
From: PublicRecordsRequests <PublicRecordsRequests@leg.state.fl.us>
Sent: Friday, February 21, 2020 7:10 PM
To: AO Records <records@americanoversight.org>
Cc: Betta, Katherine <BETTA.KATHERINE@flsenate.gov>; Brown, Debbie <BROWN.DEBBIE@flsenate.gov>; Perez, Michelle <PEREZ.MICHELLE@flsenate.gov>
Subject: Public Records Request #201 - RECORDS RELEASE

Dear Mr. Evers:

Pursuant to the public records request submitted on February 12, 2020, the following responsive records have been delivered in a separate communication through our dropbox service:

- **"All communications (including emails, email attachments, text messages, calendar invitations, letters, memoranda, or other communications) sent by the individuals listed below in Column A, and which contain any of the keywords listed below in Column B.**

Column A: Sen. Gruters & His Staff	Column B: Search Keywords:
1. Sen. Joe Gruters, and anyone on his staff communicating on his behalf, including schedulers and assistants 2. Josh Barnhill, Legislative Assistant 3. Victoria Brill, Legislative Assistant 4. GeeDee Kerr, Legislative Assistant	1. "voter registration" 2. "registration" 3. "supervisors of election" 4. "SOE" 5. "DOS" 6. "alien*" 7. "DHSMV" 8. "FLHSMV" 9. "1200" 10. "list maintenance"

- **American Oversight requests all communications including, but not**

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limited to, email communications. With regard to your search for responsive email communications, American Oversight agrees that the search may be limited to emails sent by the listed individuals in an effort to accommodate the office and reduce the number of potentially responsive records. Despite this search accommodation, American Oversight still requests that complete email chains be produced, displaying both sent and received messages.

Please provide all responsive records from October 1, 2019, to the date of the search."

The Senate provides this response pursuant to Article 1, Section 24 of the Florida Constitution, Title III, Section 11.0431 of the Florida Statutes and Senate Rule 1.48. Under Art. 1, s. 24(c) of the Florida Constitution, each house of the Legislature is exclusively authorized to adopt rules governing the enforcement of the maintenance, control and disposition of public records with respect to their own public records.

Sincerely,

Michelle

Michelle Perez
Public Records Manager
Office of the Senate General Counsel
302 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100
Phone: (850) 487-5237
Fax: (850) 487-6444

Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Your e-mail messages may, therefore, be subject to public disclosure.

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From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Tuesday, February 11, 2020 4:30 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: "Art of Twilight" - Museum of Florida History Event - February 18th
Attachment(s): "MFH - Art at Twilight E-FLYER.pdf"



Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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Florida Secretary of State Laurel M. Lee and
Friends of the Museums of Florida History, Inc.
invite you to

Art at Twilight

An Evening at the Museum of Florida History

February 18, 2020, 5:30–8:00 p.m.

Experience Florida history and art at
your state history museum and view the special exhibit
Florida Inspired—Landscapes from the Risner Fine Art Collection.

Free admission. Event is open to the public.

Featuring drinks, hors d'oevres, and music.

Enjoy a special alligator-themed scavenger hunt through the Museum.

FLORIDA DEPARTMENT of STATE

M·F·H MUSEUM of Florida History

Museum of Florida History • R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida
850.245.6400 • museumoffloridahistory.com

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FL-SEN-20-0201-A-000002

From: David Daniel <ddaniel@smithbryanandmyers.com>
Sent: Tuesday, November 26, 2019 11:01 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: <no subject>
Attachment(s): "SB 164 2019 by Sen. Bean.pdf"

Vickie,

Spoke to Joe yesterday. He asked me to send you this language. I will call this morning.

David

3. An employee leasing company licensed pursuant to part XI of chapter 468 that enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company. In the absence of a written agreement or understanding, the term includes an employee leasing company.

SBM
SMITH, BRYAN & MYERS
David Daniel | Smith, Bryan & Myers
311 E. PARK AVE. | TALLAHASSEE, FL 32301
(c) 850-284-4729 | (o) 850-224-5081

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By Senator Bean

4-00560-19 2019164__

A bill to be entitled

An act relating to the verification of employment eligibility; defining terms; requiring employers to register with and use the E-Verify system beginning on a specified date to verify the employment eligibility of new employees; requiring the Department of Economic Opportunity to order certain agencies to suspend an employer's license under certain circumstances; prohibiting an employer from knowingly employing an unauthorized alien; authorizing certain persons to file a specified complaint with the department; prohibiting the filing of a complaint based on race, color, or national origin; providing that a person who knowingly files a false or frivolous complaint commits a misdemeanor of the second degree; providing responsibilities and powers of the department relating to notice, investigations, and subpoenas for the production of records; prohibiting the department from independently making a final determination regarding whether an employee is an unauthorized alien; requiring the department to notify the United States Immigration and Customs Enforcement Agency and specified law enforcement agencies of certain violations; requiring the department to order certain employers to take specified actions after the finding of a violation; providing for the suspension of an employer's license upon the finding of certain violations; providing civil immunity for an employer registered with and using the E-Verify system;

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

providing specified immunity and nonliability for an employer who complies in good faith with the E-Verify system; requiring the department to maintain a public database containing certain information and make such information available on its website; authorizing the department to apply for a judicial order directing an agency or employer to comply with an order issued by the department; creating a rebuttable presumption for certain employers that the employer did not knowingly employ an unauthorized alien; authorizing an employer or employee to seek an injunction under certain circumstances; providing that certain actions by an employer constitute a deceptive and unfair trade practice; providing that an employee aggrieved by such actions has a private cause of action against the employer and providing available remedies; providing that a cause of action does not exist against an employer under specified circumstances; providing construction; creating s. 287.137, F.S.; defining terms; requiring public employers, contractors, and subcontractors to register with and use the E-Verify system; prohibiting such entities from entering into a contract unless each party to the contract registers with and uses the E-Verify system; requiring a subcontractor to provide certain certification to a contractor, which the contractor must maintain for a specified period of time; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract;

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authorizing a challenge to such termination; prohibiting a contractor from being awarded a public contract under certain circumstances; providing construction; providing an effective date.

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

Section 1. Definitions; use of E-Verify system required for private employers; business licensing enforcement; private right of action for wrongfully discharged employee.—

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

(a) "Agency" means an agency, department, board, or commission of this state or a county, municipality, or town issuing a license to operate a business in this state.

(b) "Department" means the Department of Economic Opportunity.

(c) "E-Verify system" means an Internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

(d) "Employee" means a person who performs labor or services for an employer in exchange for salary, wages, or other remuneration. The term does not include a licensed independent contractor as defined in federal laws or regulations.

(e) "Employer" means a person or entity that employs persons to perform labor or services in exchange for salary, wages, or other remuneration. The term does not include:

1. A government employer;

2. The occupant or owner of a private residence who hires:

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a. Casual labor, as defined in s. 443.036, Florida Statutes, to be performed entirely within the private residence; or

b. A licensed independent contractor, as defined in federal laws or regulations, to perform a specified portion of labor or services; or

3. An employee leasing company licensed pursuant to part XI of chapter 468 that enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company. In the absence of a written agreement or understanding, the term includes an employee leasing company.

(f) "Knowingly employ an unauthorized alien" has the same meaning as in 8 U.S.C. s. 1324a. The term shall be interpreted consistently with 8 U.S.C. s. 1324a and any applicable federal rules or regulations.

(g) "License" means a franchise, permit, certificate, approval, registration, charter, or similar form of authorization required by state law and issued by an agency for the purpose of operating a business in this state. The term includes, but is not limited to:

1. An article of incorporation.

2. A certificate of partnership, partnership registration, or article of organization.

3. A grant of authority issued pursuant to state or federal law.

4. A transaction privilege tax license.

(h) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United

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States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

(2) VERIFICATION OF EMPLOYMENT ELIGIBILITY; SUSPENSION OF BUSINESS LICENSE.—

(a) Beginning January 1, 2020, an employer shall, after making an offer of employment which has been accepted by a person, use the E-Verify system to verify such person's employment eligibility. Verification must occur within the period stipulated by applicable federal rules or regulations. However, an employer is not required to verify the employment eligibility of a continuing employee hired before the date of the employer's registration with the E-Verify system.

(b) If an employer does not register with the E-Verify system, the department must order the appropriate agency to suspend all applicable licenses held by the employer until the employer registers with the E-Verify system and provides the department with an affidavit stating such fact.

(3) EMPLOYMENT OF UNAUTHORIZED ALIENS; PROHIBITION; FALSE AND FRIVOLOUS COMPLAINTS; VIOLATION; CLASSIFICATION; SUSPENSION AND REVOCATION OF LICENSE.—Beginning January 1, 2020:

(a) An employer may not knowingly employ an unauthorized alien.

(b) A person who has a good faith belief that an employer knowingly employs, or has within the last 90 calendar days knowingly employed, an unauthorized alien may file a complaint with the department.

(c) A complaint may not be based on race, color, or national origin, except to the extent permitted by state or

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federal law.

(d) A person who knowingly files a false or frivolous complaint under this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

(e) Upon the receipt of a valid complaint of a violation of paragraph (a), the department shall notify the employer of the complaint and direct the employer to notify any employees named in the complaint.

(f) The department shall investigate whether a violation of paragraph (a) has occurred and hold an administrative hearing at which the employer has the right to counsel and may present any evidence it desires. The department shall request that the Federal Government verify, pursuant to 8 U.S.C. s. 1373(c), the citizenship or immigration status of any employee named in the complaint, and the department must rely upon such verification. The department may not independently make a final determination as to whether an employee is an unauthorized alien.

(g) The department may issue a subpoena for an employer to produce employment records that relate to employment recruitment, hiring, or termination policies, practices, or acts relating to the investigation of a valid complaint of a violation of paragraph (a).

(h) Upon finding that an employer has violated paragraph (a), the department shall notify:

1. The United States Immigration and Customs Enforcement Agency of the identity of the unauthorized alien and, if known, the physical address at which the unauthorized alien resides.

2. The local law enforcement agency of the jurisdiction in

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which the unauthorized alien resides.

(i)1. Upon finding that an employer has violated paragraph (a), the department shall order the employer to:

a. Terminate the employment of all unauthorized aliens; and

b. File a sworn affidavit with the department within 10 calendar days after receipt of the order. The affidavit must state that the employer has corrected such violation by:

(I) Terminating the employment of all unauthorized aliens; or

(II) Attempting to terminate the employment of all unauthorized aliens but such termination is being challenged in a court of competent jurisdiction.

2. If the employer fails to file the affidavit under subparagraph 1., the department shall order the appropriate agencies to suspend all applicable licenses held by the employer until the affidavit is filed. Notwithstanding any other law, the suspended licenses shall be deemed to have been reinstated upon the filing of the affidavit. During the pendency of any court action or challenge to an E-Verify system determination, the 10-calendar-day period shall be tolled.

3. Licenses subject to suspension under subparagraph 2. include all licenses that are held by the employer that are necessary to operate the employer's business at the specific location at which the unauthorized alien performed work. If a license is not necessary to operate the employer's business at such location, but a license is necessary to operate the employer's business in general, the licenses subject to suspension under subparagraph 2. shall include all licenses held by the employer at the employer's primary place of business.

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(j) Upon finding that a second or subsequent violation of paragraph (a) occurred during a 2-year period, the department shall order the appropriate agencies to suspend, for at least 30 calendar days, all licenses held by the employer that are necessary to operate the employer's business at the specific location at which the unauthorized alien performed work. If a license is not necessary to operate the employer's business at such location, but a license is necessary to operate the employer's business in general, the department shall order the appropriate agencies to suspend, for at least 30 calendar days, all licenses held by the employer at the employer's primary place of business.

(k)1. An employer registered with and using the E-Verify system may not be held civilly liable in a cause of action for the employer's:

a. Unlawful hiring of an unauthorized alien if the information obtained from the E-Verify system indicated that the person's work authorization status was not that of an unauthorized alien; or

b. Refusal to hire a person if the information obtained from the E-Verify system indicated that the person's work authorization status was that of an unauthorized alien.

2. An employer who in good faith registers with and uses the E-Verify system is considered to have complied with the requirements of 8 U.S.C. s. 1324a(b) and may not be held liable for any damages and shall be immune from any legal cause of action brought by any person or entity, including former employees, for the use of and reliance upon any incorrect information obtained from the E-Verify system, including any

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incorrect information obtained as a result of an isolated, sporadic, or accidental technical or procedural failure, when determining final action on a person's work authorization status.

(l) The department shall maintain a public database containing copies of all orders issued pursuant to this subsection and shall make such information available on its website.

(m) If the department determines that an agency or employer has failed to comply with an order under this subsection, the department may apply to the circuit court for a judicial order directing the agency or employer to comply with such order.

(n) For purposes of this subsection, compliance with paragraph (2)(a) creates a rebuttable presumption that an employer did not knowingly employ an unauthorized alien in violation of paragraph (a).

(4) INJUNCTION.—At any time after the department has notified an employer that a valid complaint of a violation of paragraph (3)(a) was received, and up to 30 calendar days after the date on which the department issues an order pursuant to paragraph (3)(i), the employer subject to the complaint, or any employee who is alleged to be an unauthorized alien, may challenge and seek to enjoin the enforcement of this section before a court of competent jurisdiction.

(5) DECEPTIVE AND UNFAIR TRADE PRACTICE.—

(a) An employer commits a deceptive and unfair trade practice in violation of part II of chapter 501, Florida Statutes, if it discharges an employee who is a United States citizen or resident alien, as defined in s. 379.101(31), Florida

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Statutes, while knowingly employing an unauthorized alien at the same job site or in the same job classification elsewhere in this state.

(b) The discharged employee has a private cause of action against the employer for a violation of this subsection. The available remedies to the discharged employee are reinstatement, back pay, court costs, and attorney fees. Criminal or civil sanctions, including fines, may not be imposed against an employer for a violation of this subsection.

(c) A cause of action under this subsection does not exist against an employer who, on the date it discharged an employee as described in paragraph (a), was registered with and used the E-Verify system to verify a person's work authorization status.

(6) CONSTRUCTION.—This section shall be enforced without regard to race, color, or national origin and shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations.

Section 2. Section 287.137, Florida Statutes, is created to read:

287.137 Verification of work authorization status; public employers.—

(1) As used in the section, the term:

(a) "Contractor" means a person or entity that has entered into, or is attempting to enter into, a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

(b) "E-Verify system" means an Internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the

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employment eligibility of newly hired employees.

(c) "Public employer" means a department, agency, or political subdivision of this state that enters into, or attempts to enter into, a contract with a contractor.

(d) "Subcontractor" means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

(e) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

(2)(a) Every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all new employees.

(b) A public employer, contractor, or subcontractor may not enter into a contract under this section unless each party to the contract registers with and uses the E-Verify system.

(3)(a) If a contractor enters into a contract with a subcontractor, the subcontractor shall certify to the contractor in a manner that does not violate federal law that the subcontractor, at the time of such certification, does not employ, contract, or subcontract with an unauthorized alien.

(b) A contractor shall maintain a copy of such certification for the duration of the contract with the subcontractor.

(4)(a) A public employer, contractor, or subcontractor who has a good faith belief that a person or entity with which it is

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contracting has knowingly violated this section shall terminate the contract with the person or entity.

(b) A public employer that has a good faith belief that a subcontractor knowingly violated this section, but the contractor otherwise complied with this section, shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.

(c) A contract terminated pursuant to paragraph (a) or paragraph (b) is not a breach of contract and may not be considered as such.

(d) A public employer, contractor, or subcontractor may file an action with a circuit or county court to challenge a termination under paragraph (a) or paragraph (b) no later than 20 calendar days after the date on which the contract was terminated.

(e) If a public employer terminates a contract with a contractor pursuant to paragraph (a), the contractor may not be awarded a public contract for at least 1 year after the date on which the contract was terminated.

(5) This section shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations.

Section 3. This act shall take effect July 1, 2019.

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From: Michael Holderness <mike@mikeholderness.com>
Sent: Friday, November 22, 2019 4:22 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: #2. Comments to Michael Holderness re seagrass mitigation for Lido project
Attachment(s): "Gilmore 1988 dissertation.pdf","Nekton-of-Sarasota-Bay-Comparison-Nekton-Community-Structure-2010.pdf"

Mitigation site in Manatee failed, per Dr. Gilmore.
Perico Preserve Seagrass Basin over sixteen miles to the north in the Tampa Bay – Manatee River ecosystem. That's "16" MILES AWAY for baby fish to swim? Doesn't really matter because this project will cause a decline in local populations that utilize Big Pass -Meaning: THEY WOULD SIMPLY STOP MAKING BABIES! Since we know that Spotted Seatrout do not migrate more than a few miles from their Big Pass habitat. Spotted Seatrout and their progeny would not utilize the Perico Preserve but, IF THEY TRIED TO SWIM (like Barwin says is acceptable) THEY WOULD DIE – **There is NOT ENOUGH SALINITY at the mitigation site.**

From: Richard Gilmore <rggilmorej@gmail.com>
Sent: Sunday, July 14, 2019 11:44 AM
To: Michael Holderness <mike@mikeholderness.com>
Cc: Rachel Hackney <rbh.snl@gmail.com>
Subject: Re: Comments to Michael Holderness re seagrass mitigation for Lido project

Mike,

I will copy in my statement here, but also attach it as a Word file. I will also attach the publications that document my statements.

Mike,

There are **four arguments** you can make that reveal the inadequacy of the Perico site as mitigation for seagrass loss at Big Pass relative to Spotted Seatrout.

I list them below in layman's terms and with scientific documentation.

1. The Perico seagrass is located at the mouth of a large freshwater river, the Manatee River, so is influenced by freshwater flows from that river. The Sarasota Big Pass seagrass is located at a large opening to the Gulf of Mexico, a major saline ecosystem and is, therefore, largely marine, saline in its salinity regime. These widely differing salinity environments mean that even though the seagrass species may be the same, the creatures that associate with these two different ecosystems will not be the same. It is like stating that apples and oranges are the same fruit. Research over the past 50 years has demonstrated otherwise. For example, in 2018 we captured a Gag Grouper, Mycteroperca microlepis, juvenile in the Sarasota Big Pass seagrass. This species supports the valuable Florida grouper fisheries. Gag grouper would not use the lower salinity Perico mitigation seagrass site.

The scientific evidence:

1. Perico and Big Pass seagrass meadows play a different role in supporting fisheries as high salinity pass seagrass at Sarasota Big Pass will support open Gulf fisheries while lower salinity Perico wetland seagrass will support euryhaline lower salinity fish communities. Inlet seagrass meadows contain a different fish fauna than those further into the bays or lagoons even though the species of seagrass may be the same. Their functional role relative to the animals that associate with them may also be different..

Studies that can be sited are numerous. You can use these with comprehensive fish collections I have made (1974-1980; Gilmore 1988) and FWC-Fisheries Independent Monitoring program (Sarasota Bay studies; MacDonald et al.2010).

MacDonald, T.C., E. Weather, P.W. Stevens, R.H. McMicheal, Jr. 2010. **Nekton of Sarasota Bay and a Comparison of Nekton Community Structure in Adjacent Southwest Florida Estuaries. Fla**. Fish and Wildlife Conserv. Comm., Fish and Wildlife Research Inst., St. Petersburg, FL. 185 pp.

From R. Grant Gilmore, Jr., Ph.D. dissertation entitled: **Subtropical Seagrass Fish Communities: Population Dynamics, Species Guilds and Microhabitat Associations in the the Indian River Lagoon, Florida.**" 1988. Florida Institute of Technology, 199 pp.

This work is based on Seagrass studies from 1974-1980; **1,982,000 fish captured weighed and measured, 164 species in 400 seine and drop net collections**. The most definitive quantitative seagrass fish study in Florida waters at that time.

NOTE LAST SENTENCE OF ABSTRACT:**"These guilds are generally present at most seagrass sites; however, the species within each guild may be replaced by congeneric, or confamilial species depending on the location of the seagrass bed relative to ocean inlets."**

2. Spotted Seatrout do not spawn adjacent to the Perico site, but do spawn within Sarasota Big Pass. Spotted Seatrout spawn at the northwest mouth of Tampa Bay, avoiding the lower salinity waters at the mouth of the Manatee River.

The scientific evidence:

Dr. Susan Lowerre-Barbieri a research scientist with the Florida Fish and Wildlife Conservation Commission research laboratory in St.

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Petersburg (Florida Marine Research Institute = FMRI), mapped Spotted Seatrout spawning sites in Tampa Bay and found trout spawning on the north side of the Bay entrance toward Boca Ciega Bay, not on the south side near the mouth of the Manatee River, where Perico is located. (see references below)

Lowerre-Barbieri S, Walters S, Bickford J (2008b) Spatial and temporal reproductive dynamics of spotted seatrout in Tampa Bay and adjacent waters. In: Barbieri LR, Colvocoresses J (eds) Investigations into nearshore and estuarine gamefish behavior, ecology, and life history in
Florida. Florida Fish and Wildlife Research Institute, St. Petersburg, FL, p 135−151

Lowerre-Barbieri SK, Henderson N, Llopiz J, Walters S, Bickford J, Muller R (2009) Defining a spawning population (spotted seatrout *Cynoscion nebulosus*) over temporal,
spatial, and demographic scales. Mar Ecol Prog Ser 394: 231−245.

3. Post larval Spotted Seatrout settle in seagrass meadows close to the spawning site.Since there is no Spotted Seatrout spawning adjacent to the Perico mitigation site it will not serve as a Spotted Seatrout nursery in the same manner as the seagrass at Sarasota Big Pass.

4. Larval Spotted Seatrout cannot withstand low salinities such as the low salinities that would be encountered at the Perico mitigation site adjacent to the mouth of the Manatee River. They are tolerant of the salinities where the adults spawn, in this case the high salinities, marine conditions at the western opening of Sarasota's Big Pass.

The scientific evidence:

Scott Holt demonstrated that Spotted Seatrout eggs and larvae have physiologies that are based on where the parents spawn with higher salinities preferred. Spotted Seatrout along the Gulf coast spawn at the bay entrance, in passes or even out in the Gulf where higher salinities occur. They do not spawn in, or near the mouths of rivers, such as the Manatee River at the Perico site.

Holt, S. 2002. Effects of variable salinity on reproduction and early life stages of Spotted Seatrout. Chapter 9, pp. 135-145, in Biology of the Spotted Seatrout, S.A. Bortone, ed. CRC Press, Boca Raton, FL. 312 pp.

Dr. Sabine Alshuth and I demonstrated that Spotted Seatrout eggs and larvae could not withstand salinities below 15 ppt from spawning groups in the Indian River Lagoon. In fact, adults stopped spawning at sites impacted by artificial freshwater release.

Alshuth, S. and RG Gilmore. 1993. Egg identification, early larval development and ecology of the spotted seatrout, *Cynoscion nebulosus*. - Pisces: Sciaenidae). ICES CM, 1993.

Alshuth, S. and RG Gilmore. 1994. Salinity and temperature tolerance limits for larval spotted seatrout, Cynoscion nebulosus C.(Pisces: Sciaenidae), ICES CM, 1994.

Examples of other publications on Spotted Seatrout early life history and environmental preferences:

Kupshus, S. 2004. A temperature-dependent reproductive model for Spotted Seatrout (*Cynoscion nebulosus*) explaining spatio-temporal variations in reproduction and young-of-the-year recruitment in Florida estuaries. ICES J. Mar. Sci. 61: 3-11. 2004. Pp. 1-10.

Mazzotti, F.J., L.G. Pearlstine, T. Barnes, S.A. Bortone, K. Charter, A. M. Weinstein, and D. DeAngelis. 2017. Stressor-response model for the Spotted Seatrout (Cynoscion nebulosus). CR1523. UF, IFAS Extension, Univ. Fla., Gainesville, FL. Pp. 1-8.

On Sat, Jul 13, 2019 at 11:12 AM Michael Holderness <mike@mikeholderness.com> wrote:

> Thank you, Sir! You're one of my heroes for sure.
>
> You both truly care! Speechless, in a good way.
>
> **From:** Richard Gilmore <rggilmorej@gmail.com>
> **Sent:** Saturday, July 13, 2019 12:25 AM
> **To:** Rachel Hackney <rbh.snl@gmail.com>
> **Cc:** Michael Holderness <mike@mikeholderness.com>
> **Subject:** Re: Comments to Michael Holderness re seagrass mitigation for Lido project
>
> Rachel
>
> I spent some time today obtaining further documentation for Michael Holderness independent of this request. I will be sending this

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to him tomorrow and include
you in the mailing. It further documents the science behind my statements. No problem with quoting me as I do want to educate the public in order to
protect some of the most valuable living resources of Florida. As a youngster I used for fish for Spotted Seatrout in Sarasota Bay and Lemon Bay.

Regards,

On Fri, Jul 12, 2019 at 5:00 PM Rachel Hackney <rbh.snl@gmail.com> wrote:

> Dr. Gilmore,
>
> Greetings!
>
> I have been covering the U.S. Army Corps of Engineers/City of Sarasota plans for the dredging of Big Pass since they were unveiled publicly in September 2013. In fact, I have written on a number of occasions about your testimony regarding the spotted seatrout when the Division of Administrative Hearings proceeding was held for the SOSS2/SKA challenge in 2017.
>
> Michael Holderness kindly shared with me an email exchange you had with him regarding the proposed seagrass mitigation agreement between the City of Sarasota and Manatee County. (I pasted in at the end of this email what he sent me.)
>
> I have been a journalist for more than 40 years, and I learned from the very beginning to verify comments from third parties, as a courtesy as much as anything.
>
> Therefore, I am hopeful you will give me permission to quote from your email to Mr. Holderness. Alternatively, if you would prefer to make a more formal statement, I would welcome that. Finally, if you would prefer that I **not** include any comments from you in the article I plan to write after the Sarasota City Commission's review of the agreement on July 15, I certainly will adhere to that request.
>
> Thank you so much for all you have done for Big Pass already!
>
> Very truly yours,
> Rachel Hackney
> **********
> # The Sarasota News Leader
>
> ***The Progressive Voice of Southwest Florida***
>
> **Rachel Brown Hackney**
> **Executive Editor**
>
> Post Office Box 5099
> Sarasota, Florida 34277
> **Phone: 941.227.1080**
> **Web: www.SarasotaNewsLeader.com**
>
> **From:** Richard Gilmore <rggilmorej@gmail.com>
> **Sent:** Thursday, July 11, 2019 12:00 PM
> **To:** Michael Holderness <mike@mikeholderness.com>
> **Subject:** Re: . "Protect our Sea Life,
> MIchael,
> Most marine ecologists realize that seagrass does not mean a specific species of fish will occur there. There are so many other parameters: salinity, temperature, tide, flow rates, etc. that influence fish distribution that do not necessarily influence plant growth, seagrass.
> They are incorrect in assuming trout will associate with seagrass no matter where it is planted. That assumption is basically erroneous.
> **Perico will not mitigate Big Pass seagrass loss in any way**!!!
> Thank you Mike....and the trout thanks you too!!!
>
> Grant
> R. Grant Gilmore, Jr., Ph.D.
> Senior Scientist
> Estuarine, Coastal and Ocean Science, Inc.
> 5920 First St. SW
> Vero Beach, Florida, 32968
> USA
> Tel.: 772-562-9156
> Email: rggilmorej@gmail.com

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--
R. Grant Gilmore, Jr., Ph.D.
Senior Scientist
Estuarine, Coastal and Ocean Science, Inc.
5920 First St. SW
Vero Beach, Florida, 32968
USA
Tel.: 772-562-9156
Email: rggilmorej@gmail.com

--
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Email: rggilmorej@gmail.com

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SUBTROPICAL SEAGRASS FISH COMMUNITIES: POPULATION DYNAMICS, SPECIES GUILDS AND MICROHABITAT ASSOCIATIONS IN THE INDIAN RIVER LAGOON, FLORIDA

A DISSERTATION

by

RICHARD GRANT GILMORE, JR.

B.S., M.S. University of West Florida

Submitted to
Florida Institute of Technology
in partial fulfillment of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

BIOLOGICAL SCIENCES

Department of Biological Sciences

December 1988

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Approved as to style and content by:

Dr. John G. Morris, Committee Chairperson
Department of Biological Sciences

Dr. William S. Alevizon, Member
Department of Biological Sciences

Dr. Kerry B. Clark, Member
Department of Biological Sciences

Dr. Walter G. Nelson, Member
Department of Oceanography and
Ocean Engineering

Dr. Gary N. Wells, Member, Department Head
Department of Biological Sciences

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ABSTRACT

Subtropical Seagrass Fish Communities: Population Dynamics, Species Guilds and Microhabitat Associations in the Indian River Lagoon, Florida (December 1988)

Richard Grant Gilmore, Jr.

B.S., M.S. Univ. of West Florida

Chairperson of Advisory Committee: Dr. John G. Morris

Over 1.982 million fish, including 164 species in 54 families, were collected in repetitive quantitative samples taken with 67 m seine (1,160 m^2) and drop net (10 m^2) techniques in seagrass beds of the Indian River lagoon. The seagrass ichthyofauna is qualitatively and quantitatively distinct from adjacent mangrove swamp/salt marsh and sand bottom faunas.

The qualitative and quantitative attributes of the seagrass community are greatly affected by the proximity to ocean inlets, as there are distinct upstream (7 km or more from nearest inlet) and inlet ichthyofaunas (less than 3 km from nearest inlet), which are predictable over several annual cycles. The spatial and temporal patterns observed demonstrate that physical geographic and hydroclimatic parameters substantially influence the species composition and relative abundance of the seagrass ichthyofauna at specific sites. Seagrass ichthyofaunal homogeneity (qualitative and quantitative) is relatively high at sites within a few meters, and still reveals significant homogeneity at distances up to 3 km between upstream sites.

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Seasonal and annual faunal changes are predictable, however, quantitative changes are more variable with changes in total recruitment of abundant species over several annual cycles. The ichthyofauna at upstream sites and downstream sites keep their species complement over several annual cycles. Annual variation in number of species, density, biomass and mean individual weight were insignificant ($P \leq 0.05$) at an upstream seagrass site maintained over a five year period.

Spawning periodicity was predicted from larval-juvenile recruitment patterns. Cool-dry season spawners are typically warm temperate species and warm-wet season spawners are generally tropical and eurythermic tropicals, although some warm- temperate species limit their spawning to warm periods of the year (e.g. Cynoscion nebulosus). Some tropical species, e.g. gerreids and centropomids, may spawn throughout the year when climatic conditions are favorable.

The seagrass ichthyofauna may be divided into eight basic guilds based on numbers captured and percent frequency of occurrence, both of which are directly affected by gear bias, vertical and horizontal fish dispersal and behavior. These eight guilds are defined based on relative abundance, species dispersal, trophic habits and microhabitat preferences. These guilds are generally present at most seagrass sites; however, the species within each guild may be replaced by congeneric or confamilial species depending on the location of the seagrass bed relative to ocean inlets.

Key words: Subtropical seagrass; fish communities; spatial/temporal variation and predictability; microhabitat/trophic guilds.

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DEDICATION

I dedicate this dissertation to my beautiful and understanding wife, Marilyn, and my two incredibly patient sons, Grant and Randy, who grew up as this study progressed into a dissertation.

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INTRODUCTION

The study of fishes within their natural environment has demonstrated that distinct fish communities predictively associate with specific vegetative or geological structures throughout the world's oceans. The most diverse communities are found within tropical seas, and are associated with complex structures such as coral reef formations or elaborate plant biotopes (Briggs, 1974; Levington 1982). Spermatophyte seagrass meadows and associated epiphytic algal growth harbor a wide variety of shallow water fish species. The richness of the seagrass community has attracted the attention of estuarine biologists throughout the world, with numerous descriptive and experimental studies conducted from the tropics to temperate regions (Kikuchi and Perez 1977; Heck and Orth 1980; Pollard and den Hartog 1984).

Many questions have been asked regarding seagrass faunal relationships particularly in regard to trophic interactions, not only between the botanical element and the organism, but among the associated organisms themselves. Considerable recent work has been done on benthic and epibenthic invertebrate faunal distribution relative to microhabitat complexity and predation, in most cases, considering predation by fishes (Young and Young 1977, 1978; Virnstein 1977; Nelson 1979, 1981; Heck and Orth 1980; Heck and Thoman 1981; Howard 1984; Stoner 1979, 1980, 1983; Summerson and Peterson 1984). In some cases, the same underlying mechanisms that were thought to

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affect the seagrass invertebrate fauna, were also hypothesized to influence the distribution of fishes within seagrass beds, particularly the smaller cryptic species or juvenile stages (Heck and Orth 1980). These influential distributional factors are principally those which directly affect growth and mortality for small species or juvenile fish, i.e. food availability and escape from predation. The factors most intensively studied have been habitat complexity and predator - prey distributions (particularly invertebrate populations), predation efficiencies (particularly on invertebrates) and behavior relative to varying habitat structure (e.g. interspecific seagrass comparisons or algal-seagrass comparisons)(Thomas 1974; Nelson 1979, 1981, 1982; Heck and Thoman 1981; Lewis and Stoner 1983; Summerson and Peterson 1984; Virnstein and Carbonaria 1985; Bell and Westoby 1986; Virnstein and Howard 1987a,b). Various ichthyofaunal studies have also hypothesized differential associations with various species of seagrass based on seagrass structural differences, substrate variation (Martin and Cooper 1981; Middleton, et al. 1984) or differential larval recruitment (Young, 1981). Stoner (1983) hypothesized that pinfish were more abundant in shoal grass (Halodule wrightii), due to the increased predation efficiency by the pinfish (Lagodon rhomboides) on amphipods.

With the plethora of experimental work on seagrass invertebrates and limited nature of most fish faunal studies, little attention has been given to detailed or comprehensive analyses of entire seagrass fish communities, including the highest trophic levels. Most ichthyofaunal studies lack comprehensive temporal and spatial treatments with effective gear types. Therefore, few investigators

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have considered predation effects on fish distribution, particularly by species which occupy tertiary or higher trophic levels (piscivores). Some investigators have hypothesized that little higher level predation occurs in estuaries (Miller and Dunn 1980). Only recently have studies been conducted on piscivory in seagrass beds and the effect of piscivory on fish distribution (Holt et al. 1983).

In addition, seagrass ichthyofaunal studies typically lack adequate replication to examine the distribution of the fish fauna within and between seagrass beds while considering a combination of hydrological and biological parameters. Included in this treatment would be ontogentic changes in the biology of seagrass fish species, variation in trophic standing, intraspecific behaviors and phyletic relationships relative to gradients of marine and freshwater conditions within estuaries. Some recent treatments of some of these latter topics are variously effective (Carr and Adams 1973; Blaber and Blaber 1980; Livingston 1980, 1982, 1984a,b; Huh 1984; Huh and Kitting 1985).

Few ichthyofaunal studies have used more than one quantitative technique to capture the diverse assembladge of fishes known to associate with seagrasses. Therefore, most previous studies have either not captured or have underestimated the contribution of some of the most abundant diminutive species as well as many of the larger predators. Much of the difficulty in defining this community comes from the variety of techniques utilized historically. The methodology used most frequently was the trynet or otter trawl, which is relatively inefficient in seagrass beds, particularly in capturing cryptic though abundant resident species such as diminutive gobiids,

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callionymids, blenniids and clinids (Kjelson and Johnson 1978; Gray and Bell 1986; Leber and Greening 1986; Orth and van Montfrans 1987). Similarly, seine hauls, though more efficient than the trawl, do not capture these same resident species as efficiently as other quantitative techniques (Kjelson and Johnson 1973, 1974; Adams 1976; Gilmore et al. 1978). The most effective techniques developed for obtaining a quantitative estimate of small cryptic seagrass associates are drop or throw nets (Moseley and Copeland 1969; Kjelson and Johnson 1973; Gilmore et al. 1978; Kushlan 1981; Jacobsen and Kushlan 1987; Sogard, 1987), suction devices (Brook 1978; Orth and van Montfrans 1987), crab scrapes (Leber and Greening 1986) and rotenone (Burchmore et al. 1984; Gray and Bell 1986). However, none of these techniques are capable of assessing the entire seagrass fish fauna, and it is surprising that few studies have incorporated more than a single fish capture technique. A notable exception to the single gear syndrome is the study by Middleton et al. (1984) where rotenone, beam trawling and gill nets were used to study seagrass fish faunas of Botany Bay, New South Wales, Australia.

A comprehensive study of the topographical and geographical variation in seagrass ichthyofaunas on a scale of meters to tens of kilometers simultaneously has received little treatment, particularly relative to natural hydrological conditions with enough replication to allow for annual variation. The microgeographic variation of ichthyofaunas in an undisturbed natural setting (versus experimental or anthropogenically disturbed settings) needs definition and study before many of the predator-prey relationships and seagrass structure hypotheses that are thought to govern fish distributions at any

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particular location can be accepted. If the distribution of the fish on a broad enough spatial and temporal scale is not known, then short term observations or manipulative experiments will lack perspective. Hypotheses on fish distribution derived from ephemeral experimental work may reveal possible mechanisms behind a distribution pattern, but may not observe the distribution pattern itself. In contrast, ineffective or short term observations may cause erroneous distributional mechanisms to be hypothesized. For example, Heck and Orth (1980) state that the physical structure or complexity of the seagrass habitat is the single most important factor influencing change in faunal composition without examining the "other" factors in long term, adequately replicated sampling scenerios. Consequently, these and other authors more recently (Martin and Cooper 1981; Stoner 1983; Middleton et al. 1984) underestimate the diversity and complexity of the seagrass ichthyofauna and the variety of behavioral and environmental parameters which may govern the distribution of this fauna, particularly with regard to hydrological, topographical and geographical variations.

Most recent seagrass ichthyofaunal classification systems have been simplistic, and typically based on residential and transient categories (Kikuchi and Perez 1977), or on trophic habits (Livingston, 1984a) with little recognition of the complex phyletic and evolutionary relationships which play a role in the functional ecology, behavior and life histories of a very diverse species assemblage. Only studies below the community level and limited to specific confamilial or congeneric seagrass species pairs have considered the phyletic and trophic biological relationships (e.g.

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Syngnathidae, Brown 1972; Monacanthidae, Clements and Livingston 1983; Sparidae, Stoner and Livingston 1984). With a comprehensive data base on a seagrass fish community derived from this study and the literature, a broader classification system can be devised which will reveal the presence of a variety of species guilds based on phyletic, behavioral, trophic, ontogenetic, and microspatial/macrospatial distributional characters.

This study demonstrates the effectiveness of utilizing two complementary quantitative techniques in assessing seagrass fish populations, and utilizes these data to define a seagrass fauna in a variety of geographical locations on monthly intervals over several annual cycles. With this comprehensive collecting strategy, enough material should be presented to allow greater perspective on the seagrass ichthyofauna than has previously been attempted. The objectives of this study are to quantitatively assess and describe: (1) the relative association of the fish fauna within seagrass habitats versus other alternative habitats; (2) the spatial dynamics of this association on a scale of several meters to several kilometers; (3) the temporal dynamics of seagrass fish populations on monthly, seasonal and annual scales; and finally, (4) to reveal discrete species guilds based on a variety of phyletic, habitat association, behavioral and life history criteria.

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STUDY SITES

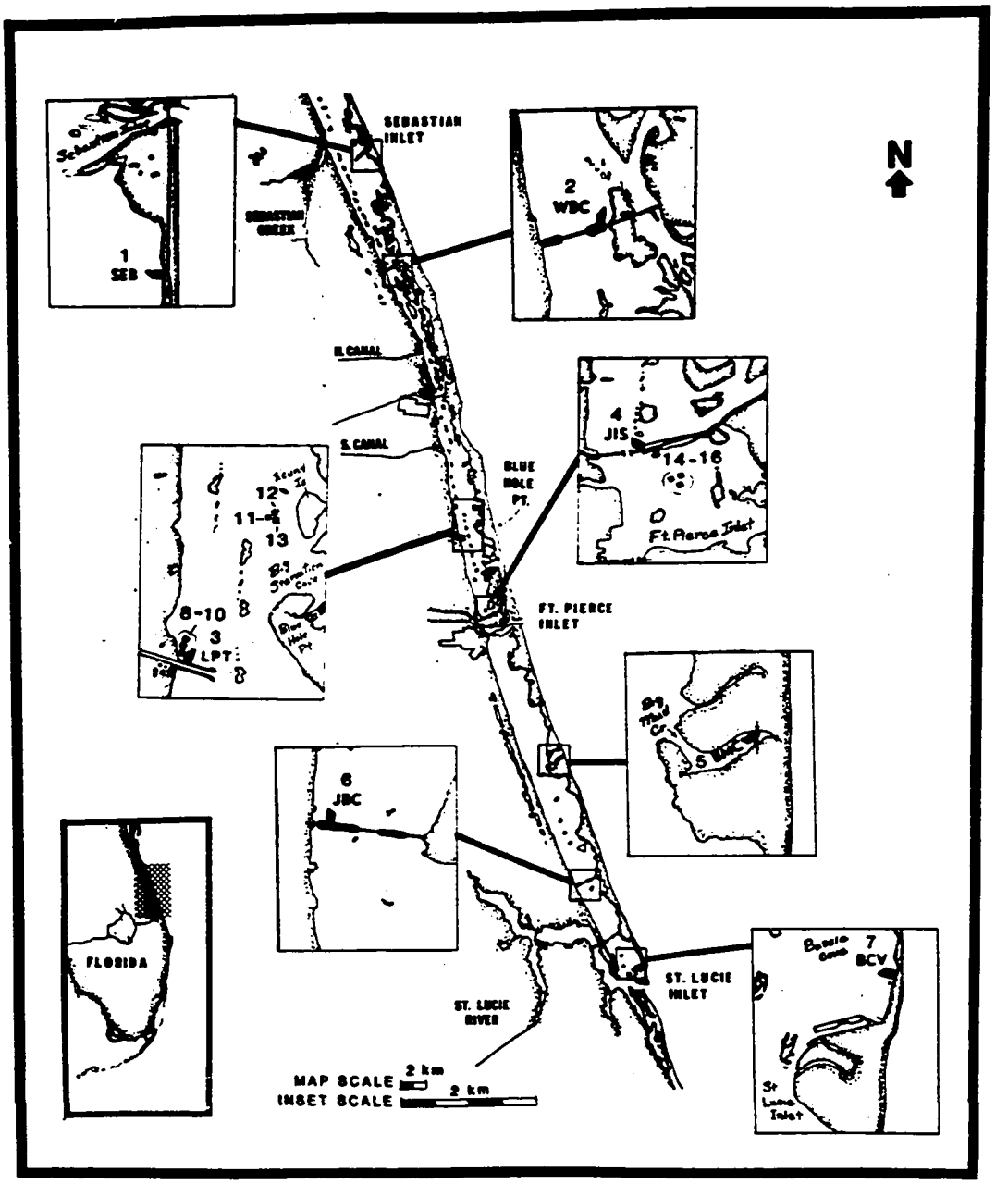
After sampling various seagrass sites within the Indian River lagoon, using a variety of seine and trawl gear types from March to August 1974, seven sites were finally chosen for long term studies with the 62 m seine (Fig. 1). These sites ranged over a coastal distance of 82 km (51 mi.). Three inlet sites (within 1 - 3 km from the nearest ocean inlet) and four upstream sites (7.5 to 15.2 km from the nearest inlet) were chosen for study (Fig 1 and 2). The section of the lagoon between stations 2 (WAB) and 3 (LPT) was not suitable for study based on the limited amount of seagrass found in this region, particularly near the city of Vero Beach. The station sites are briefly described below.

Sebastian (SEB): Station No. 1 - This is the northernmost station, located on the east bank of the lagoon appoximately 2.2 km south of Sebastian Inlet in Indian River County (27°50.8'N : Fig. 1). The water character and quality at this station are influenced by tidal water movements through Sebastian Inlet. However, this influence is more limited when compared to the other two inlet stations (JIS and BVC), due both to the smaller size of Sebastian Inlet (Ned Smith, HBOI, personal communication) and to reduced Coriolis movement of ocean water over the site, as the station is south, rather than north

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Figure 1. Map of study area with seine stations 1-7 and drop net stations 8-16 designated.

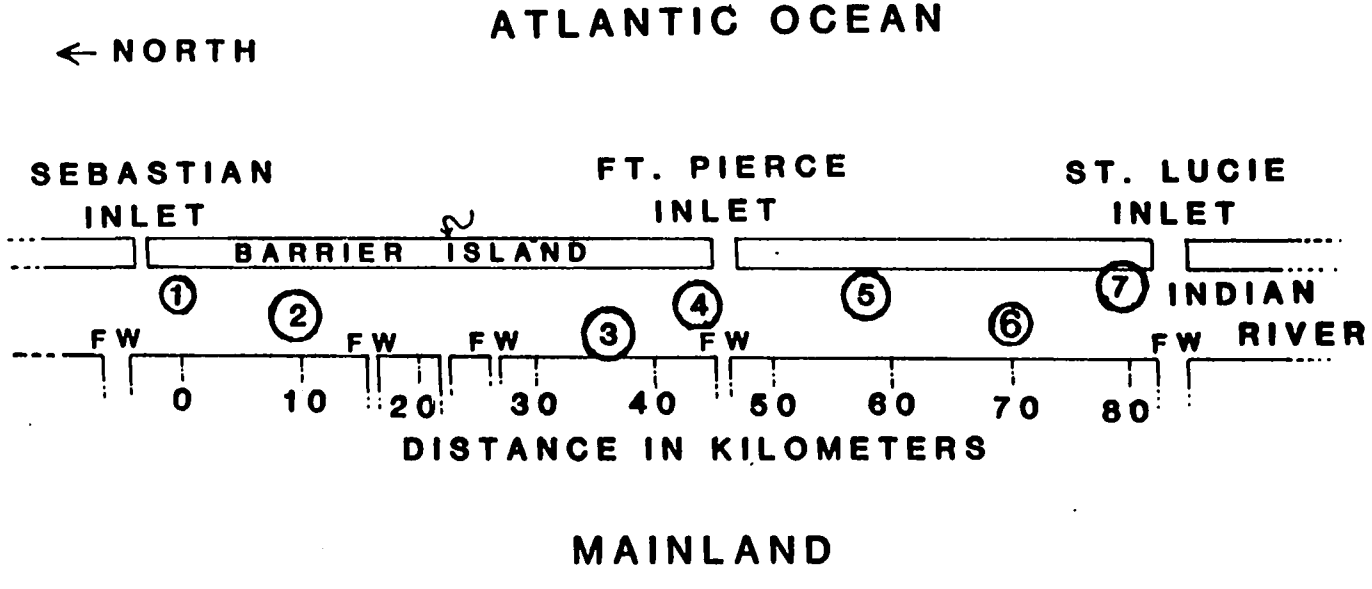
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Figure 2. Diagrammatic representation of the Indian River lagoon and distances (km) between seine stations 1-7. FW = freshwater tributary.

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of the inlet.

During the warmer months, very small amounts of Syringodium were observed, however, the dominant seagrass was Halodule wrightii which reached a maximum bottom coverage of 18% in August (Fig. 3). The mean seagrass coverage for the year was 12.3% which was the lowest value for any of the grass flat stations studied. There is a dense mangrove shore cover (Rhizophora mangle) beginning approximately 50 m north of the station, and the shore for over 400 m south is sand and shell.

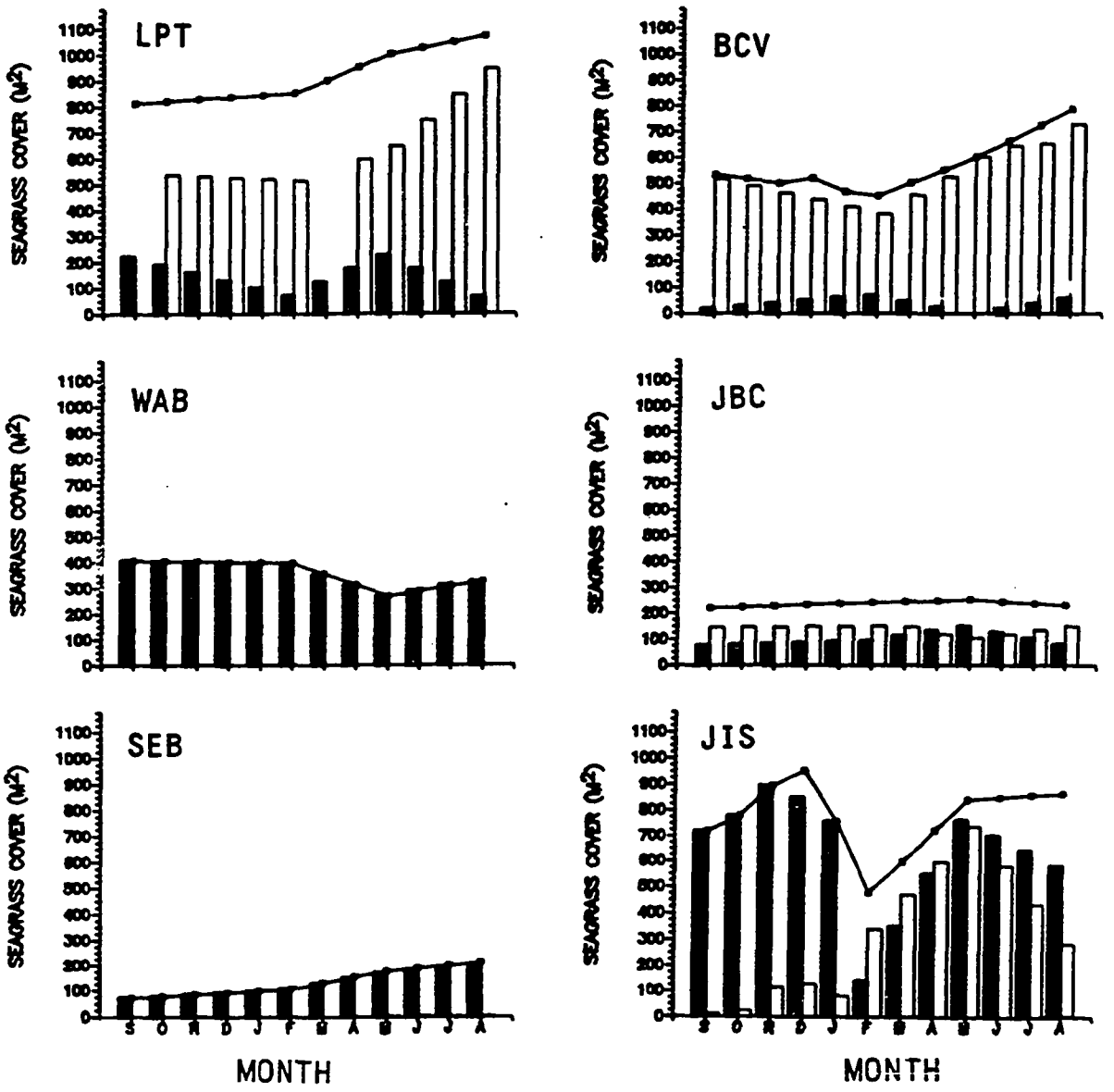
Wabasso (WAB): Station No. 3 - The next station south is located on the north side of the second spoil island proceeding east on the Wabasso Bridge causeway in Indian River County (27° 00.0' N; Fig. 1). This station is 9.3 km south of the Sebastian station. The only seagrass present was Halodule with a mean coverage of 30% for the year (Fig. 3). The shore at this station has many small oyster reefs that have settled on scattered rocks deposited with the dredge spoil when the causeway was constructed. Many of these rocky obstructions were removed from the seine site, but a number of small stones and oysters were always present. A red mangrove stand was located 50 m east of this and a large cordgrass, Spartina alterniflora, stand was located approximately 75 to 100 m northeast of the station. The shore at this site had no associated vegetation on the beach.

Link Port (LPT); Station No. 3 - This station is located on the north shore of the northernmost spoil bank (peninsula) of the Harbor Branch Oceanographic Institution ship channel in St. Lucie County

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Figure 3. Mean monthly seagrass cover for the most abundant seagrass species Syringodium filiforme (open bar), Halodule wrightii (solid bar) with the total seagrass cover depicted by the solid line. These species overlap and, therefore, the total is not additive. Seagrass species presence was determined at 1 m intervals along a 100 m transect line deployed at 10 m intervals along the seine beach site. The survey period extended from September 1974 to August 1975. The BMC seine station is not included as it was not monitored for an entire year.

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(27°32.1'N.; Fig.1). The LPT station is 25.9 km south of station No. 2.

The mean total seagrass cover for LPT was 80.3% for the year, which was the largest seagrass bed in the survey (Fig. 3). The dominant seagrass was Syringodium with an annual mean coverage of 64.5%. The mean Halodule coverage was 19.3% while turtle grass, Thalassia testudium was common only at this station, with an average of 13.0% of the total bottom grass cover. The percentage grass cover for a particular species is not necessarily exclusive of the other seagrass species since Halodule and Syringodium were commonly found growing within the same transect meter.

The shore at this station was mostly a sand-shell-rock mixture, typical of spoil deposits in this region of the lagoon, with no conspicuous supralittoral vegetation. As with the WAB station, small oyster colonies occasionally were found on larger rocks within the littoral zone. Approximately 200 m northwest of the LPT site is a conspicuous mangrove shore and a small Spartina bed.

Jim Island (JIS): Station No. 4 - This station is situated on a spoil deposit across a 114 ha seagrass bed 7.5 km south of LPT and opposite Ft. Pierce Inlet (27°00.0' N.; Fig. 1). A large freshwater flood control canal (Taylor Creek) empties into the lagoon on the west bank of the estuary across from this study site.

Initially the study site had a 41% cover of principally Halodule and Syringodium, with small amounts of Thalassia and Halophila adjacent to a mangrove shore (Fig. 3). Due to a change in accessability the study site was moved in April to a location 0.93 km

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west-northwest of the first site. This latter site had 74% grass cover consisting principally of Syringodium and Halodule. The shore here was sand and shell with no mangrove cover.

Big Mud Creek (BMC): Station No. 5 - This station is located near the eastern terminus of a saline barrier island cove known as Big Mud Creek (27°00.0'N.;Fig. 1), 15.2 km south of the JIS. The collections were made on the northwest foot of the A1A bridge embankment which is approximately 1.6 km from the open waters of the Indian River lagoon. The cove was lined with mangroves except for the small beach used for landing the net. The net site is one of the few areas within the cove that is not over 10 m deep as the cove had been dredged for spoil to depths of 15 m from its mouth to a few meters past the study site (Fig. 4). The spoil was used to fill an impounded mangrove marsh for the construction of a nuclear power plant on the south shore of the cove several years prior to this study.

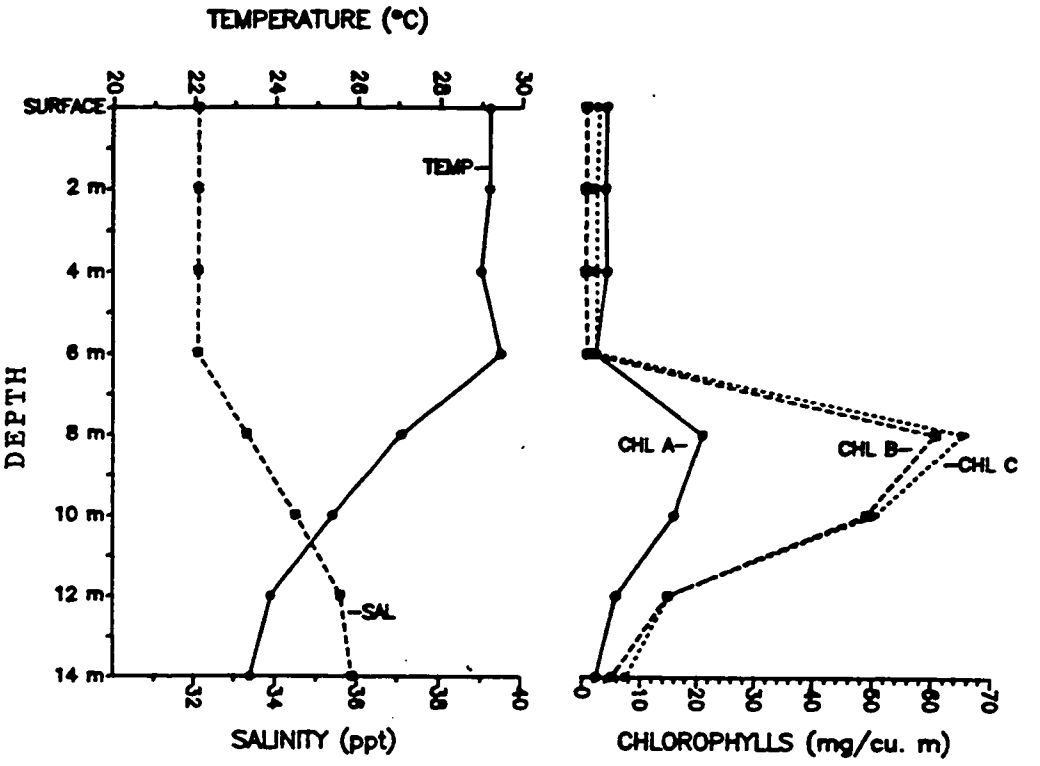
The mean total seagrass cover was 64.7% consisting predominantly of Halodule with some Halophila johnsonii (primarily February).

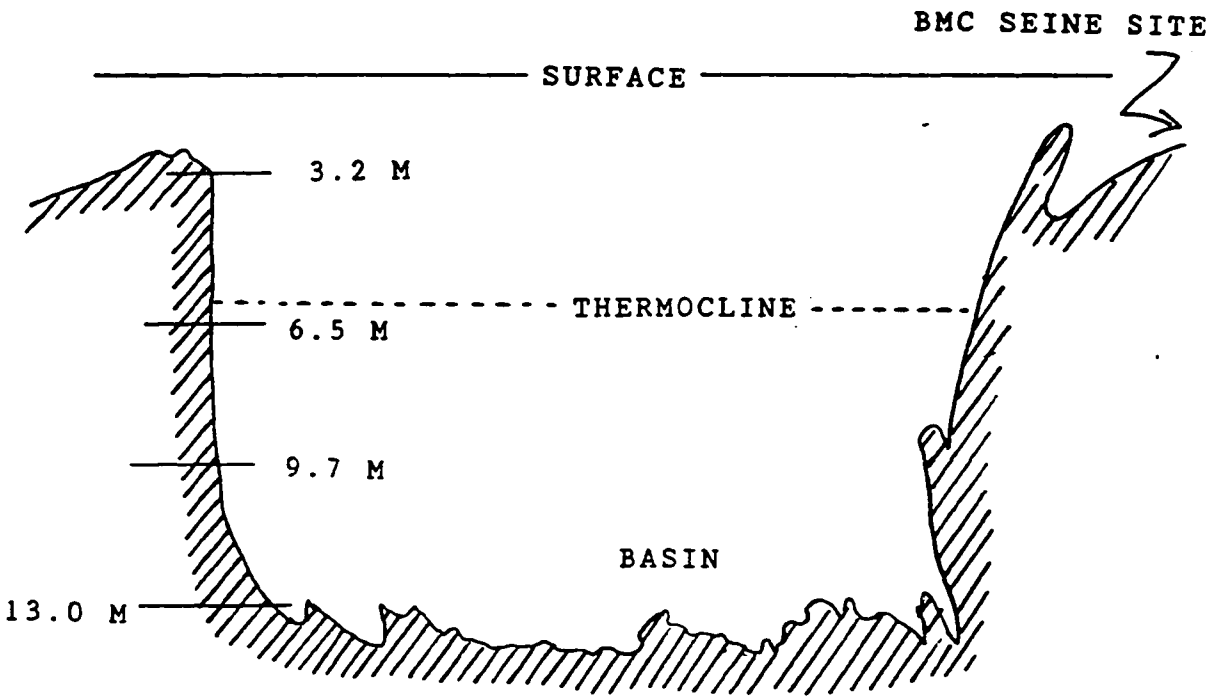
The edge of the BMC basin is vertical, dropping abruptly to depths over 10 m at a distance from shore of 10 to 70 m throughout most of the cove east of the A1A causeway (Fig. 4). A survey of the dredged basin on 26 February, 25-26 June 1975 demonstrated that below a depth of 6 m salinity and temperatures changed considerably and dissolved oxygen levels declined to a minimum of 1.6 ppm (Fig. 4). A peak in plant pigments occurred at 8 m (chlorophyll a,b,c, carotenes and phaeopigments; Fig. 4)) and trawls made near the bottom of the basin came up packed with living and decomposing drift algae (mostly

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Figure 4. Bathymetric profile of the cove adjacent to the BMC seine station with temperature, salinity and chlorophyll profiles taken on 25 June 1975.

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Gracilaria spp. Acanthophora spicifera, Chondria tenuissima, Dictyota dichotoma and Hypnea spp.), and mangrove and seagrass leaf litter.

Jensen Beach (JBC): Station No. 6 - JBC is located off the northwest beach of the west causeway spoil island of the Jensen Beach bridge causeway, 11.2 km south of BMC and 12 km north of St. Lucie Inlet (27°00.0'N.; Fig. 1).

Syringodium and Halodule were present with a mean seasonal coverage of 21.0%, Syringodium being dominant (Fig 3). There was no littoral shoreline vegetation, just a sand-shell-rock beach with a Casuarina equisetifolia stand at the apparent high spring tide mark.

Bessie Cove (BCV): Station No. 7 - BCV is the southernmost station (27°11.9' N.; Fig. 1), located 9.4 km south of JBC on the east bank of the lagoon 2.6 km north of St. Lucie Inlet. The mouth of the St. Lucie River, the largest freshwater tributary to the Indian River lagoon is approximately 3.2 km southwest of the BCV site. Coriolis forces, the proximity of St. Lucie Inlet and the geological configuration of the lower reaches of the river (Sewell Point) keep most of the freshwater flowing away from this site and ocean tidal water flowing over it.

Mean seasonal seagrass cover was 50.8% with Syringodium dominating the little Halodule present (Fig. 3). The shore at this station was predominantly sand although a few Rhizophora occurred along the shore both north and south of the beach site. A wooden dock approximately 40 m in length extended along the south perimeter of the seine site approximately 10 m from the barrier net.

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Drop Net Stations 8, 9, 10 - These sites were located adjacent to the LPT seine station (27°32.1'N; Fig 1) and were situated only in seagrass beds (i.e. no sand) consisting principally of Syringodium, with limited amounts (<10%) of Halodule and Thalassia. Station 8 was situated 40 m from the beach seine site on the north peninsula. Stations 9 and 10 were set on a north-northwest (335') transect from station 8 at intervals of 60 to 70 m and were, therefore, slightly further from the nearest shore than station 8 (station 9 was 60 m from shore, station 10 100 m from shore). Physical and hydrological parameters recorded for LPT also characterize these sites.

Drop Net Stations 11, 12, 13 - Station 11 was situated in a Syringodium bed with small amounts of Halodule (<10%) adjacent to a sand bar (27°33.4'N, 80°20.5'W; Fig. 1) 2.35 km, heading NNE (20°) form the LPT drop net sites 8-10. The site was 500 m from the nearest shore, a mangrove lined island, Round Island. Stations 12 and 13 were situated approximately 20 m from one another, in line on the sand bar and 30 m from station 11. The bar was over 100 m long and had a coarse shell/sand substrate with few coquinoid rocks scattered across the surface. It was 550 m from the nearest shore.

Drop Net Stations 14, 15, 16 - These three stations were located together on the same seagrass bed, 100% Syringodium, and were 900 m SE of the JIS seine station, but closer to the entrance of Ft. Pierce Inlet (27°28.1'N., 80°19.0'W; Fig 1). All nets were placed within 2 m of one another for simultaneous collections within the same seagrass bed and all locations were 400 m from the nearest shore.

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METHODOLOGY

Collections/Sample Treatment - Two complementary quantitative capture techniques were utilized, each with its own inherent gear bias (Fig. 5). A seine technique was utilized to cover a large area and trap larger seagrass predators, while drop nets were used to capture more cryptic and diminutive species.

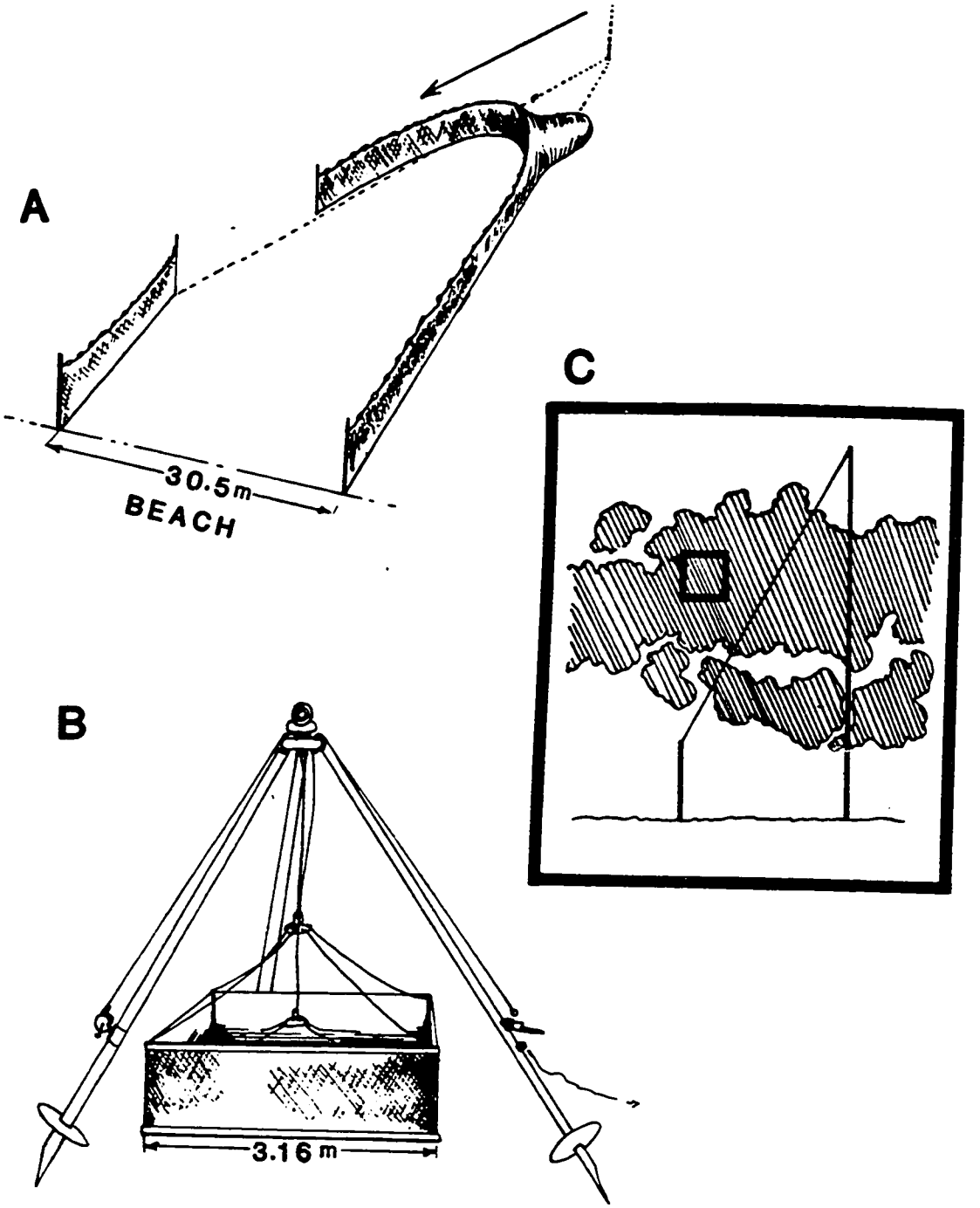
The portable drop net system was previously described by Gilmore et al. (1978). It allowed 10 m^2 samples to be taken, and when three nets were used simultaneously, 30 m^2 could be sampled instantaneously. The drop net was released one h after it was set, once a month for one year beginning in April 1976 at stations 8 through 10, both between 0900 and 1200 h and also one to two hours after sunset, i.e. 1900 to 2200 h. Stations 8 through 10 were maintained in seagrass beds consisting principally of Syringodium, with typically less than 1% Halodule and Thalassia. The net was moved 3 to 5 m away from the morning drop for the evening drop.

Some inaccurate descriptions of the effect of the drop net technique on the seagrass bed are in the literature and should be corrected here as their account covers the period in which the fish in this study were collected. Gore et. al. (1981), state that "...most spermatophyte blade (and much rhizome) biomass was obtained during the cleaning sweeps [of the drop net seine]." Some blade, rhizome and epiphytic algal material was collected but only drift algal material was significantly removed from within the drop net sample area by the

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Figure 5. Fish capture equipment and area sampled (A) 67 m seine transect over 1,160 m^2; (B) 10 m^2 drop net; (C) aerial view of both techniques and sample area enclosed by each relative to a seagrass bed.

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drop net seine, although large amounts of drift algae were collected. In fact, the objective in developing this technique was to efficiently collect fish without damaging the seagrass bed, as the same location was visited monthly. Hence, a rigid seine with a rounded frame (5.0 cm diameter aluminum pipe) was used.

Day/night drop net samples were also taken monthly at stations 11, 12, and 13 from 24 October 1977 to 16 October 1978, while only diurnal samples were taken at stations 14, 15 and 16 from 22 November 1977 to 17 October 1978. All sites except 12 and 13 were Syringodium seagrass meadows.

Seine samples were taken at station 3 adjacent to drop net sites 8 through 10 from 21 April 1976 to 25 April 1977 (Fig. 1). A seine haul was made within an hour of each drop net sample in a seagrass bed contiguous with and approximately 75 m from the drop net site at station 8. A 62 x 1.8 m bag seine (3.2 mm mesh) was pulled with one end anchored on shore and the seaward end stretched perpendicular to shore (Fig. 5). A 15.2 x 1.8 m barrier net (3.2 mm mesh) was set 30.5 m down the beach and parallel to the 62 m seine. The seaward end of the 67 m seine was pulled by hand to the seaward end of the barrier net and then to shore covering approximately 1,160 m^2/haul. After the initial set-up, the seine haul is made within 5-10 min. All seine hauls made utilized this technique. With only nine omissions, seine station 3 was sampled monthly from 20 March 1974 to 18 December 1980. Seine stations 2 and 4 were sampled from 19 March 1974 to 28 April 1977. Stations 1, 5, 6, and 7 were maintained from 27 March 1974 to 27 August 1975, with some exceptions.

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Monthly seagrass transects were made at each seine station while the stations were being monitored from August 1974 to August 1975. These transects were made by visual examination of the species of seagrass present at each meter along a 100 m transect line set perpendicular to the shoreline at 10 m intervals along the seine transect beach. The visual transects were occasionally augmented by benthic cropping by hand.

Water temperature, salinity, tide level, moon phase, percent cloud cover, wind speed and direction, and approximate water clarity were recorded at the time of each fish collection. Other research groups collected organic and inorganic water chemistry parameters, phyto and zooplankton samples, macrocrustacean and algal biomass data and benthic core samples at many of the study sites simultaneous with our collections, or within 48 to 96 hrs. Station 5 (Big Mud Creek; BMD) was bathymetrically surveyed with boat transects using a fathometer.

All specimens taken using both drop net and seine were fixed in 10% formalin, washed and preserved in 70% ethanol, identified, counted and measured. They were blotted and weighed (wet weight) after the wash and prior to preservation. Weighed random subsamples were counted and measured for species with more than 1000 individuals per sample. The total sample was also weighed in increments to determine the total individual count.

Statistics - All numerical data were stored on IBM, DEC and PRIME mainframe computer systems either at the Smithsonian Institution in Washington, D.C. or at the Harbor Branch Oceanographic Institution.

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This allowed various numerical treatments and organization of data which otherwise would have been impossible with a series of large data files. A variety of statistical analyses were utilized for community treatments, most notably, the Shannon-Weaver diversity index (Pielou, 1966), "evenness" index of Pielou (1966), and the Morisita and Czechanowski quantitative and qualitative similarity coefficients. All individual count data were log-transformed prior to similarity computations and during various other statistical treatments. Kruskal-Wallis, Mann-Whitney, one-way and two-way ANOVA, Kendall's W and Chi-square tests were also performed where necessary (Sokal and Rohlf, 1969). Numerical abundance (no. individuals and no./m^2), and weight (species sample weight and biomass g/m^2) were the individual species attributes used most often for individual species analyses. Percent frequency of occurrence was also used and was calculated based on the number of samples in which a species occurred out of the total number of samples taken. An index of relative importance was calculated for each species using the following formula:

$$I = \frac{LN\ (N+1)}{n_2 / n_1}$$

where n_1 is the number of occurrences of a species, n_2 is the total number of collections, and N equals the number of individuals of the particular species collected. This index allowed a more realistic relative ranking of species which were patchily distributed both in space and time. Therefore, species occurring rarely in large

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numbers, such as schooling engraulids and clupeids, or frequently in low numbers, such as certain top predators, i.e. sphyraenids, Cynoscion, and Sciaenops, were treated more equitably.

The similarity index used for spatial and temporal similarity analyses was the quantitative index of Czechanowski (= Bray Curtis; Bloom 1981) using flexible sorting at beta = - 0.25. The qualitative index of Czechanowski was also calculated where appropriate. Both normal and inverse analyses were run on number of species, percent frequency of occurrence, and log-transformed number of individuals.

Nomenclature - In nearly all cases the scientific and common name nomenclature follow Robins et al (1980). The latest published classification is used when exceptions to Robins et al (1980) are found. The classification of the regional species of the Eucinostomus argenteus complex (Gerreidae) follow Matheson and McEachran (1984). Therefore, Eucinostomus harengulus Goode and Bean has been found to be the abundant estuarine mojarra in our collections and was previously identified as E. argenteus Baird. Diapterus plumieri (Cuvier) (Gerreidae) is now Eugerres plumieri (Valenciennes) after the revision of Deckert and Greenfield (1987). The opossum pipefish, formerly Oostethus brachyurus (Bleeker) [also = O. lineatus (Kaup)], is now Mycrophis brachyurus (Bleeker) after the revision of Dawson (1985).

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RESULTS

Hydrology: Water Temperature and Salinity

The Indian River lagoon has been described as a mesohaline estuary with little freshwater influence from mainland sources. This is a somewhat accurate description; however, if the three ocean inlets associated with this study were not artificially maintained, the mean salinities would undoubtedly be reduced. This is partially due to the extensive flood control canal system, which drains into the lagoon from the mainland, and the fact that much of this drainage empties into the lagoon adjacent to ocean inlets in the study area from Sebastian Inlet south. The only exception is the section of the lagoon between the Wabasso and Link Port stations which receives fresh water from three major relief canals and a variety of smaller canals in the vicinity of the city of Vero Beach. Floodgates on these canals (Indian River County) are typically opened when 24 mm or more of rain falls within a 24 hr period anywhere within the drainage district. Larger canals emptying into the Sebastian Creek drainage, Taylor Creek adjacent to the JIS station, and the St. Lucie Canal of the St. Lucie River open under higher rainfall conditions, generally major storm events. They all release fresh water principally during the wet season which extends from late May or June to November or December. Peak wet season rainfall occurs typically from August to October. The dry season usually begins in January, although periodic cold fronts during the winter may bring some rain. The dry season peaks in April to early May.

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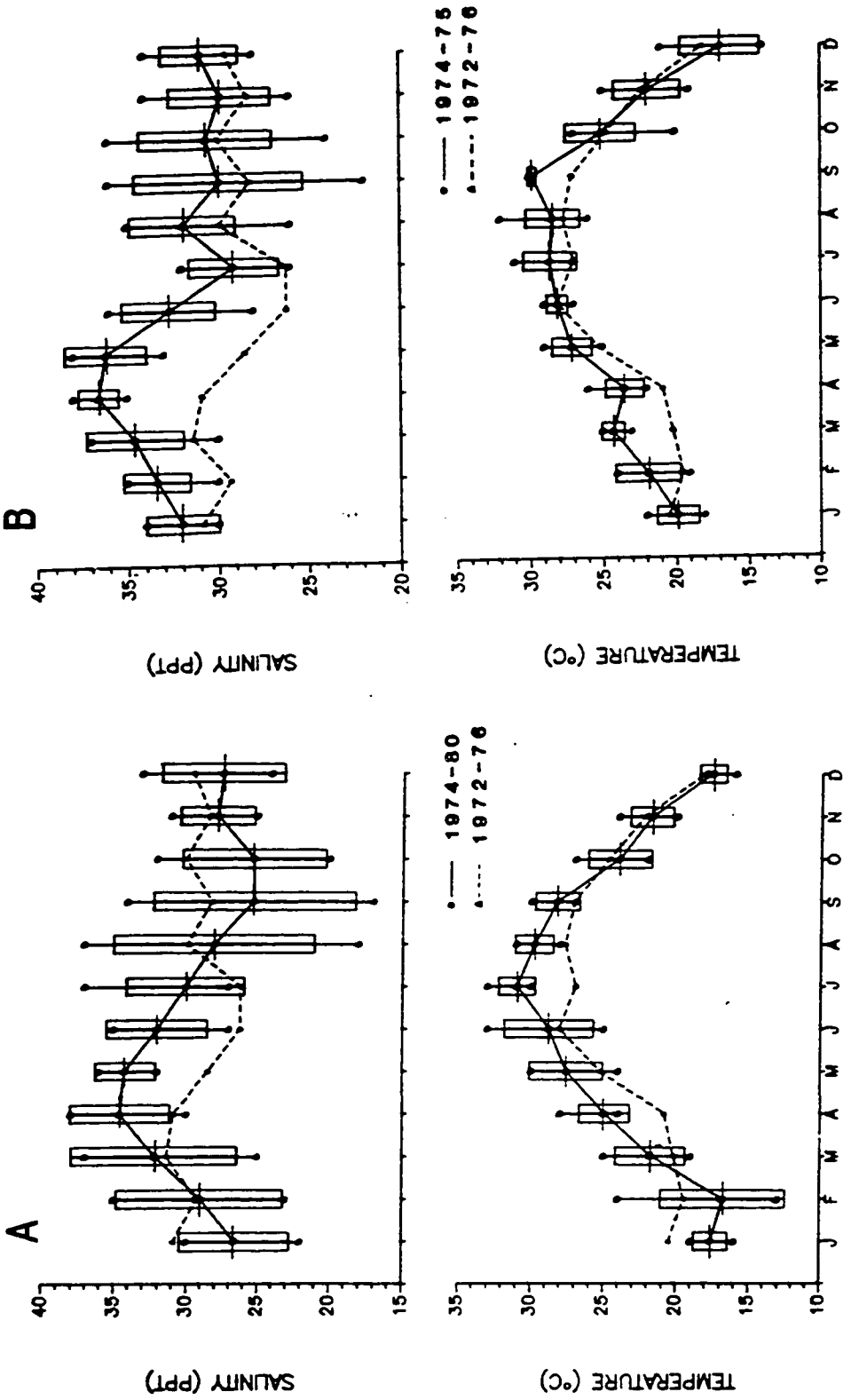
Regional water temperatures are influenced by three major atmospheric and hydrological conditions (1) the warm southeast trade winds blowing from late spring to early fall (and associated cloud cover, humidity and rainfall) (2) periodic cold frontal systems passing over the Florida peninsula from the northwest from December to as late as April (and associated cloud cover, humidity and rainfall) and (3) the proximity of the warm Florida Current, the western edge of which passes 4 to 30 km east of most of the lagoon stations. During the warmer months warm eddies may break away from the Florida Current and approach the coast. In addition, periodic cold upwellings may also occur during this period and may reduce water temperatures at lagoon inlets (Taylor and Stewart, Jr. 1958). Detailed study of local heat flux processes in the Indian River lagoon were conducted within the study area by Smith (1981, 1983a, 1983b).

Salinity- Mean annual salinities remained above 25 ppt throughout the seven year study period at LPT, while mean salinities from September 1974 to August 1975 at the seven seine stations averaged somewhat higher, generally above 30 ppt (Fig 6). The highest mean annual salinities were recorded during the first and last years of the study and the deviation in these salinities was typically low during these "dry" years. Annual variation in salinity at LPT between 1974 and 1980 was greater than the station variation in 1974-75 (Fig. 7). The wet years 1976, 1978-79 were more variable (SDV range of 4.002-5.401) than the dry years (1975, 1980; SDV range 2.640 - 3.801). The total salinity range also reveals this trend with LPT annual range for 1974-1980 of 17-38 ppt (21 ppt) while stations 1-7 ranged only 26-38 ppt

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Figure 6. Mean, standard deviation and range of temperatures and salinity at seine stations. (A) 1974 - 1980 at LPT; (B) 1974 - 1975 at all seine stations. Dashed line is comprehensive 1972-76 data for comparative purposes from Wilcox and Gilmore (1976).

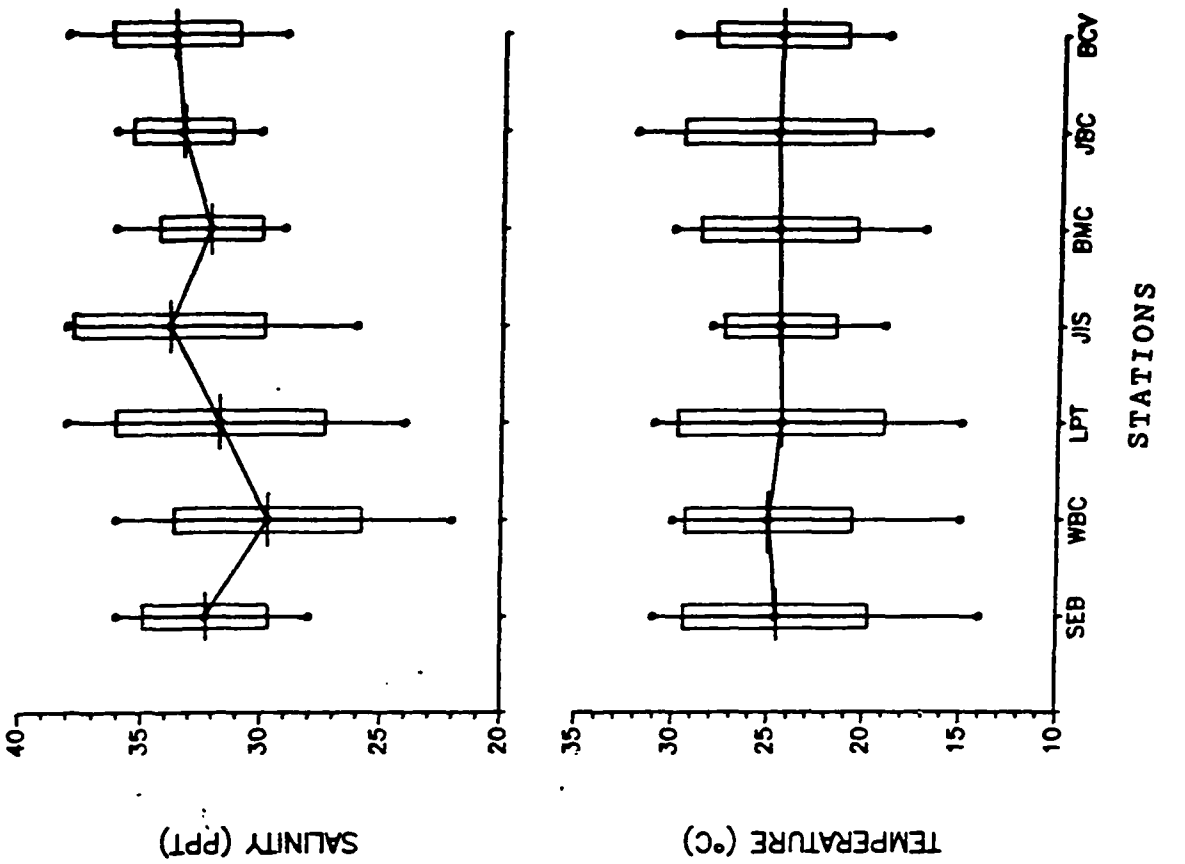
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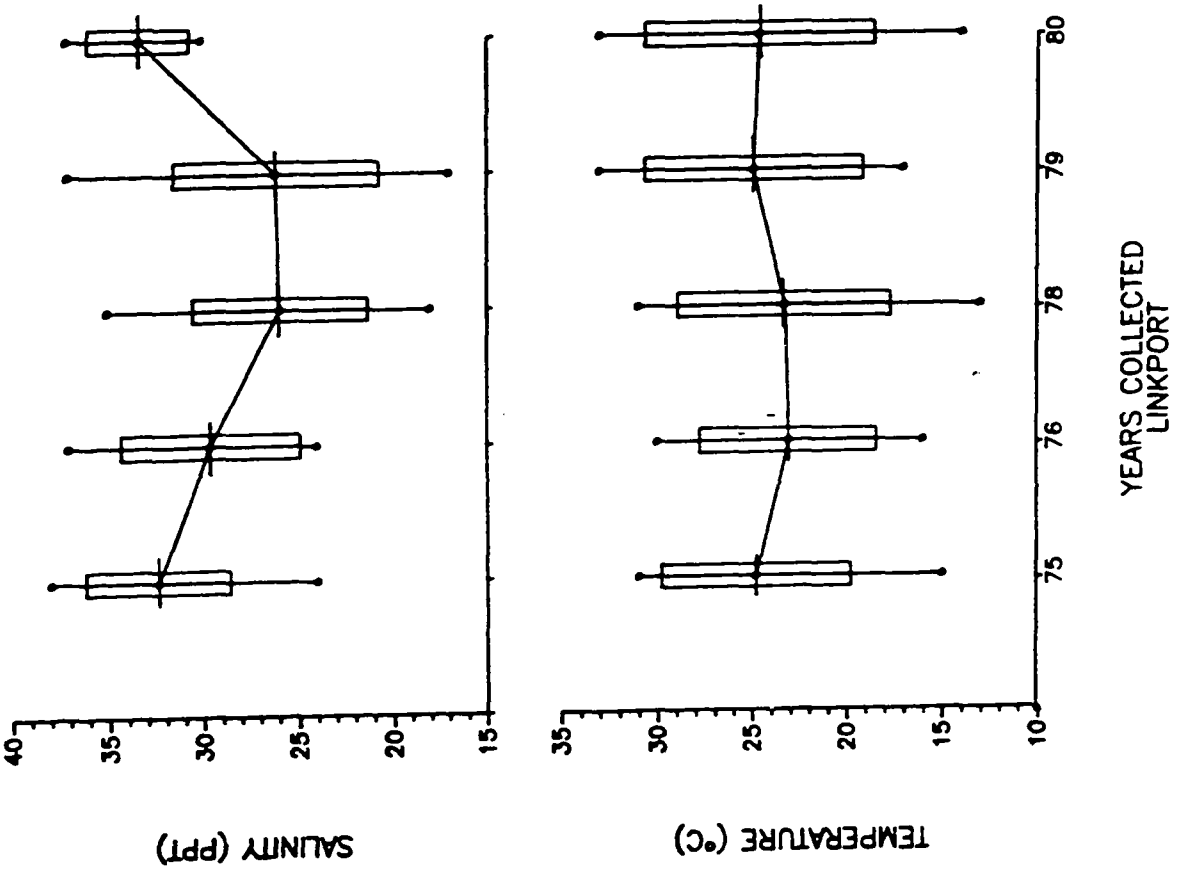


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Figure 7. Mean, standard deviation and range of temperatures and salinity at seine stations.

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(12 ppt) during 1974-75. The salinity means between stations only varied 4.1 ppt in 1974-75, while they varied 7.4 ppt at LPT over the seven year period (Figure 8). A similarity analysis (Fig. 9) demonstrates the distinctness of the 1975 study year from the other study years which unfortunately was the only year in which all seven seine study sites were maintained (Figs 6-9). The differences were significant (ANOVA $P \leq 0.05$, $F_{[4,55]} = 7.61$).

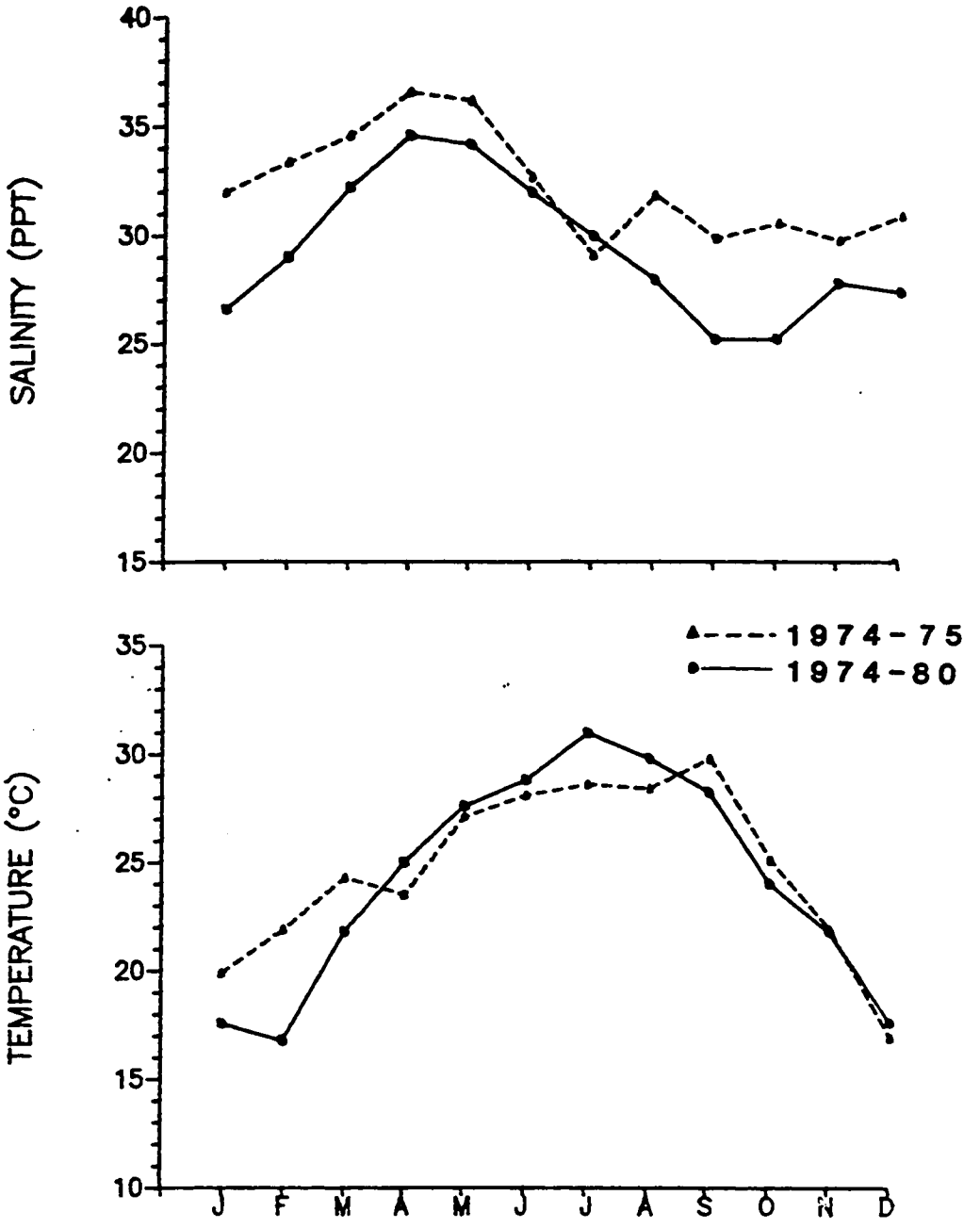
Monthly/seasonal salinity patterns revealed the distinct dry-wet season pattern described earlier for rainfall. Mean salinities stayed above 30 ppt from February to June for the six year period and for all stations monitored during 1974-75 (Fig. 6). They began increasing in January to a high in April and declined from May to June. The April high was also associated with the lowest deviation in salinity. The greatest deviation was consistently seen during all years when the salinities were lowest from August through October. Salinities never ranged below 15 ppt during any year and the highest recorded was 38 ppt. A similarity analysis further demonstrates this seasonal pattern (Fig. 9).

