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# **Education Appropriations Subcommittee**

## **Action Packet**

**March 24, 2015  
1:00 p.m. – 3:00 p.m.  
Morris Hall**

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

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

**Summary:**

**Education Appropriations Subcommittee**

*Tuesday March 24, 2015 01:00 pm*

CS/HB 35	Favorable	Yeas: 12	Nays: 0
CS/HB 41	Favorable With Committee Substitute Amendment 579027 Adopted	Yeas: 12	Nays: 0
CS/HB 587	Favorable With Committee Substitute Amendment 472195 Adopted	Yeas: 12	Nays: 0
HB 7091	Favorable With Committee Substitute Amendment 206911 Adopted	Yeas: 12	Nays: 0
HB 7095	Favorable With Committee Substitute Amendment 553061 Adopted Amendment 808257 Adopted	Yeas: 13	Nays: 0

Committee meeting was reported out: Tuesday, March 24, 2015 2:36:22PM

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Erik Fresen (Chair)	X		
Janet Adkins	X		
Larry Ahern	X		
Fred Costello	X		
Manny Diaz, Jr.	X		
Heather Fitzenhagen	X		
Mia Jones	X		
Larry Lee, Jr.	X		
H. Marlene O'Toole	X		
Elizabeth Porter	X		
Irving Slosberg	X		
Charlie Stone	X		
Dwayne Taylor	X		
<b>Totals:</b>	<b>13</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, March 24, 2015 2:36:22PM

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**  
**3/24/2015 1:00:00PM**

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

**CS/HB 35 : Out-of-State Fee Waivers for Veterans and Dependents**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Larry Ahern	X				
Fred Costello	X				
Manny Diaz, Jr.	X				
Heather Fitzenhagen	X				
Mia Jones	X				
Larry Lee, Jr.	X				
H. Marlene O'Toole	X				
Elizabeth Porter				X	
Irving Slosberg	X				
Charlie Stone	X				
Dwayne Taylor	X				
Erik Fresen (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**Appearances:**

Fennell, Bridgit (General Public) - Proponent  
 Myself- a Goldstar Widow and a Florida Graduate Student  
 self  
 210 SE Mizner Blvd Apt 107  
 Boca Raton FL 33432  
 Phone: 443-538-2881

Krepstekies, Colleen (Lobbyist) (State Employee) - Waive In Support  
 FDVA  
 Legislative Affairs Director  
 400 S. Monroe Street  
 Tallahassee FL  
 Phone: 850-407-1533

Pitts, Brian (General Public) - Information Only  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**CS/HB 41 : Hazardous Walking Conditions**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Larry Ahern	X				
Fred Costello	X				
Manny Diaz, Jr.	X				
Heather Fitzenhagen	X				
Mia Jones	X				
Larry Lee, Jr.	X				
H. Marlene O'Toole	X				
Elizabeth Porter				X	
Irving Slosberg	X				
Charlie Stone	X				
Dwayne Taylor	X				
Erik Fresen (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**CS/HB 41 Amendments**

**Amendment 579027**

Adopted

**Appearances:**

Youmans, Laura (Lobbyist) - Proponent  
 Florida Association of Counties  
 Leg. Advocate  
 100 N. Monroe Street  
 Tallahassee FL 32301  
 Phone: 850-294-1838

Dodge, Wendy (Lobbyist) - Waive In Support  
 Polk County Schools  
 Director Legislative Affairs  
 P. O. Box 391  
 Bartow FL 33831  
 Phone: 863-838-3632

Graham, Bill (Lobbyist) - Waive In Support  
 Florida School Board Association  
 Interim Executive Director, FL School Bds. Assoc.  
 203 South Monroe St.  
 Tallahassee FL 32301  
 Phone: 850-414-2578

Committee meeting was reported out: Tuesday, March 24, 2015 2:36:22PM

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**CS/HB 41 : Hazardous Walking Conditions (continued)**

**Appearances: (continued)**

Brainerd, Jim (Lobbyist) - Waive In Support  
Polk County Board of County Commissioner  
2014 Rabbit Hill Rd.  
Tallahassee FL 32300  
Phone: 850-508-6716

Pitts, Brian (General Public) - Information Only  
Justice-2-Jesus  
Trustee  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, March 24, 2015 2:36:22PM

Amendment No. 1

*Adopted  
3/24/15*

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Education Appropriations  
 2 Subcommittee

3 Representative Metz offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 106-174 and insert:

7 provided in subsection (2), the governmental entity with  
 8 jurisdiction shall report that determination in writing to the  
 9 district school superintendent, who shall initiate a formal  
 10 request for correction as provided in subsection (4).

