service with an employer, assuming the
429 member worked continuously from the estimate date, and
430 disregarding any vesting requirement that would otherwise apply
431 under the pension plan.

432 (II) Initially enrolled on or after July 1, 2011, the
433 benefit commencement age is the younger of the following, but

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434 may not be younger than the member's age as of the estimate
435 date:

436 (A) Age 55 ~~60~~; or

437 (B) ~~The Age 50 the member would attain~~ if the member
438 completed 25 ~~30~~ years of service with an employer, assuming the
439 member worked continuously from the estimate date, and
440 disregarding any vesting requirement that would otherwise apply
441 under the pension plan.

442 e. The calculation must disregard vesting requirements and
443 early retirement reduction factors that would otherwise apply
444 under the pension plan.

445 2. For each member who elects to transfer moneys from the
446 pension plan to his or her account in the investment plan, the
447 division shall recompute the amount transferred under
448 subparagraph 1. within 60 days after the actual transfer of
449 funds based upon the member's actual creditable service and
450 actual final average compensation as of the initial date of
451 participation in the investment plan. If the recomputed amount
452 differs from the amount transferred by \$10 or more, the division
453 shall:

454 a. Transfer, or cause to be transferred, from the Florida
455 Retirement System Trust Fund to the member's account the excess,
456 if any, of the recomputed amount over the previously transferred
457 amount together with interest from the initial date of transfer
458 to the date of transfer under this subparagraph, based upon the
459 effective annual interest equal to the assumed return on the
460 actuarial investment which was used in the most recent actuarial
461 valuation of the system, compounded annually.

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462 b. Transfer, or cause to be transferred, from the member's
463 account to the Florida Retirement System Trust Fund the excess,
464 if any, of the previously transferred amount over the recomputed
465 amount, together with interest from the initial date of transfer
466 to the date of transfer under this subparagraph, based upon 6
467 percent effective annual interest, compounded annually, pro rata
468 based on the member's allocation plan.

469 3. If contribution adjustments are made as a result of
470 employer errors or corrections, including plan corrections,
471 following recomputation of the amount transferred under
472 subparagraph 1., the member is entitled to the additional
473 contributions or is responsible for returning any excess
474 contributions resulting from the correction. However, any return
475 of such erroneous excess pretax contribution by the plan must be
476 made within the period allowed by the Internal Revenue Service.
477 The present value of the member's accumulated benefit obligation
478 shall not be recalculated.

479 4. As directed by the member, the state board shall
480 transfer or cause to be transferred the appropriate amounts to
481 the designated accounts within 30 days after the effective date
482 of the member's participation in the investment plan unless the
483 major financial markets for securities available for a transfer
484 are seriously disrupted by an unforeseen event that causes the
485 suspension of trading on any national securities exchange in the
486 country where the securities were issued. In that event, the 30-
487 day period may be extended by a resolution of the state board.
488 Transfers are not commissionable or subject to other fees and
489 may be in the form of securities or cash, as determined by the

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490 state board. Such securities are valued as of the date of
491 receipt in the member's account.

492 5. If the state board or the division receives
493 notification from the United States Internal Revenue Service
494 that this paragraph or any portion of this paragraph will cause
495 the retirement system, or a portion thereof, to be disqualified
496 for tax purposes under the Internal Revenue Code, the portion
497 that will cause the disqualification does not apply. Upon such
498 notice, the state board and the division shall notify the
499 presiding officers of the Legislature.

500 (4) PARTICIPATION; ENROLLMENT.—

501 (a)1. With respect to an eligible employee who is employed
502 in a regularly established position on June 1, 2002, by a state
503 employer:

504 a. Any such employee may elect to participate in the
505 investment plan in lieu of retaining his or her membership in
506 the pension plan. The election must be made in writing or by
507 electronic means and must be filed with the third-party
508 administrator by August 31, 2002, or, in the case of an active
509 employee who is on a leave of absence on April 1, 2002, by the
510 last business day of the 5th month following the month the leave
511 of absence concludes. This election is irrevocable, except as
512 provided in paragraph (g). Upon making such election, the
513 employee shall be enrolled as a member of the investment plan,
514 the employee's membership in the Florida Retirement System is
515 governed by the provisions of this part, and the employee's
516 membership in the pension plan terminates. The employee's
517 enrollment in the investment plan is effective the first day of

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518 the month for which a full month's employer contribution is made
519 to the investment plan.

520 b. Any such employee who fails to elect to participate in
521 the investment plan within the prescribed time period is deemed
522 to have elected to retain membership in the pension plan, and
523 the employee's option to elect to participate in the investment
524 plan is forfeited.

525 2. With respect to employees who become eligible to
526 participate in the investment plan by reason of employment in a
527 regularly established position with a state employer commencing
528 after April 1, 2002, through June 30, 2012:

529 a. Any such employee shall, by default, be enrolled in the
530 pension plan at the commencement of employment, and may, by the
531 last business day of the 5th month following the employee's
532 month of hire, elect to participate in the investment plan. The
533 employee's election must be made in writing or by electronic
534 means and must be filed with the third-party administrator. The
535 election to participate in the investment plan is irrevocable,
536 except as provided in paragraph (h)~~(g)~~.

537 b. If the employee files such election within the
538 prescribed time period, enrollment in the investment plan is
539 effective on the first day of employment. The retirement
540 contributions paid through the month of the employee plan change
541 shall be transferred to the investment program, and, effective
542 the first day of the next month, the employer and employee must
543 pay the applicable contributions based on the employee
544 membership class in the program.

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545 c. Any such ~~An~~ employee who fails to elect to participate
546 in the investment plan within the prescribed time period is
547 deemed to have elected to retain membership in the pension plan,
548 and the employee's option to elect to participate in the
549 investment plan is forfeited.

550 3. With respect to employees who become eligible to
551 participate in the investment plan pursuant to s.
552 121.051(2)(c)3. or s. 121.35(3)(i), the employee may elect to
553 participate in the investment plan in lieu of retaining his or
554 her membership in the State Community College System Optional
555 Retirement Program or the State University System Optional
556 Retirement Program. The election must be made in writing or by
557 electronic means and must be filed with the third-party
558 administrator. This election is irrevocable, except as provided
559 in paragraph (h)~~(g)~~. Upon making such election, the employee
560 shall be enrolled as a member in the investment plan, the
561 employee's membership in the Florida Retirement System is
562 governed by the provisions of this part, and the employee's
563 participation in the State Community College System Optional
564 Retirement Program or the State University System Optional
565 Retirement Program terminates. The employee's enrollment in the
566 investment plan is effective on the first day of the month for
567 which a full month's employer and employee contribution is made
568 to the investment plan.

569 4. For purposes of this paragraph, "state employer" means
570 any agency, board, branch, commission, community college,
571 department, institution, institution of higher education, or
572 water management district of the state, which participates in

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573 the Florida Retirement System for the benefit of certain
574 employees.

575 (b)1. With respect to an eligible employee who is employed
576 in a regularly established position on September 1, 2002, by a
577 district school board employer:

578 a. Any such employee may elect to participate in the
579 investment plan in lieu of retaining his or her membership in
580 the pension plan. The election must be made in writing or by
581 electronic means and must be filed with the third-party
582 administrator by November 30, or, in the case of an active
583 employee who is on a leave of absence on July 1, 2002, by the
584 last business day of the 5th month following the month the leave
585 of absence concludes. This election is irrevocable, except as
586 provided in paragraph (g). Upon making such election, the
587 employee shall be enrolled as a member of the investment plan,
588 the employee's membership in the Florida Retirement System is
589 governed by the provisions of this part, and the employee's
590 membership in the pension plan terminates. The employee's
591 enrollment in the investment plan is effective the first day of
592 the month for which a full month's employer contribution is made
593 to the investment program.

594 b. Any such employee who fails to elect to participate in
595 the investment plan within the prescribed time period is deemed
596 to have elected to retain membership in the pension plan, and
597 the employee's option to elect to participate in the investment
598 plan is forfeited.