During 1974-75 the lowest salinities were recorded at the WBC(2) station, which also had the largest range, along with LPT(3) which had a larger standard deviation (Fig. 7). The highest mean salinities consistently occurred at inlet stations, i.e. SEB(1), JIS(4) and BCV(7). The lowest range and deviations in salinity occurred at the southern stations BMC(5), JBC(6) and BCV(7) where there is little or no freshwater influence and greater coastal water access. However, salinity differences between the northern and southern sections of the

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Figure 8. Mean salinity and temperature for seine stations 1 - 7, 1974 - 1975 (▲---) and the mean values for the LPT site (Station 3) for 1974-1980 (•—).

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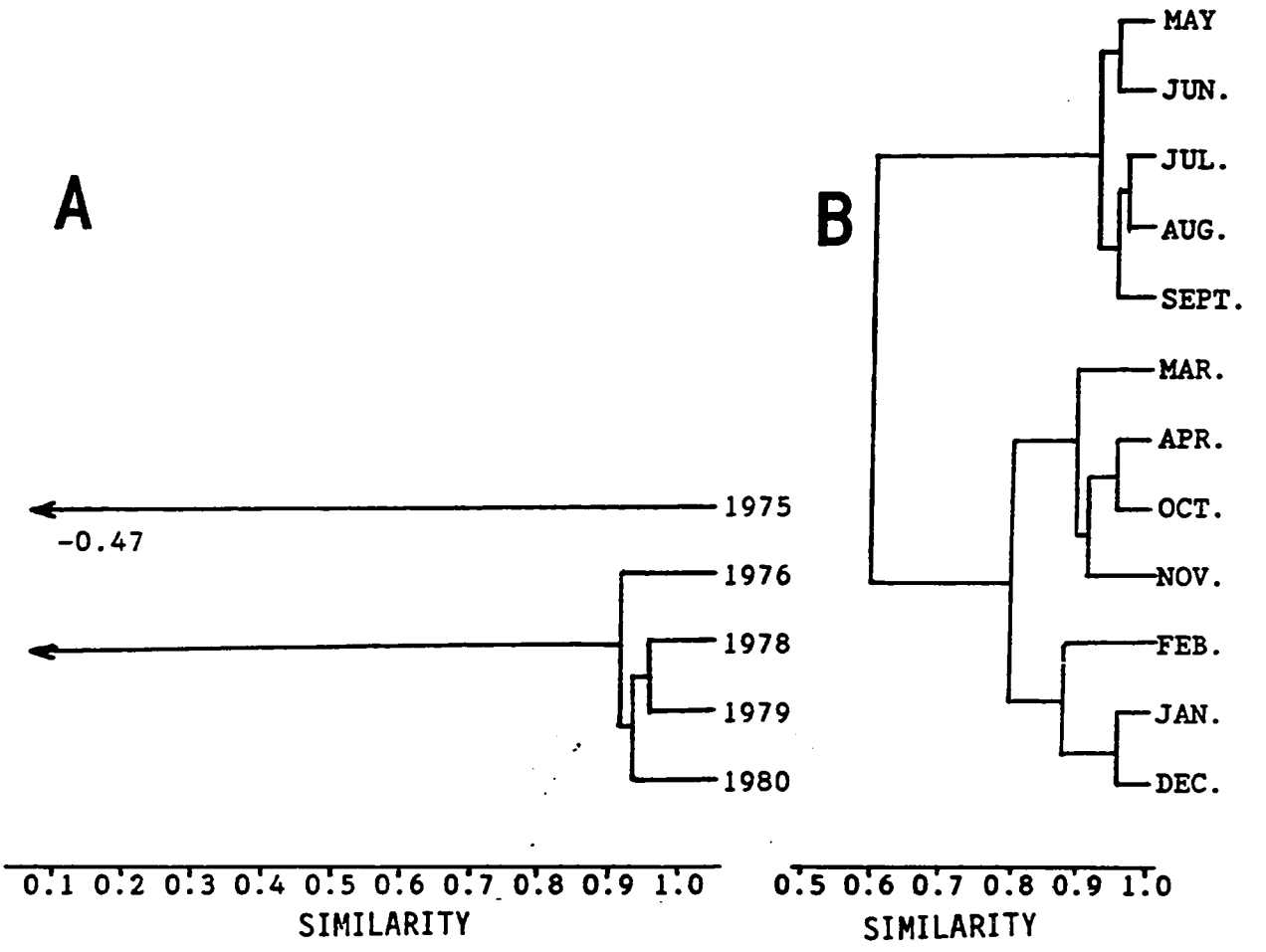


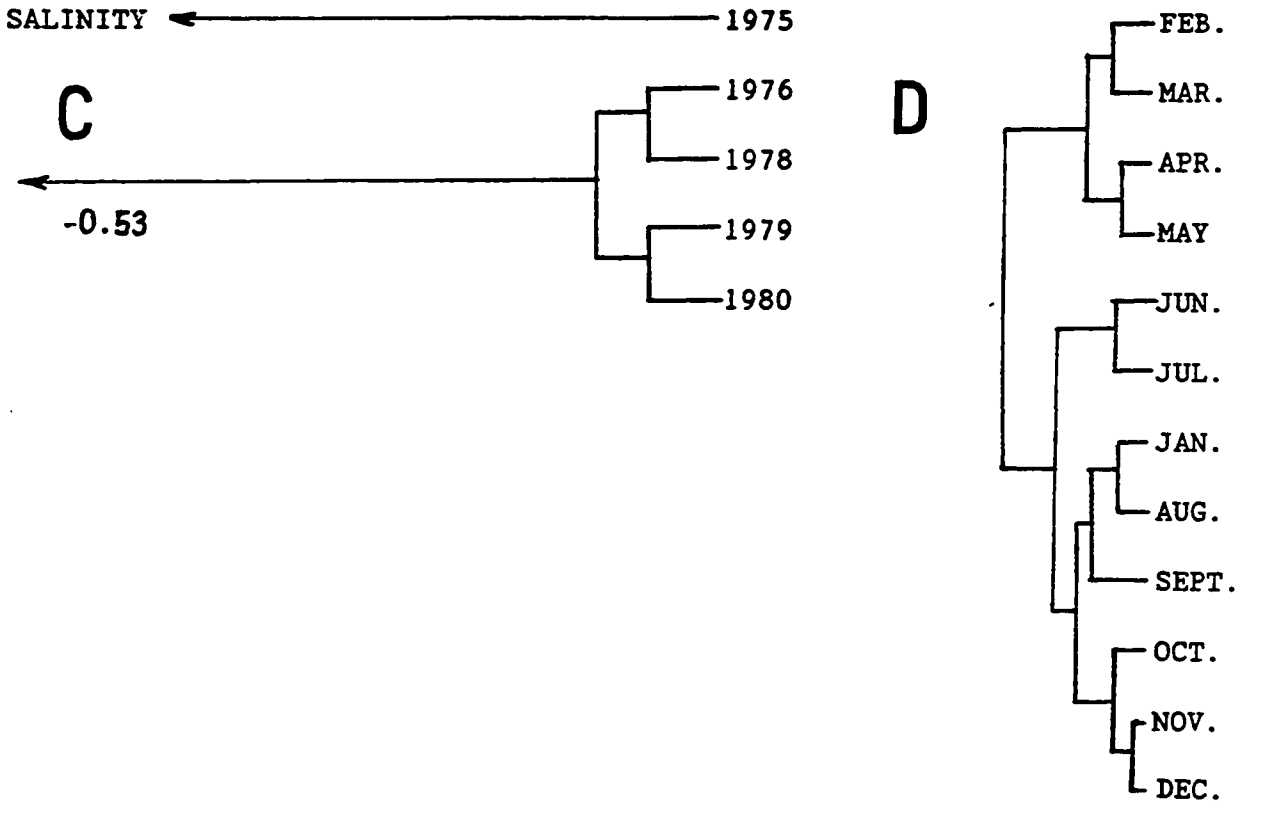
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Figure 9. Dendrograms of salinity and temperature clusters by year and station based on Czechanowski quantitative similarity analyses. (A) and (C) represent annual comparisons at LPT; (B) and (D) are from all seine stations from 1974 to 1975.

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TEMPERATURE





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lagoon during 1974-75 were not significant (ANOVA $P \leq 0.05$, $F_{[6,74]} = 2.32$) even though mean salinities were obviously higher for the southern stations. Salinity variation was greater for the northern stations.

Temperature- Mean annual temperatures remained above 23°C. for all six study years and above 24°C. for all stations during 1974-75 (Figs 6 & 7). The first and last two years of study were the warmest while 1977-78 proved to be the coolest with water temperatures down to 13°C. at the time of fish collection at LPT. The most moderate year was 1976 while the greatest deviation was recorded for 1980. The seven year annual variation in water temperature at LPT was greater than the interstation range during the same year, 1974-75. However, there was no significant difference in temperature means during 1974-1980 at LPT (ANOVA $P \leq 0.05$, $F_{[4,55]} = 0.30$) or interstation means 1974-75 (ANOVA $P \leq 0.05$, $F_{[6,73]} = 0.02$). These data demonstrate the homogeneity of regional temperatures with little variation in the means (LPT mean range = 1.8°C) over several years and even less between stations during the same year (Station 1-7 mean range of 0.6°C). These data, like those for salinity, demonstrate again that the annual variation in meterological and hydrological conditions is consistently greater than the latitudinal variation within the same year over a distance of 82 km. The north-south temperature variation was not as great as the annual variation. A similarity analysis demonstrates the distinctness of the 1975 study year from the remainder, which unfortunately was the

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only year in which all seven seine study sites were maintained (Fig. 9). However, as stated, the differences were not significant.

Mean monthly water temperatures never went below 16°C. for 1974-75 at all stations and also for all seven years at LPT (Fig. 6-8). The lowest temperatures were recorded from December to February even though water temperatures during February occasionally reached 24°C. Temperatures never went below 19°C for the remainder of the year (LPT 1974-1980), and means remained above 21°C. Water temperatures typically began to climb between March and February and began to decline between July and August with the onset of the period of heaviest precipitation. The smallest deviation in temperature occurred from July to January. However, the greatest interstation variation occurred during this same period, October to December during the 1974-75 study year. Virtually no interstation variation occurred during September 1974. A similarity analysis further demonstrates this seasonal pattern (Fig. 9).

Interstation water temperature comparisons reveal a north-south pattern in minimum water temperatures with a gradual warming to the south, particularly at inlet locations (Fig. 7). Water temperatures never went below 19°C at the JIS or BCV stations though the annual means were not significantly different from the other "upstream" stations. Southern inlet stations also had the lowest deviation in water temperature (SDV of 2.877-3.387, all others 4.059-5.368) with lower thermal maxima thus providing a more stable thermal environment than the other lagoon study sites.

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Technique Perspective

The two gear types utilized proved to be complementary, as each captured some species more readily than others. The seine captured a mean of 23 species and 12,853 fish per collection. The mean individual weight of these fish was 1.90 g (Table 1). The most numerous fish were schooling planktivores which, are typically patchily distributed. Therefore, the seine was particularly effective in capturing engraulids, clupeids and atherinids. Mugilids were also more effectively captured by the seine, however, both mullet species were adept at jumping over the float line and the seine has subsequently underestimated the contribution of these species. Large predators were also captured with the seine, and ranged up to 500 mm SL (e.g. Centropomus undecimalis to 500 mm, Sphyraena barracuda to 450 mm, Strongylura notata and S. timucu to 450 mm SL). However, the seine lead line tended to pass over small benthic fishes such as gobiids and blennids as it moved over compressed seagrass blades, while the drop net captured these species readily. Both techniques captured the abundant syngnathids, sparids, haemulids, sciaenids and gerreids readily. However, the drop net did not capture the most numerous species as often as the seine and most species, except the gobiids, had a higher frequency of occurrence in seine samples than in drop net samples simply due to the larger area sampled by the seine (Table 2). Notably absent from the seine were large spotted seatrout, Cynoscion nebulosus, (i.e. over 150 mm SL) which are readily captured

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Table 1. Mean collection statistics for seine samples made at stations 1-7 from September 1974 to August 1975 and drop net stations 8-16, 12 months each site. HAL = Halodule wrightii; SYR = Syringodium filiforme.

SEINE STATION	DIST. FROM INLET (KM)	DENSITY (NO./M^2)	BIOMASS (g/M^2)	INDIVIDUAL WEIGHT(g)	NO. SPECIES	SEAGRASS BED SIZE(M^2)	SP.
JIS(4)	1.0	1.51	9.13	6.04	28	773	HAL/SYR
BCV(7)	2.6	3.24	7.16	2.21	27	569	SYR
SEB(1)	2.2	2.51	4.44	1.77	17	131	HAL
LPT(3)	7.5	11.35	6.66	0.59	19	913	SYR
WAB(2)	11.5	3.06	6.01	1.97	27	354	HAL
JBC(6)	12.0	17.57	4.45	0.25	23	773	SYR
BMC(5)	15.2	38.30	16.95	0.44	21	751	HAL
MEAN		11.08	7.83	1.90	23	609	

DROP NET STATION	DIST. FROM INLET (KM)	DENSITY (NO./M^2)	BIOMASS (g/M^2)	INDIVIDUAL WEIGHT(g)	NO. SPECIES	SEAGRASS BED SIZE(M^2)	SP.
14	0.5	3.20	8.98	2.81	4	100%	SYR
15	0.5	4.11	5.83	1.42	4	100%	SYR
16	0.5	6.08	12.19	2.00	5	100%	SYR
8	7.5	11.45	11.72	1.06	7	100%	SYR
9	7.6	9.00	13.78	1.72	7	100%	SYR
10	7.7	11.98	14.82	1.29	6	100%	SYR
11	9.9	5.63	9.81	1.71	7	100%	SYR
12	9.9	0.45	0.71	1.55	2	0	SAND
13	9.9	0.34	1.42	4.07	2	0	SAND
MEAN(GRASS ONLY)		7.35	11.02	1.72	4.9		

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Table 2. Total frequency of occurrence in collections for all techniques combined, then seine and drop net technique separately. N = total no. of collections. Only species occurring in more than 10% of the of all samples combined are listed. See Table 3 for genera designations.

TECHNIQUES COMBINED			SEINE			DROP NET		
RANK	SPECIES N=400	%		SPECIES N=208	%		SPECIES N=192	%
1	L. rhomboides	.87		E. gula	1.00		L. rhomboides	.70
2	E.gula	.77		L. rhomboides	.96		G. robustum	.54
3	S. scovelli	.65		E. harengulus	.90		S. scovelli	.42
4	E. harengulus	.61		A. mitchilli	.86		E. gula	.38
5	A. mitchilli	.59		D. auratus	.80		M. gulosus	.33
6	G. robustum	.53		S. scovelli	.78		B. chrysoura	.23
7	D. auratus	.53		M. curema	.70		O. chrysoptera	.22
8	B. chrysoura	.52		B. chrysoura	.69		G. boleosoma	.18
9	M. curema	.45		S. notata	.65		H. zosterae	.18
10	O. chrysoptera	.44		S. louisianae	.62		A. lineatus	.16
11	S. louisianae	.43		O. chrysoptera	.57		G. stigmaturus	.16
12	S. notata	.41		H. jaguana	.55		A. mitchilli	.12
13	H. jaguana	.36		L. griseus	.54		E. harengulus	.10
14	L. griseus	.36		G. robustum	.53		S. louisianae	.10
15	M. peninsulae	.33		M. peninsulae	.52		C. nebulosus	.08
16	C. nebulosus	.31		S. barracuda	.46		C. sabuarrae	.08
17	S. barracuda	.30		S. timucu	.45		D. auratus	.06
18	A. probatoceph.	.29		C. nebulosus	.45		A. probatoceph.	.06
19	S. timucu	.29		A. hepsetus	.43		M. hispidus	.06
20	M. gulosus	.28		O. saurus	.42		L. synagris	.05
21	A. hepsetus	.27		M. cephalus	.42		H. parrai	.05
22	M. cephalus	.27		A. probatoceph.	.42		L. griseus	.05
23	O. saurus	.27		C. undecimalis	.36		S. rubripinne	.04
24	H. parrai	.24		H. parrai	.36		L. analis	.04
25	C. undecimalis	.23		B. smithi	.33		S. chrysopterum	.03
26	B. smithi	.22		L. xanthurus	.31		H. jaguana	.03
27	L. synagris	.22		M. martinica	.31		N. usta	.03
28	L. xanthurus	.20		L. synagris	.31		S. foetens	.03
29	M. martinica	.20		T. falcatus	.30		C. schoepfi	.03
30	L. analis	.19		H. unifasciatus	.29		B. smithi	.02
31	O. oglinum	.18		L. analis	.29		A. lyolepis	.02
32	H. zosterae	.18		M. hispidus	.28		L. xanthurus	.02
33	H. unifasciatus	.18		O. oglinum	.28		S. barracuda	.02
34	M. hispidus	.18		S. nephelus	.27		B. soporator	.02
35	A. lyolepis	.17		A. lyolepis	.26		P. albigutta	.02
36	S. nephelus	.17		M. gulosus	.26		M. punctatus	.02
37	G. boleosoma	.16		F. carpio	.26		U. floridaus	.02
38	F. carpio	.16		S. ocellata	.25		D. megalepis	.02
39	S. ocellata	.16		B. soporator	.25		M. curema	.01
40	B. soporator	.16		L. parva	.22		M. cephalus	.01
41	E. saurus	.15		E. saurus	.22		O. oglinum	.01

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Table 2. Total frequency of occurrence...continued.

TECHNIQUES COMBINED			SEINE			DROP NET		
RANK	SPECIES	%	SPECIES	%		SPECIES	%	
42	L. parva	.14	S. foetens	.21	M. peninsulae	.01		
43	S. foetens	.14	S. saurida	.18	T. falcatus	.01		
44	A. lineatus	.13	H. zosterae	.18	S. nephalus	.01		
45	S. saurida	.12	S. spengleri	.17	C. spilopterus	.01		
46	S. spengleri	.11	G. boleosoma	.15	S. timucu	.01		
47	F. similis	.08	F. similis	.13	A. cubana	.01		
48	A. vulpes	.08	A. vulpes	.13	O. tau	.01		
49	N. usta	.08	C. spilopterus	.12	H. erectus	.01		
50	C. spilopterus	.08	A. lineatus	.12	S. brasiliensis	.01		
51	C. schoepfi	.08	S. borealis	.11	O. gomesi	.01		
52	F. grandis	.07	N. usta	.11	S. floridae	.01		
53	S. borealis	.07	C. schoepfi	.11	C. hippos	.01		
54	C. hippos	.07	F. grandis	.11	K. sectotrix	.01		
55	G. stigmaturus	.07	C. hippos	.10	S. plagiusa	.01		
56	M. undulatus	.06	A. rhomboidalis	.10	E. saurus	.01		

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in seagrass meadow habitats with other gear types, including baited rod and reel and gill or trammel nets. A gill net set around the seine transect during one operation at LPT captured a 585 mm C. nebulosus and a 950 mm tarpon, Megalops atlantica, demonstrating the agility of these species in avoiding seine capture.

In the following data treatments, drop net and seine collections will be separated and/or combined depending on the nature of data collected by each technique.

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Community Definition

A total of 1.982 million fish (1,685.2 kgs) were captured representing 164 species in 54 families (Table 3, 4 and 5). Two hundred eight seine collections (covering 241,280 m^2) were made between 19 March 1974 and 18 December 1980 while 192 drop net collections (1,920 m^2) were made from 21 April 1976 to 17 October 1978. Diurnal seine collections averaged 23 species and 9.5 thousand fish per collection (mean density of 8.2 fish/m^2), while drop net collections averaged 4 species and 60 fish (mean density of 6.0 fish/m^2).

Several fish families contributed markedly to species richness in seagrass ecosystems. The most speciose teleostean family, Gobiidae, contributed 11 species, Carangidae 10, followed by Sciaenidae (9), Gerreidae (8), Cyprinodontidae (8), Sparidae (7) and Syngnathidae (7). Although several of these families made major contributions to the total landings, the engraulids (5 species) and clupeids (6 species) dominated the numerical catch. The shallow water estuarine anchovy, Anchoa mitchilli represented 76 % of the number of individuals landed (1.5×10^6, and 576.3 kg; Table 3). Three other anchovy species (Anchoa hepsetus, A. lyolepis and A. cubana) and four clupeids

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Table 3. Fishes ranked by number of individuals and percent frequency of occurrence : all collections, all gear types, all dates and all stations. N=310 collections.

	RANKED BY NUMBER			RANKED BY OCCURRENCE	
RANK	SPECIES	NO. INDIV.	(% TOTAL)	SPECIES	% OCCUR.
1.	Anchoa mitchilli	1,508,372	75.75	Lagodon rhomboides	87
2.	Brevoortia smithi	163,283	8.20	Eucinostomus gula	77
3.	Lagodon rhomboides	70,704	3.55	Syngnathus scovelli	65
4.	Harengula jaguana	34,445	1.73	Eucinostomus harengulus	61
5.	Diapterus auratus	20,986	1.05	Anchoa mitchilli	59
6.	Anchoa hepsetus	20,224	1.02	Gobiosoma robustum	53
7.	Anchoa lyolepis	20,077	1.01	Diapterus auratus	53
8.	Eucinostomus harengulus	16,840	0.85	Bairdiella chrysoura	52
9.	Anchoa cubana	16,759	0.84	Mugil curema	45
10.	Mugil curema	14,979	0.75	Orthopristis chrysoptera	44
11.	Eucinostomus gula	14,454	0.73	Syngnathus louisianae	43
12.	Mugil cephalus	13,723	0.69	Strongylura notata	41
13.	Opisthonema oglinum	12,307	0.62	Harengula jaguana	36
14.	Bairdiella chrysoura	10,144	0.51	Lutjanus griseus	36
15.	Menidia peninsulae	7,770	0.39	Menidia peninsulae	33
16.	Gobiosoma robustum	6,081	0.31	Cynoscion nebulosus	31
17.	Orthopristis chrysoptera	6,018	0.30	Sphyraena barracuda	30
18.	Leiostomus xanthurus	4,112	0.21	Archosargus probatocephalus	29
19.	Sardinella aurita	3,757	0.19	Strongylura timucu	29
20.	Gobionellus boleosoma	2,649	0.13	Microgobius gulosus	28
21.	Syngnathus scovelli	1,980	0.10	Anchoa hepsetus	27
22.	Menidia beryllina	1,652	0.08	Mugil cephalus	27
23.	Membras martinica	1,622	0.08	Oligoplites saurus	27
24.	Diplodus argenteus	1,612	0.08	Haemulon parrai	24
25.	Anchoa lamprotaenia	1,353	0.07	Centropomus undecimalis	23
26.	Hippocampus zosterae	1,120	0.06	Brevoortia smithi	22
27.	Strongylura notata	970	0.05	Lutjanus synagris	22
28.	Microgobius gulosus	745	0.04	Leiostomus xanthurus	20
29.	Lutjanus synagris	739	0.04	Membras martinica	20
30.	Cynoscion nebulosus	706	0.04	Lutjanus analis	19
31.	Micropogonias undulatus	701	0.04	Trachinotus falcatus	19
32.	Haemulon parrai	660	0.03	Opisthonema oglinum	18
33.	Lucania parva	657	0.03	Hippocampus zosterae	18
34.	Fundulus similis	615	0.03	Hyporhamphus unifasciatus	18
35.	Sphyraena barracuda	604	0.03	Monocanthus hispidus	18
36.	Oligoplites saurus	597	0.03	Anchoa lyolepis	17
37.	Elops saurus	587	0.03	Sphoeroides nephelus	17
38.	Archosargus probatocephalus	523	0.03	Gobionellus boleosoma	16
39.	Sciaenops ocellatus	468	0.02	Floridichthys carpio	16
40.	Syngnathus louisianae	461	0.02	Sciaenops ocellatus	16
41.	Strongylura timucu	449	0.02	Bathygobius soporator	16
42.	Trachinotus falcatus	436	0.02	Elops saurus	15
43.	Lutjanus analis	391	0.02	Lucania parva	14
44.	Floridichthys carpio	363	0.02	Synodus foetens	14
45.	Lutjanus griseus	362	0.02	Achirus lineatus	13
46.	Centropomus undecimalis	322	0.02	Sardinella aurita	12

AMERICAN OVERSIGHT

Table 3. Fishes ranked by number and occurrence continued.

RANKED BY NUMBER				RANKED BY OCCURRENCE	
RANK	SPECIES	NO. INDIV.	(% TOTAL)	SPECIES	% OCCUR.
47.	Albula vulpes	260	0.01	Spheoriodes spengleri	11
48.	Hyporhamphus unifasciatus	229	0.01	Fundulus similis	8
49.	Monocanthus hispidus	207	0.01	Albula vulpes	8
50.	Gobionellus stigmaturus	185	0.01	Nicholsina usta	8
51.	Fundulus grandis	142	0.01	Citharichthys spilopterus	8
52.	Nicholsina usta	111	0.01	Chilomycterus schoepfi	7
53.	Sphyraena borealis	109	0.01	Fundulus grandis	7
54.	Sphoeroides nephelus	105	0.01	Sphyraena borealis	7
55.	Ocyurus chrysurus	95	0.00	Caranx hippos	7
56.	Achirus lineatus	92	0.00	Gobionellus stigmaturus	6
57.	Synodus foetens	85	0.00	Micropogonias undulatus	6
58.	Eucinostomus melanopterus	85	0.00	Ocyurus chrysurus	6
59.	Gobionellus smaragdus	84	0.00	Archosargus rhomboidalis	6
60.	Bathygobius soporator	75	0.00	Arius felis	6
61.	Sphoeroides spengleri	65	0.00	Paralichthys albigutta	6
62.	Poecilia latipinna	51	0.00	Selene vomer	6
63.	Citharichthys spilopterus	44	0.00	Chasmodes saburrae	5
64.	Archosargus rhomboidalis	43	0.00	Anchoa cubana	5
65.	Arius felis	41	0.00	Gobionellus smaragdus	5
66.	Brevoortia smithi x tyrannus	40	0.00	Symphurus plagiusa	5
67.	Opsanus tau	36	0.00	Lactophrys triqueter	4
68.	Paralichthys albigutta	36	0.00	Poecilia latipinna	4
69.	Haemulon plumieri	36	0.00	Eucinostomus melanopterus	4
70.	Chilomycterus schoepfi	35	0.00	Opsanus tau	4
71.	Chasmodes saburrae	35	0.00	Sphoeroides testudineus	4
72.	Caranx hippos	33	0.00	Lactophrys trigonus	4
73.	Selene vomer	24	0.00	Mycteroperca microlepis	3
74.	Sparisoma rubripinne	24	0.00	Anchoa lamprotaenia	3
75.	Symphurus plagiusa	23	0.00	Diplodus argenteus	3
76.	Hippocampus erectus	20	0.00	Haemulon plumieri	3
77.	Lactophrys triqueter	19	0.00	Hippocampus erectus	3
78.	Gobionellus oceanicus	18	0.00	Dasyatis sabina	3
79.	Sparisoma chrysopterum	17	0.00	Prionotus tribulus	3
80.	Microgobius thalassinus	17	0.00	Myrophis punctatus	3
81.	Dorosoma petenense	17	0.00	Caranx latus	3
82.	Sphoeroides testudineus	16	0.00	Chaetodipterus faber	2
83.	Myrophis punctatus	15	0.00	Sparisoma chrysopterum	2
84.	Strongylura marina	15	0.00	Lophogobius cyprinoides	2
85.	Lactophrys trigonus	14	0.00	Scomberomorus maculatus	2
86.	Mycteroperca microlepis	14	0.00	Haemulon sciurus	2
87.	Lophogobius cyprinoides	14	0.00	Pomotomus saltatrix	2
88.	Prionotus tribulus	13	0.00	Tylosurus crocodilus	2
89.	Dasyatis sabina	13	0.00	Monacanthus tuckeri	2
90.	Cyprinodon variegatus	12	0.00	Pogonias cromis	2
91.	Scomberomorus maculatus	11	0.00	Calamus penna	2
92.	Caranx latus	10	0.00	Cynoscion regalis	2
93.	Tylosurus crocodilus	10	0.00	Epinephelus morio	2
94.	Haemulon sciurus	10	0.00	Monacanthus ciliatis	2

AMERICAN OVERSIGHT

Table 3. Fishes ranked by number and occurrence continued.

RANKED BY NUMBER				RANKED BY OCCURRENCE	
RANK	SPECIES	NO. INDIV.	(% TOTAL)	SPECIES	% OCCUR.
95.	Pomatomus saltatrix	10	0.00	Dasyatis sayi	2
96.	Chaetodipterus faber	9	0.00	Urophycis floridanus	1
97.	Gerres cinereus	9	0.00	Menidia beryllina	1
98.	Monacanthus tuckeri	8	0.00	Sparisoma rubripinne	1
99.	Pogonias cromis	8	0.00	Gobionellus oceanicus	1
100.	Cryptotomus roseus	7	0.00	Dorosoma petenense	1
101.	Calamus penna	6	0.00	Microgobius thalassinus	1
102.	Cynoscion regalis	6	0.00	Strongylura marina	1
103.	Epinephelus morio	6	0.00	Cyprinodon variegatus	1
104.	Monacanthus ciliatus	6	0.00	Gerres cinereus	1
105.	Hemiramphus brasiliensis	6	0.00	Cyrptotomus roseus	1
106.	Dasyatis sayi	5	0.00	Chloroscombrus chrysurus	1
107.	Chloroscombrus chrysurus	5	0.00	Caranx bartholomaei	1
108.	Urophycis floridanus	5	0.00	Epinephelus itjara	1
109.	Alutera schoepfi	4	0.00	Mycrophis brachyurus	1
110.	Mycrophis brachyurus	4	0.00	Alutera schoepfi	1
111.	Epinephelus itjara	4	0.00	Centropomus pectinatus	1
112.	Centropomus pectinatus	4	0.00	Lutjanus jocu	1
113.	Lutjanus jocu	4	0.00	Brevoortia tyrannus	1
114.	Caranx bartholomaei	4	0.00	Caranx crysos	1
115.	Brevoortia tyrannus	3	0.00	Haemulon flavolineatum	1
116.	Scorpeana grandicornis	3	0.00	Scorpeana grandicornis	1
117.	Syngnathus floridae	3	0.00	Balistes capriscus	1
118.	Caranx crysos	3	0.00	Mycteroperca phenax	1
119.	Doratonotus megalepis	3	0.00	Trachinotus carolinus	0.7
120.	Haemulon flavolineatum	3	0.00	Trinectes maculatus	0.7
121.	Scorpeana brasiliensis	3	0.00	Anguilla rostrata	0.7
122.	Balistes capriscus	3	0.00	Eucinostomus smaragdus	0.7
123.	Mycteroperca phenax	3	0.00	Evorthodus lyricus	0.7
124.	Trinectes maculatus	3	0.00	Hippocampus reidi	0.7
125.	Trachinotus carolinus	3	0.00	Lactophrys quadricornis	0.7
126.	Aluterus scriptus	3	0.00	Lutjanus apodus	0.7
127.	Lobotes surinamensis	3	0.00	Pseudupeneus maculatus	0.7
128.	Lactophrys quadricornis	2	0.00	Syungnathus floridae	0.7
129.	Anguilla rostrata	2	0.00	Doratonotus megalepis	0.7
130.	Evorthodus lyricus	2	0.00	Scorpeana brasiliensis	0.7
131.	Eugerres plumieri	2	0.00	Brevoortia smithi-tyrannus	0.7
132.	Erotelis smaragdus	2	0.00	Hemiramphus brasiliensis	0.7
133.	Hippocampus reidi	2	0.00	Aluterus scriptus	0.7
134.	Lutjanus apodus	2	0.00	Lobotes surinamensis	0.7
135.	Pseudupeneus maculatus	2	0.00	Parablennius marmoreus	0.3
136.	Parablennius marmoreus	2	0.00	Halichoeres bivittatus	0.3
137.	Halichoeres bivittatus	2	0.00	Anisotremus virginicus	0.3
138.	Anisotremus virginicus	1	0.00	Astroscopus y-graecum	0.3
139.	Astroscopus y-graecum	1	0.00	Bairdiella sanctaeluciae	0.3
140.	Bairdiella santaeluciae	1	0.00	Caranx ruber	0.3
141.	Calamus arctifrons	1	0.00	Calamus arctifrons	0.3
142.	Caranx ruber	1	0.00	Diplodus holbrooki	0.3

AMERICAN OVERSIGHT

Table 3. Fishes ranked by number and occurrence continued.

RANKED BY NUMBER				RANKED BY OCCURRENCE	
RANK	SPECIES	NO. INDIV.	(% TOTAL)	SPECIES	% OCCUR.
143.	Diplodus holbrooki	1	0.00	Dormitator maculatus	0.3
144.	Dormitator maculatus	1	0.00	Eugerres plumieri	0.3
145.	Fistularia tabacaria	1	0.00	Fistularia tabacaria	0.3
146.	Gymnura micrura	1	0.00	Gymnura micrura	0.3
147.	Hypleurochilus aequipinnis	1	0.00	Halichoeres poeyi	0.3
148.	Hypsoblennius hentzi	1	0.00	Hypleurochilus aequipinnis	0.3
149.	Halichoeres poeyi	1	0.00	Hypsoblennius hentzi	0.3
150.	Kyphosus sectatrix	1	0.00	Kyphosus sectatrix	0.3
151.	Lachnolaimus maximus	1	0.00	Labrisomus nuchipinnis	0.3
152.	Labrisomus nuchipinnis	1	0.00	Lachnolaimus maximus	0.3
153.	Megalops atlanticus	1	0.00	Malacoctenus macropus	0.3
154.	Mycteroperca bonaci	1	0.00	Megalops atlantica	0.3
155.	Malacoctenus macropus	1	0.00	Mycteroperca bonaci	0.3
156.	Ophichthus gomesi	1	0.00	Ophichthus gomesi	0.3
157.	Prionotus scitulus	1	0.00	Prionotus scitulus	0.3
158.	Seriola fasciata	1	0.00	Scomberomorus regalis	0.3
159.	Scomberomorus regalis	1	0.00	Scorpeana calcarata	0.3
160.	Scorpeana calcarata	1	0.00	Scorpeana dispar	0.3
161.	Scorpeana dispar	1	0.00	Seriola fasciata	0.3
162.	Trichiurus lepturus	1	0.00	Trachinotus goodei	0.3
163.	Trachinotus goodei	1	0.00	Trichiurus lepturus	0.3
164.	Paralichthys lethostigma	1	0.00	Paralichthys lethostigma	0.3
TOTAL NUMBER		1,981,986			

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Table 4. Collection data totals and mean sample statistics for all stations maintained from 19 March 1974 to 18 December 1980.

COLLECTION DATA TOTALS FOR ALL STATIONS

STA	NO. COLL	DATE	M^2	SPECIES	NO.	WT(KG)	PERCENT SEAGRASS	DIST. FROM INLET
1	13	11JUL74-27AUG75	15,080	61	36,648	67.124	11	2.2
2	34	25MAR74-28APR77	39,440	88	141,446	204.606	29	11.5
3	73	20MAR74-18DEC80	95,120	107	590,322	489.207	76	7.5
4	33	19MAR74-28APR77	38,280	112	124,411	255.233	70	0.5
5	16	27MAR74-21AUG75	18,560	67	706,769	368.633	57	15.2
6	16	27MAR74-21AUG75	18,560	74	278,279	80.938	21	12.0
7	11	18SEP74-21AUG75	12,760	76	41,309	91.378	48	2.6
8	13	21APR76-25APR77	130	36	3,076	4.098	100	7.5
9	13	21APR76-25APR77	130	25	2,664	4.550	100	7.6
10	13	21APR76-25APR77	130	28	2,512	3.594	100	7.7
11	13	24OCT77-16OCT78	130	29	1,458	2.720	100	9.5
12	13	24OCT77-16OCT78	130	19	140	0.175	0	9.5
13	13	24OCT77-16OCT78	130	19	191	0.942	0	9.5
14	12	22NOV77-17OCT78	120	21	400	1.077	100	0.0
15	12	22NOV77-17OCT78	120	19	501	0.700	100	0.0
16	12	22NOV77-17OCT78	120	23	748	1.463	100	0.0
T.	400		243,200	164	1,981,986	1,576.438		

MEAN SAMPLE STATISTICS

STA	AREA (M^2)	NUMBER SPECIES	NO. INDIV.	WT(G)	PERCENT SEAGRASS	DIST. FROM INLET/KM	DENSITY NO/M^2	BIOMASS G/M^2	MEAN INDIV.WT
1	1,160	17	2,819	5.163	11	2.2	2.4	4.5	1.83
2	1,160	27	4,160	6.017	29	11.5	3.6	5.2	1.44
3	1,160	19	6,945	5.755	76	7.5	6.0	5.0	0.83
4	1,160	28	3,770	7.734	70	0.5	3.3	6.7	2.05
5	1,160	21	44,173	23.040	57	15.2	38.1	19.9	0.52
6	1,160	23	17,392	5.059	21	12.0	15.0	4.4	0.29
7	1,160	27	3,755	8.307	48	2.6	3.2	7.2	2.21
8	10	7	118	0.158	100	7.5	11.8	15.8	1.34
9	10	7	103	0.175	100	7.6	10.3	17.5	1.70
10	10	6	97	0.138	100	7.7	9.7	13.8	1.42
11	10	7	56	0.105	100	9.5	5.6	10.5	1.88
12	10	2	5	0.007	0	9.5	0.5	0.7	1.40
13	10	2	7	0.036	0	9.5	0.7	3.6	5.14
14	10	4	33	0.090	100	0.0	3.3	9.0	2.73
15	10	4	42	0.058	100	0.0	4.2	5.8	1.38
16	10	5	62	0.122	100	0.0	6.2	12.2	1.97
SEAGRASS FISH DENSITY/BIOMASS MEANS							8.8	8.6	

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Table 5. Total wet weight (g) of top 70 species captured.

RANK	SPECIES	SEINE WEIGHT(g)	DROP NET WEIGHT(g)	GRAND TOTAL
1.	A. mitchilli	576327.53	387.96	576715.49
2.	L. rhomboides	200431.20	3551.18	203982.38
3.	B. smithi	131530.10		131530.10
4.	B. chrysoura	123016.37	655.30	123671.67
5.	C. undecimalis	80811.62		80811.62
6.	M. curema	67751.85		67751.85
7.	M. cephalus	64694.11	0.30	64694.41
8.	E. gula	52619.24	330.34	52949.58
9.	E. harengulus	39274.33	21.83	39296.16
10.	S. notata	36249.92		36249.92
11.	D. auratus	30007.29		30156.61
12.	H. jaguana	29962.29		29962.29
13.	S. barracuda	25077.72	2.54	25080.26
14.	A. hepsetus	19467.27		19467.27
15.	A. lyolepis	11567.65		11567.65
16.	O. chrysoptera	9713.79	286.21	10000.00
17.	A. cubana	9884.76		9884.76
18.	L. griseus	9402.47	26.53	9429.00
19.	A. probatocephalus	9226.47	14.57	9241.04
20.	M. peninsulae	8104.97	11.83	8116.80
21.	A. rhomboidalis	5773.43		5773.43
22.	D. sabina	5762.90		5762.90
23.	L. xanthurus	5072.85	0.11	5072.96
24.	S. timucu	4949.24	8.07	4957.31
25.	A. felis	4848.60		4848.60
26.	O. oglinum	4708.74		4708.74
27.	D. sayi	4488.00		4488.00
28.	C. schoepfi	3690.69	541.96	4232.65
29.	L. analis	3907.18	1.54	3908.72
30.	M. undulatus	3538.53		3538.53
31.	L. synagris	3197.00	5.0	3202.00
32.	S. scovelli	3003.51	30.50	3034.01
33.	H. unifasciatus	2936.56		2936.56
34.	O. tau	2465.51	4.41	2469.92
35.	H. parrai	2289.05	5.71	2294.76
36.	S. vomer	2049.11		2049.11
37.	S. ocellatus	1865.02		1865.02
38.	P. cromis	1755.20		1755.20
39.	E. saurus	1735.38	0.70	1736.08
40.	D. argenteus	1735.51		1735.51
41.	M. martinica	1629.99		1629.99
42.	T. falcatus	1602.11		1602.11
43.	E. itjara	1500.71		1500.71
44.	O. saurus	1478.10		1478.10

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Table 5. Total wet weight of top 70 species captured. (Continued page 2)

RANK	SPECIES	SEINE WEIGHT(g)	DROP NET WEIGHT(g)	GRAND TOTAL
45.	M. microlepis	1434.44		1434.44
46.	S. marina	1405.00		1405.00
47.	F. similis	1325.19		1325.19
48.	F. grandis	1308.95		1308.95
49.	S. nephelus	1215.32		1215.32
50.	S. aurita	1142.59		1142.59
51.	A. lamprotaenia	1085.45		1085.45
52.	G. boleosoma	1040.77	10.22	1050.99
53.	L. parva	1023.99		1023.99
54.	N. usta	1017.34		1017.34
55.	S. foetens	929.11	2.54	931.65
56.	F. carpio	830.90		830.90
57.	M. hispidus	788.05	0.48	788.53
58.	S. testudeus	763.82		763.82
59.	G. cinereus	750.80		750.80
60.	S. spengleri	749.53		749.53
61.	M. beryllina	728.56		728.56
62.	M. gulosus	587.22	29.13	616.35
63.	C. nebulosus	492.83	25.95	518.78
64.	L. trigonus	515.40		515.40
65.	B. tyrannus	476.52		476.52
66.	G. robustum	297.50	160.65	458.15
67.	P. albigutta	363.47	0.28	363.75
68.	S. louisianae	331.26	16.46	347.72
69.	C. hippos	333.43		333.43
70.	Brevoortia spp.	328.00		328.00

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(Brevoortia smithi, Harengula jaguana, Opisthonema oglinum and Sardinella aurita) also occurred in considerable numbers (207,852 individuals, 13.6%). However, when the percent frequency of occurrence of engraulid and clupeid species was examined, only one species was included in the top twenty.

Non-planktivorous species were also abundant, as the sparid, Lagodon rhomboides, the gerreids, Diapterus auratus, Eucinostomus harengulus and E. gula, and the sciaenid, Bairdiella chrysoura, were represented by over 10,000 individuals each. These species typically occurred in over 50% of the collections (total of 133,128 individuals, 6.7%). In all, 54 species were represented by over 100 individuals and occurred in over 6% (19) of the collections (Table 3). Therefore, 110 species were represented by less than 100 individuals. This latter group will not be examined in detail but will be included in spatial community comparisons, diversity and richness treatments. Fifty-four species, or 33% of the fishes collected, are considered the core seagrass community for the most detailed analyses. These species qualify for guild classifications based on their abundance and an adequate knowledge of their life history.

When the species were ranked by weight, several additional species appear in the top twenty (Table 5). Top predators are well represented with the snook, Centropomus undecimalis, redfin needlefish, Strongylura notata, great barracuda, Sphyraena barracuda and gray snapper, Lutjanus griseus contributing 151.54 kg (9% of the total) to the total biomass. The mullets Mugil curema and M. cephalus also contribute significantly with 132.45 kg (8% of the total) between the two species.

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Using the number of individuals and the % frequency of occurrence in the samples an importance index was calculated (see Methods). This allowed a more realistic evaluation of patchily distributed species, which were extremely abundant, versus those which occur commonly in lesser numbers. Fifty-six species having index values above 0.30 (also includes species in the top numerical ranking, i.e. 100 or more individuals collected) are ranked in Table 6. Representative species are depicted in spatial and trophic guilds in Table 7. These species define the regional seagrass fauna. Most of these species are plotted in Figure 10 with 45 representative species in eight guilds designated with separate symbols. Due to their numerical importance, these 45 species define the seagrass fish community characteristics in the following sections.

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Table 6. Top fifty-four species (i.e. those with over 100 individuals collected) ranked by abundance/occurrence index (see text). Two additional species are also ranked as their indices were also above 0.30.

RANK	SPECIES	INDEX
1.	L. rhomboides	9.72
2.	A. mitchilli	8.39
3.	E. gula	7.38
4.	E. harengulus	5.94
5.	D. auratus	5.27
6.	S. scovelli	4.89
7.	B. chrysoura	4.80
8.	G. robustum	4.62
9.	M. curema	4.33
10.	O. chrysoptera	3.83
11.	H. jaguana	3.76
12.	M. peninsulae	2.96
13.	S. notata	2.82
14.	A. hepsetus	2.68
15.	S. lousianae	2.64
16.	B. smithi	2.64
17.	M. cephalus	2.58
18.	L. griseus	2.12
19.	C. nebulosus	2.03
20	S. barracuda	1.92
21.	M. gulosus	1.85
22.	A. probatocephalus	1.82
23.	S. timucu	1.77
24.	O. saurus	1.73
25.	O. oglinum	1.70
26.	A. lyolepis	1.68
27.	L. xanthurus	1.66
28.	H. parrai	1.56
29.	M. martinica	1.48
30.	L. synagris	1.45
31.	C. undecimalis	1.33
32.	H. zosterae	1.26
33.	G. boleosoma	1.26
34.	T. falcatus	1.16
35.	L. analis	1.14
36.	S. aurita	0.99
37.	H. unifasciatus	0.98
38.	S. ocellata	0.98
39.	M. hispidus	0.96
40.	E. saurus	0.96
41.	F. carpio	0.94
42.	L. parva	0.91
43.	S. nephalus	0.79
44.	B. soporator	0.69
45.	S. foetens	0.62

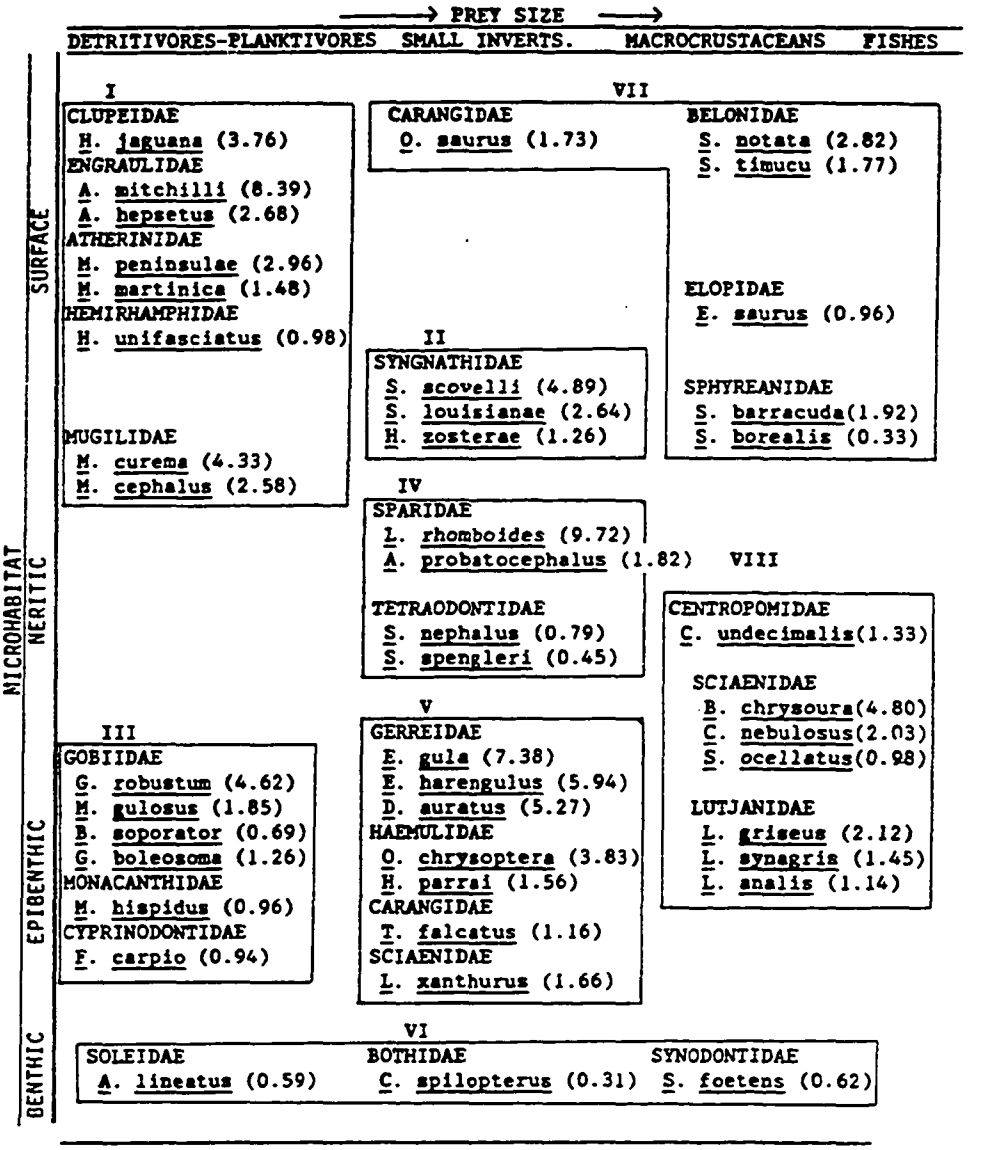
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Table 6. Top fifty-six species ranked by importance index...continued.

RANK	SPECIES	INDEX
46.	A. lineatus	0.59
47.	F. similis	0.51
48.	S. spengleri	0.46
49.	A. vulpes	0.45
50.	M. undulatus	0.39
51.	N. usta	0.38
52.	A. cubana	0.38
53.	F. grandis	0.35
54.	S. borealis	0.33
55.	C. spilopterus	0.31
56.	G. stigmaturus	0.31

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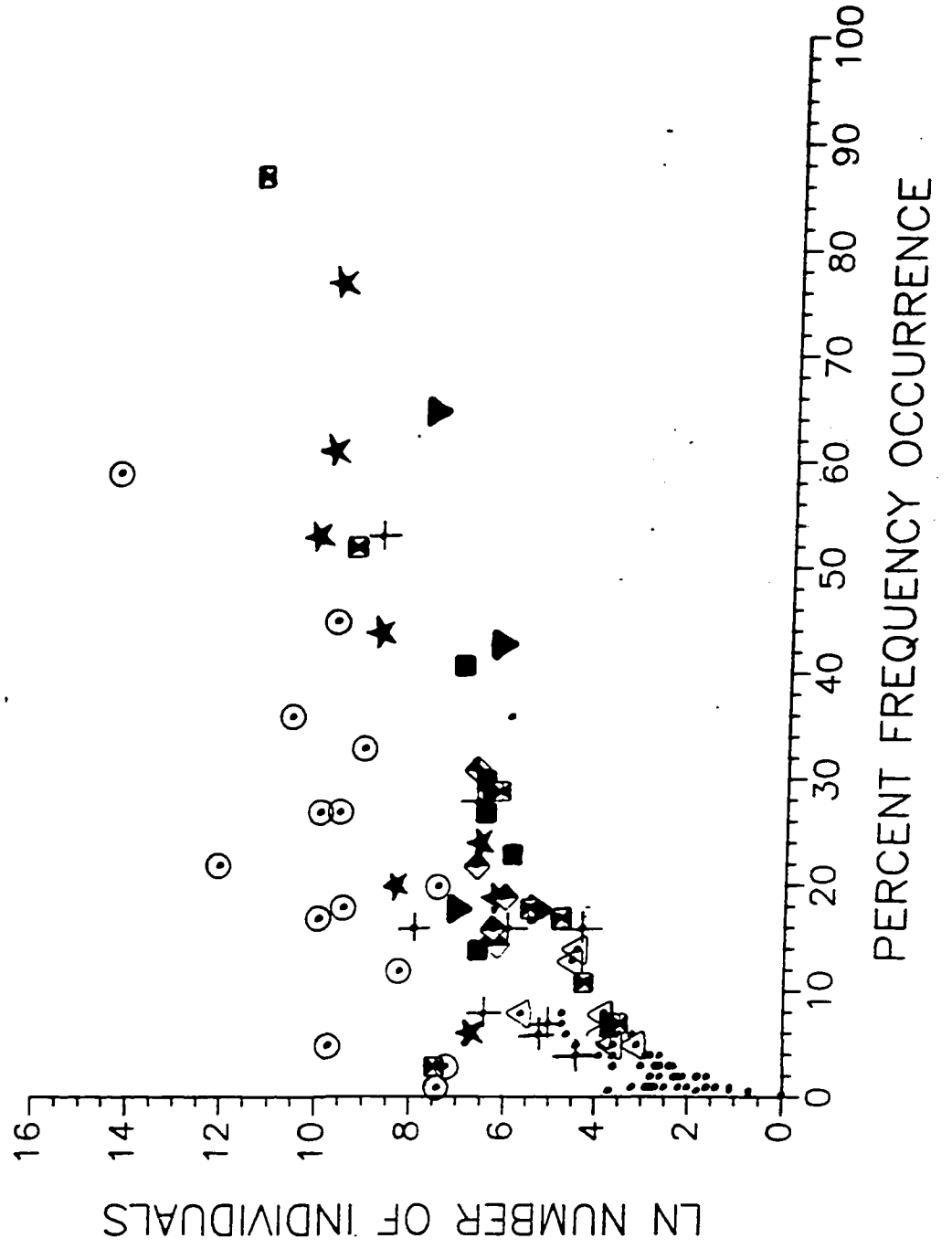
Table 7. Fishes having numerical abundance indices over 0.30, divided into trophic and microhabitat guilds. Abundance index for each species is within parenthesis.



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Figure 10. Plot of percent frequency of occurrence and number of individuals with the distribution of species guilds depicted. ⊙ = schooling planktivores: engraulids, clupeids, atherinids and mugilids; ■ = neritic/epibenthic omnivores: sparids and tetraodontids; ★ = epibenthic carnivores: gerreids, haemulids and carangids (Trachinotus); ▼ = neritic microconsumers: syngnathids, carangids; ✚ = epibenthic/benthic microconsumers: gobiids, monacanthids and cyprinodontids; ◆ = secondary carnivores: lutjanids and sciaenids; ◬ = benthic carnivores: pleuronectiformes and synodontids; ▮ = top predators: centropomids, elopids, sphyraenids and belonids.

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Spatial Distribution

Habitat Associations - Before presenting data on the distribution of fishes within and between seagrass beds of varying size, the composition and location of the seagrass meadow fauna need further definition based on ichthyofaunal comparisons with other habitats. Quantitative collections made in two habitats in addition to seagrass meadows allow comparison of species distributions along with a more detailed definition of spatial species guilds. These two habitats are the herbaceous halophyte marsh/mangrove swamp, a basically intertidal and marginal habitat found throughout the lagoon, and the open sand bottom habitat, which varies considerably in size and consistency.

Table 8 includes data from 3000 collections made in marsh/mangrove swamp habitats made from September 1982 to September 1987 (Gilmore et al. 1985, 1986, 1988). Although 84 species were collected in the marsh/mangrove swamp habitat, 96% of the individuals collected were cyprinodonts or poeciliids, which are principally omnivorous species. Most of these associate with the benthos, except the surface dwelling mosquitofish, Gambusia affinis. Poeciliids were virtually absent from the seagrass meadow as were the numerically dominant marsh cyprinodonts, Fundulus confluentus and Cyprinodon variegatus. However, Fundulus similis was much more abundant at the WBC seagrass site than at any other seagrass or marsh study site. Schooling planktivores such as the engraulids and clupeids which numerically dominate the seagrass fauna were not well represented in marsh/swamp collections, nor were the common seagrass epibenthic and

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Table 8. Interhabitat faunal comparison between seagrass and adjacent mangrove swamp using number of individuals of most abundant species from both habitats (i.e. catch of over 100 individuals). Percent frequency of occurrence is given in parenthesis. Mangrove swamp data is from 3,000 collections with comparable gear types; Gilmore et al 1985, 1986, 1988.

SPECIES	SEAGRASS	MARSH/MANGROVE SWAMP
ENGRAULIDAE		
Anchoa mitchilli	1,508,372 (59)	947 (2)
A. hepsetus	20,224 (27)	
A. lyolepis	20,077 (17)	
A. cubana	16,759 (5)	1 (0.0)
A. lamprotaenia	1 353 (3)	
CLUPEIDAE		
Brevoortia smithi	163,283 (22)	863 (2)
Harengula jaguana	34,445 (36)	20 (0.4)
Opisthonema oglinum	12,307 (18)	15 (0.2)
Sardinella aurita	3,757 (12)	1 (0.0)
ELOPIDAE		
Elops saurus	587 (15)	6,232 (14)
MEGALOPIDAE		
Megalops atlanticus	1 (0.3)	364 (2)
ALBULIDAE		
Albula vulpes	260 (8)	
HEMIRAMPHIDAE		
Hyporhamphus unifasciatus	229 (18)	
BELONIDAE		
S. notata	970 (41)	10 (0.1)
S. timucu	449 (29)	
CYPRINODONTIDAE		
Cyprinodon variegatus	12 (1)	312,085 (31)
Floridichthys carpio	363 (16)	2 (0.1)
Fundulus confluentus		5,296 (11)
F. grandis	142 (7)	744 (4)
F. similis	615 (8)	3 (0.1)
Lucania parva	657 (14)	1,184 (3)
POECILIIDAE		
Gambusia affinis		200,166 (42)
Poecilia latipinna	51 (4)	139,741 (39)
ATHERINIDAE		
Membras martinica	1,622 (20)	
Menidia beryllina	1,652 (1)	2,777 (5)
M. peninsulae	7,770 (33)	77 (0.1)
SYNGNATHIDAE		
H. zosterae	1,120 (18)	2 (0.1)
S. louisianae	461 (43)	2 (0.1)
S. scovelli	1,980 (65)	90 (1)
CENTROPOMIDAE		
C. undecimalis	322 (23)	8,565 (18)

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Table 8. Total habitat comparison...continued.

SPECIES	SEAGRASS	MARSH/MANGROVE SWAMP
CARANGIDAE		
Oligoplites saurus	597 (27)	6 (0.2)
T. falcatus	436 (19)	8 (0.2)
LUTJANIDAE		
Lutjanus analis	391 (19)	
L. griseus	362 (16)	127 (3)
L. synagris	739 (22)	
GERREIDAE		
Diapterus auratus	20,986 (53)	1,316 (8)
Eucinostomus harengulus	16,840 (61)	724 (4)
E. gula	14,454 (77)	8 (0.2)
Gerres cinereus	9 (1)	852 (5)
HAEMULIDAE		
H. parrai	660 (24)	41 (0.3)
Orthopristis chrysoptera	6,018 (44)	15 (0.2)
SPARIDAE		
Archosargus probatocephalus	523 (29)	140 (2)
Diplodus argenteus	1,612 (3)	
Lagodon rhomboides	70,704 (87)	91 (1)
SCIAENIDAE		
Bairdiella chrysoura	10,144 (52)	5 (0.1)
Cynoscion nebulosus	706 (31)	5 (0.2)
Leiostomus xanthurus	4,112 (20)	462 (2)
Micropogonias undulatus	701 (6)	88 (1)
Pogonias cromis	8 (2)	193 (0.7)
Sciaenops ocellata	468 (16)	8 (0.2)
SCARIDAE		
Nicholsina usta	111 (8)	
MUGILIDAE		
Mugil cephalus	13,723 (27)	8,606 (21)
M. curema	14,979 (45)	3,557 (12)
SPHYRAENIDAE		
Sphyraena barracuda	604 (30)	38 (1)
S. borealis	109 (7)	
ELEOTRIDAE		
Dormitator maculatus	1 (0.3)	616 (6)
GOBIIDAE		
B. soporator	75 (16)	63 (2)
Gobionellus boleosoma	2,649 (16)	7 (0.2)
G. stigmaturus	185 (7)	
G. robustum	6,081 (53)	58 (0.7)
Microgobius gulosus	745 (28)	27 (0.6)
SOLEIDAE		
Achirus lineatus	92 (13)	211 (2)
MONACANTHIDAE		
M. hispidus	207 (18)	4 (0.1)
TETRAODONTIDAE		
S. nephelus	105 (17)	3 (0.1)

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neritic perciforms, Eucinostomus gula and Lagodon rhomboides. Thus, these two fish communities share few numerically dominant species and are sufficiently distinct on a qualitative/ quantitative level to be considered independently. However, there are some species which occur often in both habitats (Table 8), the most notable of which are Elops saurus, Lucania parva, Centropomus undecimalis, Eucinostomus harengulus, Diapterus auratus, Lutjanus griseus, Archosargus probatocephalus, Bathygobius soporator, Achirus lineatus and the mullets Mugil cephalus and M. curema.

Collections made over sand bottoms (drop net stations 12 and 13) within 10 m of a seagrass meadow (station 11) revealed differences between the two bottom types, with the nearest seagrass station, RDI(11), showing the greatest difference (Tables 9-12). All fifteen species collected over sand were also captured in seagrass beds but differed significantly in abundance between the two habitats (Table 13). Lagodon rhomboides, E. gula, O. chrysoptera, B. chrysoura, A. mitchilli, the gobiids and syngnathids were abundant at all seagrass meadow drop net stations, but not over open sand bottoms. However, 11 D. auratus were taken over 240 m^2 of sand (stations 12, 13; mean fish density of 0.045/m^2) while only 16 were collected in all seagrass bed drop net samples covering 840 m^2 (stations 8-11, 14-16; mean fish density of 0.019/m^2). This implies that the large numbers of D. auratus collected with the seine may have been captured on sand bottom over which the seine passes as it is pulled between the grass bed and the beach.

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Table 9.(A) Station comparisons values of Kendall's W conducted on 27 top species ranked by relative numerical abundance collected in the drop nets. All W values are significant at P < 0.01.

STATION	CASES	DF	W	STATION SEPARATION (M)
INTRA-SITE COMPARISONS				
1. 14-16	3	26	.9322	2-3
2. 12-13	2	26	.8836	20
3. 8-10	3	26	.8618	60-70
4. 8-11	4	26	.8356	60-2400
GEOGRAPHIC COMPARISONS				
5. 11,14-16	4	26	.5337	2-9900
6. 8-10, 14-16	6	26	.5298	2-7500
7. 8-11, 14-16	7	26	.4899	2-9900
SAND-SEAGRASS HABITAT COMPARISONS				
8. 11, 12-13	3	26	.7156	20-50
9. 8-10, 12-13	5	26	.7055	20-2400
10. 8-13	6	26	.7026	20-2400
11. 12-16	5	26	.4225	20-9900
12. ALL STATIONS	9	26	.4251	2-9900

(B). Station comparisons values of Kendall's W conducted on 27 top species ranked by relative percent frequency of occurrence collected in the drop nets. All W values are significant at P < 0.01.

STATION	CASES	DF	W	STATION SEPARATION (M)
INTRA-SITE COMPARISONS				
1. 14-16	3	26	.9382	2-3
2. 12-13	2	26	.8746	20
3. 8-10	3	26	.8132	60-70
4. 8-11	4	26	.7731	60-2400
GEOGRAPHIC COMPARISONS				
5. 11,14-16	4	26	.5468	2-9900
6. 8-10, 14-16	6	26	.5367	2-7500
7. 8-11, 14-16	7	26	.4861	2-9900
SAND-SEAGRASS HABITAT COMPARISONS				
8. 11, 12-13	3	26	.6902	20-50
9. 8-10, 12-13	5	26	.6487	20-2400
10. 8-13	6	26	.6421	20-2400
11. 12-16	5	26	.4318	20-9900
12. ALL STATIONS	9	26	.4114	2-9900

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Table 10. Number of fish collected at all drop net stations on all dates listed in phyletic order.

SPECIES STATION	8	9	10	11	12	13	14	15	16
A. mitchilli	455	25	328	211	20	2			
A. lyolepis	1		2						
A. cubana	1								
B. smithi				1					
H. jaguana						3			174
O. oglinum									149
E. saurus				3					
M. punctatus	1								1
O. gomesi							1		
O. tau	1								
U. floridanus									1
S. timucu	2								
M. peninsulae		26							
H. erectus	1		1						
H. zosterae	2	12	3	3			4	6	6
S. floridae								1	
S. louisianae	1	1	12	4		1			
S. scovelli	49	22	21	38		2	12	10	4
T. falcatus								1	
L. analis			1					3	1
L. griseus	1	1		7					
L. synagris							6	8	3
H. parrai	1						2	1	3
O. chrysoptera	29	25	39	9			2	2	7
A. probatocephalus	1	4		2			1		
L. rhomboides	320	572	373	73		1	317	343	292
D. auratus			15	1	4	7			
E. harengulus	8	2	4	1	1	1	2	7	2
E. gula	35	72	58	21	7	10	8	17	11
B. chrysoura	14	39	60	40	1	2			
C. nebulosus	2	4	2	6					
L. xanthurus				1		2			
D. megalepis							1	1	
N. usta							10	2	4
C. saburrae	4			6					
S. barracuda	3								
M. cephalus	2								
M. curema	1								
B. soporator							1	1	
G. robustum	399	225	489	225	7	5	1	3	3
G. boleosoma	13	12	5				3	5	5
G. stigmaturus							21	86	63
M. gulosus	26	32	26	26	11	4			
S. brasiliensis							2		
P. albigutta		1				1			
C. spilopterus									1
S. plagiusa		1							1

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Table 10. Number of fish collected continued.

SPECIES STATION	8	9	10	11	12	13	14	15	16
A. lineatus	5	6		4	3		2		2
M. hispidus	2						2	1	4
S. nephelus								1	
C. schoepfi	1		1	1					

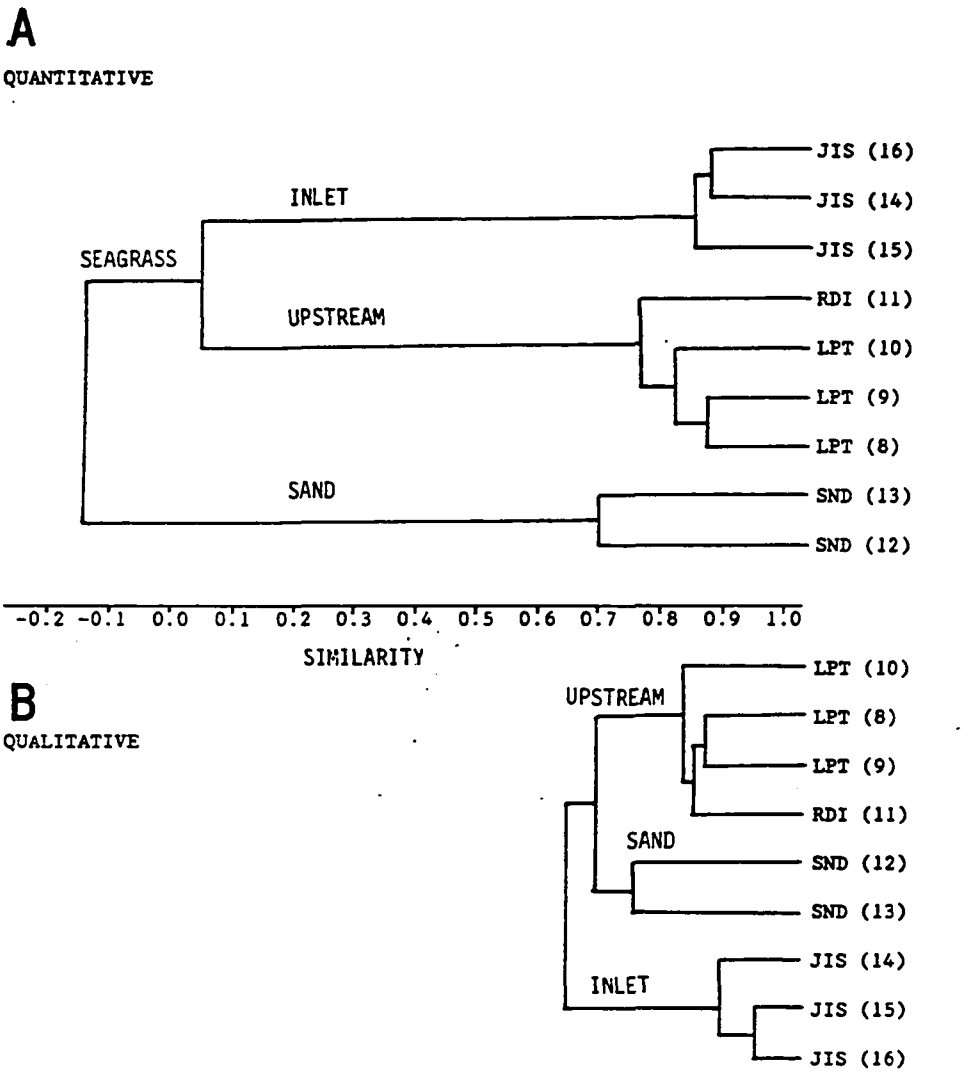
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Seagrass Meadow Heterogeneity - In order to determine heterogeneity within the seagrass bed, drop nets were released simultaneously within 2 m of one another in a pure stand of Syringodium at JIS (stations 14-16). Quantitative similarity analyses revealed that these stations had higher values (.83 - .86) than upstream stations (.75 - .86)(Fig. 11). The relationship among these inlet collections was also found to be significant. Values of Kendall's W were significant both for number of individuals and percent frequency of occurrence (W = .9322, .9382, DF = 26, $P < 0.01$, respectively; Table 9). These analyses revealed that these proximate stations had the greatest faunal homogeneity, both qualitatively and quantitatively (Fig. 11; Tables 9 - 12). The only major difference between the collections was the single capture of a school of Harengula jaguana and Opisthonema oglinum at station 16 while these same species were absent from collections made within 3 m at stations 14 and 15. These schooling planktivores were rarely captured in any of the drop net samples and were subsequently eliminated from many of the statistical analyses due to their low frequency of occurrence (=patchy distribution). The distribution of Lagodon rhomboides among the samples showed no significant difference in rank order based on number of individuals collected during 12 months (Kendall's W = .9245, DF = 11, $P < 0.01$; Table 11). This species has the same seasonal distribution pattern based on a comparison of rank order of abundance among inlet drop net stations (Table 11). Due to its numerical dominance of the seagrass fauna at stations 14, 15 and 16, it is largely responsible for the high degree of homogeneity seen between the drop net stations 14-16. The same number of L. rhomboides were captured in at least two of

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Figure 11. Dendrograms based on Czechanowski quantitative (A) using number of individuals for each species (LN(x=1) transformed) and qualitative (B) similarity analyses of drop net stations 8 - 16.

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Table 11. Kendall's W analyses on number of individuals of Lagodon rhomboides distributed between drop net seagrass stations over 12 months. All W values are significant at $P < 0.05$ except that marked with *.

STATION	CASES	DF	W	STATION SEPARATION (M)
INTRA-SITE COMPARISONS				
1. 14-16	3	11	.9245	2-3
2. 8-10	3	11	.8886	60-70
3. 8-11	4	11	.8651	60-2400
GEOGRAPHIC COMPARISONS				
4. 11,14-16	4	11	.9126	2-9900
5. 8-10, 14-16	6	11	.8685	2-7500
6. 8-11, 14-16	7	11	.8651	2-9900
SAND-SEAGRASS HABITAT COMPARISONS				
7. 8-10, 12-13	5	11	.7055	20-2400
8. 8-13	6	11	.5767	20-2400
9. 12-16	5	11	.5547	20-9900
10. 11, 12-13	3	11	.3333*	20-50
11. ALL STATIONS	9	11	.6729	2-9900

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Table 12. Species groups from inverse Czeckanowski similarity analysis using number of individuals converted to LN(x+1) for drop net stations. Only the top 28 species out of 56 collected were used for this analysis.

SPECIES STATION	8	9	10	11	12	13	14	15	16
GROUP Ia									
E. gula	35	72	58	21	7	10	8	17	11
G. robustum	399	225	489	225	7	5	1	3	3
S. scovelli	49	22	21	38		2	12	10	4
O. chrysoptera	29	25	39	9			2	2	7
A. mitchilli	455	25	328	211	20	2			
M. gulosus	26	32	26	26	11	4			
B. chrysoura	14	39	60	40	1	2			
GROUP Ib									
H. zosterae	2	12	3	3			4	6	6
G. boleosoma	13	12	5				3	5	5
E. harengulus	8	2	4	1	1	1	2	7	2
GROUP Ic									
L. rhomboides	320	572	373	73		1	317	343	292
GROUP IIa									
S. louisianae	1	1	12	4		1			
L. $iseus	1	1		7					
C. saburrae	4			6					
C. nebulosus	2	4	2	6					
A. probatocephalus	1	4		2			1		
GROUP IIb									
D. auratus			15	1	4	7			
H. erectus			1	3					
C. schoepfi	1		1	1					
GROUP IIc									
A. lineatus	5	6		4	3		2		2
GROUP IIIa									
G. stigmaturus							21	86	63
N. usta							10	4	4
L. synagris							6	8	3
GROUP IIIb									
M. hispidus	2						2	1	4
H. parrai	1						2	1	3

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Table 12. Species groups from inverse Czeckanowski continued.

SPECIES	STATION	8	9	10	11	12	13	14	15	16
GROUP IV										
L. analis				1					3	1
GROUP V										
H. jaguana							3			174
GROUP VI										
S. foetens		1				1	1			

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Table 13. Distribution of Lagodon rhomboides at drop net stations with comparison of mean number captured at LPT, stations 8-10; RDI, station 11; and JIS, stations 14-16. No specimens were collected at sand bottom stations 12-13.

	STATIONS								
MONTH	8	9	10	MEAN	11	14	15	16	MEAN
January		3	1	1.3		1	3	3	2.3
February	8	18	3	9.7	3	12	26	6	14.7
March	72	130	84	95.3	9	64	77	58	66.3
April	86	93	110	96.3	19	59	80	53	64.0
May	40	105	42	62.3	17	85	85	94	88.0
June	1	34	24	19.7	10	40	84	27	50.3
July	11	27	12	16.7	9	21	16	21	19.3
August	19	25	20	21.3	2	14	11	11	12.0
September	16	21	11	16.0	3	13	2	8	7.7
October	15	10	7	10.7	1	5	5	8	6.0
November	2	8	3	4.3		3	4	3	3.3
December	1	2		1.0					
MEAN				29.6	6.1				27.8

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the station 14-16 drop nets 50% of the time (Table 13). Another abundant species at this site was Gobionellus stigmaturus, which only occurred at stations 14-16; however, it was not as evenly distributed (Table 12).

Seagrass meadow ichthyofaunas remained homogeneous even though samples were made several tens of meters apart. The drop nets at LPT, stations 8-10, 7.5 km north of stations 14-16, were set 60 - 70 m apart but still showed significant association, revealing faunal continuity at this greater spatial separation, though less than stations 14-16 (Fig. 11; Tables 9-10). The temporal ranks of abundance L. rhomboides did not differ significantly between stations 14 and 15, 14 and 16 (Table 11) indicating similar spatial requirements and recruitment for both locations, i.e. upstream stations 8-10 and inlet stations 14-16. However, more fish were collected at stations 8-10 due to the capture of large numbers of the code goby, Gobiosoma robustum (1,113 individuals) and bay anchovy, Anchoa mitchilli (808 individuals; Table 10 drop net totals). The latter species was totally absent from drop net collections at stations 14-16. Station 10 was was further from shore than 8 or 9 but did not show significant differences from the latter two locations (Table 9).

When drop net stations 8-10 are compared with station 11 2.3 km to the north, there was no significant difference between 27 species ranked by number of individuals and % frequency of occurrence (Table 9). However, fewer fish were collected at this latter location, particularly fewer L. rhomboides (Table 13). This latter station is much further from the nearest shore (500 m) than the other sites which

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may be the reason fewer pinfish, Gobionellus boleosoma, Orthopristis chrysoptera and Eucinostomus gula were captured at this site (Table 10). However, the numbers of A. mitchilli, G. robustum, M. gulosus, and S. scovelli were not significantly different from the LPT sites and are largely responsible for the similarity between station 11 and 8-10 (Fig. 11; Tables 9-12).

When these upstream stations (8-11) are compared with the JIS inlet stations the effect of the inlet on the seagrass fauna is evident. Even though the same seagrass species (Syringodium filiforme) was dominant at all locations, the similarity among the upstream stations is greater than between these stations and the inlet sites, stations 14-16 (Fig. 11; Tables 9-13). Fish densities were typically lower at the inlet sites (3.20-6.08/m^2) than at the upstream seagrass sites (5.63-11.98/m^2; Table 1). In addition, an average of 4-5 species were captured per station at JIS, 6-7 at the LPT/RDI sites. These data consistently revealed significant relationships between upstream drop net stations although they may be 2.4 km apart. Consistent differences were also apparent between all upstream stations and downstream stations, revealing the level of homogeneity between sites based on geographic proximity and proximity to an ocean inlet.

Geographic Heterogeneity - Seine collections were made at three inlet sites and four upstream sites for a period of one year, September 1974 to August 1975, allowing potential replication of inlet and upstream effects on seagrass ichthyofaunas. Complicating this sample design is

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the fact that it had to be conducted over a distance of 82 km in a distinct zoogeographic transition zone. The effect of this latitudinal faunal transition on the seagrass ichthyofauna will be treated on a regional scale in the following section. The present analyses are limited to seine stations 1 - 7.

Except for the northernmost inlet station, SEB (station 1), the inlet sites (JIS and BCV, stations 4 and 7) produced the most cumulative species and averaged 27-28 species per collection. Fish densities were generally lower at all inlet sites (1.51-3.24/m^2) yet mean individual weight was higher than upstream sites making biomass comparable between both regions of the lagoon (Table 1).

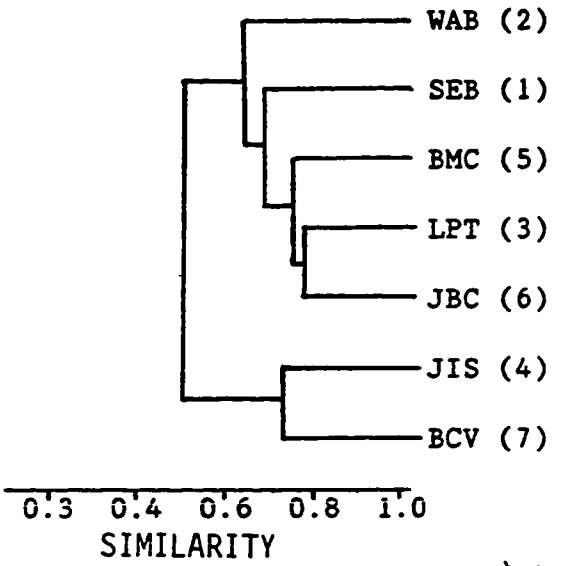
Quantitative similarity cluster analyses on seven seine stations with 82 species based on numbers and frequency of occurrence consistently found the upstream sites LPT and JBC sites most similar (Fig. 12; .759 for percent frequency occurrence, .760 for number of individuals) although they were over 33 km apart. Both stations are situated on the north side of causeways (LPT is actually on a peninsula) in Syringodium meadows off the west shore of the lagoon and were the deepest stations within the survey. Both were 7.5 to 12.0 km from the nearest ocean inlet and 33.9 km from one another (Fig. 2) yet their numerically dominant ichthyofauna was nearly identical (Tables 14 and 15). The BMC station was the next to cluster with these two upstream stations (Fig. 12; at .741 for no.s; .716 for occurrence) and is the station furthest from an ocean inlet, 15.2 km.

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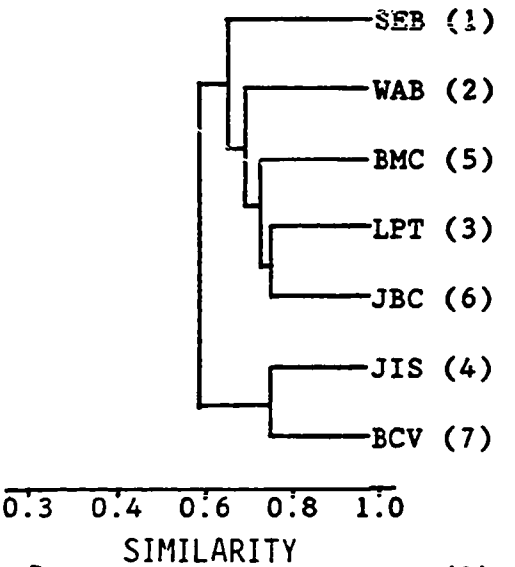
Figure 12. Dendrogram of seine stations 1-7 distribution based on Czechanowski quantitative similarity analyses on number of individuals (LN[x+1] transformed) (A) and percent frequency of occurrence (B) and qualitative (C,D) similarity analyses of 82 species.

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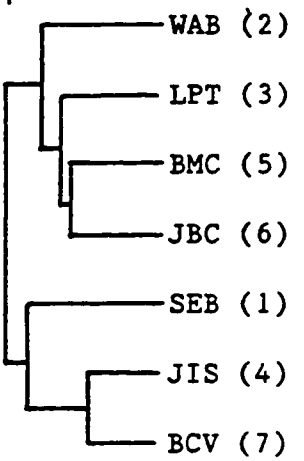
A



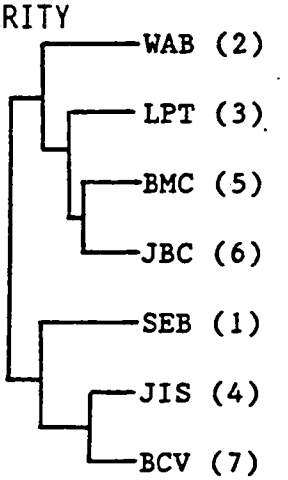
B



C



D



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Table 14. Seine spatial cluster groups based on an inverse quantitative Czeckanowski similarity analysis (Fig. 12A) using LN(x+1) conversion of number of individuals for the top 82 of the 165 species collected. Stations are arranged in order of distance from the nearest inlet left to right.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP Ia							
L. rhomboides	2810	327	816	319	1354	1873	1074
E. gula	584	303	401	191	629	286	1253
E. harengulus	2097	582	212	75	559	777	3843
D. auratus	1318	54	1212	791	2858	856	2821
GROUP Ib							
S. aurita	501	481	1496	246	36	150	233
H. jaguana	3476	2927	1732	4217	87	84	1980
A. hepsetus	2461	503	9817	1447	646	91	714
GROUP Ic							
O. chrysoptera	158	106	130	82	575	124	45
B. chrysoura	4	83	859	613	535	285	46
GROUP Id							
A. mitchilli	2487	27894	13218	137417	29592	233282	472190
A. lyolepis	261	2	2517	11910		1303	1930
GROUP IIa							
S. scovelli	16	12	5	91	56	38	23
S. notata	72	17	23	29	68	29	62
E. saurus	5	13	7	12	75	46	37
C. nebulosus	5	32	18	13	44	38	9
O. saurus	17	5	8	10	17	22	166
L. griseus	11	5	4	12	32	36	35
A. probatocephalus	6	5	3	9	24	19	43
GROUP IIb							
S. louisianae	28		3	34	15	11	19
8							
S. timucu	61	6	45	13	9	50	39
S. barracuda	17	3	77	16	3	19	196
H. parrai	139	16	211	11		7	121
GROUP IIc							
A. vulpes		3	12	1		19	159

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Table 14. Seine spatial cluster continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP IIIa							
O. oglinum	7	202	72	41	35	1	784
M. curema	32	146	34	41	962	118	12968
B. smithi	6	72	34	7	196	12	
32254							
GROUP IIIb							
M. peninsulae	1	146		11	2106	210	68
M. martinica		69	4	61	610	121	98
L. xanthurus	4	117		5	158	45	362
GROUP IVa							
S. ocellatus				7	22	26	9
M. undulatus			1	1	17	13	8
M. cephalus	33	1	11	6	51		8
G. robustum	8	2	2	21	65	10	4
C. undecimalis	1		9	13	14	5	15
L. parva	3	2			10	4	30
GROUP IVb							
S. foetens	13	2	8		4	15	6
B. soporator	11		1		9	11	3
S. nephelus	11		3	1		9	5
GROUP Va							
P. saltator				3	1	4	
A. rhomboidalis			6	4		4	1
M. tuckeri	3		1	1	1	2	
C. faber	1		1		1	3	1
C. schoepfi			3	1	4	2	
GROUP Vb							
S. testudineus					8	4	
A. felis		2			6	2	
P. tribulus		1			1	1	1
L. jocu					1	1	2
GROUP Vc							
S. grandicornis		1					1
H. reidi				1		1	

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Table 14. Seine spatial cluster continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP VI							
T. falcatus	90	68	4	140	7	3	
H. unifasciatus	3	37	1	8	10	5	
S. spengleri	13	1	14	8	2	6	4
M. hispidus	73		22	10	4	15	1
L. analis	123	5	16	1	2	5	1
L. synagris	276	8	72	10	9		
GROUP VIIa							
S. borealis	8		42	2		1	
O. chrysurus	47		22				
N. usta	14	1	30				
H. plumieri	1	1	32				
P. scitulus			7			1	
GROUP VIIb							
S. rubripinne	2		11				
S. chrysopterum	6		6				
C. roseus	5		1				
S. vomer	1		4	3			
L. trigonus	6		3	2	1		
M. microlepis	3	2	1				
H. flavolineatum	1	1	1				
GROUP VIIIa							
M. gulosus	7	1			56		
F. carpio	3	1			74		
G. smaragdus	17				44		
G. boleosoma	45				6		
C. spilopterus	6				12	1	
GROUP VIIIb							
S. plagiusa	2				1		
D. sabina	3			1	4		
C. hippos	3			1	4		1
A. lineatus	5	1	1	1	4		2
GROUP VIIIc							
F. similis		2			185		1
F. grandis					89		

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Table 14. Seine spatial cluster continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP IXa							
A. lamprotaenia		950	2				
A. cubana	2	66	7942			8200	
GROUP IXb							
T. crocidilus		1					6
H. zosterae	1	1	1	6			4

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Table 15. Seine spatial cluster groups based on inverse quantitative Czeckanowski similarity analysis (Fig. 12B) on percent frequency of occurrence of the top 82 of the 165 species collected in all samples taken from September 1974 to August 1975. Stations are arranged in order of distance from the nearest inlet left to right.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP Ia							
M. curema	80	100	55	83	100	67	75
L. rhomboides	100	92	91	83	92	92	67
E. gula	100	92	100	75	92	58	100
E. harengulus	100	100	73	50	100	83	100
D. auratus	80	33	91	92	100	83	58
A. mitchilli	40	67	73	92	100	100	100
GROUP Ib							
S. louisianae	60	25	64	50	58	67	55
H. jaguana	60	42	73	67	50	67	58
S. timucu	100	25	64	50	33	75	67
S. notata	70	50	46	50	58	42	55
O. saurus	50	33	46	50	42	58	42
L. griseus	70	25	36	42	50	50	33
S. barracuda	60	3	55	50	17	50	92
GROUP Ic							
S. scovelli	50	42	18	58	92	75	58
M. peninsulae	10	50		33	100	67	58
M. martinica		50	9	33	92	50	67
C. nebulosus	10	33	45	33	58	75	17
B. chrysoura	10	50	100	67	50	83	33

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Table 15. Seine spatial cluster on occurrence continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP IIa'							
M. cephalus	30	8	27	17	75		17
G. robustum	30	8	9	50	67	42	25
E. saurus	10	17	27	25	75	42	25
C. undecimalis	10		46	50	50	8	25
L. xanthurus	30	33		17	58	33	33
A. probatocephalus	40	33	27	17	67	25	58
B. smithi	10	25	27	17	42	33	42
GROUP IIa"							
S. ocellata				25	50	58	8
GROUP IIb							
S. aurita	30	33	55	25	8	17	33
O. oglinum	20	25	46	17	8	8	33
A. vulpes	0	25	36	8		50	58
GROUP IIc							
S. foetens	50	17	36		25	25	25
S. nephelus	40		18	8		33	25
B. soporator	60		9		42	50	17
L. parva	20	8			17	17	42
A. lineatus	40	8	9	8	17		17
GROUP IIIa							
S. spengleri	40	8	55	25	17	33	8
A. lyolepis	40	8	64	17		25	8
M. hispidus	80		46	42	25	25	8
A. hepsetus	60	8	82	33	33	42	8
O. chrysoptera	50	58	73	33	67	33	33
H. parrai	60	50	82	33		25	42
L. synagris	90	25	90	25	50		
L. analis	80	42	82	8	8	17	8
GROUP IIIb							
T. falcatus	60	67	27	33	17	25	
H. unifasciatus	10	75	9	25	42	25	

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Table 15. Seine spatial cluster on occurrence continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP IVa							
S. rubripinne	20		9				
C. roseus	20		9				
S. chrysoptera	20		18				
M. microlepis	20	17	9				
H. flavolineatum	10	8	9				
GROUP IVb							
S. vomer	10		9	17			
H. zosterae	10	8	9	33			8
GROUP Va							
S. borealis	30		36	17		8	
L. trigonus	30		18	17	8		
O. chrysurus	40		36				
N. usta	50	8	73				
GROUP Vb							
P. scitulus			36			8	
H. plumieri	10	8	45				
A. cubana	10	8	46			17	
GROUP Vc							
A. lamprotaenia		8	18				
-							
GROUP VIa							
M. gulosus	20	8			50		
F. carpio	10	8			50		
F. similis	8				83		8
F. grandis					75		
GROUP VIb							
S. plagiusa	20				8		
C. hippos	20			8	8		8
M. tuckeri	20		9	8	8	8	
GROUP VIc							
G. smaragdus	50				25		
G. boleosoma	50				17		
C. spilopterus	30				28	8	

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Table 15. Seine spatial cluster on occurrence continued.