11 (b) If the governmental representatives are unable to  
 12 reach a consensus, the reasons for lack of consensus shall be  
 13 reported to the district school superintendent, who shall  
 14 provide a report and recommendation to the district school  
 15 board. The district school board may initiate a proceeding under  
 16 chapter 86 seeking a determination as to whether the condition

579027

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## Amendment No. 1

17 constitutes a hazardous walking condition as provided in  
18 subsection (2) after providing at least 30 days' notice in  
19 writing to the local governmental entities having jurisdiction  
20 over the road of its intent to do so unless, within 30 days  
21 after such notice is provided, the local governmental entities  
22 concur in writing that the condition is a hazardous walking  
23 condition as provided in subsection (2) and provide the position  
24 statement pursuant to subsection (4). If a proceeding is  
25 initiated under this paragraph, the district school board has  
26 the burden of proving such condition by the greater weight of  
27 evidence. If the district school board prevails, the district  
28 school superintendent shall report the outcome to the Department  
29 of Education and initiate a formal request for correction of the  
30 hazardous walking condition as provided in subsection (4). The  
31 ~~district school superintendent or his or her designee and the~~  
32 ~~state or local governmental entity or its representative shall~~  
33 ~~then make a final determination that is mutually agreed upon~~  
34 ~~regarding whether the hazardous condition meets the state~~  
35 ~~criteria pursuant to this section. The district school~~  
36 ~~superintendent or his or her designee shall report this final~~  
37 ~~determination to the Department.~~

38 (4)(2) TRANSPORTATION; CORRECTION OF HAZARDS.-

39 (a) A district school board ~~It is intended that district~~  
40 ~~school boards~~ and other governmental entities shall work  
41 cooperatively to identify conditions that are hazardous along

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## Amendment No. 1

42 student walking routes to school, and a district school board  
43 shall that district school boards provide transportation to  
44 students who would be subjected to such conditions.  
45 Additionally, It is further intended that state or local  
46 governmental entities with having jurisdiction over a road along  
47 which a hazardous walking condition is determined to exist shall  
48 correct the condition such hazardous conditions within a  
49 reasonable period of time.

50 (b) Upon a determination pursuant to subsection (3) this  
51 section that a hazardous walking condition exists is hazardous  
52 to students, the district school superintendent board shall  
53 request a position statement with respect to correction of such  
54 condition determination from the state or local governmental  
55 entity with having jurisdiction over the road. Within 90 days  
56 after receiving such request, the state or local governmental  
57 entity shall inform the district school superintendent regarding  
58 whether the entity will include correction of the hazardous  
59 walking condition in its next annual 5-year transportation work  
60 program hazard will be corrected and, if so, when correction of  
61 the condition will be completed. If the hazardous walking  
62 condition will not be included in the state or local  
63 governmental entity's next annual 5-year transportation work  
64 program, the factors justifying such conclusion must be stated  
65 in writing to the district school superintendent and the  
66 Department of Education regarding a projected completion date.

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Amendment No. 1

67        (c) State funds shall be allocated for the transportation  
68        of students subjected to a hazardous walking condition. However,  
69        ~~such hazards, provided that~~ such funding shall cease upon  
70        correction of the hazardous walking condition ~~hazard~~ or upon the  
71        projected completion date, whichever occurs first.

72        (5) CIVIL ACTION.—In a civil action for damages brought  
73        against a governmental entity under s. 768.28, the designation  
74        of a hazardous walking condition under this section is not  
75        admissible in evidence.

76        (6) INTERLOCAL AGREEMENTS.—This section does not prohibit  
77        a district school board and other governmental entities from  
78        entering into an interlocal agreement pursuant to s. 163.31777  
79        that addresses the identification and correction of hazardous  
80        walking conditions, if such agreement:

81        (a) Establishes the same or higher standards for the  
82        safety of students walking to school as the standards provided  
83        in this section;

84        (b) Establishes the same or a more rigorous process for  
85        identifying hazardous walking conditions as the processes  
86        provided in this section; or

87        (c) Implements the Safe Paths to Schools Program as  
88        provided in s. 335.066.