599 2. With respect to employees who become eligible to
600 participate in the investment plan by reason of employment in a

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601 regularly established position with a district school board
602 employer commencing after July 1, 2002, through June 30, 2012:

603 a. Any such employee shall, by default, be enrolled in the
604 pension plan at the commencement of employment, and may, by the
605 last business day of the 5th month following the employee's
606 month of hire, elect to participate in the investment plan. The
607 employee's election must be made in writing or by electronic
608 means and must be filed with the third-party administrator. The
609 election to participate in the investment plan is irrevocable,
610 except as provided in paragraph (h)~~(g)~~.

611 b. If the employee files such election within the
612 prescribed time period, enrollment in the investment plan is
613 effective on the first day of employment. The employer
614 retirement contributions paid through the month of the employee
615 plan change shall be transferred to the investment plan, and,
616 effective the first day of the next month, the employer shall
617 pay the applicable contributions based on the employee
618 membership class in the investment plan.

619 c. Any such employee who fails to elect to participate in
620 the investment plan within the prescribed time period is deemed
621 to have elected to retain membership in the pension plan, and
622 the employee's option to elect to participate in the investment
623 plan is forfeited.

624 3. For purposes of this paragraph, "district school board
625 employer" means any district school board that participates in
626 the Florida Retirement System for the benefit of certain
627 employees, or a charter school or charter technical career

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628 center that participates in the Florida Retirement System as
629 provided in s. 121.051(2)(d).

630 (c)1. With respect to an eligible employee who is employed
631 in a regularly established position on December 1, 2002, by a
632 local employer:

633 a. Any such employee may elect to participate in the
634 investment plan in lieu of retaining his or her membership in
635 the pension plan. The election must be made in writing or by
636 electronic means and must be filed with the third-party
637 administrator by February 28, 2003, or, in the case of an active
638 employee who is on a leave of absence on October 1, 2002, by the
639 last business day of the 5th month following the month the leave
640 of absence concludes. This election is irrevocable, except as
641 provided in paragraph (g). Upon making such election, the
642 employee shall be enrolled as a participant of the investment
643 plan, the employee's membership in the Florida Retirement System
644 is governed by the provisions of this part, and the employee's
645 membership in the pension plan terminates. The employee's
646 enrollment in the investment plan is effective the first day of
647 the month for which a full month's employer contribution is made
648 to the investment plan.

649 b. Any such employee who fails to elect to participate in
650 the investment plan within the prescribed time period is deemed
651 to have elected to retain membership in the pension plan, and
652 the employee's option to elect to participate in the investment
653 plan is forfeited.

654 2. With respect to employees who become eligible to
655 participate in the investment plan by reason of employment in a
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656 regularly established position with a local employer commencing
657 after October 1, 2002, through June 30, 2012:

658 a. Any such employee shall, by default, be enrolled in the
659 pension plan at the commencement of employment, and may, by the
660 last business day of the 5th month following the employee's
661 month of hire, elect to participate in the investment plan. The
662 employee's election must be made in writing or by electronic
663 means and must be filed with the third-party administrator. The
664 election to participate in the investment plan is irrevocable,
665 except as provided in paragraph (h) ~~(g)~~.

666 b. If the employee files such election within the
667 prescribed time period, enrollment in the investment plan is
668 effective on the first day of employment. The employer
669 retirement contributions paid through the month of the employee
670 plan change shall be transferred to the investment plan, and,
671 effective the first day of the next month, the employer shall
672 pay the applicable contributions based on the employee
673 membership class in the investment plan.

674 c. Any such employee who fails to elect to participate in
675 the investment plan within the prescribed time period is deemed
676 to have elected to retain membership in the pension plan, and
677 the employee's option to elect to participate in the investment
678 plan is forfeited.

679 3. For purposes of this paragraph, "local employer" means
680 any employer not included in paragraph (a) or paragraph (b).

681 (d)1. With respect to employees who become eligible to
682 participate in the investment plan by reason of employment in a
683 regularly established position commencing on or after July 1,

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684 2012, any such employee shall be enrolled in the pension plan at
685 the commencement of employment, and may, by the last business
686 day of the 5th month following the employee's month of hire,
687 elect to participate in the pension plan or the investment plan.
688 Eligible employees may only make a plan election if they are
689 earning service credit in an employer-employee relationship
690 consistent with s. 121.021(17)(b), excluding leaves of absence
691 without pay.

692 2. The employee's election must be made in writing or by
693 electronic means and must be filed with the third-party
694 administrator. The election to participate in the pension plan
695 or investment plan is irrevocable, except as provided in
696 paragraph (h).

697 3. If the employee fails to make an election to either the
698 pension plan or investment plan during the five months following
699 the month of hire the employee is deemed to have elected the
700 investment plan, and will be defaulted to the investment plan
701 retroactively to the employee's date of employment. The
702 employee's option to participate in the pension plan is
703 forfeited, except as provided in paragraph (h).

704 4. The amount of the employee and employer contributions
705 paid prior to the default to the investment plan shall be
706 transferred to the investment plan along with any accumulated
707 benefit obligation from previous pension plan service and placed
708 in a default fund as designated by the State Board of
709 Administration. The employee may move the contributions once an
710 account is activated in the investment plan.

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711 5. Effective the first day of the month after an eligible
712 employee makes a plan election to the pension plan or investment
713 plan, or after the month of default to the investment plan, the
714 employee and employer shall pay the applicable contributions
715 based on the employee membership class in the pension plan or
716 investment plan.

717 (e)~~(d)~~ Contributions available for self-direction by a
718 member who has not selected one or more specific investment
719 products shall be allocated as prescribed by the state board.
720 The third-party administrator shall notify the member at least
721 quarterly that the member should take an affirmative action to
722 make an asset allocation among the investment products.

723 (f)~~(e)~~ On or after July 1, 2011, a member of the pension
724 plan who obtains a refund of employee contributions retains his
725 or her prior plan choice upon return to employment in a
726 regularly established position with a participating employer.

727 (g)~~(f)~~ A member of the investment plan who takes a
728 distribution of any contributions from his or her investment
729 plan account is considered a retiree. A retiree who is initially
730 reemployed on or after July 1, 2010, is not eligible for renewed
731 membership.

732 (h)~~(g)~~ After the period during which an eligible employee
733 had the choice to elect the pension plan or the investment plan,
734 or the month following the receipt of the eligible employee's
735 plan election, if sooner, the employee shall have one
736 opportunity, at the employee's discretion, to choose to move
737 from the pension plan to the investment plan or from the
738 investment plan to the pension plan. Eligible employees may

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739 elect to move between plans only if they are earning service
740 credit in an employer-employee relationship consistent with s.
741 121.021(17)(b), excluding leaves of absence without pay.
742 Effective July 1, 2005, such elections are effective on the
743 first day of the month following the receipt of the election by
744 the third-party administrator and are not subject to the
745 requirements regarding an employer-employee relationship or
746 receipt of contributions for the eligible employee in the
747 effective month, except when the election is received by the
748 third-party administrator. This paragraph is contingent upon
749 approval by the Internal Revenue Service.

750 1. If the employee chooses to move to the investment plan,
751 the provisions of subsection (3) govern the transfer.

752 2. If the employee chooses to move to the pension plan,
753 the employee must transfer from his or her investment plan
754 account, and from other employee moneys as necessary, a sum
755 representing the present value of that employee's accumulated
756 benefit obligation immediately following the time of such
757 movement, determined assuming that attained service equals the
758 sum of service in the pension plan and service in the investment
759 plan. Benefit commencement occurs on the first date the employee
760 is eligible for unreduced benefits, using the discount rate and
761 other relevant actuarial assumptions that were used to value the
762 pension plan liabilities in the most recent actuarial valuation.
763 For any employee who, at the time of the second election,
764 already maintains an accrued benefit amount in the pension plan,
765 the then-present value of the accrued benefit is deemed part of
766 the required transfer amount. The division must ensure that the

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767 transfer sum is prepared using a formula and methodology
768 certified by an enrolled actuary. A refund of any employee
769 contributions or additional member payments made which exceed
770 the employee contributions that would have accrued had the
771 member remained in the pension plan and not transferred to the
772 investment plan is not permitted.