SPECIES	4-JIS	1-SEB	7-BCV	3-LPT	2-WAB	6-JBC	7-BMC
GROUP VIIa							
P. saltator				8	8	8	
H. reidi				8		8	
GROUP VIIb							
S. grandicornis	10					8	
GROUP VIIIa							
P. tribulus		8			8	8	8
L. jocu					8	8	8
GROUP VIIIb							
M. undulatus			9	8	17	17	17
C. schoepfi			27	8	25	8	
A. rhomboidalis			27	17		17	8
GROUP VIIIc							
S. testudineus					8	25	
C. faber	10		9		8	25	9
GROUP VIIId							
A. felis		17			17	17	
GROUP IX							
T. crocodilus		8					18

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These were the only three stations at which over 100,000 A. mitchilli were collected. The fauna at the BMC station was quantitatively quite distinct as 50% of the individuals captured during the year from all stations were captured at BMC. This latter station consistently contained more planktivores (Lucania parva [30], Anchoa mitchilli [472,190], Opisthonema oglinum [784], and Brevoortia smithi [32,254]; detritivores: Mugil curema [12,968]) and benthic carnivores (Eucinostomus gula [1,253], E. harengulus [3,843] and Leiostomus xanthurus [362]), in addition to certain top predators (Sphyraena barracuda [196] and Centropomus undecimalis [15])(Tables 14 and 15).Other species which showed higher numbers at BMC than at any of the other stations were Albula vulpes (159), Oligoplites saurus (166) and Archosargus probatocephalus (43).

The next couplet to score relatively high similarity were the southern inlets, JIS and BCV at .754 in numbers and .715 in occurrence (Fig. 12). Species group VI and VII (Table 15) were most indicative of these stations. Many of these species are reef associates as adults and are found principally on the adjacent continental shelf, such as the scarids (Sparisoma rubripinne, S. chrysopterum), grouper (Mycteroperca microlepis), lookdown (Selene vomer), northern sennet (Sphyraena borealis), grunts (Heamulon plumieri and H. flavolineatum),and the snappers (Ocyurus chrysurus, Lutjanus analis and L. synagris). Other inlet seagrass associates are more typically resident in lagoon waters (Nicholsina usta, Cryptotomus roseus, Monocanthus hispidus and Lactophrys trigonus).

The inverse cluster of seine species based on percent frequency of occurrence (Table 15) produced nine group associations that did not

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differ greatly from the cluster based on number of individuals (Table 14). The same species, except for A. mitchilli and M. curema, occurred in the Ia group, though more species occurred in the frequency of occurrence Group I due to a good representation of common species typically occurring in lower numbers. Some planktivores fell out of the Group I cluster due to their patchy distribution.

The northern stations WAB and SEB fell out last with the upstream group, LPT, JBC and BMC (Fig. 12). There was no distinct ichthyofauna at SEB except that Anchoa lamprotaenia only occurred at this station in significant numbers. However, WAB was most distinct in the group VIII species (Table 14) with the cyprinodonts, Fundulus similis, F. grandis and Floridichthys carpio and the gobiids Microgobius gulosus and Gobionellus smaragdus occurring in larger numbers than at any of the other stations.

Qualitative cluster analyses on the same data produced the same general pattern except that all inlet stations fell into the same group, the upstream stations in another (Fig. 12). The JIS and BCV inlet stations had the highest qualitative faunal similarity value (.848), followed by the southern upstream stations JBC and BMC (.822), and then LPT (.815). The northern stations were most dissimilar out of both groups with WAB at .774 and SEB at .749, though these were not particularly low values. These values therefore, further demonstrated that the inlet faunas are quite distinct from the upstream faunas and that the degree of similarity within each group is comparable, particularly for the southern portion of the study area.

The most comprehensive spatial similarity analysis includes all stations based on the top 53 species (those fishes with over 100

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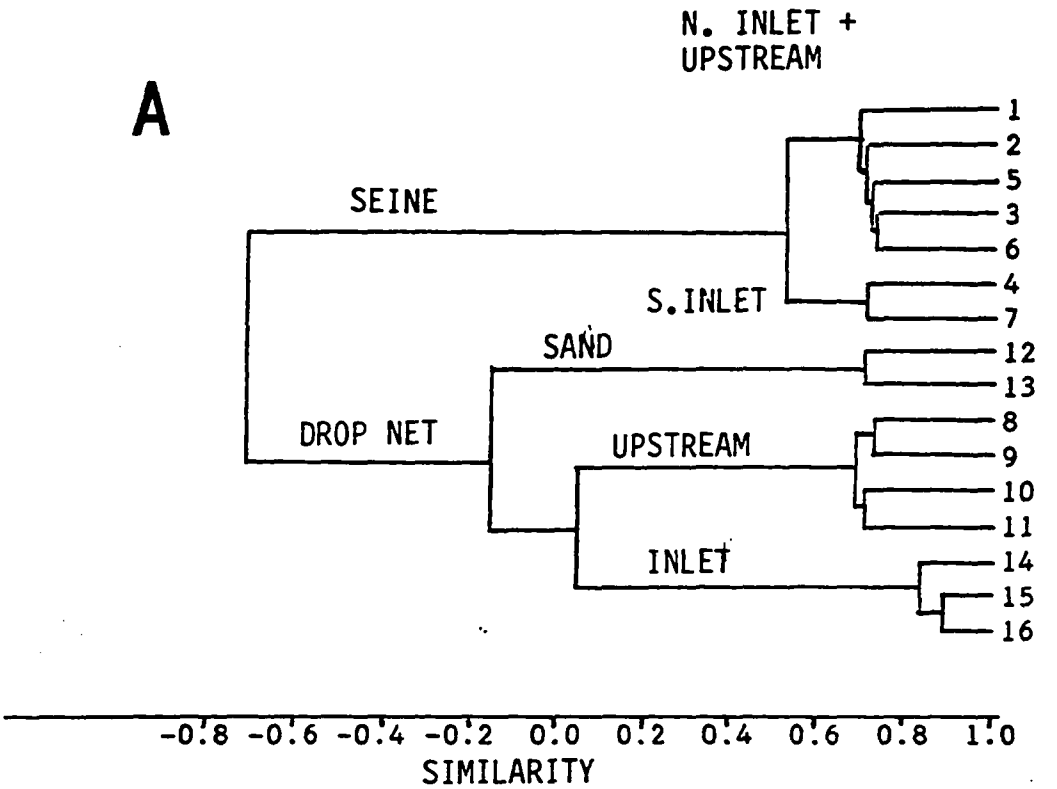
individuals collected). Quantitative clusters based on number of individuals separated seine from drop net techniques with the lowest levels of similarity (-0.588), upstream versus inlet stations for both techniques, and then upstream sand from upstream grass (Fig. 13). Inlet drop net collections at stations 14-16 were most similar (.699-.824), then upstream seagrass drop nets at stations 8-11 (.755-.794), seine inlets, stations 4,7 (.787) and then upstream seine stations 2,3,5,6 and the northern inlet station 1 (.690-.804). This recapitulates the order of separation between sample sites. Drop net upstream - inlet similarities were considerably lower (-0.070) than the same comparison using seines (0.623). This indicates that the ichthyofauna captured by the drop net was more indicative of the habitat and less cosmopolitan. This is undoubtedly in part due to the generally narrow habitat requirements of various gobiid species which tend to numerically dominate the drop net collections.

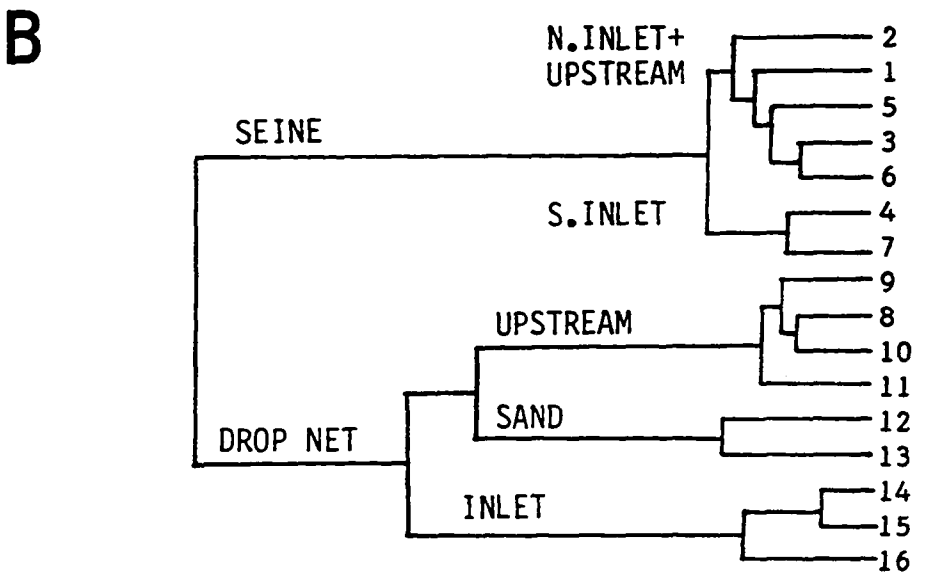
Qualitative cluster analysis of this same data set shows a higher degree of similarity between most groups (i.e. mean similarity of 0.824 versus 0.555), particularly drop net inlet and seine collections (Fig. 13). However, the inlet versus upstream clusters in the seine cluster are not as clear, though present, and the sand collections separate considerably. The qualitative cluster based on species occurrence was quite different with a lower mean similarity (0.672) but a distinct inlet versus upstream, grass versus sand bottom cluster for both seine and drop net collections is apparent. Qualitative similarities between upstream seagrass (stations 8-11) and sand

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Figure 13. Dendrogram based on Czechanowski quantitative on LN(x+1) transformed number of individuals (A) and qualitative (B) similarity analyses for all seine and drop net collections for top 53 species.

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(stations 12, 13) were greater than between these sites and the inlet (stations 14-16). This indicates that upstream species occur over adjacent sand bottoms, not inlet species. The quantitative cluster on the same data set revealed a similar trend (mean similarity of 0.539; Fig. 13).

Zoogeographic Distribution - Three inlet locations were chosen for study in order to adequately describe distinct inlet faunas and to compare them to upstream seagrass faunas. However, this required 82 coastal km of separation between the southernmost and northern inlet stations. As the study area lies within a distinct faunal transition zone between the tropical Caribbean faunal province and the warm temperate Carolinian province (Gilmore 1977; Snelson 1983), the size of the study area may have qualitative significance due to faunal changes with latitude, proximity to warm coastal currents and changes in ambient climatic and hydrologic conditions. The effect of this latitudinal variation between sites should, therefore, be addressed, particularly if comparative data are available on northern and southern ichthyofaunas adjacent to the study region. Fortunately these data are available and in some cases a similar collection technique was used. In this section we will review the latitudinal change in the seagrass ichthyofauna as one proceeds along the east coast of Florida from Florida Bay, latitude 25°00'N, north to Mosquito Lagoon, latitude 28°30'N. The comparative data used is derived from Sogard (1987), Low (1973), Snyder (1984), McNeese (1986) and Schooley

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(1977), all of which used either seine or 1.0 m^2 throw nets to sample seagrass ichthyofaunas.

A quantitative similarity cluster analysis was conducted using the numerical rank of the top 17 species collected in each study based on numbers of individuals captured. Seventeen species were used as this number represents the most abundant species in the most limited study used for faunal comparison, that of McNeese (1986). This number was also best for the Florida Bay throw net survey conducted by Sogard (1987) due to reduced number of individuals captured with throw net techniques, which in turn reduces the reliability in ranking rarer species. The results of the rank cluster are given in Table 13 and a phyletic listing of species with their respective rank per study and location is presented in Table 14.

Fourteen groups were clustered, giving some indication of site specificity (Table 16). Group I basically consists of species which are ubiquitous, occurring in most east Florida seagrass communities. Lagodon rhomboides and A. mitchilli rank in the top 17 in all regions. However, neither species was ranked as high (top ten) in Florida Bay studies (Sogard, 1987) and L. rhomboides did not make the top ten in Biscayne Bay nor the northern Indian River lagoon. Anchoa mitchilli was absent from the Jupiter Inlet studies of Snyder (1984) and Ft. Pierce Inlet drop net studies (stations 14-16), which is apparently due to the preference of this species for upstream habitats. Otherwise these two species typically ranked 1st or 2nd at several east coast seagrass sites. The mojarras, E. gula and E. harengulus,

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Table 16. Regional zoogeographic species groups based on an inverse Czeckanowski cluster analysis using species rank, i.e. a comparison of top 17 ranked species at each location. The number presented indicates the species rank. FBY = Florida Bay (Sogard, 1987); BBY = Biscayne Bay (Low, 1973); IRS = Indian River lagoon at Jupiter Inlet (Snyder, 1984); IRM = southern Indian River lagoon (McNeese, 1986); BCV, JBC, BMC, JIS, LPT, WAB, SEB = stations from this survey; IRN = northern Indian River and Mosquito lagoon stations (Schooley, 1977).

SPECIES	FBY	BBY	IRS	IRM	BCV	JBC	BMC	JIS	JDP	LPT	LDP	WAB	SEB	IRN
GROUP Ia														
M. curema		10				14	3					17	10	17
H. jaguana		1	11		5	16	6	1	2	3		17	3	13
B. chrysoura				13	8	9				6	5	10	14	16
M. martinica						13	17			14		8	15	7
L. rhomboides	12	15	1	1	9	3	9	2	1	7	1	4	7	14
GROUP Ib														
O. chrysoptera			5	8	13	12		11	10	12	6	11	13	
E. harengulus	9	6	3		11	6	4	5	12	13	14	9	5	
E. gula	9	4	2	9	10	8	8	7	6	9	4	7	8	
GROUP Ic														
M. peninsulae						10					10	3	11	1
GROUP IIa														
S. barracuda			12			14		12						
S. timucu		16			17	17		17						
T. falcatus		11						14		10			16	
S. aurita		7			6	11		8		8			6	
GROUP IIb														
D. auratus					7	5	5	6		5	12	2		
A. lyolepis					4	4	7	9						
A. hepsetus					2	15	10	4				6		
GROUP III														
O. saurus							13			16				
O. oglinum			5		15		14		4	15			9	
A. vulpes							16							
GROUP IV														
L. analis								12						
S. notata								16						
GROUP V														
M. gulosus	11										8			
H. zosterae	6								8		11			
A. mitchilli	10	2		3	1	1	1	3		1	3	1	1	3
G. robustum	4			2					16		2			10
S. scovelli	7			6					7	11	7			11

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Table 16. Regional zoogeographic species group distribution continued.

SPECIES	FBY	BBY	IRS	IRM	BCV	JBC	BMC	JIS	JDP	LPT	LDP	WAB	SEB	IRN
GROUP VIa														
M. hispidus			6			15			15					
N. usta									14					
G. boleosoma			9	5					13		9			
B. smithi				4		7	2		11			12	2	
GROUP VIb														
H. parrai			8		12			13	17					
L. synagris			7		16				9					
GROUP VII														
G. stigmaturus										3				
GROUP VIII														
A. cubana					3	2								
GROUP IX														
M. beryllina														15
P. latipinna														12
L. parva		2												5
C. variegatus														6
GROUP X														
L. xanthurus			16									14	12	8
F. similis												13		
F. grandis												16		9
GROUP XIa														
A. lineatus				10							15			
A. probatocephalus				14							17			
C. nebulosus				17			11				16			
S. louisianae			13	16							13			
GROUP XIb														
C. saburrae				15										
S. ocellatus				12										
M. punctatus				11										
GROUP XII														
S. testudineus			17											
S. chrysopterum			14											
L. apodus			15											
B. soporator			10											
H. clupeola			4											

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Table 16. Regional zoogeographic species group distribution continued.

SPECIES	FBY	BBY	IRS	IRM	BCV	JBC	BMC	JIS	JDP	LPT	LDP	WAB	SEB	IRN
GROUP XIIIa														
S. plagiusa		13		7										
S. radians		14												
C. atherinoides		13												
H. plumieri		12												
M. cephalus		17										5		4
GROUP XIIIb														
F. carpio	1	9												2
H. humeralis		8												
A. lamprotaenia		6											4	
GROUP XIVa														
P. fasciatus	14													
S. floridae	15													
H. sciurus	16													
A. stipes	17													
GROUP XIVb														
C. pauciradiatus	8													
M. crinitus	5													
O. beta	3													

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ranked relatively high at most study sites south of the northern Indian River lagoon (Schooley, 1977), while B. chrysoura and O. chrysoptera ranked at most sites north of Biscayne Bay. The atherinids, Menidia peninsulae and Membras martinica both occurred only north of Bessie Cove (BCV) primarily at upstream sites.

Group IIa, IV, VI, VII and XII consist basically of species which require ocean access, therefore, they were ranked high primarily at Biscayne Bay, and at Indian River inlet sites. These groups principally consist of tropical species, such as scarids, sphyraenids, haemulids, lutjanids, tropical gobiids and warm water engraulids/clupeids.

Group IIb and III consist of species which only occurred abundantly in Indian River lagoon collections. The two anchovies and the mojarra, Diapterus auratus, (all in group IIb) are the most abundant species, ranking within the top ten species in the Indian River lagoon and nowhere else (Table 16).

Except for the bay anchovy, A. mitchilli, group V has a basic distribution in throw or drop net collections, which effectively capture the small cryptic gobiid and syngnathid species contributing to this group. Effective throw and drop net captures are also responsible for the distribution pattern for the upstream species group in XI.

Zoogeographic faunal polarization along the coast is seen when groups XII - XIV are compared. Groups IX and X are northern species groups, all are warm temperate species, Gulf or Carolinian and were ranked high at the Schooley study sites in the northern lagoon and at Sebastian and Wabasso seine sites. Groups XII and XIII contain mostly

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species of tropical origin. Group XIV consists of both tropical species and species which are common in seagrass beds of both the Gulf of Mexico and Caribbean.

The phyletic presentation in Table 17 reveals that the cyprinodont-poeciliid fishes and atherinids numerically dominate the northern lagoon seagrass ichthyofaunas and in Florida Bay (? Gulf Province). Also of interest in this presentation is the limited overlap between two epibenthic carnivores which feed predominately on polychaetes over open bottoms and in seagrass beds, the gerreid, Diapterus auratus and the sciaenid, Leiostomus xanthurus. Diapterus auratus is a stenothermic tropical species while L. xanthurus is a eurythermic temperate species. Diapterus auratus is abundant throughout the study area but is not ranked in other southern and northern seagrass studies, while the temperate sciaenid, Leiostomus xanthurus is ranked higher in the northern region of the lagoon.

In general there is a decided tropical dominance of the majority of the Indian River study area south of the WAB station. Albulids, belonids, lutjanids, haemulids (except O. chrysoptera), scarids, clinids/blenniids, callionymids and sphyreanids are only ranked high in seagrass ichthyofaunal studies from the southern portion of the Indian River lagoon and further south (Table 17).

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Table 17. Zoogeographic variation in seagrass fish faunas listed in phyletic order, seine and drop net/throw net techniques only. Number represent rank of species in collecitons made at the respective sites. Superscripts 1-5 are defined in Table 19.

	SOUTH				---------STUDY SITES----------									NORTH
SPECIES	FBY[1]	BBY[2]	IRS[3]	IRM[4]	BCV	JBC	BMD	JIS	JDP	LPT	LDP	WAB	SEB	IRN[5]
ENGRAULIDAE														
A. cubana					3	2								
A. hepsetus					2	15	10	4				6		
A. lamprotaenia		6											4	
A. lyolepis					4	4	7	9						
A. mitchilli	10	2		3	1	1	1	3		1	3	1	1	3
CLUPIEDAE														
B. smithi				4		7	2		11			12	2	
H. jaguana		1	11		5	16	6	1	2	3		17	3	13
H. humeralis		8												
H. clupeola			4											
O. oglinum		5			15		14		4	15			9	
S. anchovia		7			6	11		8		8			6	
ALBULIDAE														
A. vulpes							16							
OPHICHTHIDAE														
M. punctatus				11										
CYPRINODONTIDAE														
C. variegatus														6
F. carpio	1	9												2
L. parva	2													5
F. grandis												16		9
F. similis												13		
POECILIIDAE														
P. latipinna														12
ATHERINIDAE														
A. stipes	17													
M. peninsulae						10					10	3	11	1
M. beryllina														15
M. martinica						13	17			14		8	15	7
HEMIRHAMPHIDAE														
C. atherinoides		13												
H. unifasciatus														
BELONIDAE														
S. notata								16						
S. timucu		16			17	17		17						
BATROCHOIDIDAE														
O. beta	3													
SYNGNATHIDAE														
H. zosterae	6								8		11			
M. criniger	5													
S. scovelli	7			6					7	11	7			11
S. floridae	15													
S. louisianae			13	16							13			

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Table 17. Zoogeographic distribution, phyletic order continued.

	SOUTH				STUDY SITES									NORTH
SPECIES	FBY[1]	BBY[2]	IRS[3]	IRM[4]	BCV	JBC	BMD	JIS	JDP	LPT	LDP	WAB	SEB	IRN[5]
CARANGIDAE														
O. saurus							13			16				
T. falcatus		11						14		10			16	
GERREIDAE														
D. auratus					7	5	5	6		5	12	2		
E. gula	9	4	2	9	10	8	8	7	6	9	4	7	8	
E. harengulus	9	6	3		11	6	4	5	12	13	14	9	5	
LUTJANIDAE														
L. synagris			7		16				9					
L. analis								12						
L. apodus			15											
O. chrysurus														
HAEMULIDAE														
H. parrai			8		12			13	17					
H. sciurus	16													
H. plumieri		12												
O. chrysoptera			5	8	13	12		11	10	12	6	11	13	
SPARIDAE														
A. probatocephalus				14							17			
L. rhomboides	12	15	1	1	9	3	9	2	1	7	1	4	7	14
SCIAENIDAE														
B. chrysoura				13	8	9				6	5	10	14	16
C. nebulosus				17			11				16			
L. xanthurus			16									14	12	8
S. ocellata				12										
SCARIDAE														
N. usta									14					
S. radians		14												
S. chrysopterum			14											
CLINIDAE														
P. fasciatus	14													
BLENNIDAE														
C. saburrae				15										
SPHYRAENIDAE														
S. barracuda			12		14		12							
MUGILIDAE														
M. cephalus		17										5		4
M. curema		10				14	3					17	10	17
GOBIIDAE														
B. soporator			10											
G. robustum	4			2					16		2			10
M. gulosus	11										8			
G. boleosoma			9	5					13		9			
G. stigmaturus									3					
CALLIONYMIDAE														
C. pauciradiatus	8													

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Table 17. Zoogeographic distribution, phyletic order continued.

	SOUTH				---------STUDY SITES----------								NORTH
SPECIES	FBY[1]	BBY[2]	IRS[3]	IRM[4]	BCV	JBC	BMD	JIS	JDP	LPT	LDP	WAB	SEB	IRN[5]
SOLEIDAE														
A. lineatus			10								15			
CYNOGLOSSIDAE														
S. plagiursa	13		7											
BALISTIDAE														
M. hispidus			6			15			15					
TETRAODONTIDAE														
S. testudineus			17											

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Temporal Dynamics

The data permit examination of monthly-seasonal recruitment patterns along with annual variation in populations. Data on various community parameters, such as number of species, fish densities, biomass, diversity and evenness, in addition to temporal variation in individual species, numbers, spatial distribution and size were collected. However, this analysis will be limited to community parameters with presentation of population data limited to specific abundant species.

Monthly/Seasonal Dynamics - Monthly variation in species at seine and drop net sites are presented in Table 18 and Figure 14. It is evident that most seine stations show their greatest faunal diversity from April through October with peak richness in May, July and August. However, the WAB, JIS and BCV stations may harbor over 20 species, to as high as 31, during the January to March period. The latter two stations are ocean inlet sites where winter water temperatures are typically more moderate (Fig. 8). During the 1974-75 study year the lowest number of species captured at each seine site usually occurred in December. Drop net ichthyofaunas were consistently most speciose from September to November with a moderate spring rise typically occurring in May. At upstream stations 8-11, there was a peak in species in August and September, a trend which did not occur at the inlet stations 14-16 as the inlet stations had higher species numbers later in the fall and early winter.

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Table 18. Station species totals from 1974 to 1975 at all seine stations.

	STATION									
MO	SEB	WAB	LPT	JIS	BMC	JBC	BCV	MEAN	RANGE	STDEV
S	10	22	17		25	17	18	18	10-25	5.12
O	16	23	27	34	21	20	25	24	16-34	5.77
N	17	18	6	23	18	17		17	6-23	5.61
D	7	16	7		8	13	21	12	7-21	5.73
J	12	24	19	31	18	15	18	20	12-31	6.24
F	16	25	15	28	23	23	26	22	15-28	4.96
M	19	24	25	27	17	15	23	21	15-27	4.47
A	16	30	28	26	22	38	25	26	16-38	6.83
M	22	30	15	25	30	33	23	25	15-33	6.13
J	19	32	22	38	22	19	36	27	19-38	8.21
J	28	34	19	29	22	28	37	28	19-37	6.26
A	22	40	22	23	29	28	40	29	22-40	7.93
RANGE	7-28	16-40	6-28	8-38	13-30	15-38	12-40			
MEAN	17	27	19	28	21	23	27			
STDEV	5.69	6.90	7.04	7.32	4.92	7.34	8.69			

	UPSTREAM SEAGRASS STATIONS							SAND STATIONS				
MONTH	8	9	10	11	MEAN	RANGE	SDEV	12	13	MEAN	RANGE	SDEV
S	9	4	8	10	8	4-10	2.63	2	0	1	0- 2	1.41
O	13	11	10	11	11	10-11	1.26	4	2	3	2- 4	1.41
N	9	6	6	9	8	6- 9	1.73	0	2	1	0- 2	1.41
D	5	8	6	5	6	5- 8	1.41	3	3	3	3- 3	0.00
J	6	7	4	4	5	4- 7	1.50	1	1	1	1- 1	0.00
F	5	4	3	8	5	3- 8	2.16	1	3	2	1- 3	1.41
M	6	4	5	5	5	4- 5	0.82	0	1	1	0- 1	0.71
A	7	8	6	6	8	6- 8	0.96	1	2	2	1- 2	0.71
M	12	9	5	7	8	5- 9	2.99	2	3	3	2- 3	0.71
J	6	9	8	5	7	5- 9	1.83	1	1	1	1- 1	0.00
J	5	5	7	9	7	5- 9	1.92	1	2	2	1- 2	0.71
A	4	9	9	9	8	4- 9	2.50	3	0	2	0- 3	2.12
RANGE	4-13	4-11	3-10	4-11				0-4	0-3			
MEAN	7	7	6	7				2	2			
STDEV	2.90	2.37	2.07	2.31				1.24	1.07			

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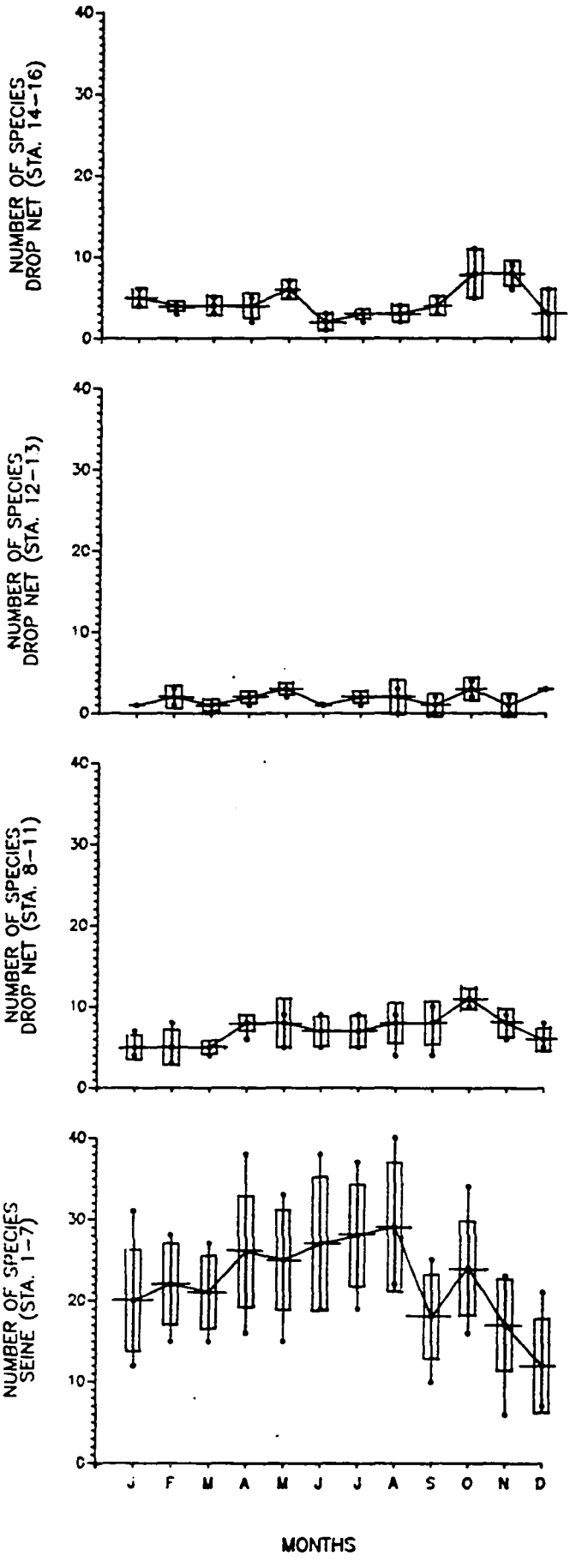
Table 18. Station species totals...continued.

	INLET SEAGRASS STATIONS					
MONTH	14	15	16	MEAN	RANGE	SDEV
S	5	5	3	4	3- 5	1.16
O	8	5	11	8	5-11	3.00
N	9	6	8	8	6- 9	1.53
D	4	6	0	3	0- 6	3.06
J	6	4	6	5	4- 6	1.16
F	4	3	4	4	3- 4	0.58
M	3	5	5	4	3- 5	1.16
A	2	5	4	4	2- 5	1.53
M	5	5	7	6	5- 7	1.16
J	2	1	3	2	1- 3	1.00
J	2	3	3	3	2- 3	0.58
A	2	3	4	3	2- 4	1.00
RANGE	2- 9	1- 6	0-11			
MEAN	4	4	5			
STDEV	2.39	1.49	2.86			

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Figure 14. Monthly variation in number of species at drop net and seine stations (1974-1980), with mean, range and one standard deviation (box) designated

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A statistical treatment of the variation in several basic community parameters is given in Table 19 and Appendix Table 1 which reveal the homogeneity and heterogeneity of the ichthyofauna (A), among months for the same year (1974-75) and seven seine stations, and (B) months for five years using data from the LPT seine station. The number of species differs significantly seasonally and between stations. Variation among months in all community parameters was insignificant ($P \leq 0.05$) diversity (H') based on weight (Table 19[A]). Within-month and annual variation was low over several years and seasonal and monthly community parameters were predictable over several annual cycles (Table 19[B]). The lowest within month variation was in mean individual weight, number of individuals and density with similar results for between year variation. Faunal variation among stations within the same month and year was higher than between years (Table 19 [A]). However, biomass and density showed the greatest relative continuity across sites with evenness (J') based on number of individuals or weight showing insignificant variation (Table 19[A]).

Tables 18 and 19[C], and Figure 14 all show a typical species increase during the warmer months with a slight mid-summer drop. These trends can also be easily observed in Appendix Tables 1 - 4 which graphically depict the seasonal variation in the same community parameters presented in Table 19. The Appendix Table 3 data are derived from a single year while that of Table 4 is for five years. Diversity indices also follow this general seasonal pattern though evenness is a little less predictable and even showed a late fall-early winter increase.

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Table 19. Two-way ANOVA analyses on variation in fish community parameters and seagrass community parameter means among:

(A) months (columns) for the same year (1974-75) and seven seine stations (rows) using a variety of community parameters. * = $P \leq 0.05$.

PARAMETER	MONTH $F_{[8]}$	STATION $F_{[6]}$	MEAN	RANGE	STDEV
NO. SPECIES	2.71*	5.39*	22.7	6-40	7.5598
NO. INDIVID.	1.29	10.03*	13287	105-144199	24571.0
DENSITY NO/M^2	1.29	10.03*	11.45	0.09-124.31	21.18
WGT	1.15	3.29*	9072.2	94-69464	10124.0
BIOMASS G/M^2	1.03	3.22*	7.86	0.08-59.88	8.715
H'(no.)	1.57	4.22*	0.9825	0.028-2.261	0.7044
J'(no.)	1.25	1.22	0.1559	0.035-0.596	0.1114
H'(wgt.)	2.86*	2.91*	1.4447	0.141-2.767	0.6039
J'(wgt)	1.23	1.87	0.2248	0.063-0.605	0.1072

(B) months (columns) for five years (rows) using same community parameters as in (A) except for diversity and evenness indices. All parameters are from the LPT seine station. * = $P \leq 0.05$

PARAMETER	MONTH $F_{[11]}$	YEAR $F_{[4]}$	MEAN	RANGE	STDEV
NO. SPECIES	1.62	1.63	20.7	1-37	7.2110
NO. INDIVID.	1.10	1.38	9625	1-82072	13921.0
DENSITY NO/M^2	1.10	1.38	8.297	0.0009-70.75	12.00
WGT	1.17	0.68	9359.5	0.1-94477	15010.0
BIOMASS G/M^2	1.17	0.68	8.07	0.00009-81.45	12.94
MEAN INDIV. WGT. (G)	0.86	0.36	2.79	0.10-38.90	5.55

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Table 19. Community statistics...continued.

(C). Seagrass fish community parameter means for seine stations 1-7, September 1974 to August 1975. Stations arranged in increasing distance from nearest ocean inlet.

STATION	NO. SPECIES	NO. INDIV.	DENSITY NO./M	BIOMASS WGT(G)	BIOMASS G/M	H'. NO.	J' NO.	H' WGT.	J' WGT.	INDIV. WGT
JIS(4)	28.4	1753	1.5	10480	9.0	1.6	0.2	1.7	0.2	7.38
BCV(7)	26.6	3755	3.2	8322	7.2	1.3	0.2	1.6	0.2	5.44
SEB(1)	17.0	2945	2.5	5162	4.5	0.9	0.2	1.4	0.3	10.00
LPT(3)	18.5	13165	11.3	7387	6.6	0.8	0.2	1.2	0.2	1.82
WAB(2)	26.5	3503	3.0	6591	5.7	1.2	0.2	1.9	0.3	2.01
JBC(6)	22.2	20694	17.8	6099	5.3	0.8	0.1	1.3	0.2	2.27
BMD(5)	21.3	44478	38.3	19636	16.1	0.4	0.1	1.1	0.2	0.56

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Fish densities were generally high during the winter (means of 11.64 - 26.43 individuals/m^2), particularly in December and January, and declined from February into April and May (Appendix Tables 3,4; Tables 20, 21; Fig. 15). From May through August densities usually remained low (means of 2.06 - 5.13 individuals/m^2) except for exceptional ephemeral increases in recruitment, which may occur at any time between May and July (means of 10.38 - 20.48 individuals/m^2)(Appendix Table 3,4). Fish densities steadily increased during the fall to the winter peak (maximum density of 124.31 individuals /m^2). Biomass differed somewhat, in that although there was typically a spring decline in biomass, from a January mean high between 8.134 - 22.65 g/m^2, biomass generally increased from May to September. May means were from 2.88 to 12.05 g/m^2, increasing to a September mean of 3.45 to 13.40 g/m^2. Fall biomass means declined as densities increased, revealing the decline in mean individual size illustrated by the mean individual weight plots (Appendix, Tables 3 and 4).

The autumnal increase in fish densities and decline in mean biomass is due not only to an increase in larval or juvenile recruitment to seagrass beds, but also due to a major influx of planktivorous engraulids, mainly Anchoa mitchilli. This increase is followed by a young of the year recruitment of gulf menhaden, Brevoortia smithi, during the winter. Autumn is also a period when large numbers of larval white mullet, Mugil curema migrate into the estuary, in addition to the increased abundance of the gobiids G.

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Table 20. Monthly distribution of gobiid fishes at all drop net stations.

Gobiosoma robustum	STATIONS									
MO.	LPT-8	LPT-9	LPT-10	RDI-11	SND-12	SND-13	JIS-14	JIS-15	JIS-16	TOTAL
JAN	28	4	10	17	4	1				64
FEB	1	5	5	14	2					27
MAR	12	10	2	1						25
APR	24	15	10	2						51
MAY	39	8	1	2		3		1	2	56
JUN		2	11	4						17
JUL	23	8	109	14						154
AUG	5	21	28	19	1			1		75
SEP	20	38	125	44						227
OCT	131	814	166	4					1	1343
NOV	105	26	8	44				1		184
DEC	11	4	13	60		1	1			90

Microgobius gulosus	STATIONS									
MO.	LPT-8	LPT-9	LPT-10	RDI-11	SND-12	SND-13	JIS-14	JIS-15	JIS-16	TOTAL
JAN	3	4	1	1						9
FEB				1		1				2
MAR			1	1						2
APR			2	1						3
MAY	5									5
JUN										
JUL	3	1	2							
AUG	1	13	9	3	2					28
SEP	4		4	11						19
OCT	10	7	6	5	4	1				33
NOV	2		2	1						5
DEC		6	1	2	1	1				11

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robustum and M. gulosus (Table 18) and syngnathids S. scovelli and S. louisianae, in association with large accumulations of drift algae typical of the late summer and fall period (Gore, et al. 1981; Kulczycki et al. 1981). However, the predictable monthly pattern in fish densities and biomass observed over several annual cycles cannot be greatly influenced by drift algal associates due to high seasonal variability in the drift algal substrate (Virnstein and Carbonara 1985). Another major group which reaches its maximum population density in seagrass beds from August to November are the gerreids, Diapterus auratus, Eucinostomus gula and E. argenteus (Table 21). However, these species show variable increases in numbers throughout the year indicating multiple spawning activity (also verified by length frequency distribution patterns not presented above). This is principally a post-larval recruitment period for these species.

A variety of warm temperate species recruit to the seagrass beds during the winter and spring from January to May as demonstrated in an abbreviated list of the most abundant species (Table 21). The most notable seagrass species are the sparids, Lagodon rhomboides (Fig. 15) and Archosargus probatocephalus; the atherinids, Menidia beryllina and Membras martinica; gulf pipefish, Syngnathus scovelli, red drum, Sciaenops ocellata, ladyfish, Elops saurus, pigfish, Orthopristis chrysoptera, and the northern sennet, Sphyreana borealis. Two notable warm water species also recruit during this period of the year, the bonefish, Albula vulpes and the fringed filefish, Monacanthus hispidus. Several of these species can be quite abundant (i.e. L. rhomboides), therefore, contributing greatly to seagrass fish

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Table 21. Species groups derived from an inverse Czeckanowski temporal cluster analysis using number of individuals (LN[x+1] transformed) per month for all seine stations taken from September 1974 to August 1975. * = warm temperate species.

		MONTH											
	SPECIES	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
GROUP I													
A	D.auratus	1922	1555	1730	376	818	494	257	93	80	260	1149	1176
	E.hareng.	393	1098	971	77	327	757	328	535	1030	454	827	1348
	E.gula	248	630	127	86	226	257	237	116	76	51	580	1013
B	*M.martin.	2	34	87	119	78	41	47	129	312	22	16	68
	*M.penin.	45	93	107	143	68	102	299	835	236	278	247	89
C	*B.chrys.	70	265	4	24	77	63	62	362	366	407	430	295
	*L.rhom.	141	79	9	1	169	1248	1171	1598	1641	813	927	776
GROUP II													
A	*S.scov.	3	11	4	3	26	45	49	36	24	15	10	15
	*S.ocel.	2	5	0	3	30	13	4	2	1	0	1	3
B	S.louis.	1	6	8	7	4	7	9	9	13	13	30	11
	*G.robust.	0	5	5	16	23	9	3	6	0	6	6	33
C	*M.hispid.	0	7	2	0	21	7	5	45	2	10	14	12
	*E.saurus	0	4	0	0	143	39	3	1	1	0	0	4
D	A.vulpes	1	0	1	0	13	59	37	8	54	19	2	0

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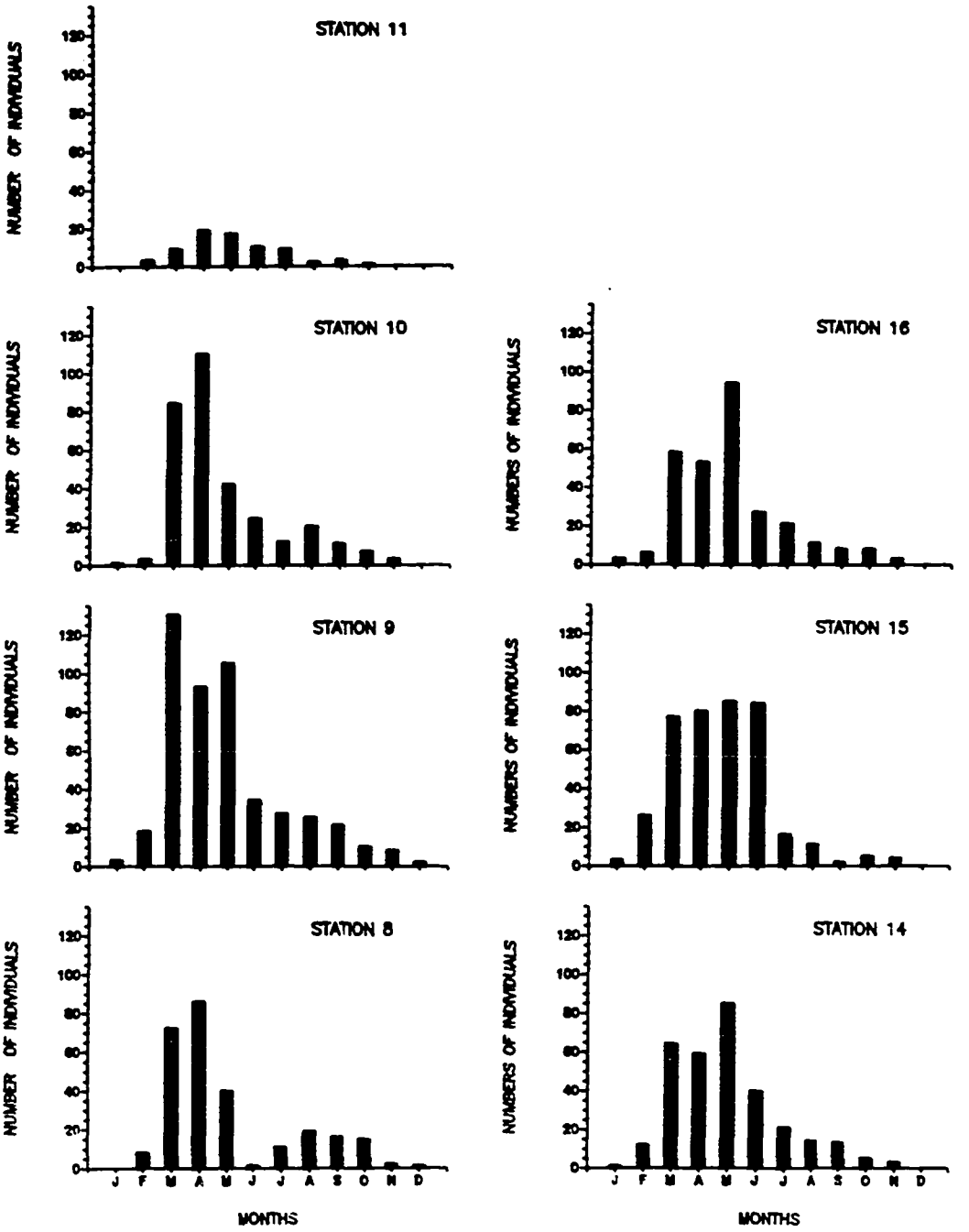
Table 21. continued.

SPECIES		MONTH SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
GROUP III													
A	O.saurus	2	22	20	1	0	0	1	0	23	115	43	18
	H.parrai	4	42	6	1	0	20	1	51	3	27	153	197
B	L.analis	2	11	11	2	1	1	1	7	15	28	43	31
	S.timucu	9	10	12	0	2	31	37	21	16	25	27	33
C	L.synag.	3	92	31	4	5	9	3	18	48	54	55	53
D	G.smarag.	0	47	5	0	2	3	3	0	1	0	0	0
E	*C.nebul.	2	10	1	1	0	2	0	14	46	27	25	31
	H.unifas.	3	7	5	0	0	2	4	3	9	18	1	12
F	T.falc.	4	4	132	10	0	6	1	57	31	50	5	12
	S.notata	30	3	48	0	1	4	1	18	43	56	38	59
GROUP IV													
A	S.barra.	38	19	4	1	5	8	2	3	14	47	83	107
	L.gris.	48	16	0	2	1	0	4	1	6	3	20	34
B	*O.chrys.	46	0	0	0	2	190	309	272	281	58	56	6
	C.undec.	15	2	0	1	2	0	6	0	4	3	10	14
GROUP V													
	*A.probato.	3	0	0	0	1	17	27	14	32	4	4	7
	*S.borealis	0	0	0	0	1	8	7	30	8	0	0	0

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Figure 15. Monthly variation in number of L. rhomboides collected at drop net stations.

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densities during the winter and early spring.

Warm water species recruiting from March to August generate the great increase in seagrass fish community diversity during this period. The most notable species immigrating to the seagrass meadow during this season are the silver perch (Bairdiella chrysoura), chain pipefish (S. louisianae), leatherjacket (Oligoplites saurus), sailor's choice (Haemulon parrai), snappers (Lutjanus synagris, L. analis and L. griseus), needlefishes (Strongylura timucu and S. notata), halfbeak (Hyporhamphus unifasciatus), spotted seatrout (Cynoscion nebulosus), great barracuda (Sphyraena barracuda), and snook (Centropomus undecimalis). An abundant summer season planktivore during this period is the scaled sardine (Harengula jaguana).

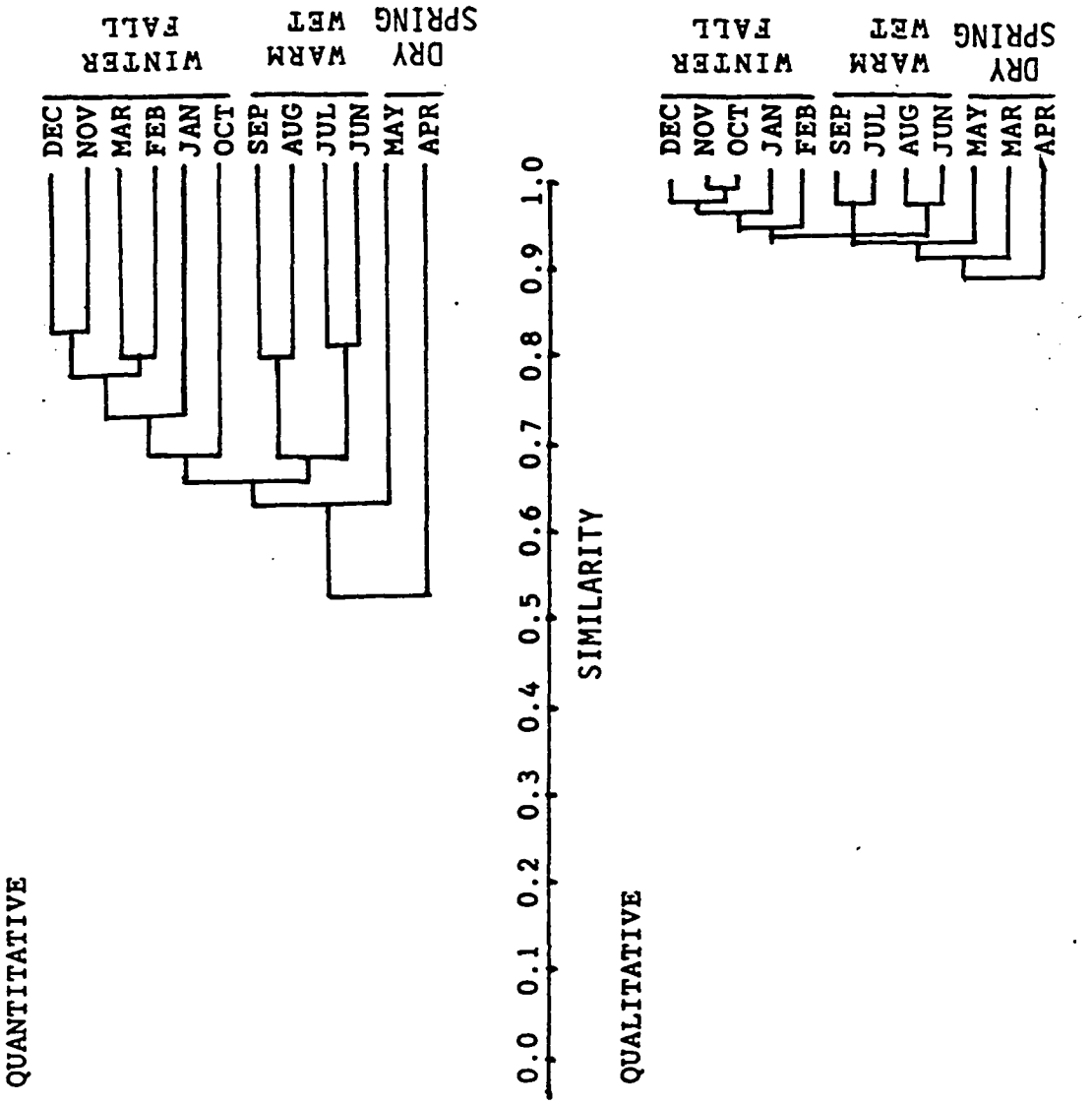
The seasonal continuity was examined with a similarity analysis of the species presented in Table 21. The qualitative and quantitative seasonal patterns are quite similar, with the dry spring months of April and May consistently revealing the lowest similarity (Fig. 16).

Annual Variability - Community parameters were already presented and were significantly predictable (i.e. insignificant variation) on a monthly basis when compared over several annual cycles (Table 19). The distinctness and predictability of the quantitative and qualitative nature of the fauna at a specific site becomes more apparent when several annual cycles of collections are compared. The quantitative cluster on number of individuals presented in Figure 17 reveals the similarity of the LPT, WAB and JIS stations with time. In addition, the southern inlet stations (JIS, BCV) still cluster as do

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Figure 16. Temporal dendrograms based on quantitative using LN(x+1) transformed number of individuals and qualitative Czechanowski similarity indices of species presented in Table 22. Note that March is a transitional month between Winter-Fall and Dry-Spring.

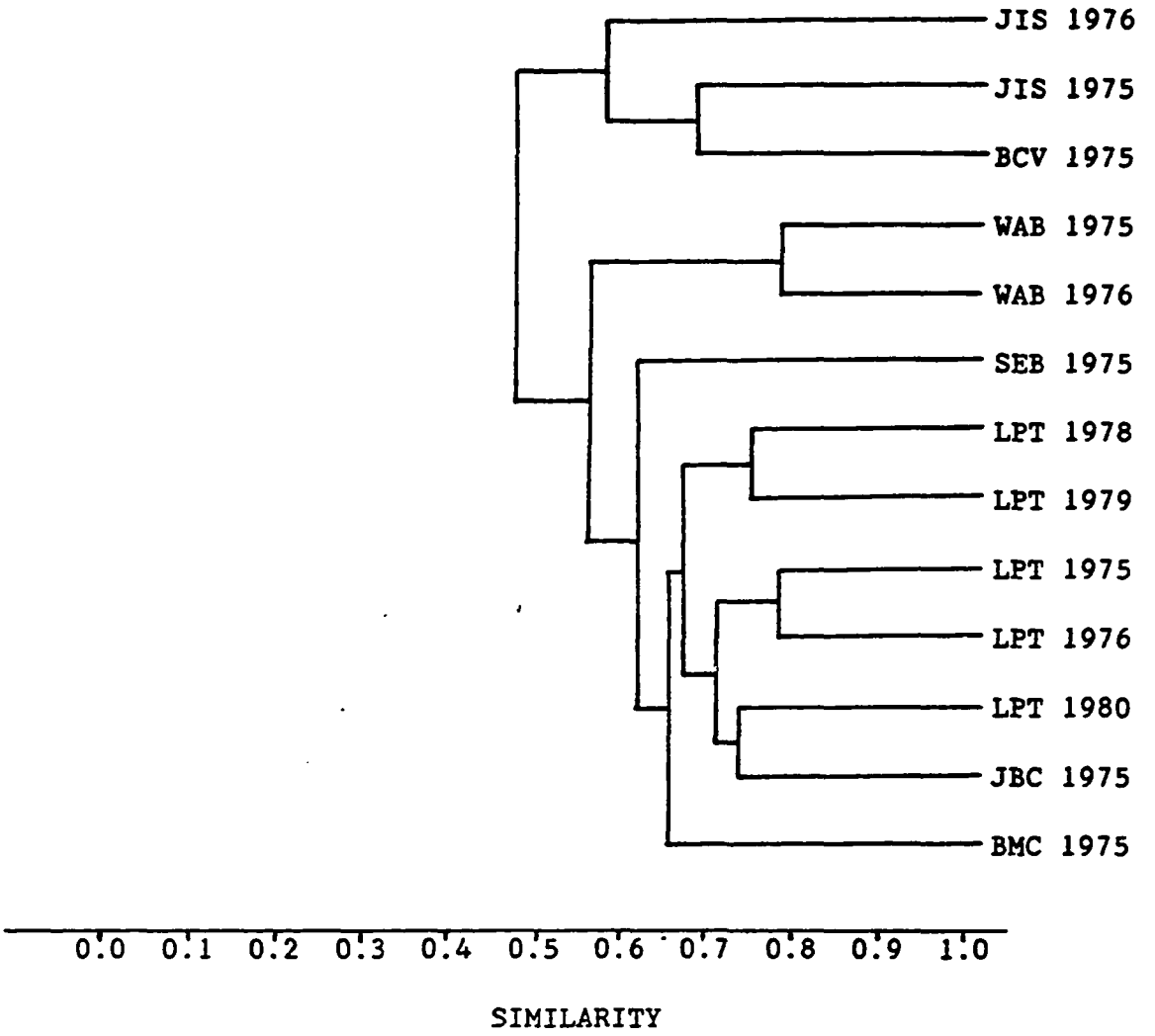
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Figure 17. Dendrogram based on Czechanowski quantitative similarity analyses using LN(x+1) transformed number of individuals from seine stations.

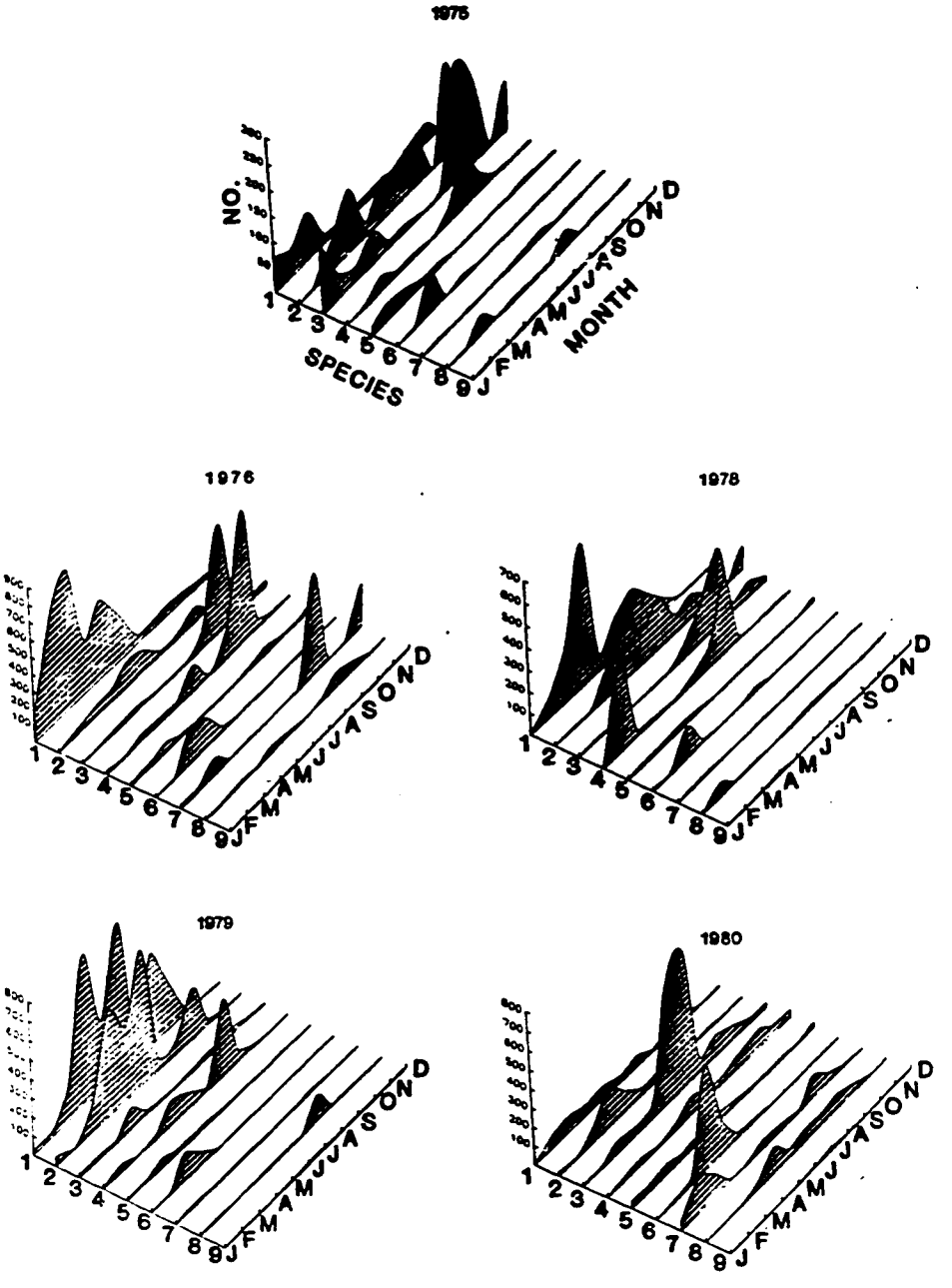
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Figure 18. Three-dimensional plots of monthly and annual variation in numerical abundance of nine abundant seagrass fish species at LPT. 1 = L. rhomboides; 2 = B. chrysoura; 3 = D. auratus; 4 = E. gula; 5 = S. scovelli; 6 = O. chrysoptera; 7 = G. robustum; 8 = E. harengulus; 9 = H. zosterae.

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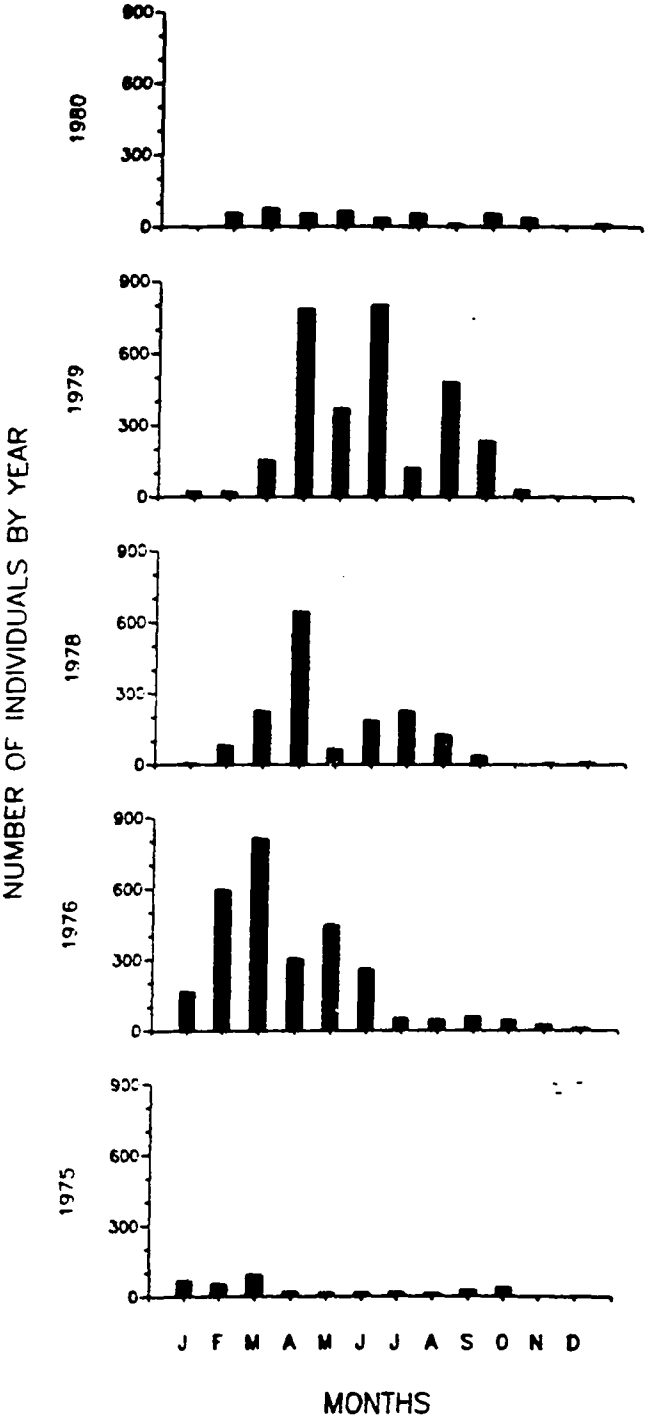
the southern upstream stations (JBC, BMC), while the northernmost stations at SEB and WAB remain distinct from the other sites. Therefore, the respective upstream and inlet ichthyofaunas appear to keep their distinctive character over several annual cycles. However, Figure 18 illustrates the potential quantitative variability in the nine most common epibenthic and neritic fishes occurring at LPT from 1975 to 1980, while Figure 19 illustrates the annual variation in recruitment of pinfish.

Cluster analyses reveal some patterns in quantitative variation over the five years compared (Fig. 20). The species used for these analyses are divided into schooling pelagic planktivores or schooling detritivores and generally dispersed, epibenthic and neritic carnivores (including some omnivores) (Fig. 20, Tables 22 and 23). Both clusters show some relationship between the first and last year of the survey, two years which had higher mean salinities (lower rainfall) and higher mean temperatures than the intermediate years. However, some planktivorous species were abundant during the first year and declined near the end of the survey (Table 22, Group II,A), while others increased variably throughout the period (Group I). However, the most numerous species captured, the bay anchovy (A. mitchilli) was caught in higher numbers during the first and last years as was Group III,A, the rough silverside (Membras martinica) and the Spanish sardine (Sardinella aurita). A similar pattern can be seen in the Group III fish of Table 23, all ocean inlet associates, though it is evident that the majority of species do not follow this pattern. The most abundant epibenthic and neritic species are generally abundant throughout all study years. However, an

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Figure 19. Annual variation in recruitment of L. rhomboides at the LPT seine station.

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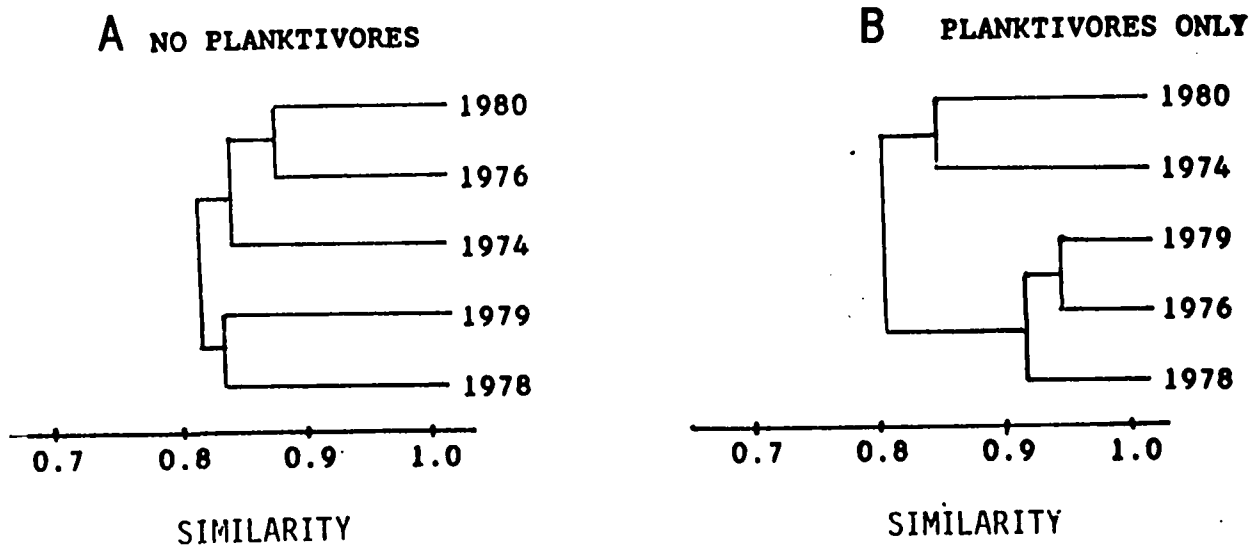
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Figure 20. Dendrogram based on Czechanowski quantitative similarity analyses using number of individuals from the LPT seine station (A) without schooling planktivores (from Table 23) and (B) with schooling planktivores (Table 22).

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QUANTITATIVE



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Table 22. Planktivorous species distributions based on inverse cluster analysis on annual variation data from the LPT seine station. * = first and second largest catch.

SPECIES		1974	1976	1978	1979	1980
GROUP I						
A	O. oglinum	41	521*	59	481	1389*
	B. smithi	6	1191*	154	129	998*
	M. curema	36	17	12	50*	493*
B	M. cephalus	15*	9	5	40*	7
	M. peninsulae	11	69*	521*	69*	2
GROUP II						
A	H. jaguana	4218*	2739*	2124	696	83
	A. hepsetus	1449*	543*	12	610	221
	A. lyolepis	11910*	656*	4	11	35
B	A. mitchilli	137417*	105250	14711	77241	164754*
GROUP III						
A	M. martinica	61*	7	3	1	16*
	S. anchovia	246*	3	1	0	599*
B	A. cubana	0	2	0	0	545*
GROUP IV						
	D. pentenense	0	0	0	16	0
	A. lamprotaenia	0	0	0	1	0

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Table 23. Species distributions based on inverse cluster analysis on annual variation data from the LPT seine station. * = first and second largest catch.

SPECIES	1974	1976	1978	1979	1980
GROUP I					
A *S. scovelli*	91	187*	60	104	270
E. harengulus	75	209*	113	157	368
O. chrysoptera	82	403*	161	232	754
B *L. rhomboides*	319	2797*	1579	3045*	338
B. chrysoura	613	640	990*	2215*	535
E. gula	191	1259*	956*	756	405
D. auratus	789	970*	620	209	1765*
C *G. robustum*	21	987*	18	3	591*
GROUP II					
A *S. louisianae*	15	29	23	41*	45*
C. nebulosus	14	22	56*	44*	34
O. saurus	39*	23	34	36	41*
S. barracuda	16	14	20	35*	24*
S. notata	29	26	95*	85*	48
B *E. saurus*	12	10	10	130*	77*
C. undecimalis	13	8	5	92*	87*
C *M. gulosus*		9	17	75*	27*
GROUP III					
A *L. synagris*	10*	7*	0	1	7*
A. rhomboidalis	4*	5*	1	1	5*
B *M. hispidus*	10*	4*	2	4*	3
H. parrai	11*	23*		5	5
C *L. analis*	1	6*		4	5*
GROUP IV					
A *H. unifasciatus*	8*	2	13*	1	7
H. zosterae	6	3	11*	8	19*
B *S. nephelus*	1	1	4*	13*	2
GROUP V.					
A *T. falcatus*	140*	7*	2	4	1
S. timucu	13*	16*	10	1	1

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interesting pattern can be seen in the pinfish, L. rhomboides, being abundant during the intermediate years and not during the first and last years (Fig. 19), while another abundant species, the Irish pompano, D. auratus, follows an opposite pattern (Table 23). The pinfish is a warm temperate species, while the Irish pompano is a tropical species. A significant period of hypothermal mortality occurred during January and February in 1976 and 1977 in which considerable numbers of Irish pompano were killed (Gilmore, et al. 1978a). Table 24 lists the number of individuals captured and the ambient water temperature at the time of capture for both the pinfish and Irish pompano throughout the study period. The largest number of pinfish captured during the six year period were collected one month after the severe hypothermal mortalities of tropical species were recorded, during January - February 1977. During this period heavy hypothermal mortality of D. auratus occurred and this species was not captured in significant numbers until late 1978. An additional species, B. chrysoura is included to show an ambiguous pattern.

Fishes at higher trophic levels also revealed changes in population as a group, as there is an inordinate number of top carnivores in Group II (Table 23) which all increase in abundance during the study, while two warm water species, T. falcatus and S. timucu (Group V) decrease.

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Table 24. Late fall through early spring distribution of three abundant species from collections made from 1974 to 1980 at the LPT seine station with temperature (C°) for time of collection.

Lagodon rhomboides

YEAR	NOV.(C°)	DEC.(C°)	JAN.(C°)	FEB.(C°)	MAR.(C°)	APR.(C°)
1974-75	0 (19)	0 (15)	65 (18)	50 (24)	89 (25)	15 (24)
1975-76	7 (22)	0 (16)	165 (16)	595 (16)	812 (22)	304 (25)
1976-77	21 (21)	8 (18)	9 (12)	63 (16)	1040 (27)	1050 (23)
1977-78	40 (22)	24 (18)	5 (17)	81 (13)	225 (20)	643 (24)
1978-79	2 (24)	6 (18)	23 (18)	22 (17)	153 (19)	782 (28)
1979-80	1 (22)	0 (18)	0 (19)	57 (14)	76 (23)	51 (24)

Diapterus auratus

1974-75	8 (19)	98 (15)	132 (18)	45 (24)	25 (25)	62 (24)
1975-76	38 (22)	10 (16)	3 (16)	4 (16)	19 (22)	25 (25)
1976-77	37 (21)	35 (18)	13 (12)	0 (16)	0 (27)	0 (23)
1977-78	3 (22)	0 (18)	0 (17)	3 (13)	0 (20)	0 (24)
1978-79	69 (24)	23 (18)	13 (18)	15 (17)	8 (19)	108 (28)
1979-80	6 (22)	2 (18)	5 (19)	2 (14)	54 (23)	38 (24)

Bairdiella chrysoura

1974-75	0 (19)	0 (15)	0 (18)	6 (24)	56 (25)	118 (24)
1975-76	40 (22)	0 (16)	2 (16)	23 (16)	53 (22)	63 (25)
1976-77	45 (21)	60 (18)	3 (12)	1 (16)	20 (27)	217 (23)
1977-78	30 (22)	2 (18)	0 (17)	0 (13)	0 (20)	136 (24)
1978-79	2 (24)	111 (18)	46 (18)	2 (17)	113 (19)	541 (28)
1979-80	1 (22)	0 (18)	13 (19)	2 (14)	66 (23)	196 (24)

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Spatial - Temporal Guilds

The spatial and temporal distribution of 45 representatives of the top species (Table 6) was predictable over several annual cycles, and these species which are used to designate specific ichthyofaunal associations or guilds of species which have similar distributions in time and space. These species also have variable zoogeographic distributions with nearly equal representation of tropical, eurythermic tropical and warm temperate species. Table 25 presents a two dimensional spatial - temporal distribution of these top species for which some life history data is available in the literature. These abundant species are used to define the seagrass ichthyofaunal guilds. Zoogeographic distributions and location of spawning, when known, are also designated. Eighteen, or 43%, are upstream associates, while 29% are inlet associates and 29% are common to both locations. The temporal groups are evenly divided between warm - wet and cool - dry season associates, as 38% reach their greatest numbers in seagrass meadows during the warm wet season, while 38% are most abundant during the cool dry season, leaving 24% showing periodic population increases during both seasons. A review of these groups reveals that several congeneric species show spatial - temporal separation, e.g. Lutjanus analis/synagris and L. griseus, Mugil curema and M. cephalus, Syngnathus scovelli and S. louisianae, A. mitchilli from A. hepsetus, from A. cubana). On the family level several genera separate in the sciaenidae, gobiidae, and clupeidae with species of diverse zoogeographic affinity.

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Table 25. Spatial - temporal species guilds. Zoogeographic affinities are designated, Tp = tropical, ETp = eurythermic tropical, WTem = warm temperate. Spawning activity is designated as: [1] = documented spawning activity within the Indian River lagoon (Mok and Gilmore, 1983; Dahlberg, 1970); [2] preliminary evidence indicates estuarine spawning within the lagoon or literature documents estuarine spawning elsewhere within the species range.

	SEASONS		
LOCATIONS	WARM - WET	both	COOL - DRY
INLET	H. jaguana ETp	A. hepsetus WTem	A. cubana Tp
	S. aurita ETp		G. stimaturus Tp[1]
	S. louisianae WTem		S. borealis WTEm
	T. falcatus Tp		M. hispidus ETp
	L. analis Tp		
	L. synagris Tp		
	H. parrai Tp		
both	O. oglinum ETp	A. mitchilli WTem[1]	A. lyolepis Tp
	S. notata Tp[2]	S. timucu Tp[1]	O. chrysoptera WTem
	B. chrysoura WTem[1]	E. gula ETp[2]	
		E. harengulus ETp[2]	
		D. auratus Tp[1]	
		L. rhomboides WTem[2]	
		G. boleosoma ETp[1]	
UPSTREAM	H. unifasciatus ETp[2]	C. undecimalis Tp	B. smithi WTem[1]
	O. saurus ETp	G. robustum WTem[1]	E. saurus ETp
	L. griseus ETp		A. vulpes Tp
	C. nebulosus WTem[1]		M. peninsulae WTem[1]
	S. barracuda Tp		M. martinica WTem[1]
	M. curema ETp		S. scovelli WTem[1]
			A. probatoceph. WTem
			S. ocellata WTem[1]
			L. xanthurus WTem[2]
			M. cephalus ETp

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Zoogeographic affinities are basically polarized between upstream and inlet species guilds. Inlet faunas are numerically dominated by tropical species while upstream sites contain more warm temperate species (Tables 25 and 26). Seasonal distributions follow a predictable pattern with warm temperate species being more abundant in the cool dry season, tropical species the warm wet season.

Of the 14 species which are known estuarine spawners half spawn principally at upstream sites, six at either location, inlet or upstream, and one at the inlet (a gobiid; Tables 25 and 26). Those predicted to spawn in the estuary are equally divided between upstream species and ubiquitous species. Nearly half of the known estuarine spawners do so during the cool-dry season, four (29%) throughout the year and three only during the warm wet season. Those which are predicted to spawn within the estuary (i.e. estuarine spawning not adequately documented) occur in numbers throughout the year. Therefore, the species guilds designated reveal some continuity in zoogeographic distribution and choice of spawning site.

To recapitulate, the general pattern observed shows three inlet groups and three upstream groups, the inlet groups being principally of tropical affinity with warm wet season population increases and warm wet season spawning activity. The upstream group is mostly an eurythermic tropical or warm temperate group with spawning activity during the cool dry season or throughout the year. In the upstream group there is nearly equal division between upstream and ubiquitous estuarine species. In addition to these groups there is an euryeocious group which occurs in relatively large numbers throughout the estuary (gerreids, L. rhomboides, and G. boleosoma),

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Table 26. Number of species in zoogeographic and spawning categories from the macrospatial - temporal guilds designated in Table 27.

	LOCATION			SEASON		
	INLET	BOTH	UPSTREAM	WARM/WET	BOTH	COOL/DRY
TROPICAL	7 (15%)	4 (9%)	3 (7%)	7 (15%)	3 (7%)	4 (9%)
EURYTHERMIC TROP.	3 (7%)	4 (9%)	6 (13%)	7 (15%)	3 (7%)	3 (7%)
WARM TEMPERATE	3 (7%)	4 (9%)	9 (20%)	3 (7%)	4 (9%)	9 (20%)
ESTUARINE SPAWNERS						
VERIFIED	1	6	7	3	4	6
PREDICTED		2	2	1	2	1

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with potential spawning throughout the estuary and with no particular zoogeographic affinity.

If these macrospatial - temporal guilds are compared with the eight erected earlier with the same species but using trophic, behavioral and microspatial criteria (Table 7) we find that nearly all macrospatial locations (i.e. inlet or upstream sites) have a representation of these eight. Table 27 presents the macrospatial - temporal arrangement combined with the Table 7 microspatial, behavior, trophic guild designation.

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Table 27. Spatial - temporal species guilds. Microspatial - behavioral trophic guilds from Table 7 are designated with roman numerals from Table 7.

	SEASONS		
	WARM - WET	both	COOL - DRY
LOCATIONS			
INLET	H. jaguana I S. aurita I S. louisianae II T. falcatus V L. analis VIII L. synagris VIII H. parrai V	A. hepsetus I	A. cubana I G. stimaturus III S. borealis VII M. hispidus III
both	O. oglinum I S. notata VII B. chrysoura VIII	A. mitchilli I S. timucu VII E. gula V E. harengulus V D. auratus V L. rhomboides IV G. boleosoma III	A. lyolepis I O. chrysoptera V
UPSTREAM	H. unifasciatus I O. saurus VII L. griseus VIII C. nebulosus VIII S. barracuda VII M. curema I	C. undecimalis VIII G. robustum III	B. smithi I E. saurus VII A. vulpes V M. peninsulae I M. martinica I S. scovelli II A. probatoceph. IV S. ocellata VIII L. xanthurus V M. cephalus I

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DISCUSSION

One hundred and sixty-four fish species were captured in the seagrass meadows of the Indian River lagoon between latitude 27°52' N. and 27°10'N. from 19 March 1974 to 18 December 1980. Over 99.9% of the numerical catch was contributed by 53 species (i.e. over 100 individuals captured for each species). Forty-five species are considered principal seagrass species due to their numerical abundance and high frequency of occurrence in seagrass samples.

Habitat Specificity

The Seagrass Community vs. Other Communities - The seagrass fauna is basically distinct from those of adjacent mangrove swamp and herbaceous halophyte salt marshes based on intensive collections made in both habitats using multiple and complimentary gear types. The mangrove swamp and salt marsh ichthyofaunas are dominated by cyprinodontids and poeciliids with common occurrence of detritivorous mugiliids and predaceous centropomid and elopids (Lewis et al. 1985; Gilmore 1987). Marginal red mangrove prop root zones support a wider variety of species, many of which are shared with adjacent seagrass meadows. Species overlap between the two habitats occurs with ontogenetic development in mugilids, Centropomus undecimalis, Lutjanus griseus, Haemulon parrai, Archosargus probatocephalus, Diapterus auratus, Eucinostomus harengulus, Leiostomus xanthurus, Sciaenops ocellatus, Sphyraena barracuda, Microgobius gulosus, Gobionellus

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smaragdus and Achirus lineatus. This overlap demonstrates the euryeocious nature of these particular species and a distribution pattern which may also be associated with changes in microhabitat preference with ontogeny, a hypothesis which could be examined with the present collections but is beyond the scope of this treatment. Thayer et al. (1984) have also discussed the habitat overlap for a number of these species and the habitat transition in C. undecimalis has been discussed in detail in Gilmore et al. 1983. Conspicuously absent from the mangrove swamp are planktivorous engraulid and clupeid fishes, except for the occasional invasion of tidal creeks by Brevoortia smithi and Anchoa mitchilli. Also absent are the syngnathid, and gobiid species so characteristic of the adjacent seagrass meadow. There is a different suit of gobiid species present in seagrass beds. In addition, the very abundant and ubiquitous seagrass species, the pinfish, Lagodon rhomboides, occurs only rarely in the mangrove swamp, and then only in open tidal creeks.

This habitat comparison differs greatly from the recent account of Thayer et al. (1987) on most accounts except that they found, as described in this account, that cyprinodontiform fishes are more abundant in mangrove systems and Lagodon rhomboides is more abundant in seagrass meadows. However, the cyprinodontids which Sogard et al. (1987), Schooley (1977) and the present study consider most indicative of seagrass beds, the Thayer et al.(1987) study found to be abundant as mangrove associates (Floridichthys carpio and Lucania parva). Thayer also found a greater biomass (15.0 g/m^2 versus 0.8 g/m^2) and fish density in the mangrove prop root zone than in adjacent seagrass

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beds. Much of Thayer's comparative community results must be discounted as he used two significantly different collection techniques to compare the two habitats: rotenone fish toxicants to kill fish in the mangrove prop root zone and the quite inefficient trawl net in the seagrass bed. Rotenone and trawl techniques have been recently compared by Gray and Bell (1986). These authors demonstrated the inadequacy of trawls in estimating fish density and biomass in seagrass beds. In contrast to Thayer's results we have captured in abundance in seagrass beds many of the species which he found more abundant in the mangrove fringe and have obtained comparable biomass and density estimates from seagrass meadows (mean biomass 8.8 g/m^2, range 0.00009 to 81.45 g/m^2; density 8.6 $/m^2$, range of 0.0009 to 124.3 $/m^2$). Studies of mangrove communities adjacent to these seagrass study sites have produced mean biomass and fish densities of 4.54 g/m^2 (range 0.0033 - 71.7722 g/m^2) and 9.78/m^2(range 0.024 - 193.035 $/m^2$), respectively, and a different qualitative/quantitative community profile (Table 8; Gilmore et al. 1984, 1985, 1986, 1987).

The red mangrove fringe and prop root zone is a transitional habitat between the open estuary, its sand bottoms and seagrass meadows and the interior mangrove swamp and upper marsh herbaceous halophyte zones (typically vegetated with Batis maritima, Salicornia spp. and Juncus roemerianus in south and central Florida). Therefore, the red mangrove fringe acts as a mixing zone between the two quite hydrologically and faunistically distinct habitats (Gilmore 1987). However, its areal extent is quite small when compared to the broad

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acreage of the seagrass habitats seaward and the upper marsh landward. This perspective should be maintained when comparing the two ecosystems and the Thayer et al. (1987) treatment does not attempt to characterize the mangrove swamp zones beyond the mangrove fringe. The data presented in Table 8 for the mangrove swamp and herbaceous halophyte marsh, however, do include high marsh habitats inland from the red mangrove fringe.

Significant differences are also found between the seagrass fauna and adjacent sand bottoms, with only occasional occurrence of seagrass species over open sand. A typical species of open sand bottom habitats is the lizardfish, Synodus foetens which was captured more often over open bottom, but occurs in seagrass samples. The order of magnitude difference in density and biomass between the two habitats is not surprising as others have produced similar results, albeit with invertebrates (Virnstein et al. 1983; Lewis 1984), freshwater fish (Guillory et al. 1979) and temperate fish faunas (Briggs and O'Conner 1971; Orth and Heck 1980). Recent unpublished work demonstrates distinct diurnal/nocturnal differences in species occurrence on open sand bottoms (Gilmore and Donohoe, in prep.), however, sand bottom fish densities never reach seagrass values during either day or night. All evidence points to increased predatory effectiveness with decreased habitat structural complexity (Vince et al. 1976; Crowder and Cooper 1982; Stoner 1982) even though the choice of seagrass substratum is undoubtedly an innate response selected by predatory pressures (Bell and Westoby 1986a,b).

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Species Composition/Guild Classification

The species composition of the seagrass meadows of the Indian River lagoon are not atypical, at least on the familial level, with seagrass meadow ichthyofaunas studied elsewhere around the globe. Syngnathids, gobiids, monacanthids, sparids, gerreids, sciaenids, tetraodontids, blenniids and mugilids are important components of seagrass ecosystems world wide (Kikuchi and Perez 1977; Robertson 1980; Livingston 1984a; Pollard and den Hartog 1984). There are some differences between the tropical Pacific and western Atlantic ichthyofaunas which affect the contributions of various phyletic groups to seagrass meadow communities. In the Pacific, labrids, scorpeanids, apogonids tetraodontids, and kyphosids are more abundant in seagrass ecosystems than their confamilial relatives in the western Atlantic, although all are a present in tropical seagrass communities of south Florida and the Caribbean (Robertson 1984; Pollard 1984; Springer and McErlean 1962; Weinstein and Heck 1979; Ogden 1976a,b, 1980; Ogden and Zieman 1977; Stoner 1986). In turn, haemulids, lutjanids and certain scarids utilize seagrasses to a greater extent in the western Atlantic than in the Pacific. Teraponids and ambassids common in some Pacific seagrass meadows (Blaber and Blaber 1980; Pollard and den Hartog 1984; Robertson 1984) are absent from the western Atlantic altogether.

Of significance is the general ommission of schooling planktivorous species from many seagrass community analyses. In some cases this is basically due to the ineffectiveness of certain gear

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types in capturing schooling pelagic planktivores. Drop and throw net techniques are ineffective in capturing these patchily distributed species (Gilmore et al. 1978b). These species not only prey heavily on calanoid copepods (diurnally) but also upon certain seagrass invertebrates (harpacticoid copepods and amphipods), particularly those which emerge from seagrass beds at night (Robertson and Howard 1978; Robertson and Klumpp 1983; Walters and Bell 1986). They then overlap trophically with larva and post larvae of a variety of seagrass species (Carr and Adams 1973) and some investigators have even lumped all ontogenetic stages of certain engraulids (e.g. Anchoa mitchilli, Livingston 1980, 1982, 1984a) in with juveniles of species which show quite different feeding habits as late juveniles and adults (i.e. the sciaenid, Leiostomus xanthurus and the gerreids Eucinostomus argenteus = E. harengulus, and E. gula). This trophic placement of A. mitchilli based only on the diurnal data presented by Livingston (1984) is questionable, but it does reveal the potential for considerable dietary overlap between an adult pelagic planktivore and the diverse guild of neritic or epibenthic seagrass associates, particularly as most post larval and early juvenile seagrass species are zooplanktivorous, consuming mostly calanoid copepods (Livingston 1984). Due to the shallow water depths of most seagrass meadows, particularly those under study here, there may be ample opportunity for both adult planktivores and juvenile seagrass associates to forage on the same organisms within the same space. The gerreids and Leiostomus xanthurus are documented diurnal foragers (Kerschner et al. 1985; Choa 1976, Choa and Musick 1977). They, therefore, may have very limited spacial and temporal interaction with the nocturnal

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feeding forays of A. mitchilli even though they are abundant syntopic species. The nocturnal foraging behavior of engraulids in the western Atlantic needs study, as Australian planktivore studies indicate that this may be a generalized behavioral trait of shallow water engraulids and clupeids occurring in or over seagrass meadows (Robertson and Howard 1978). The overwhelming biomass and fish density contribution of engraulids and clupeids, particularly to upstream seagrass meadows, cannot be ignored, especially in their potential for impact on planktonic or semi-planktonic invertebrate communities.

The other trophic group which has received little study from a community perspective (certainly not from a species or fishery perspective) are the top carnivores. Again this group is not easily sampled with quantitative gear types due to their size, agility and sensitivity to the activities of the captor. Spotted seatrout, Cynoscion nebulosus, undoubtedly play a prominent role in consuming a variety of seagrass invertebrates and vertebrates, and have the potential to greatly affect the population dynamics of prey populations. Certain aspects of the life history of C. nebulosus has been determined (Mercer 1984a), but population densities and dynamics of specimens over 150 mm SL appear difficult to assay. Other techniques need to be employed, certainly more active techniques than the standard gill net statistics taken in the commercial fisheries. The long haul seine technique utilized here did capture other top predators, such as snook, C. undecimalis, Strongylura notata, S. timucu and Sphyraena barracuda (up to 550 mm SL) more effectively than most other studies reviewed in the extant literature. These captures emphasize the potential impact of top predators on seagrass

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fish populations in lower trophic levels. The distribution of species at lower trophic levels has been emphasized in most studies due to their effective capture in trawl nets and small beach seines, and high densities in seagrass beds (Kjelson and Johnson 1974, 1978; Livingston 1982). Invertebrate ecologists have characteristically utilized this ichthyofaunal data to hypothesize predator-prey mechanisms governing microhabitat selection, etc. typically with little recognition of the possibility that the piscine invertebrate predator may in turn be distributed through the seagrass meadow habitat due to the predatory influence of the apical predator. Hence, Stoner's (1983) L. rhomboides may not have selected Halodule wrightii beds due to the increased feeding efficiency in this seagrass species, but due to its proximity to a shallow shoreline. The shallow shoreline is an acknowledged refugium from predation by a host of organisms of multiple phyla (Stein 1979). Thus the predatory behavior, predation effectiveness and microdistribution of top predators may ultimately influence population dynamics of all lower trophic levels, including the primary producers.