90 -----  
91                    **T I T L E   A M E N D M E N T**

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## Amendment No. 1

92 | Remove lines 19-21 and insert:  
93 | governmental entity relating to its transportation  
94 | work program; providing requirements relating to a  
95 | civil action for damages; providing that certain  
96 | interlocal agreements that meet specified criteria are  
97 | not prohibited under this section; providing an  
98 | effective

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**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**CS/HB 587 : Education Personnel**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Larry Ahern	X				
Fred Costello	X				
Manny Diaz, Jr.	X				
Heather Fitzenhagen	X				
Mia Jones	X				
Larry Lee, Jr.	X				
H. Marlene O'Toole	X				
Elizabeth Porter				X	
Irving Slosberg	X				
Charlie Stone	X				
Dwayne Taylor	X				
Erik Fresen (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**CS/HB 587 Amendments**

**Amendment 472195**

Adopted

**Appearances:**

Burch, Brittney (Lobbyist) - Waive In Support  
 Florida Chamber of Commerce  
 Director of Ed. Policy  
 Phone: 850-521-1279

Clements, Sara (Lobbyist) - Waive In Support  
 Foundation for Florida's Future  
 215 S Monroe St Ste 420  
 Tallahassee FL 32301  
 Phone: (850)391-0329

Pitts, Brian (General Public) - Information Only  
 Justice-2-Jesus  
 Trustee  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: 727-897-9291

Committee meeting was reported out: Tuesday, March 24, 2015 2:36:22PM

Amendment No. 1

*Adopted  
3/24/15*

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Education Appropriations  
2 Subcommittee

3 Representative Spano offered the following:

4

5 **Amendment**

6 Remove lines 67-83 and insert:

7 to protect full-time instructional personnel from liability for  
8 monetary damages and the costs of defending actions resulting  
9 from claims made against the instructional personnel arising out  
10 of occurrences in the course of activities within the  
11 instructional personnel's professional capacity. For purposes of  
12 this subsection, the terms "full-time," "part-time," and  
13 "administrative personnel" shall be defined by the individual  
14 district school board. For purposes of this subsection, the term  
15 "instructional personnel" has the same meaning as provided in s.  
16 1012.01(2).

472195

h587 Spano Amd 1.docx

Published On: 3/23/2015 6:25:39 PM

## Amendment No. 1

17 | (a) Liability coverage of at least \$2 million shall be  
18 | provided to all full-time instructional personnel. Liability  
19 | coverage may be provided to the following individuals who choose  
20 | to participate in the program, at cost: part-time instructional  
21 | personnel, administrative personnel, and students enrolled in a  
22 | state-approved teacher preparation program pursuant to s.  
23 | 1012.39(3).  
24 |

472195

h587 Spano Amd 1.docx

Published On: 3/23/2015 6:25:39 PM

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**HB 7091 : Postsecondary Options for Students with Disabilities**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Larry Ahern	X				
Fred Costello	X				
Manny Diaz, Jr.	X				
Heather Fitzenhagen	X				
Mia Jones	X				
Larry Lee, Jr.	X				
H. Marlene O'Toole	X				
Elizabeth Porter				X	
Irving Slosberg	X				
Charlie Stone	X				
Dwayne Taylor	X				
Erik Fresen (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 0</b>			

**HB 7091 Amendments**

**Amendment 206911**

*Adopted*

**Appearances:**

Horne, Jim (Lobbyist) - Waive In Support

AIF  
P.O. Box 8339  
Fleming Island FL 32006  
Phone: 904-759-4596

Pitts, Brian (General Public) - Information Only

Justice-2-Jesus  
Trustee  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: 727-897-9291

Amendment No. 1

*Adopted  
3/24/15*

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Education Appropriations  
 2 Subcommittee

3 Representative Adkins offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 288 and 289, insert:

7 Section 2. Paragraph (i) of subsection (1) of section

8 1009.25, Florida Statutes, is created to read:

9 1009.22 Fee exemptions.—

10 (1) The following students are exempt from the payment of  
 11 tuition and fees, including lab fees, at a school district that  
 12 provides workforce education programs, Florida College System  
 13 institution, or state university:

14 (i) An individual who receives social security disability  
 15 income due to a physical or mental disorder as determined by the  
 16 Social Security Administration or receives supplemental security



Amendment No. 1

17 income due to a physical or mental disorder as determined by the  
18 Social Security Administration is exempt from payment of tuition  
19 for adult education pursuant to s. 1009.22(3).