773 3. Notwithstanding subparagraph 2., an employee who
774 chooses to move to the pension plan and who became eligible to
775 participate in the investment plan by reason of employment in a
776 regularly established position with a state employer after June
777 1, 2002; a district school board employer after September 1,
778 2002; or a local employer after December 1, 2002, must transfer
779 from his or her investment plan account, and from other employee
780 moneys as necessary, a sum representing the employee's actuarial
781 accrued liability. A refund of any employee contributions or
782 additional participant payments made which exceed the employee
783 contributions that would have accrued had the member remained in
784 the pension plan and not transferred to the investment plan is
785 not permitted.

786 4. An employee's ability to transfer from the pension plan
787 to the investment plan pursuant to paragraphs (a)-(g)~~(a)-(d)~~,
788 and the ability of a current employee to have an option to later
789 transfer back into the pension plan under subparagraph 2., shall
790 be deemed a significant system amendment. Pursuant to s.
791 121.031(4), any resulting unfunded liability arising from actual
792 original transfers from the pension plan to the investment plan
793 must be amortized within 30 plan years as a separate unfunded
794 actuarial base independent of the reserve stabilization

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

795 mechanism defined in s. 121.031(3)(f). For the first 25 years, a
796 direct amortization payment may not be calculated for this base.
797 During this 25-year period, the separate base shall be used to
798 offset the impact of employees exercising their second program
799 election under this paragraph. The actuarial funded status of
800 the pension plan will not be affected by such second program
801 elections in any significant manner, after due recognition of
802 the separate unfunded actuarial base. Following the initial 25-
803 year period, any remaining balance of the original separate base
804 shall be amortized over the remaining 5 years of the required
805 30-year amortization period.

806 5. If the employee chooses to transfer from the investment
807 plan to the pension plan and retains an excess account balance
808 in the investment plan after satisfying the buy-in requirements
809 under this paragraph, the excess may not be distributed until
810 the member retires from the pension plan. The excess account
811 balance may be rolled over to the pension plan and used to
812 purchase service credit or upgrade creditable service in the
813 pension plan.

814 Section 6. Paragraph (b) of subsection (2) of section
815 121.591, Florida Statutes, is amended to read:

816 121.591 Payment of benefits.—Benefits may not be paid
817 under the Florida Retirement System Investment Plan unless the
818 member has terminated employment as provided in s.
819 121.021(39)(a) or is deceased and a proper application has been
820 filed as prescribed by the state board or the department. Before
821 termination of employment, benefits, including employee
822 contributions, are not payable under the investment plan for

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Bill No. HB 525 (2012)

Amendment No.

823 employee hardships, unforeseeable emergencies, loans, medical
824 expenses, educational expenses, purchase of a principal
825 residence, payments necessary to prevent eviction or foreclosure
826 on an employee's principal residence, or any other reason prior
827 to termination from all employment relationships with
828 participating employers. The state board or department, as
829 appropriate, may cancel an application for retirement benefits
830 if the member or beneficiary fails to timely provide the
831 information and documents required by this chapter and the rules
832 of the state board and department. In accordance with their
833 respective responsibilities, the state board and the department
834 shall adopt rules establishing procedures for application for
835 retirement benefits and for the cancellation of such application
836 if the required information or documents are not received. The
837 state board and the department, as appropriate, are authorized
838 to cash out a de minimis account of a member who has been
839 terminated from Florida Retirement System covered employment for
840 a minimum of 6 calendar months. A de minimis account is an
841 account containing employer and employee contributions and
842 accumulated earnings of not more than \$5,000 made under the
843 provisions of this chapter. Such cash-out must be a complete
844 lump-sum liquidation of the account balance, subject to the
845 provisions of the Internal Revenue Code, or a lump-sum direct
846 rollover distribution paid directly to the custodian of an
847 eligible retirement plan, as defined by the Internal Revenue
848 Code, on behalf of the member. Any nonvested accumulations and
849 associated service credit, including amounts transferred to the
850 suspense account of the Florida Retirement System Investment

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

851 Plan Trust Fund authorized under s. 121.4501(6), shall be
852 forfeited upon payment of any vested benefit to a member or
853 beneficiary, except for de minimis distributions or minimum
854 required distributions as provided under this section. If any
855 financial instrument issued for the payment of retirement
856 benefits under this section is not presented for payment within
857 180 days after the last day of the month in which it was
858 originally issued, the third-party administrator or other duly
859 authorized agent of the state board shall cancel the instrument
860 and credit the amount of the instrument to the suspense account
861 of the Florida Retirement System Investment Plan Trust Fund
862 authorized under s. 121.4501(6). Any amounts transferred to the
863 suspense account are payable upon a proper application, not to
864 include earnings thereon, as provided in this section, within 10
865 years after the last day of the month in which the instrument
866 was originally issued, after which time such amounts and any
867 earnings attributable to employer contributions shall be
868 forfeited. Any forfeited amounts are assets of the trust fund
869 and are not subject to chapter 717.

870 (2) DISABILITY RETIREMENT BENEFITS.—Benefits provided
871 under this subsection are payable in lieu of the benefits that
872 would otherwise be payable under the provisions of subsection
873 (1). Such benefits must be funded from employer contributions
874 made under s. 121.571, transferred employee contributions and
875 funds accumulated pursuant to paragraph (a), and interest and
876 earnings thereon.

877 (b) Disability retirement; entitlement.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

878 1.a. For a member of the investment plan who is initially
879 enrolled before July 1, 2012, and becomes totally and
880 permanently disabled, as defined in paragraph (d), after
881 completing 8 years of creditable service, or a member who
882 becomes totally and permanently disabled in the line of duty
883 regardless of length of service, is entitled to a monthly
884 disability benefit.

885 b. For a member of the investment plan who is initially
886 enrolled on or after July 1, 2012, and becomes totally and
887 permanently disabled, as defined in paragraph (d), after
888 completing the years of service required for vesting in s.
889 121.021, or a member who becomes totally and permanently
890 disabled in the line of duty regardless of length of service, is
891 entitled to a monthly disability benefit.

892 2. In order for service to apply toward the 8 years of
893 creditable service required for regular disability benefits, or
894 toward the creditable service used in calculating a service-
895 based benefit as provided under paragraph (g), the service must
896 be creditable service as described below:

897 a. The member's period of service under the investment
898 plan shall be considered creditable service, except as provided
899 in subparagraph d.

900 b. If the member has elected to retain credit for service
901 under the pension plan as provided under s. 121.4501(3), all
902 such service shall be considered creditable service.

903 c. If the member elects to transfer to his or her member
904 accounts a sum representing the present value of his or her
905 retirement credit under the pension plan as provided under s.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

906 121.4501(3), the period of service under the pension plan
907 represented in the present value amounts transferred shall be
908 considered creditable service, except as provided in
909 subparagraph d.

910 d. If a member has terminated employment and has taken
911 distribution of his or her funds as provided in subsection (1),
912 all creditable service represented by such distributed funds is
913 forfeited for purposes of this subsection.

914 Section 7. Paragraph (b) of subsection (5) and subsection
915 (7) of section 1012.875, Florida Statutes, are amended to read:

916 1012.875 State Community College System Optional
917 Retirement Program.—Each Florida College System institution may
918 implement an optional retirement program, if such program is
919 established therefor pursuant to s. 1001.64(20), under which
920 annuity or other contracts providing retirement and death
921 benefits may be purchased by, and on behalf of, eligible
922 employees who participate in the program, in accordance with s.
923 403(b) of the Internal Revenue Code. Except as otherwise
924 provided herein, this retirement program, which shall be known
925 as the State Community College System Optional Retirement
926 Program, may be implemented and administered only by an
927 individual Florida College System institution or by a consortium
928 of Florida College System institutions.

929 (5)

930 (b) Benefits are payable under the optional retirement
931 program to program participants or their beneficiaries and paid
932 only by the designated company in accordance with the terms of
933 the contracts applicable to the program participant. Benefits

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

934 shall accrue in individual accounts that are participant-
935 directed, portable, and funded by employer and employee
936 contributions and the earnings thereon. Benefit payments may not
937 be made until the member has been terminated for 3 calendar
938 months, except, the college may authorize a distribution of up
939 to 10 percent of the member's account after being terminated
940 from employment with Florida Retirement System participating
941 employers for 1 calendar month if the member has reached the
942 normal retirement date as defined in s. 121.021. The college
943 may adopt rules to implement this provision. Benefits funded by
944 employer and employee contributions are payable in accordance
945 with the following terms and conditions:

946 1. Benefits shall be payable only to a participant, to his
947 or her beneficiaries, or to his or her estate, as designated by
948 the participant.