The evidence presented reveals the diverse fish species assemblage inhabiting the seagrass meadows of the Indian River lagoon, 45 of which are considered the most abundant species and premier seagrass associates. This species assemblage consists of a diverse group of microconsumers, secondary and tertiary consumers on a variety of macrocrustaceans, polychaetes and molluscs, and top predators, several of which are principally piscivorous. The microconsumers prey mainly on calanoid and harpacticoid copepods, larval decapods and amphipods. They may be divided into three basic groups based on their

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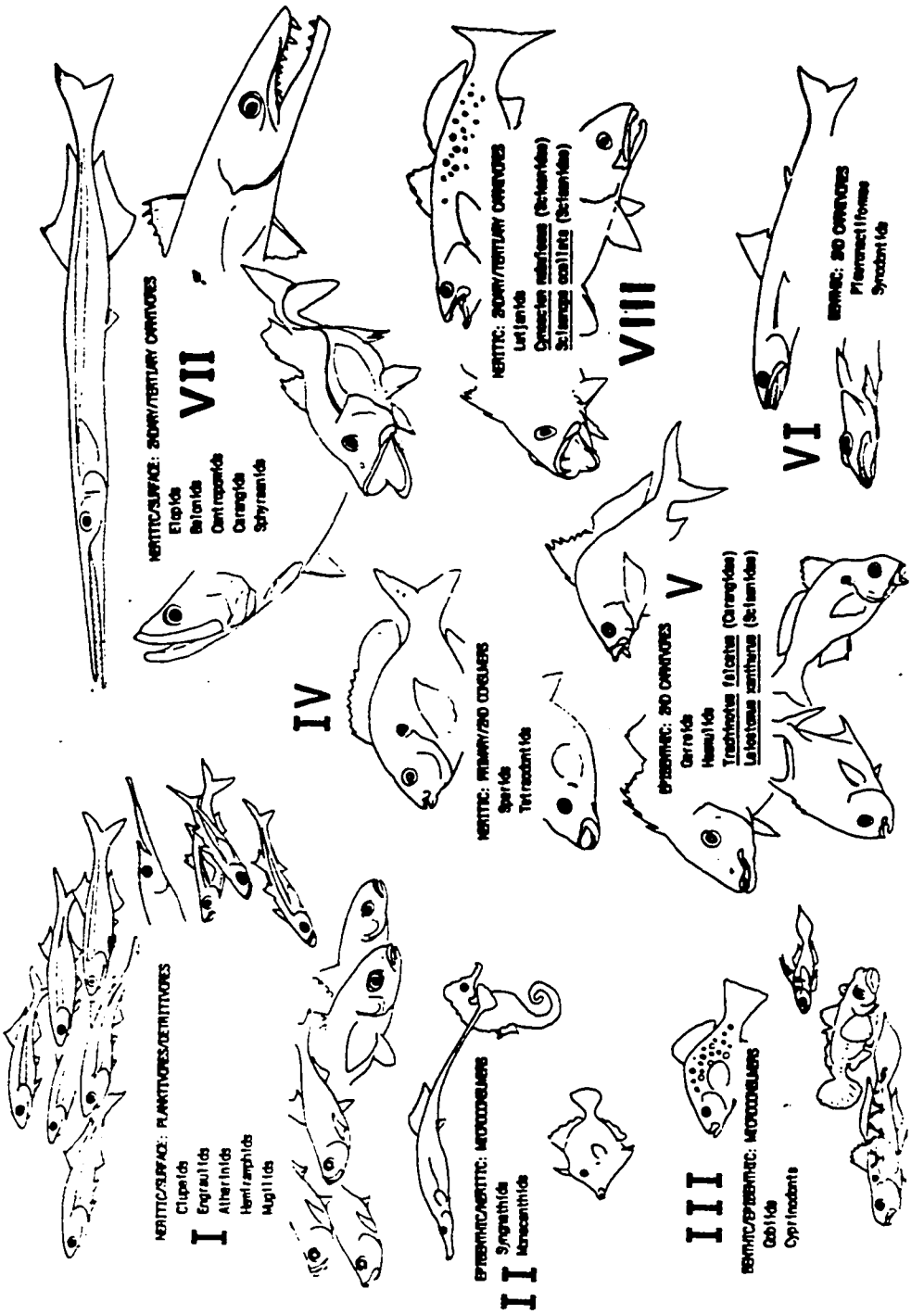
"typical" position in the water column, intraspecific behavior and feeding behaviors (Fig. 21, Groups I-III). The pelagic microconsumer group consists of schooling planktivores, the engraulids, clupeids, atherinids and exocoetids which prey on calanoid copepods for the most part, but may reveal diel diet switching to nocturnal aggregations ofharpacticoid copepods and amphipods (Stevenson 1958; Carr and Adams 1974; Robertson and Howard 1978; Robertson and Klumpp 1983; Livingston 1984a). Menhaden, Brevoortia spp., may feed on detritus and epiphytic algae (diatoms) in addition to zooplankters (Dahlberg 1970). Also included in this group are the mullets which commonly form aggregations and schools and feed both at the surface on neuston, on copepods during the "querimana" larval stage, and on benthic accumulations of detrital materials and algae (Odum 1968). The second major group of microconsumers, Group II, also prey principally on copepods and amphipods, however, they are solitary cryptic epibenthic neritic and epibenthic suction feeders, the syngnathids or the omnivorous scrapers -the monacanthids (Burchmore, et al. 1984). The third microconsumer group, Group III, is principally a benthic/epibenthic group consisting of diminutive burrowing benthic and epibenthic grazers and ambushers, the gobiids, monacanthids and cyprinodonts, which also consume a variety of microcrustaceans in addition to Foraminifera, diatoms, filamentous algae, detritus and other accessible phyla (Buzas and Carle 1979; Springer and Woodburn 1961; Huh and Kitting 1985; Robertson 1984).

The next major group consists of species which form a major portion of the seagrass ichthyofaunal biomass, prey predominately on invertebrates, though some are omnivorous, and are generally found in

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Figure 21. Species guilds typical of seagrass fish communities within the Indian River lagoon.

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loose aggregations, schools or as dispersed solitary individuals throughout the meadow. They may be divided into two subgroups depending on their ability to switch from major prey types and general foraging behavior (Fig. 21, Groups IV and V). The first subgroup, Group IV, consists of species which are generally neritic or epibenthic, feeding principally on macrocrustaceans, amphipods and copepods, but also may switch to seagrass and algae during some period during their ontogeny or due to seasonal variation in prey availability (Burchmore et al. 1984; Huh and Kitting 1985). These fishes are sparids, Lagodon rhomboides, Archosargus probatocephalus and Diplodus argenteus and tetraodontid-ostaciid-diodontid plectognaths, Sphoeroides spp.(principally S. nephelus in this study), Chilomycterus schoepfi and Lactophrys spp.. (Stoner 1979a,b, 1980a,b; Stoner and Livingston 1984 ; Randall 1967; Carr and Adams 1973; Burchmore et al. 1984). The second subgroup, Group V, is wholly carnivorous, preying on benthic invertebrates, macrocrustaceans and polychaetes, and is comprised of gerreids, haemulids, the sciaenid, Leiostomus xanthurus, and the carangid, Trachinotus falcatus. All forage principally over the bottom.

Top predators can be divided into three groups (Fig. 21, Groups VI - VIII) like the microconsumers depending on their principal foraging location. Surface predators, Group VII, consist of needlefishes, Strongylura spp., great barracuda, Sphyraena barracuda, and ladyfish, Elops saurus, whose diet in seagrass meadows has been found to contain large numbers of pelagic planktivores, in addition to the occasional epibenthic mojarra or neritic pinfish (de Sylva 1963; Eidman 1967; Brook 1975; Fahs 1976; Gilmore et al. 1983). This group

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is principally piscivorous. The second top predator group, Group VIII, consists of neritic and epibenthic foragers -- the sciaenids, red drum, Sciaenops ocellatus and the spotted seatrout, Cynoscion nebulosus, the centropomid, snook, Centropomus undecimalis, and the snappers, Lutjanus spp. The snappers typically occur in this habitat only as juveniles, while the spotted seatrout and red drum commonly forage in seagrass beds as adults; in fact seagrasses are one of the principal adult foraging sites in the Indian River lagoon. All group VIII species may occassionally prey on organisms at the surface, which is typically proximate in shallow seagrass meadows. These species are not strictly piscivorous and prey heavily on large decapod crustaceans (Starck and Schroeder 1970; Tabb 1961; Mercer 1984a,b). The third top predator group (Fig. 21; Group VI) consists of benthic predators which are variously associated with sand bottoms and seagrasses. These species are bothid, Paralichthys spp. and Citharichthys spilopterus, cynoglossid, Symphurus plagiusa, and soleid, Achirus lineatus, flatfishes, and the synodontid lizardfish, Synodus foetens. These species prey variously on crustaceans and fishes (Springer and Woodburn, 1960).

Community Dynamics

Pinfish - Trophic Competition/Territoriality - The seagrass fish community was found to be significantly homogeneous in monospecific beds at between site distances of 2 to 70 meters based on species rank comparisons. Much of this homogeneity was due to the relatively even distribution of abundant species such as L. rhomboides. This leads

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one to question the mechanisms governing the equal distribution of this species among drop net samples. Huh and Kitting (1985) conducted experiments which demonstrated that intraspecific competitive interactions for food resources on a seasonal basis may elicit resource partitioning, as L. rhomboides and G. boleosoma switched from a carnivorous diet to herbivory when caged in high densities. This may explain why both this study and that of McNeese (1986) often obtained the same L. rhomboides densities during the warmer months of the year, a period well documented by other workers as one in which L. rhomboides reverts to herbivory. As Huh and Kitting (1985) demonstrated, this is a period when amphipod populations decline in seagrass beds (a decline also documented in the Indian River lagoon [Nelson 1982]) and, therefore, a switch from carnivory to herbivory would be necessary. As the equal monthly rank distribution of L. rhomboides between drop net samples is significant, and improbable to occur by chance alone, this species is probably evenly distributed due to intraspecific interactions that create equal forage areas between fish of similar size. At this time the fish reach a size that would require greater nutritional requirements than early juvenile stages, therefore, greater foraging range and greater opportunity for competitive intraspecific encounters. A simultaneous switch to territoriality and herbivory would alleviate some of this competition for depleted amphipod populations and partition the seagrass bed. The trophic switch - competition scenario presented by Huh and Kitting (1985) allows this territorial hypothesis to be presented as a likely explanation for the inordinately even distribution of pinfish in this study and that of McNeese (1986). This even distribution has not

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been observed in other western Atlantic seagrass bed studies undoubtedly due to the lack of good quantitative technique, differences in trophic resources, or in the case of Sogard, the lack of L. rhomboides. However, this hypothesis is made even more plausible by the documented territoriality in L. rhomboides by Caldwell (1957; albeit in captivity) and the fact that many organisms are facultatively territorial based on resource state (Kaufmann 1983).

Inlet/Upstream Faunal Distribution - This study documented a predictable upstream and inlet seagrass ichthyofauna, which share some common species, i.e. L. rhomboides, but differ significantly both qualitatively and quantitatively in other community constituents. The hydrological differences between the ocean inlet and the upstream portions of the lagoon are also significant, setting the stage for physiologically mediated differences in the respective faunas. In addition to obvious tidal differences, salinity and temperature conditions differ -particularly, wet season salinities and winter water temperatures. A distinct euryeocious, euryhaline estuarine fauna numerically dominates the upstream seagrass beds, while a more stenothermic, stenoecious, tropical/subtropical ocean reef and continental shelf component occurs typically within ocean inlet seagrass meadows. The ocean inlet fauna (i.e. occurring within 3 km of the nearest inlet) compared favorably with seagrass ichthyofaunas described by Snyder (1984), whose two study sites were within 1 km of Jupiter Inlet, the southern terminus of the Indian River lagoon. The upstream fauna described here compares favorably with that of McNeese (1986), who studied seagrass fish populations in the Indian River

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lagoon over 7.0 km from the nearest ocean inlet, explaining her differences from the Snyder (1984) study. These upstream/inlet faunas remained highly predictable over multiple annual cycles, with the major variation attributed not to qualitative differences, but to variations in individual species recruitment patterns between years. The trophic-spatial guild structure was basically the same at both inlet and upstream seagrass sites, with congeneric and confamilial species replacements as one approached an ocean inlet. The distinctness and predictability of these complementary faunas demonstrates the determining effect of geography and hydroclimatology on the species complement of the seagrass ichthyofauna at a particular location. These factors are of major importance in determining seagrass fish communities throughout the world (Kikuchi and Peres 1977, pg. 176; Moyle and Li 1979; Blaber and Blaber 1980; Livingston 1984).

The total numerical catch of upstream faunas differed quantitatively (by an order of magnitude or more) from inlet faunas principally due to increased numbers of zooplanktivores at nutrient rich upstream sites (e.g BMC). These differences in nutrient concentration (Gibson, 1976) may also influence seagrass invertebrate prey from the standpoint of available food, reproductive success and larval survival (Youngbluth and Gamble 1976; Youngbluth et al. 1977), and attract large numbers of secondary consumers, zooplanktivores and subsequently top predators. The larger number of small planktivorous specimens at upstream sites is responsible for the lower mean size of the fishes upstream. In contrast, there is little difference in densities or mean size of L. rhomboides between inlet (mean SL = 37.6

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mm) and upstream sites (mean SL = 35.6 mm), contrary to the findings of Jones et al., (1975). Therefore, most of the size difference is attributed to the bay anchovy, A. mitchilli, the clupeid, B. smithi and possibly some of the gobiids and syngnathids (e.g. G. robustum and S. scovelli) which are more numerous at upstream sites. The most abundant inlet anchovies are larger than A. mitchilli, e.g. A. hepsetus. For this reason we suggest that the amphipod distribution patterns of the Indian River lagoon observed by Nelson (1982) and hypothesized to be due to geographic variation in predatory phenomena, may more likely be due to geographical and hydroclimatographic environmental phenomena than predation by fish per se, i.e. reacting to similar faunal distributional parameters as do the fishes.

Temporal Predictability

Temporal seasonal changes in seagrass ichthyofaunas were significant but showed the same pattern over several annual cycles, particularly on the qualitative level. Quantitative variation in year class strength for most abundant species was variable from year to year, but the year to year prediction of site-specific seagrass faunas was accurate. Although several species may have periodic spawning activity throughout the year most have specific periods of spawning activity, particularly the warm temperate species. Spawning activity in tropical reef species appears to be limited to the warmer months, however, tropical estuarine species, i.e. centropomids and gerreids, may show a longer spawning period under optimum climatic conditions.

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The stochasticity of recruitment predicted by Sogard et al. (1987) to influence the qualitative nature of seagrass ichthyofaunas at various sites is called into question by the highly predictable annual occurrence of the major seagrass species in this survey. Frequency of species occurrence, and therefore, the predictability of faunal components, declined with sample area size (Table 2). The stochasticity of Sogard's (1987) fauna could, therefore, result from the use of the 1 m^2 throw net as it was the only collection device used. All the collection sites in the present study were accessible to larvae of either estuarine spawners or oceanic spawners depending on the relative distance from ocean inlets. Some of the Sogard et al. (ibid) sites may have been more isolated from spawning sites and therefore, received larvae on a less predictable temporal schedule. However, the Sogard et al. (1987) limitation of only three annual collections for two years also calls to question the possibility of predicting recruitment at all in their study.

The present study has demonstrated that the qualitative attributes of site specific seagrass ichthyofaunas were predictable over several annual cycles and that fish recruitment to a site is also predictable for the abundant species. This is particularly true for estuarine spawners at upstream sites, e.g. C. nebulosus, B. chrysoura, G. robustum, S. scovelli and A. mitchilli versus ocean spawners at inlet sites, scarids, L. synagris, L. analis, H. parrai and certain site specific gobiids, G. stigmaturus. The relative ranking of these species based on number of individuals was also conservative while showing most variation in year class strength.

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Importance of Geography and Hydroclimatology

The zoogeographic characterization of the regional ichthyofauna reveals a transitional fauna with warm-temperate Carolinian contributions principally at upstream and northern sites and a tropical Caribbean contribution principally at inlet and southern sites. Greatest faunal overlap occurs with Biscayne Bay, however gear bias makes a Florida Bay faunal comparison difficult to make. Sogard et al. (1987) describes a basically Gulf fauna for Florida Bay seagrass habitats which may be more warm temperate than southern Indian River lagoon inlet faunas, but quite similar to upstream northern lagoon seagrass faunas described by Schooley (1977).

The role various species of seagrasses play in serving as fish habitat was not examined in this study as the same seagrass species was examined at all drop net sites and the size and composition at seine sites varied considerably. The fact that similar upstream/inlet faunal patterns were seen in spite of seagrass species compositional differences at the southern sites indicates that the geographic location of the site is more important than the species of seagrass in determining at least fish species composition at various sites within the Indian River lagoon. The SEB and WAB Halodule bed sites did differ from the other sites dominated by Syringodium in a number of fish species, but they never showed significant similarities to one another. Neither did the inlet versus upstream Syringodium beds. This calls into question the differences in seagrass ichthyofaunas proposed by Martin and Cooper (1981) and Middleton et al. (1984) based on

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studies of different species under comparable geographic separation. The studies of Stoner (1983) and Young (1981) are more convincing as proximate sites were studied with greater sampling frequency even though trawls were used to obtain specimens. Seagrass beds species composition, drift algal production, water depth and distance from the nearest shore all undoubtedly impact microspatial fish distributions at specific upstream or inlet sites. These latter factors are undoubtedly particularly important for the species in guilds II through VII (Fig 21) and need detailed treatment in future studies.

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CONCLUSIONS

These analyses of the seagrass ichthyofauna of the Indian River lagoon produced the following conclusions:

1. The seagrass ecosystem of the Indian River lagoon contains a diverse assembledge of fishes (164 species, 54 families) which is qualitatively and quantitatively distinct from adjacent salt marsh/mangrove swamp and sand bottom fish communities, based on the use of complementary techniques.

2. The qualitative and quantitative attributes of the seagrass community are greatly affected by the proximity to ocean inlets, as there are distinct upstream (7 km or more from nearest inlet) and inlet ichthyofaunas (less than 3 km from nearest inlet), which are predictable over several annual cycles. The spatial and temporal patterns observed demonstrate that physical geographic and hydroclimatic parameters substantially influence the species composition and relative abundance of the seagrass ichthyofauna at specific sites.

3. Seagrass ichthyofaunal homogeneity (qualitative and quantitative) is relatively high at sites within a few meters, but still reveals significant homogeneity at distances up to 3 km between upstream sites.

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4. Seasonal faunal changes are predictable. However, quantitative changes are more variable with significant changes in recruitment over several annual cycles. There are predictable upstream and inlet site specific seagrass ichthyofaunas which maintain their unique species complement over several annual cycles but fluctuate considerably in total numbers captured.

5. Spawning periodicity was predicted from larval-juvenile recruitment patterns. Cool-dry season spawners are typically warm temperate species and warm-wet season spawners are generally tropical and eurythermic tropicals, although some warm-temperate species limit their spawning to this period of the year (e.g. Cynoscion nebulosus). Some tropical species, e.g. gerreids and centropomids, may spawn throughout the year when climatic conditions are favorable.

6. The seagrass ichthyofauna may be divided into eight basic guilds based on numbers captured and percent frequency of occurrence, both of which are directly effected by gear bias, vertical and horizontal fish dispersal and behavior. These eight guilds are defined based on known species dispersal, trophic habits and microhabitat preferences and are generally present at any particular seagrass site. However, the species within each guild may be replaced by congeneric or confamilial species depending on the location of the seagrass bed relative to ocean inlets.

AMERICAN OVERSIGHT

LITERATURE CITED

Adams, S.M. 1976. The ecology of eelgrass, Zostera marina (L.) fish communities. I. Structural analysis. J. Exp. Mar. Biol. Ecol. vol. 22: pp. 269-291.

Bell, J.D. and M. Westoby. 1986a. Abundance of macrofauna in dense seagrass is due to habitat preference, not predation. Oecologia, 68: 205-209.

Bell, J.D. and M. Westoby. 1986b. Importance of local changes in leaf height and density to fish and decapods associated with seagrasses. J. Exp. Mar. Biol. Ecol., 104: 249-274.

Bell, J.D., Burchmore, J.J. and D.A. Pollard. 1978. Feeding ecology of three sympatric species of leatherjackets (Pisces: Monacanthidae) from a Posidonia seagrass habitat in New South Wales. Aus. J. Mar. Freshwater Res., 29: 631-643.

Blaber, S.J.M. and T.G. Blaber. 1980. Factors affecting the distribution of juvenile estuarine and inshore fish. J. Fish. Biol. 17: 143-162.

Briggs, J.C. 1974. Marine Zoogeography. McGraw-Hill. New York.

AMERICAN OVERSIGHT

Briggs, P.T. and J.S. O'Conner. 1971. Comparison of shore-zone fishes over naturally vegetated and sand-filled bottoms in Great South Bay. N.Y. Fish Game Jour., 18: 15 - 41.

Bloom, S.A. 1981. Similarity indices in community studies: potential pitfalls. Mar. Ecol. Prog. Ser. 5: 125-128.

Brook, I.M. 1975. Some aspects of the trophic relationships among the higher consumers in a seagrass community (Thalassia testudinum Konig) in Card Sound, Florida. Ph.D. dissertation, Univ. Miami, Coral Gables. 133 pp.

Brook, I.M. 1977. Trophic relationships in a seagrass community (Thalassia testudinum), in Card Sound, Florida. Fish diets in relation to macrobenthic and cryptic faunal abundance. Trans. Am. Fish. Soc. 106: 219-229.

Brook, I.M. 1978. Comparative macrofaunal abundance in turtlegrass (Thalassia testudinum) communities in south Florida characterized by high blade density. Bull. Mar. Sci. 28: 212-217

Brown, J.D. 1972. A comparative life history study of four species of pipefishes (family syngnathidae) in Florida. Ph.D. Dissert. U. of Fla., Gainesville. 164 p.

Burchmore, J.J., D.A. Pollard and J.D. Bell. 1984. Community structure and trophic relationships of the fish fauna of an

AMERICAN OVERSIGHT

estuarine Posidonia australis seagrass habitat in Port Hacking, New South Wales. Aquatic Bot. 18: 71-87.

Buzas, M.A. and K.J. Carle. 1979. Predators of foraminifera in the Indian River, Florida. J. Foram. Res. 9: 336-340.

Caldwell, D.K. 1957. The biology and systematics of the pinfish, Lagodon rhomboides (Linnaeus). Bull. Fl. State Mus. 2:78-173.

Cameron, J.N. 1969. Growth, respiratory metabolism, and seasonal distribution of juvenile pinfish (Lagodon rhomboides Linneaus) in Redfish Bay, Texas. Publs. Inst. Mar. Sci. Univ. Tex. 14: 19-36.

Carr, W.E.S., and C.A. Adams. 1973. Food habits of juvenile marine fishes occupying seagrass beds in the estuarine zone near Crystal River, Florida. Trans. Amer. Fish Soc. 102: 511-540.

Choa, L.N. 1976. Aspects of the systematics, morphology, life history and feeding of Western Atlantic Sciaenidae (Pisces: Perciformes). Ph.D. Dissertation, Coll. of William and Mary, Williamsburg, Va. 351 pp.

Choa, L.N. and J.A. Musick. 1977. Life history, feeding habits and functional morphology of juvenile sciaenid fishes in the York River estuary, Virginia. Fish. Bull. U.S. Dept. Comm. 75: 657-702.

AMERICAN OVERSIGHT

Clements, W. H. and R. J. Livingston. 1983. Overlap and pollution-induced variablility in the feeding habits of filefish (Pisces: Monacanthidae) from Apalachee Bay, Florida. Copeia 1983: 331-338.

Clements, W. H. and R. J. Livingston. 1984. Prey selectivity of the fringed filefish Monacanthus ciliatus (Pisces: Monacanthidae): role of prey accessibility. Mar. Ecol. Prog. Ser., 16: 291-295.

Crowder, L.B. and W.E. Cooper. 1982. Habitat structural complexity and the interaction between bluegills and their prey. Ecol. 63: 1802-1813.

Dahlberg, M.D. 1970. Atlantic and Gulf of Mexico menhadens, genus Brevoortia (Pisces: Clupeidae). Bull. Fla. State Mus., 15(3): 91-162.

Darcy, G.H. 1985. Synopsis of biological data on the pinfish, Lagodon rhomboides (Pisces: Sparidae). NOAA Tech. Rep. NMFS 23: 32 p.

Dawson, C.E. 1985. Indo-Pacific pipefishes (Red Sea to the Americas). Gulf Coast Mar. Lab., Ocean Springs, Miss. 230 pp.

de Sylva, D.P. 1963. Systematics and life history of the great barracuda/ Sphyraena barracuda (Walbaum). Stud. Trop. Oceanogr., 1: i-vii+1-179.

AMERICAN OVERSIGHT

Deckert, G.D. and D.W. Greenfield. 1987. A review of the western Atlantic species of the genera Diapterus and Eugerres (Pisces: Gerreidae). Copeia 1987: pp 182-194.

Eidman, M. 1967. Contribution to the biology of needlefishes, Strongylura sp. in South Florida. M.S. Thesis, Inst. Mar. Sci., Univ. Miami. 84 pp.

Fahs, R.W., II. 1976. Feeding habits and food of the great barracuda, Sphyraena barracuda in the Indian River. M.S. Thesis, Fla. Inst. Tech. 36 pp.

Gibson, R.A. 1976. Chapter 2. Phytoplankton and hydrochemical variations in the Indian River system including an inventory of pollution sources. pp 14-45. in Indian River Coastal Zone Study, Second Annual Report. D.K. Young (ed.). Harbor Branch Foundation, Inc., Ft. Pierce, Florida.

Gilmore, R.G., Jr. 1977. Fishes of the Indian River lagoon and adjacent waters, Florida. Bull. Florida State Mus. Biol. Sci. 22: 101-148.

Gilmore, R.G., Jr. 1984. Fish and macrocrustacean population dynamics in a tidally influenced impounded subtropical salt marsh. Final Report. Fla. Dept. Environ. Reg. - Coast. Zone Manag. Contract No.s 47/73. 35 pp., 20 Tabls., 31 Fig.s.

AMERICAN OVERSIGHT

Gilmore, R.G., Jr. 1987. Fish, macrocrustacean and avian population dynamics and cohabitation in tidally influenced impounded subtropical wetlands. pp 373-394 in Symposium on Waterfowl and Wetlands Management in the Coastal Zone of the Atlantic Flyway, Whitman, W.R. and W.H. Meredith, (eds), Del. Coast. Manag. Prog., Del. Dept. Nat. Res. and Envir. Cont., Dover, Del.

Gilmore, R.G., G.R. Kulczycki, P.A. Hastings and W.C. Magley. 1976. Chapter 11: Studies of fishes of the Indian River lagoon and vicinity. pp 133-147 in Third Annual Report: Indian River Coastal Zone Study, D.K. Young (ed.). Harbor Branch Consortium, Fort Pierce, Florida, Vol. 1.

Gilmore, R.G., L.H. Bullock and F.H. Berry. 1978a. Hypothermal mortality in marine fishes of south-central Florida. January, 1977. N.E. Gulf Sci. 2: 77-97.

Gilmore, R.G., J.K. Holt, R.S. Jones, G.R. Kulczycki, L.G. MacDowell III and W.C. Magley. 1978b. Portable tripod drop net for estuarine fish studies. Fish. Bull., 76: 285-289.

Gilmore, R.G., C.J. Donohoe, D.W. Cooke, and D.J. Herrema. 1981. Fishes of the Indian River lagoon and adjacent waters, Florida. Harbor Branch Foundation, Inc. Tech. Rep. No. 41. 36 p.

Gilmore, R.G., C.J. Donohoe, and D.W. Cooke. 1983a. Observations on the distribution and biology of east-central Florida populations of

AMERICAN OVERSIGHT

the common snook, Centropomus undecimalis (Bloch). Fla. Sci. 46: 313-336.

Gilmore, R.G., D.J. Peters, J.L. Fyfe, and P.D. O'Brian. 1985. Fish, macrocrustacean and avian population dynamics in a tidally influenced impounded subtropical salt marsh. Final Report, Fla. Dept. of Environ. Reg., Coast. Zone Manag. Contract No. 93. 42 pp. + Appendix.

Gilmore, R.G., B.J. McLaughlin and D.M. Tremain. 1986. Fish and macrocrustacean utilization of an impounded and managed red mangrove swamp with a discussion of the resource value of managed mangrove swamp habitat. Final Report., Homer Hoyt Inst. 132 pp.

Gilmore, R.G., R.E. Brockmeyer and D.M. Scheidt. 1988. Final Report: Induced fish migration as a means of reducing hypoxic fish mortalities in impounded salt-marsh and mangrove swamp hatitats. Fla. Dept. Health and Rehabilitative Serv. Contract No. LCNA6.

Gore, R.H., E.E. Gallaher, L.E. Scotto and K.A. Wilson. 1981. Studies of the decapod crustacea from the Indian River region of Florida XI. Community composition, structure, biomass and species-areal relationships of seagrass and drift algae-associated macrocrustaceans. Est. Coast. Shelf Sci. 12: 485- 508.

AMERICAN OVERSIGHT

Gray, C.A. and J.D. Bell. 1986. Consequences of two common techniques for sampling vagile macrofauna associated wiht the seagrass Zostera capricorni. Mar. Ecol. Prog. Ser. 28: 43-48.

Guillory, V., M.D. Jones and M. Rebel. 1979. A comparison of fish communities in vegetated and beach habitats. Fla. Sci. 42: 113-122.

Hansen, D.J. 1969. Food, growth, migration, reproduction and abundance of pinfish, Lagodon rhomboides, and Atlantic croaker, Micropogon undulatus, near Pensacola, Florida, 1963-65. U.S. Fish Wildl. Serv. Fish. Bull. 68: 135-146.

Heck, K.L. and R.J. Orth. 1980. Seagrass habitats: the roles of habitat complexity, competition and predation in structuring associated fish and motile macroinvertebrate assembledges. pp. 449-465. in V.S. Kennedy, ed. Estuarine Perspectives. Academic Press, N.Y. 533 p.

Heck, K.L. and T.A. Thoman. 1981. Experiments on predator-prey interactions in vegetated aquatic habitats. J. Exp. Mar. Biol. Ecol. 53: 125-134.

Hellier, T.R., Jr.1958. The drop-net quadrat, a new population sampling device. Publ. Inst. Mar. Sci., Univ. Texas, 5: 165-168.

AMERICAN OVERSIGHT

Holt, S.A., C.L. Kotting, and C.R. Arnold. 1983. Distribution of young red drums among different seagrass meadows. Trans. Amer. Fish. Soc. 112: 267-271.

Howard, R.K. 1984. The trophic ecology of caridean shrimps in an eelgrass community. Aquatic Bot. 18: 155-174.

Huh, S.H. 1984. Seasonal variations in populations of small fishes concentrated in shoalgrass and turtlegrass meadows. J. Oceanol. Soc. Korea, 19: 44-55.

Huh, S.H. and C.L. Kitting. 1985. Trophic relationships among concentrated populations of small fishes in seagrass meadows. J. Exp. Mar. Biol. Ecol., 92: 29-43.

Jones, R.S., R.G. Gilmore, Jr., G.R. Kulczycki, W.C. Magley and B. Graunke. 1975. Chapter 4: Studies of the fishes of the Indian River coastal zone. pp 57-88. in Second Annual Report: Indian River Coastal Zone Study, D.K. Young (ed.). Harbor Branch Consortium, Fort Pierce, Florida, Vol. 1.

Joseph, E.B. 1957. A study of the systematics and life history of the Gulf pipefish, Syngnathus scovelli (Evermann and Kendall). Ph.D. Dissert., Fla. St. Univ. 105 p.

Kaufmann, J.H. 1983. On the definitions and functions of dominance and territoriality. Biol. Rev. 58: 1-20.

AMERICAN OVERSIGHT

Kerschner, B.A., M.S. Peterson and R.G. Gilmore, Jr. 1985. Ecotopic and ontogenetic trophic variation in mojarras (Pisces: Gerreidae). Estuaries, 8: 311-322.

Kjelson, M.A. and G.N. Johnson. 1973. Description and evaluation of a portable drop-net for sampling nekton populations. Southeast. Assoc. Game Fish. Comm., Proc. 27th Annu. Conf.: 653-662.

Kjelson, M.A. and G.N. Johnson. 1974. Description and evaluation of a long-haul seine for sampling fish populations in offshore estuarine habitats. Proc. 28th Ann. Conf. Southeast. Ass. Game and Fish. Comm., 1974: 171- 179.

Kjelson, M.A. and G.N. Johnson. 1978. Catch efficiencies of a 6.1-meter otter trawl for estuarine fish populations. Trans. Am. Fish. Soc., 107: 246-254.

Kjelson, J.A., W.R. Turner, and G.N. Johnson. 1975. Description of a stationary drop-net for estimating nekton abundance in shallow waters. Trans. Am. Fish. Soc., 104: 46-49.

Kikuchi, T. and J.M. Perez. 1977. Consumer ecology of seagrass beds. pp. 147 - 193. in C.P. McRoy and C. Helfferich, eds. Seagrass Ecosystems. A Scientific Perspective. Marcel Dekker, Inc., N.Y.

AMERICAN OVERSIGHT

Kulczycki, G.R., R.W. Virnstein and W.G. Nelson. 1981. The relationship between fish abundance and algal biomass in a seagrass-drift algae community. Est. Coast. Shelf Sci. 12: 341-347.

Kushlan, J.A. 1981. Sampling characteristics of enclosure fish traps. Trans. Am. Fish. Soc., 110: 557 -562.

Leber, K.M. and H.S. Greening. 1986. Community studies in seagrass meadows: a comparison of two methods for sampling macroinvertebrates and fishes. Fish. Bull., 84: 443-450.

Levinton, J.S. 1982. Marine ecology. Prentice-Hall Inc., Englewood Cliffs, N.J. 526 p.

Lewis, F.G. 1984. Distribution of macrobenthic crustaceans associated with Thalassia, Halodule and bare sand substrata. Mar. Ecol. Prog. Ser., 19: 101-113.

Lewis, F.G. and A.W. Stoner. 1983. Distribution of macrofauna within seagrass beds: an explanation for patterns of abundance. Bull. Mar. Sci. 33: 296-304.

Lewis, R.R., III, R.G. Gilmore, Jr., D.W. Crewz nad W.E. Odum. 1985. Mangrove habitat and fishery resources of Florida. pp 281-336. in Florida Aquatic Habitat and Fishery Resources. W. Seaman, Jr. (ed.). Fla. Chapter Am. Fish. Soc.

AMERICAN OVERSIGHT

Livingston, R.J. 1980. Ontogenetic trophic relationships and stress in a coastal seagrass system in Florida. Pages 423-435 In Estuarine Perspectives. U.S. Kennedy, ed. Academic Press. xxxp.

Livingston, R.J. 1982. Trophic organization of fishes in a coastal seagrass system. Mar. Ecol. Prog. Ser. 7: 1-12.

Livingston, R.J. 1984a. Trophic response of fishes to habitat variability in coastal seagrass systems. Ecol., 65: 1258-1275.

Livingston, R.J. 1984b. The relationship of physical factors and biological response in coastal seagrass meadows. Estuaries 7: 377-390.

Livingston, R.J., G.J. Kobylinski, F.G. Lewis, III, and P.F. Sheridan. 1976. Long-term fluctuations of epibenthic fish and invertebrate populations in Apalachicola Bay, Florida. U.S. Fish Wildl. Serv., Fish. Bull. 74: 311-321.

Livingston, R.J., and O.L. Loucks. 1978. Productivity, trophic interactions, and food-web relationships in wetlands and associated systems. Pp. 101-119 in Wetland function and values: the state of our understanding. Am. Water Res. Assoc. xxx p.

Low, R.A. 1973. Shoreline grassbed fishes in Biscayne Bay, Florida wiht notes on the availability of clupeid fishes. M.S. Thesis, Univ. of Miami, Coral Gables, Fla. 145 p.

AMERICAN OVERSIGHT

Martin, F.D. and M. Cooper. 1981. A comparison of fish faunas found in pure stands of two tropcial Atlantic seagrasses, Thalassia testudinum and Syringodium filiforme. N.E. Gulf Sci., 5: 31-37.

Matheson, R.E., Jr. and J.D. McEachran. 1984. Taxonomic studies of the Eucinostomus argenteus complex (Pisces: Gerreidae): preliminary studies of external morphology. Copeia 1984: pp. 893-902.

McNeese, P.L. 1986. Spatial and temporal variability of fish communities inhabiting Halodule wrightii seagrass beds in the lower Indian River estuary. M.S. Thesis, Fla. Inst. Tech., Melbourne, Fla. 34 p.

Mercer, L.P. 1984a. A biological and fisheries profile of spotted seatrout, Cynoscion nebulosus. N.C. DNR Spec. Rep. No. 40. 89 pp.

Mercer, L.P. 1984b. A biological and fisheries profile of red drum, Sciaenops ocellatus. N.C. DNR Spec. Sci. Rep. No. 41. 89 p.

Middleton, M.J. and J.D. Bell, J.J. Burchmore, D.A. Pollard and B.C. Pease. 1984. Structural differences in the fish communities of Zostera capricorni and Posidonia australis seagrass meadows in Botany Bay, New South Wales. Aquatic Bot. 18: 89-109.

Miller, J.M. and M.L. Dunn. 1980. Feeding strategies and patterns of movement in juvenile estuarine fishes. pp. 437-448. in Estuarine Perspectives, V.S. Kennedy (ed.), Academic Press, Inc., New York .

AMERICAN OVERSIGHT

Mok, H.K. and R.G. Gilmore. 1983. Analysis of sound production in estuarine aggregations of Pogonias cromis, Bairdiella chrysoura, and Cynoscion nebulosus (Sciaenidae). Bull. Inst. Zoo., Academia Sinica, 22: 157-186.

Moore, R.H. 1976. Seasonal patterns in the respiratory metabolism of the mullets Mugil cephalus and Mugil curema. Contrib. Mar. Sci. 20: 133-146.

Moseley, F.N. and B.T. Copeland. 1969. A portable drop-net for respresentative sampling of nekton. Contrib. Mar. Sci. Univ. Texas, 14: 37-45.

Moyle, P.B. and H.W. Li. 1979. Community ecology and predator-prey relations in warmwater streams. pp 171-180. in Predator-prey systems in fisheries management. H.Clepper (ed.). Sport Fishing Inst., Washington, D.C.

Nelson, W.G. 1979. Experimental studies of selective predation on amphipods: consequences for amphipod distribution and abundance. J. Exp. Mar. Biol. Ecol. 38: 225-245.

Nelson, W.G. 1980. A comparative study of amphipods in seagrasses from Florida to Nova Scotia. Bull Mar. Sci. 30: 80-89.

Nelson, W.G. 1981. Experimental studies of decapod and fish predation on seagrass macrobenthos. Mar. Ecol. Prog. Ser., 5: 141-149.

AMERICAN OVERSIGHT

Nelson, W.G. 1982. Seasonality and spatial patterns of seagrass-associated amphipods of the Indian River lagoon, Florida. Bull. Mar. Sci., 32: 121-129.

Odum, W.E. 1968. The ecological significance of fine particle selection by the striped mullet, Mugil cephalus. Limnol. Oceanogr. 13: 92-98.

Ogden, J.C. 1976a. Some aspects of herbivore--plant relationships in Caribbean reefs and seagrass beds. Aquat. Bot. 2: 103-116.

Ogden, J.C. 1976b. Behaviour and ecology of schooling groups of juvenile grunts (Pomadasyidae). In Symp. Prog. Mar. Res. Caribbean Adj. Water. H.S. Stewart, (ed.) FAO Spec. Rep. No. 200: 323-332.

Ogden, J.C. 1980. Faunal relationships in Caribbean seagrass beds. Pages 173-198 in R.C. Phillips and C.P. McRoy, eds. Handbook of seagrass biology. Garland Press, New York.

Ogden, J.C., and N.S. Buckman. 1973. Movements, foraging groups, and diurnal migrations of the striped parrotfish Scarus croicensis Bloch (Scaridae). Ecol. 54: 589-596.

Ogden, J.C., and P.S. Lobel. 1978. The role of herbivorous fishes and urchins in coral reef communities. Environ. Biol. Fishes 3: 49-63.

AMERICAN OVERSIGHT

Ogden, J.C., and J.C. Zieman. 1977. Ecological aspects of coral reef-seagrass bed contracts in the Caribbean. Proc. 3rd Int. Symp. Coral Reefs Univ. Miami, Coral Gables, Florida 3: 337-382.

Orth, R.J. and K.L. Heck, Jr. 1980. Structural components of eelgrass (Zostera marina) meadows in the lower Chesapeake Bay - Fishes. Estuaries 3: 278-288.

Orth, R.J. and J. van Montfrans. 1987. Utilization of a seagrass meadow and tidal marsh creek by blue crabs Callinectes sapidus. I. Seasonal and annual variations in abundance with emphasis on post-settlement juveniles. Mar. Ecol. Prog. Ser., 41: 283-294.

Overstreet, R.M. 1983a. Aspects of the biology of the spotted seatrout, Cynoscion nebulosus, in Mississippi. Gulf Res. Rep., Suppl. 1:1-43.

Overstreet, R.M. 1983b. Aspects of the biology of the red drum, Sciaenops ocellatus, in Mississippi. Gulf Res. Rep. Suppl. 1:45-68.

Pielou, E.C. 1966. The measurement of diversity in different types of biological collections. J. Theoret. Biol. 13: 131-144.

Pollard, D.A. and C. den Hartog. 1984. Seagrasses: Consumer ecology and faunal relationships with special emphasis on recent studies in Australia. Aquatic Botany, 18: 1-199.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-000211

Randall, J.E. 1967. Food habits of reef fishes of the West Indies. Stud. Trop. Oceanogr., Miami 5: 665-847.

Randall, J.E. 1961. Overgrazing of algae by herbivorous marine fishes. Ecol., 42: 812.

Randall, J.E. 1965. Grazing effect on seagrasses by herbivorous reef fish in the West Indies. Ecol., 46: 255-260.

Randall, J.E. 1967. Food habits of reef fishes of the West Indies. Stud. Trop. Oceanogr., Miami 5: 665-847.

Randall, J.E. and H.A. Randall. 1963. The spawning and early development of the Atlantic parrotfish, Sparisoma rubripinne, with notes on other scarid and labrid fishes. Zoologica 49: 49-60.

Robertson, A.I. 1980. The structure and organization of an eelgrass fish fauna. Oecologia (Berl.), 47: 76-82.

Robertson, A.I. 1984. Trophic interactions between the fish fauna and macrobenthos of an eelgrass community in Western Port, Australia. Aquatic Bot., 18: 135-153.

Robertson, A.I. and R.K. Howard. 1978. Diel trophic interactions between vertically migrating zooplankton and their fish predators in an eelgrass community. Mar. Biol. 48: 207-213.

AMERICAN OVERSIGHT

Robertson, A.I. and D.W. Klumpp. 1983. Feeding habits of the southern Australian garfish Hyporhamphus melanochir: a diurnal herbivore and nocturnal carnivore. Mar. Ecol. Prog. Ser. 10: 197-201.

Robins, C.R., R.M. Bailey, C.E. Bond, J.R. Brooker, E.A. Lachner, R.N. Lea and W.B. Scott. 1980. A lsit of common and scientific names of fishes from the United States and Canada (Fourth Edition). Am. Fish. Soc. Spec. Publ. No. 12. 174 pp.

Ryan, J.D. 1981. Diel predator-prey relationships in a sub-tropical seagrass meadow: Apalachee Bay, Florida. M.S. Thesis, Fla. St. Univ., Tallahassee, Fla. 101 p.

Schooley, J.K. 1977. Factors affecting the distribution of the nearshore fishes in the lagoonal water of the Indian River, Florida. M.S. Thesis, Univ. Fla., Gainesville, Fla. 165 p.

Schooley, J.K. 1980. The structure and function of warm temperate estuarine fish communities. Ph.D. Thesis, Univ. of Fla., Gainesville: 107 pp.

Sheridan, P.F. 1979. Trophic resource utilization by three species of sciaenid fishes in a northwest Florida estuary. N. E. Gulf Sci., 3: 1-15.

AMERICAN OVERSIGHT

Sheridan, P.F., and R.J. Livingston. 1979. Cyclic trophic relationships of fishes in an unpolluted, river-dominated estuary in north Florida. Pages 143-161 in: R.J. Livingston, ed., Ecological Processes in Coastal and Marine Systems. Plenum Press, N.Y., 548 p.

Smith, N.P. 1981. Local energy exchanges in a shallow coastal lagoon: summer conditions. Atmos.-Ocean 19: 307-319.

Smith, N.P. 1983a. A comparison of winter and summer temperature variations in a shallow bar-built estuary. Estuaries 6: 2-9.

Smith, N.P. 1983b. Seasonal variations in the heat energy budget of the Indian River lagoon, Florida. Fla. Sci. 46: 168-178.

Snyder, D.B. 1984. Species richness, abundance and occurrence of grassbed fishes from Jupiter Inlet, Florida. M.S. Thesis, Fla. Atl. Univ., Boca Raton, Fla., 75 p.

Sogard, S.M. 1982. Feeding ecology, population structure, and community relationships of a grassbed fish, Callionymus pauciradiatus, in southern Florida. M.S. Thesis. Univ. of Miami, Coral Gables, Fla. 103 pp.

Sogard, S.M., G.V.N. Powell, J.G. Holmquist. 1987. Epibenthic fish communities on Florida Bay banks: relations with physical parameters and seagrass cover. Mar. Ecol. Prog. Ser., 40: 25-39.

AMERICAN OVERSIGHT

Sokal, R.R. and F.J. Rohlf. 1981. Biometry. W.H. Freeman and Co., New York. 859 p.

Springer, V.G., and A.J. McErlean. 1961. Spawning seasons and growth of the code goby, Gobiosoma robustum (Pisces: Gobiidae), in the Tampa Bay area. Tulane Stud. Zoo. 9: 87-98.

Springer, V.G., and A.J. McErlean. 1962. Seasonality of fishes on a south Florida shore. Bull. Mar. Sci. Gulf Caribb. 12: 39-60.

Springer, V.G., and K.D. Woodburn. 1960. An ecological study of the fishes of the Tampa Bay area. Fla. St. Brd. Conserv. Prof. Pap. Ser. 1: 1-104.

Starck, W.A. II, and R.E. Schroeder. 1970. Investigations on the gray snapper, Lutjanus griseus. Studies in Tropical Oceanogr. No. 10, Univ. of Miami Press, Coral Gables, Florida 224 pp.

Stein, R.A. 1979. Behavioral response of prey to fish predators. pp 343-353. in Predator-prey systems in fisheries management. H.Clepper (ed.). Sport Fishing Inst., Washington, D.C.

Stephenson, R.A., Jr. 1958. The biology of the anchovies Anchoa mitchilli mitchilli Cuvier and Valenciennes 1848 and Anchoa hepsetus hepsetus Linnaeus 1758 in Delaware Bay. Master's Thesis, Univ. Del., Newark, Del. 56 pp.

AMERICAN OVERSIGHT

Stoner, A.W. 1979a. Species-specific predation on amphipod crustaceans by the pinfish Lagodon rhomboides: mediation by macrophytic standing crop. Mar. Biol. 55: 210-207.

Stoner, A.W. 1979b. The macrobenthos of seagrass meadows in Apalachee Bay, Florida, and the feeding ecology of Lagodon rhomboides (Pisces: Sparidae). Ph.D. Dissert., Fla. St. Univ., Tallahassee, Florida. xxx p.

Stoner, A.W. 1980a. Feeding ecology of Lagodon rhomboides (Pisces: Sparidae): Variation and functional responses. Fish. Bull. 78: 337-352.

Stoner, A.W. 1980b. Abundance, reproductive seasonality and habitat preferences of amphipod crustaceans in seagrass meadows of Apalachee Bay, Florida. Contrib. Mar. Sci. 23: 489-497.

Stoner, A.W. 1980c. Perception and choice of substratum by epifaunal amphipods associated with seagrasses. Mar. Ecol. Progr. Ser. 3: 105-111.

Stoner, A.W. 1980d. The role of seagrass biomass in the organization of benthic macrofaunal asssemblages. Bull. Mar. Sci. 30: 537-551.

AMERICAN OVERSIGHT

Stoner, A.W. 1982. The influence of benthic macrophytes on the foraging behavior of pinfish, Lagodon rhomboides (Linneaus). J. Exp. Mar. Biol. Ecol., 58: 271-284.

Stoner, A.W. 1983. Distribution of fishes in seagrass meadows: role of macrophyte biomass and species composition. Fish Bull. 81: 837-846.

Stoner, A.W., and R.J. Livingston. 1978. Respiration, growth and flood conversion efficiency of pinfish (Lagodon rhomboides) exposed to sublethal concentrations of bleached kraft mill effluent. Environ. Pollut. 17: 207-217.

Stoner, A.W., and R.J. Livingston. 1980. Distributional ecology and food habits of the banded blenny Paraclinus fasciatus (Clinidae): a resident in a mobile habitat. Mar. Biol. 56: 239-246.

Stoner, A.W., and R.J. Livingston. 1984. Ontogenetic patterns in diet and feeding morphology in sympatric sparid fishes from seagrass meadows. Copeia 1984: 174-187.

Strawn, K. 1958. Life history of the pigmy seahorse, Hippocampus zosterae Jordan and Gilbert, at Cedar Key, Florida. Copeia 1958: 16-22.

Summerson, H.C. and C.H. Peterson. 1984. Role of predation in organizing benthic communities of a temperate-zone seagrass bed. Mar. Ecol. Prog. Ser. 15: 63-77.

AMERICAN OVERSIGHT

Tabb, D.C. 1961. A contribution to the biology of the spotted seatrout, Cynoscion nebulosus (Cuvier), of east-central, Florida. Fla. State Board Conserv. Univ. Miami Mar. Lab. Tech. Ser. 35: 1-23.

Taylor, C.B. and H.B. Stewart, Jr. 1958. Summer upwelling along the east coast of Florida. Journ. Geophys. Res. 64: 33-40.

Thayer, G.W., K.A. Bjorndal, J.C. Ogden, S.L. Williams and J.C. Zieman. 1984. Role of larger herbivores in seagrass communities. Estuaries, 7: 351-376.

Thayer, G.W., D.R. Colby and W.F. Hettler, Jr. 1987. Utilization of the red mangrove prop root habitat by fishes in south Florida. Mar. Ecol. Prog. Ser., 35: 25-38.

Thomas, J.R. 1974. Benthic species diversity and environmental stability in the northern Indian River, Florida. Master's Thesis, Fla. Inst. Tech., Melbourne, FL. 157 pp.

Vince, S., I. Valiela and N. Backus and J.M. Teal. 1976. Predation by the salt marsh killifish Fundulus heteroclitus (L.) in relation to prey size and habitat structure: consequences for prey distribution and abundance. J. Exp. Mar. Biol. Ecol., 23: 255-266.

Virnstein, R.W. 1977. The importance of predation by crabs and fishes on benthic infauna in Chesapeake Bay. Ecol. 58: 1199-1217.

AMERICAN OVERSIGHT

Virnstein, R.W. 1979. Predation on estuarine infauna: Response patterns of component species. Estuaries 2: 69-86.

Virnstein, R.W., P.S. Mikkelsen, K.D. Cairns and M.A. Capone. 1983. Seagrass beds versus sand bottoms: the trophic importance of their associated benthic invertebrates. Fla. Sci. 46: 363-381.

Virnstein, R.W. and P.A. Carbonaria. 1985. Seasonal abundance and distribution of drift algae and seagrasses in the mid-Indian River lagoon, Florida. Aquatic Bot. 23: 67-82.

Virnstein, R.W. and R.K. Howard. 1987a. Motile epifauna of marine macrophytes in the Indian River lagoon, Florida. I. Comparisons among three species of seagrasses from adjacent beds. Bull. Mar. Sci., 41: 1-12.

Virnstein, R.W. and R.K. Howard. 1987b. Motile epifauna of marine macrophytes in the Indian River lagoon, Florida. II. Comparisons between drift algae and three species of seagrasses. Bull. Mar. Sci. 41: 13-26.

Walters, K. and S.S. Bell. 1986. Diel patterns of active vertical migration in seagrass meiofauna. Mar. Ecol. Prog. Ser., 34: 95-107.

Weinstein, M.P. and K.L. Heck. 1979. Ichthyofauna of seagrass meadows along the Caribbean coast of Panama and in the Gulf of Mexico:

AMERICAN OVERSIGHT

composition, structure and community ecology. Mar. Biol. vol. 32: pp. 97-107.

Weinstein, M.P., K.L. Heck, JR., P.E. Giebel, and J.E. Gates. 1982. The role of herbivory in pinfish (Lagodon rhomboides): A preliminary investigation. Bull. Mar. Sci. 32: 791-795.

Wilcox, J.R. and R.G. Gilmore. 1976. Some hydrological data from the Indian River between Sebastian and St. Lucie Inlets, Florida: January 1972 - February 1975. Harbor Branch Foundation, Inc. Technical Rpt. No. 17. 104 pp.

Wohlschlag, D.E., J.N. Cameron, and J.J. Cech, JR. 1968. Seasonal changes in the respiratory metabolism of the pinfish (Lagodon rhomboides). Contrib. Mar. Sci. 13: 89-104.

Wohlschlag, D.E., and J.J. Cech, JR. 1970. Size of pinfish in relation to thermal stress response. Contrib. Mar. Sci. 15: 21-31.

Wohlschlag, D.E., and J.M. Wakeman. 1978. Salinity stresses, metabolic responses and distribution of the coastal spotted seatrout, Cynoscion nebulosus. Contrib. Mar. Sci. 21: 171-185.

Young, D.K., M.A. Buzas, and M.W. Young. 1976. Species densities of macrobenthos associated with seagrass: a field experimental study of predation. J. Mar. Res. 343: 577-592.

AMERICAN OVERSIGHT

Young, D.K., and M.W. Young. 1977. Community structure of the macrobenthos associated with seagrasses of the Indian River Estuary, Florida. Pages 359-382 in B.C. Coull, ed. Ecology of marine benthos. University of South Carolina Press, Columbia.

Young, D.K., and M.W. Young. 1978. Regulation of species densities of seagrass-associated macrobenthos: Evidence from field experiments in the Indian River estuary, Florida. J. Mar. Res. 36:569-593.

Young, D.K., and M.W. Young. 1978. Regulation of species densities of seagrass-associated macrobenthos: Evidence from field experiments in the Indian River estuary, Florida. J. Mar. Res. 36: 569-593.

Young, D.K., and M.W. Young. 1982. A comparative stuyd of macrobenthic invertebrates in bare sand and seagrass (Thalassia testudinum) in Carrie Bow Cay lagoon. Smithsonian Inst. Contrib. Mar. Sci. 12: 115-126.

Young, P.C. 1981. Temporal changes in the vagile epibenthic fauna of two seagrass meadows (Zostera capricorni and Posidonia australis). Mar. Ecol. Prog. Ser. 5: 91-102.

Youngbluth, M.A. and H.S. Gamble. 1976. Chapter 3: Studies of the zooplankton of the Indian River region. pp 46-56. in Second Annual Report: Indian River Coastal Zone Study, D.K. Young (ed.). Harbor Branch Consortium, Fort Pierce, Florida.

AMERICAN OVERSIGHT

Youngbluth, M.A., R.A. Gibson, D. Meyer, F.C. Stephens, and R.K. Mahoney. 1977. Chapter 4: Plankton in the Indian River lagoon. pp. 40-60. in Third Annual Report: Indian River Coastal Zone Study, D.K. Young (ed.), Harbor Branch Consortium, Fort Pierce, Florida.

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APPENDIX

Table.1 Two-way ANOVA analyses on basic fish community parameters across months (columns) and seine stations (rows) for the year 1974-1975.

FOR NUMBER OF SPECIES

Source	DF	SS	MS	F	P
STATION	6	890.2	148.37	5.39	0.000
MONTH	8	595.7	74.47	2.71	0.015
Error	48	1320.9	27.52		
Total	62	2806.9	45.27		

FOR MUMBER OF INDIVIDUALS

Source	DF	SS	MS	F	P
STATION	6	1.026E+10	1.711E+09	10.03	0.000
MONTH	8	1.758E+09	219804864	1.29	0.272
Error	48	8.183E+09	170485504		
Total	62	2.020E+10	325883648		

FOR DENSITY, NO./M^2

Source	DF	SS	MS	F	P
STATION	6	7618	1269.7	10.03	0.000
MONTH	8	1306	163.2	1.29	0.271
Error	48	6073	126.5		
Total	62	14997	241.9		

FOR SAMPLE WEIGHT

Source	DF	SS	MS	F	P
STATION	6	975511296	162585216	3.29	0.009
MONTH	8	453225984	56653248	1.15	0.351
Error	48	2.374E+09	49452704		
Total	62	3.802E+09	61330112		

FOR BIOMASS, G/M^2

Source	DF	SS	MS	F	P
STATION	6	718.9	119.81	3.22	0.010
MONTH	8	305.7	38.21	1.03	0.428
Error	48	1783.6	37.16		
Total	62	2808.1	45.29		

FOR DIVERSITY BASED ON NO. INDIVIDUALS

Source	DF	SS	MS	F	P
STATION	6	9.136	1.5226	4.22	0.002
MONTH	8	4.525	0.5656	1.57	0.159
Error	48	17.304	0.3605		

AMERICAN OVERSIGHT

Total	62	30.964	0.4994

FOR EVENNESS BASED ON NO. INDIVIDUALS

Source	DF	SS	MS	F	P
STATION	6	0.08174	0.01362	1.22	0.314
MONTH	8	0.11235	0.01404	1.25	0.289
Error	48	0.53735	0.01119		
Total	62	0.73143	0.01180		

FOR DIVERSITY BASED ON SPECIES WEIGHT

Source	DF	SS	MS	F	P
STATION	6	4.107	0.6844	2.91	0.017
MONTH	8	5.383	0.6728	2.86	0.011
Error	48	11.303	0.2355		
Total	62	20.792	0.3354		

FOR EVENNESS BASED ON SPECIES WEIGHT

Source	DF	SS	MS	F	P
STATION	6	0.09545	0.015908	1.87	0.105
MONTH	8	0.08362	0.010452	1.23	0.302
Error	48	0.40753	0.008490		
Total	62	0.58660	0.009461		

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TABLE 2. Two-way ANOVA analysis on for basic community parameters at LPT seine station months (columns) against five years (rows) as in Table 19B.

FOR NUMBER OF SPECIES

Source	DF	SS	MS	F	P
YEAR	4	293.4	73.35	1.63	0.183
MONTH	11	798.0	72.55	1.62	0.128
Error	44	1976.2	44.91		
Total	59	3067.6	51.99		

FOR NUMBER OF INDIVIDUALS

Source	DF	SS	MS	F	P
YEAR	4	1.024E+09	256067680	1.38	0.256
MONTH	11	2.253E+09	204784640	1.10	0.380
Error	44	8.157E+09	185384096		
Total	59	1.143E+10	193793248		

FOR SAMPLE WEIGHT

Source	DF	SS	MS	F	P
YEAR	4	602600960	150650240	0.68	0.613
MONTH	11	2.875E+09	261360768	1.17	0.334
Error	44	9.816E+09	223080960		
Total	59	1.329E+10	225307328		

FOR DENSITY, NO./M

Source	DF	SS	MS	F	P
YEAR	4	761.2	190.3	1.38	0.256
MONTH	11	1674.1	152.2	1.10	0.380
Error	44	6061.9	137.8		
Total	59	8497.2	144.0		

FOR BIOMASS, G/M

Source	DF	SS	MS	F	P
YEAR	4	447.8	112.0	0.68	0.613
MONTH	11	2136.6	194.2	1.17	0.334
Error	44	7294.6	165.8		
Total	59	9879.0	167.4		

FOR MEAN INDIVIDUAL WEIGHT

Source	DF	SS	MS	F	P
YEAR	4	47.31	11.83	0.36	0.837
MONTH	11	312.93	28.45	0.86	0.584
Error	44	1455.44	33.08		
Total	59	1815.68	30.77		

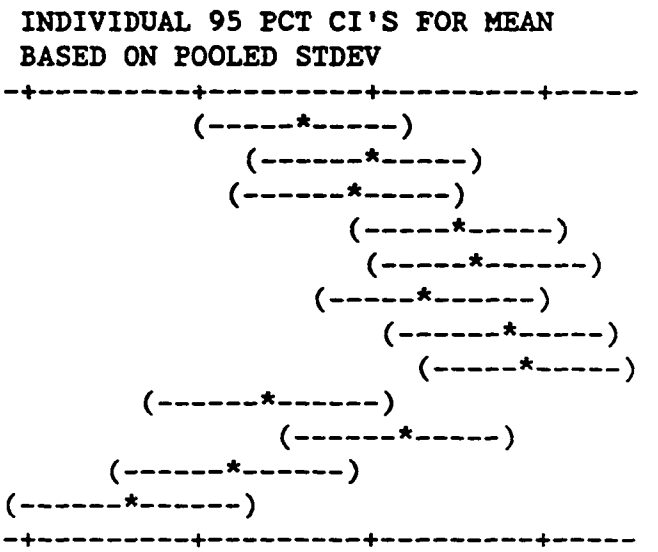
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Table 3. Graphical presentation of variation in major seagrass fish community parameters for seven seine stations from collections made from September 1974 to August 1975, showing interstation variation by month.

NUMBER OF SPECIES

MONTH	N	MEAN	STDEV
1	7	19.571	6.241
2	7	22.286	4.957
3	7	21.429	4.467
4	7	26.429	6.828
5	7	27.286	7.158
6	7	25.000	7.211
7	7	28.143	6.256
8	7	29.143	7.925
9	6	18.167	5.115
10	7	23.714	5.765
11	6	16.500	5.612
12	6	12.000	5.727

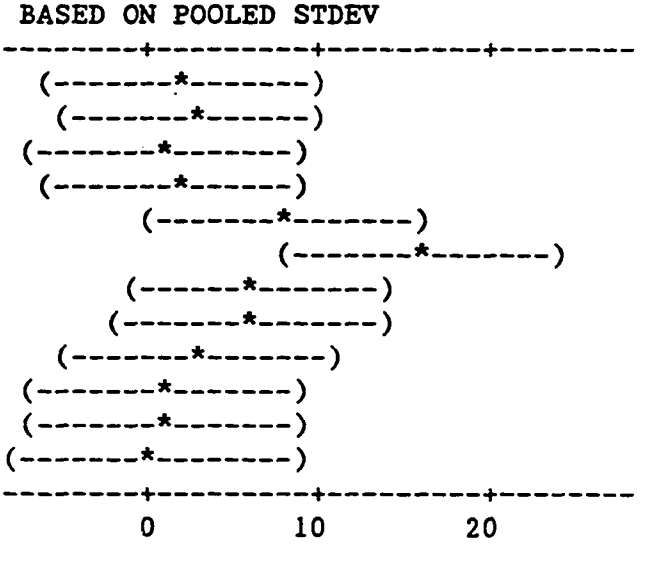
POOLED STDEV = 6.213



MEAN INDIVIDUAL WEIGHT (G)

MONTH	N	MEAN	STDEV
1	7	2.08	2.48
2	7	2.61	4.49
3	7	1.07	0.65
4	7	1.54	1.03
5	7	7.90	6.58
6	7	15.86	32.47
7	7	6.25	6.72
8	7	5.88	3.34
9	6	2.92	4.40
10	7	0.84	0.57
11	6	0.86	0.87
12	6	0.47	0.42

POOLED STDEV = 10.21



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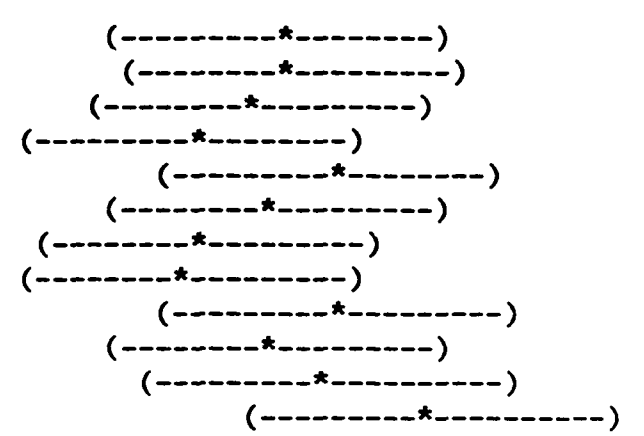
Table 3. Monthly station variation...continued.

NUMBER OF INDIVIDUALS

MONTH	N	MEAN	STDEV
1	7	13507	16242
2	7	14357	20491
3	7	10394	14199
4	7	3981	4144
5	7	19938	36740
6	7	12048	26095
7	7	4807	4739
8	7	2879	2771
9	6	20119	38101
10	7	12180	10535
11	6	18822	21759
12	6	30663	56015

POOLED STDEV = 25184

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV

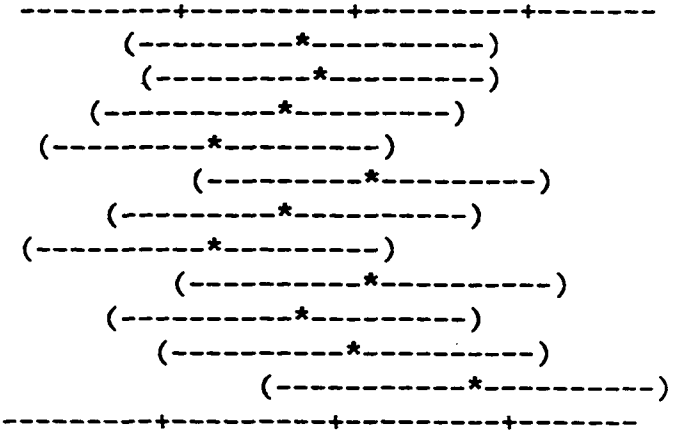


DENSITY, NO/M^2

MONTH	N	MEAN	STDEV
1	7	11.64	14.00
2	7	12.38	17.67
3	7	8.96	12.23
4	7	3.43	3.57
5	7	17.17	31.65
6	7	10.38	22.48
7	7	2.48	2.39
9	6	17.34	32.85
10	7	10.49	9.07
11	6	16.22	18.76
12	6	26.43	48.29

POOLED STDEV = 21.70

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV



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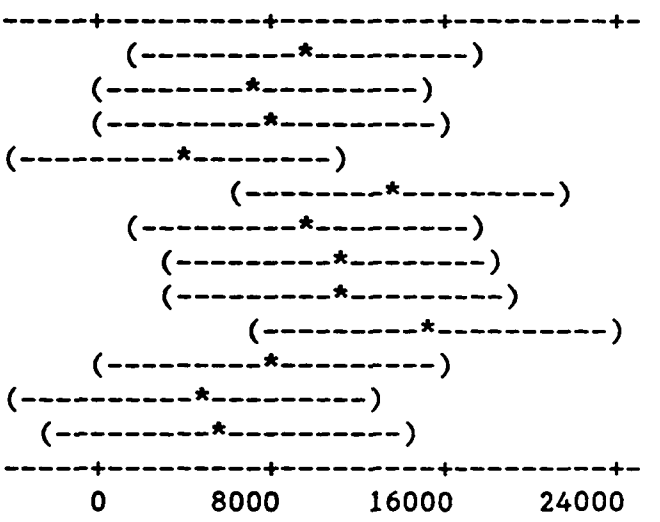
Table 3. Monthly station variation...continued.

TOTAL SAMPLE WEIGHT (G)

MONTH	N	MEAN	STDEV
1	7	9439	7439
2	7	7536	3810
3	7	8079	9597
4	7	3789	1745
5	7	13994	14104
6	7	9761	7868
7	7	10945	6507
8	7	11065	5791
9	6	15547	26640
10	7	7949	7516
11	6	4690	2163
12	6	5923	8926

POOLED STDEV = 10299

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV

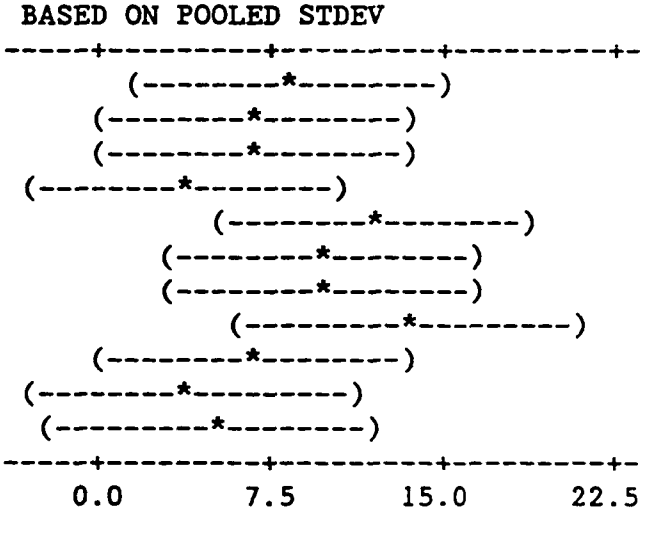


BIOMASS, G/M^2

MONTH	N	MEAN	STDEV
1	7	8.134	6.413
2	7	6.493	3.284
3	7	6.961	8.266
4	7	3.757	2.282
5	7	12.054	12.146
6	7	9.429	5.604
8	7	9.530	4.987
9	6	13.402	22.964
10	7	6.847	6.472
11	6	4.043	1.864
12	6	5.103	7.694

POOLED STDEV = 8.890

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV



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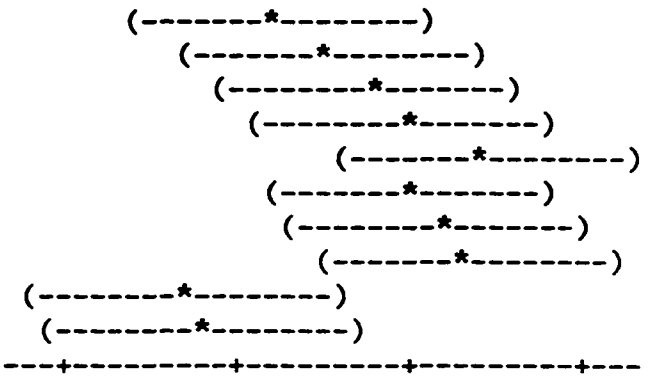
Table 3. Monthly station variation...continued.

H', DIVERSITY BASED ON NO. INDIV.

MONTH	N	MEAN	STDEV
1	7	0.7381	0.6768
2	7	0.9227	0.5567
3	7	1.0584	0.5079
4	7	1.1753	0.6286
5	7	1.4519	0.9966
6	7	1.1954	0.7879
7	7	1.3010	0.6594
8	7	1.3903	0.6268
9	6	0.3933	0.4268
12	6	0.4715	0.4515

POOLED STDEV = 0.6665

INDIVIDUAL 95 PCT CI'S FOR MEAN BASED ON POOLED STDEV

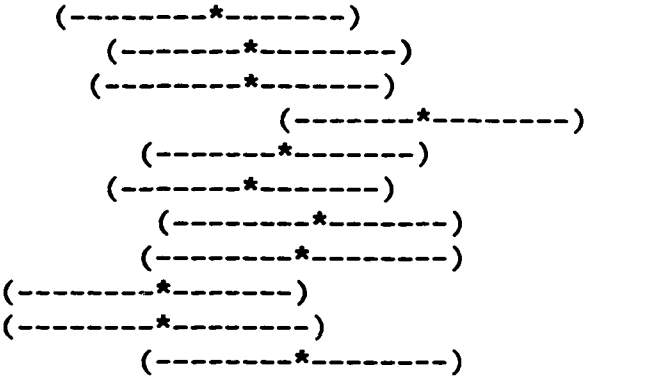


J' EVENESS BASED ON NO. INDIV.

MONTH	N	MEAN	STDEV
1	7	0.1261	0.0699
2	7	0.1257	0.0643
3	7	0.1514	0.0737
4	7	0.1481	0.0898
5	7	0.2527	0.2106
6	7	0.1703	0.1226
7	7	0.1497	0.0701
8	7	0.1876	0.1027
9	6	0.1775	0.1451
10	7	0.0963	0.0761
11	6	0.1038	0.0431
12	6	0.1810	0.1579

POOLED STDEV = 0.1115

INDIVIDUAL 95 PCT CI'S FOR MEAN BASED ON POOLED STDEV



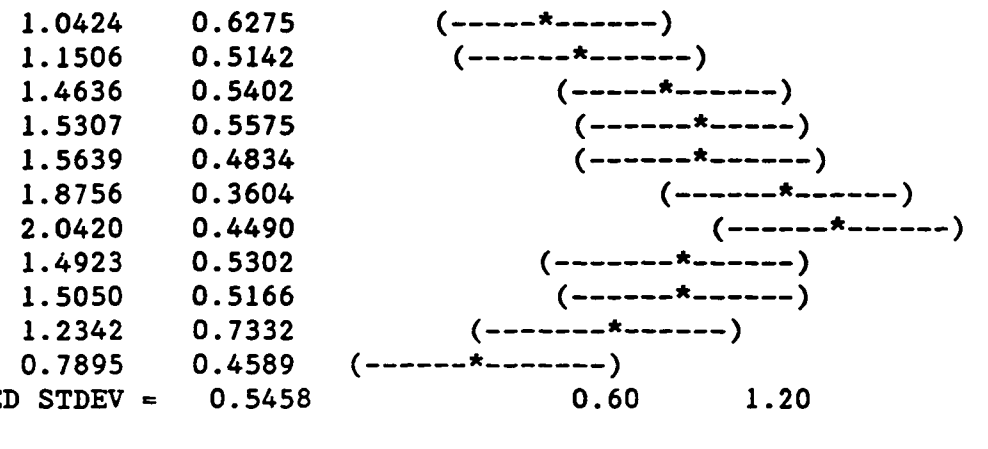
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Table 3. Monthly station variation...continued.

H', DIVERSITY BASED ON WGT.

MONTH	N	MEAN	STDEV
1	7	1.0424	0.6275
2	7	1.1506	0.5142
3	7	1.4636	0.5402
4	7	1.5307	0.5575
5	7	1.5639	0.4834
6	7	1.8756	0.3604
8	7	2.0420	0.4490
9	6	1.4923	0.5302
10	7	1.5050	0.5166
11	6	1.2342	0.7332
12	6	0.7895	0.4589

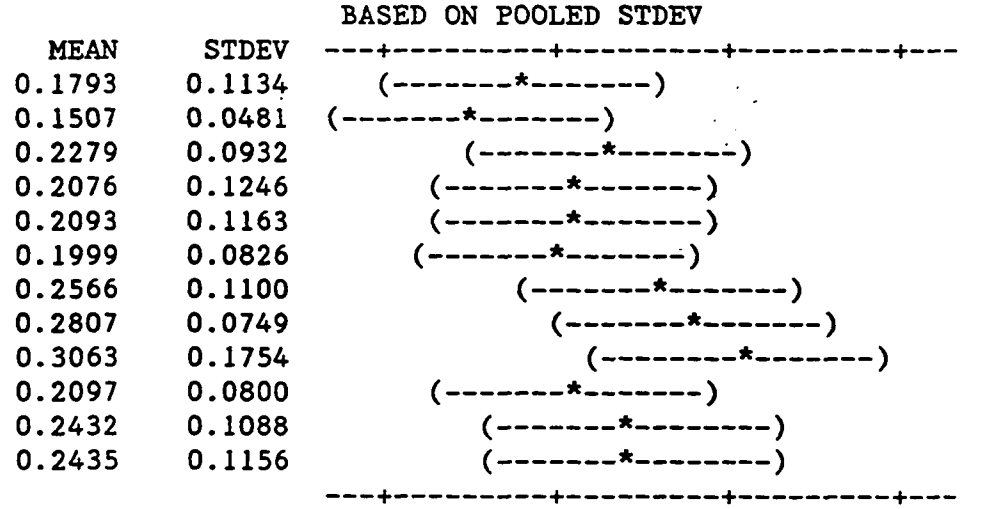
POOLED STDEV = 0.5458



J', EVENESS BASED ON WEIGHT

MONTH	N	MEAN	STDEV
1	7	0.1793	0.1134
2	7	0.1507	0.0481
3	7	0.2279	0.0932
4	7	0.2076	0.1246
5	7	0.2093	0.1163
6	7	0.1999	0.0826
7	7	0.2566	0.1100
8	7	0.2807	0.0749
9	6	0.3063	0.1754
10	7	0.2097	0.0800
11	6	0.2432	0.1088
12	6	0.2435	0.1156

POOLED STDEV = 0.1065



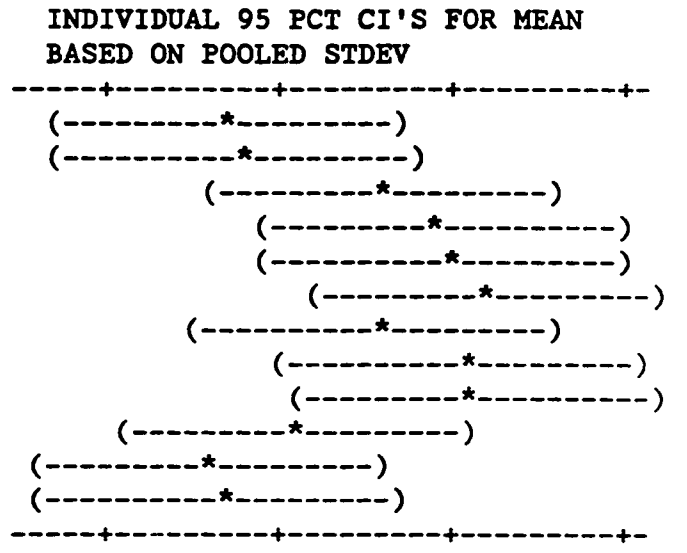
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Table 4. Graphical presentation of within month variation in major seagrass fish community parameters for five years from collections made from September 1974 to December 1980 at the LPT seine site.

NUMBER OF SPECIES

MONTH	N	MEAN	STDEV
1	5	16.200	5.630
2	5	16.600	3.050
3	5	21.600	5.639
4	5	23.600	2.881
5	5	23.800	8.106
6	5	25.200	7.727
7	5	21.400	5.128
8	5	24.400	6.189
9	5	24.800	6.221
10	5	18.600	11.283
11	5	15.600	7.162
12	5	16.000	8.888

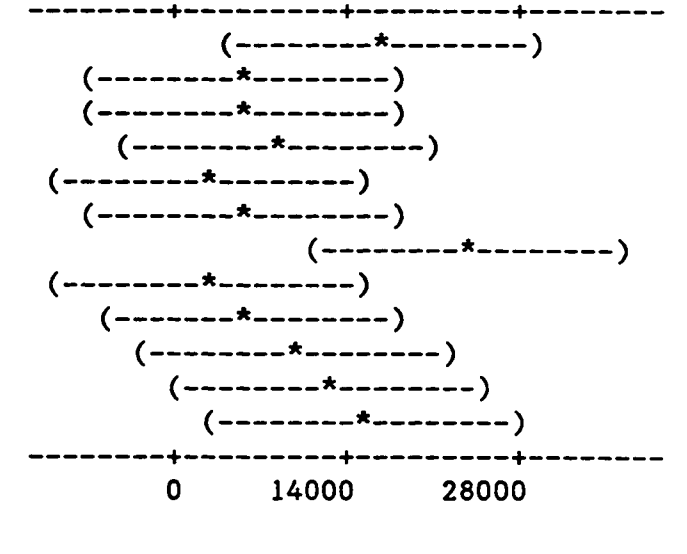
POOLED STDEV = 6.876



NUMBER OF INDIVIDUALS

MONTH	N	MEAN	STDEV
1	5	16495	13960
2	5	6030	6684
3	5	5798	4566
4	5	7956	10567
5	5	2567	1962
6	5	5956	6422
7	5	23762	34452
8	5	2393	3614
9	5	6255	6156
10	5	10006	12136
11	5	12512	13751
12	5	15765	17432

POOLED STDEV = 13830



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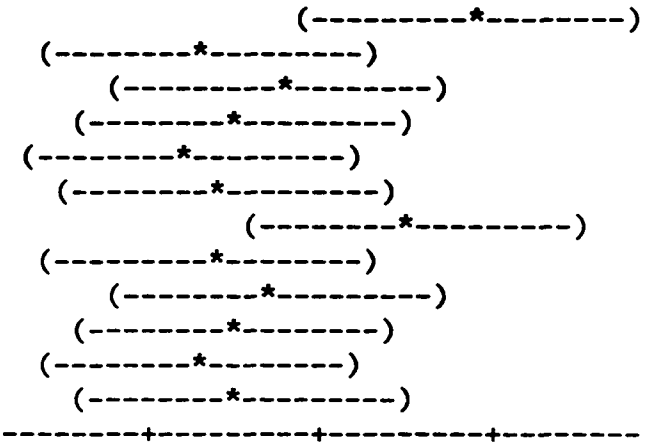
Table 4. Within month variation, 5 years...continued.

TOTAL SAMPLE WEIGHT

MONTH	N	MEAN	STDEV
1	5	26278	38650
2	5	4260	2665
3	5	10750	5838
4	5	7142	5019
5	5	3340	2610
6	5	5689	3537
7	5	21557	28846
8	5	4969	4511
9	5	10092	6566
10	5	6951	9092
11	5	4200	2924
12	5	7086	6182

POOLED STDEV = 14732

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV

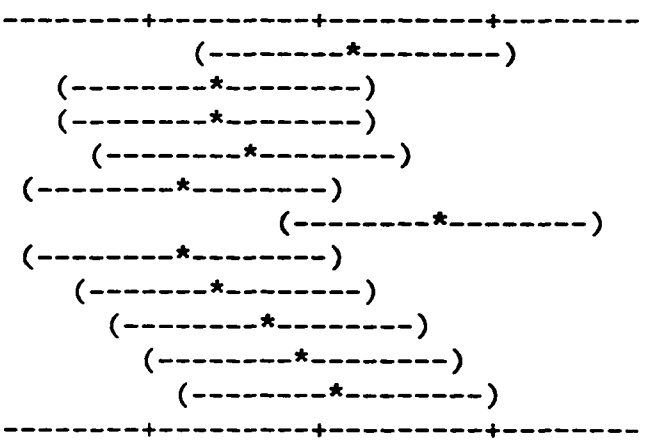


DENSITY, NO/M^2

MONTH	N	MEAN	STDEV
1	5	14.22	12.03
2	5	5.20	5.76
3	5	5.00	3.94
4	5	6.86	9.11
5	5	2.21	1.69
6	5	20.48	29.70
8	5	2.06	3.12
9	5	5.39	5.31
10	5	8.63	10.46
11	5	10.79	11.85
12	5	13.59	15.03

POOLED STDEV = 11.92

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV



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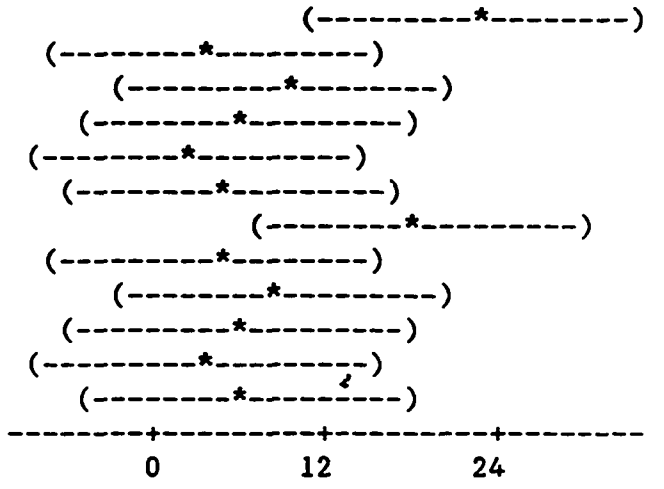
Table 4. Within month variation, 5 years...continued.

BIOMASS, G/M^2

MONTH	N	MEAN	STDEV
1	5	22.65	33.32
2	5	3.67	2.30
3	5	9.27	5.03
4	5	6.16	4.33
5	5	2.88	2.25
6	5	4.90	3.05
7	5	18.58	24.87
8	5	4.28	3.89
9	5	8.70	5.66
10	5	5.99	7.84
11	5	3.62	2.52
12	5	6.11	5.33

POOLED STDEV = 12.70

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV

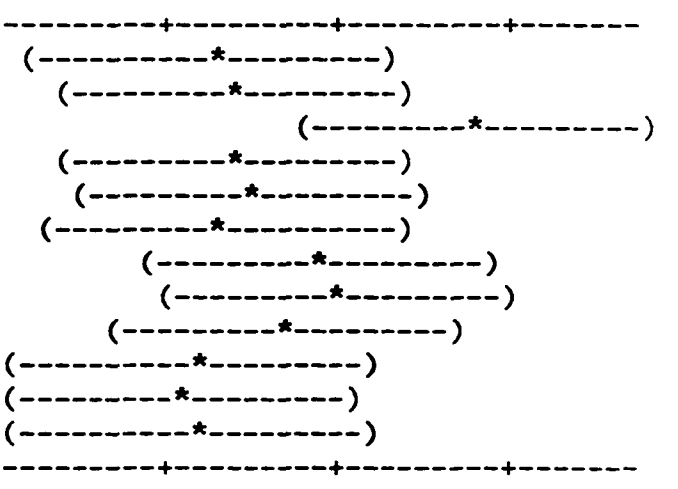


MEAN INDIVIDUAL WEIGHT (G)

LEVEL	N	MEAN	STDEV
1	5	1.252	1.336
2	5	1.817	2.671
3	5	8.787	16.833
4	5	2.087	2.571
5	5	2.713	3.471
6	5	1.738	0.925
7	5	4.378	5.175
8	5	5.147	3.375
9	5	3.445	4.963
10	5	0.765	0.643
11	5	0.547	0.537
12	5	0.773	0.640

POOLED STDEV = 5.595

INDIVIDUAL 95 PCT CI'S FOR MEAN
BASED ON POOLED STDEV



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Nekton of Sarasota Bay and a Comparison of Nekton Community Structure in Adjacent Southwest Florida estuaries

T.C. MacDonald; E. Weather; P.W., Stevens; R.H. McMichael, Jr.

Florida Fish and Wildlife Conservation Commission
Fish and Wildlife Research Institute
100 Eighth Avenue Southeast
St. Petersburg, Florida 33701-5095

Prepared for

Sarasota Bay Estuary Program
111 S. Orange Avenue, Suite 200W
Sarasota, Florida 34236

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We thank all the Fisheries-Independent Monitoring Program personnel, too numerous to mention, who were involved in collecting and processing the many samples that make up this study. We also thank the Sarasota Bay and Charlotte Harbor Estuary Programs for funding the Sarasota Bay and Lemon Bay studies, respectively; this funding provided a unique opportunity to collect consistent data from four adjacent estuaries along Florida's Southwest coast. Fisheries-Independent Monitoring program collections from Tampa Bay and Charlotte Harbor, which were analyzed for interbay comparisons, were funded by State of Florida Recreational Saltwater Fishing License and the Department of the Interior, U.S. Fish and Wildlife Service, Federal Aid for Sportfish Restoration Project Number F-43 to the Florida Fish and Wildlife Conservation Commission (FWC).

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SUMMARY

The Sarasota Bay National Estuary Program's Comprehensive Conservation Management Plan stressed the importance of restoring and protecting juvenile fish habitats. The Sarasota Bay estuary has undergone considerable urbanization since the 1950's. An understanding of the distribution, abundance, and habitat use of nekton (fish and macroinvertebrate) within the Sarasota Bay estuary is critical to protecting and restoring estuarine habitats.

The Florida Fish and Wildlife Conservation Commission's (FWCC) Fisheries-Independent Monitoring (FIM) program has been monitoring nekton assemblages in Tampa Bay and Charlotte Harbor since 1989. The goal of the FIM program is to provide timely, accurate, and consistent fisheries-independent data and analysis to fisheries managers for the conservation and protection of Florida's fisheries. The sampling design and data collected are intended to not only assess fishery stocks, but to also describe habitat utilization, biodiversity, nekton communities, and to document changes within Florida's estuarine systems.

The general objectives of this study were to describe the nekton community and habitat utilization within the Sarasota Bay estuary. Specifically, this study was designed to: 1) provide a database of fish and selected invertebrate species that inhabit the Sarasota Bay estuary; 2) examine spatial differences in species composition and relative abundance within the Sarasota Bay estuary; 3) examine spatial differences in species composition and relative abundance between the polyhaline portions of four estuaries along Florida's Southwest Coast; and 4) develop baseline data on mercury

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content in fish from the Sarasota Bay estuary and compare those data to adjacent estuaries.

The FIM program survey used a stratified-random sampling design to select sampling sites from the five Sarasota Bay embayments as defined by the Sarasota Bay estuary program. Samples were collected bi-monthly between June 2009 and April 2010 with 21.3-m seine, 183-m seine, and 6.1-m trawl. Water chemistry parameters (salinity, water temperature, dissolved oxygen and pH) and habitat assessments (bottom type, presence of submerged aquatic vegetation, shore habitat) were taken in association with each net deployment. A large body of descriptive habitat-use information was generated and is presented in the accompanying appendices.

Temperatures during winter/spring 2010, and the rainfall pattern throughout the study period were not typical of Southwest Florida. The weather pattern was defined by an El Nino event, which resulted in unseasonably high rain fall totals and cold temperatures during winter/spring 2010. The water temperatures and salinities observed during this study likely do not reflect the long-term expected condition and the nekton assemblage probably differs somewhat from that which would be expected from a longer-term sampling program that included typical weather patterns.

The nekton community in Sarasota Bay was typical of Florida estuaries. The majority of the animals (n=136,429) were collected with 21.3-m seines and two taxa (bay anchovy and pinfish) represented over 55% of the total catch in this gear. Pinfish were also particularly abundant in the other two gear types, comprising 59.4% and 21.1% of the total catch in the 183-m seine and 6.1-m trawl, respectively. Other

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estuarine dependent species such as spot, eucinostomus mojarra, silver jenny, silver perch, and scaled sardine were relatively abundant as well.

Community analyses of the five embayments of the Sarasota Bay estuary (*intra*bay) and between the polyhaline sections of four Southwest Florida estuaries (*inter*bay) provided similar results. The community structure in “small” estuaries was different than the community structure in “large” estuaries for 21.3-m seines (intrabay and interbay), 183-m seines (interbay), and 6.1-m trawls (interbay). The abundance for the discriminating taxa in the community analyses tended to be higher in “small” estuaries than in “large” estuaries (intra and interbay). Overall abundance tended to be higher in “small” than in “large” bays (intrabay). Differences in community structure and abundance could be related to water depth, salinity, ratio of land-water interface to open water, sediment type, quantity and type of submerged aquatic vegetation, or circulation patterns, residence times, and water quality.