20

21

22

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

23

Remove line 21 and insert:

24

providing for rulemaking; amending s. 1009.25, F.S., creating a

25

fee exemption for students meeting certain criteria; repealing

26

s. 19, chapter

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**HB 7095 : Florida Personal Learning Scholarship Accounts**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Larry Ahern	X				
Fred Costello	X				
Manny Diaz, Jr.	X				
Heather Fitzenhagen	X				
Mia Jones	X				
Larry Lee, Jr.	X				
H. Marlene O'Toole	X				
Elizabeth Porter	X				
Irving Slosberg	X				
Charlie Stone	X				
Dwayne Taylor	X				
Erik Fresen (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 7095 Amendments**

**Amendment 553061**

*Adopted*

**Amendment 808257**

*Adopted*

**Appearances:**

Herog, James (Lobbyist) - Waive In Support  
 Florida Catholic Conference  
 Associate Director of Education  
 201 W. Park Avenue  
 Tallahassee FL 32301  
 Phone: 850-205-6823

Horne, Jim (Lobbyist) - Waive In Support  
 AIF  
 P.O. Box 8339  
 Fleming Island FL 32006  
 Phone: 904-759-4596

**COMMITTEE MEETING REPORT**  
**Education Appropriations Subcommittee**

**3/24/2015 1:00:00PM**

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

**HB 7095 : Florida Personal Learning Scholarship Accounts (continued)**

**Appearances: (continued)**

Burch, Brittney (Lobbyist) - Waive In Support  
Florida Chamber of Commerce  
Director of Education Policy  
Phone: 850-521-1279

Clements, Sara (Lobbyist) - Waive In Opposition  
Foundation for Florida's Future  
215 S Monroe St Ste 420  
Tallahassee FL 32301  
Phone: (850) 391-0329

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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

*Adopted  
3/24/15*

1 Committee/Subcommittee hearing bill: Education Appropriations  
2 Subcommittee

3 Representative Diaz, M. offered the following:  
4

5 **Amendment to Amendment (553061) by Representative Bileca**

6 Remove line 4 of the amendment and insert:

7 to 5 percent of the total amount of payments it received during

808257

h7095 Diaz AmdtoAmd 1.docx

Published On: 3/24/2015 12:00:34 PM

Amendment No. 1

*Adopted  
3/24/15*

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input 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: Education Appropriations  
 2 Subcommittee  
 3 Representative Bileca offered the following:

**Amendment (with title amendment)**

Between lines 621 and 622, insert:

7 (d) The eligible nonprofit funding organization may use up  
 8 to 4 percent of the total amount of payments it received during  
 9 the state fiscal year for administrative expenses if the  
 10 eligible nonprofit scholarship-funding organization has operated  
 11 as an nonprofit scholarship-funding organization for at least 3  
 12 fiscal years and did not have any findings of material weakness  
 13 or material noncompliance in its most recent audit in accordance  
 14 with s. 1002.395(6)(m). Such administrative expenses must be  
 15 reasonable and necessary for the organization's management and  
 16 distribution of scholarships under this section. No funds

553061

h7095 Bileca Amd 1.docx

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Amendment No. 1

17 authorized under this subparagraph shall be used for lobbying or  
18 political activity. If an eligible nonprofit scholarship-funding  
19 organization charges an application fee for a scholarship, the  
20 application fee must be immediately refunded to the person that  
21 paid the fee if the student is determined ineligible for the  
22 program.

23  
24 -----  
25 **T I T L E A M E N D M E N T**

26 Remove line 38 and insert:

27 fiscal year; authorizing administrative expenses for nonprofit  
28 scholarship-funding organizations; deleting a requirement for a  
29 financial

553061

h7095 Bileca Amd 1.docx

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