949 2. Benefits shall be paid by the provider company or
950 companies in accordance with the law, the provisions of the
951 contract, and any applicable employer rule or policy.

952 3. In the event of a participant's death, moneys
953 accumulated by, or on behalf of, the participant, less
954 withholding taxes remitted to the Internal Revenue Service, if
955 any, shall be distributed to the participant's designated
956 beneficiary or beneficiaries, or to the participant's estate, as
957 if the participant retired on the date of death as provided in
958 paragraph (d). No other death benefits are available for
959 survivors of participants under the optional retirement program
960 except for such benefits, or coverage for such benefits, as are

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

961 separately afforded by the employer at the employer's
962 discretion.

963 (7) Benefits, including employee contributions, are not
964 payable for employee hardships, unforeseeable emergencies,
965 loans, medical expenses, educational expenses, purchase of a
966 principal residence, payments necessary to prevent eviction or
967 foreclosure on an employee's principal residence, or any other
968 reason except a requested distribution for retirement, a
969 mandatory de minimis distribution authorized by the
970 administrator, or a required minimum distribution provided
971 pursuant to the Internal Revenue Code before termination from
972 all employment relationships with participating employers for 3
973 calendar months.

974 Section 8. (1) Effective July 1, 2012, in order to fund
975 the benefit changes provided in this act, the required
976 contribution rates of the Florida Retirement System Pension Plan
977 shall be adjusted as follows:

978 (a) Regular class shall be decreased by 0.05 percentage
979 points.

980 (b) Special Risk Class shall be increased by 1.19
981 percentage points.

982 (c) Special Risk Administrative Support Class shall be
983 increased by 0.65 percentage points.

984 (d) Elected Officers' Class for Legislators, Governor, Lt.
985 Governor, Cabinet Officers, State Attorneys, and Public
986 Defenders shall be decreased by 0.58 percentage points.

987 (e) Elected Officers' Class for Justices and Judges shall
988 be decreased by 0.17 percentage points.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

989 (f) Elected Officers' Class for County Elected Officers
990 shall be decreased by 0.59 percentage points.

991 (g) Senior Management Service Class shall be decreased by
992 0.11 percentage points.

993 (h) Deferred Retirement Option Program shall be increased
994 by 0.33 percentage points.

995 (2) Effective July 1, 2012, in order to fund the benefit
996 changes provided in this act, the required employer contribution
997 rates for the unfunded actuarial liability of the Florida
998 Retirement System Pension Plan shall be adjusted as follows:

999 (a) Regular Class shall be decreased by 0.02 percentage
1000 points.

1001 (b) Special Risk Class shall be decreased by 0.51
1002 percentage points.

1003 (c) Special Risk Administrative Support Class shall be
1004 decreased by 0.27 percentage points.

1005 (d) Elected Officers' Class for Legislators, Governor, Lt.
1006 Governor, Cabinet Officers, State Attorneys, and Public
1007 Defenders shall be decreased by 0.06 percentage points.

1008 (e) Elected Officers' Class for Justices and Judges shall
1009 be decreased by 0.06 percentage points.

1010 (f) Elected Officers' Class for County Elected Officers
1011 shall be increased by 0.32 percentage points.

1012 (g) Senior Management Service Class shall be decreased by
1013 0.01 percentage points.

1014 (3) The adjustments provided in subsections (1) and (2)
1015 shall be in addition to all other changes to such contribution
1016 rates which may be enacted into law to take effect on that date.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

1017 The Division of Statutory Revision is directed to adjust
1018 accordingly the contribution rates set forth in s. 121.71,
1019 Florida Statutes.

1020 Section 9. The Legislature finds that a proper and
1021 legitimate state purpose is served when employees and retirees
1022 of the state and its political subdivisions, and the dependents,
1023 survivors, and beneficiaries of such employees and retirees are
1024 extended the basic protections afforded by governmental
1025 retirement systems that provide fair and adequate benefits and
1026 that are managed, administered, and funded in an actuarially
1027 sound manner as required by s. 14, Art. X of the State
1028 Constitution and part VII of chapter 112, Florida Statutes.
1029 Therefore, the Legislature determines and declares that this act
1030 fulfills an important state interest.

1031 Section 10. This act shall take effect July 1, 2012.

1032

1033

1034

1035

1036

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

1037

Remove the entire title and insert:

1038

A bill to be entitled

1039

An act relating to state retirement; amending s. 121.021,

1040

F.S.; revising definitions of the terms "normal retirement

1041

date" and "vested" or "vesting"; amending s. 121.055, F.S.;

1042

clarifying provisions related to the prohibition of

1043

hardship loans or payments; clarifying that a retiree who

1044

is reemployed in a regularly established position after a

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

1045 certain date may not be enrolled as a renewed member;
1046 authorizing certain distributions to a member who is
1047 terminated from employment for one calendar month if the
1048 member has reached the normal retirement date; providing
1049 rulemaking authority to the Department of Management
1050 Services; amending s. 121.091, F.S.; revising provisions
1051 relating to the early retirement benefit calculation to
1052 conform to changes made by the act; revising provisions
1053 relating to the disability retirement benefit calculation
1054 to conform to changes made by the act; amending s. 121.35,
1055 F.S.; providing that a benefit for the purposes of the
1056 optional retirement program for the State University System
1057 includes a certain distribution; clarifying provisions
1058 related to the prohibition of hardship loans or payments;
1059 clarifying when voluntary contributions may be paid out;
1060 authorizing certain distributions to a member who is
1061 terminated from employment for one calendar month if the
1062 member has reached the normal retirement date; providing
1063 rulemaking authority to the Department of Management
1064 Services; amending s. 121.4501, F.S.; requiring new
1065 employees to, by default, be enrolled in the investment
1066 plan; revising the benefit commencement age to conform to
1067 changes made by the act; amending s. 121.591, F.S.;
1068 revising provisions relating to the disability retirement
1069 benefit calculation to conform to changes made by the act;
1070 amending s. 1012.875, F.S.; clarifying provisions related
1071 to the prohibition of hardship loans or payments;
1072 authorizing certain distributions to a member who is

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 525 (2012)

Amendment No.

1073 terminated from employment for one calendar month if the
1074 member has reached the normal retirement date; providing
1075 rulemaking authority to the college; providing for
1076 contribution rate adjustments to fund benefit changes
1077 provided in this act; directing the Division of Statutory
1078 Revision to adjust contribution rates set forth in s.
1079 121.71, F.S.; providing a declaration of important state
1080 interest; providing an effective date.

1081

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)
HB 605 : Hillsborough County

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Peterson, Karen (Lobbyist) - Waive In Support
 City of Tampa
 310 West College Avenue
 Tallahassee FL 32301
 Phone: (850)212-7485

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 897 : Construction Liens and Bonds

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan			X		
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young			X		
Jimmy Patronis (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Lien

Watson, Richard (Lobbyist) - Opponent
 Florida Surety Association
 C/o Michael Dennis 1051 Winderley Place Ste 105
 Maitland FL 32751
 Phone: (850)222-0000

Lawson, Deborah (Lobbyist) - Waive In Support
 National Assn of Credit Mgt-Improved Construction Practices Committee
 4125 Pecan Branch
 Tallahassee FL 32309
 Phone: (850)878-1606

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 971 : Judiciary

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens		X			
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford		X			
Barbara Watson		X			
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 10		Total Nays: 3			

Appearances:

Adams, Leticia (Lobbyist) - Waive In Support
 Florida Chamber of Commerce
 136 S. Bronough St.
 Tallahassee FL 32301
 Phone: (850) 521-1279

CS/HB 971-Senior Judge Glitch Bill
 Lawson, Alan (State Employee) - Waive In Support
 District Judge, Florida Conference of DCA Judges
 300 South Beach Street
 Daytona Beach FL 32114
 Phone: 386-947-1506

Senior Judge Glitch Bill
 Shinholser, Olin W. (State Employee) - Waive In Support
 FL Conference of Circuit Judges
 430 S. Commerce Ave
 Sebring FL 33870
 Phone: 863-402-6901

Judiciary
 Large, William (Lobbyist) - Waive In Support
 Florida Justice Reform Institute
 210 S Monroe St
 Tallahassee FL 32301-1824
 Phone: (850)222-0170

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 971 : Judiciary (continued)

Appearances: (continued)

JNC

Perdue, Tammy (Lobbyist) - Waive In Support

Associated Industries of Florida

516 N. Adams St.

Tallahassee FL 32301

Phone: 850-224-7173

Diaz, Pablo (Lobbyist) - Waive In Support

National Federation of Independent Business

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1089 : Pub. Rec./Investigators & Inspectors/DBPR

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Public Records/Investigators & Inspectors for DBPR
 Miller, Matilde (Lobbyist) (State Employee) - Waive In Support
 Department of Business & Professional Regulation
 1940 N Monroe St
 Tallahassee FL 32399-2210
 Phone: (850)487-4827

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1089 (2012)

Amendment No.