Mercury is a toxic element that has been shown to bio-accumulate in tissues. Tissue samples for mercury content analysis were taken from 323 individuals representing 25 taxa. About 40% of the collected tissue samples have been analyzed. Sample sizes were not large enough to run linear regressions on any of the taxa collected from Sarasota Bay without combining with data from adjacent estuaries (Tampa Bay and Charlotte Harbor). The results of the mercury content analysis indicated that fish from Sarasota Bay do not contain any higher concentrations of mercury than those found in adjacent estuaries and suggest that accumulation rates for Sarasota Bay are similar to those found in Tampa Bay and Charlotte Harbor.

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INTRODUCTION

The Sarasota Bay estuary is an urbanized coastal lagoon system located on the southwest coast of Florida. Since the early 1900s, dredge and fill activities have resulted in significant losses of ecologically important habitats, and historically semi-isolated tidal current regimes within embayments have been joined through the construction of an Intracoastal Waterway (ICW) channel that hydrologically links all embayments. Intense development occurred throughout the system from the late 1950's to 1970 resulting in much of the natural shoreline being replaced by seawalls to retain dredge-and-fill material for housing sites and other construction projects. Mosquito ditching along with significant channelization of tidal creeks has altered historical patterns of surface water runoff to the bay and further exacerbated the problem of wetland habitat loss (Sarasota Bay National Estuary Program, 2003). A thorough understanding of the ecology of local nekton assemblages is imperative if the consequences of further anthropogenic or environmental changes are to be determined (Poulakis et. al. 2004). In addition, the development of a baseline database documenting habitat use, recruitment, and biodiversity can provide a broader understanding of the status of fish populations found within the estuary and guide us in the protection of our estuarine-based fisheries and associated habitats (Paperno, et. al. 2001).

The Sarasota Bay National Estuary Program (SBNEP) Comprehensive Conservation Management Plan (CCMP) stressed the importance of restoring and protecting juvenile fish habitat as well as the need to maintain fish populations while restoration efforts are pursued (SBNEP 1995). The objectives of this study are to: 1)

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provide a database of fish and selected invertebrate species that inhabit the Sarasota Bay estuary; 2) examine spatial differences in species composition and relative abundance within the Sarasota Bay estuary; 3) examine spatial differences in species composition and relative abundance between the polyhaline portions of four estuaries along Florida's Southwest Coast; and 4) develop baseline data on mercury content in fish from the Sarasota Bay estuary and compare those data to adjacent estuaries.

METHODS

Study Area

Sarasota Bay is a coastal lagoon, located on the southwest coast of Florida, which stretches from Anna Maria Sound to the Venice Inlet. The bay is comprised of five embayments, Palma Sola Bay, Sarasota Bay, Roberts Bay, Little Sarasota Bay and Blackburn Bay, which were formed behind a barrier island complex. This system is connected to the Gulf of Mexico through five inlets; Anna Maria Sound, Longboat Pass, New Pass, Big Sarasota Pass and Venice Inlet. Freshwater inflow enters the estuary through a series of creeks, bayous, and unnamed drainage ditches (Roat and Alderson 1990). The main tributaries and receiving water bodies are Bowlees Creek and Whitaker and Hudson bayous (Sarasota Bay), Phillippi Creek (Roberts Bay), Clower and Catfish creeks (Little Sarasota Bay), and South Creek (Blackburn Bay). Shoreline vegetation consists largely of mangroves and marsh grasses, and bottom substrates are typically characterized as sand, mud, oysters, or a combination thereof (Flannery

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1989). Seagrass meadows are the dominant vegetative cover in Sarasota Bay and are widely distributed throughout the bay (Haddad 1989).

Sampling Design

The FIM program utilized a stratified-random sampling (SRS) design and a multi-gear approach to collect data on nekton (fish and select invertebrates) from a wide range of habitats and life history stages. This sampling design provides comprehensive data on size-specific, spatial and temporal patterns of abundance for the nekton community and for individual species. Specimens collected during this sampling are also used for various other assessments, such as fish health, mercury content, diet, age/growth, and reproduction. Three sampling gears (*Table 1*) were used: 1) 21.3-m seines; 2) 183-m seines; and 3) 6.1-m trawls. Generally speaking, the data from seine hauls document habitat use by shallow-water shoreline-associated organisms whereas the data from trawls document habitat use in deeper areas. The dominant catch for the 21.3-m seines and trawls is juvenile fishes, although the adults of smaller species are also commonly caught. The 183-m seine is used to catch larger sub-adult and adult fishes. The seines and trawls also regularly collect a few of the larger macroinvertebrate species from tidal rivers, notably blue crabs (*Callinectes sapidus*), and pink shrimp (*Farfantepenaeus duorarum*).

Sarasota Bay estuary was divided into five geographically-defined zones (Zone A - Palma Sola Bay, Zone B - Sarasota Bay, Zone C - Roberts Bay, Zone D - Little Sarasota Bay, and Zone E - Blackburn Bay; *Figure 1*). Each zone was further subdivided into 1-nm^2 grids. Within each grid, habitat and depth strata were identified, thereby designating the gear types that could be used in each. The number of samples

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collected in each zone with each gear was approximately proportional to the number of grids in the zone that could be sampled with a particular gear. Sites for each sampling event were chosen by randomly selecting grids and then randomly selecting a sampling site within each grid. A single collection was made at each selected site. Thirty primary samples consisting of six 183-m seines, eight 6.1-m trawls and sixteen 21.3-m seines were collected during each sampling event. Nine to twelve additional 21.3-m seine samples were collected during each sampling event as time allowed.

Sampling events were scheduled with a bi-monthly periodicity in the Sarasota Bay estuary. Sampling began in June 2009 and is ongoing with sampling currently scheduled to end in April 2011. This report summarizes the data collected between June 2009 and April 2010.

Table 1. Description of sampling gears used during the Sarasota Bay stratified random sampling, June 2009 – April 2010. A more detailed description of each gear can be found in the FIM program's Procedure Manual.

Gear	Mesh Size (mm)	Area Sampled Estimate (m^2)	Description of use
21.3-m seine	3.2	140	used in near-shore and shoreline areas ≤ 1.5 m
183-m seine	38.1	4,120	used along shorelines ≤ 2.5 m
6.1-m trawl	38.1 (3.2-mm bag liner)	1,400	used in areas from 1.8-m to 7.6-m deep

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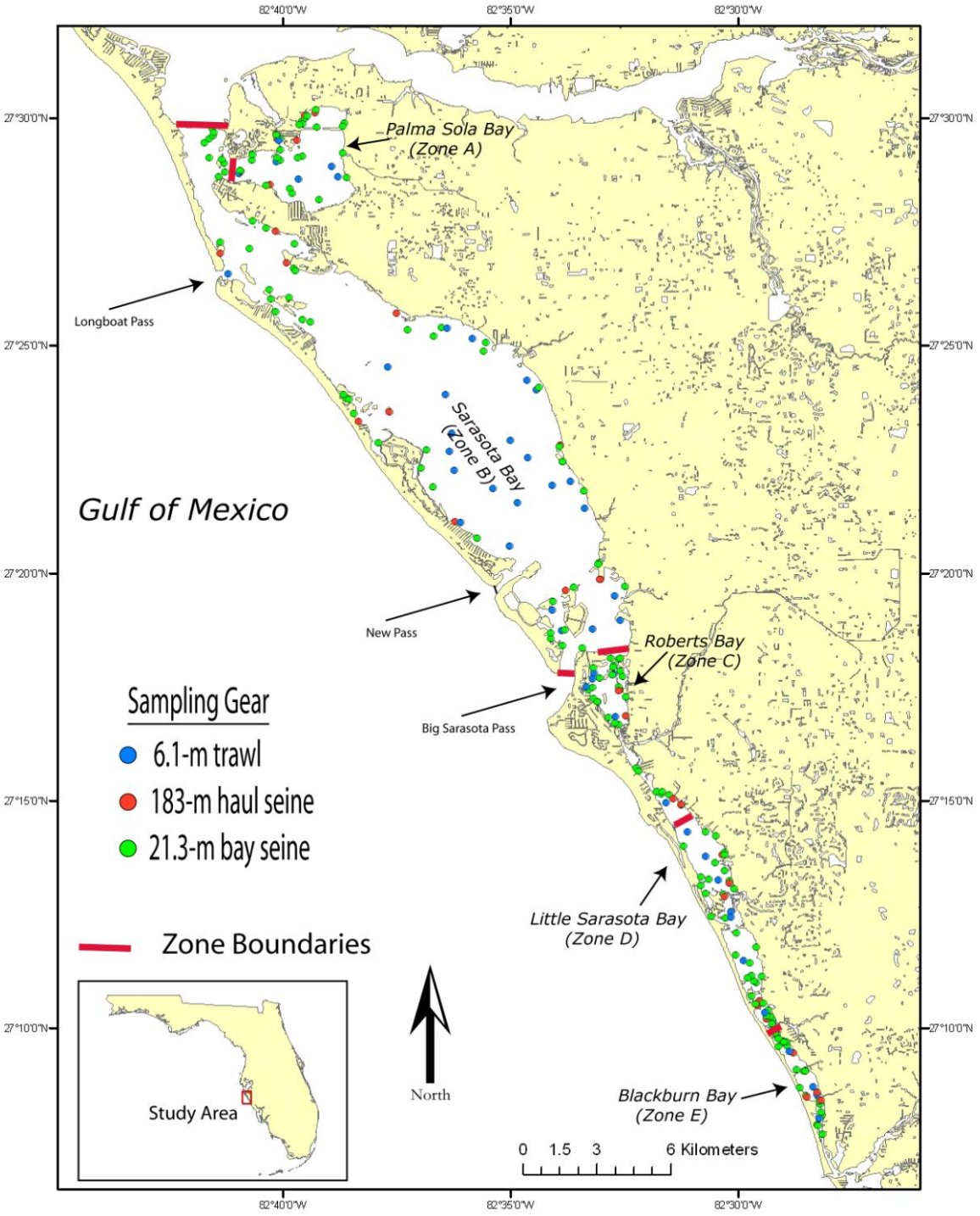


Figure 1.Sampling sites by gear, and zone boundaries for Sarasota Bay stratified random sampling, June 2009 – April 2010.

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Gear Specifications and Deployment

The gear used to collect smaller nekton associated with shorelines and on offshore flats (>5 m from shore) was a 21.3-m center-bag seine with 3.2-mm mesh and leads spaced every 150 mm. The 21.3-m seine was pulled, with a crewmember on each wing, for a distance of 9.1 m with the net wings separated by 15.5 m. The seine was deployed into the current and was landed by collapsing the seine around a pivot pole to close the wings and force the sample into the center bag. Each 21.3-m seine deployment sampled an estimated 140 m^2. Sampling sites for the 21.3-m seine were pre-stratified by the presence or absence of bottom vegetation or a shoreline.

The 183-m haul seine was used to target larger sub-adult and adult nekton associated with shallow, nearshore habitats. Deployment of this gear occurred from the net from the back of a boat in a standard rectangular shape along shorelines in relatively shallow waters (<2.5 m). Net wings were simultaneously hauled along the shoreline, keeping the lead lines close to the bottom, forcing the catch into the center bag portion of the gear. Each 183-m seine set enclosed an area of approximately 4,120 m^2. In Sarasota Bay proper, which had a relatively larger number of bi-monthly 183-m seine hauls, sites were pre-stratified by the presence or absence of overhanging shoreline vegetation. Sample sizes collected each month with 183-m seines in Palma Sola, Roberts, Little Sarasota, and Blackburn bays were too small to pre-stratify sampling sites, so sites were post-stratified by the presence or absence of overhanging shoreline vegetation.

Juvenile and adult nekton that inhabit relatively deeper waters (1.0 – 7.6-m) were collected with the 6.1-m otter trawl which had a 38-mm stretch mesh with a 3.2-mm

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mesh cod-end liner. The trawl was towed from the back of a boat in for ten minutes. Tow speeds averaged 0.6-m/s and start and end locations for each trawl were marked using a global positioning system (GPS) so that the distance fished could be estimated. Each trawl deployment sampled an area of approximately 1,440 m^2.

Salinity, temperature, pH, and dissolved oxygen were measured at the surface and at 1-m intervals to the bottom in association with each gear deployment. . A variety of qualitative habitat assessments were also made, such as characteristics of the shoreline (e.g., vegetation type, inundation), substrate (e.g., sediment type, presence of submerged aquatic vegetation), and bycatch (i.e., total volume, type, and composition). All sampling was conducted during daytime hours (one hour after sunrise to one hour before sunset). Additional sampling details and habitat assessment procedures are described in the FIM program's Procedure Manual (FWC-FWRI 2010).

Sample Processing

Sample work-up was similar for all samples, regardless of gear type or sampling regime. All fish and selected invertebrate species captured were identified to the lowest practical taxonomic level, generally species. Representative samples (three individuals of each species from the 21.3-m seines, and trawls on each sampling trip) were brought back to the FWC-FWRI laboratory to confirm field identification. Species for which field identification was uncertain were also brought back to the laboratory. A maximum of 20 measurements (mm) were made per taxon, unless distinct cohorts were identifiable, in which case a maximum of 20 measurements were taken from each cohort; for certain economically valuable fish species, forty individuals were measured. Standard length (SL) was used for fish (total length [TL] for seahorses and disk width [DW] for rays),

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post-orbital head length (POHL) for shrimp, and carapace width (CW) for crabs. Animals that were not measured were identified and counted. When large numbers of individuals (> 1,000) were captured, the total number was estimated by fractional expansion of sub-sampled portions of the total catch split with a modified Motoda box splitter (Winner and McMichael 1997). Animals not chosen for further laboratory examination were returned to the river. Additional details concerning sample work-up are described in the FIM program's Procedure Manual (FWC-FWRI 2010).

Due to frequent hybridization and/or extreme difficulty in the identification of smaller individuals, members of several abundant species complexes were not identified to species. We did not separate menhaden, *Brevoortia*, species. *Brevoortia patronus* and *B. smithi* frequently hybridize, and juveniles of the hybrids and the parent species are difficult to identify (Dahlberg 1970). Two abundant silverside species (*Menidia beryllina* and *M. peninsulae*) tend to hybridize, form all-female clones, and occur in great abundance that renders identification to species impractical due to the nature of the diagnostic characters so they are represented in this report as Menidia spp. (Duggins et al. 1986; Echelle and Echelle 1997; Chernoff, personal communication). Species-level identification of mojarras (genus *Eucinostomus*) was limited to individuals ≥ 40 mm SL due to great difficulty in separating *E. gula* and *E. harengulus* below this size (Matheson, personal observation). The term "eucinostomus mojarras" is used for these small specimens. Species-level identification of gobies of the genus *Gobiosoma* (i.e., *G. robustum* and *G. bosc*) used in analyses was limited to individuals ≥ 20 mm SL for the same reason; smaller individuals are hereafter referred

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to as “gobiosoma gobies”. Similarly, needlefishes (*Strongylura* spp.) other than *S. notata* were only identified to species at lengths ≥ 100 mm SL.

The data for this report were summarized separately for each estuarine zone and for each gear type. Data were also summarized separately for all taxa and for taxa of recreational or commercial importance (‘Selected Taxa’; *Appendix A*). Abundance estimates for all gear types were calculated as the number of individuals/100 m^2 of area sampled.

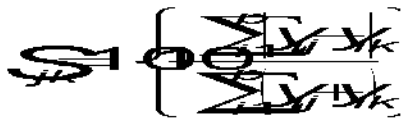
Nekton Community Analysis

Nekton community structure was investigated using nonparametric multivariate analyses in PRIMER v6 software (PRIMER-E Ltd, UK) (Plymouth Routines in Multivariate Ecological Research; Clarke and Warwick 2001). Analyses were based on pooled samples averaged by each bi-monthly sampling event to investigate seasonality, or by geographic area to investigate spatial patterns. Data from each gear type (21.3-m seines, 183-m seines, and 6.1-m trawl) were treated separately. *Intra*bay analyses were conducted to compare nekton assemblages in each of Sarasota Bay’s smaller embayments. Broader-scale geographic analyses (*inter*bay analysis) were conducted to compare nekton assemblages in adjacent bay systems along the southwest coast of Florida (i.e., Lower Tampa Bay North, Lower Tampa Bay South, Sarasota Bay, Lemon Bay, Gasparilla Sound, Pine Island Sound) (*Figure 2*). All nekton taxa collected, including species complexes (e.g., *Eucinostomus* spp., *Menidia* spp.) and invertebrates were included in the community analyses.

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Bray-Curtis similarity calculation

The basis of the multivariate analyses was an assessment of similarity in nekton community structure, calculated according to the method of Bray and Curtis (1957):



where S_{jk} is the Bray-Curtis similarity coefficient, y_{ij} is the abundance of the ith species in the jth sample and y_{jk} is the abundance of the same ith species in the kth sample. Abundance was standardized to number•haul^{-1} for both seine types, and to number•100m^{-2} to account for varying tow lengths. Abundance data were square root-transformed prior to analysis to reduce the influence of highly abundant taxa.

Non-metric multidimensional scaling (MDS) and Similarity Percentage Analysis (SIMPER)

In order to provide a visual depiction of differences in nekton community structure non-metric multidimensional scaling (MDS) of the initial Bray-Curtis similarity matrices was conducted. This technique generates two-dimensional plots of 'distances' between samples on the basis of their similarity in community structure (Clarke 1993). The MDS analysis uses an iterative procedure to attempt to map similarity of samples as closely as possible to the rank order of similarities from the input Bray-Curtis similarity matrix. The adequacy of this representation is judged by a 'stress' value, for which zero is perfect representation, and values below ~0.2 offer appropriate results for interpretation (Clarke and Warwick 2001). MDS-plot axes do not have units, so the important information in these plots is the distances between samples; samples close together on

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the plots are more similar in community structure than samples that are further apart. The MDS plots included ‘samples’ that were averages of all data collected by sampling event or by geographic area. Similarity percentage analysis (SIMPER; Clarke and Warwick 2001) was used to identify species representative of dissimilarities between groups determined from MDS.

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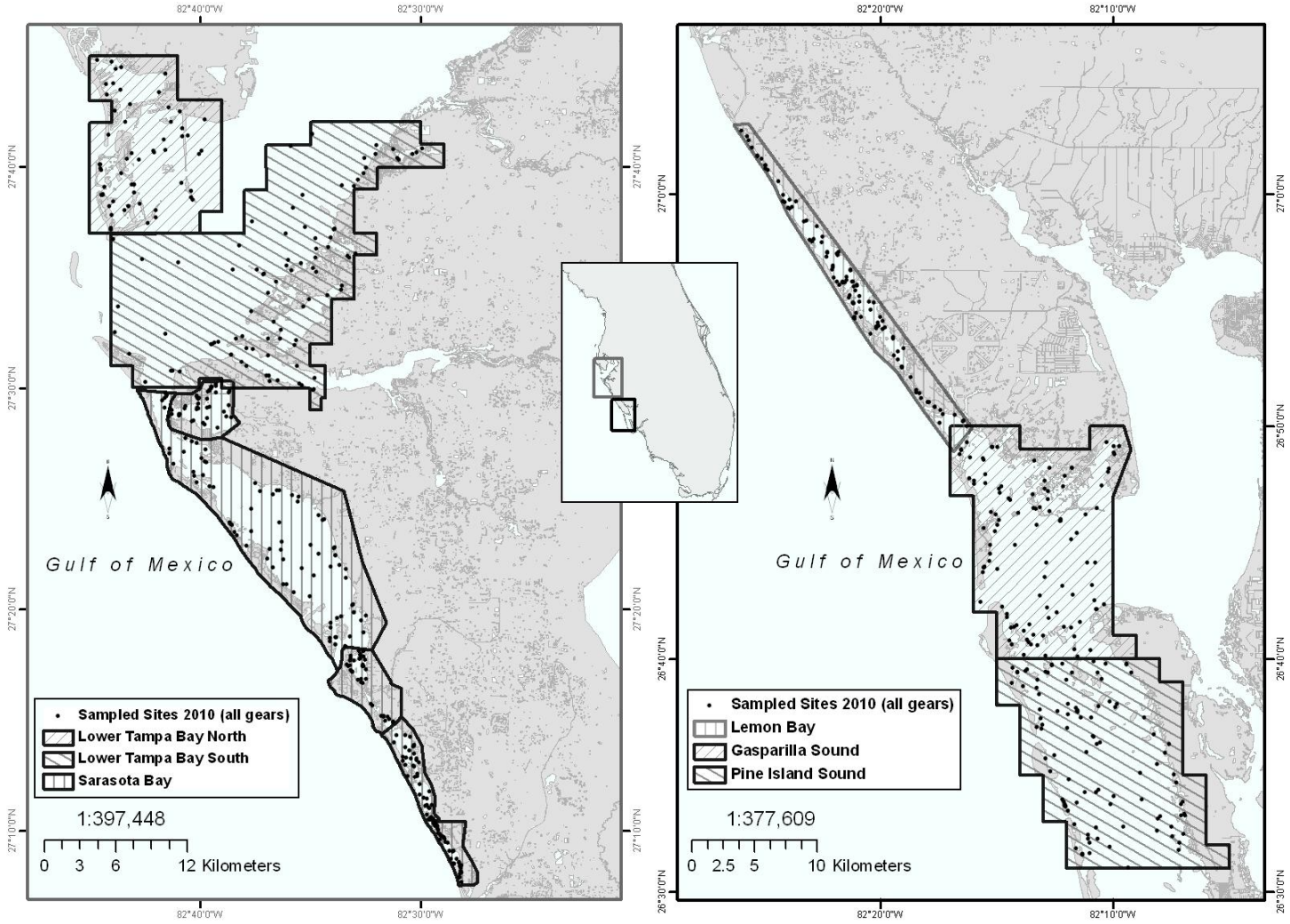


Figure 2.Sampling areas and sample sites along Florida's southwest coast, June 2009 – April 2010.

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Mercury Content Analysis

Fish for mercury content analysis were placed directly on ice and returned to the laboratory, where standard length (SL) and sex were recorded. A clean stainless-steel knife was used to remove axial muscle tissue samples from the left dorsal area above the lateral line and anterior to the origin of the first dorsal fin for each fish. White muscle tissue taken from this region is representative of the portion of fish consumed by humans (Adams and McMichael 2001). Care was taken to assure that the sample did not contact the outer layer of the specimen, blood, scales, or other surrounding surfaces during the extraction process. Tissue samples were immediately placed in sterile polyethylene vials and frozen at -20° C until analyzed.

Total mercury concentration (THg) of each tissue sample was determined by EPA Method 7473 (*Direct Mercury Analysis by Thermal Decomposition, Amalgamation, and Atomic Absorption Spectrometry* [DMA], USEPA 2007). Frozen tissue samples were thawed until ice crystals were no longer present on or within the sample, and approximately 0.20 g of clean unexposed muscle tissue was then excised with sterilized stainless steel instruments from the interior portion of the sample. The tissue sample was placed directly into a clean quartz sampling vessel, weighed to 0.0001 g, and analyzed for total mercury by FWC-FWRI with a calibrated DMA-80 Direct Mercury Analyzer (Milestone Inc., Shelton, CT). Quality control included analysis of laboratory method blanks, duplicate or triplicate tissue samples, and certified fish-tissue reference material (CRM; TORT-2, DOLT-4, obtained from the National Research Council of Canada) for each group of 10 or fewer fish samples analyzed. Matrix spike samples were processed for every 40 samples analyzed in a group. If CRM results were not

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within 10% of their certified value, all samples run subsequent to the last acceptable CRM result were re-analyzed. All total mercury levels were measured and reported as milligrams per kilogram (mg/kg) wet weight, rounded to three decimal points (0.001).

Linear regressions were used to describe relationships between fish size and total mercury concentration. Sample sizes from Sarasota Bay were not large enough to be analyzed independently, so data collected from two adjacent estuaries (Tampa Bay and Charlotte Harbor) were also used in the regression analysis. Total mercury concentrations from Tampa Bay and Charlotte Harbor prior to 2006 were analyzed by EPA Method 245.6 (*Determination of Mercury in Tissues by Cold Vapor Atomic Absorption Spectrometry* [CVAAS]; USEPA 1991), which provides similar but not identical results to the DMA method. Therefore, THg values for all DMA-analyzed fish were converted into CVAAS values using equations developed by FWC from 1,566 split samples that were analyzed by both methods. Total mercury data were log transformed to approximate the normality and homoscedasticity requirements prior to regression analysis. Only species with at least 50 total animals collected, and at least 15 from Sarasota Bay, were analyzed using linear regression.

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RESULTS and DISCUSSION

Physiochemical conditions

Temperature and rainfall patterns during the study period did not follow the long-term Southwest Florida trends (*Figure 3*). The period from May 2009 through April 2010 had slightly higher than average summer and fall air temperatures compared to the longer-term period (January 1990 to May 2010) (*Figure 3*); on average, temperatures were 0.5◦C warmer from June to December 2009 than during the longer-term period. Air temperatures during the winter and early spring of 2010 were colder than normal, with temperatures from January to March 2010 averaging almost 4˚C colder than the longer-term average. Differences from the longer-term climatic trend for rainfall were also apparent (*Figure 3*). Rainfall totals were higher than normal in May and July 2009, at the beginning of the study period. Total rainfall in June, August, September, and October 2009 were lower than normal, while the normally dry period between January and April 2010 had much higher than normal rainfall totals.

Mean water temperature in each of the embayments showed very similar trends with very little difference between the five embayments (*Figure 4*). Temperature followed the normal Florida pattern, being warmest during the summer months of June and August, decreasing during the fall and winter, and rising again in the spring. Although not obvious in the one-year study of Sarasota Bay, water temperatures in adjacent estuaries (Tampa Bay and Charlotte Harbor) with a longer time series of data, indicate that the January to March water temperatures were much colder in 2010 than during the historical period of record (*Figure 5*).

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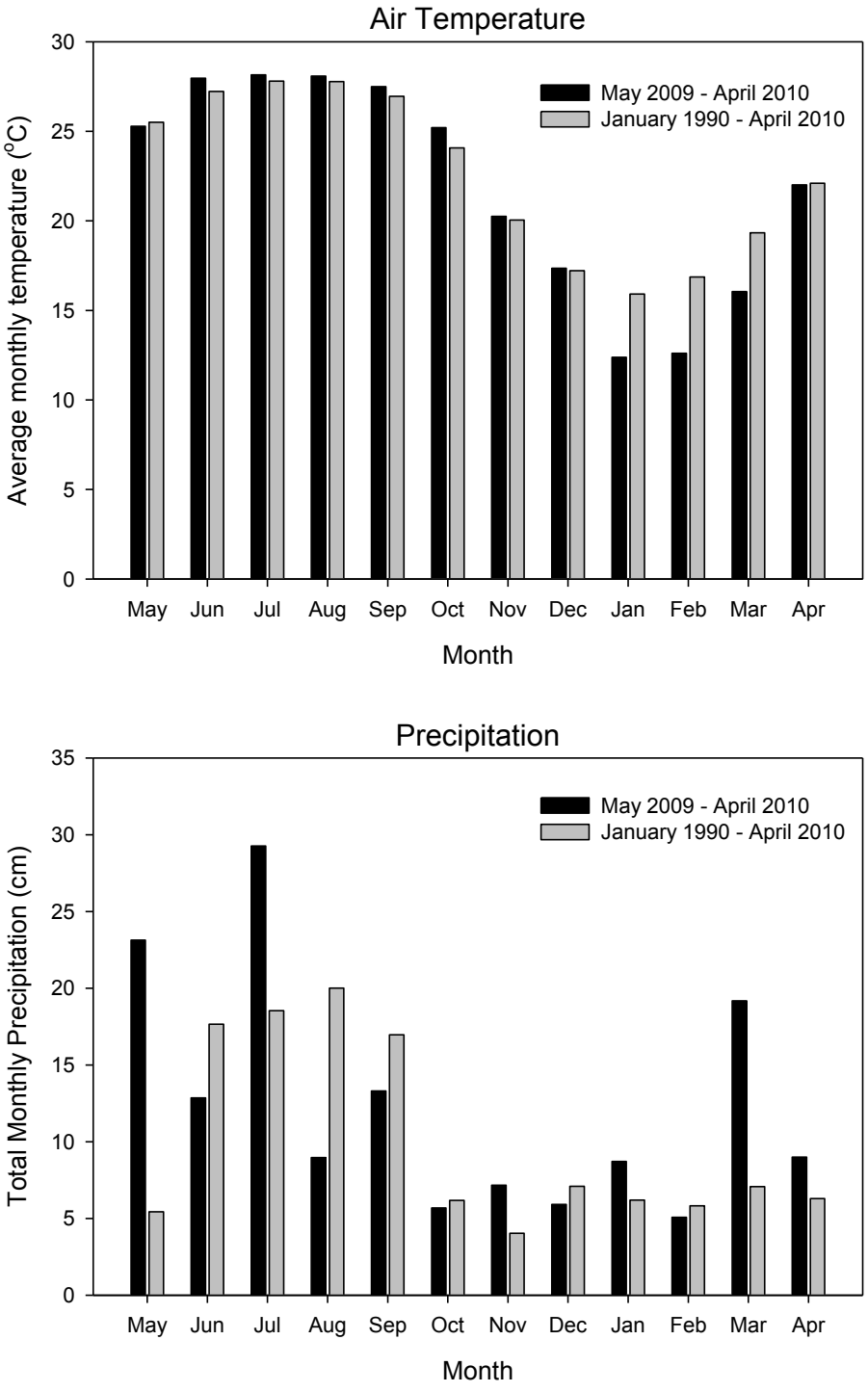


Figure 3. Temperature and total rainfall during the study period (May 2009 to April 2010) and during a longer-term reference period (January 1990 to April 2010). Data are from Tampa International Airport (Station 72211012842) and were downloaded from the National Climatic Data Center (http://gis.ncdc.noaa.gov/website/ims-cdo/gsod/viewer.htm).

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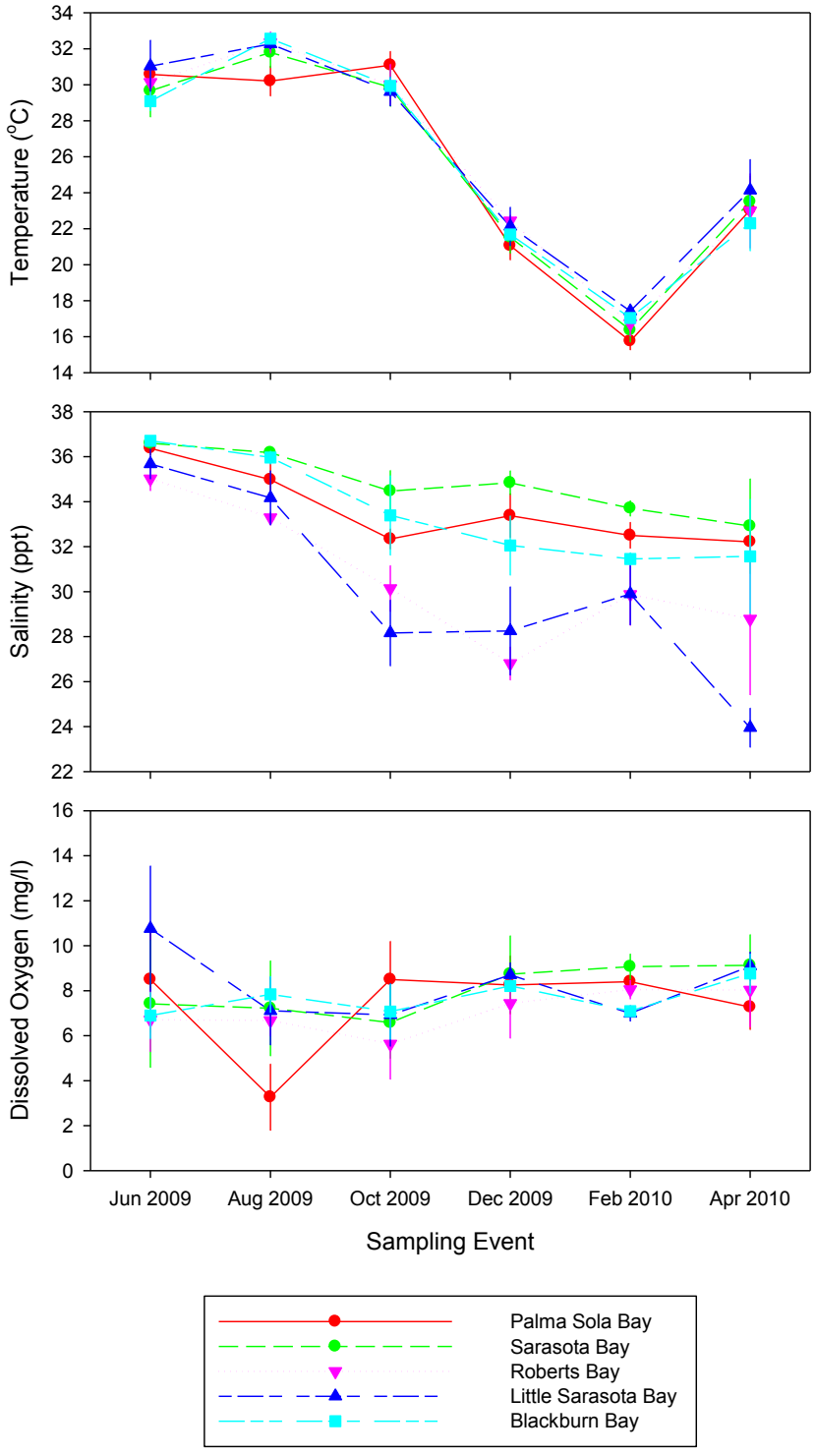


Figure 4. Mean (±standard deviation) water temperature, salinity, and dissolved oxygen (water column average) by embayment, from the Fisheries-Independent Monitoring collections in Sarasota Bay estuary during bi-monthly sampling (June 2009-April 2010).

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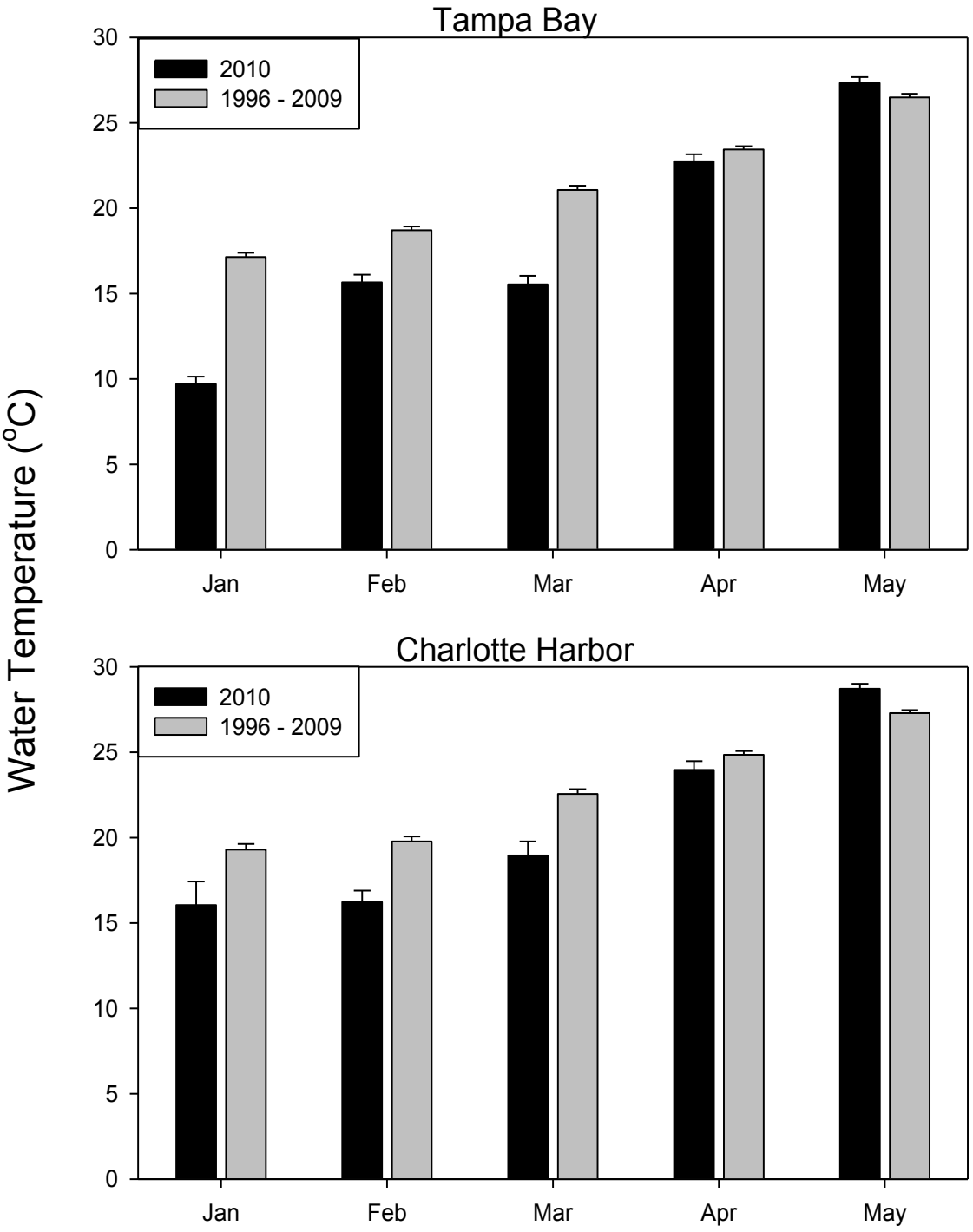


Figure 5. Mean monthly water temperature from the 183-m seine surveys conducted by the Fisheries-Independent Monitoring program in Tampa Bay and Charlotte Harbor. Gray and black fills represent the historical period (1996 – 2009) and 2010, respectively. Error bars represent the 95% confidence interval.

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Each embayment had similar trends in salinity (*Figure 4*). Salinity maxima occurred in June 2006 in each of the embayments with values ranging from 35 to 37 ppt. Salinity was lowest in each embayment during April 2010, with two of the embayments (Roberts and Little Sarasota bays) having lower salinities (28.8 and 24.0 ppt, respectively) than the other three embayments (31 to 33 ppt). Although this pattern was experienced in many Florida estuaries between June 2009 and April 2010, Florida estuaries typically experience their highest salinities in spring (April and May) during which Florida typically receives its lowest rainfall totals.

Water column average dissolved oxygen was above 5 mg/l in each of the embayments during each sampling period (*Figure 4*), except for Palma Sola Bay in August 2009 (3.3 mg/l). The highest average dissolved oxygen occurred in Little Sarasota Bay during June 2009.

The climatic and physiochemical conditions experienced during this one-year study of Sarasota Bay were not typical compared to the longer-term average condition for Southwest Florida. January and February 2010 had unprecedented cold temperatures with fish kills reported throughout Florida. An El Nino rainfall pattern, with unseasonably heavy winter/spring precipitation, was experienced likely resulting in lower salinity in the study area than would normally be expected. It is very likely that the nekton community sampled during this period was impacted by these climatic and physiochemical conditions and may differ from the nekton community that would be sampled over a longer time period. The funding that was recently awarded for a second year of sampling, June 2010 to April 2011, will greatly improve the understanding of the nekton community in this estuary.

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Composition of overall nekton community

A total of 159,271 fishes (103 taxa) and selected invertebrates (8 taxa) were collected from 245 samples (*Table 2*). Species lists with common and scientific names and number of animals collected are provided by sampling event, gear and habitat strata, and geographic strata in *Appendix B*, *C*, and *D*, respectively. About 17% of the total sampling effort, but over a quarter of the total number of animals collected (26.2%) were from Roberts Bay (*Table 2*). Sarasota Bay proper, in which just over 1/3 of the sets were made, accounted for only 28.7% of the total animals collected during the study period. The fewest number of animals (n=15,719, 9.9% of total catch) were collected in Palma Sola Bay.

Pinfish (*Lagodon rhomboides*, n=43,164) was the most numerous taxon collected, representing 27.1% of the total catch (*Appendix B*, *C*, and *D*). Bay anchovy (*Anchoa mitchilli,* n=40,349) was the second most abundant taxon collected, accounting for an additional 25.3% of the total catch. The twenty-one Selected Taxa (n=28,119 animals) that were collected comprised 17.7% of the total catch. Spot (*Leiostomus xanthurus,* n=23,577, 14.8% of total catch) and pink shrimp (*Farfantepenaeus duorarum,* n=1,497, 0.9% of total catch) were the two most abundant Selected Taxa collected.

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Table 2. Summary of catch and effort data for Sarasota Bay stratified-random sampling, June 2009 to April 2010.

	21.3-m seine		183-m seine		6.1-m trawl		Totals	
Bay Segment (Zone)	Animals	Hauls	Animals	Hauls	Animals	Hauls	Animals	Hauls
Palma Sola Bay (A)	13,608	30	1,730	6	381	6	15,719	42
Sarasota Bay (B)	39,629	47	4,585	12	1,511	24	45,725	83
Roberts Bay (C)	34,272	29	560	6	6,945	6	41,777	41
Little Sarasota Bay (D)	29,652	29	622	6	5,199	6	35,473	41
Blackburn Bay (E)	19,268	26	785	6	524	6	20,577	38
Totals	136,429	161	8,282	36	14,560	48	159,271	245

Shallow water habitats sampled with 21.3-m seines

A total of 136,429 animals, representing over 85% of the overall catch, were collected from the Sarasota Bay estuary with 21.3-m seines (n=161 hauls; *Table 2*). Bay anchovy (*A. mitchilli*, n=39,964) was the most abundant taxon collected, accounting for 29.3% of the 21.3-m seine catch (*Table 3*). The taxa most frequently collected with 21.3-m seines were pinfish (*Lagodon rhomboides*, 84.5% occurrence) and eucinostomus mojarra (*Eucinostomus* spp., 57.8% occurrence). Animals collected with 21.3-m seines tended to be relatively small, ranging in length from 2 to 346 mm, with the mean length for each of the dominant taxa between 10 and 53 mm (*Table 3*).

A total of 18,086 animals from 15 Selected Taxa were collected, representing 13.3% of the entire 21.3-m seine catch (*Table 4*). Spot (*L. xanthurus*, n=14,808) was the most abundant Selected Taxon, accounting for 81.9% of the Selected Taxa collected by this gear. The Selected Taxon most frequently collected with 21.3-m seines was the pink shrimp (*F. duorarum*, 54.7% occurrence).

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Nekton were previously sampled during 2002 in the Sarasota Bay estuary (SBNEP study) using a 21.3-m seine and protocols modeled after the Fisheries-Independent Monitoring program (SBNEP 2003). Ninety-three 21.3-m "standard" seine hauls were collected at 40 fixed stations during five-day sampling periods in both February and June. In this earlier study, fixed stations, selected to represent natural (n=22) and restored (n=18) habitats, were sampled. The SBNEP and FIM studies collected very similar numbers of total taxa (71 and 73, respectively). There were, however, many differences in the two species lists (*Table 5*), mostly because of 1) low salinity areas sampled by the SBNEP study were not sampled by the FIM study; 2) clupeids were identified to species (*Opisthonema oglinum* and *Sardinella aurita*) in the FIM study but not in the SBNEP study; 3) the FIM study's stratified-random design sampled more diverse habitats than the SBENP study; and 4) the FIM study sampled six months, instead of the two sampled by the SBNEP study.

The rankings for species collected during both the SBNEP and FIM studies also differed. For instance *Farfantepenaeus duorarum* (pink shrimp) ranked tenth in the FIM study, but 20th in the SBNEP study and *Cyprinodon variegatus* (sheepshead minnow) ranked 10th in the SBNEP study but 38th in the FIM study. As with the differences in the overall species list, differences in ranking can be attributed to differences in the habitats and months that were sampled between the two studies.

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Table 3. Catch statistics for 10 dominant taxa collected in 21.3-m seine samples during Sarasota Bay stratified-random sampling (n=161 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length for fish and post-orbital head length for shrimp. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/100m^2)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Anchoa mitchilli (bay anchovy)	39,964	29.3	32.9	177.30	70.91	507.49	9,792.14	30	0.03	15	56
Lagodon rhomboides (pinfish)	35,167	25.8	84.5	156.02	19.74	160.54	1,159.29	31	0.08	9	180
Eucinostomus spp. (eucinostomus mojarra)	17,073	12.5	57.8	75.75	21.55	360.92	3,285.71	25	0.05	8	39
Leiostomus xanthurus (spot)	14,808	10.9	36.6	65.70	14.14	273.04	965.00	23	0.07	11	118
Harengula jaguana (scaled sardine)	6,959	5.1	19.3	30.87	13.65	560.87	1,757.86	44	0.15	22	117
Lucania parva (rainwater killifish)	4,024	2.9	37.9	17.85	4.25	302.37	412.14	23	0.07	13	37
Menidia spp. (menidia silversides)	3,855	2.8	34.8	17.10	5.89	437.01	806.43	43	0.15	22	89
Anchoa cubana (cuban anchovy)	3,303	2.4	5.6	14.65	8.54	739.75	1,135.71	38	0.08	25	62
Eucinostomus gula (silver jenny)	2,193	1.6	49.1	9.73	2.65	346.16	377.14	53	0.20	40	91
Farfantepenaeus duorarum (pink shrimp)	1,429	1.0	54.7	6.34	1.22	245.04	97.86	10	0.10	2	39
Subtotal	128,775	94.3	.	.	.	.	.	.	.	2	180
Totals	136,429	100.0	.	605.28	88.62	185.77	10,460.71	.	.	2	346

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Table 4. Catch statistics for Selected Taxa collected in 21.3-m seine samples during Sarasota Bay stratified-random sampling (n=161 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length for fish, post-orbital head length for shrimp, and carapace width for crabs. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/100m^2)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Leiostomus xanthurus (spot)	14,808	10.9	36.6	65.70	14.14	273.04	965.00	23	0.07	11	118
Farfantepenaeus duorarum (pink shrimp)	1,429	1.0	54.7	6.34	1.22	245.04	97.86	10	0.10	2	39
Mugil cephalus (striped mullet)	1,347	1.0	10.6	5.98	4.20	891.10	635.71	24	0.06	16	32
Cynoscion nebulosus (spotted seatrout)	128	0.1	19.3	0.57	0.13	286.87	10.71	40	1.57	18	101
Lutjanus griseus (gray snapper)	127	0.1	18.0	0.56	0.21	473.79	24.29	41	2.02	14	162
Lutjanus synagris (lane snapper)	87	0.1	12.4	0.39	0.14	468.16	17.14	38	1.51	20	108
Archosargus probatocephalus (sheepshead)	53	0.0	13.7	0.24	0.06	325.36	5.00	58	10.58	13	268
Sciaenops ocellatus (red drum)	36	0.0	5.0	0.16	0.09	680.04	12.86	69	5.50	12	136
Callinectes sapidus (blue crab)	29	0.0	9.3	0.13	0.04	382.06	3.57	38	5.67	7	134
Paralichthys albigutta (Gulf flounder)	22	0.0	8.1	0.10	0.03	413.14	3.57	49	9.62	15	242
Mugil gyrans (fantail mullet)	7	0.0	1.2	0.03	0.02	974.04	3.57	15	0.42	14	17
Centropomus undecimalis (common snook)	6	0.0	1.9	0.03	0.02	787.38	2.14	112	37.86	28	232
Trachinotus falcatus (permit)	4	0.0	1.2	0.02	0.01	894.41	1.43	42	9.09	21	57
Mycteroperca microlepis (gag)	2	0.0	1.2	0.01	0.01	894.41	0.71	135	40.50	94	175
Menippe spp. (stone crab)	1	0.0	0.6	0.00	0.00	1,268.86	0.71	41	.	41	41
Totals	18,086	13.3	83.9	80.24	15.26	241.34	996.43	.	.	2	268

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Table 5. Listing of species that were not collected during both the SBNEP (2002) and the FIM (June 2009 to April 2010) studies. Rank refers to the species ranking based upon number collected – the larger the rank, the fewer animals that were collected.

SBNEP Study		***FIM Study***	
Species	***Rank***	***Species***	***Rank***
Aluterus schoepfi	55	*Acanthostracion quadricornis*	50
Anchoa cubana	23	*Adinia xenica*	65
Brevoortia spp.	15	*Anchoa spp.*	66
Clupeidae spp.	12	*Ariopsis felis*	67
Dasyatis say	64	*Astroscopus* spp.	55
Fundulus confluentus	50	*Blenniidae* spp.	56
Gambusia holbrooki	36	*Chasmodes saburrae*	48
Gobiosoma bosc	43	*Dasyatis sabina*	51
Haemulon parrai	65	*Haemulon plumierii*	44
Limulus polyphemus	51	*Hyporhamphus meeki*	35
Lophogobius cyprinoides	34	*Hyporhamphus unifasciatus*	61
Menticirrhus saxatilis	68	*Mugil gyrans*	28
Mycteroperca microlepis	46	*Nicholsina usta*	63
Pogonias cromis	70	*Ocyurus chrysurus*	45
Scomberomorus maculatus	22	*Opisthonema oglinum*	13
Selene vomer	71	*Ostraciidae* spp.	71
Sphyraena barracuda	60	*Paraclinus marmoratus*	64
Strongylura marina	48	*Prionotus scitulus*	52
Strongylura spp.	62	*Prionotus tribulus*	49
Trinectes maculatus	52	*Sardinella aurita*	72
		Symphurus plagiusa	54
		Urophycis floridana	43

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Nearshore habitats sampled with 183-m seines

A total of 8,282 animals were collected with 183-m seines (n=36 hauls), representing 5.2% of the overall catch (*Table 2*). Pinfish (*L. rhomboides*, n=4,920) was the most abundant taxon collected with 183-m seines, accounting for 59.4% of the total catch (*Table 6*). Pinfish were also the most frequently collected taxon, occurring in every 183-m seine set. Animals collected with 183-m seines (*Table 6*) tended to be larger (mean size typically greater than 100 mm) than those collected with 21.3-m seines (*Table 3*) and 6.1-m trawls (*Table 8*).

A total of 814 animals from 18 Selected Taxa were collected, representing 9.8% of the entire 183-m seine catch (*Table 7*). *Archosargus probatocephalus* (n=160) was the most abundant Selected Taxon, accounting for 19.7% of the Selected Taxa collected by this gear. Sheepshead (58.3% occurrence) was also the most frequently collected Selected Taxa followed by common snook (*C. undecimalis*, 52.8% occurrence).

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Table 6. Catch statistics for 10 dominant taxa collected in 183-m seine samples during Sarasota Bay stratified-random sampling (n=36 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/haul)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Lagodon rhomboides (pinfish)	4,920	59.4	100.0	136.67	31.02	136.20	723.00	107	0.40	43	213
Bairdiella chrysoura (silver perch)	642	7.8	27.8	17.83	12.71	427.54	441.00	117	0.63	67	171
Harengula jaguana (scaled sardine)	611	7.4	25.0	16.97	11.64	411.53	406.00	100	0.48	60	140
Orthopristis chrysoptera (pigfish)	344	4.2	44.4	9.56	4.09	256.70	114.00	111	1.40	62	206
*Opisthonema oglinum (*Atlantic thread herring)	272	3.3	8.3	7.56	7.47	593.21	269.00	107	0.90	84	158
Ariopsis felis (hardhead catfish)	188	2.3	30.6	5.22	2.36	271.51	72.00	247	3.55	160	368
Eucinostomus gula (silver jenny)	177	2.1	52.8	4.92	1.25	153.08	28.00	81	1.08	41	133
Archosargus probatocephalus (sheepshead)	160	1.9	58.3	4.44	1.33	179.63	40.00	234	4.21	98	382
Centropomus undecimalis (common snook)	127	1.5	52.8	3.53	0.89	151.29	20.00	418	7.26	234	705
Lutjanus griseus (gray snapper)	110	1.3	38.9	3.06	1.09	213.38	29.00	179	4.02	66	285
Subtotal	7,551	91.2	.	.	.	.	.	.	.	41	705
Totals	8,282	100.0	.	230.06	50.81	132.51	1,351.00	.	.	31	716

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Table 7. Catch statistics for Selected Taxa collected in 183-m seine samples during Sarasota Bay stratified-random sampling (n=36 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length for fish and carapace width for crabs. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/haul)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Archosargus probatocephalus (sheepshead)	160	1.9	58.3	4.44	1.33	179.63	40.00	234	4.21	98	382
Centropomus undecimalis (common snook)	127	1.5	52.8	3.53	0.89	151.29	20.00	418	7.26	234	705
Lutjanus griseus (gray snapper)	110	1.3	38.9	3.06	1.09	213.38	29.00	179	4.02	66	285
Elops saurus (ladyfish)	99	1.2	36.1	2.75	1.04	227.24	31.00	264	4.33	192	440
Leiostomus xanthurus (spot)	70	0.8	27.8	1.94	0.76	233.56	17.00	112	3.60	81	182
Mugil cephalus (striped mullet)	44	0.5	36.1	1.22	0.39	192.74	10.00	280	13.69	122	421
Mugil curema (fantail mullet)	41	0.5	25.0	1.14	0.47	246.71	12.00	221	9.10	112	298
Mycteroperca microlepis (gag)	41	0.5	16.7	1.14	0.60	314.25	18.00	219	8.73	98	331
Paralichthys albigutta (Gulf flounder)	25	0.3	30.6	0.69	0.22	194.17	6.00	175	11.24	77	265
Lutjanus synagris (lane snapper)	23	0.3	8.3	0.64	0.51	477.92	18.00	107	1.82	93	132
Cynoscion nebulosus (spotted seatrout)	19	0.2	27.8	0.53	0.15	172.39	3.00	224	20.65	52	379
Mugil gyrans (fantail mullet)	18	0.2	25.0	0.50	0.16	188.22	3.00	166	12.35	99	246
Sciaenops ocellatus (red drum)	15	0.2	19.4	0.42	0.18	252.53	5.00	306	56.10	75	625
Callinectes sapidus (blue crab)	8	0.1	16.7	0.22	0.09	243.19	2.00	106	14.93	48	158
Trachinotus falcatus (permit)	7	0.1	8.3	0.19	0.12	385.24	4.00	168	34.09	58	270
Scomberomorus maculatus (Spanish mackerel)	4	0.0	5.6	0.11	0.09	470.26	3.00	366	17.04	328	410
Pogonias cromis (black drum)	2	0.0	5.6	0.06	0.04	418.16	1.00	294	46.00	248	340
Menippe spp. (stone crab)	1	0.0	2.8	0.03	0.03	600.00	1.00	106	.	106	106
Totals	814	9.8	100.0	22.61	3.44	91.17	87.00	.	.	48	705

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Deeper-water habitats sampled with 6.1-m trawls

A total of 14,560 animals were collected in 6.1-m trawls (n=48 hauls), representing 9.1% of the overall catch (*Table 2*). Spot (*L. xanthurus*, n=8,629, 59.2% of total catch) was the most abundant taxon collected with this gear (*Table 8*). The taxon most frequently collected with 6.1-m trawls was the pinfish (*L. rhomboides*), which occurred in over 80% of the trawl samples. Trawl collected animals tended to be similar in size to those collected with 21.3-m seines (*Table 3*) and smaller than those collected with 183-m seines (*Table 6*).

Fourteen Selected Taxa (9,219 animals, 63.3% of the entire trawl catch) were collected with 6.1-m trawls (*Table 9*). A single species (spot, *L. xanthurus,* n=8,629) accounted for 93.6% of the Selected Taxa collected with trawls. The Selected Taxon most frequently collected with 6.1-m trawls was the stone crab (*Menippe* spp.) which occurred in almost 50% of the trawl collections.

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Table 8. Catch statistics for 11 dominant taxa collected in 6.1-m trawl samples during Sarasota Bay stratified-random sampling (n=48 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length for fish and carapace width for crabs. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/100m^2)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Leiostomus xanthurus (spot)	8,629	59.3	12.5	12.48	7.69	426.76	314.14	20	0.10	10	159
Lagodon rhomboides (pinfish)	3,077	21.1	81.3	4.44	1.70	265.54	65.84	35	0.59	11	154
Eucinostomus gula (silver jenny)	481	3.3	64.6	0.69	0.21	209.49	8.30	82	0.78	40	125
Anchoa mitchilli (bay anchovy)	385	2.6	8.3	0.55	0.47	592.40	22.13	29	0.23	20	52
Eucinostomus spp. (eucinostomus mojarra)	311	2.1	31.3	0.45	0.16	246.88	4.88	25	0.40	10	39
Orthopristis chrysoptera (pigfish)	270	1.9	54.2	0.40	0.14	249.92	6.45	116	2.08	46	209
Menippe spp. (stone crab)	255	1.8	45.8	0.36	0.13	247.19	5.46	28	1.25	4	113
Portunus spp. (swimming crab)	168	1.2	47.9	0.24	0.08	224.56	2.90	51	1.27	12	95
Callinectes sapidus (blue crab)	117	0.8	33.3	0.17	0.06	243.83	1.75	79	3.08	12	168
Archosargus probatocephalus (sheepshead)	74	0.5	16.7	0.12	0.07	437.38	3.41	171	8.04	13	360
Gobiosoma spp. (gobies)	81	0.6	16.7	0.12	0.07	418.71	3.24	16	0.23	10	19
Subtotal	13,848	95.2	.	.	.	.	.	.	.	4	360
Totals	14,560	100.0	.	21.01	9.22	304.11	359.37	.	.	4	590

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Table 9. Catch statistics for Selected Taxa collected in 6.1-m trawl samples during Sarasota Bay stratified-random sampling (n=48 hauls), June 2009 to April 2010. Percent (%) is the percent of the total catch represented by that taxon; percent occurrence (% Occur) is the percentage of samples in which that taxon was collected; CV is the coefficient of variation of the mean. Length is standard length for fish, post-orbital head length for shrimp, and carapace width for crabs. Taxa are ranked in order of decreasing mean catch-per-unit-effort.

	Number		%	Catch-per-unit-effort (animals/100m^2)				Length (mm)			
Scientific Name (Common Name)	No.	%	Occur	Mean	Stderr	CV	Max	Mean	Stderr	Min	Max
Leiostomus xanthurus (spot)	8,629	59.3	12.5	12.48	7.69	426.76	314.14	20	0.10	10	159
Menippe spp. (stone crab)	255	1.8	45.8	0.36	0.13	247.19	5.46	28	1.25	4	113
Callinectes sapidus (blue crab)	117	0.8	33.3	0.17	0.06	243.83	1.75	79	3.08	12	168
Archosargus probatocephalus (sheepshead)	74	0.5	16.7	0.12	0.07	437.38	3.41	171	8.04	13	360
Farfantepenaeus duorarum (pink shrimp)	68	0.5	31.3	0.10	0.03	217.24	1.05	15	0.68	4	26
Lutjanus griseus (gray snapper)	23	0.2	10.4	0.03	0.02	407.18	0.71	149	10.90	50	228
Paralichthys albigutta (Gulf flounder)	21	0.1	25.0	0.03	0.01	201.81	0.22	178	20.78	16	301
Lutjanus synagris (lane snapper)	20	0.1	22.9	0.03	0.01	209.11	0.21	89	7.74	30	160
Menticirrhus americanus (southern kingfish)	4	0.0	8.3	0.01	0.00	335.40	0.07	209	59.27	36	287
Cynoscion arenarius (sand seatrout)	3	0.0	4.2	0.00	0.00	511.98	0.13	19	3.06	15	25
Cynoscion nebulosus (spotted seatrout)	2	0.0	4.2	0.00	0.00	484.82	0.07	124	104.50	19	228
Epinephelus morio (red grouper)	1	0.0	2.1	0.00	0.00	692.82	0.07	101	.	101	101
Mycteroperca microlepis (gag)	1	0.0	2.1	0.00	0.00	692.82	0.07	19	.	19	19
Sciaenops ocellatus (red drum)	1	0.0	2.1	0.00	0.00	692.82	0.07	590	.	590	590
Totals	9,219	63.3	81.3	13.33	7.69	399.81	314.43	.	.	4	590

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Species Profiles

The following sections provide profiles on various abundant and frequently occurring species in terms of seasonal abundance, sizes collected, spatial distribution, and bottom habitat preference. Species included in these profiles are numerically dominant or economically important (i.e., recreationally or commercially fished species, such as spotted seatrout, common snook and pink shrimp). Appendices (*Appendix E*, *F*, and *G* for 21.3-m seines, 183-m seines, and 6.1-m trawls, respectively) contain summary graphs for all taxa that were identified to species, had at least a 15% occurrence, and for which at least 40 individuals were collected during bi-monthly sampling in the Sarasota Bay estuary between June 2009 and April 2010. The abundance and size distribution results presented here are based on a limited time series (one year of bi-monthly sampling) and relatively small sample size, so there tends to be considerable variability in the data.

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Pink shrimp, *Farfantepenaeus duorarum*

Pink shrimp range from the Chesapeake Bay to the Yucatan Peninsula and are of great commercial importance, especially in the Gulf of Mexico (Carpenter 2002). Catches in Florida were valued at nearly $21M in 2005 (FWRI, unpublished data). They spawn offshore and enter estuaries as postlarvae (Allen et al. 1980). They probably use selective tidal stream transport to recruit to nursery grounds (i.e., they ascend into the water column on flood tides and descend to near the substrate on ebb tides [Hughes, 1969]). Different life stages of pink shrimp exhibit a broad range of salinity tolerance, although salinities from approximately 12 to 45 ppt seem to be preferred (Pattillo et al. 1997).

Pink shrimp were not collected with the 183-m seines (*Appendix C*) but were the tenth most abundant species collected with 21.3-m seines (*Table 3*) and were commonly collected with 6.1-m trawls (*Table 8*). Pink shrimp collected with 6.1-m trawls tended to be larger (median post-orbital head length of 14 mm; *Figure 7*) than those collected with 21.3-m seine (10 mm; *Figure 6*). Abundance in the shallow water habitats sampled with the 21.3-m seine was greater during October and December than in the other months (*Figure 6*). Pink shrimp were more abundant in Little Sarasota and Blackburn bays and over vegetated bottom habitats (*Figure 6*). Although mean abundance in the deeper waters sampled with 6.1-m trawls were higher in February and June and in Roberts and Little Sarasota Bay, the variability in the abundance estimates was too high to discern any real trends (*Figure 7*).

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Farfantepenaeus duorarum (pink shrimp)
21.3-m seine

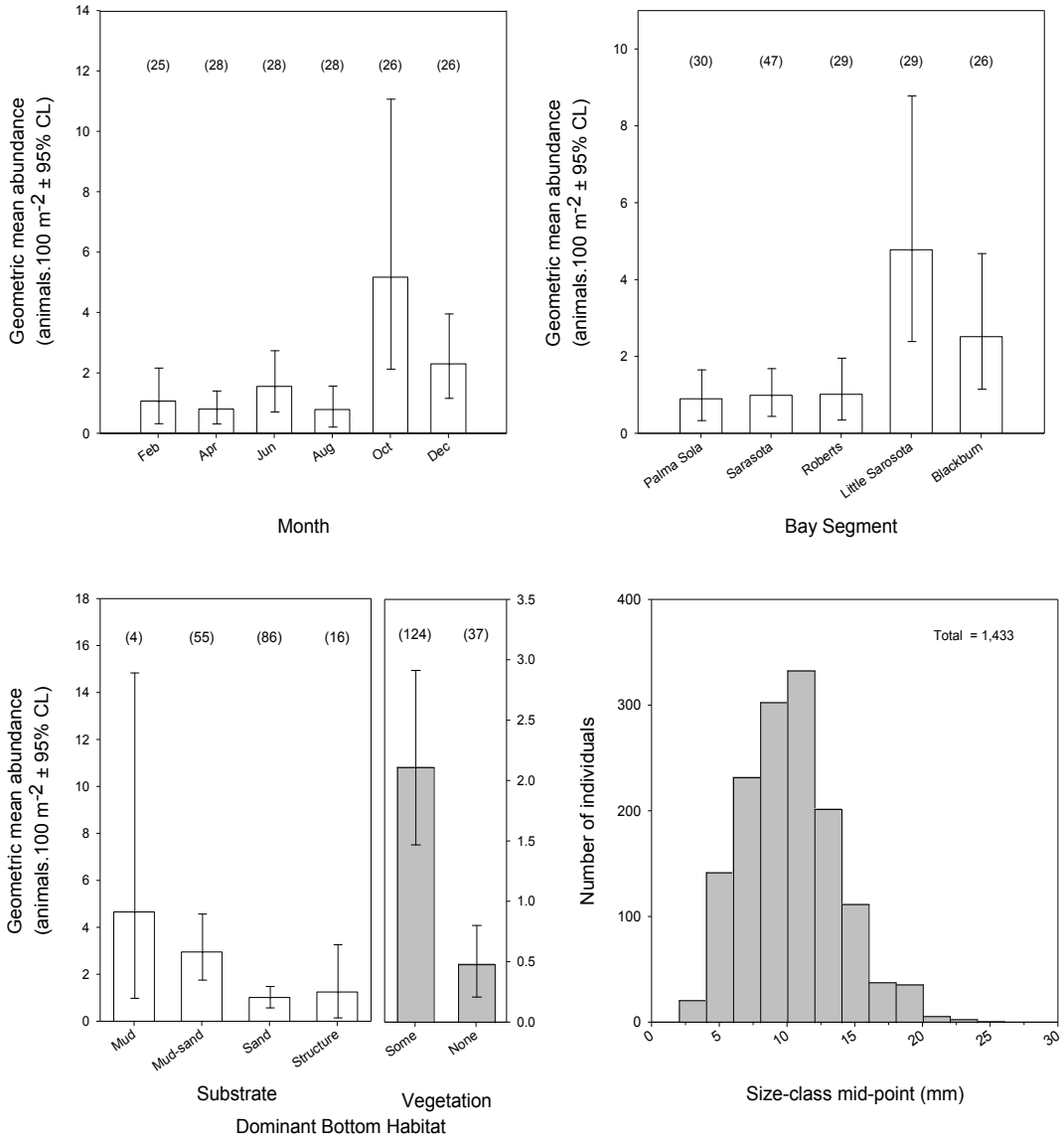


Figure 6. Relative abundance and length-frequency distribution of pink shrimp collected with 21.3-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Farfantepenaeus duorarum (pink shrimp)
6.1-m trawl

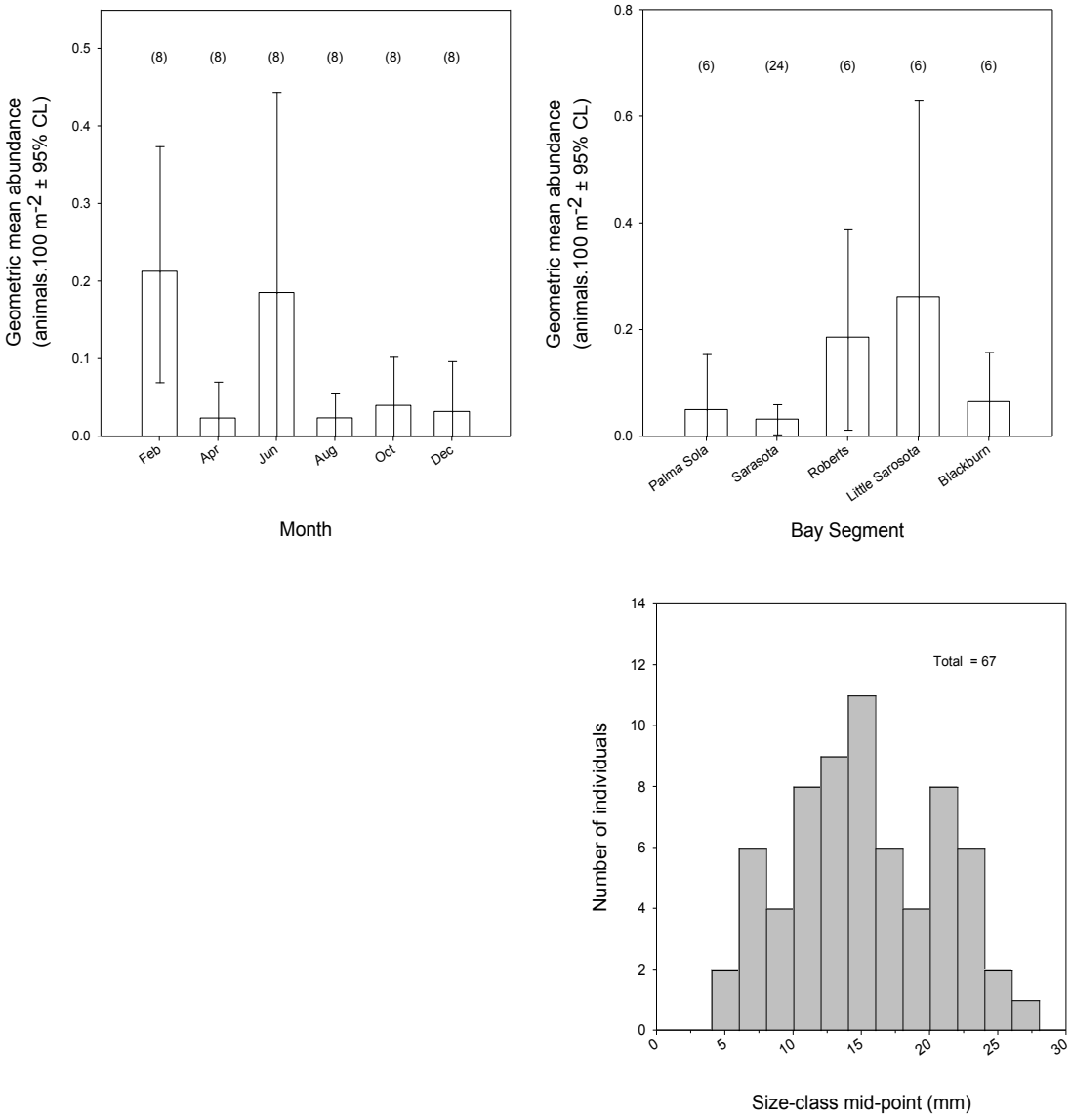


Figure 7. Relative abundance and length-frequency distribution of pink shrimp collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Blue crab, *Callinectes sapidus*

Blue crabs occur in the western Atlantic from Canada to Argentina, including Bermuda and the Antilles, and have been successfully introduced in Europe and Japan (Carpenter, 2002). This species supports large commercial fisheries in Florida, valued at nearly $12M in 2005 (FWRI, unpublished data), and is an important predator and prey species in inshore waters (Steele and Bert 1994). Blue crabs are transients in estuaries: spawning and larval development occur in marine waters, but juveniles and adults spend most of their time in estuaries (Steele and Bert 1994). Both larval blue crabs recruiting to the estuary and females leaving the estuary to spawn use selective tidal stream transport (Olmi 1994; Tankersley et al. 1998). Chemical cues emanating from estuarine and freshwater watersheds promote settlement by triggering metamorphosis in larvae (Wolcott and De Vries 1994; Forward et al. 1994 and 1997). Blue crabs tolerate salinities from freshwater to at least 50 ppt, but optimal salinities differ among life-history stages: 12–36 ppt for larvae, 2–21 ppt for juveniles, less than 10 ppt for adult males, and 23–33 ppt for egg-bearing females (Pattillo et al. 1997).

Blue crabs were collected with all three gear types deployed during this study (*Appendix C*), but were only common in the deeper-water habitats sampled with the 6.1-m trawl (*Table 9*). They were collected during all months sampled with no seasonal trend in abundance (*Figure 8*). Blue crabs were collected with 6.1-m trawls from each of the bays sampled, but were most abundant in Little Sarasota Bay and least abundant in Sarasota Bay. Sizes captured with 6.1-m trawls ranged from 12 mm to 168 mm carapace width (CW) with a bimodal distribution (modes at 50 and 90 mm CW).

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Callinectes sapidus (blue crab)
6.1-m trawl

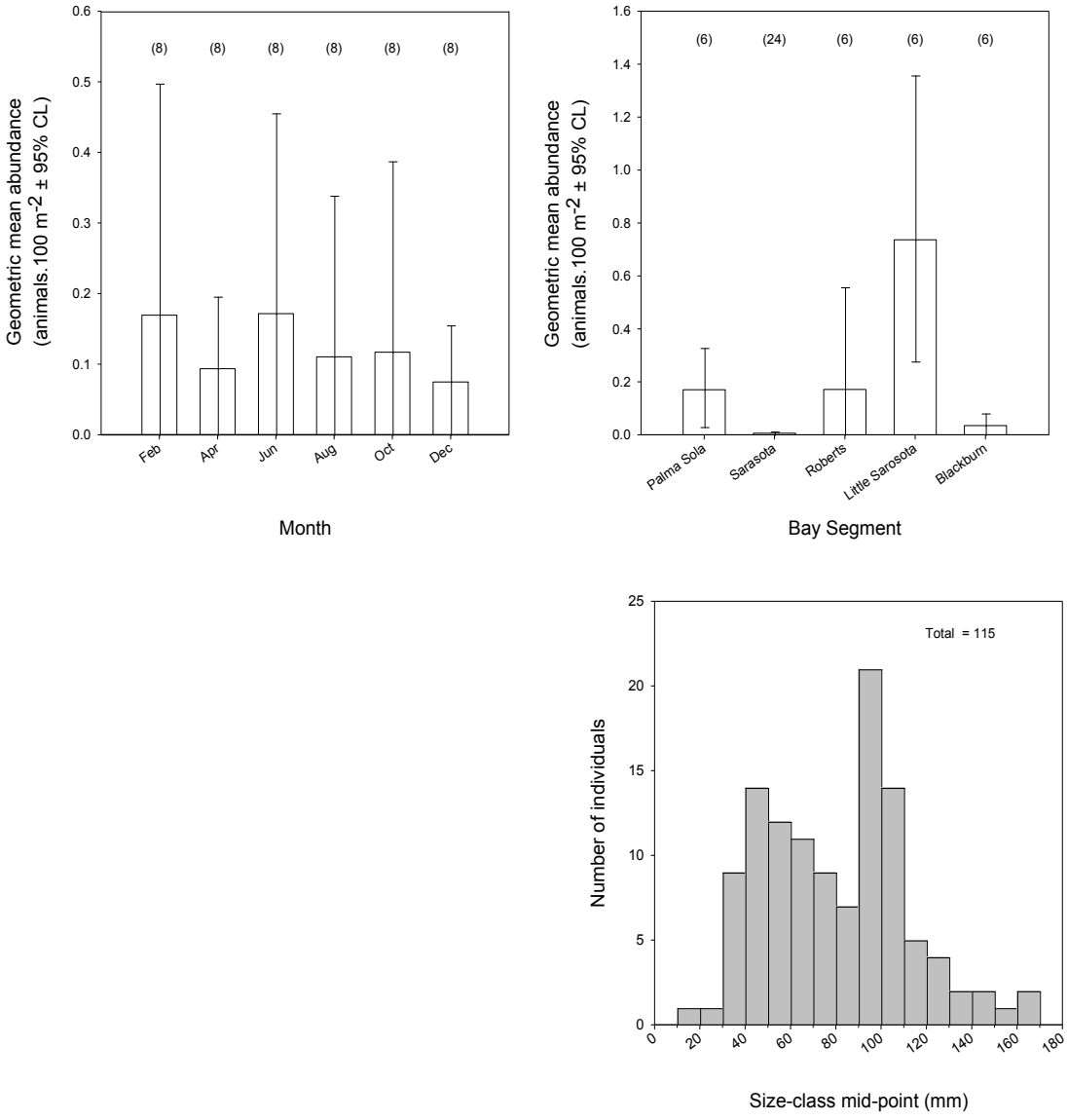


Figure 8. Relative abundance and length-frequency distribution of blue crab collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Ladyfish, *Elops saurus*

Ladyfish inhabit estuarine and nearshore waters throughout Florida. Larval and juvenile ladyfish can be found in a variety of nearshore habitats, including coastal beaches, canals, rivers, and mosquito impoundments (Gilmore et al. 1982 and McBride et al. 2001). Length-frequency analysis suggests that ladyfish grow to 200 mm to 300 mm standard length by age 1. Their diet consists mainly of fish with decapod crustaceans being of secondary importance (Darnell 1958 and Sekavec 1974). Florida landings were just over 1 million pounds in 2007 with over 75% being landed by the commercial fishery (FWRI-FWC 2008).

Ladyfish were only captured with the 183-m seine during this study (*Appendix C*); they comprised just over 1% of the catch in this gear and occurred in 36.1% of the hauls (*Table 7*). Although the largest ladyfish collected was 440 mm SL, the majority were between 200 and 300 mm SL (*Figure 9*). There appear to be both seasonal and distributional trends in abundance, but the variability was so high that discernment of real trends was not possible.

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Elops saurus (ladyfish)
183-m seine

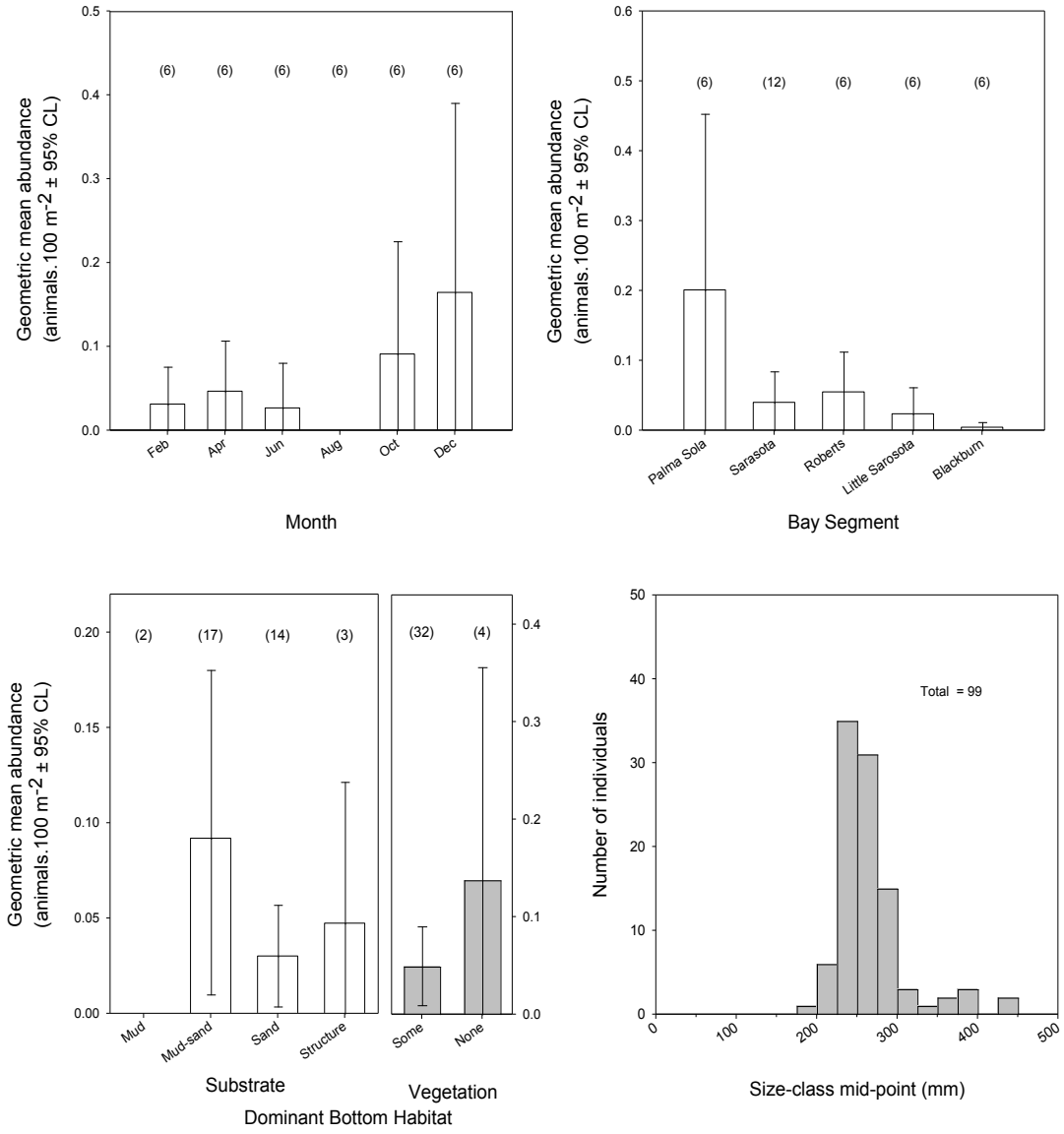


Figure 9. Relative abundance and length-frequency distribution of ladyfish collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Bay anchovy, *Anchoa mitchilli*

Bay anchovies range from Maine to the Yucatan Peninsula and are of great importance in estuarine food chains due to their trophic position, small size, and extreme abundance (Pattillo et al. 1997; Carpenter 2002). They spawn in nearshore marine waters and estuaries (Peebles et al. 1996; Pattillo et al. 1997). Larvae use selective tidal stream transport to travel to upstream nursery areas (Schultz et al. 2003). Although each life stage of bay anchovy exhibits a broad range of salinity tolerance (Pattillo et al. 1997), each tends to distribute differently in relation to salinity: spawning adults, eggs, and newly hatched larvae are found at higher salinities than are later-stage larvae and juveniles (Peebles et al. 1991).

Bay anchovies were collected with 21.3-m seines (*Table 3*) and 6.1-m trawls (*Table 8*), but not with 183-m seine (*Appendix C*). They were only abundant (39,964 animals collected) and common (32.9% occurrence) enough in the 21.3-m seine collections for summary plots to be prepared. There were no obvious seasonal trends in abundance for bay anchovy (*Figure 10*) collected from the shallow waters sampled with 21.3-m seines; the low abundance in February may be indicative of the colder than average January/February water temperatures experienced during 2010. Bay anchovies were least abundant in Blackburn Bay and most abundant in Roberts and Little Sarasota Bay. They tended to have higher abundance in collections that sampled at least some seagrass. Bay anchovies collected with 21.3-m seines ranged in size from 15 mm to 56 mm SL.

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Anchoa mitchilli (bay anchovy)
21.3-m seine

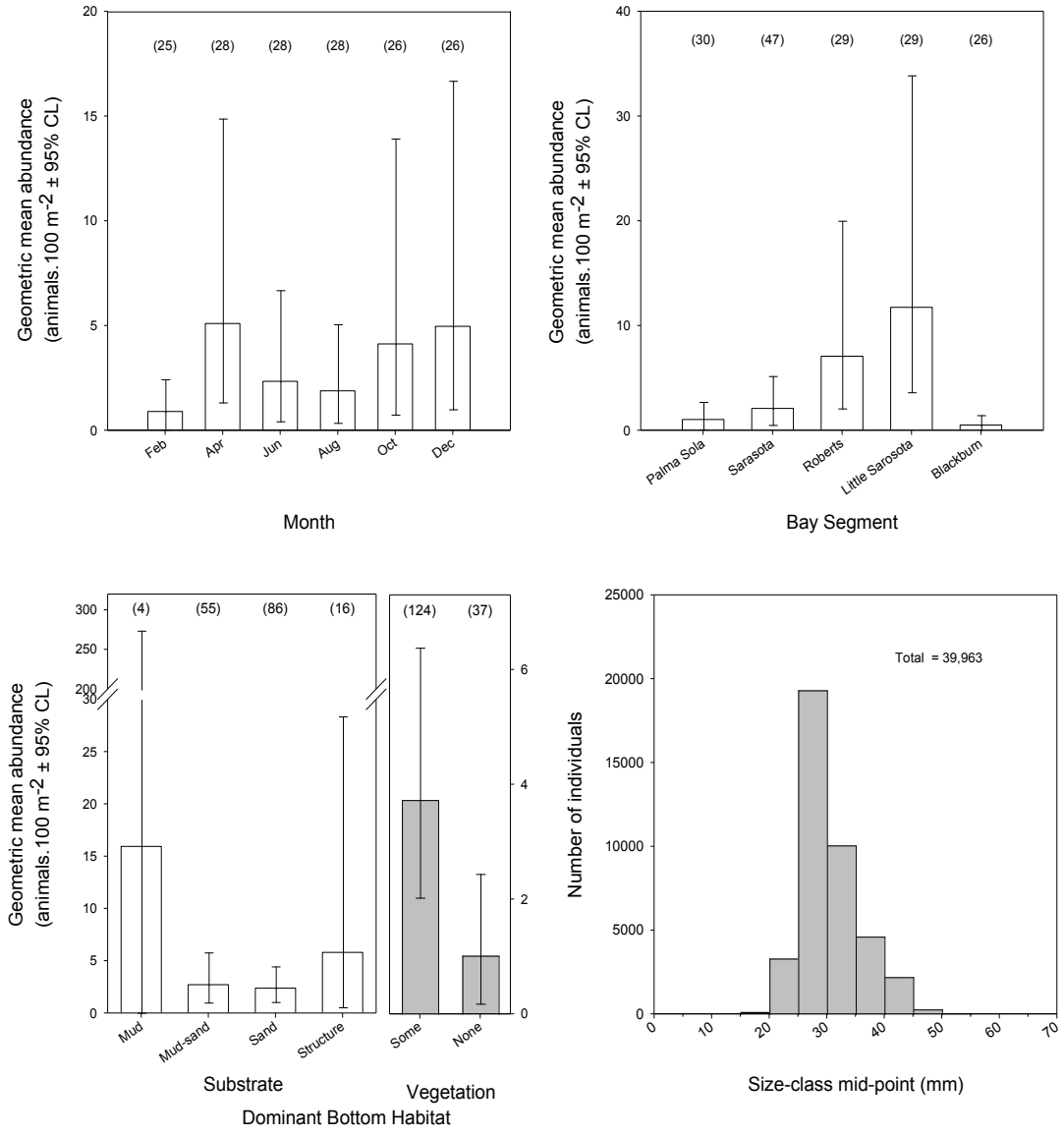


Figure 10. Relative abundance and length-frequency distribution of bay anchovy collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Common snook, *Centropomus undecimalis*

Common snook occur in tropical and subtropical estuarine systems of the western Atlantic (Rivas 1986). In Florida, they occur principally from Cape Canaveral on the Atlantic coast southward around the peninsula to Cedar Key on the Gulf of Mexico coast (Taylor et al. 2000). Common snook are popular sport fish that support a large recreational fishery throughout much of coastal south and central Florida (Muller and Taylor 2002). Spawning occurs primarily in ocean passes and secondary embayments (Taylor et al., 1998). Small juveniles are found in quiet shallow-water creeks, canals, and lagoons in both low-salinity (riverine) and high-salinity (mangrove and saltmarsh) environments (McMichael et al. 1989; Peters et al. 1998). As juvenile common snook grow to about 150 mm SL, marked changes in their tolerance of high temperature and low dissolved oxygen occur (Peterson and Gilmore 1991), and juveniles are no longer abundant at the sites described above. Larger juveniles and adult common snook are found in a wider variety of estuarine habitats.

Common snook were not collected with 6.1-m trawls (*Appendix C*), were rarely collected with 21.3-m seines (*Table 4*), but were encountered in over 50% of the 183-m seine sets (*Table 7*). There were no obvious seasonal trends in common snook abundance (*Figure 11*). Low abundance in February and August are likely due to the low sample size (6 hauls) collected during each sampling event, although the lower than average water temperatures during January/February 2010 likely also influenced the February catch. Common snook had much higher abundance in samples over seagrass, but the number of hauls that did not sample seagrass was very low. Common snook collected with 183-m seines ranged in size from 234 to 705 mm SL.

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Centropomus undecimalis (common snook)
183-m seine

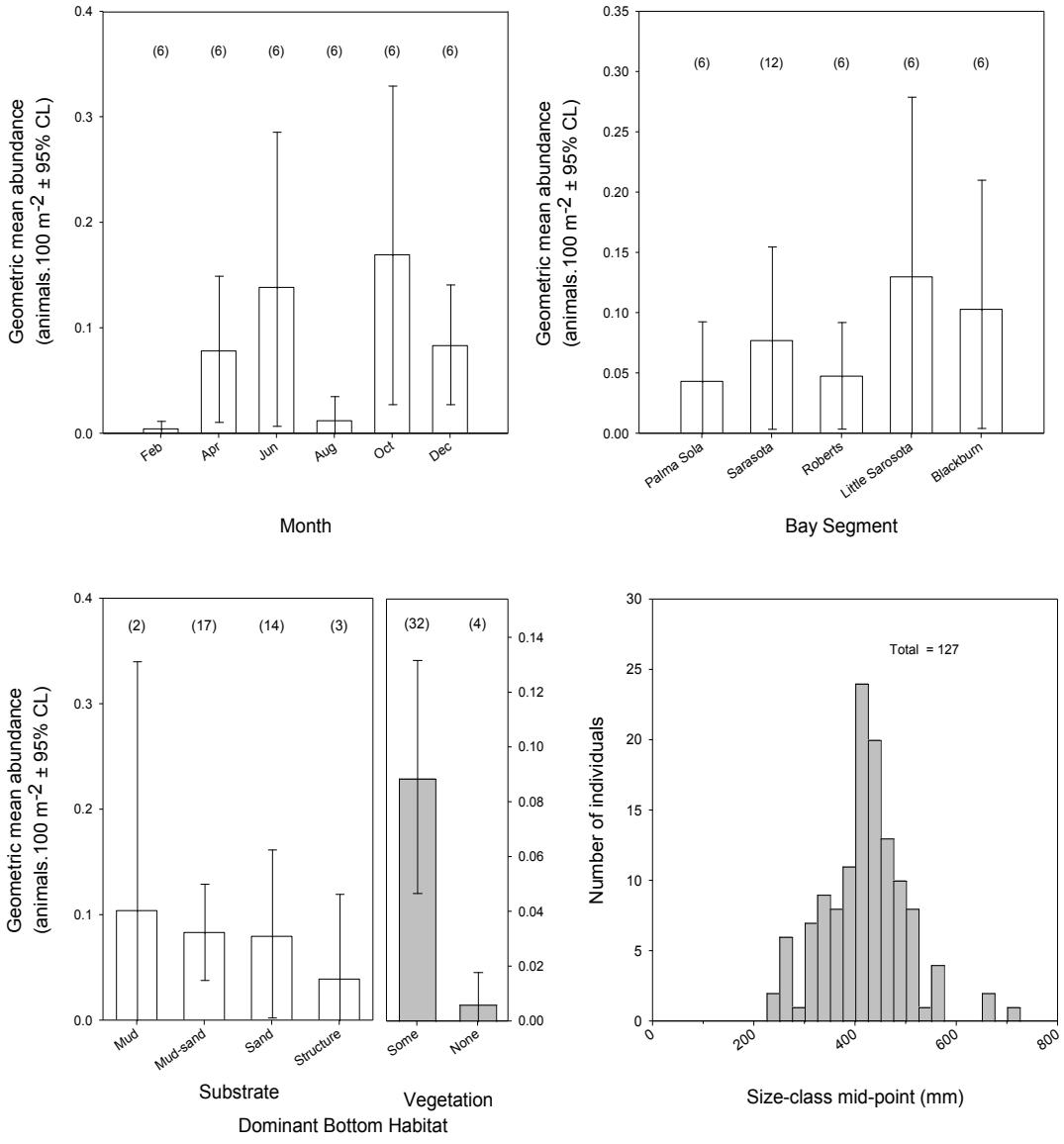


Figure 11. Relative abundance and length-frequency distribution of common snook collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Gag, *Mycteroperca microlepis*

Gag is an economically important species of grouper found in the western Atlantic from Massachusetts southward to Florida, the Gulf of Mexico, and possibly to Brazil—excluding the West Indies (Bullock and Smith 1991). Juvenile gag inhabit estuarine seagrass areas (Keener et al. 1988; Ross and Moser 1995; Mullaney and Gale 1996; Koenig and Coleman 1998; Nagelkerken et al. 2000; Cocheret de la Moriniere et al. 2002; Casey et al. 2007; Whaley et al. 2007; Faunce and Serafy 2008) until approximately one year old and then move to deeper, offshore areas of reef and hard bottom. Almost 90% of the total gag catch in Florida during 2007 (4,246,561 pounds) was landed on Florida's Gulf coast (FWC-FWRI 2008).