COMMITTEE/SUBCOMMITTEE 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 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative Adkins offered the following:

4

5

Amendment

6

Remove line 196 and insert:

7

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

8

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1105 : Special Observances

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Everglades
 Kunkel, Stephanie (Lobbyist) - Waive In Support
 Clean Water Association
 1830 Meriadoc Road
 Tallahassee FL 32303
 Phone: 850-320-4208

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1211 : Coral Springs Improvement District, Broward County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Lyon, Chris (Lobbyist) - Proponent
 Coral Springs Improvement District
 315 S. Calhoun Street Suite 830
 Tallahassee FL 32301
 Phone: 850-222-5702

1 A bill to be entitled
 2 An act relating to the Coral Springs Improvement
 3 District, Broward County; amending chapter 2004-469,
 4 Laws of Florida; revising the terms of office for
 5 members of the board of supervisors; revising
 6 elections procedures for the board of supervisors;
 7 revising the method of compensation for members of the
 8 board of supervisors; revising quorum requirements for
 9 landowner meetings; conforming contract bidding
 10 requirements to general law and providing additional
 11 requirements for procurement of goods or services;
 12 providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsections (1) and (3) of section 5, section
 17 8, subsection (1) of section 13, and section 47 of section 3 of
 18 chapter 2004-469, Laws of Florida, are amended to read:

19 Section 5. Board of supervisors; election; organization;
 20 terms of office; quorum; report and minutes.—

21 (1) The board of supervisors of the district shall be the
 22 governing body of the district and shall exercise the powers
 23 granted to the district under this act and under chapter 298,
 24 Florida Statutes. The board shall consist of three members, and
 25 except as otherwise provided herein, each member shall hold
 26 office for a term of 3 4 years and until his or her successor
 27 shall be chosen and shall qualify. A majority of the members of
 28 the board shall be residents of Broward County, and all members

CS/HB 1211

2012

29 shall be residents of Florida. All members of the board shall be
 30 landowners within the district.

31 (3) The district board of supervisors' seats are
 32 designated seat numbers one, two, and three, respectively.
 33 Before April 30, 2015, the then-sitting board of supervisors
 34 shall determine which supervisor shall hold which seat for the
 35 purpose of conducting subsequent elections to the board.
 36 Beginning with the election in 2015, supervisors shall be
 37 elected for terms of 3 years. The election for a supervisor in
 38 2015 shall be for the supervisor's seat designated number one.
 39 The election for seat number two shall be conducted in 2016, and
 40 the election for seat number three shall be conducted in 2017.
 41 The supervisors holding seats two and three when the 2015
 42 election is conducted shall hold office until the elections for
 43 those seats in 2016 and 2017. In June 2015, there shall be held
 44 a meeting of the landowners of the district at the office of the
 45 district in Broward County for the purpose of electing a
 46 supervisor for such district. Notice of such landowners' meeting
 47 shall be published once a week for 2 consecutive weeks in a
 48 newspaper in Broward County that is in general circulation in
 49 the district, the last of such publication to be not less than
 50 14 days nor more than 28 days before the date of the election.
 51 The landowners, when assembled at such meeting, shall organize
 52 by electing a chair who shall conduct the meeting. At such
 53 meeting, each landowner shall be entitled to cast one vote per
 54 acre of land owned by him or her and located within the district
 55 for a candidate. A landowner may vote in person or by proxy in
 56 writing. Fractions of an acre shall be treated as one acre,

57 | entitling the landowner to one vote with respect thereto. The
 58 | person receiving the highest number of votes for the office of
 59 | supervisor shall be declared elected ~~In the month of June of~~
 60 | ~~each fourth year commencing June of 1971, there shall be held a~~
 61 | ~~meeting of the landowners of the district at the office of the~~
 62 | ~~district in Broward County for the purpose of electing three~~
 63 | ~~supervisors for said district. Notice of said landowners'~~
 64 | ~~meeting shall be published once a week for 2 consecutive weeks~~
 65 | ~~in a newspaper in Broward County that is in general circulation~~
 66 | ~~in the district, the last of said publication to be not less~~
 67 | ~~than 14 days nor more than 28 days before the date of the~~
 68 | ~~election. The landowners, when assembled at such meeting, shall~~
 69 | ~~organize by electing a chair who shall conduct the meeting. At~~
 70 | ~~such meeting, each landowner shall be entitled to cast one vote~~
 71 | ~~per acre of land owned by him or her and located within the~~
 72 | ~~district for each person to be elected. A landowner may vote in~~
 73 | ~~person or by proxy in writing. Fractions of an acre shall be~~
 74 | ~~treated as one acre, entitling the landowner to one vote with~~
 75 | ~~respect thereto. The three persons receiving the highest number~~
 76 | ~~of votes for the office of supervisor shall be declared elected.~~

77 | Section 8. Compensation of board.—Each supervisor is
 78 | entitled to receive for his or her services an amount not to
 79 | exceed \$200 per meeting of the board of supervisors, not to
 80 | exceed \$2,400 per year per supervisor month. In addition, each
 81 | supervisor shall receive reasonable traveling expenses incurred
 82 | in connection with district business ~~for attending the place of~~
 83 | ~~meeting from his or her residence. Unless the board by~~
 84 | ~~resolution otherwise provides, Such traveling expenses may not~~

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85 | be in excess of the amounts provided by law for state and county
 86 | officials.

87 | Section 13. Notice and call of meetings of landowners;
 88 | quorum; adjournments; representation at meetings; taking action
 89 | without meeting.—

90 | (1) The board shall publish notice of all meetings of
 91 | landowners once a week for two consecutive weeks prior to such
 92 | meeting in a newspaper in Broward County in general circulation
 93 | within the district. Meetings of landowners shall be held in a
 94 | public place~~7~~ or any other place made available for the purpose
 95 | of such meeting in the Broward County Courthouse~~,~~ and the place,
 96 | date, and hour of holding such meeting and the purpose thereof
 97 | shall be stated in the notice. Those landowners ~~representing a~~
 98 | ~~majority of the number of acres in the district,~~ present in
 99 | person or by proxy~~7~~ shall constitute a quorum at any meeting of
 100 | the landowners; provided that~~,~~ irrespective of the number of
 101 | acres represented, there shall be a minimum of five landowners
 102 | owning separate parcels of land at each meeting.

103 | Section 47. Bids required.—

104 | (1) No contract shall be let by the board for any goods,
 105 | supplies, or materials to be purchased when the amount thereof
 106 | to be paid by the district shall exceed the amount provided in
 107 | section 287.017, Florida Statutes, for category two, unless
 108 | notice of bids shall be advertised once in a newspaper in
 109 | general circulation in the county and in the district. The
 110 | board, if seeking to construct or improve a public building,
 111 | structure, or other public works, shall comply with the bidding
 112 | procedures of section 255.20, Florida Statutes, and other

113 applicable general law. In each case, the bid of the lowest
 114 responsive and responsible bidder shall be accepted unless all
 115 bids are rejected because the bids are too high, or the board
 116 determines it is in the best interests of the district to reject
 117 all bids. The board may require the bidders to furnish bonds
 118 with a responsible surety to be approved by the board. Nothing
 119 in this section shall prevent the board from undertaking and
 120 performing the construction, operation, and maintenance of any
 121 project or facility authorized by this act by the employment of
 122 labor, material, and machinery.

123 (2) The provisions of the Consultants' Competitive
 124 Negotiation Act, section 287.055, Florida Statutes, apply to
 125 contracts for engineering, architecture, landscape architecture,
 126 or registered surveying and mapping services let by the board.

127 (3) Contracts for maintenance services for any district
 128 facility or project shall be subject to competitive bidding
 129 requirements when the amount thereof to be paid by the district
 130 exceeds the amount provided in section 287.017, Florida
 131 Statutes, for category two. The district shall adopt rules,
 132 policies, or procedures establishing competitive bidding
 133 procedures for maintenance services. Contracts for other
 134 services shall not be subject to competitive bidding unless the
 135 district adopts a rule, policy, or procedure applying
 136 competitive bidding procedures to such contracts.

137 (4) The district may apply to the Department of Management
 138 Services, or an entity succeeding to the duties of such
 139 department, to purchase commodities and contractual services
 140 from purchasing agreements established and state term contracts

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141 | procured pursuant to section 287.057, Florida Statutes, by such
 142 | department, as provided in section 287.056, Florida Statutes No
 143 | ~~contract shall be let by the board for the construction or~~
 144 | ~~maintenance of any project authorized by this act, nor shall any~~
 145 | ~~goods, supplies, or materials be purchased when the amount~~
 146 | ~~thereof to be paid by said district shall exceed \$4,000, unless~~
 147 | ~~notice of bids shall be advertised once a week for 2 consecutive~~
 148 | ~~weeks in a newspaper published in Broward County and of general~~
 149 | ~~circulation in the district, and in each case the bid of the~~
 150 | ~~lowest responsible bidder shall be accepted, unless all bids are~~
 151 | ~~rejected because the bids are too high. The board may require~~
 152 | ~~the bidders to furnish bond with responsible surety to be~~
 153 | ~~approved by the board. Nothing in this section shall prevent the~~
 154 | ~~board from undertaking and performing the construction,~~
 155 | ~~operation, and maintenance of any project or facility authorized~~
 156 | ~~by this act, by the employment of labor, material, and~~
 157 | ~~machinery.~~

158 | Section 2. This act shall take effect upon becoming a law.

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1301 : City of West Palm Beach, Palm Beach County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

WPB Pension
Puckett, Matthew (Lobbyist) - Waive In Support
Florida Police Benevolent Association, Inc
300 E Brevard St
Tallahassee FL 32301
Phone: (850)222-3329

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1325 : City of West Palm Beach, Palm Beach County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

Wesolek, Thomas (General Public) - Waive In Support
 Rank and File members of the collective bargaining agreement
 2801 Tuxedo Ave
 West Palm Beach FL undefined
 Phone: 561-797-7227

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1339 : Envelopes Used to Conceal the Voter's Choices

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

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20 either a secrecy envelope, and a return mailing envelope, or a
21 security-enhanced envelope, and instructions sufficient to
22 describe the voting process to each elector entitled to vote in
23 the election not sooner than the 20th day before the election
24 and not later than the 10th day before the date of the election.
25 All such ballots shall be mailed by first-class mail. Ballots
26 shall be addressed to each elector at the address appearing in
27 the registration records and placed in an envelope which is
28 prominently marked "Do Not Forward."

29 (2) (a) In any county in which secrecy envelopes and mailing
30 envelopes are used, upon receipt of the ballot the elector shall
31 mark the ballot, place it in the secrecy envelope, sign the
32 return mailing envelope supplied with the ballot, and comply
33 with the instructions provided with the ballot.

34 (b) In any county in which security-enhanced envelopes are
35 used, upon receipt of the ballot the elector shall mark the
36 ballot, place it in the security-enhanced envelope, sign the
37 security-enhanced envelope, and comply with the instructions
38 provided in the ballot.

39 (c) The elector shall mail, deliver, or have delivered the
40 marked ballot so that it reaches the supervisor of elections no
41 later than 7 p.m. on the day of the election. The ballot must be
42 returned in the return mailing envelope or security-enhanced
43 envelope.

44 (3) The return mailing envelope or security-enhanced
45 envelope shall contain a statement in substantially the
46 following form:

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47

VOTER'S CERTIFICATE

48

I, ...(Print Name)..., do solemnly swear (or affirm) that I
49 am a qualified voter in this election and that I have not and
50 will not vote more than one ballot in this election.

51

I understand that failure to sign this certificate and give
52 my residence address will invalidate my ballot.

53

...(Signature)...

54

...(Residence Address)...

55

(4) If the ballot is destroyed, spoiled, lost, or not
56 received by the elector, the elector may obtain a replacement
57 ballot from the supervisor of elections as provided in this
58 subsection. An elector seeking a replacement ballot shall sign a
59 sworn statement that the ballot was destroyed, spoiled, lost, or
60 not received and present such statement to the supervisor of
61 elections prior to 7 p.m. on the day of the election. The
62 supervisor of elections shall keep a record of each replacement
63 ballot provided under this subsection.

64

(5) A ballot shall be counted only if:

65

(a) It is returned in the return mailing envelope or
66 security-enhanced envelope;

67

(b) The elector's signature has been verified as provided
68 in this subsection; and

69

(c) It is received by the supervisor of elections not
70 later than 7 p.m. on the day of the election.

71

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72 The supervisor of elections shall verify the signature of each
73 elector on the return mailing envelope or security-enhanced
74 envelope with the signature on the elector's registration
75 records. Such verification may commence at any time prior to the
76 canvass of votes. The supervisor of elections shall safely keep
77 the ballot unopened in his or her office until the county
78 canvassing board canvasses the vote. If the supervisor of
79 elections determines that an elector to whom a replacement
80 ballot has been issued under subsection (4) has voted more than
81 once, the canvassing board shall determine which ballot, if any,
82 is to be counted.

83 (7) With respect to absent electors overseas entitled to
84 vote in the election, the supervisor of elections shall mail an
85 official ballot with either a secrecy envelope, and a return
86 mailing envelope, or a security-enhanced envelope, and
87 instructions sufficient to describe the voting process to each
88 such elector on a date sufficient to allow such elector time to
89 vote in the election and to have his or her marked ballot reach
90 the supervisor by 7 p.m. on the day of the election.

91 Section 3. Section 101.6104, Florida Statutes, is amended
92 to read:

93 101.6104 Challenge of votes.—If any elector present for
94 the canvass of votes believes that any ballot is illegal due to
95 any defect apparent on the voter's certificate, the elector may,
96 at any time before the ballot is removed from the envelope, file
97 with the canvassing board a protest against the canvass of such
98 ballot, specifying the reason he or she believes the ballot to
99 be illegal. No challenge based upon any defect on the voter's

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100 certificate shall be accepted after the ballot has been removed
101 from the return mailing envelope or security-enhanced envelope.

102 Section 4. Subsections (1) and (2) of section 101.64,
103 Florida Statutes, are amended to read:

104 101.64 Delivery of absentee ballots; envelopes; form.-

105 (1) (a) The supervisor shall have the option to:

106 1. Enclose with each absentee ballot two envelopes: a
107 secrecy envelope, into which the absent elector shall enclose
108 his or her marked ballot, and a mailing envelope, into which the
109 absent elector shall then place the secrecy envelope; or

110 2. Enclose a security-enhanced envelope, into which the
111 absent elector shall then place the ballot.

112 (b) Mailing envelopes or security-enhanced envelopes ~~which~~
113 shall be addressed to the supervisor and shall also bear on the
114 back side a certificate in substantially the following form:

115 Note: Please Read Instructions Carefully Before
116 Marking Ballot and Completing Voter's Certificate.

117 VOTER'S CERTIFICATE

118 I,, do solemnly swear or affirm that I am a qualified
119 and registered voter of County, Florida, and that I have
120 not and will not vote more than one ballot in this election. I
121 understand that if I commit or attempt to commit any fraud in
122 connection with voting, vote a fraudulent ballot, or vote more
123 than once in an election, I can be convicted of a felony of the
124 third degree and fined up to \$5,000 and/or imprisoned for up to

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151 for One" candidate and you vote for more than one candidate,
152 your vote in that race will not be counted.