Gag were collected with all three gear types (*Table 4*, *Table 7*, and *Table 9*) but only met the abundance and frequency of occurrence thresholds (≥40 animals and ≥15% occurrence) for the 183-m seine collections. Gag in 183-m seines were only collected when the net sampled at least some seagrass, were only present during June through August, and were not collected from Palma Sola or Roberts bays (*Figure 12*). Gag exhibited a bimodal length-frequency distribution with modes at 206 and 340 mm SL (*Figure 12*), possibly representing young-of-the-year and one-year old fish, respectively.

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Mycteroperca microlepis (gag)
183-m seine

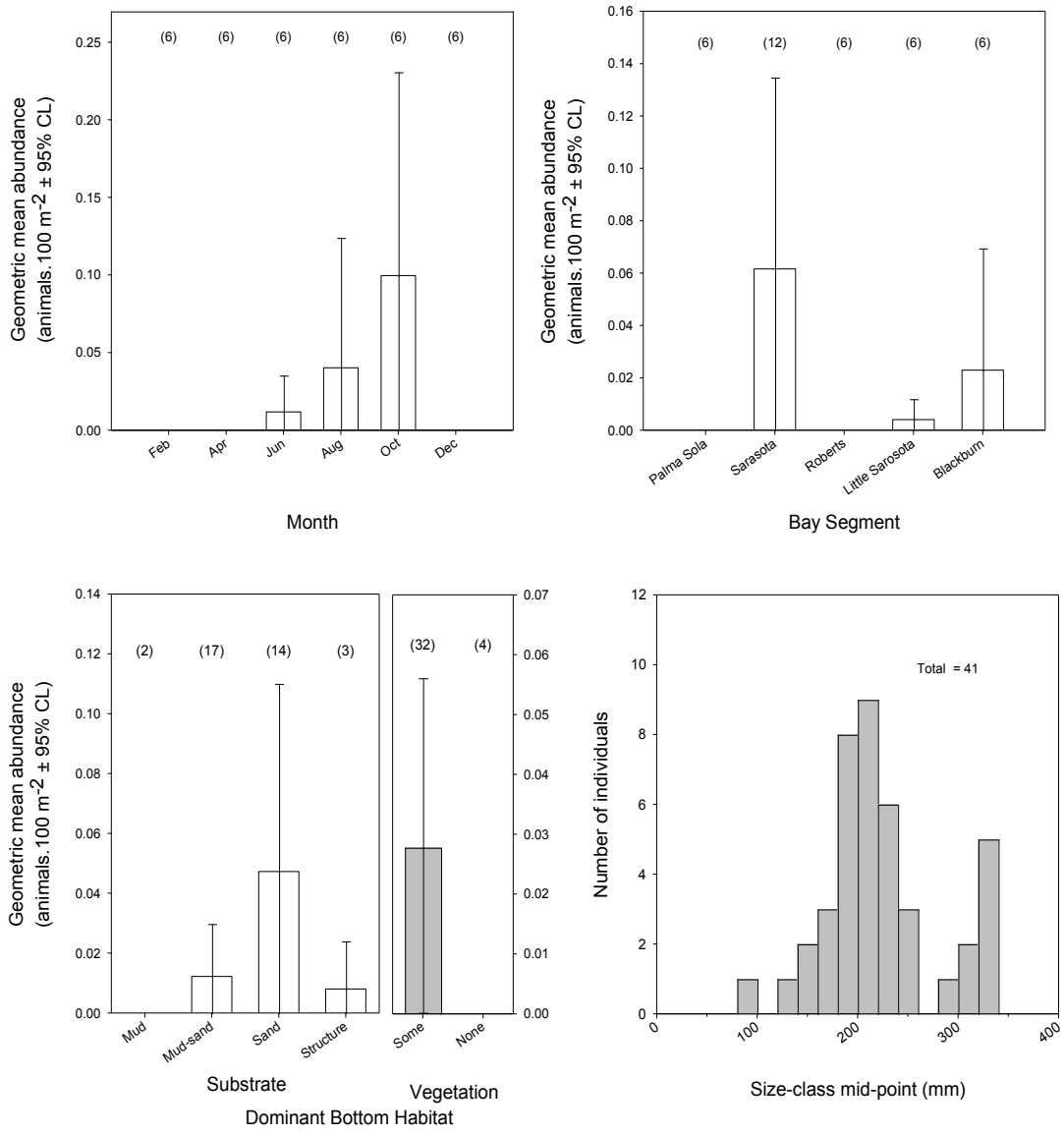


Figure 12. Relative abundance and length-frequency distribution of gag collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Gray snapper, *Lutjanus griseus*

Gray snapper are a reef species that can be found along the western Atlantic from Massachusetts south to Rio de Janeiro, Brazil. Adults spawn during summer (June–September) near areas of bottom structure in offshore waters (Stark 1971; Domeier et al. 1997). Juvenile gray snapper recruit to estuarine areas including seagrass beds and mangrove shorelines (Nagelkerken et al. 2000; Cocheret de la Moriniere et al. 2002; Serafy et al. 2003; Whaley et al. 2007; Faunce and Serafy 2008) where they typically spend the first year or two of their lives. Juvenile gray snapper feed primarily on penaeid shrimp and crabs (Rutherford et al.1989) and adults feed on fish, shrimp, and crabs. (Harrigan et al. 1989; Hettler 1989). Gray snapper are an economically important species with Florida landings totaling 2,230,737 pounds in 2007 (FWC-FWRI 2008).

Gray snapper were collected in all three gear types deployed in the Sarasota Bay estuary, but were more frequently encountered with the 21.3-m (18.0%; *Table 4*) and 183-m (38.9%; *Table 7*) seines than with the 6.1-m trawl (10.4%; *Table 9*). The 21.3-m seine collected smaller gray snapper (mean of 41 mm SL) than did the 183-m seine (179 mm SL), but abundance trends between the two gears were similar (*Figure 13* and *Figure 14*, respectively). With both seines, gray snapper were absent from collections made in February and were most abundant in October, were least abundant or absent from Palma Sola Bay, and were more abundant in collections that sampled some bottom vegetation.

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Lutjanus griseus (gray snapper)
21.3-m seine

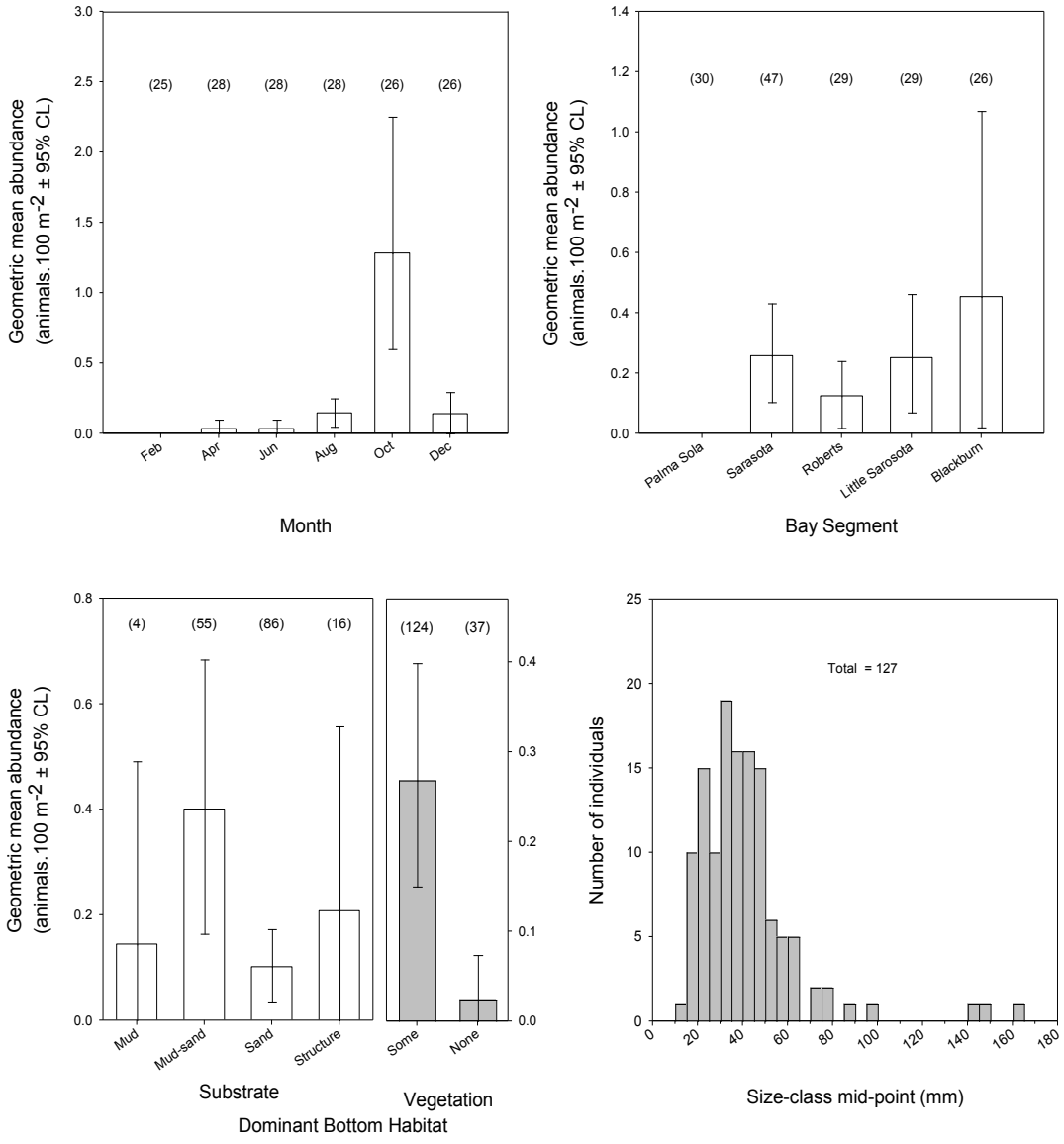


Figure 13. Relative abundance and length-frequency distribution of gray snapper collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lutjanus griseus (gray snapper)
183-m seine

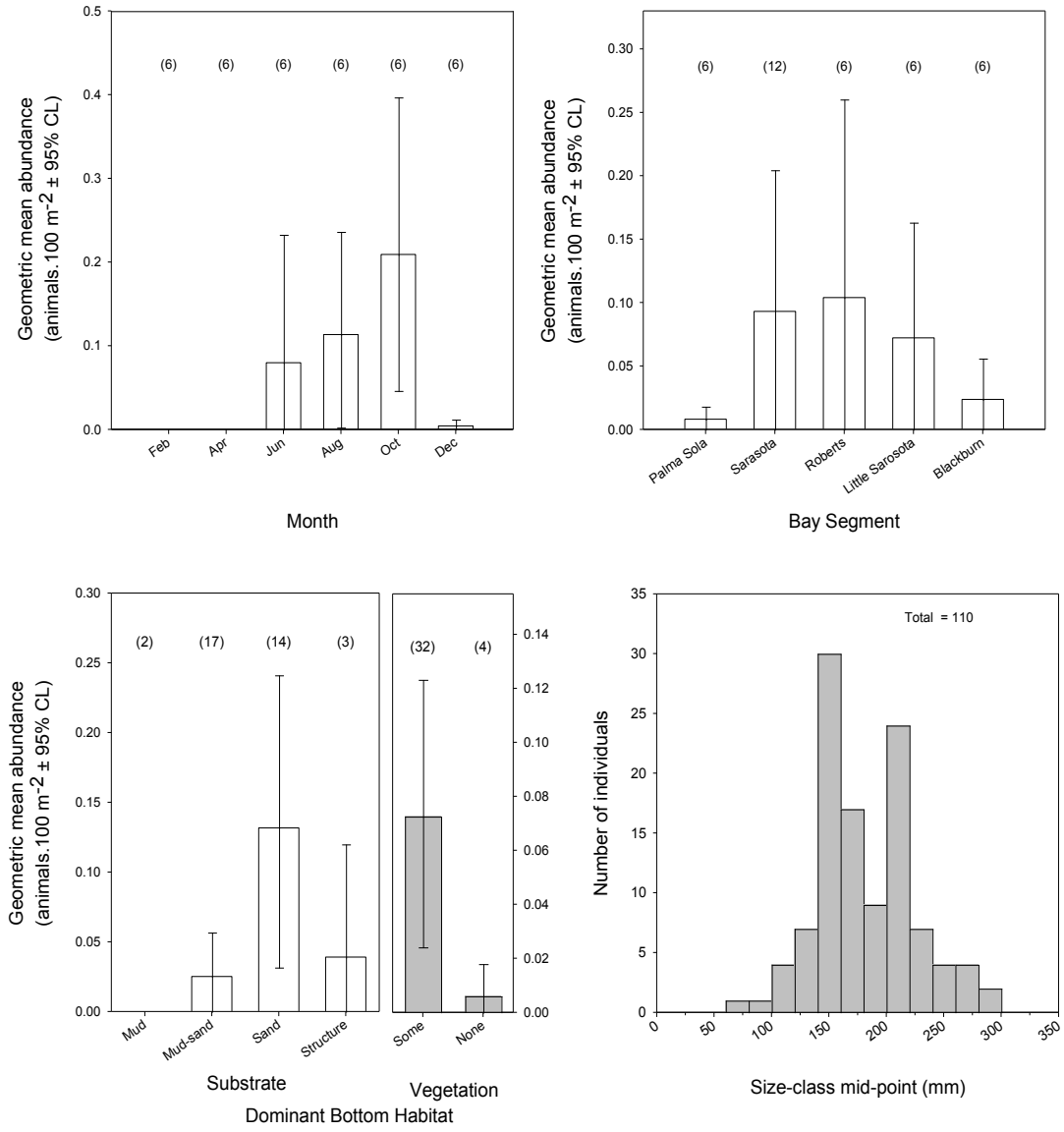


Figure 14. Relative abundance and length-frequency distribution of gray snapper collected with 183-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Pinfish, *Lagodon rhomboides*

Pinfish range from Cape Cod to the Yucatan Peninsula, including Bermuda and northern Cuba. They are most abundant from Cape Hatteras through the northern Gulf of Mexico (Pattillo et al. 1997; Carpenter, 2002). Florida's pinfish landings in 2007 were 2,022,492 pound with 96% of the total being landed by recreational fisherman and 83% coming from the gulf coast (FWRI-FWC 2008). Their great abundance in estuaries and their trophic habits have led some to suggest that they play an even more important role in structuring epibenthic communities (Pattillo et al. 1997) than they do in the fishery. Spawning occurs offshore, and larvae use selective tidal stream transport to travel to nursery areas (Pattillo et al. 1997; Forward et al. 1998). Pinfish have been recorded in salinities ranging from 0 to >40 ppt, but may avoid the lower end of this range (Pattillo et al. 1997).

Pinfish were one of the two most abundant taxa collected in each of the three gear types, comprising 21%, 59%, and 21% of the total catch in 21.3-m seines, 183-m seines, and 6.1-m trawls, respectively (*Table 3*, *Table 6*, and *Table 8*, respectively). Pinfish were also one of the most commonly collected taxa, occurring in over 80% of the samples collected with 21.3-m seines and 6.1-m trawls and in 100% of the 183-m seine samples. Pinfish collected with 183-m seines tended to be larger (mean 107 mm SL, range 43 to 213 mm) than those collected with either the 21.3-m seine (mean 31 mm, range 9 to 180 mm) or the 6.1-m trawl (mean 35 mm, range 10 to 159 mm).

Pinfish were most abundant in the winter and spring (February to June) for both 21.3-m seines and 6.1-m trawl collections (*Figure 15* and *Figure 17*), but there were no

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obvious seasonal trends to the catches with the 183-m seine (*Figure 16*). Pinfish did not show any strong distributional trends among the five embayments with any of the gear types. Pinfish were more abundant in 21.3-m seine collections that sampled some seagrass (*Figure 15*), whereas pinfish collected with 183-m seines did not show an abundance trend related to bottom vegetation (*Figure 16*).

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Lagodon rhomboides (pinfish)
21.3-m seine

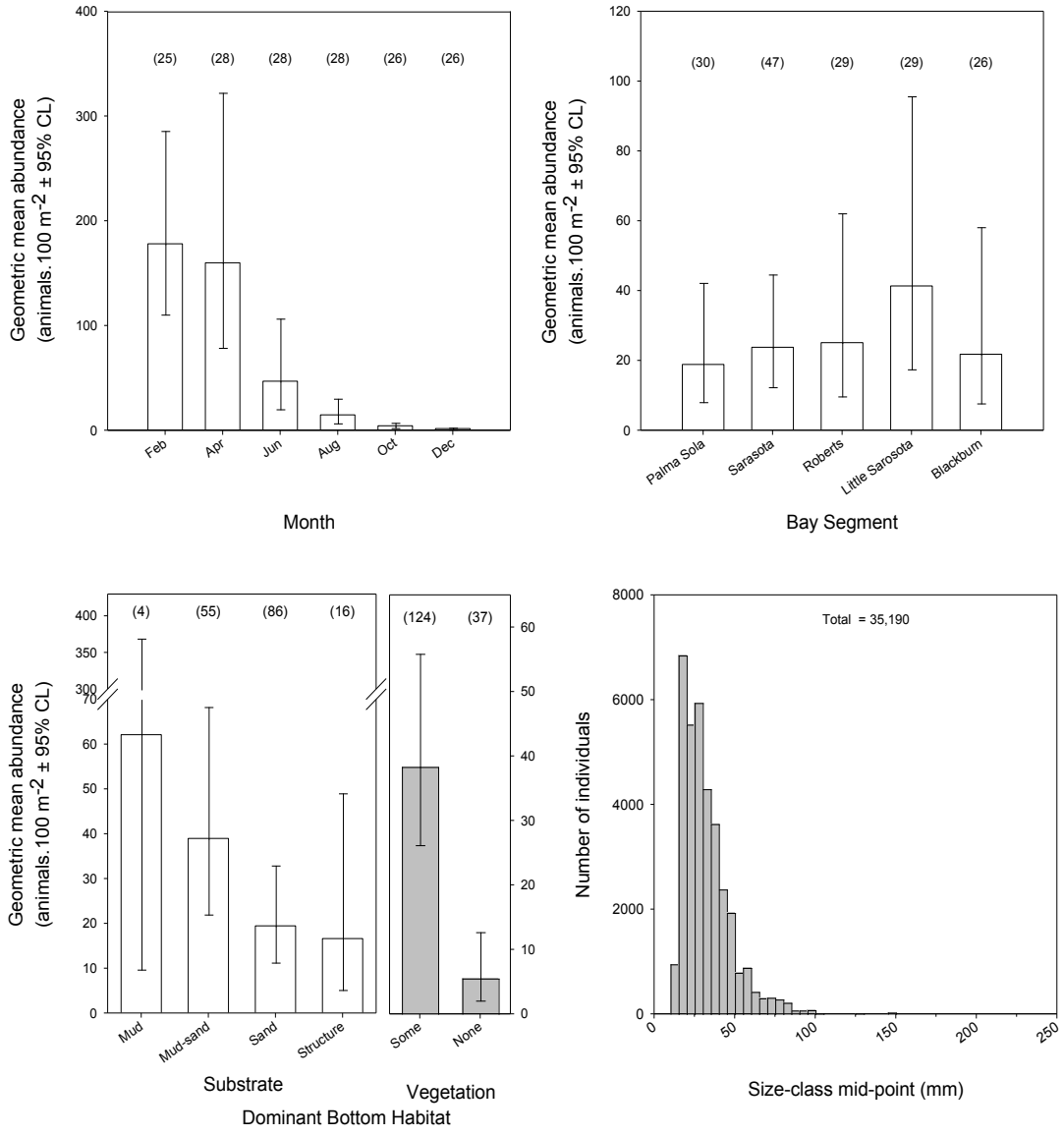


Figure 15. Relative abundance and length-frequency distribution of pinfish collected with 21.3-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lagodon rhomboides (pinfish)
183-m seine

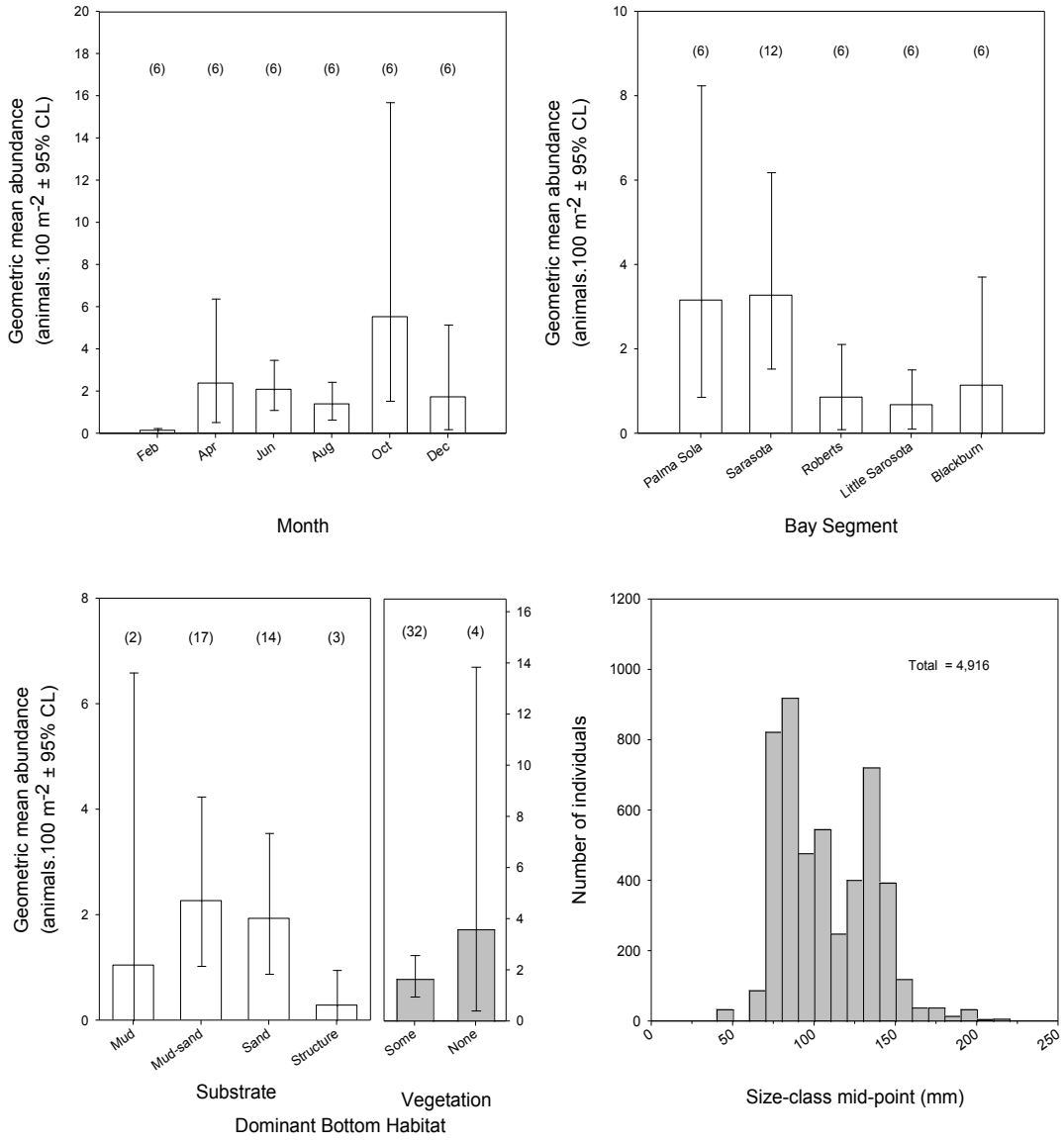


Figure 16. Relative abundance and length-frequency distribution of pinfish collected with 183-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lagodon rhomboides (pinfish)
6.1-m trawl

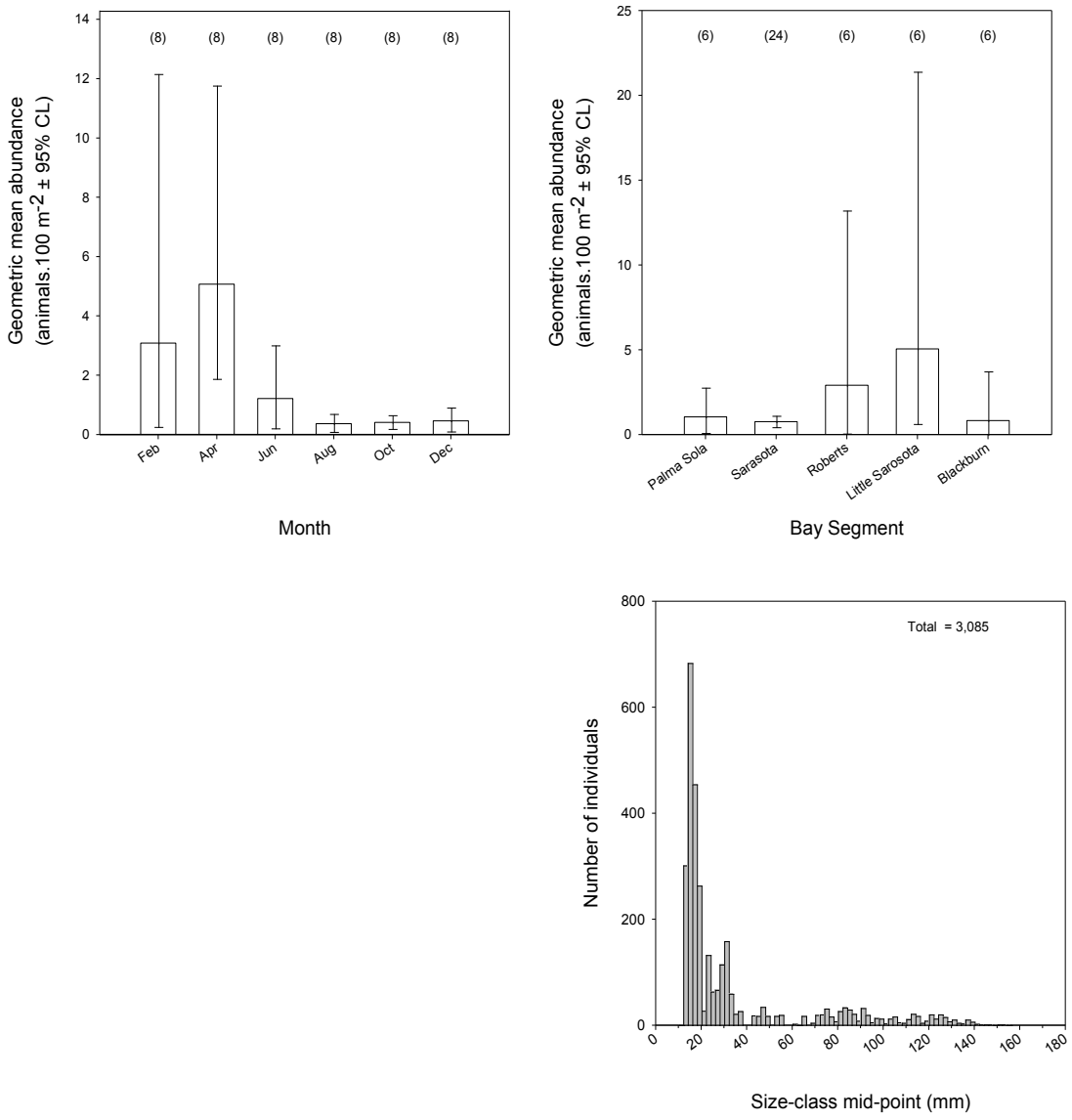


Figure 17. Relative abundance and length-frequency distribution of pinfish collected with 6.1-m trawls in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Sheepshead, *Archosargus probatocephalus*

Sheepshead, *Archosargus probatocephalus*, is common in coastal estuarine and inner- to mid-shelf waters from Cape Cod to Brazil (Jennings 1985). Larval sheepshead are pelagic and metamorphose into juveniles at about 8mm (Parsons and Peters 1989; Tucker and Alshuth 1997). Juvenile sheepshead are most abundant in grass flats and over mud bottoms (Springer and Woodburn 1960, Odum and Heald 1972, Jennings 1985). In late summer, juvenile sheepshead begin to congregate with adults around stone jetties, breakwaters, piers, wrecks, and bulkheads (Jennings 1985). Recreational and commercial fishermen commonly harvest sheepshead, with the recreational fishery accounting for almost 90% of the total pounds landed in recent years (Munyandorero et al. 2006).

Sheepshead were collected in more than 10% of the hauls made with each of the sampling gears (*Table 4*, *Table 7*, and *Table 9*). Sheepshead collected with the 21.3-m seine tended to be smaller (mean 58 mm SL, range 12 to 268) than sheepshead collected in the other two gear types. Abundance of sheepshead collected with 21.3-m seines was higher in April than any other month (*Figure 18*), corresponding to the time when young-of-the-year sheepshead typically recruit into Florida's estuaries. There were no obvious seasonal trends for sheepshead collected with 183-m seines or 6.1-m trawls (*Figure 19* and *Figure 20*). Sheepshead collected with 21.3-m seines were least abundant in Sarasota Bay proper and did not show any trend with respect to bottom vegetation (*Figure 18*). Abundance of sheepshead collected with 183-m seines was highest in Little Sarasota Bay and from collections that sampled at least some bottom vegetation (*Figure 19*).

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Archosargus probatocephalus (sheepshead)
21.3-m seine

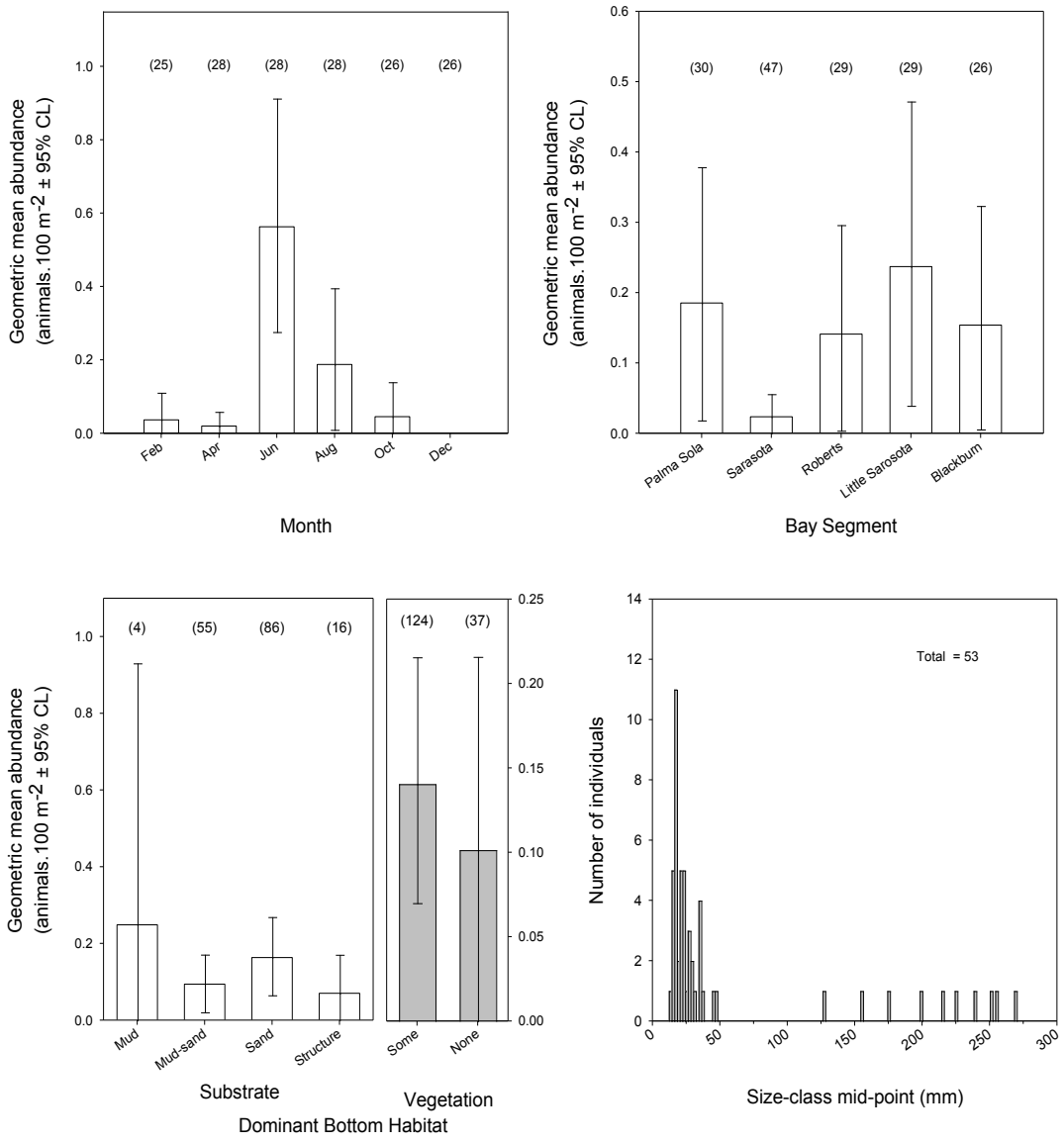


Figure 18. Relative abundance and length-frequency distribution of sheepshead collected with 21.3-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Archosargus probatocephalus (sheepshead)
183-m seine

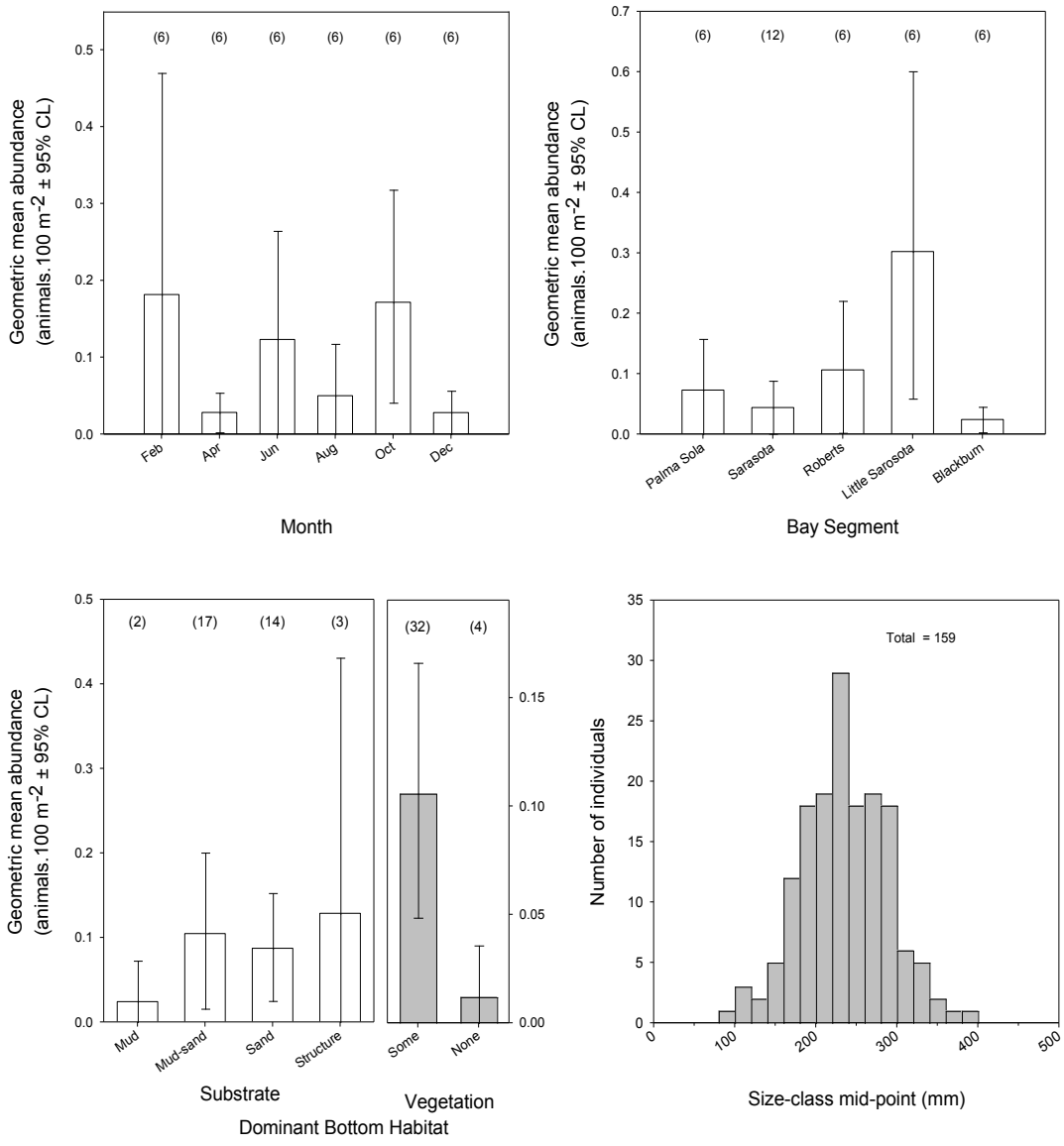


Figure 19. Relative abundance and length-frequency distribution of sheepshead collected with 183-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Archosargus probatocephalus (sheepshead)
6.1-m trawl

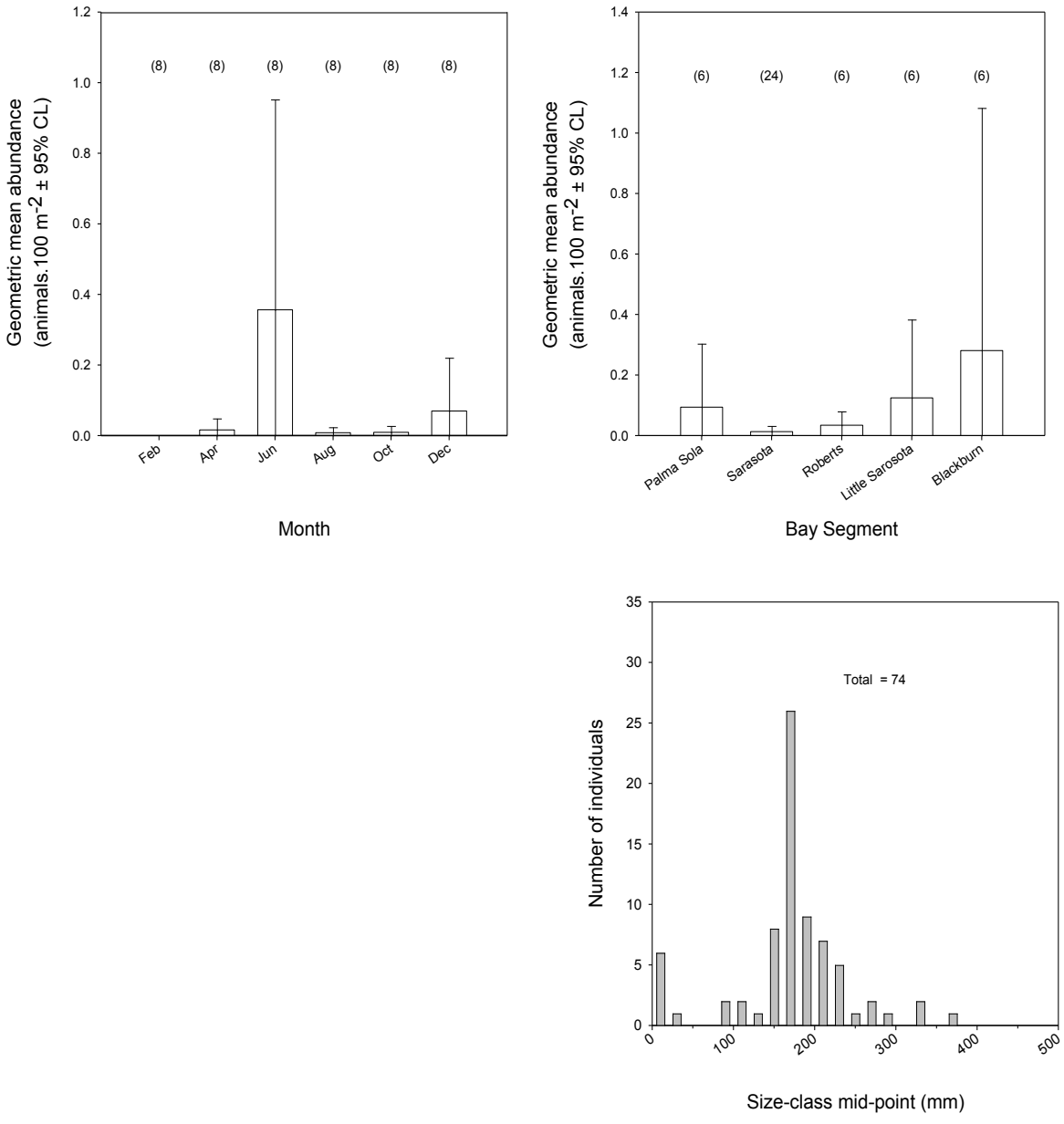


Figure 20. Relative abundance and length-frequency distribution of sheepshead collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Spotted Seatrout, *Cynoscion nebulosus*

Spotted seatrout occur along the U.S. and Mexican east coasts and in the Gulf of Mexico from New York to Laguna Madre (Carpenter 2002). Over much of its range, it is the target of important recreational and commercial fisheries (Bortone 2003). Spawning occurs within estuaries or near passes into estuaries (Brown-Peterson, 2003). Spotted seatrout have been collected at salinities ranging from 0 to 75 ppt, but juveniles may prefer 8-25 ppt, and 20-25 ppt may be the physiological optimum for larger juveniles and adults (Pattillo et al. 1997).

Spotted seatrout were collected with each of the gear types (*Table 4*, *Table 7*, and *Table 9*), but were only abundant (n=128) and frequently collected (19.3% of samples) in the 21.3-m seine hauls. The 21.3-m seine tended to collect relatively small spotted seatrout (≤101 mm SL) which represent young-of-the-year animals (*Table 4*). Abundance was higher during the summer and fall months (June, August, and October; *Figure 21*) than during other months (December, February, and April). They were most abundant in collections that sampled some bottom vegetation and had relatively similar abundance in each of the embayments, except Blackburn Bay.

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Cynoscion nebulosus (spotted seatrout)

21.3-m seine

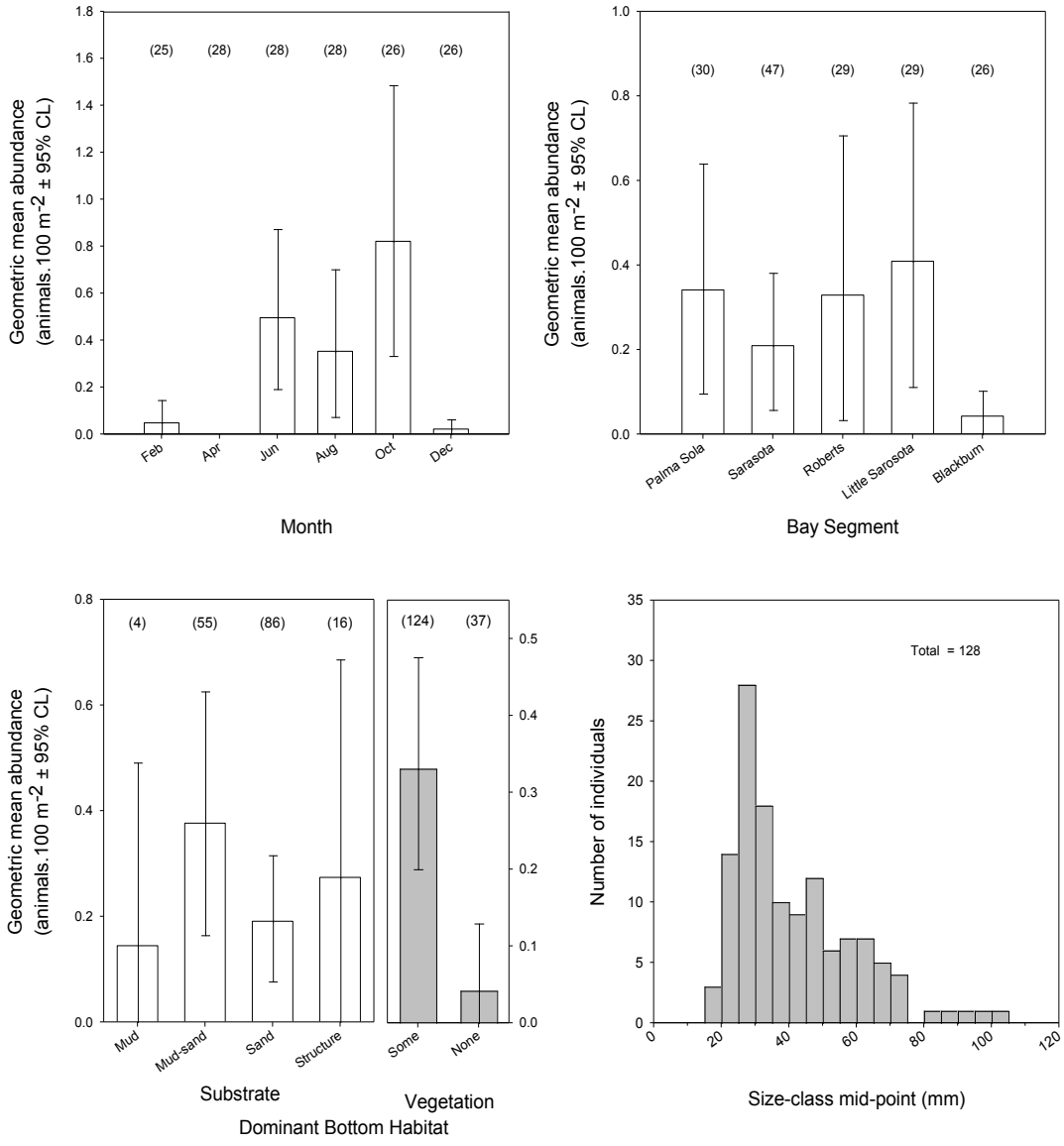


Figure 21. Relative abundance and length-frequency distribution of spotted seatrout collected with 21.3-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Striped mullet, *Mugil cephalus*

Striped mullet are cosmopolitan and range from Nova Scotia to Argentina in the Western Atlantic (Carpenter, 2002). This species supports large fisheries in many areas, including Florida; state landings were valued at over $5M in 2005, although this was less than half of the value in 1994 (FWRI, unpublished data), the year before the constitutional restriction on entangling nets was initiated. Striped mullet are a major prey item for many larger fishes and birds (Pattillo et al. 1997; Withers and Brooks 2004; Bacheler et al. 2005; Blewett et al. 2006). They spawn on the continental shelf and recruit to estuaries as slender, silvery pelagic juveniles (Pattillo et al. 1997; McDonough and Wenner 2003). Recruiting juveniles are strong swimmers capable of traversing long distances to locate nursery habitats, perhaps aided by olfactory cues (Etnier and Starnes 1993; Peters and Matheson, pers. obs.). Juvenile and adult striped mullet exhibit a broad range of salinity tolerance and can be extremely abundant in tidal rivers (Pattillo et al. 1997; Paperno and Brodie 2004; Idelberger and Greenwood 2005). Adults sometimes move hundreds of miles inland in major river systems such as the Mississippi, but juveniles are most common at salinities higher than freshwater (Etnier and Starnes 1993; Boschung and Mayden 2004).

Striped mullet were not collected with 6.1-m trawls (*Appendix C*), but were relatively abundant and frequently collected with 21.3-m seines (*Table 4*) and 183-m seines (*Table 7*). Striped mullet collected with 21.3-m seines represented young-of-the-year animals that had just recruited into the estuary (mean of 24 mm SL, range 16 to 32 mm; *Figure 22*). Peak abundance for striped mullet collected with 21.3-m seines occurred in February and April, months during which young-of-the-year striped mullet

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typically recruit into Florida's estuaries (*Figure 22*). There were no obvious abundance seasonal, geographical, or habitat trends for striped mullet collected with 183-m seines (*Figure 23*).

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Mugil cephalus (striped mullet)
21.3-m seine

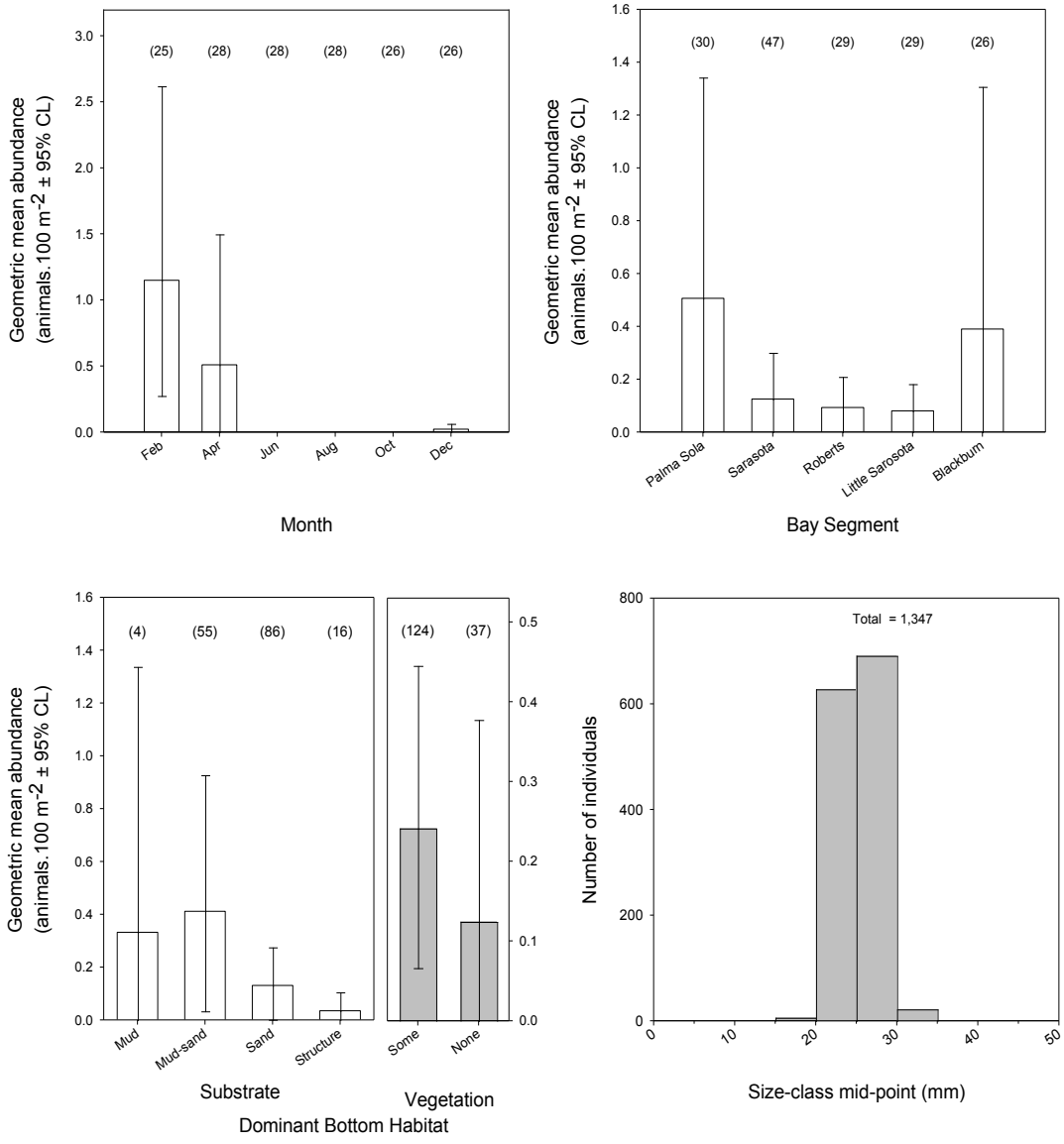


Figure 22. Relative abundance and length-frequency distribution of striped mullet collected with 21.3-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Mugil cephalus (striped mullet)
183-m seine

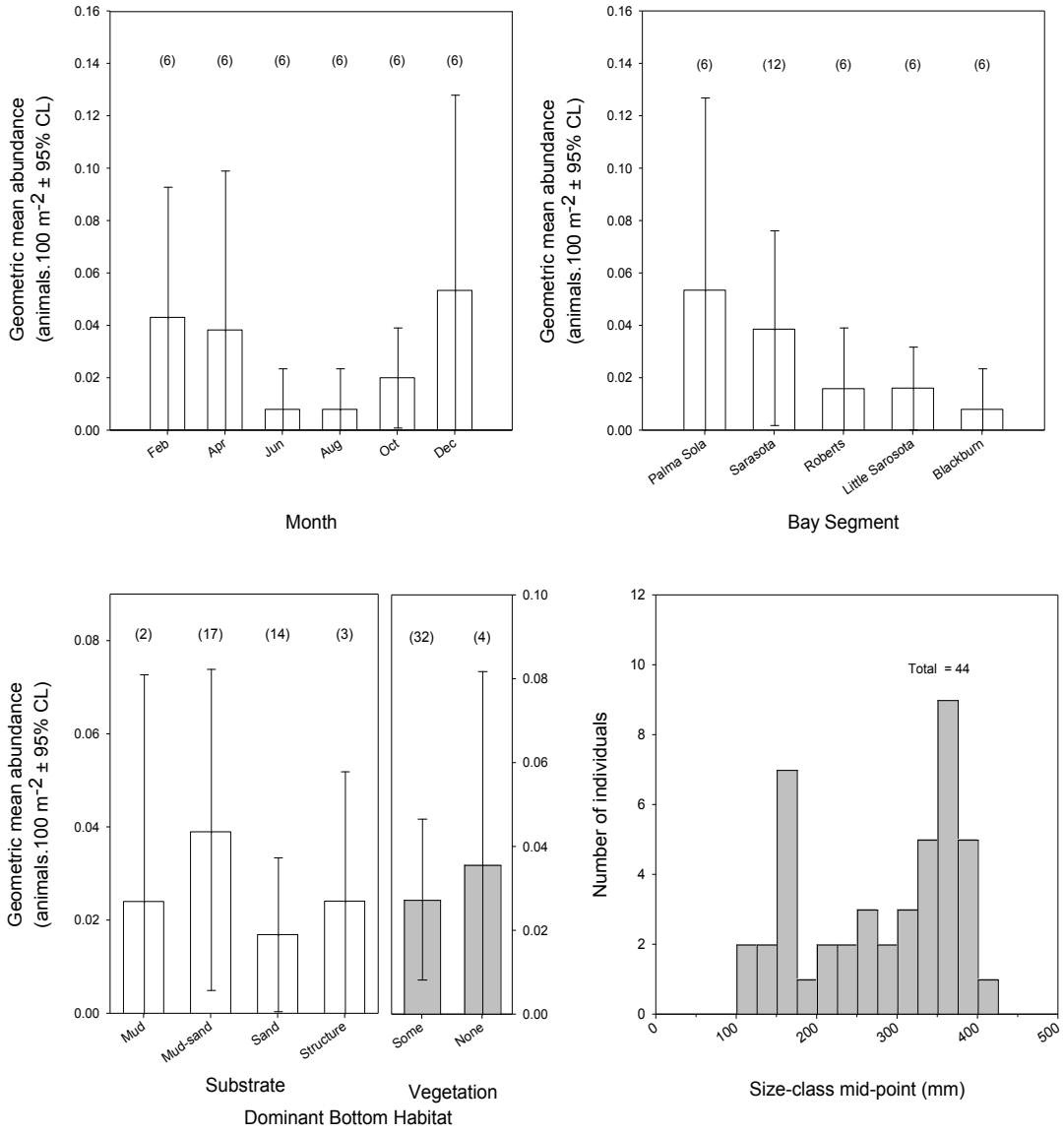


Figure 23. Relative abundance and length-frequency distribution of striped mullet collected with 183-m seines in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Nekton Community Structure

Intrabay Comparison

The non-metric multi-dimensional scaling (MDS) plots show no differences in nekton community structure between the five embayments that comprise the polyhaline portion of the Sarasota Bay estuary for the nekton assemblages sampled with the 183-m seine or 6.1-m trawl (*Figure 24*). Differences, however, were apparent between embayments for the nekton community sampled with the 21.3-m seine. Blackburn and Roberts bays, the two smallest embayments sampled, were similar to each other, but were different from the two larger embayments (Sarasota and Little Sarasota bays). The nekton community of Palma Sola Bay was distinct from the nekton assemblages of both the “small” and “large” embayments.

Similarity percentage analyses (SIMPER) indicated that mean abundance was greater in “small” relative to “large” embayments for six taxa (*Eucinostomus* spp., *Leiostomus xanthurus*, *Eucinostomus gula*, *Menidia* spp, *Harengulus jaguana*, and *Eucinostomus harengulus*; *Figure 25*). The remaining six taxa that distinguished “large” and “small” embayments either had similar abundance in both (*Lagodon rhomboides*), or greater abundance in the “large” bays (*Anchoa mitchilli*, *Orthopristis chrysoptera*, *Lucania parva*, and *Bairdiella chrysoura*). Ten of the top twelve taxa that distinguished “small” embayments from Palma Sola Bay had greater abundance in the “small” embayments (*Figure 25*). Eight of the twelve top taxa (*L. rhomboides*, *Eucinostomus* spp., *A. mitchilli*, *E. gula*, *F. duorarum*, *H. jaguana*, and *B. chrysoura*; *Figure 25*) that

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differentiated them “large” embayments from Palma Sola Bay were more abundant in the “large” embayments.

Palma Sola Bay has been identified by the Sarasota Bay Estuary Program and the Florida Department of Environmental Protection as not meeting Florida’s standards for water quality due to high bacteria and chlorophyll concentrations (SBEP 2006). The multivariate community analyses separated Palma Sola Bay from the other embayments. Most taxa had lower abundance in Palma Sola Bay than in the other embayment groupings. Rainwater killifish, however, were 3.1 and 5.7 times more abundant in Palma Sola Bay than in the “small” and “large” bay groupings, respectively. Rainwater killifish have been described as pollution tolerant (Patrick and Palavage 1994) but are also a species that has highest abundance in aquatic vegetation regardless of salinity (Able and Fahay 1998). Any relationship between water quality standards and nekton community structure for Palma Sola Bay would require a more directed and coordinated collection of both water quality parameters and nekton.

There was considerable variability in the mean abundance of nekton sampled with each of the gear types (*Figure 26*). Significant differences in abundance (Analysis of Variance, Tukey post hoc test) were identified for nekton sampled with the 21.3-m seine (P<0.01, n=161, df=4, Model SS=42.995, Error SS=433.246) and the 6.1-m trawl (P<0.01, n=48, df=4, Model SS=21.848, Error SS=56.818). Nekton abundance for the 21.3-m seine was significantly higher in Little Sarasota Bay than in Palma Sola and Sarasota bays. For nekton collected with 6.1-m trawls, abundance was significantly higher in Roberts and Little Sarasota bays than in Sarasota Bay proper.

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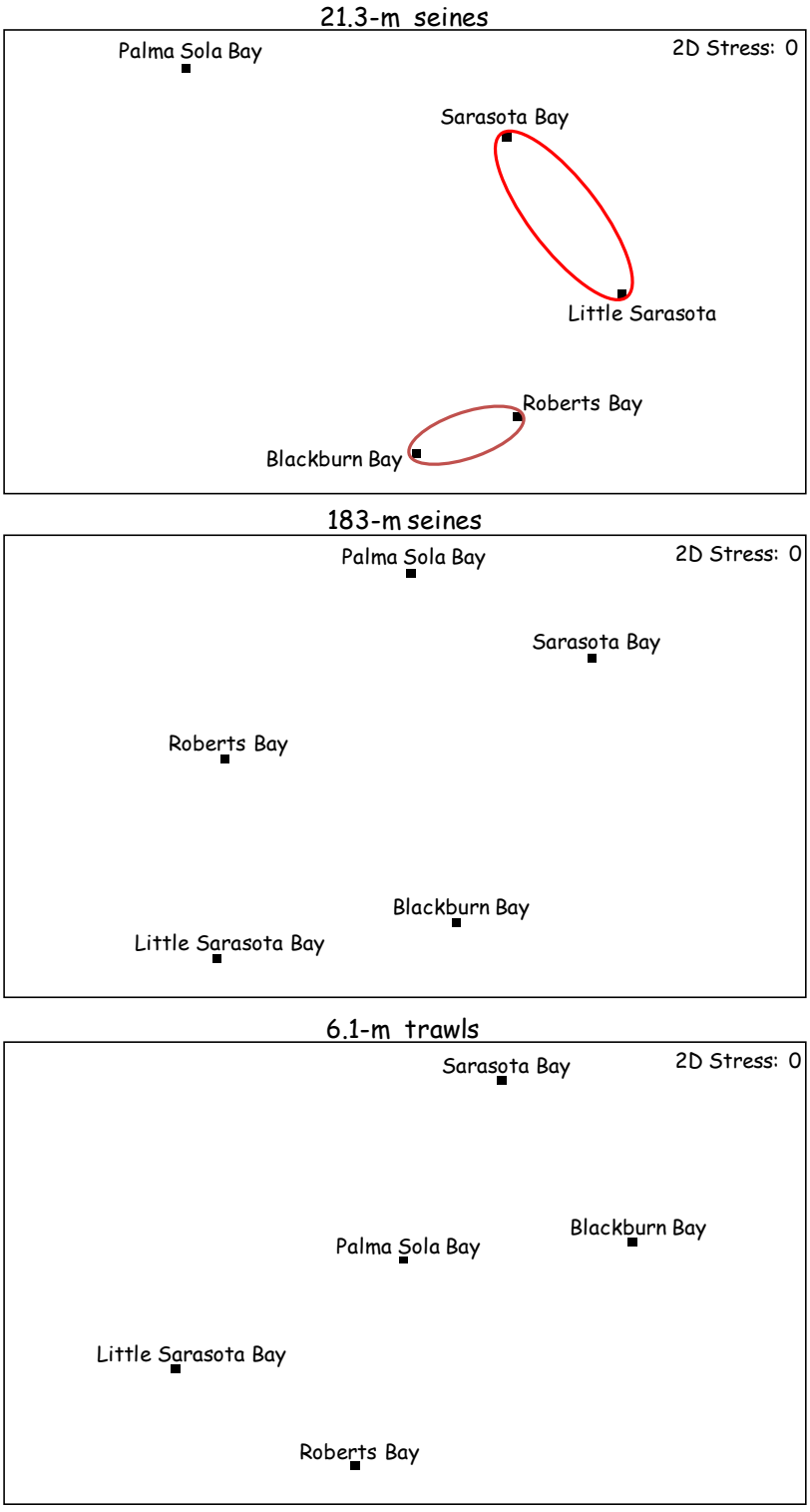


Figure 24. Non-metric Multidimensional Scaling (MDS) ordination plot of nekton community structure collected in five embayments within the Sarasota Bay estuary during bi-monthly Fisheries-Independent sampling (June 2009-April 2010). Ellipses in the 21.3.-m seine plot denote groups determined using Bray-Curtis similarity percentages of 75 from hierarchical agglomerative cluster analysis. No groupings could be discerned in the 183-m seine and 6.1-m trawl data.

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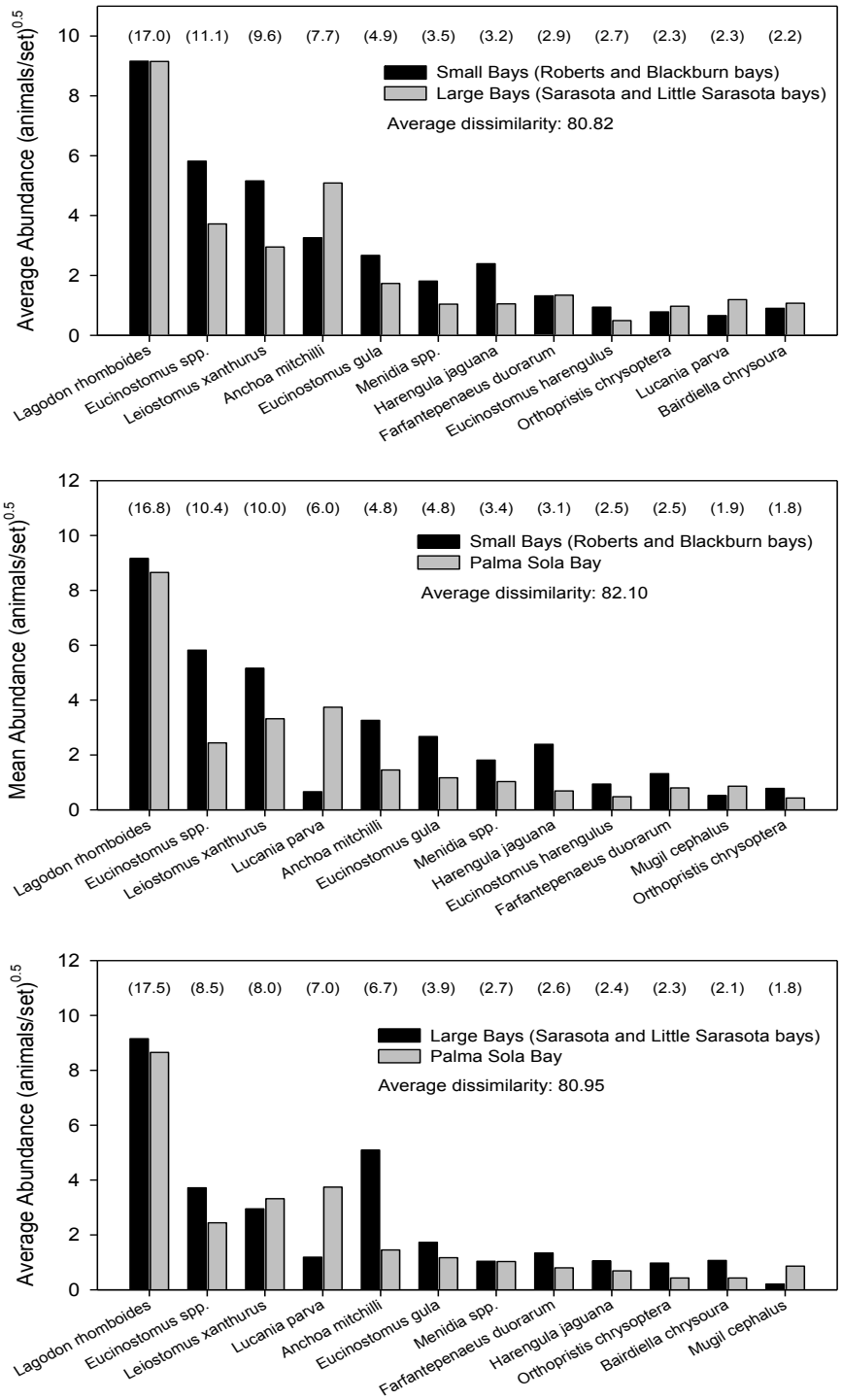


Figure 25. Similarity percentage (SIMIPER) analysis mean abundance for the top twelve taxa collected with 21.3-m seines that distinguished embayment groupings depicted in the MDS ordination. Average dissimilarity between groupings is listed in each plot. The percent contribution of each species to the total average dissimilarity is shown in parentheses above each species grouping.

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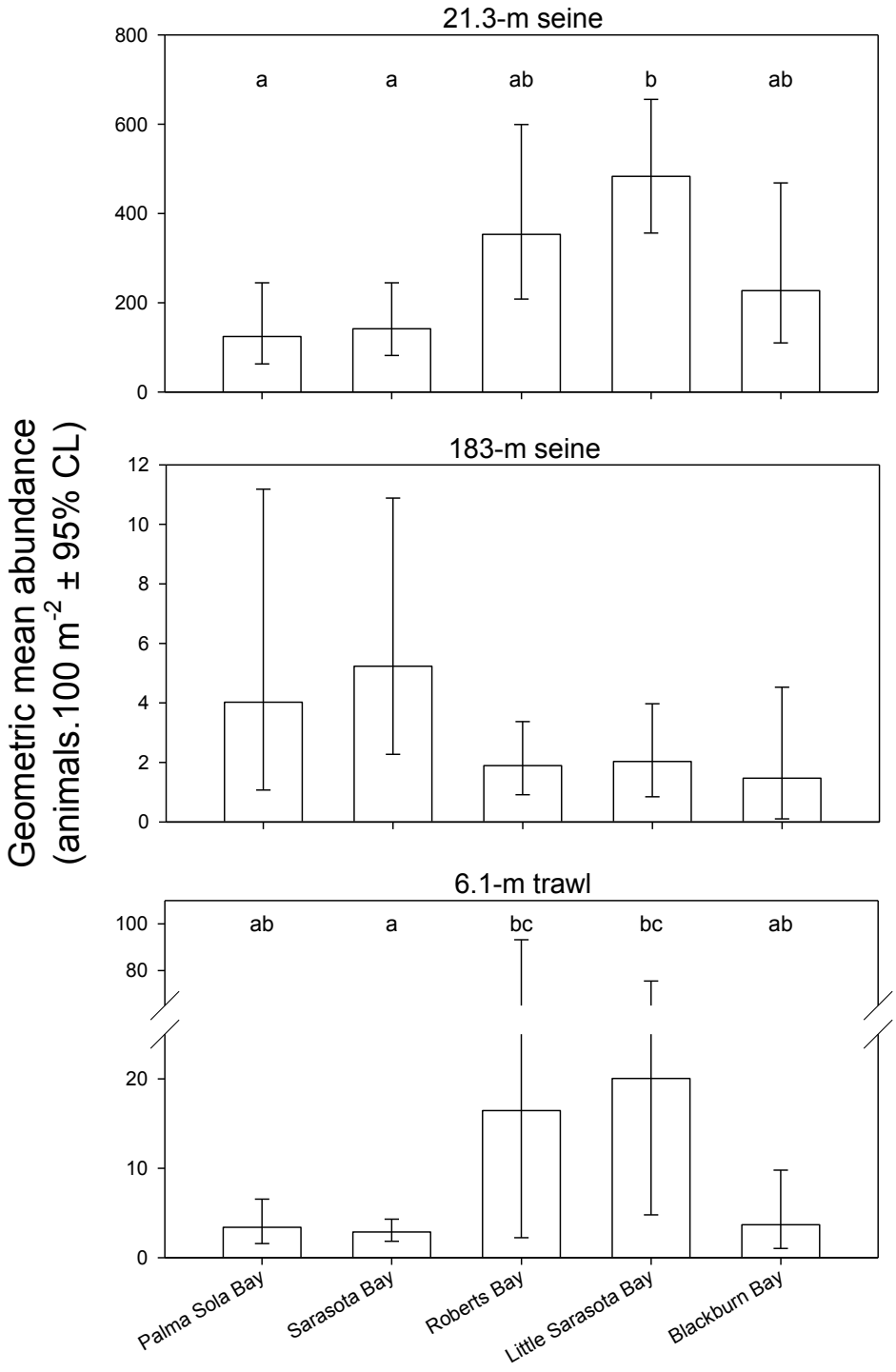


Figure 26. Mean abundance for nekton collected with 21.3-m seines for each of the five embayments of the Sarasota Bay estuary. Letters above bars in 21.3-m seine and 6.1-m trawl plot represent significant differences (ANOVA, $P<0.001$, Tukey post hoc test, c>b>a); significant differences ($P<0.05$) were not found for 183-m seines.

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Bay morphology (“small” vs. “large”) appears to play a role in the nekton community structure that was sampled with 21.3-m seines (*Figure 24*), but other factors such as water quality, connectivity to the Gulf of Mexico, salinity, freshwater inflow and urbanization might also play a roll. Neither of the two “small” embayments (Roberts and Blackburn bays) has a direct connection to the Gulf of Mexico and, therefore, each depends on passes to the north and south for tidal flushing. Both of the “small” embayments have been identified as areas of concern due to chlorophyll concentrations (SBEP 2006). Unlike Palma Sola Bay, which did not meet water quality standards for bacteria and chlorophyll (SBEP 2006), nekton abundance in the “small” bay group was relatively high. Additional nekton data, inclusion of other environmental factors in the analysis, and comparison with adjacent estuaries (Tampa Bay, Lemon Bay, and Charlotte Harbor) should improve the understanding of the differences in community structure between “small” and “large” embayments.

Temporal differences in nekton community structure where not apparent, with the MDS plots showing a wide scatter of samples with no discernable pattern. The MDS plot for 21.3-m seines, the gear type with the largest number of collections, provided the best result but no obvious trends or groupings (*Figure 27*). The lack of patterns in these data is likely the result of small sample sizes within each embayment–month grouping, bi-monthly sampling, and an atypical weather pattern during the one year study period.

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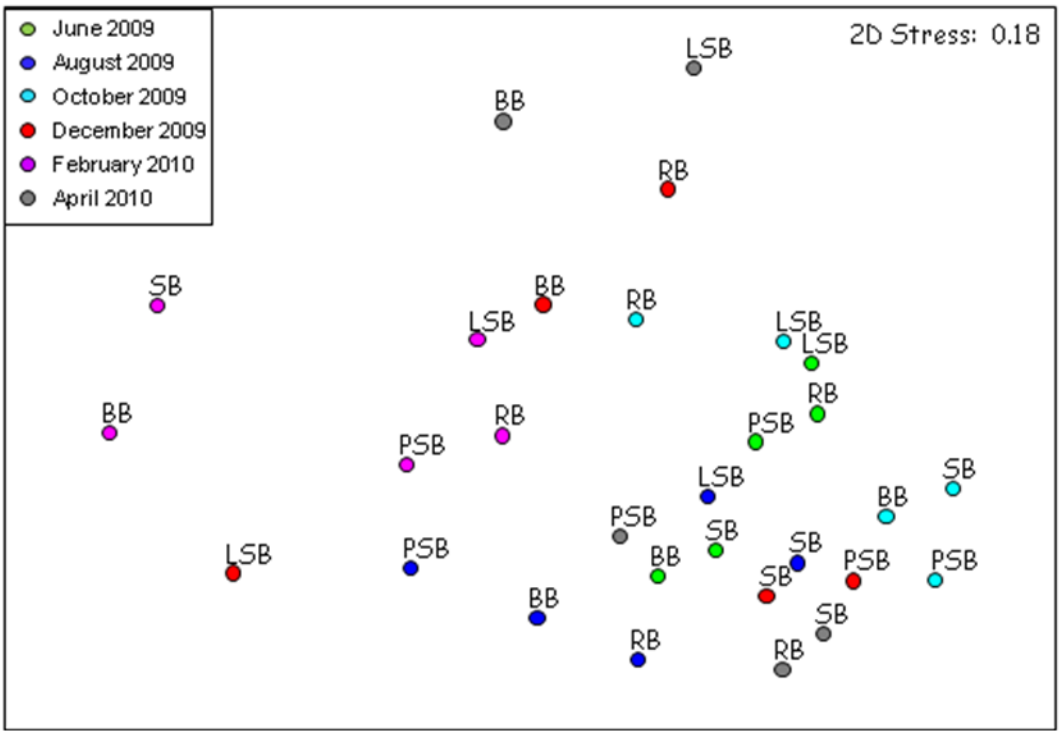


Figure 27. Non-metric Multidimensional Scaling (MDS) ordination plot of bi-monthly nekton community structure sampled with 21.3-m seines in five embayments within the Sarasota Bay estuary. PSB=Palma Sola Bay, SB=Sarasota Bay, RB=Roberts Bay, LSB=Little Sarasota bay, and BB=Blackburn Bay.

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Interbay Comparison

Analysis of community structure in Tampa Bay, Sarasota Bay, Lemon Bay, and Charlotte Harbor initially included geographic strata that subdivided the polyhaline sections of Tampa Bay into lower North and lower South, and Charlotte Harbor into Gasparilla Sound and Pine Island Sound (*Figure 2*). The MDS plots from these analyses indicated that the Tampa Bay and Charlotte Harbor geographic strata were more like each other, plotting in the upper half of the MDS plot, and different from the smaller, Lemon and Sarasota bays (e.g., *Figure 28*). To better compare larger, open water estuaries with smaller, narrow estuaries, the geographic strata for Tampa Bay and Charlotte Harbor were dropped from subsequent analyses and these two systems were analyzed as Lower Tampa Bay and Lower Charlotte Harbor.

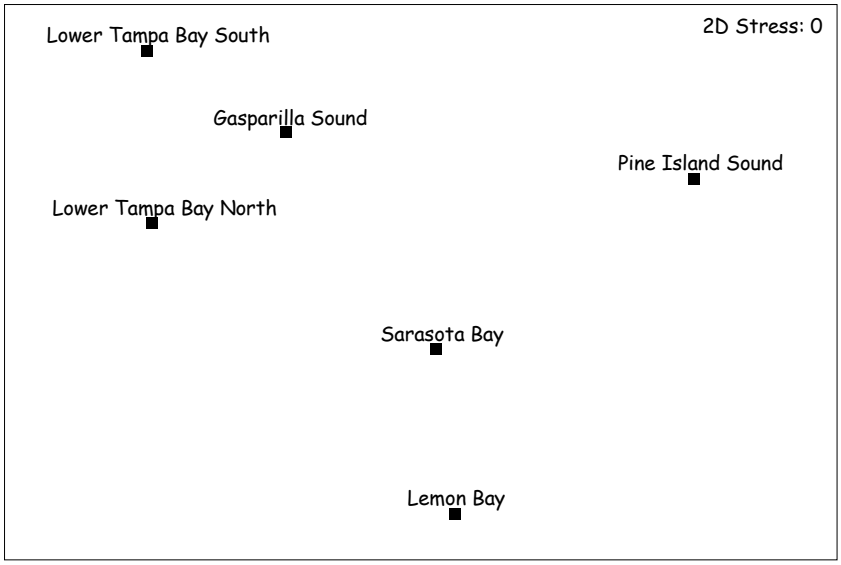


Figure 28. Non-metric Multidimensional Scaling (MDS) ordination plot of nekton community structure sampled with 21.3-m seines in the polyhaline portions of Sarasota Bay, Lemon Bay, Tampa Bay (Lower North and South) and Charlotte Harbor (Gasparilla and Pine Island sounds). Subsequent analyses combined Lower Tampa Bay North and South into Lower Tampa Bay and Gasparilla and Pine Island sounds into Lower Charlotte Harbor.

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Physiochemical parameters were very similar between the four estuaries during each bi-monthly sampling event (*Figure 29*). The largest difference in water temperature between the four estuaries was in April 2010, during which Lemon Bay was about 3◦C cooler than the warmest estuary (Charlotte Harbor). Tampa Bay had a tendency to have slightly lower mean salinity (~3 ppt) during each bi-monthly sampling event, most likely because of the influence of the Manatee River which discharges directly into Lower Tampa Bay South. Each estuary, however, followed the same general trend with mean salinity highest in June 2009 and lowest in April 2010. Dissolved oxygen also followed the same general trend regardless of estuary; lowest values were recorded in August 2009 with higher values between December 2009 and April 2010.

Nekton community structure was very similar between the four estuarine systems analyzed; Bray-Curtis similarity percentages ranged from 67 to 76% for each of the gear types. There was, however, a tendency for the two small estuaries (Lemon and Sarasota bays) to group separately (79 to 85% Bray-Curtis similarity percentages) from the polyhaline portions of the two large estuaries (Tampa Bay and Charlotte Harbor; 78 to 79% Bray-Curtis similarities) (*Figure 30*) for each of the gear types.

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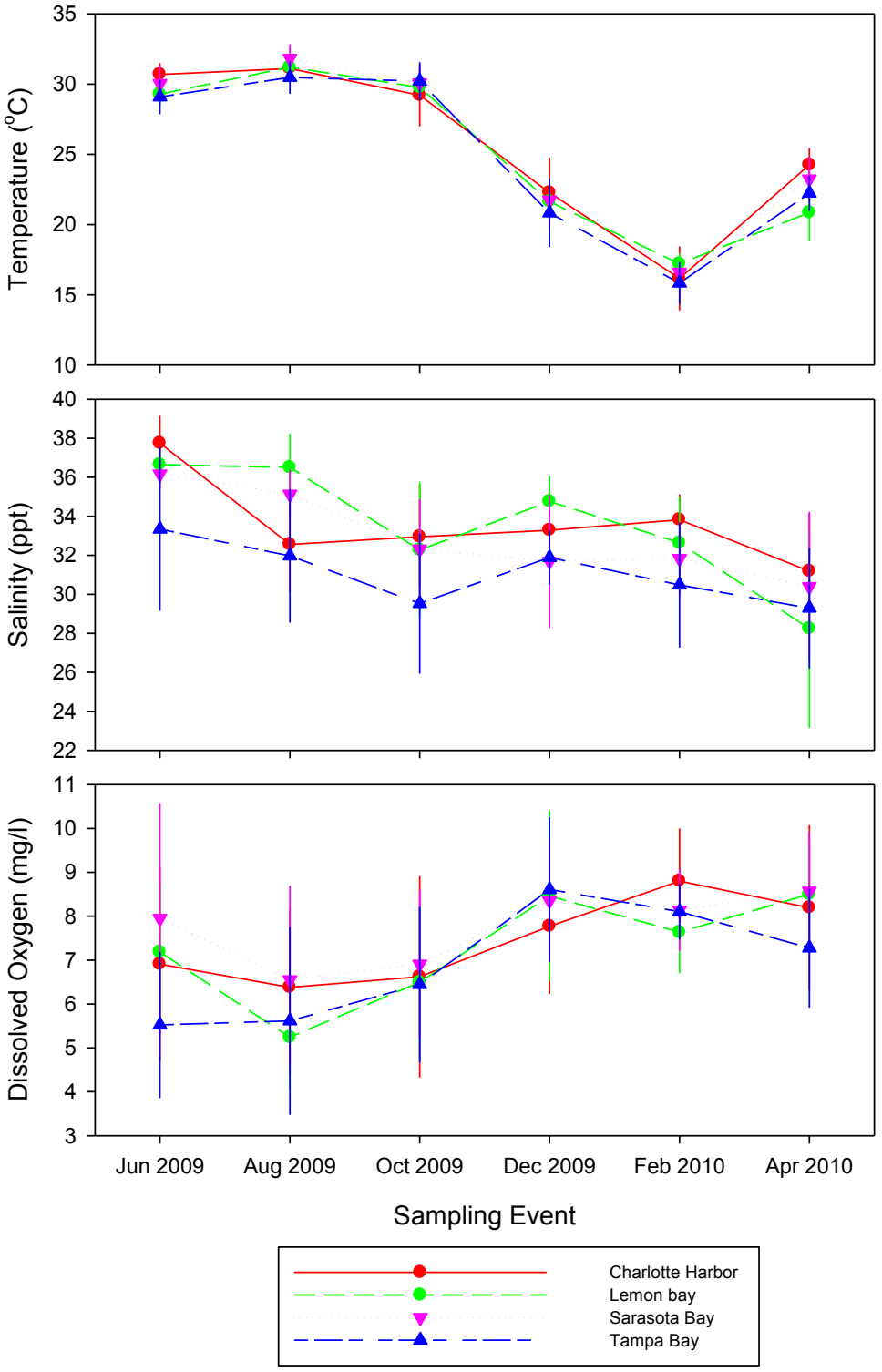


Figure 29. Mean (±standard deviation) water temperature, salinity, and dissolved oxygen (water column average) for the polyhaline portions of four estuaries along the southwest coast of Florida.

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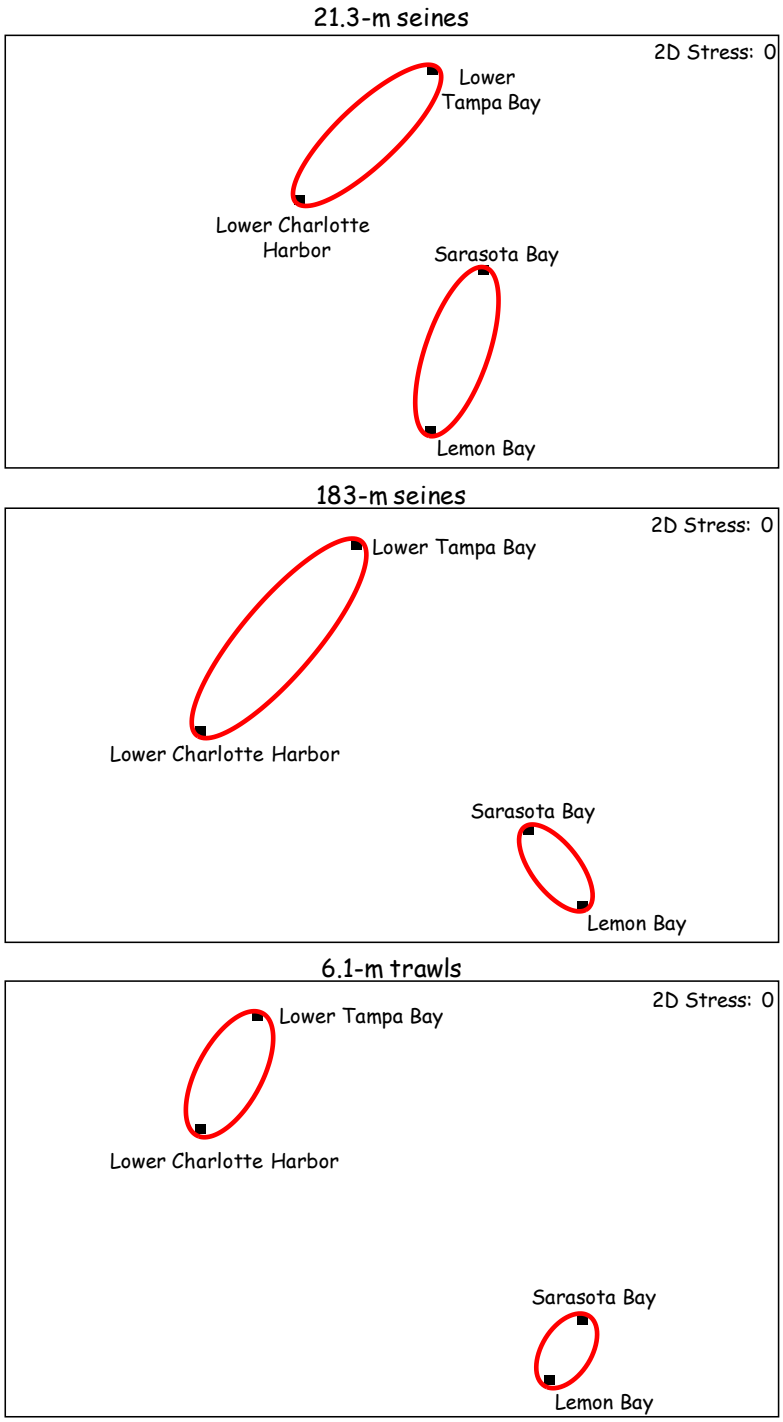


Figure 30. Non-metric Multidimensional Scaling (MDS) ordination plot of nekton community structure in the polyhaline portions of four estuaries located on Florida's southwest coast between Tampa Bay and Charlotte Harbor. Nekton sample in each estuary were collected by the Fisheries-Independent program using standardized procedures between June 2009 and – April 2010. Ellipses denote groups determined using Bray-Curtis similarity percentages of 68 to 75 from hierarchical agglomerative cluster analysis.

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Similarity percentage analyses (SIMPER) showed that mean abundance was higher in “small” estuaries (Sarasota and Lemon bays) than in the polyhaline portions of the “large” estuaries (Tampa Bay and Charlotte Harbor) for most of the taxa that distinguished the two groups for each of the gear deployment methods (*Figure 31*). Eleven of the twelve distinguishing taxa for 21.3-m seines were more abundant in “small” estuaries than in “large”. The bay anchovy, which accounted for 6.9% of the dissimilarity between the two groupings in the 21.3-m seine, was over four times more abundant in “small” estuaries. In the deeper waters sampled by trawls, almost half of the top twelve distinguishing taxa were of recreational or commercial importance (*Menippe* spp., *L. xanthurus*, *C. sapidus*, *Lutjanus synagris*, and *F. duorarum*) (*Figure 31*). Seven of the top twelve distinguishing taxa collected in trawls were more abundant in “small” estuaries than in “large” (*L. rhomboides*, *E. gula*, *Menippe* spp., *Eucinostomus* spp., *L. xanthurus*, *C. sapidus*, and *F. duorarum*). Similarly, the majority of the distinguishing species collected with 183-m seines had higher abundance in “small” rather than “large” estuaries (*E. gula*, *B. chrysoura*, *O. chrysoptera*, *A. probatocephalus*, *C. undecimalis*, *A. felis*, *L. griseus*, and *E. saurus*)(*Figure 31*).