153 4. Place your marked ballot in the enclosed secrecy
154 envelope or security-enhanced envelope, whichever is provided.

155 5. If you received a secrecy envelope, insert the secrecy
156 envelope into the enclosed mailing envelope which is addressed
157 to the supervisor.

158 6. Seal the mailing envelope or security-enhanced envelope
159 and completely fill out the Voter's Certificate on the back of
160 the mailing envelope or security-enhanced envelope.

161 7. VERY IMPORTANT. In order for your absentee ballot to be
162 counted, you must sign your name on the line above (Voter's
163 Signature). An absentee ballot will be considered illegal and
164 not be counted if the signature on the voter's certificate does
165 not match the signature on record. The signature on file at the
166 start of the canvass of the absentee ballots is the signature
167 that will be used to verify your signature on the voter's
168 certificate. If you need to update your signature for this
169 election, send your signature update on a voter registration
170 application to your supervisor of elections so that it is
171 received no later than the start of the canvassing of absentee
172 ballots, which occurs no earlier than the 15th day before
173 election day.

174 8. VERY IMPORTANT. If you are an overseas voter, you must
175 include the date you signed the Voter's Certificate on the line
176 above (Date) or your ballot may not be counted.

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177 9. Mail, deliver, or have delivered the completed mailing
178 envelope or security-enhanced envelope. Be sure there is
179 sufficient postage if mailed.

180 10. FELONY NOTICE. It is a felony under Florida law to
181 accept any gift, payment, or gratuity in exchange for your vote
182 for a candidate. It is also a felony under Florida law to vote
183 in an election using a false identity or false address, or under
184 any other circumstances making your ballot false or fraudulent.

185 Section 6. Paragraphs (c) and (d) of subsection (2) of
186 section 101.68, Florida Statutes, are amended to read:

187 101.68 Canvassing of absentee ballot.-

188 (2)

189 (c)1. The canvassing board shall, if the supervisor has
190 not already done so, compare the signature of the elector on the
191 voter's certificate with the signature of the elector in the
192 registration books to see that the elector is duly registered in
193 the county and to determine the legality of that absentee
194 ballot. The ballot of an elector who casts an absentee ballot
195 shall be counted even if the elector dies on or before election
196 day, as long as, prior to the death of the voter, the ballot was
197 postmarked by the United States Postal Service, date-stamped
198 with a verifiable tracking number by common carrier, or already
199 in the possession of the supervisor of elections. An absentee
200 ballot shall be considered illegal if it does not include the
201 signature of the elector, as shown by the registration records.
202 However, an absentee ballot shall not be considered illegal if
203 the signature of the elector does not cross the seal of the
204 mailing envelope or security-enhanced envelope. If the

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205 canvassing board determines that any ballot is illegal, a member
206 of the board shall, without opening the envelope, mark across
207 the face of the envelope: "rejected as illegal." The envelope
208 and the ballot contained therein shall be preserved in the
209 manner that official ballots voted are preserved.

210 2. If any elector or candidate present believes that an
211 absentee ballot is illegal due to a defect apparent on the
212 voter's certificate, he or she may, at any time before the
213 ballot is removed from the envelope, file with the canvassing
214 board a protest against the canvass of that ballot, specifying
215 the precinct, the ballot, and the reason he or she believes the
216 ballot to be illegal. A challenge based upon a defect in the
217 voter's certificate may not be accepted after the ballot has
218 been removed from the mailing envelope or security-enhanced
219 envelope.

220 (d)1. The canvassing board shall record the ballot upon the
221 proper record, unless the ballot has been previously recorded by
222 the supervisor.

223 2.a. In any county in which secrecy envelopes and mailing
224 envelopes are used, the mailing envelopes shall be opened and
225 the secrecy envelopes shall be mixed so as to make it impossible
226 to determine which secrecy envelope came out of which signed
227 mailing envelope; however, in any county in which an electronic
228 or electromechanical voting system is used, the ballots may be
229 sorted by ballot styles and the mailing envelopes may be opened
230 and the secrecy envelopes mixed separately for each ballot
231 style.

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232 b. In any county in which security-enhanced envelopes are
233 used, the supervisor shall separate the market ballots from the
234 security-enhanced envelopes so as to make it impossible to
235 determine which ballot came out of which signed security-
236 enhanced envelope.

237 3. The votes on absentee ballots shall be included in the
238 total vote of the county.

239 Section 7. Subsection (2) of section 101.69, Florida
240 Statutes, is amended to read:

241 101.69 Voting in person; return of absentee ballot.—The
242 provisions of this code shall not be construed to prohibit any
243 elector from voting in person at the elector's precinct on the
244 day of an election or at an early voting site, notwithstanding
245 that the elector has requested an absentee ballot for that
246 election. An elector who has returned a voted absentee ballot to
247 the supervisor, however, is deemed to have cast his or her
248 ballot and is not entitled to vote another ballot or to have a
249 provisional ballot counted by the county canvassing board. An
250 elector who has received an absentee ballot and has not returned
251 the voted ballot to the supervisor, but desires to vote in
252 person, shall return the ballot, whether voted or not, to the
253 election board in the elector's precinct or to an early voting
254 site. The returned ballot shall be marked "canceled" by the
255 board and placed with other canceled ballots. However, if the
256 elector does not return the ballot and the election official:

257 (2) Confirms that the supervisor has not received the
258 elector's absentee ballot, the elector shall be allowed to vote
259 in person as provided in this code. The elector's absentee

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260 ballot, if subsequently received, shall not be counted and shall
261 remain in the mailing envelope or security-enhanced envelope,
262 and the envelope shall be marked "Rejected as Illegal."

263 Section 7. Subsection (2) of section 101.6921, Florida
264 Statutes, is amended to read:

265 101.6921 Delivery of special absentee ballot to certain
266 first-time voters.-

267 (2) (a) In any county in which secrecy envelopes and mailing
268 envelopes are used, the supervisor shall enclose with each
269 absentee ballot three envelopes: a secrecy envelope, into which
270 the absent elector will enclose his or her marked ballot; an
271 envelope containing the Voter's Certificate, into which the
272 absent elector shall place the secrecy envelope; and a mailing
273 envelope, which shall be addressed to the supervisor and into
274 which the absent elector will place the envelope containing the
275 Voter's Certificate and a copy of the required identification.

276 (b) In any county in which security-enhanced envelopes are
277 used, the supervisor shall enclose with each absentee ballot two
278 envelopes: a security-enhanced envelope containing the Voter's
279 Certificate, into which the absent elector shall place the
280 marked ballot and a mailing envelope, which shall be addressed
281 to the supervisor and into which the absent elector will place
282 the envelope containing the Voter's Certificate and a copy of
283 the required identification.

284 Section 8. Subsection (2) of section 101.6923, Florida
285 Statutes, is amended to read:

286 101.6923 Special absentee ballot instructions for certain
287 first-time voters.-

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288 (2) A voter covered by this section shall be provided with
289 printed instructions with his or her absentee ballot in
290 substantially the following form:

291 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
292 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
293 TO COUNT.

294 1. In order to ensure that your absentee ballot will be
295 counted, it should be completed and returned as soon as possible
296 so that it can reach the supervisor of elections of the county
297 in which your precinct is located no later than 7 p.m. on the
298 date of the election.

299 2. Mark your ballot in secret as instructed on the ballot.
300 You must mark your own ballot unless you are unable to do so
301 because of blindness, disability, or inability to read or write.

302 3. Mark only the number of candidates or issue choices for
303 a race as indicated on the ballot. If you are allowed to "Vote
304 for One" candidate and you vote for more than one, your vote in
305 that race will not be counted.

306 4. Place your marked ballot in the enclosed secrecy
307 envelope or security-enhanced envelope, whichever is provided,
308 and seal the envelope.

309 5. If you received a secrecy envelope, insert the secrecy
310 envelope into the enclosed envelope bearing the Voter's
311 Certificate. Seal the envelope and completely fill out the
312 Voter's Certificate on the back of the envelope.

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313 a. You must sign your name on the line above (Voter's
314 Signature).

315 b. If you are an overseas voter, you must include the date
316 you signed the Voter's Certificate on the line above (Date) or
317 your ballot may not be counted.

318 c. An absentee ballot will be considered illegal and will
319 not be counted if the signature on the Voter's Certificate does
320 not match the signature on record. The signature on file at the
321 start of the canvass of the absentee ballots is the signature
322 that will be used to verify your signature on the Voter's
323 Certificate. If you need to update your signature for this
324 election, send your signature update on a voter registration
325 application to your supervisor of elections so that it is
326 received no later than the start of canvassing of absentee
327 ballots, which occurs no earlier than the 15th day before
328 election day.

329 6. Unless you meet one of the exemptions in Item 7., you
330 must make a copy of one of the following forms of
331 identification:

332 a. Identification which must include your name and
333 photograph: United States passport; debit or credit card;
334 military identification; student identification; retirement
335 center identification; neighborhood association identification;
336 or public assistance identification; or

337 b. Identification which shows your name and current
338 residence address: current utility bill, bank statement,
339 government check, paycheck, or government document (excluding
340 voter identification card).

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341 7. The identification requirements of Item 6. do not apply
342 if you meet one of the following requirements:

343 a. You are 65 years of age or older.

344 b. You have a temporary or permanent physical disability.

345 c. You are a member of a uniformed service on active duty
346 who, by reason of such active duty, will be absent from the
347 county on election day.

348 d. You are a member of the Merchant Marine who, by reason
349 of service in the Merchant Marine, will be absent from the
350 county on election day.

351 e. You are the spouse or dependent of a member referred to
352 in paragraph c. or paragraph d. who, by reason of the active
353 duty or service of the member, will be absent from the county on
354 election day.

355 f. You are currently residing outside the United States.

356 8. Place the envelope bearing the Voter's Certificate into
357 the mailing envelope addressed to the supervisor. Insert a copy
358 of your identification in the mailing envelope. DO NOT PUT YOUR
359 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
360 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
361 BALLOT WILL NOT COUNT.

362 9. Mail, deliver, or have delivered the completed mailing
363 envelope. Be sure there is sufficient postage if mailed.

364 10. FELONY NOTICE. It is a felony under Florida law to
365 accept any gift, payment, or gratuity in exchange for your vote
366 for a candidate. It is also a felony under Florida law to vote
367 in an election using a false identity or false address, or under
368 any other circumstances making your ballot false or fraudulent.

366737 - Strike-allAmendmentChestnut.docx

Published On: 1/30/2012 5:19:43 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1339 (2012)

Amendment No.

369 Section 9. This act shall take effect July 1, 2012.

370

371

372

373

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

374

Remove lines 4-5 and insert:

375

creating a definition for "security-enhanced envelope"; amending

376

s. 101.6103, F.S.; revising mail ballot election procedures;

377

amending s. 101.6104, F.S.; making conforming changes to

378

procedures for the challenge of votes; amending s. 101.64, F.S.;

379

revising procedures for the delivery of absentee ballots;

380

amending s. 101.65, F.S.; making conforming changes to

381

instructions to absent electors; amending s. 101.68, F.S.;

382

making conforming changes to procedures for canvassing of

383

absentee ballots; amending s. 101.69, F.S.; making conforming

384

changes to procedures for voting in person after returning an

385

absentee ballot; amending s. 101.6921, F.S.; making conforming

386

changes to procedures for delivery of special absentee ballots;

387

amending s. 101.6923, F.S.; making conforming changes to special

388

absentee ballot instructions;

389

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1461 : Voter Identification

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz		X			
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole		X			
Kenneth Roberson		X			
Irving Slosberg		X			
Cynthia Stafford		X			
Barbara Watson		X			
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 9		Total Nays: 6			

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

HB 1479 : State Poet Laureate

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan			X		
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg			X		
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

Poet Laureate Commission
 Juarez, Lena (Lobbyist) - Waive In Support
 Florida Humanities Council
 P.O. Box 10390
 Tallahassee FL 32302
 Phone: 850-212-8330

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 1481 : Loxahatchee Groves Water Control District, Palm Beach County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens	X				
Janet Cruz	X				
Ana Logan	X				
Debbie Mayfield	X				
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson			X		
Irving Slosberg	X				
Cynthia Stafford	X				
Barbara Watson	X				
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

PCS for HB 365 : Public Retirement Plans

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Douglas Broxson	X				
Jeff Clemens		X			
Janet Cruz		X			
Ana Logan			X		
Debbie Mayfield		X			
George Moraitis, Jr.	X				
Bryan Nelson	X				
H. Marlene O'Toole			X		
Kenneth Roberson	X				
Irving Slosberg		X			
Cynthia Stafford		X			
Barbara Watson		X			
Dana Young	X				
Jimmy Patronis (Chair)	X				
Total Yeas: 7		Total Nays: 6			

Appearances:

Adams, Leticia (Lobbyist) - Waive In Support
 Florida Chamber of Commerce
 136 S. Bronough St.
 Tallahassee FL 32301
 Phone: (850) 521-1279

Pension
 Givens, Dan - Waive In Opposition
 Miami Fire Fighters' Relief & Pension Fund
 9941 SW 130 St
 Miami FL 33176
 Phone: 305-253-2442

Parker, Ken - Information Only
 City of Port Orange

Municipal Fire and Police Pension
 Suarez, Robert - Opponent
 Florida Professional Fire Fighters
 345 W. Madison Street
 Tallahassee FL

Caddell, Tim - Waive In Support
 City of Pinellas Park
 5851 Park Blvd
 Pinellas park FL 33781
 Phone: 727-541-0721

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

PCS for HB 365 : Public Retirement Plans (continued)

Appearances: (continued)

Muni Pensions

Vroman, Kurt - Waive In Opposition

Deltona Fire Fighters

318 Columba Rd

DeBary FL 32713

Phone: 386-235-6765

Bell, Douglas (Lobbyist) - Waive In Support

City of Ormond Beach

215 S. Monroe Street

Tallahassee FL

Phone: (850)222-3533

Public Employees

Tolley, Jim - Opponent

Florida Prof. Fire Fighters

345 Madison Street

Tallahassee FL 32301

Conn, Kraig (Lobbyist) - Proponent

Florida League of Cities

301 S. Bronough

Tallahassee FL 32301

Phone: 850-222-9684

Police/Fire Pensions

Brinkman, Keith (State Employee) - Information Only

DMS/Retirement

1317 Winewood Blvd.

Tallahassee FL

Phone: 850-488-2784

Milita, Dale - Waive In Support

City of Bartow

36910 3rd Street

Canal Point FL 33438

Phone: 561-924-7702

Henning, Lisa (Lobbyist) - Opponent

Florida Fraternal Order of Police

242 Office Plaza Dr

Tallahassee FL 32301

Phone: (850)656-9881

Municipal Pensions

Puckett, Matthew (Lobbyist) - Opponent

Florida Police Benevolent Association, Inc

300 E Brevard St

Tallahassee FL 32301

Phone: (850)222-3329

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee

1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

PCS for HB 365 : Public Retirement Plans (continued)

Appearances: (continued)

Vanassche, Connie (Lobbyist) - Waive In Support
City of Okeechobee
36910 3rd Street
Canal Point FL 33438
Phone: 561-924-7702

South Florida Council of Fire Fighters
Parkerson, Dean - Opponent
South Florida Council of Fire Fighters
8000 SW 21st St #205
Miami FL 33122
Phone: 305-525-6250

Goodwin, Lori - Waive In Opposition
Fraternal Order of Police
Milton FL

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM

COMMITTEE MEETING REPORT
Government Operations Subcommittee
1/31/2012 9:00:00AM

Location: Morris Hall (17 HOB)

Workshop

Draft legislation amending section 288.075, Florida Statutes, which provides public record exemptions for economic development agencies

Workshopped

Committee meeting was reported out: Tuesday, January 31, 2012 2:35:35PM