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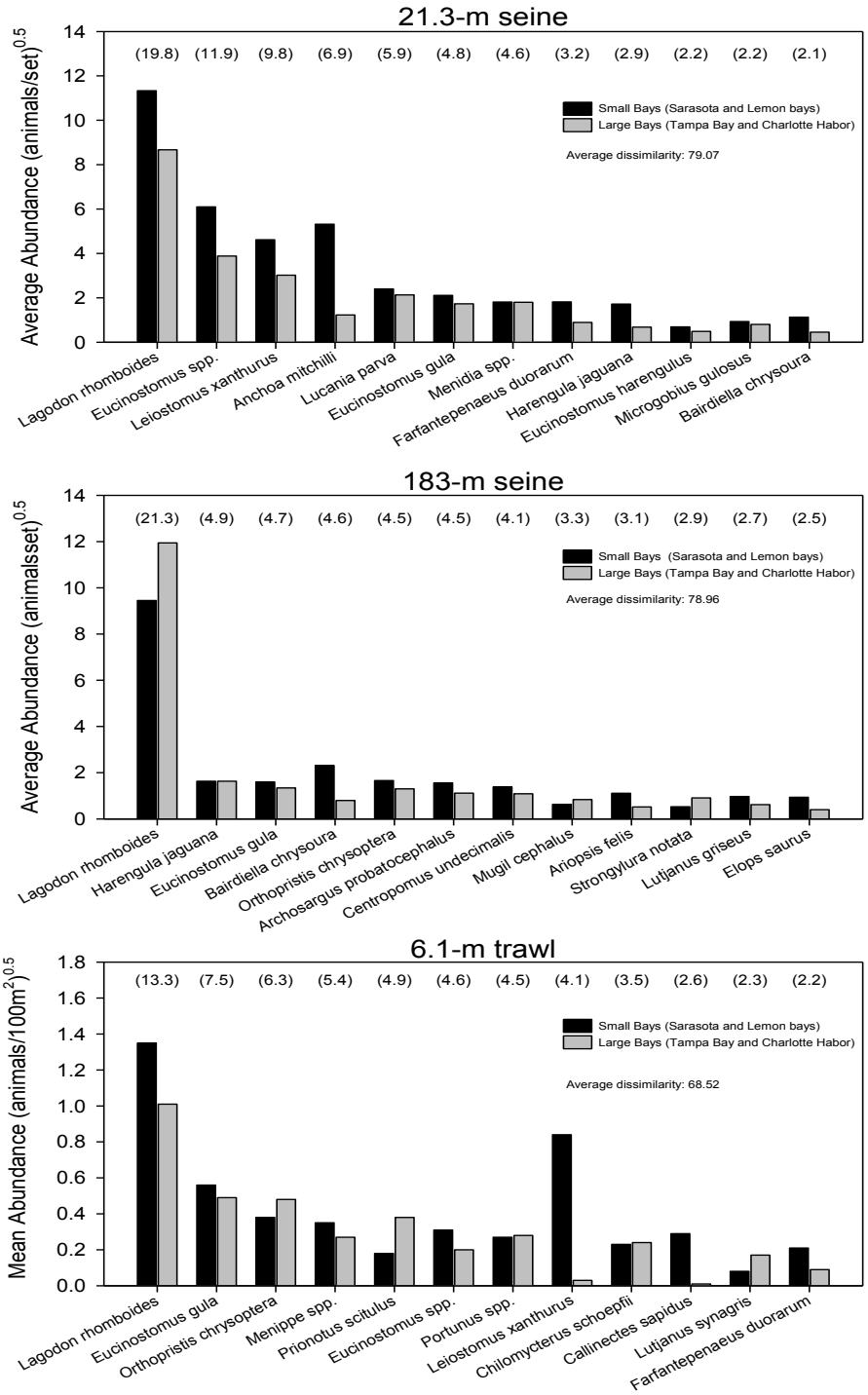


Figure 31, Similarity percentage (SIMIPER) analysis mean abundance for the top twelve taxa collected by gear deployment type that distinguished estuary groupings depicted in the MDS ordination (*Figure 30*). Average dissimilarity between groupings is listed in each plot. The percent contribution of each species to the total average dissimilarity is shown in parentheses above each species grouping.

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The grouping of nekton communities by estuary morphology ("small" and "large") in the interbay analysis is similar to the groupings identified in the analysis of the five Sarasota Bay embayments (intrabay). As with the intrabay comparison, overall mean abundance for the interbay comparisons showed considerable variability and overlap (*Figure 32*). Analysis of variance (ANOVA, Tukey post hoc test) identified significant difference in abundance between bays for the nekton community sampled with 21.3-m seines (P<0.001, n=389, df=3, Model SS=56.089, Error SS=1,161.39). The two "small" estuaries (Sarasota and Lemon bays) had higher abundance than the two "large" estuaries (Lower Tampa Bay and Charlotte Harbor) (*Figure 32*). Although the nekton abundance pattern for the 6.1-m trawl was similar to that of the 21.3-m seine (higher abundance in "small" estuaries), the differences between estuaries was not significant (ANOVA, P>0.05, n=168, df=3, Model SS=6.337, Error SS=198.261). There were no obvious abundance trends and no significant differences (ANOVA, P>0.05, n=156, df=3, Model SS=2.349, Error SS=138.210) between bays in the abundance of the larger bodied juvenile and adult nekton collected with 183-m seines.

The MDS plots and abundance trends indicate that the two narrow, polyhaline estuaries (Sarasota and Lemon bays) are more productive than wider, more open estuaries for smaller nekton (juveniles and adult's with small body size) that predominate in 21.3-m seines and 6.1-m trawl collections. Similarly, the MDS plots for the larger bodied juvenile and adult nekton community sampled with 183-m seines showed that there were differences between "small" and "large" estuaries, but there was no trend in overall abundance. The mechanism behind these observations could be differences in water depths, more stable salinity in the "small" estuaries, ratio of land-

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water interface to open water, sediment type, quantity and type of submerged aquatic vegetation, or circulation patterns and residence times. Other metrics that could be assessed to determine if this abundance really relates to productivity would be differences in growth rates, mortality, reproduction, and condition. Additionally, comparisons that included the tributaries in each of these estuaries would likely prove informative.

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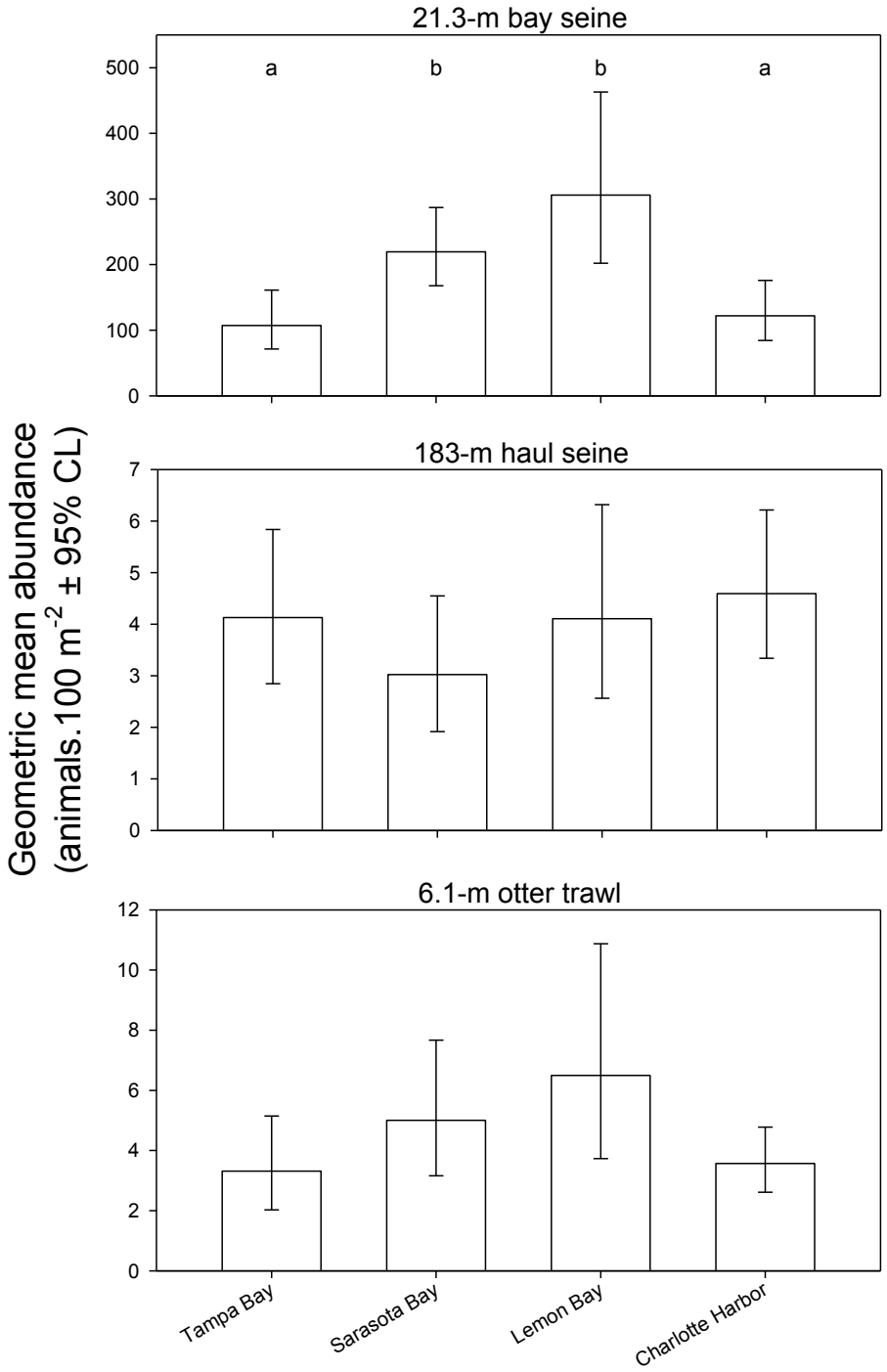


Figure 32. Geometric mean abundance for nekton collected from the polyhaline portions of four estuaries along the southwest coast of Florida. Letters above bars in 21.3-m seine plot represent significant differences (ANOVA, $P<0.001$, Tukey post hoc test, b>a); significant differences ($P<0.05$) were not found for 183-m seines or 6.1-m trawls.

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Mercury Content Analysis

Tissue samples for mercury content analysis were taken from 323 individuals representing 25 taxa (*Table 10*). Animals collected for mercury analysis ranged in size from 49 to 658 mm SL. To date, just over 40% (n=133) of the tissue samples have been analyzed for mercury concentrations. Of the samples analyzed, 19 animals (10.0%), representing five taxa (*C. undecimalis*, common snook [n=12]; *Scomberomorus maculatus*, Spanish mackerel [n=3]; *Cynoscion nebulosus*, spotted seatrout [n=2]; *Elops saurus*, ladyfish [n=1]; and *Chaetodipterus faber*, spadefish [n=1]), had mercury concentrations above 0.3 mg/kg, a guidance level adopted by the U.S. EPA to protect public health (USEPA 2001). The highest mercury concentration level was 0.60 mg/kg (common snook, 524 mm SL, female).

Linear regression analyses were run on four taxa (ladyfish, *Elops saurus*; common snook, *Centropomus undecimalis*; sheepshead, *Archosargus probatocephalus*; and gray snapper, *Lutjanus griseus*) which had a large enough sample size in Sarasota Bay (≥15) and from the gulf coast of Florida between Tampa Bay and Charlotte Harbor (≥50).

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Table 10. Summary of the number of animals, sizes, and mercury levels for fish tissue samples analyzed from the fisheries-independent sampling of Sarasota Bay, June 2009 through April 2010. Min = minimum, Max = maximum, Analyzed = number of fish that have been processed for mercury concentration, and Total = total number of fish collected for mercury content analysis. Species with at least 50 total animals collected and at least 15 from Sarasota Bay were analyzed using linear regression (* in Reg.).

	Sizes (mm)			*Hg Concentration (mg/kg)*			*Number*		
Species	*Mean*	*Min*	*Max*	*Mean*	*Min*	*Max*	*Analyzed*	*Total*	Reg.
Ancylopsetta quadrocellata	153.5	149	158	0.06	0.05	0.06	2	2	
Archosargus probatocephalus	251.6	131	358	0.13	0.03	0.21	17	90	*
Caranx hippos	240.0	240	240	0.29	0.29	0.29	1	1	
Centropomus undecimalis	409.9	200	658	0.24	0.06	0.60	42	59	*
Chaetodipterus faber	278.5	252	312	0.20	0.11	0.34	4	4	
Cynoscion nebulosus	262.9	137	379	0.20	0.03	0.36	7	14	
Elops saurus	253.8	209	376	0.17	0.05	0.39	30	47	*
Epinephelus morio	101.0	101	101	0.03	0.03	0.03	1	1	
Eugerres plumieri	222.8	203	235	0.18	0.06	0.27	5	5	
Lagodon rhomboides	105.3	63	151	0.05	0.02	0.10	31	87	
Lutjanus griseus	185.8	115	240	0.08	0.03	0.17	26	26	*
Lutjanus synagris	89.5	49	133	0.06	0.05	0.07	3	12	
Menticirrhus americanus	285.0	285	285	0.24	0.24	0.24	1	1	
Mugil cephalus	262.5	135	379				0	20	
Mugil curema	125.7	112	135				0	3	
Mugil gyrans	125.7	112	135				0	3	
Mycteroperca microlepis	244.8	210	320	0.09	0.07	0.12	5	5	
Orthopristis chrysoptera	95.0	91	99				0	4	
Paralichthys albigutta	220.9	194	265	0.12	0.06	0.22	4	8	
Pogonias cromis	278.7	248	340	0.15	0.15	0.15	1	3	
Sciaenops ocellatus	526.0	494	590	0.13	0.08	0.19	4	5	
Scomberomorus maculatus	365.5	328	410	0.38	0.2	0.52	4	4	
Strongylura marina	414.0	324	480				0	6	
Synodus foetens	175.0	128	222				0	4	
Trachinotus falcatus	267.0	264	270	0.07	0.06	0.07	2	2	
Total	237.2	49	658	0.15	0.02	0.60	190	416	

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Ladyfish, *Elops saurus*

Ladyfish that were collected in Sarasota Bay for mercury analysis ranged in size from 209 to 376 mm standard length (*Table 10*). Thirty of the 47 animals retained for mercury analysis from Sarasota Bay have been processed with a mean total mercury level of 0.17 mg/kg. The highest total mercury level recorded for ladyfish from Sarasota Bay was 0.39 mg/kg which was found in a fish measuring 271 mm SL.

There was a significant ($P<0.0001$), positive linear relationship between mercury concentration and standard length for ladyfish collected from the gulf coast between Tampa Bay and Charlotte Harbor (*Figure 33*), indicating a tendency for mercury concentrations to increase over time as ladyfish grow. Ladyfish collected for mercury analysis in Sarasota Bay were smaller (average 253 mm SL) than those collected in Tampa Bay and Charlotte Harbor (351 and 318 mm SL, respectively). A larger number of samples and a wider size range of ladyfish would be required to determine any estuary-specific difference in mercury concentrations at size.

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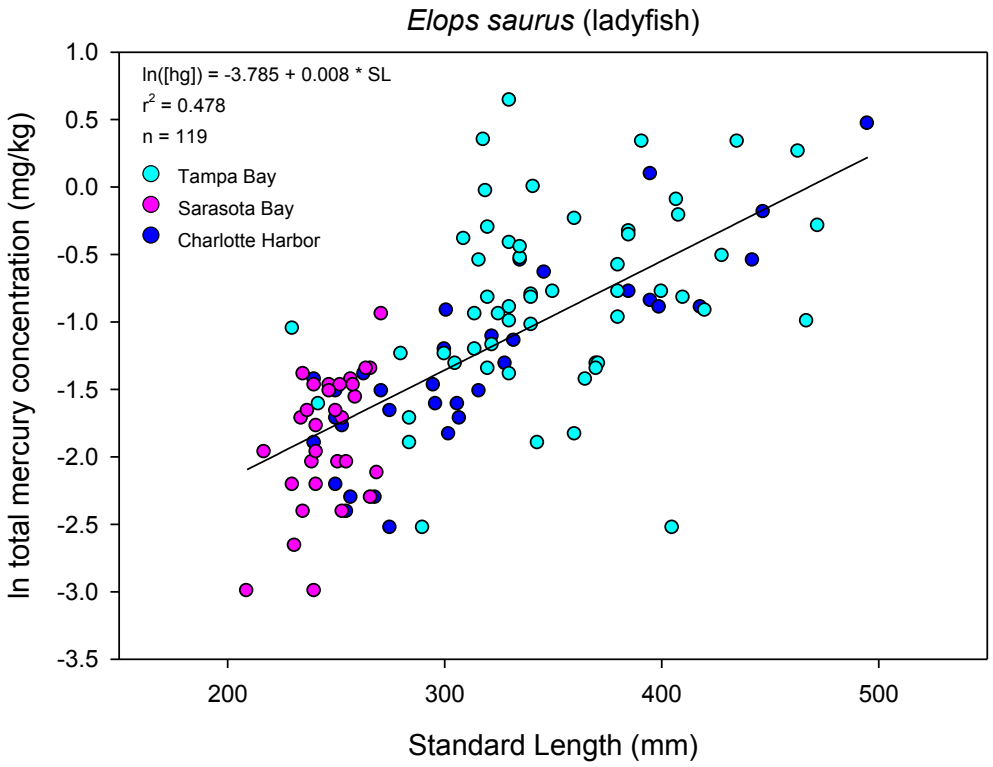


Figure 33.Relationship between ln total mercury concentration (mg/kg) and standard length (mm) for ladyfish collected in Tampa Bay, Sarasota Bay, and Charlotte Harbor.

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Common Snook, *Centropomus undecimalis*

Forty-two of the 59 common snook collected for mercury analysis from Sarasota Bay have been processed (*Table 10*). The fish collected for mercury analysis range in size from 200 to 658 mm standard length (mean of 409.9 mm). The mean total mercury concentration for common snook in Sarasota Bay was 0.24 mg/kg. The highest concentration of mercury recorded for common snook in Sarasota Bay was from a 524 mm SL female (0.60 mg/kg); this was also the highest value recorded for any fish in the Sarasota Bay estuary analyzed to date.

Common snook from the gulf coast of Florida between Tampa Bay and Charlotte Harbor had a significant (P<0.0001) positive linear relationship with standard length (*Figure 34*). The common snook analyzed from Sarasota Bay (n=42) did not show any obvious differences in total mercury concentration or size distribution from the common snook analyzed from Charlotte Harbor (n=156) and Tampa Bay (n=1,032). More samples and a wider size range of common snook from Sarasota Bay would be necessary to determine any statistical difference in mercury concentrations between Sarasota Bay and Charlotte Harbor or Tampa Bay.

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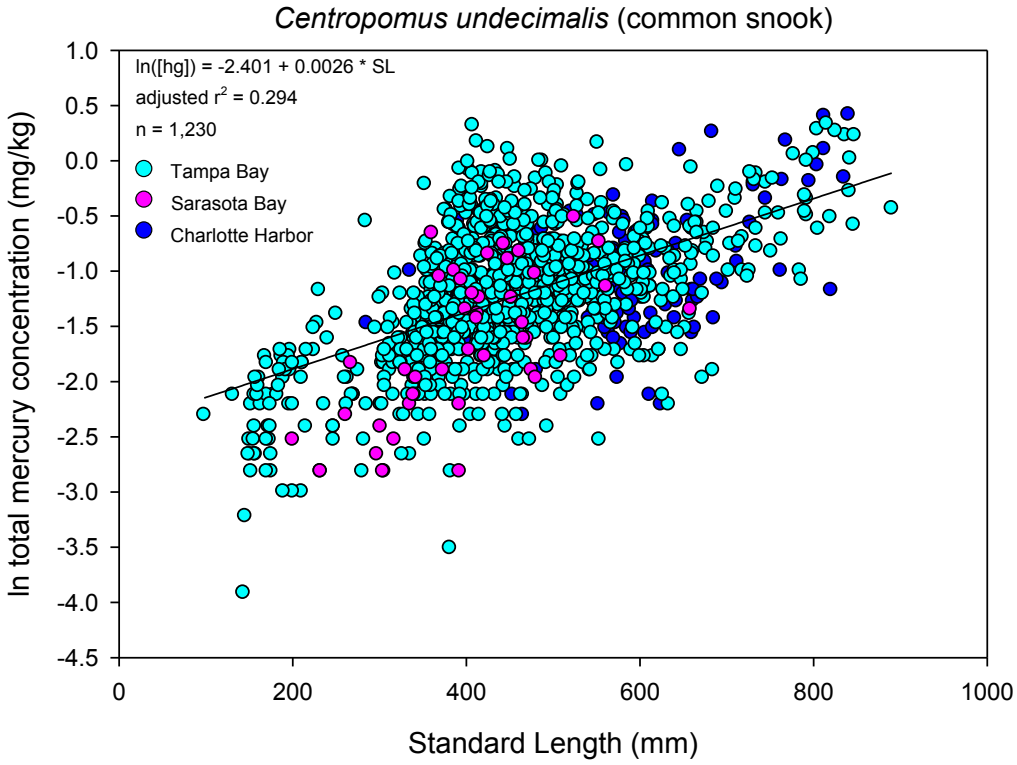


Figure 34. Relationship between ln total mercury level (mg/kg) and standard length (mm) for common snook collected in Tampa Bay, Sarasota Bay, and Charlotte Harbor.

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Sheepshead, *Archosargus probatocephalus*

Within Sarasota Bay, 90 sheepshead, ranging in size from 131 to 358 mm SL, were collected for mercury analysis between June 2009 and April 2010 (*Table 10*). The 17 fish processed for total mercury from Sarasota Bay had total mercury levels ranging from 0.03 to 0.21 mg/kg (mean of 0.13 mg/kg). Linear regression indicates that total mercury concentration had a significant ($P<0.01$) positive relationship with standard length for sheepshead collected between Tampa Bay and Charlotte Harbor (*Figure 35*). Total mercury concentrations for sheepshead were consistently low as compared to other estuarine species of recreational importance. There were no obvious differences in mercury concentration at size between the three estuaries; larger sample sizes of sheepshead from Tampa Bay, Sarasota Bay and Charlotte Harbor would be required to determine any statistical difference in mercury concentrations between the three estuaries.

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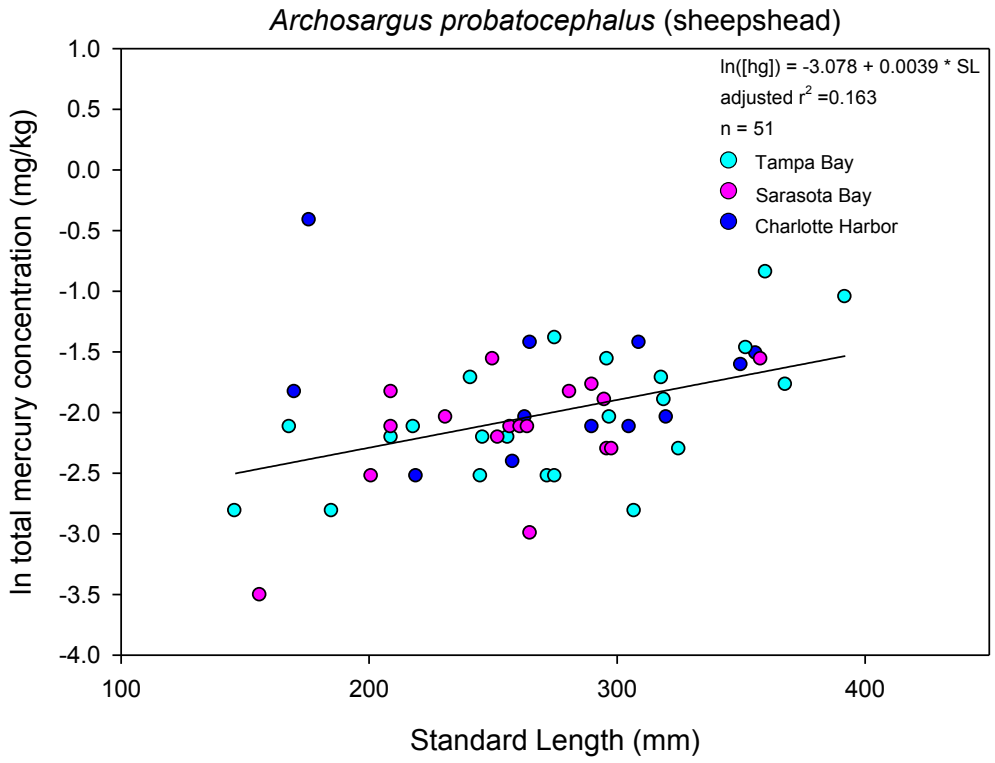


Figure 35. Relationship between ln total mercury level (mg/kg) and standard length (mm) for sheepshead collected in Tampa Bay, Sarasota Bay, and Charlotte Harbor.

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Gray Snapper, *Lutjanus griseus*

All of the gray snapper collected for mercury analysis (n=26) from Sarasota Bay have been processed (*Table 10*). Gray snapper collected for mercury analysis ranged in size from 115 to 240 mm SL (mean of 185.8 mm). The mean total mercury level for gray snapper in Sarasota Bay was 0.08 mg/kg (range 0.03 to 0.17 mg/kg).

Gray snapper from estuarine waters along the gulf coast of Florida between Tampa Bay and Charlotte Harbor had a significant ($P<0.0001$) positive linear relationship with size, indicating that mercury concentrations increase as gray snapper grow and age (*Figure 36*). More samples of gray snapper from Sarasota Bay would be necessary to statistically determine any bay-specific differences, but no obvious differences in total mercury concentration at size were evident for gray snapper collected from Sarasota Bay, Charlotte Harbor (n=174) and Tampa Bay (n=204).

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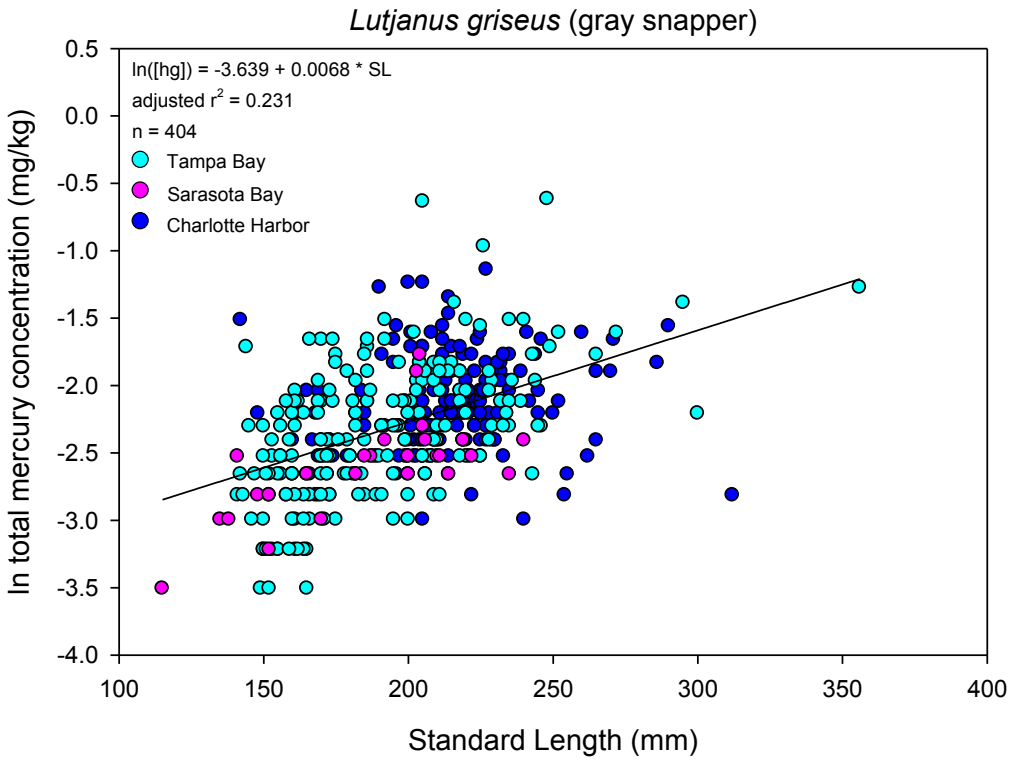


Figure 36. Relationship between ln total mercury level (mg/kg) and standard length (mm) for gray snapper collected in Tampa Bay, Sarasota Bay, and Charlotte Harbor.

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CONCLUSION

Physiochemical conditions

The climatic conditions during this one-year sampling period were not typical of conditions in Southwest Florida, with below average temperatures in January and February and an unseasonably rainy winter/spring 2010. Undoubtedly these conditions influenced the physiochemical situation in Sarasota Bay during the study period. Water temperatures were colder for winter/spring 2010 in two estuaries adjacent to Sarasota Bay (Tampa Bay and Charlotte Harbor) as compared to the longer-time historical period. Salinity, during the normally dry period from January to April, was lower in Sarasota Bay and adjacent estuaries (Tampa Bay, Lemon Bay, and Charlotte Harbor) than normal. The climate and physiochemical conditions during this study period likely influenced the nekton community in Sarasota Bay such that some differences in community structure might be expected as compared to a longer-term sampling period.

Composition of overall nekton community

The nekton community in Sarasota Bay was generally quite typical of Florida estuaries. More than 80% of the total animals caught during the study came from just one of the gear types, 21.3-m seine. The bay anchovy, a small schooling fish, comprised almost 30% of the catch in this gear and 25% of the total catch during the study. Pinfish were also particularly abundant, representing one of the top two abundant taxa in each of the gear types and comprising over 27% of the total catch. Other

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estuarine dependent species such as spot, eucinostomus mojarra, silver jenny, silver perch, and scaled sardines were relatively dominant in overall abundance as well.

Nekton Community Structure

The intrabay comparison indicated that only the nekton community sampled with the 21.3-m seine showed differences between Sarasota Bay's five embayments. The two "small" embayments (Blackburn and Roberts bays), were similar to each other, but different from the two "large" embayments (Sarasota and Little Sarasota bays). The nekton community of Palma Sola Bay was distinct from the nekton assemblages of both the "small" and "large" embayments. Overall abundance and the abundance for most taxa collected with 21.3-m seines were higher in the "small" embayments than in either the "large" embayments or Palma Sola Bay.

The interbay comparison also indicated that "small" estuaries (Sarasota and Lemon bays) were different from polyhaline portions of the "large" estuaries (Tampa Bay and Charlotte Harbor) for the nekton communities sampled with 21.3-m seines, 183-m seines, and 6.1-m trawls. The majority of discriminating taxa in the community analysis had higher abundance in the small estuaries. Overall abundance was greater in the "small" estuaries for 21.3-m seine collections, which had much larger sample sizes than the other two gear deployment methods.

The intrabay and interbay community analyses provided similar results. The community structure in "small" estuaries was different than the community structure in "large" estuaries for 21.3-m seines (intrabay and interbay), 183-m seines (interbay), and 6.1-m trawls (interbay). The abundance for the discriminating taxa in the community analyses tended to be higher in "small" than in "large" estuaries (intra and interbay) and

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overall abundance tended to be higher in “small” than “large” bays (intrabay). These differences in community structure and abundance could be related to water depth, salinity, ratio of land-water interface to open water, sediment type, quantity and type of submerged aquatic vegetation, or circulation patterns, residence times, and water quality.

Mercury Content Analysis

Sample sizes were not large enough to run linear regressions on any of the taxa collected from Sarasota Bay without combining with data from adjacent estuaries (Tampa Bay and Charlotte Harbor). The results of the mercury content analysis provides no reason to suspect that fish from Sarasota Bay contain any higher concentrations of mercury than those found in adjacent estuaries and suggest that accumulation rates for Sarasota Bay are similar to those found in Tampa Bay and Charlotte Harbor.

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LITERATURE CITED

Able, K.W. and Fahay, M.P. 1998. The first year in the life of estuarine fishes in the Middle Atlantic Bight. Rutgers University Press, New Brunswick, NJ: 400 p.

Adams, D.H., McMichael Jr., R.H., 2001. Mercury levels in marine and estuarine fishes of Florida. FWC-FWRI, Florida Marine Research Institute Technical Report TR-6, 35pp.

Allen, D.M., J.H. Hudson, and T.J. Costello. 1980. Postlarval shrimp *Penaeus* in the Florida Keys: species, size, and seasonal abundance. Bull. Mar. Sci. 30(1):21-33.

Bacheler, N.M., R.A. Wong, and J.A. Buckel. 2005. Movements and mortality rates of striped mullet in North Carolina. N. Am. J. Fish. Manage. 25(1): 361-373.

Blewett, D.A., R.A. Hensley, and P.W. Stevens. 2006. Feeding habits of common snook, *Centropomus undecimalis,* in Charlotte Harbor, Florida. Gulf Caribb. Res. 18:1-13.

Bortone, S.A. 2003. Introduction. pp. 1-3 *In*: S.A. Bortone (ed.). Biology of the spotted seatrout. CRC Press, Boca Raton, Florida.

Boschung, H.T. and R.L. Mayden. 2004. Fishes of Alabama. Smithsonian Books, Washington, D.C. 736 p.

Bullock, L. H. and G. B. Smith. 1991. Seabasses (Pisces: Serranidae). Memoirs of the Hourglass Cruises 8(2): 1-243.

Brown-Peterson, N.J. 2003. The reproductive biology of spotted seatrout. pp. 99-133 *In*: S.A. Bortone (ed.). Biology of the spotted seatrout. CRC Press, Boca Raton, Florida.

AMERICAN OVERSIGHT

Carpenter, K.E. (ed.). 2002. The living marine resources of the western central Atlantic. Three Volumes. Food and Agriculatural Organization of the United Nations, Rome. 2127 p.

Casey, J. P., G. R. Poulakis, and S.W. Stevens. 2007. Habitat use by juvenile gag, *Mycteroperca microlepis* (Pisces: Serranidae), in subtropical Charlotte Harbor, Florida. Gulf Caribb. Res. 19: 1-9.

Clarke, K.R. 1993. Non-parametric multivariate analyses of changes in community structure. Aust J Ecol 18: 117-143.

Clarke, K.R. and R.M. Warwick. 2001. Change in marine communities: an approach to statistical analysis and interpretation. 2nd Edition. Natural Environment Research Council, Plymouth Marine Laboratory, Plymouth, U.K.

Cocheret de la Moriniere, E., B. J. Pollux, I. Nagelkerken, and G. van der Velde. 2002. Post-settlement Life Cycle Migration Patterns and Habitat Preference of Coral Reef Fish That Use Seagrass and Mangrove Habitats as Nurseries. Estuar. Coast. Shelf Sci. 55:309-321.

Dahlberg, M.D.1970. Atlantic and Gulf of Mexico menhadens, Genus *Brevoortia* (Pisces: Clupeidae). Bull. Fla. Mus. Nat. Hist. Biol. Sci. 15(3):91-162.

Darnell, R. M. 1958. Food habits of fishes and larger invertebrates of Lake Pontchartrain, Louisiana, and estuarine community. Pub. Inst. Mar. Sci. 5: 353-416.

Domeier, M. L. and P. L. Colin 1997. Tropical reef fish spawning aggregations: defined and reviewed. Bull. Mar. Sci. 60(3): 698-726.

Duggins, C.F. Jr., A.A. Karlin, K. Relyea, and R.W. Yerger. 1986. Systematics of the key silverside, *Menidia conchorum*, with comments on other *Menidia* species (Pisces: Atherinidae). Tulane Stud. Zool. Bot. 25:133-150.

AMERICAN OVERSIGHT

Echelle, A.A. and A.F. Echelle. 1997. Patterns of abundance and distribution among members of a unisexual-bisexual complex of fishes (Atherinidae: *Menidia*). Copeia (2):249-259.

Etnier, D.A. and W.C. Starnes. 1993. The fishes of Tennessee. The University of Tennessee Press, Knoxville. 681 p.

Faunce, C. H., and J.E. Serafy. 2008. Selective use of mangrove shorelines by snappers, grunts, and great barracuda. Mar. Ecol. Progr. Ser. 356:153-162.

Flannery, M. 1989. Tampa and Sarasota Bays: Watersheds and Tributaries. Pp 18-48 In: E.D. Estevez, (ed.), Tampa and Sarasota Bays: Issues, Resources, Status, and Management. U.S. Department of Commerce. Washington, D.C.

Forward, R.B., Jr., D.A.Z. Frankel, and D. Rittschof. 1994. Molting of megalopae from the blue crab *Callinectes sapidus*: effects of offshore and estuarine crabs. Mar. Ecol. Progr. Ser. 113:55-59.

Forward, R.B., Jr., R.A. Tankersley, D. Blondel, and D. Rittschof. 1997. Metamorphosis of the blue crab *Callinectes sapidus*: effects of humic acids and ammonium. Mar. Ecol. Progr. Ser. 157:277-286.

Forward, R.B., Jr., R.A. Tankersley, and K.A. Reinsel. 1998. Selective tidal stream transport of spot (*Leiostomus xanthurus* Lacepede) and pinfish [*Lagodon rhomboides* (Linnaeus)] larvae: contribution of circatidal rhythms in activity. J. Exper. Mar. Biol. Ecol. 226:19-32.

FWC-FWRI. 2008. Status and trends of Florida nearshore and inshore fishes. http://research.myfwc.com/features/category_sub.asp?id=2972.

FWC-FWRI. 2010. Fisheries-Independent Monitoring Program Procedure Manual. Florida Fish and Wildlife Research Institute. St. Petersburg, Florida.

AMERICAN OVERSIGHT

Gilmore, R. G., D. W. Cooke, and C.J. Donohoe. 1982. A comparison of the fish populations and habitat in open and closed salt marsh impoundments in east-central Florida. N.E. Gulf Sci. 5(2): 25-37.

Haddad, K. 1989. Habitat Trends and Fisheries in Tampa and Sarasota Bays. Pp 113-128 In: E.D. Estevez, (ed.), Tampa and Sarasota Bays: Issues, Resources, Status, and Management. U.S. Department of Commerce. Washington, D.C.

Harrigan, P.J., C. Zieman and S.A. Macko. 1989. The base of nutritional support for the gray snapper (Lutjanus griseus): an evaluation based on a combined stomach content and stable isotope analysis. Bull. Mar. Sci. 44: 65-77.

Hettler, W. F., Jr. 1989. Food habits of juveniles of spotted seatrout and gray snapper in western Florida Bay. Bull. Mar. Sci. 44(1): 155-162.

Hughes, D.A. 1969. Responses to salinity change as a tidal transport mechanism of pink shrimp, (Penaeus duorarum). Biol Bull. 136:43-53.

Idelberger, C.F. and M.F.D. Greenwood. 2005. Seasonal Variation in Fish Assemblages within the Estuarine Portions of the Myakka and Peace Rivers, southwest Florida. Gulf Mex. Sci. 23(2):224-240.

Jennings, C.A. 1985. Species profiles, life histories and environmental requirements of coastal fishes and invertebrates (Gulf of Mexico) -- sheepshead. U.S. Fish and Wildl. Serv. Biol. Rep. 82(11.29). U.S. Army Corps of Engineers, TR EL-82-4. 10 pp.

Keener, P., G.D. Johnson, B.W. Stender, E.B. Brothers, and H.R. Beatty. 1988. Ingress of poslarval gag, *Mycteroperca microlepis* (Pisces: Serranidae) through a South Carolina barrier island inlet. Bull. Mar. Sci. 42:376-396.

Koenig, C.C. and F.C. Coleman. 1998. Absolute abundance and survival of juvenile gags in sea grass beds of the northeastern Gulf of Mexico. Trans. Am. Fish. Soc. 127:44–55.

AMERICAN OVERSIGHT

McBride, R. S., T. C. MacDonald, R.E. Matheson, Jr., D.A. Rydene, and P.B Hood. 2001. Nursery habitats for ladyfish, *Elops saurus*, along salinity gradients in two Florida estuaries. Fish. Bull. 99: 443-458.

McDonough, C.J. and C.A. Wenner. 2003. Growth, recruitment, and abundance of juvenile striped mullet (*Mugil cephalus*) in South Carolina estuaries. Fish. Bull. 101(2):343-357.

McMichael, R.H., Jr., K.M. Peters, and G.R. Parsons. 1989. Early life history of the common snook, *Centropomus undecimalis*, in Tampa Bay, Florida. N.E. Gulf Sci. 10(2):113-125.

Mullaney, M.D. Jr. and L.D. Gale. 1996. Ecomorphological relationships in ontogeny: anatomy and diet of gag, *Mycteroperca microlepis* (Pisces: Serranidae). Copeia 1996:167–180.

Muller, R. G. and R. G. Taylor. 2002. The 2002 stock assessment update of common snook, *Centropomus undecimalis*, Florida Fish and Wildlife Conservation Commission, Florida Marine Research Institute. 80p.

Munyandorero, J., M. D. Murphy, and T.C. MacDonald. 2006. An assessment of the status of sheepshead in Florida waters through 2004. Florida Fish and Wildlife Conservation Commission, Florida Fish and Wildlife Institute In-House Report 2006-009, St. Petersburg, Florida. 110p.

Myers, R.A. and N.G. Cadigan. 1993. Is juvenile mortality in marine demersal fish variable? Can. J. Fish. Aquat. Sci 50:1591-1598.

Nagelkerken, I., G. van der Velde, M.W. Gorissen, G.J. Meijer, T. van't Hof, and C. den Hartog. 2000. Importance of Mangroves, Seagrass Beds and the Shallow Coral Reef as a Nursery for Important Coral Reef Fishes, Using a Visual Census Technique. Estuar. Coast. Shelf Sci. 51:31-44.

Odum, W. E. and E. J. Heald. 1972. Trophic analyses of an estuarine mangrove community. Bull. Mar. Sci. 22(3): 671-738.

AMERICAN OVERSIGHT

Olmi, E.J., III. 1994. Vertical migration of blue crab *Callinectes sapidus* megalopae: implications for transport in estuaries. Mar. Ecol.-Progr. Ser. 113:39-54.

Paperno, R., K. J. Mille, and E. Kadison. 2001. Patterns in Species Composition of Fish and Selected Invertebrate Assemblages in Estuarine Subregions near Ponce de Leon Inlet, Florida. Estuar. Coast. Shelf Sci. 52: 117-130.

Paperno, R. and R.B. Brodie. 2004. Effects of environmental variables upon the spatial and temporal structure of a fish community in a small, freshwater tributary of the Indian River Lagoon, Florida. Estuar. Coast. Shelf Sci. 61(2):229-241.

Parsons, G.R. and K.M. Peters. 1989. Age determination of larval and juvenile sheepshead, *Archosargus probatocephalus*. Fish. Bull., U.S. 87:985-988.

Patrick, P. and D.M. Palavage. 1994. The value of species as indicators of water quality. Proc. Acad. Nat. Sci. Phil. 145:55–92.

Pattillo, M.E., T.E. Czapla, D.M. Nelson, and M.E. Monaco. 1997. Distribution and abundance of fishes and invertebrates in Gulf of Mexico estuaries. Volume II. Species life history summaries. ELMR Report 11. 377 p.

Peebles, E.B., M.S. Flannery, R.E. Matheson, Jr. , and J.P. Rast. 1991. Fish nursery utilization of the Little Manatee River estuary: relationships to physicochemical gradients and the distribution of food resources. pp. 341-368 *In*: S.F. Treat and P.A. Clark (eds.). Basis II: Proceedings of the Second Bay Area Scientific Information Symposium, 1991.

Peebles, E.B., J.R. Hall, and S.G. Tolley. 1996. Egg production by the bay anchovy *Anchoa mitchilli* in relation to adult and larval prey fields. Mar. Ecol.-Progr. Ser. 131:61-73.

Peters, K.M., R.E. Matheson, Jr., and R.G. Taylor. 1998. Reproduction and early life history of common snook, *Centropomus undecimalis* (Bloch) in Florida. Bull. Mar. Sci. 62(2):509-529.

AMERICAN OVERSIGHT

Peterson, M. S., and R. G. Gilmore. 1991. Eco-physiology of juvenile common snook *Centropomus undecimalis* (Bloch): life-history implications. Bull. Mar. Sci. 52:46–57.

Poulakis, G. R., R. E. Matheson Jr., M. E. Mitchell, D. A. Blewett, and C. F. Idelberger. 2004. Fishes of the Charlotte Harbor Estuarine System, Florida. Gulf Mex. Sci. 2: 117-150.

Rivas, L.R. 1986. Systematic review of the perciform fishes of the genus *Centropomus*. Copeia 1986:579-611.

Roat, P., and M. Alderson. 1990. State of the Bay Report. National Estuary Program, Sarasota Bay Project. Sarasota, Florida.

Ross, S.W. and M.L. Moser. 1995. Life history of juvenile gag, *Mycteroperca microlepis*, in North Carolina estuaries. Bull. Mar. Sci. 56:222–237.

Rutherford, E. S., T. W. Schmidt and J. T. Tilmant.1989. Early life history of spotted seatrout (*Cynoscion nebulosus*) and gray snapper (*Lutjanus griseus*) in Florida Bay, Everglades National Park, Florida. Bull. Mar. Sci. 44(1): 49-64.

SBEP. 2006. State of the Bay 2006. http://www.sarasotabay.org/pdf/StateOfTheBay_06.pdf.

SBNEP. 1995. The Comprehensive Conservation and Management Plan for Sarasota Bay, Volume 1. 255 pp.

SBNEP. 2003. Sarasota Bay Juvenille Fisheries Habitat Assessment. Sarasota Bay National Estuary Program. Sarasota, Florida.

.

Schultz, E.T., K.M.M. Lwiza, M.C. Fencil, and J.M. Martin. 2003. Mechanisms promoting upriver transport of larvae of two fish species in the Hudson River estuary. Mar. Ecol.-Progr. Ser. 251:263-277.

AMERICAN OVERSIGHT

Sekavec, G.B. 1974. Summer foods, length-weight relationship, and condition factor of juvenile ladyfish, *Elops saurus* Linnaeus, from Louisiana coastal streams. Trans. Am. Fish. Soc. 103:472-476.

Serafy, J.E., C.H. Faunce, and J.J. Lorenz. 2003. Mangrove shoreline fishes of Biscayne Bay, Florida. Bull. Mar. Sci. 72: 161-180.

Springer, V.G. and K.D. Woodburn. 1960. An ecological study of the fishes of the Tampa Bay area. Fla. State Bd. Conserv., Mar. Lab. Prof. Pap. Ser. 1:1-104.

Stark, W.A., II. 1971. Biology of the gray snapper, *Lutjanus griseus* (Linnaeus) in the Florida Keys. Pages 11–150 in W.A. Stark and R.E. Schroeder (eds.) Investigations on the gray snapper, *Lutjanus griseus*. Trop. Oceanogr., Miami, Florida.

Steele, P. and T.M. Bert. 1994. Population ecology of the blue crab, *Callinectes sapidus* Rathbun, in a subtropical estuary: population structure, aspects of reproduction, and habitat partitioning. Fla. Mar. Res. Publ. 51. 24 p.

Tankersley, R.A., M.G. Wieber, M.A. Sigala, and K.A. Kachurak. 1998. Migratory behavior of ovigerous blue crabs *Callinectes sapidus*: evidence for selective tidal-stream transport. Biol. Bull. 195:168-173.

Taylor, R.G., H.J. Grier, and J.A. Whittington. 1998. Spawning rhythms of common snook in Florida. J. Fish Biol. 53:502–520.

Taylor, R.G., J.A. Whittington, H.J. Grier, and R.E. Crabtree. 2000. Age, growth, maturation, and protandric sex reversal in common snook*, Centropomus undecimalis*, from the east and west coasts of South Florida. Fish. Bull. 98:612-624.

Tucker, J.W., Jr. and S.R. Alshuth. 1997. Development of laboratory-reared sheepshead, *Archosargus probatocephalus* (Pisces: Sparidae). Fish. Bull., U.S. 95:399-401.

AMERICAN OVERSIGHT

USEPA, 1991. Determination of mercury in tissues by cold vapor atomic absorption spectrometry: method 245.6 (revision 2.3). U.S. Environmental Protection Agency, Washington, D.C. 3p.

USEPA. 2001. Mercury Update: Impact on Fish Advisories. EPA-823-F-01-011.). U.S. Environmental Protection Agency. Office of Water, Washington, DC, 10pp.

USEPA 2007. Mercury in Solids and Solutions by Thermal Decompsition, Amalgamation, and Atomic Absorption Spectrophotometry. Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846). U.S. Environmental Protection Agency, Washington, D.C. 17p.

Whaley, S. D., J. J. Burd, Jr., and B. A. Robertson. 2007. Using estuarine landscape structure to model distribution patterns in nekton communities and in juveniles of fishery species. Mar. Ecol. Progr. Ser. 330: 83-99.

Winner, B.L. and R.H. McMichael, Jr. 1997. Evaluation of a new type of box splitter designed for subsampling estuarine ichthyofauna. Trans. Am. Fish. Soc. 126: 1041-1047.

Withers, K. and T.S. Brooks. 2004. Diet of double-crested cormorants (*Phalacrocorax auritus*) wintering on the central Texas coast. Southwest. Nat. 49(1): 48-53.

Wolcott, D.L. and M.C. De Vries. 1994. Offshore megalopae of *Callinectes sapidus*: depth of collection, molt stage and response to estuarine cues. Mar. Ecol.-Progr. Ser. 109:157-163.

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APPENDICES

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Appendix A. Animals designated as Selected Taxa because of their commercial or recreational importance.

Scientific Name	Common Name
Albula vulpes	*bonefish*
Archosargus probatocephalus	*sheepshead*
Callinectes sapidus	*blue crab*
Centropomus undecimalis	*common snook*
Cynoscion arenarius	*sand seatrout*
Cynoscion nebulosus	spotted seatrout
Cynoscion nothus	silver seatrout
Cynoscion regalis	weakfish
Cynoscion complex	seatrout
Elops saurus	ladyfish
Epinephelus adscensionis	rock hind
Epinephelus afer	mutton hamlet
Epinephelus cruentatus	graysby
Epinephelus drummondhayi	speckled hind
Epinephelus flavolimbatus	yellowedge grouper
Epinephelus fulvus	coney
Epinephelus guttatus	red hind
Epinephelus inermis	marbled grouper
Epinephelus itajara	goliath grouper
Epinephelus morio	red grouper
Epinephelus mystacinus	misty grouper
Epinephelus nigritus	Warsaw grouper
Epinephelus niveatus	snowy grouper
Epinephelus striatus	Nassau grouper
Farfantepenaeus aztecus	brown shrimp
Farfantepenaeus duorarum	pink shrimp
Farfantepenaeus brasiliensis	pinkspotted shrimp
Farfantepenaeus spp.	penaeid shrimps
Leiostomus xanthurus	spot
Litopenaeus setiferus	white shrimp
Lutjanus analis	mutton snapper
Lutjanus apodus	schoolmaster
Lutjanus buccanella	blackfin snapper
Lutjanus campechanus	red snapper
Lutjanus cyanopterus	cubera snapper
Lutjanus griseus	gray snapper
Lutjanus jocu	dog snapper
Lutjanus mahogoni	mahogany snapper
Lutjanus synagris	lane snapper
Lutjanus vivanus	silk snapper
Megalops atlanticus	tarpon
Menippe spp.	stone crab
Menticirrhus americanus	southern kingfish
Menticirrhus littoralis	Gulf kingfish
Menticirrhus saxatillis	northern kingfish
Micropogonias undulatus	Atlantic croaker
Mugil cephalus	striped mullet
Mugil curema	white mullet
Mugil gaimardianus	redeye mullet
Mugil gyrans	whirligig mullet
Mugil liza	liza
Mycteroperca bonaci	black grouper
Mycteroperca microlepis	gag
Mycteroperca phenax	scamp
Mycteroperca tigris	tiger grouper
Mycteroperca venenosa	yellowfin grouper
Panulirus argus	spiny lobster
Paralichthys albigutta	Gulf flounder
Paralichthys dentatus	summer flounder
Paralichthys lethostigma	southern flounder
Paralichthys oblongus	fourspot flounder
Paralichthys squamilentus	broad flounder
Penaeidae spp.	shrimps
Pogonias cromis	black drum
Pomatomus saltatrix	bluefish
Rachycentron canadum	cobia
Sciaenops ocellatus	red drum
Scomberomorus cavalla	king mackerel
Scomberomorus maculatus	Spanish mackerel
Scomberomorus regalis	cero
Trachinotus carolinus	pompano
Trachinotus falcatus	permit
Trachinotus goodei	palometa

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Appendix B. Summary of species collected, by sampling event (bi-monthly), during Sarasota Bay stratified-random sampling, June 2009 to April 2010. Effort, or total number of hauls, is labeled 'E'. Taxa are arranged alphabetically.

Scientific Name	Common Name	Month and Year						Totals
		June 2009	August 2009	October 2009	December 2009	February 2010	April 2010	
		E=42	E=42	E=40	E=40	E=39	E=42	E=245
Acanthostracion quadricornis	scrawled cowfish	7	2	3	6	6	6	30
Achirus lineatus	lined sole	3	.	5	8	9	10	35
Anchoa cubana	cuban anchovy	.	792	2,358	2	.	152	3,304
Anchoa hepsetus	striped anchovy	.	200	.	1	.	.	201
Anchoa mitchilli	bay anchovy	4,547	1,778	11,258	17,671	555	4,540	40,349
Ancylopsetta quadrocellata	ocellated flounder	2	2	.	.	.	2	6
Archosargus probatocephalus	sheepshead	126	28	49	17	57	10	287
Argopecten spp.	bay scallops	6	2	1	.	.	.	9
Ariopsis felis	hardhead catfish	111	10	67	5	1	13	207
Astroscopus y-graecum	southern stargazer	.	.	.	.	.	1	1
Bairdiella chrysoura	silver perch	652	400	731	20	.	3	1,806
Brevoortia spp.	menhaden	.	19	5	2	.	.	26
Callinectes ornatus	shelligs	15	2	.	1	.	1	19
Callinectes sapidus	blue crab	28	26	25	13	36	26	154
Caranx hippos	crevalle jack	2	2	12	2	.	.	18
Caranx latus	horse-eye jack	.	.	1	.	.	.	1
Centropomus undecimalis	snook	37	7	47	21	1	20	133
Centropristis striata	black sea bass	2	.	5	.	.	.	7
Chaetodipterus faber	atlantic spadefish	1	10	5	.	.	.	16

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Scientific Name	Common Name	Month and Year						Totals
		June 2009	August 2009	October 2009	December 2009	February 2010	April 2010	
		E=42	E=42	E=40	E=40	E=39	E=42	E=245
Chasmodes saburrae	florida blenny	1	3	16	2	.	1	23
Chilomycterus schoepfii	striped burrfish	17	4	13	11	19	6	70
Chloroscombrus chrysurus	atlantic bumper	.	.	1	.	.	.	1
Citharichthys macrops	spotted whiff	.	1	.	.	.	4	5
Ctenogobius boleosoma	darter goby	.	.	.	.	.	10	10
Cynoscion arenarius	sand seatrout	.	2	1	.	.	.	3
Cynoscion nebulosus	spotted seatrout	37	33	66	5	5	3	149
Cyprinodon variegatus	sheepshead minnow	.	181	6	.	.	17	204
Dasyatis americana	southern stingray	1	.	2	.	.	.	3
Dasyatis sabina	atlantic stingray	.	.	.	.	.	5	5
Dasyatis say	bluntnose stingray	.	.	.	.	.	1	1
Diplectrum formosum	sand perch	.	.	.	1	2	.	3
Diplodus holbrookii	spottail pinfish	7	36	4	.	.	.	47
Elops saurus	ladyfish	7	.	25	47	8	12	99
Epinephelus morio	red grouper	.	1	.	.	.	.	1
Etropus crossotus	fringed flounder	.	1	.	2	5	1	9
Eucinostomus gula	silver jenny	176	910	873	622	86	184	2,851
Eucinostomus harengulus	tidewater mojarra	323	194	170	28	.	12	727
Eucinostomus spp.	eucinostomus mojarra	1,832	6,840	4,889	3,816	5	2	17,384
Eugerres plumieri	striped mojarra	5	1	5	5	.	.	16
Farfantepenaeus duorarum	pink shrimp	173	96	766	219	168	75	1,497
Floridichthys carpio	goldspotted killifish	13	321	11	10	41	54	450
Fundulus grandis	gulf killifish	11	.	.	.	.	3	14
Fundulus similis	longnose killifish	14	22	.	.	48	.	84

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Scientific Name	Common Name	Month and Year						Totals
		June 2009	August 2009	October 2009	December 2009	February 2010	April 2010	
		E=42	E=42	E=40	E=40	E=39	E=42	E=245
Gobiesox strumosus	skilletfish	1	.	.	.	.	.	1
Gobiosoma longipala	twoscale goby	1	.	.	1	3	5	10
Gobiosoma robustum	code goby	35	8	8	50	106	159	366
Gobiosoma spp.	gobies	78	4	9	63	62	15	231
Gymnura micrura	smooth butterfly ray	.	.	1	.	.	2	3
Haemulon plumierii	white grunt	4	9	29	6	.	1	49
Harengula jaguana	scaled sardine	760	3,182	2,719	273	.	637	7,571
Hemicaranx amblyrhynchus	bluntnose jack	.	.	1	.	.	.	1
Hippocampus erectus	lined seahorse	3	1	.	.	1	6	11
Hippocampus zosterae	dwarf seahorse	4	2	1	10	5	1	23
Hypleurochilus caudovittatus	zebratail blenny	.	.	.	4	1	.	5
Hyporhamphus meeki	american halfbeak	1	11	7	.	.	.	19
Hyporhamphus spp.	halfbeaks	.	1	.	.	.	.	1
Hypsoblennius hentz	feather blenny	.	.	.	.	.	2	2
Lagodon rhomboides	pinfish	8,066	2,609	2,575	925	12,380	16,609	43,164
Leiostomus xanthurus	spot	29	23	25	9	19,389	4,032	23,507
Limulus polyphemus	horseshoe crab	1	.	1	2	.	2	6
Lucania parva	rainwater killifish	943	1,435	681	498	272	197	4,026
Lutjanus griseus	gray snapper	34	37	166	21	.	2	260
Lutjanus synagris	lane snapper	.	17	99	14	.	.	130
Membras martinica	rough silverside	38	.	.	1	.	.	39
Menidia spp.	menidia silversides	1,384	1,686	240	346	154	45	3,855
Menippe spp.	stone crab	3	33	99	29	90	3	257
Menticirrhus americanus	southern kingfish	.	2	.	1	.	1	4

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Scientific Name	Common Name	Month and Year						Totals
		June 2009	August 2009	October 2009	December 2009	February 2010	April 2010	
		E=42	E=42	E=40	E=40	E=39	E=42	E=245
Microgobius gulosus	clown goby	72	14	83	126	64	189	548
Microgobius thalassinus	green goby	.	.	.	.	12	.	12
Monacanthus ciliatus	fringed filefish	.	.	.	7	.	2	9
Mugil cephalus	striped mullet	2	2	5	15	424	943	1,391
Mugil curema	white mullet	.	1	.	31	4	5	41
Mugil gyrans	fantail mullet	11	4	.	7	.	3	25
Mycteroperca microlepis	gag	4	11	28	.	.	1	44
Nicholsina usta	emerald parrotfish	10	2	.	4	.	2	18
Ogcocephalus cubifrons	batfish	1	.	7	1	2	6	17
Oligoplites saurus	leatherjacket	22	40	19	.	.	.	81
Opisthonema oglinum	atlantic thread herring	1	187	726	6	.	271	1,191
Opsanus beta	gulf toadfish	15	1	6	3	7	9	41
Orthopristis chrysoptera	pigfish	276	117	351	34	23	26	827
Ostraciidae spp.	boxfish, trunkfish and cowfish	.	.	.	1	.	.	1
Paralichthys albigutta	gulf flounder	14	3	13	8	6	24	68
Poecilia latipinna	sailfin molly	.	.	1	.	.	.	1
Pogonias cromis	black drum	.	.	1	.	1	.	2
Portunus spp.	swimming crabs	54	28	4	3	29	58	176
Prionotus scitulus	leopard searobin	10	10	7	5	13	12	57
Prionotus tribulus	bighead searobin	.	.	.	7	8	10	25
Rhinoptera bonasus	cownose ray	4	.	2	.	.	3	9
Sardinella aurita	spanish sardine	1	5	.	.	.	.	6
Sarotherodon melanotheron	blackchin tilapia	1	1	.	.	.	.	2
Sciaenops ocellatus	red drum	1	.	5	7	3	36	52

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Scientific Name	Common Name	Month and Year						Totals
		June 2009	August 2009	October 2009	December 2009	February 2010	April 2010	
		E=42	E=42	E=40	E=40	E=39	E=42	E=245
Scomberomorus maculatus	spanish mackerel	.	.	4	.	.	.	4
Scorpaena brasiliensis	barbfish	.	.	.	.	3	1	4
Selene vomer	lookdown	13	2	5	.	.	.	20
Serraniculus pumilio	pygmy sea bass	.	.	.	.	1	.	1
Serranus subligarius	belted sandfish	.	.	1	1	1	.	3
Sicyonia laevigata	hardback	.	.	.	1	.	4	5
Sphoeroides nephelus	southern puffer	10	.	12	17	9	6	54
Sphyraena barracuda	great barracuda	.	1	5	17	.	.	23
Sphyrna tiburo	bonnethead	.	.	2	2	.	.	4
Stephanolepis hispidus	planehead filefish	6	10	8	95	6	1	126
Strongylura marina	atlantic needlefish	16	.	.	7	.	.	23
Strongylura notata	redfin needlefish	18	27	41	21	1	4	112
Strongylura spp.	needlefish	4	.	.	.	.	.	4
Symphurus plagiusa	blackcheek tonguefish	.	.	1	2	6	14	23
Syngnathus floridae	dusky pipefish	1	1	4	3	1	1	11
Syngnathus louisianae	chain pipefish	6	1	1	7	2	4	21
Syngnathus scovelli	gulf pipefish	52	15	38	40	37	44	226
Synodus foetens	inshore lizardfish	17	16	10	31	18	30	122
Trachinotus falcatus	permit	.	.	5	6	.	.	11
Urophycis floridana	southern hake	.	.	.	.	23	1	24
Totals		20,183	21,485	29,476	25,305	34,219	28,603	159,271

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Appendix C. Summary of species collected, by gear and stratum, during Sarasota Bay stratified-random sampling, June 2009 to April 2010. Effort, or the total number of hauls, is labeled 'E'. Taxa are arranged alphabetically.

Scientific Name	Common Name	Gear and Strata						Totals
		21.3-m seine			183-m seine		6.1-m trawl	
		Veg	Unveg	Shore	Over	Nonover		
		E=63	E=39	E=59	E=24	E=12	E=48	E=245
Acanthostracion quadricornis	scrawled cowfish	1	.	.	.	3	26	30
Achirus lineatus	lined sole	5	2	12	.	.	16	35
Anchoa cubana	cuban anchovy	918	3	2,382	.	.	1	3,304
Anchoa hepsetus	striped anchovy	.	.	200	.	.	1	201
Anchoa mitchilli	bay anchovy	18,973	1,755	19,236	.	.	385	40,349
Ancylopsetta quadrocellata	ocellated flounder	.	.	.	.	.	6	6
Archosargus probatocephalus	sheepshead	26	4	23	122	38	74	287
Argopecten spp.	bay scallops	3	1	1	2	.	2	9
Ariopsis felis	hardhead catfish	2	.	.	111	77	17	207
Astroscopus y-graecum	southern stargazer	1	.	.	.	.	.	1
Bairdiella chrysoura	silver perch	877	2	281	491	151	4	1,806
Brevoortia spp.	menhaden	.	.	16	8	2	.	26
Callinectes ornatus	shelligs	.	.	1	.	.	18	19
Callinectes sapidus	blue crab	14	1	14	6	2	117	154
Caranx hippos	crevalle jack	1	1	.	14	2	.	18
Caranx latus	horse-eye jack	.	.	1	.	.	.	1
Centropomus undecimalis	snook	.	.	6	97	30	.	133
Centropristis striata	black sea bass	2	.	4	1	.	.	7
Chaetodipterus faber	atlantic spadefish	.	.	1	13	2	.	16

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Scientific Name	Common Name	Gear and Strata						Totals
		21.3-m seine			183-m seine		6.1-m trawl	
		Veg	Unveg	Shore	Over	Nonover		
		E=63	E=39	E=59	E=24	E=12	E=48	E=245
Chasmodes saburrae	florida blenny	16	2	3	.	.	2	23
Chilomycterus schoepfii	striped burrfish	8	1	.	1	9	51	70
Chloroscombrus chrysurus	atlantic bumper	.	.	.	.	.	1	1
Citharichthys macrops	spotted whiff	.	.	.	.	.	5	5
Ctenogobius boleosoma	darter goby	8	.	.	.	.	2	10
Cynoscion arenarius	sand seatrout	.	.	.	.	.	3	3
Cynoscion nebulosus	spotted seatrout	55	.	73	12	7	2	149
Cyprinodon variegatus	sheepshead minnow	.	.	203	1	.	.	204
Dasyatis americana	southern stingray	.	.	.	1	1	1	3
Dasyatis sabina	atlantic stingray	.	.	.	.	4	1	5
Dasyatis say	bluntnose stingray	.	.	.	.	.	1	1
Diplectrum formosum	sand perch	.	.	.	.	.	3	3
Diplodus holbrookii	spottail pinfish	9	.	.	3	33	2	47
Elops saurus	ladyfish	.	.	.	41	58	.	99
Epinephelus morio	red grouper	.	.	.	.	.	1	1
Etropus crossotus	fringed flounder	.	.	.	.	.	9	9
Eucinostomus gula	silver jenny	521	178	1,494	72	105	481	2,851
Eucinostomus harengulus	tidewater mojarra	11	296	330	25	9	56	727
Eucinostomus spp.	eucinostomus mojarra	4,919	2,341	9,813	.	.	311	17,384
Eugerres plumieri	striped mojarra	.	.	.	9	7	.	16
Farfantepenaeus duorarum	pink shrimp	598	36	795	.	.	68	1,497
Floridichthys carpio	goldspotted killifish	1	1	448	.	.	.	450
Fundulus grandis	gulf killifish	.	.	13	1	.	.	14
Fundulus similis	longnose killifish	.	.	83	.	1	.	84

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Scientific Name	Common Name	Gear and Strata						Totals
		21.3-m seine			183-m seine		6.1-m trawl	
		Veg	Unveg	Shore	Over	Nonover		
		E=63	E=39	E=59	E=24	E=12	E=48	E=245
Gobiesox strumosus	skilletfish	.	.	.	.	.	1	1
Gobiosoma longipala	twoscale goby	.	1	.	.	.	9	10
Gobiosoma robustum	code goby	188	13	130	.	.	35	366
Gobiosoma spp.	gobies	74	34	42	.	.	81	231
Gymnura micrura	smooth butterfly ray	.	.	.	1	.	2	3
Haemulon plumierii	white grunt	4	.	29	3	5	8	49
Harengula jaguana	scaled sardine	1,474	2	5,483	6	605	1	7,571
Hemicaranx amblyrhynchus	bluntnose jack	.	.	.	1	.	.	1
Hippocampus erectus	lined seahorse	.	.	.	1	.	10	11
Hippocampus zosterae	dwarf seahorse	17	.	4	.	.	2	23
Hypleurochilus caudovittatus	zebratail blenny	.	.	.	.	.	5	5
Hyporhamphus meeki	american halfbeak	7	2	10	.	.	.	19
Hyporhamphus spp.	halfbeaks	.	1	.	.	.	.	1
Hypsoblennius hentz	feather blenny	2	.	.	.	.	.	2
Lagodon rhomboides	pinfish	19,540	2,729	12,898	3,104	1,816	3,077	43,164
Leiostomus xanthurus	spot	3,690	3,105	8,013	39	31	8,629	23,507
Limulus polyphemus	horseshoe crab	.	.	1	2	.	3	6
Lucania parva	rainwater killifish	1,719	22	2,283	.	.	2	4,026
Lutjanus griseus	gray snapper	65	2	60	38	72	23	260
Lutjanus synagris	lane snapper	51	1	35	22	1	20	130
Membras martinica	rough silverside	.	.	39	.	.	.	39
Menidia spp.	menidia silversides	800	21	3,034	.	.	.	3,855
Menippe spp.	stone crab	.	1	.	.	1	255	257
Menticirrhus americanus	southern kingfish	.	.	.	.	.	4	4

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Scientific Name	Common Name	Gear and Strata						Totals
		21.3-m seine			183-m seine		6.1-m trawl	
		Veg	Unveg	Shore	Over	Nonover		
		E=63	E=39	E=59	E=24	E=12	E=48	E=245
Microgobius gulosus	clown goby	203	34	289	.	.	22	548
Microgobius thalassinus	green goby	.	.	.	.	.	12	12
Monacanthus ciliatus	fringed filefish	1	.	4	.	1	3	9
Mugil cephalus	striped mullet	14	.	1,333	26	18	.	1,391
Mugil curema	white mullet	.	.	.	10	31	.	41
Mugil gyrans	fantail mullet	2	.	5	8	10	.	25
Mycteroperca microlepis	gag	1	.	1	25	16	1	44
Nicholsina usta	emerald parrotfish	3	.	3	2	9	1	18
Ogcocephalus cubifrons	batfish	.	.	.	.	7	10	17
Oligoplites saurus	leatherjacket	18	12	44	5	2	.	81
Opisthonema oglinum	atlantic thread herring	171	2	744	.	272	2	1,191
Opsanus beta	gulf toadfish	3	.	7	2	1	28	41
Orthopristis chrysoptera	pigfish	153	.	60	275	69	270	827
Ostraciidae spp.	boxfish, trunkfish and cowfish	1	.	.	.	.	.	1
Paralichthys albigutta	gulf flounder	3	8	11	16	9	21	68
Poecilia latipinna	sailfin molly	.	.	1	.	.	.	1
Pogonias cromis	black drum	.	.	.	2	.	.	2
Portunus spp.	swimming crabs	1	1	4	1	1	168	176
Prionotus scitulus	leopard searobin	1	.	5	.	.	51	57
Prionotus tribulus	bighead searobin	1	1	5	1	.	17	25
Rhinoptera bonasus	cownose ray	.	.	.	2	7	.	9
Sardinella aurita	spanish sardine	5	.	1	.	.	.	6
Sarotherodon melanotheron	blackchin tilapia	.	.	.	2	.	.	2
Sciaenops ocellatus	red drum	.	3	33	13	2	1	52

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Scientific Name	Common Name	Gear and Strata						Totals
		21.3-m seine			183-m seine		6.1-m trawl	
		Veg	Unveg	Shore	Over	Nonover		
		E=63	E=39	E=59	E=24	E=12	E=48	E=245
Scomberomorus maculatus	spanish mackerel	.	.	.	1	3	.	4
Scorpaena brasiliensis	barbfish	.	.	.	.	.	4	4
Selene vomer	lookdown	.	.	.	2	18	.	20
Serraniculus pumilio	pygmy sea bass	.	.	.	.	.	1	1
Serranus subligarius	belted sandfish	.	.	.	.	.	3	3
Sicyonia laevigata	hardback	1	.	2	.	.	2	5
Sphoeroides nephelus	southern puffer	11	7	13	4	14	5	54
Sphyraena barracuda	great barracuda	2	.	1	9	11	.	23
Sphyrna tiburo	bonnethead	.	.	.	.	4	.	4
Stephanolepis hispidus	planehead filefish	11	.	85	7	7	16	126
Strongylura marina	atlantic needlefish	1	1	14	.	7	.	23
Strongylura notata	redfin needlefish	12	10	72	5	13	.	112
Strongylura spp.	needlefish	1	.	3	.	.	.	4
Symphurus plagiusa	blackcheek tonguefish	1	5	2	.	.	15	23
Syngnathus floridae	dusky pipefish	4	.	7	.	.	.	11
Syngnathus louisianae	chain pipefish	3	4	6	.	.	8	21
Syngnathus scovelli	gulf pipefish	124	10	84	.	.	8	226
Synodus foetens	inshore lizardfish	15	28	36	.	5	38	122
Trachinotus falcatus	permit	.	.	4	1	6	.	11
Urophycis floridana	southern hake	4	1	.	.	.	19	24
Totals		55,371	10,685	70,373	4,667	3,615	14,560	159,271

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Appendix D. Summary of species collected, by embayment, during Sarasota Bay stratified-random sampling, June 2009 to April 2010. Effort, or the total number of hauls, is labeled 'E'. Taxa are arranged alphabetically.

Scientific Name	Common Name	Bay (Zone)					Totals
		Palma Sola Bay (A)	Sarasota Bay (B)	Roberts Bay (C)	Little Sarasota Bay (D)	Blackburn Bay (E)	
		E=42	E=83	E=41	E=41	E=38	E=245
Acanthostracion quadricornis	scrawled cowfish	4	22	1	2	1	30
Achirus lineatus	lined sole	4	7	11	9	4	35
Anchoa cubana	cuban anchovy	.	101	3,147	2	54	3,304
Anchoa hepsetus	striped anchovy	.	.	200	.	1	201
Anchoa mitchilli	bay anchovy	1,000	20,727	6,405	11,639	578	40,349
Ancylopsetta quadrocellata	ocellated flounder	.	3	.	2	1	6
Archosargus probatocephalus	sheepshead	43	30	41	115	58	287
Argopecten spp.	bay scallops	1	.	1	5	2	9
Ariopsis felis	hardhead catfish	22	37	48	98	2	207
Astroscopus y-graecum	southern stargazer	.	1	.	.	.	1
Bairdiella chrysoura	silver perch	54	709	340	567	136	1,806
Brevoortia spp.	menhaden	7	.	18	.	1	26
Callinectes ornatus	shelligs	.	.	16	2	1	19
Callinectes sapidus	blue crab	20	15	28	87	4	154
Caranx hippos	crevalle jack	10	2	3	2	1	18
Caranx latus	horse-eye jack	.	.	1	.	.	1
Centropomus undecimalis	snook	12	42	15	37	27	133
Centropristis striata	black sea bass	.	1	3	.	3	7
Chaetodipterus faber	atlantic spadefish	4	.	8	4	.	16

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Scientific Name	Common Name	Bay (Zone)					Totals
		Palma Sola Bay (A)	Sarasota Bay (B)	Roberts Bay (C)	Little Sarasota Bay (D)	Blackburn Bay (E)	
		E=42	E=83	E=41	E=41	E=38	E=245
Chasmodes saburrae	florida blenny	2	18	1	1	1	23
Chilomycterus schoepfii	striped burrfish	10	41	10	1	8	70
Chloroscombrus chrysurus	atlantic bumper	.	1	.	.	.	1
Citharichthys macrops	spotted whiff	.	.	.	.	5	5
Ctenogobius boleosoma	darter goby	.	7	2	1	.	10
Cynoscion arenarius	sand seatrout	.	3	.	.	.	3
Cynoscion nebulosus	spotted seatrout	33	32	38	42	4	149
Cyprinodon variegatus	sheepshead minnow	188	16	.	.	.	204
Dasyatis americana	southern stingray	.	2	.	1	.	3
Dasyatis sabina	atlantic stingray	1	.	4	.	.	5
Dasyatis say	bluntnose stingray	1	.	.	.	.	1
Diplectrum formosum	sand perch	.	3	.	.	.	3
Diplodus holbrookii	spottail pinfish	.	38	6	.	3	47
Elops saurus	ladyfish	57	21	14	6	1	99
Epinephelus morio	red grouper	.	.	.	.	1	1
Etropus crossotus	fringed flounder	2	5	.	1	1	9
Eucinostomus gula	silver jenny	153	643	1,154	388	513	2,851
Eucinostomus harengulus	tidewater mojarra	63	149	314	80	121	727
Eucinostomus spp.	eucinostomus mojarra	1,236	3,542	6,872	2,594	3,140	17,384
Eugerres plumieri	striped mojarra	3	1	7	5	.	16
Farfantepenaeus duorarum	pink shrimp	110	300	166	603	318	1,497
Floridichthys carpio	goldspotted killifish	383	21	1	21	24	450
Fundulus grandis	gulf killifish	.	8	.	4	2	14
Fundulus similis	longnose killifish	24	29	.	31	.	84

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Scientific Name	Common Name	Bay (Zone)					Totals
		Palma Sola Bay (A)	Sarasota Bay (B)	Roberts Bay (C)	Little Sarasota Bay (D)	Blackburn Bay (E)	
		E=42	E=83	E=41	E=41	E=38	E=245
Gobiesox strumosus	skilletfish	.	.	.	.	1	1
Gobiosoma longipala	twoscale goby	1	3	3	.	3	10
Gobiosoma robustum	code goby	118	50	26	94	78	366
Gobiosoma spp.	gobies	16	35	69	88	23	231
Gymnura micrura	smooth butterfly ray	.	.	.	2	1	3
Haemulon plumierii	white grunt	.	14	25	4	6	49
Harengula jaguana	scaled sardine	205	1,155	4,341	550	1,320	7,571
Hemicaranx amblyrhynchus	bluntnose jack	.	.	.	1	.	1
Hippocampus erectus	lined seahorse	1	8	.	.	2	11
Hippocampus zosterae	dwarf seahorse	7	7	2	5	2	23
Hypleurochilus caudovittatus	zebratail blenny	.	4	.	1	.	5
Hyporhamphus meeki	american halfbeak	4	9	1	3	2	19
Hyporhamphus spp.	halfbeaks	1	.	.	.	.	1
Hypsoblennius hentz	feather blenny	.	2	.	.	.	2
Lagodon rhomboides	pinfish	6,612	12,210	7,394	9,790	7,158	43,164
Leiostomus xanthurus	spot	1,937	2,522	8,762	6,318	3,968	23,507
Limulus polyphemus	horseshoe crab	5	1	.	.	.	6
Lucania parva	rainwater killifish	2,084	1,225	349	249	119	4,026
Lutjanus griseus	gray snapper	3	86	36	54	81	260
Lutjanus synagris	lane snapper	4	73	26	4	23	130
Membras martinica	rough silverside	.	4	34	1	.	39
Menidia spp.	menidia silversides	357	276	561	1,131	1,530	3,855
Menippe spp.	stone crab	34	197	2	11	13	257
Menticirrhus americanus	southern kingfish	1	1	1	1	.	4

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Scientific Name	Common Name	Bay (Zone)					Totals
		Palma Sola Bay (A)	Sarasota Bay (B)	Roberts Bay (C)	Little Sarasota Bay (D)	Blackburn Bay (E)	
		E=42	E=83	E=41	E=41	E=38	E=245
Microgobius gulosus	clown goby	161	20	90	257	20	548
Microgobius thalassinus	green goby	.	.	.	12	.	12
Monacanthus ciliatus	fringed filefish	.	7	.	.	2	9
Mugil cephalus	striped mullet	407	63	10	9	902	1,391
Mugil curema	white mullet	15	20	6	.	.	41
Mugil gyrans	fantail mullet	9	9	1	4	2	25
Mycteroperca microlepis	gag	.	34	.	1	9	44
Nicholsina usta	emerald parrotfish	2	14	.	1	1	18
Ogcocephalus cubifrons	batfish	.	15	2	.	.	17
Oligoplites saurus	leatherjacket	27	26	13	12	3	81
Opisthonema oglinum	atlantic thread herring	4	275	841	69	2	1,191
Opsanus beta	gulf toadfish	13	8	12	3	5	41
Orthopristis chrysoptera	pigfish	55	287	92	263	130	827
Ostraciidae spp.	boxfish, trunkfish and cowfish	1	.	.	.	.	1
Paralichthys albigutta	gulf flounder	9	21	18	9	11	68
Poecilia latipinna	sailfin molly	1	.	.	.	.	1
Pogonias cromis	black drum	.	.	1	1	.	2
Portunus spp.	swimming crabs	43	35	57	18	23	176
Prionotus scitulus	leopard searobin	6	33	8	2	8	57
Prionotus tribulus	bighead searobin	8	3	4	7	3	25
Rhinoptera bonasus	cownose ray	.	.	7	2	.	9
Sardinella aurita	spanish sardine	5	1	.	.	.	6
Sarotherodon melanotheron	blackchin tilapia	1	1	.	.	.	2
Sciaenops ocellatus	red drum	13	22	5	8	4	52

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Scientific Name	Common Name	Bay (Zone)					Totals
		Palma Sola Bay (A)	Sarasota Bay (B)	Roberts Bay (C)	Little Sarasota Bay (D)	Blackburn Bay (E)	
		E=42	E=83	E=41	E=41	E=38	E=245
Scomberomorus maculatus	spanish mackerel	1	3	.	.	.	4
Scorpaena brasiliensis	barbfish	.	3	1	.	.	4
Selene vomer	lookdown	.	19	1	.	.	20
Serraniculus pumilio	pygmy sea bass	.	1	.	.	.	1
Serranus subligarius	belted sandfish	.	3	.	.	.	3
Sicyonia laevigata	hardback	.	2	.	.	3	5
Sphoeroides nephelus	southern puffer	14	23	7	5	5	54
Sphyraena barracuda	great barracuda	.	15	.	5	3	23
Sphyrna tiburo	bonnethead	.	4	.	.	.	4
Stephanolepis hispidus	planehead filefish	8	103	4	6	5	126
Strongylura marina	atlantic needlefish	6	14	2	.	1	23
Strongylura notata	redfin needlefish	13	43	10	21	25	112
Strongylura spp.	needlefish	.	2	.	2	.	4
Symphurus plagiusa	blackcheek tonguefish	2	1	9	6	5	23
Syngnathus floridae	dusky pipefish	.	7	2	.	2	11
Syngnathus louisianae	chain pipefish	2	9	3	1	6	21
Syngnathus scovelli	gulf pipefish	50	67	21	62	26	226
Synodus foetens	inshore lizardfish	5	30	33	30	24	122
Trachinotus falcatus	permit	.	6	4	.	1	11
Urophycis floridana	southern hake	1	17	6	.	.	24
Totals		15,719	45,725	41,777	35,473	20,577	159,271

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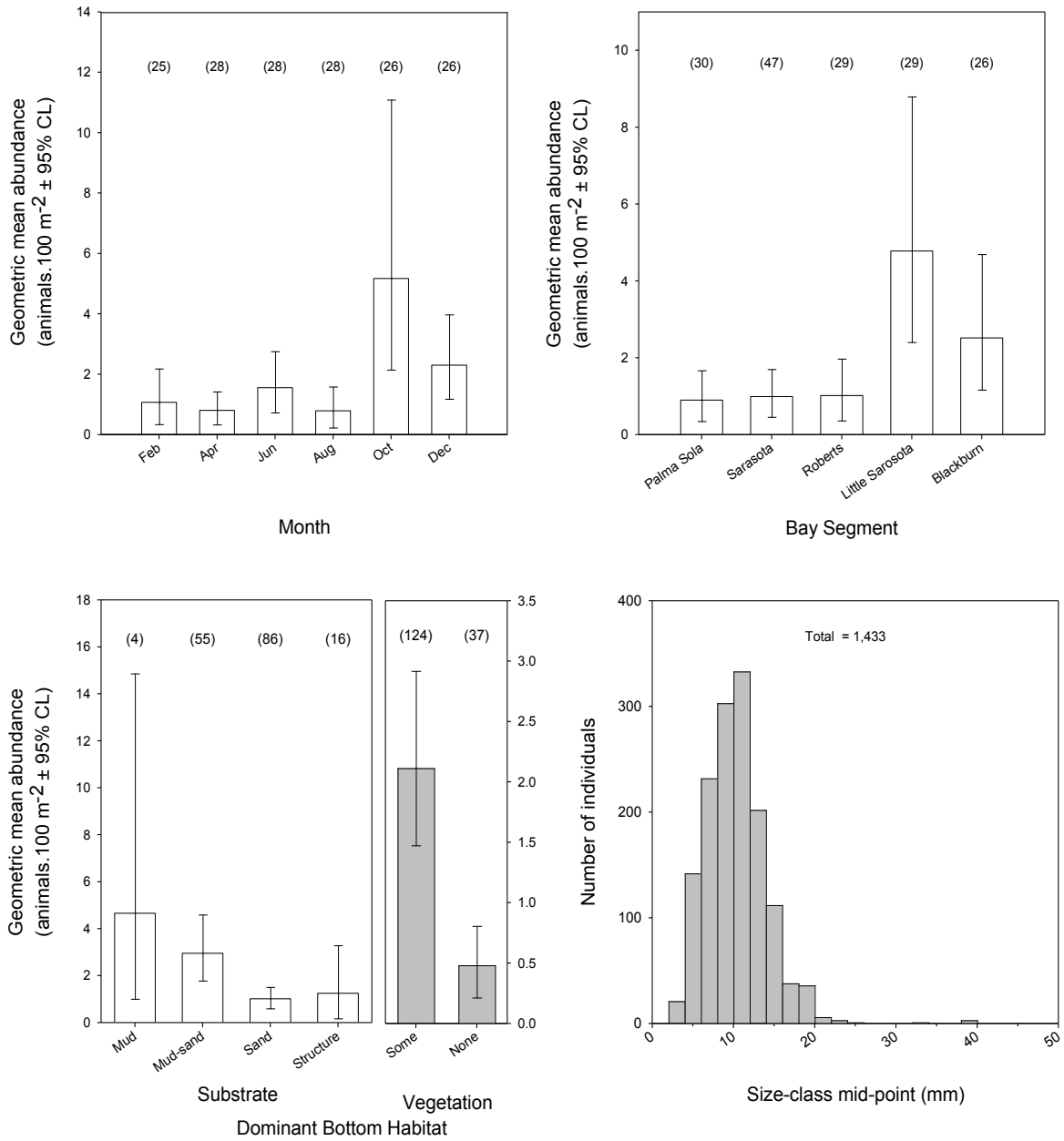
Appendix E. Catch overview plots for dominant taxa (≥40 animals collected and ≥10 occurrence in a gear type) collected with 21.3-m seines. Taxa are arranged phylogenetically.

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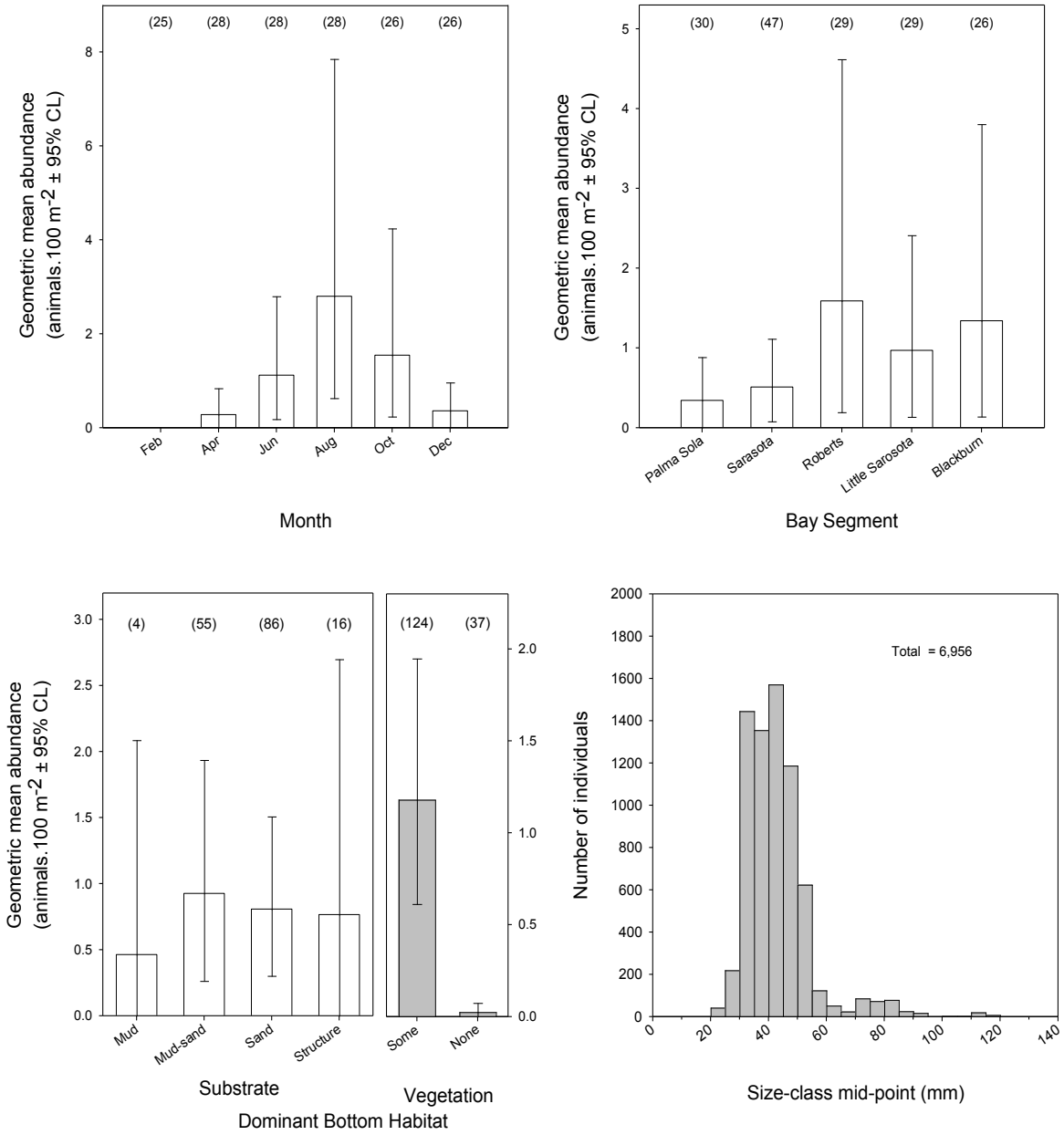
Farfantepenaeus duorarum (pink shrimp)
21.3-m seine



Appendix E Figure 1. Relative abundance and length-frequency distribution of pink shrimp collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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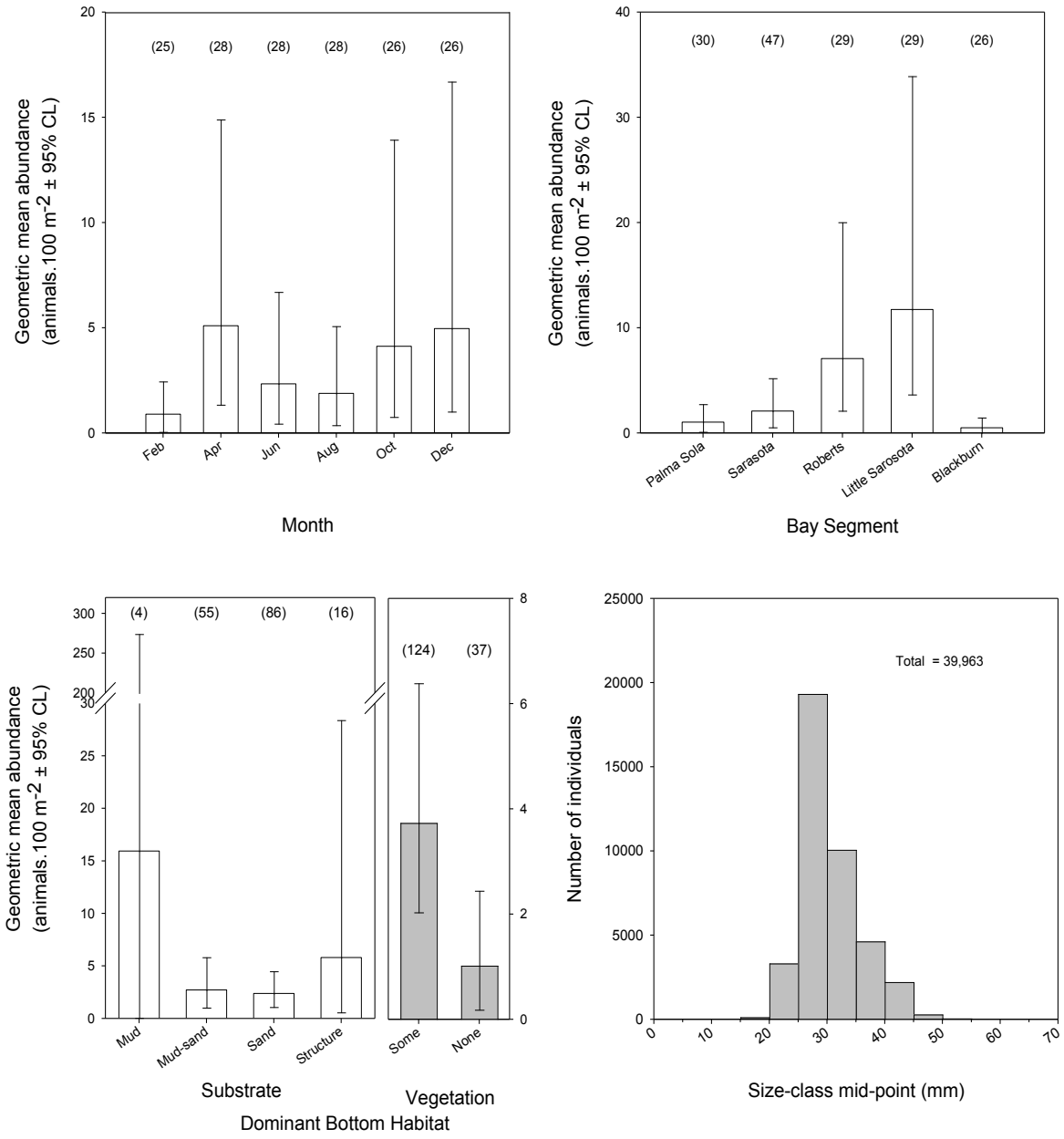
Harengula jaguana (scaled sardine)
21.3-m seine



Appendix E Figure 2. Relative abundance and length-frequency distribution of scaled sardine collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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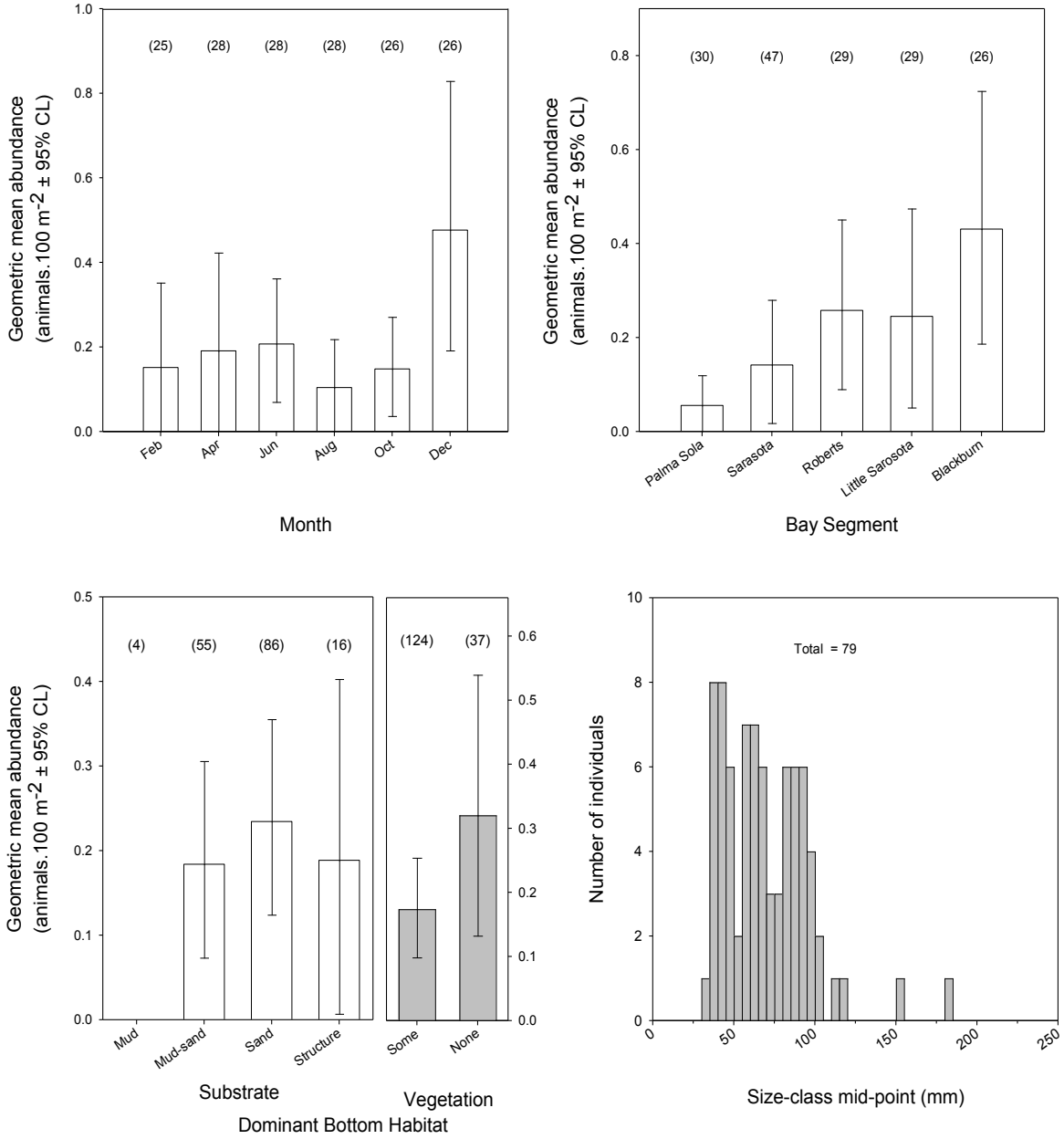
Anchoa mitchilli (bay anchovy)
21.3-m seine



Appendix E Figure 3. Relative abundance and length-frequency distribution of bay anchovy collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
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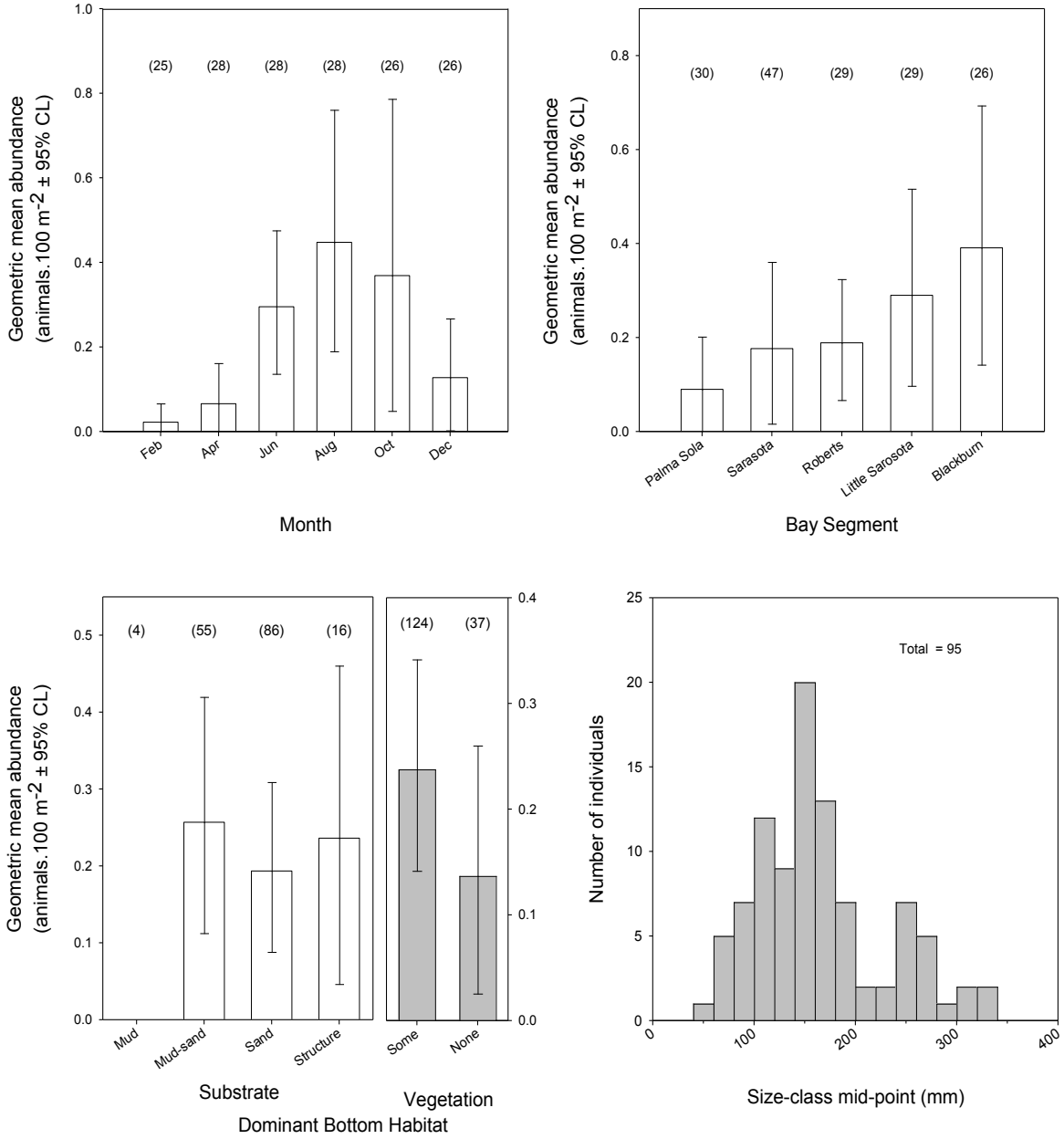
Synodus foetens (inshore lizardfish)
21.3-m seine



Appendix E Figure 4. Relative abundance and length-frequency distribution of inshore lizardfish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Strongylura notata (redfin needlefish)
21.3-m seine

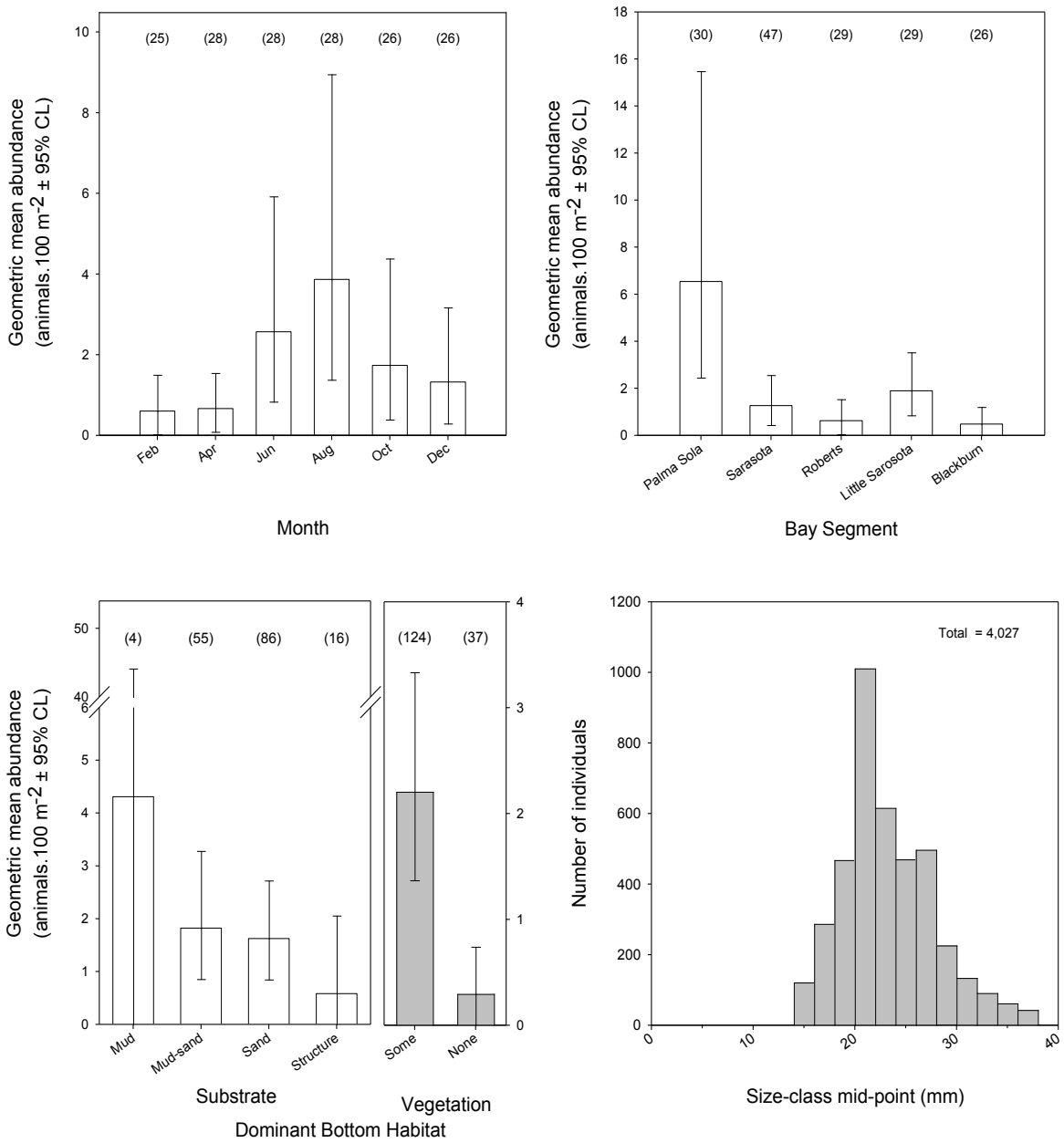


Appendix E Figure 5. Relative abundance and length-frequency distribution of redfin needlefish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-000384

Lucania parva (rainwater killifish)

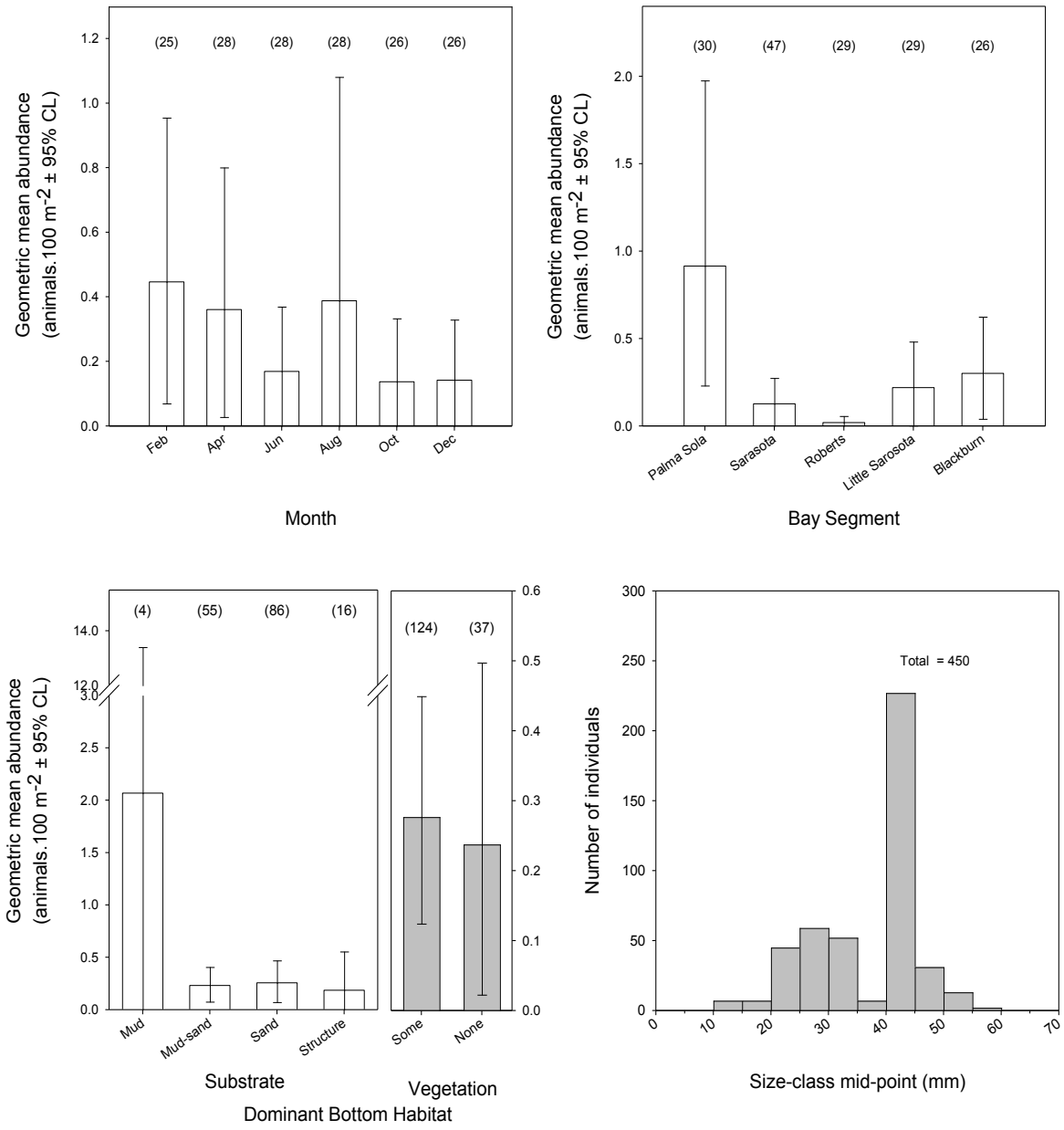
21.3-m seine



Appendix E Figure 6. Relative abundance and length-frequency distribution of rainwater killifish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT

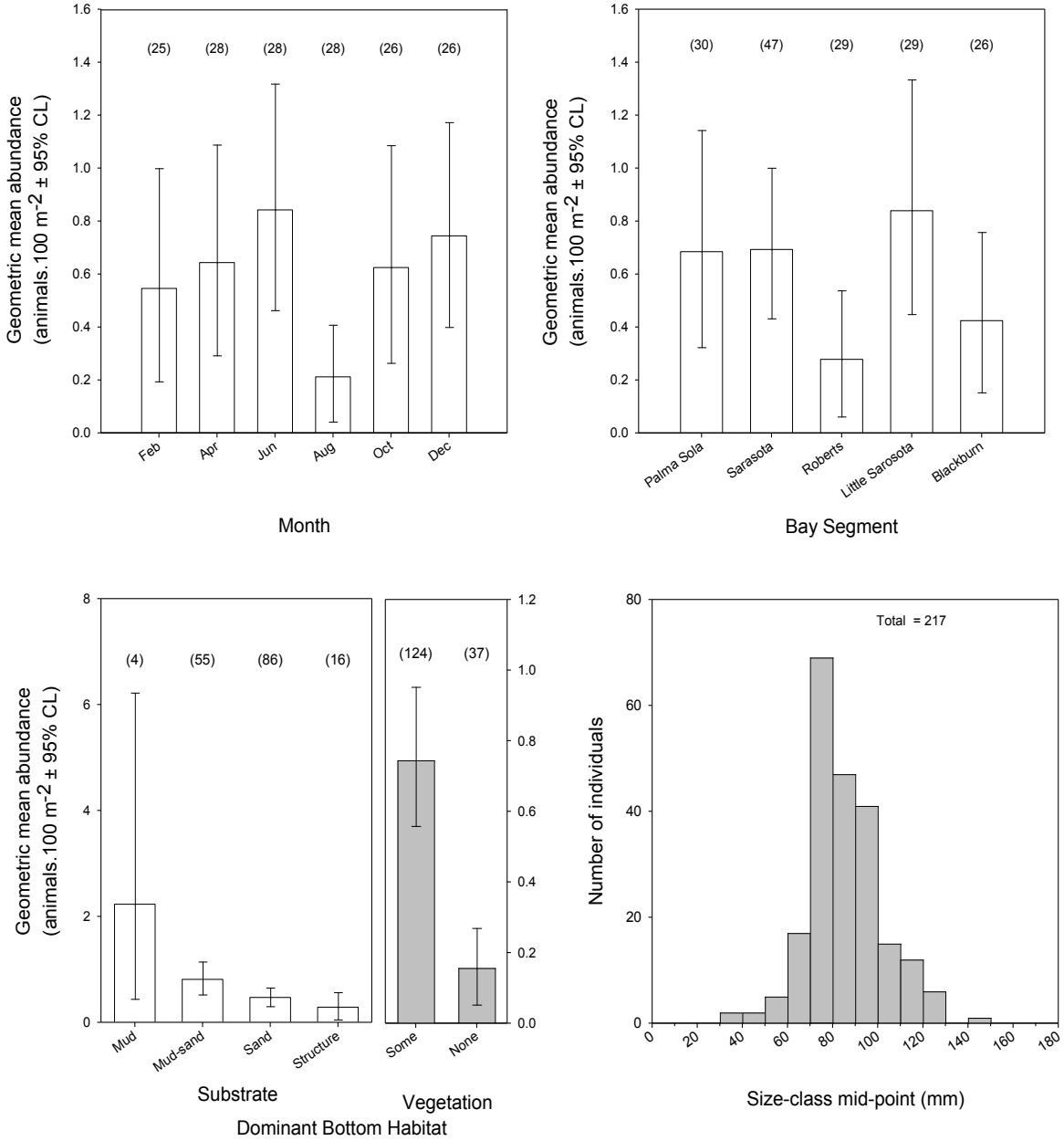
Floridichthys carpio (goldspotted killifish)
21.3-m seine



Appendix E Figure 7. Relative abundance and length-frequency distribution of goldspotted killifish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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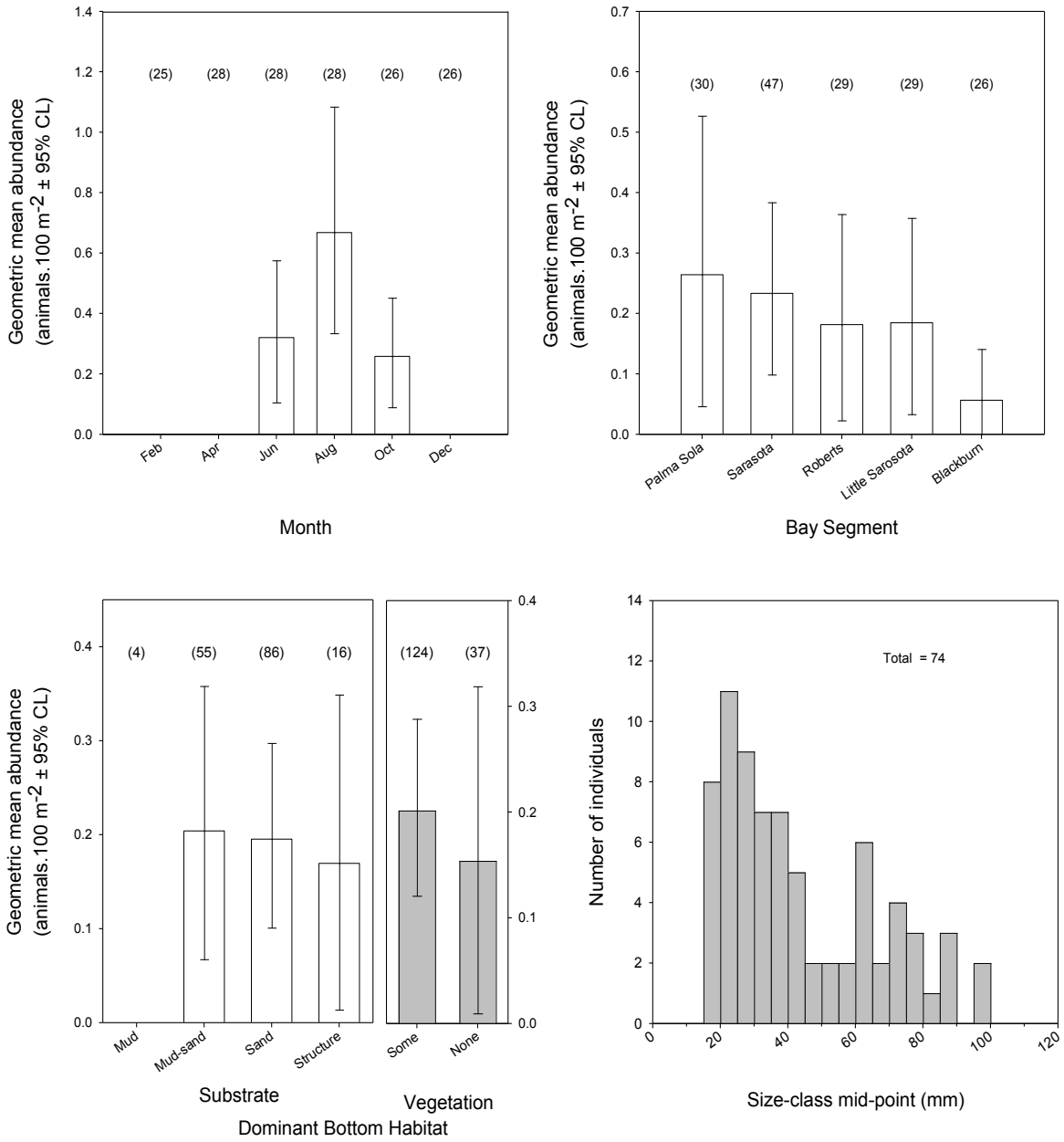
Syngnathus scovelli (gulf pipefish)
21.3-m seine



Appendix E Figure 8. Relative abundance and length-frequency distribution of gulf pipefish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
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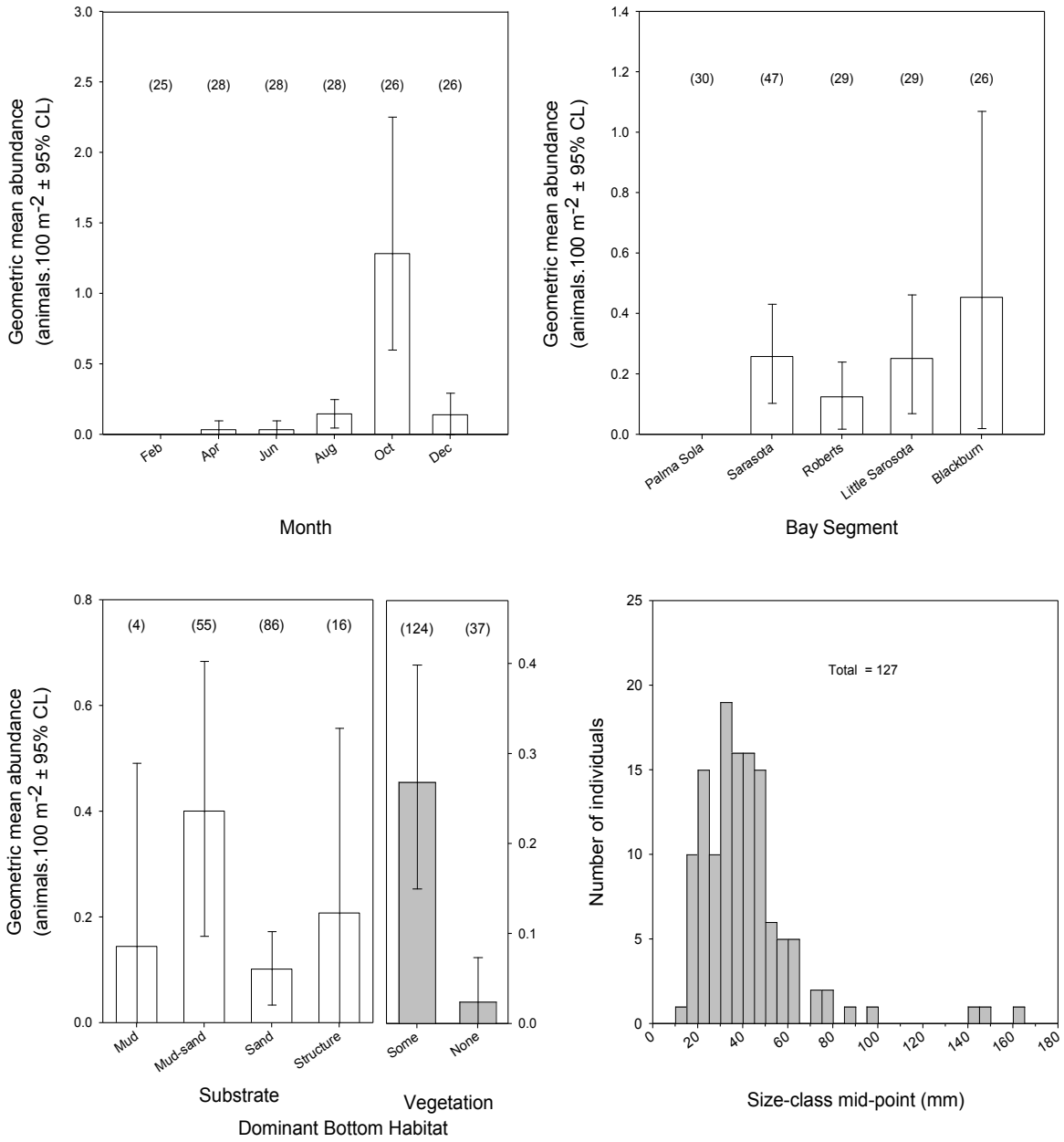
Oligoplites saurus (leatherjack)
21.3-m seine



Appendix E Figure 9. Relative abundance and length-frequency distribution of leatherjack collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lutjanus griseus (gray snapper)
21.3-m seine

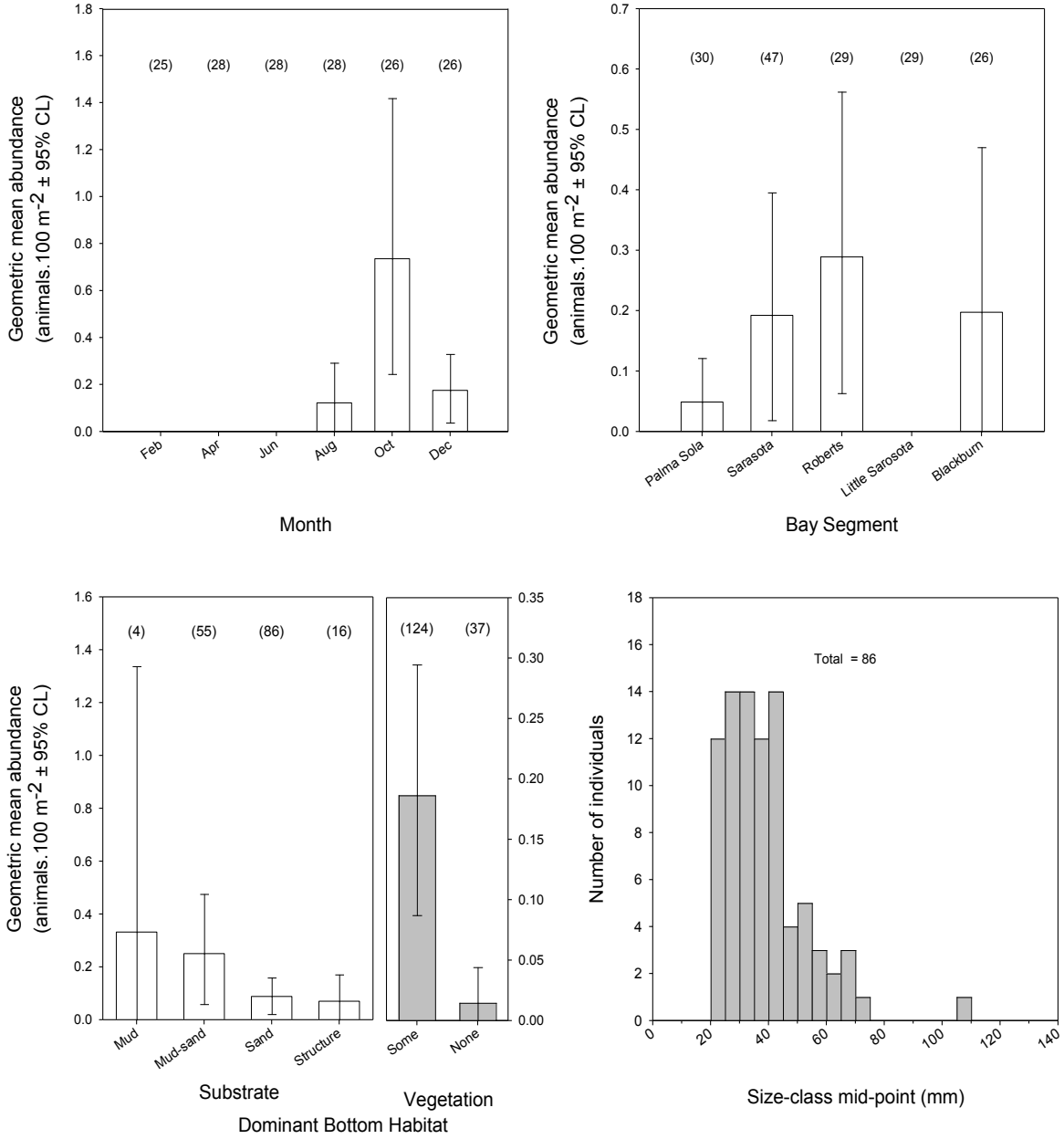


Appendix E Figure 10. Relative abundance and length-frequency distribution of gray snapper collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lutjanus synagris (lane snapper)

21.3-m seine

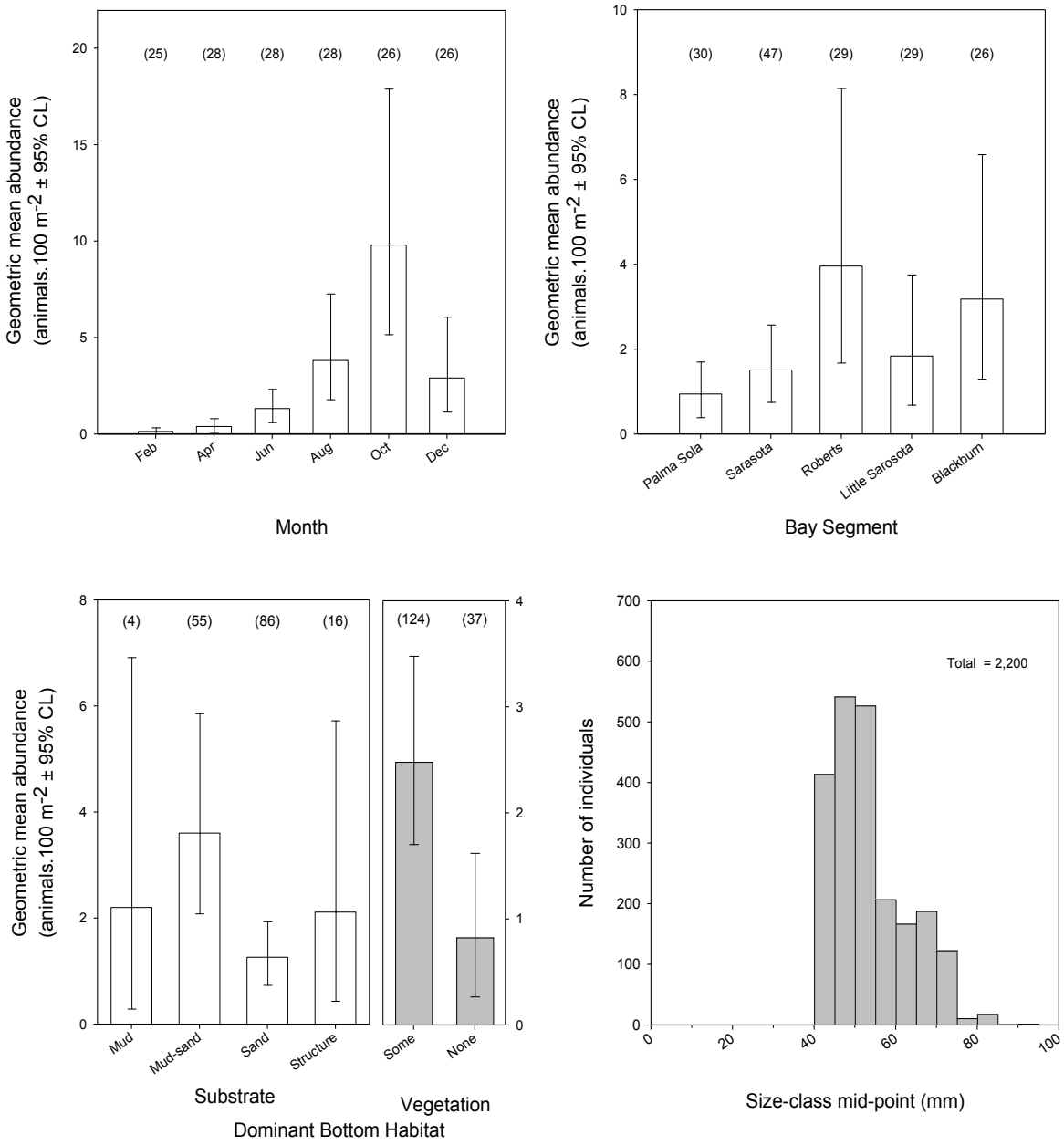


Appendix E Figure 11. Relative abundance and length-frequency distribution of lane snapper collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Eucinostomus gula (silver jenny)

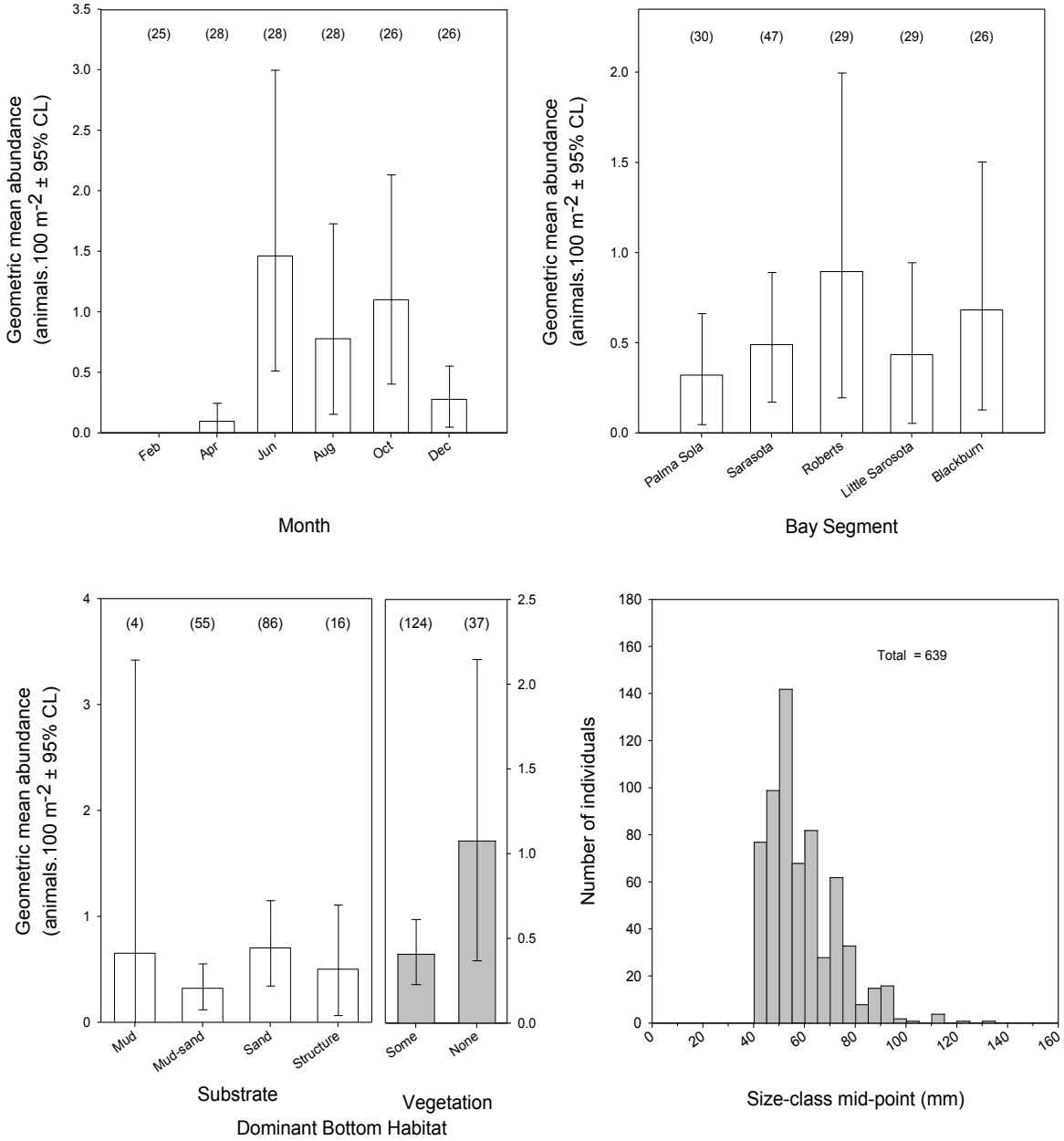
21.3-m seine



Appendix E Figure 12. Relative abundance and length-frequency distribution of silver jenny collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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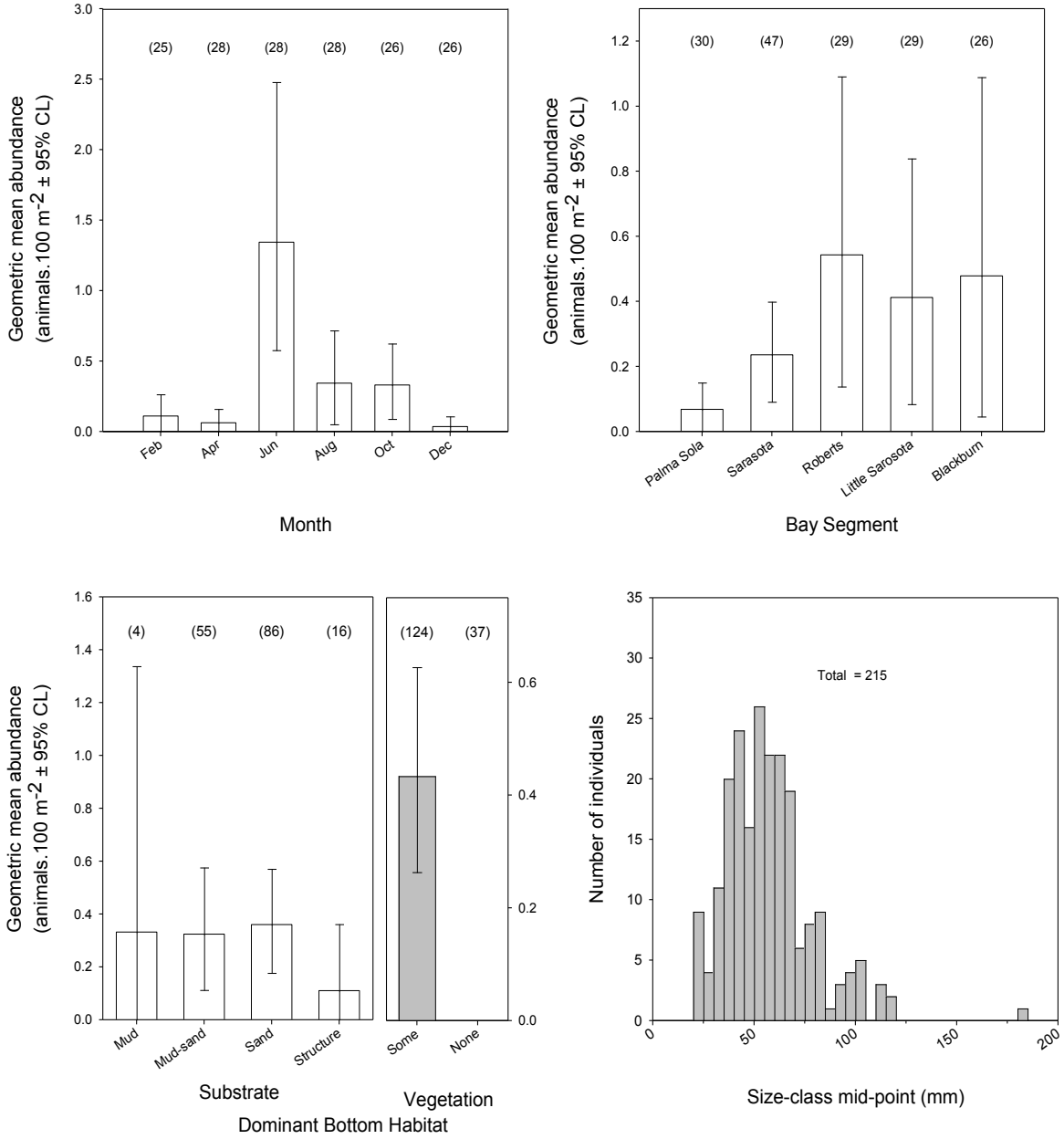
Eucinostomus harengulus (tidewater mojarra)
21.3-m seine



Appendix E Figure 13. Relative abundance and length-frequency distribution of tidewater mojarra collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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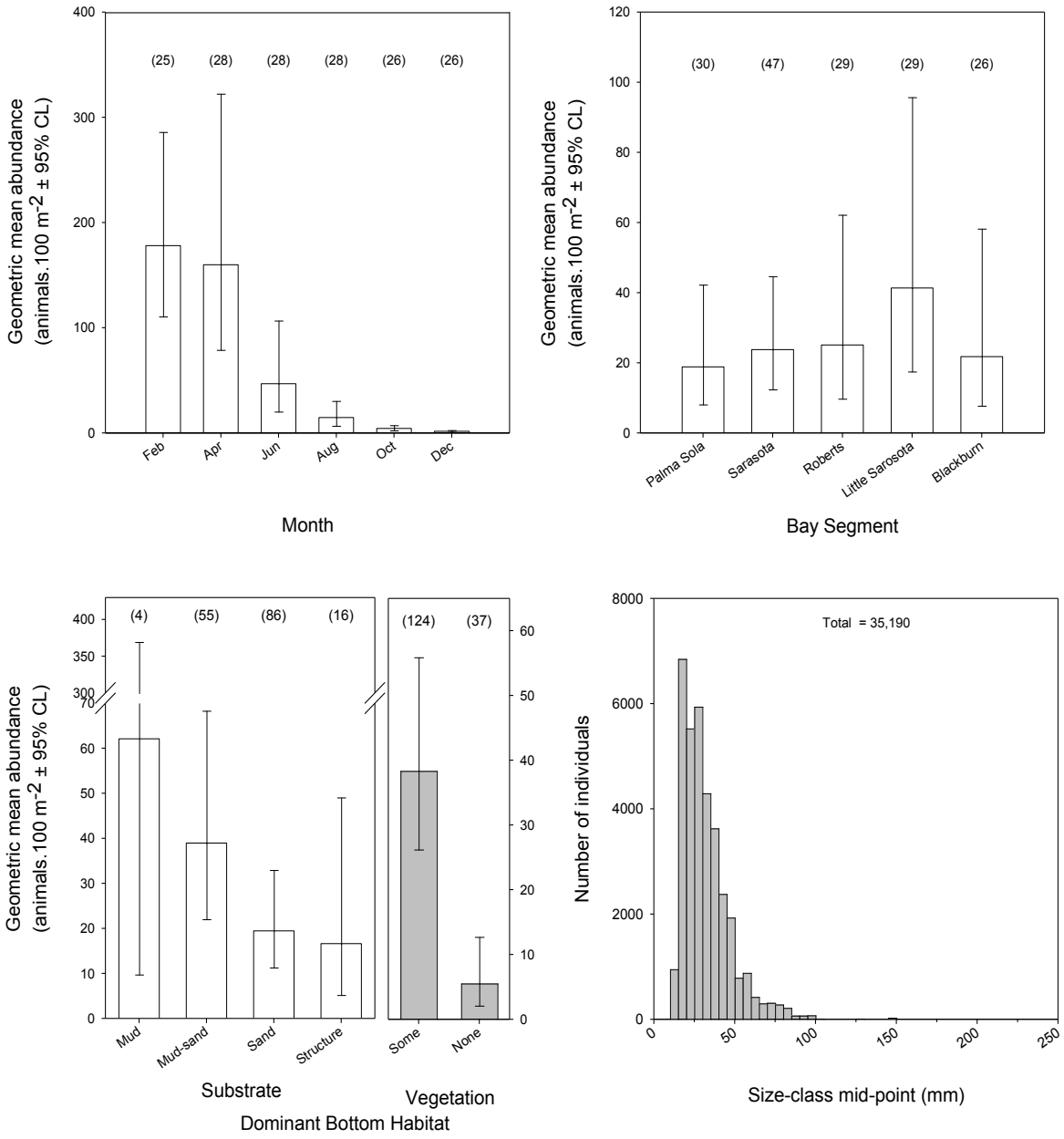
Orthopristis chrysoptera (pigfish)
21.3-m seine



Appendix E Figure 14. Relative abundance and length-frequency distribution of pigfish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
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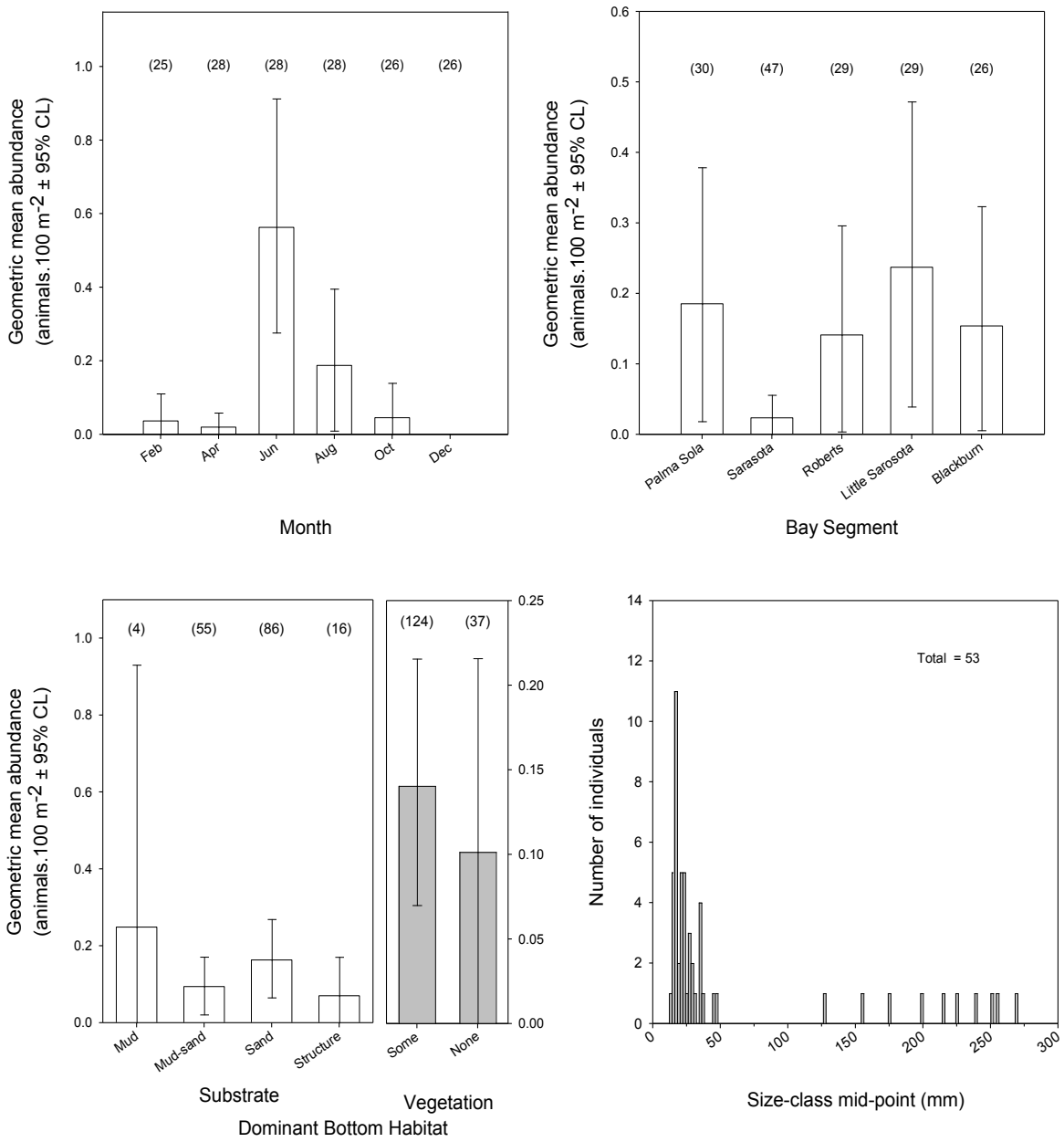
Lagodon rhomboides (pinfish)
21.3-m seine



Appendix E Figure 15. Relative abundance and length-frequency distribution of pinfish collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
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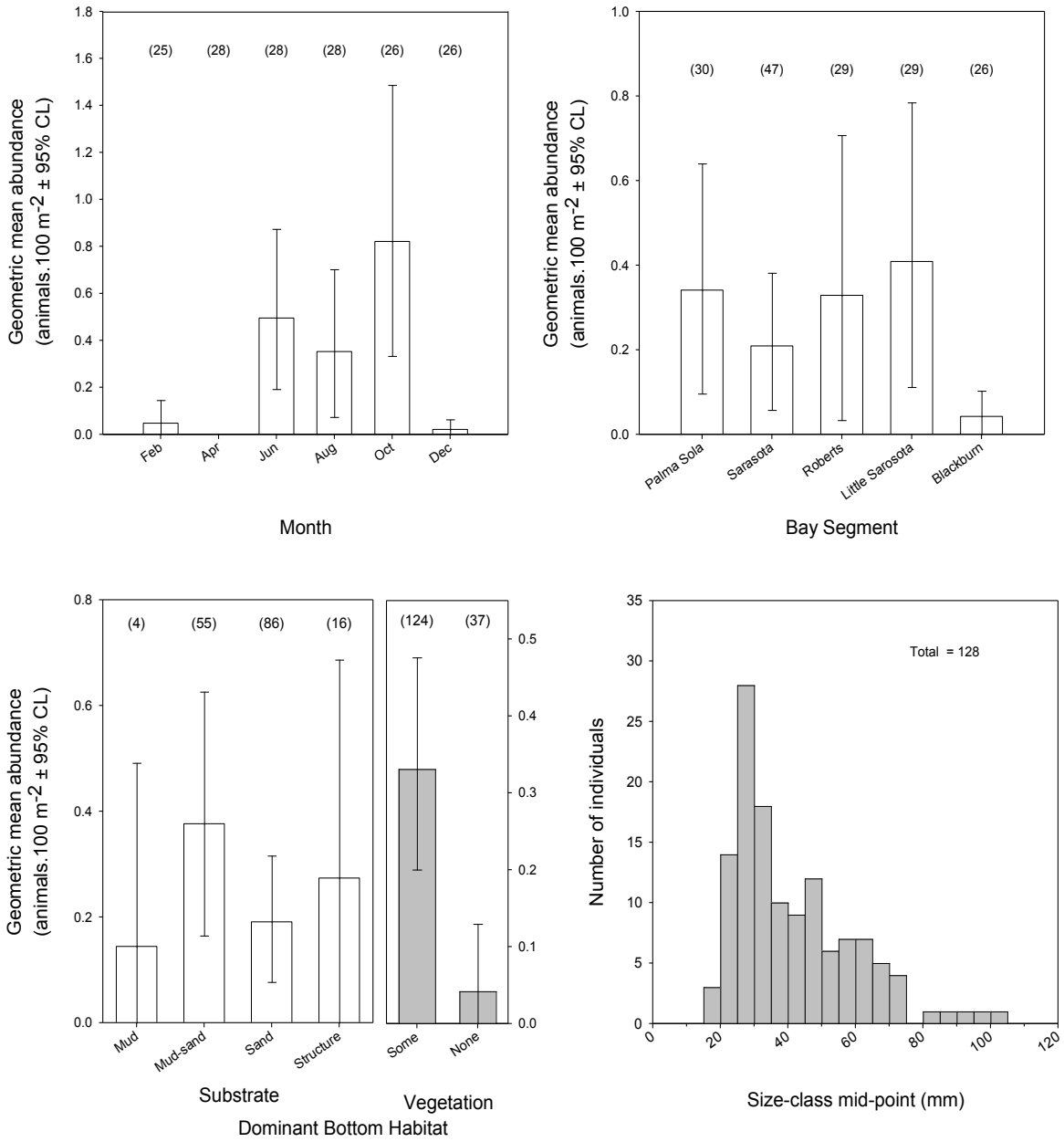
Archosargus probatocephalus (sheepshead)
21.3-m seine



Appendix E Figure 16. Relative abundance and length-frequency distribution of sheepshead collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Cynoscion nebulosus (spotted seatrout)
21.3-m seine

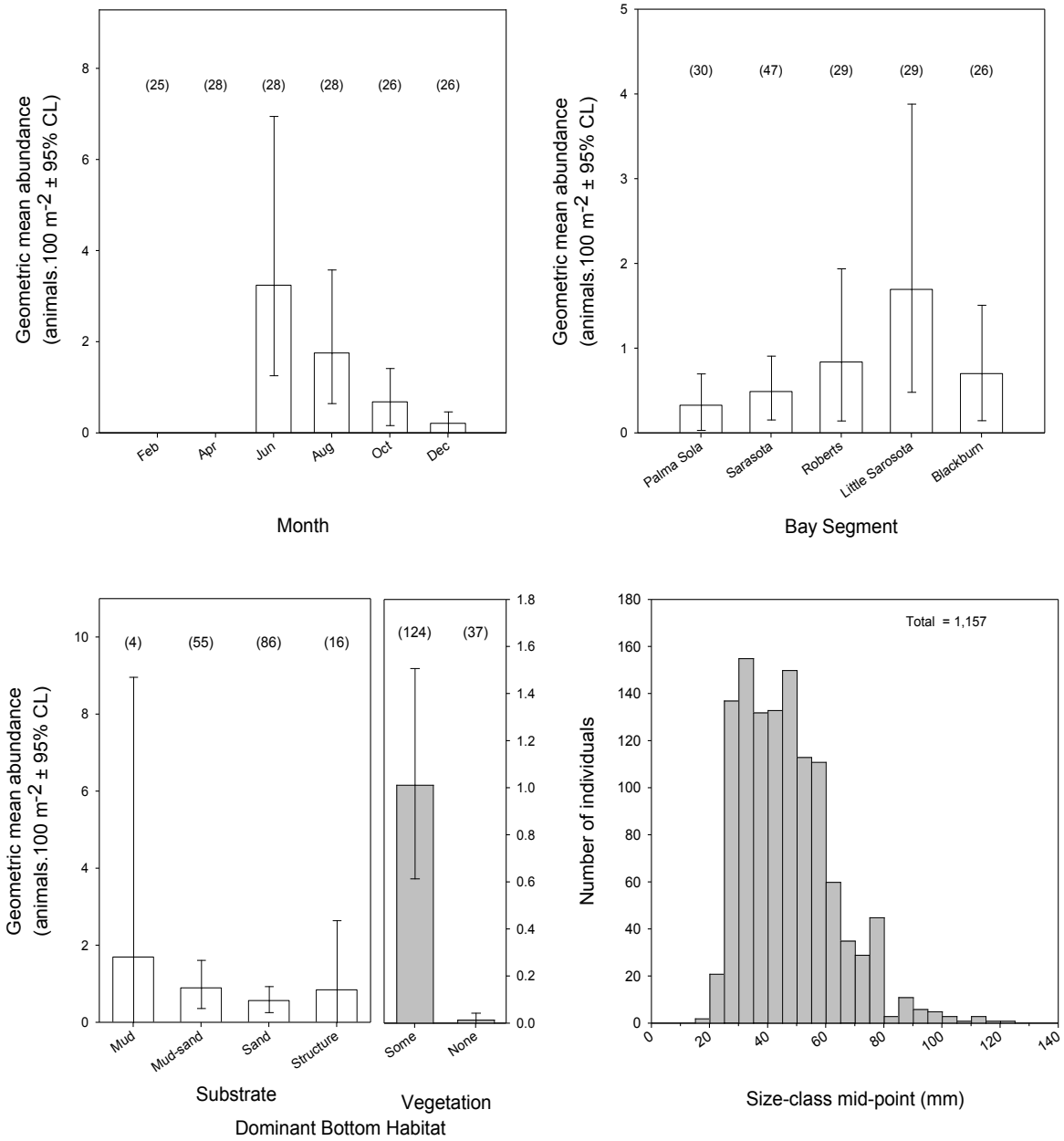


Appendix E Figure 17. Relative abundance and length-frequency distribution of spotted seatrout collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Bairdiella chrysoura (silver perch)

21.3-m seine

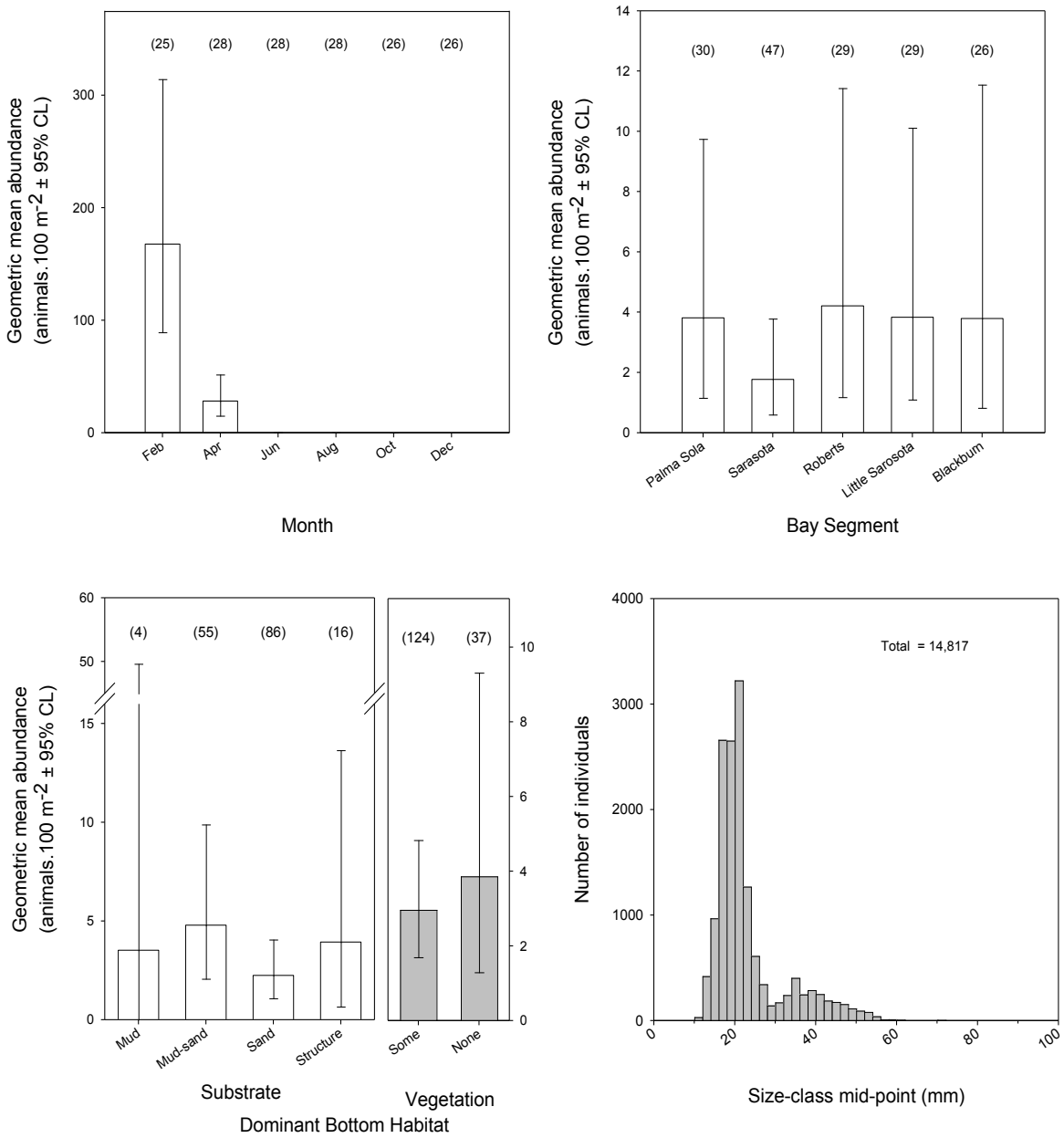


Appendix E Figure 18. Relative abundance and length-frequency distribution of silver perch collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Leiostomus xanthurus (spot)

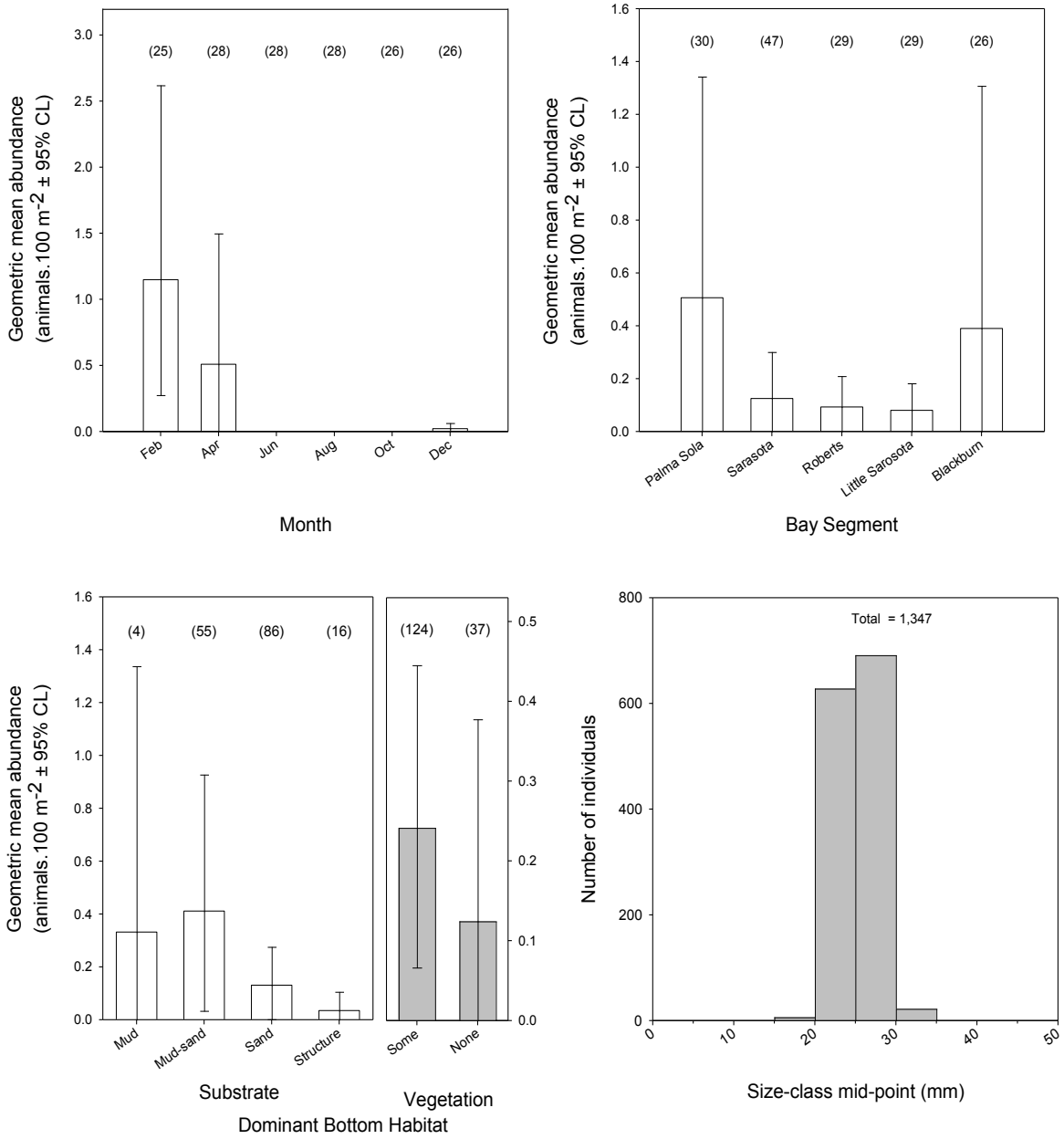
21.3-m seine



Appendix E Figure 19. Relative abundance and length-frequency distribution of spot collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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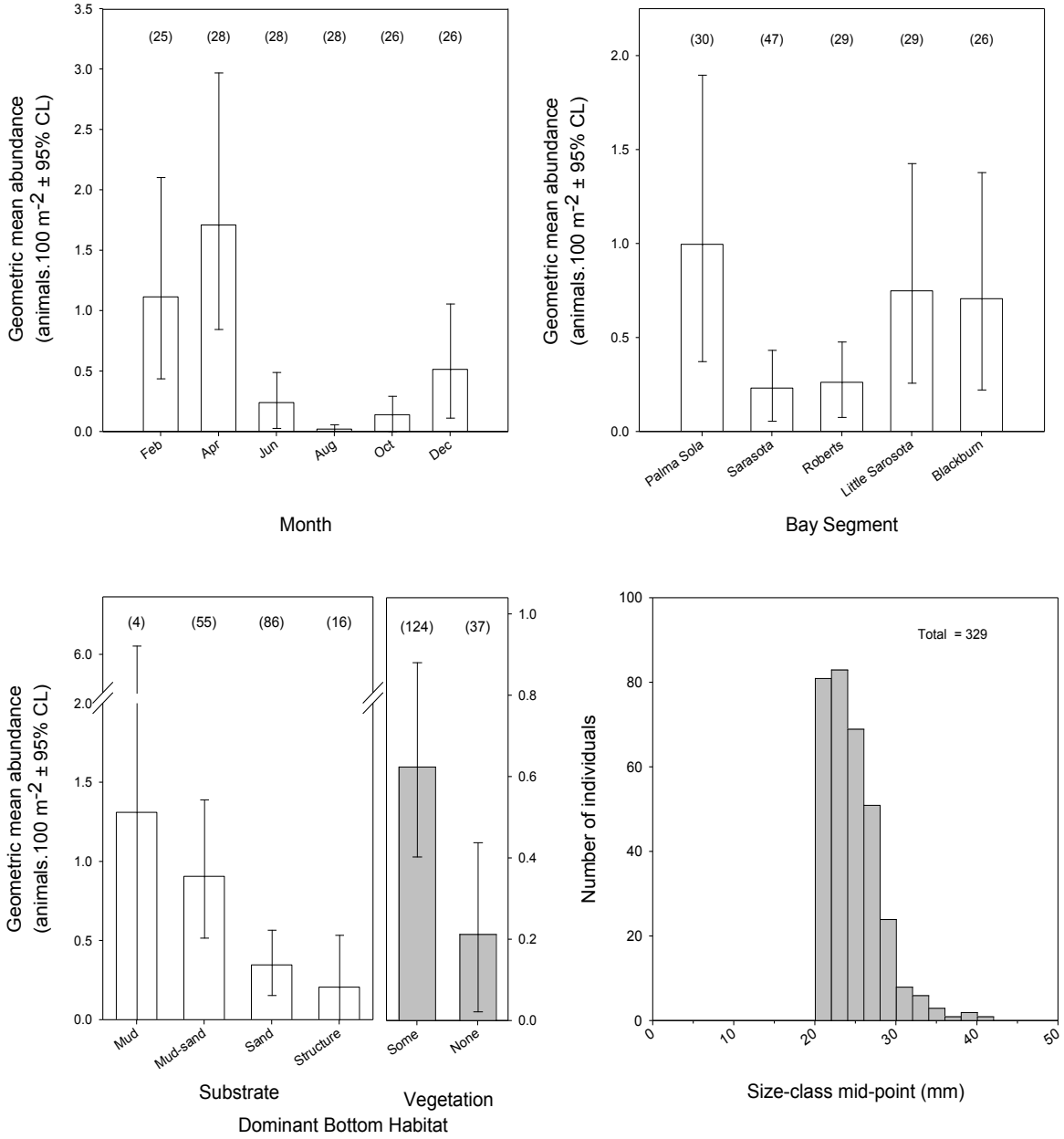
Mugil cephalus (striped mullet)
21.3-m seine



Appendix E Figure 20. Relative abundance and length-frequency distribution of striped mullet collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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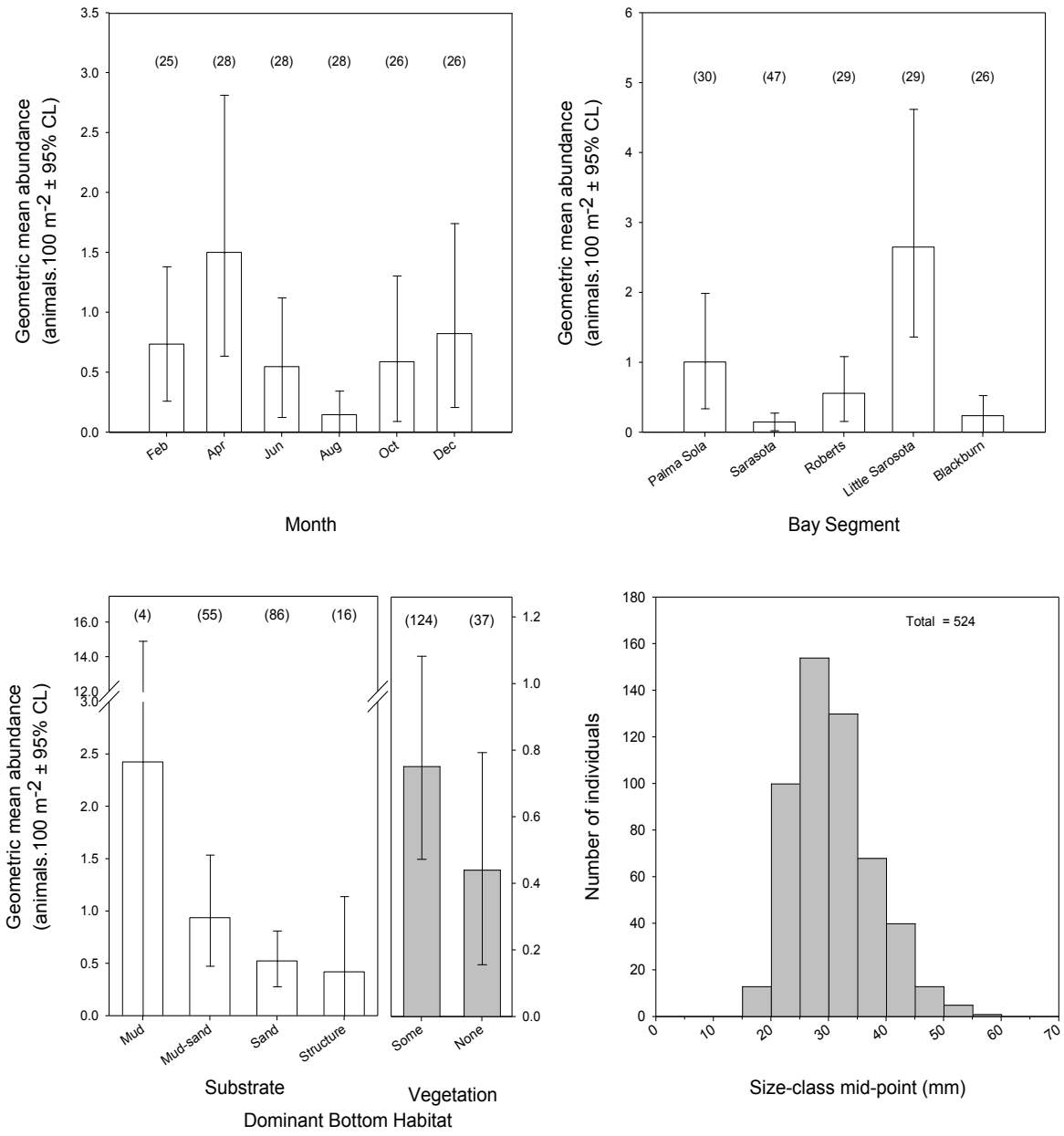
Gobiosoma robustum (code goby)
21.3-m seine



Appendix E Figure 21. Relative abundance and length-frequency distribution of code goby collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Microgobius gulosus (clown goby)
21.3-m seine



Appendix E Figure 22. Relative abundance and length-frequency distribution of clown goby collected with 21.3-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
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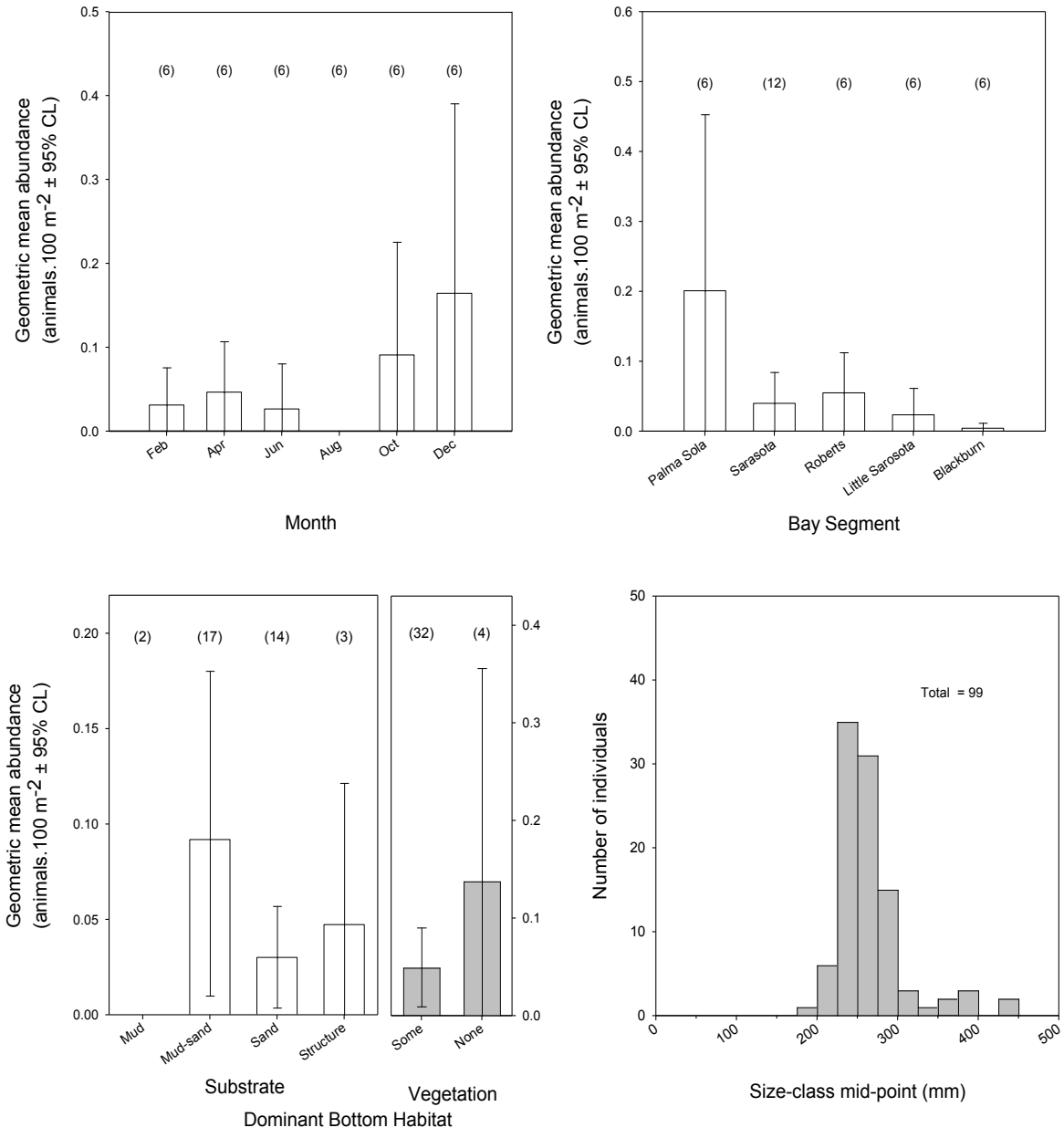
Appendix F. Species overview plots for dominant taxa (≥40 animals collected and ≥10 occurrence in a gear type) collected with183-m seines. Taxa are arranged phylogenetically.

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AMERICAN OVERSIGHT

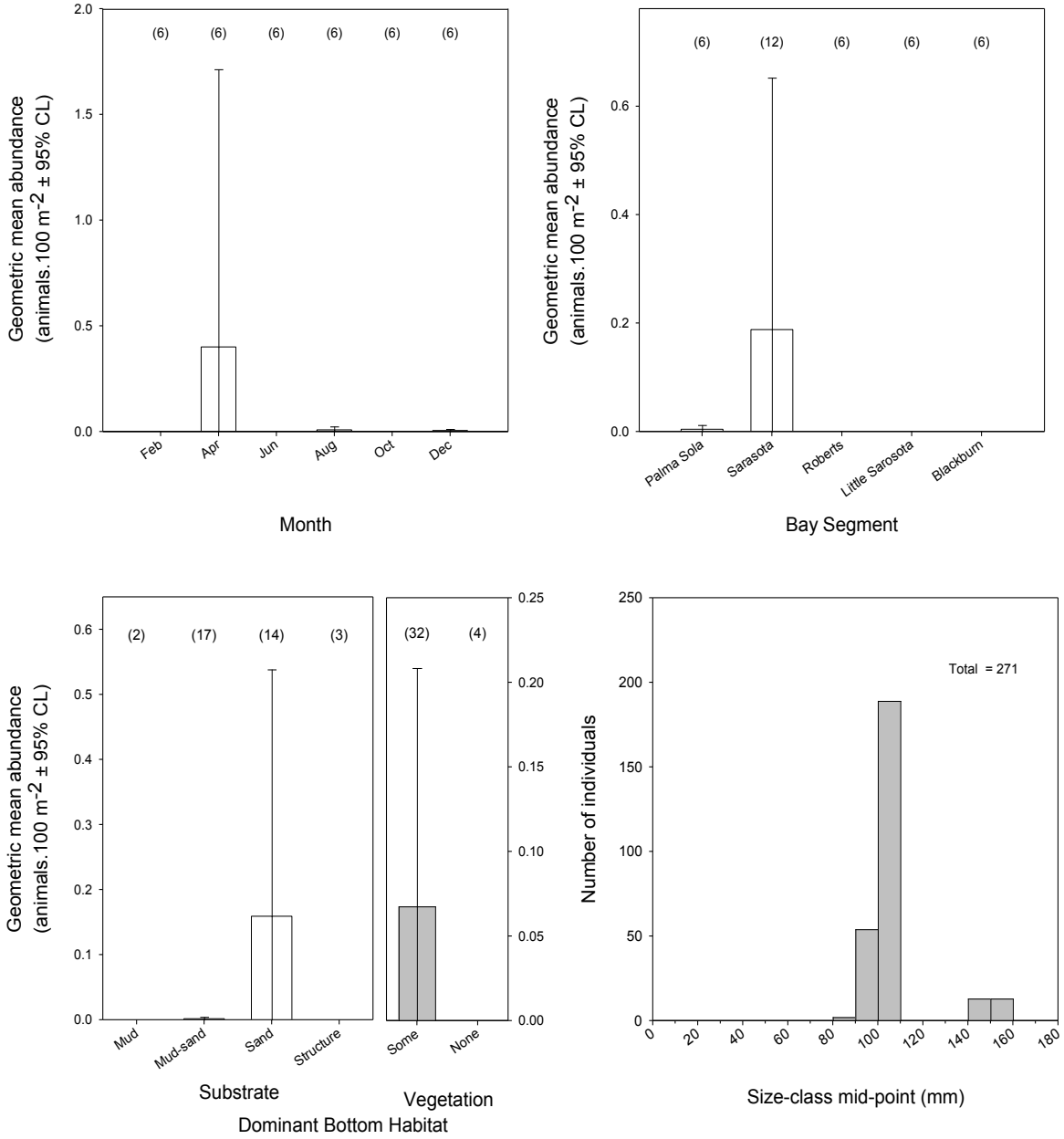
Elops saurus (ladyfish)
183-m seine



Appendix F Figure 1. Relative abundance and length-frequency distribution of ladyfish collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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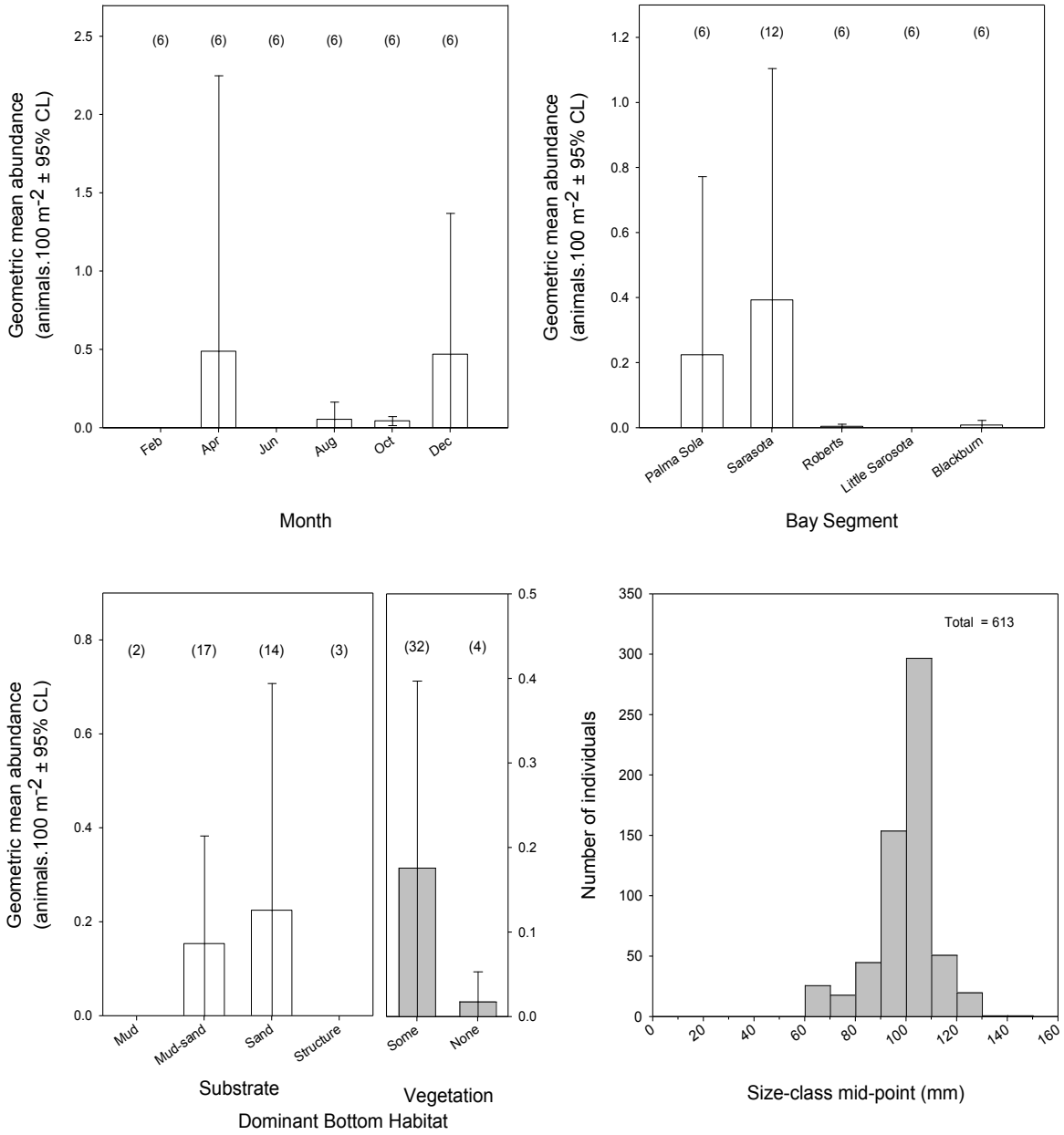
Opisthonema oglinum (atlantic thread herring)
183-m seine



Appendix F Figure 2. Relative abundance and length-frequency distribution of atlantic thread herring collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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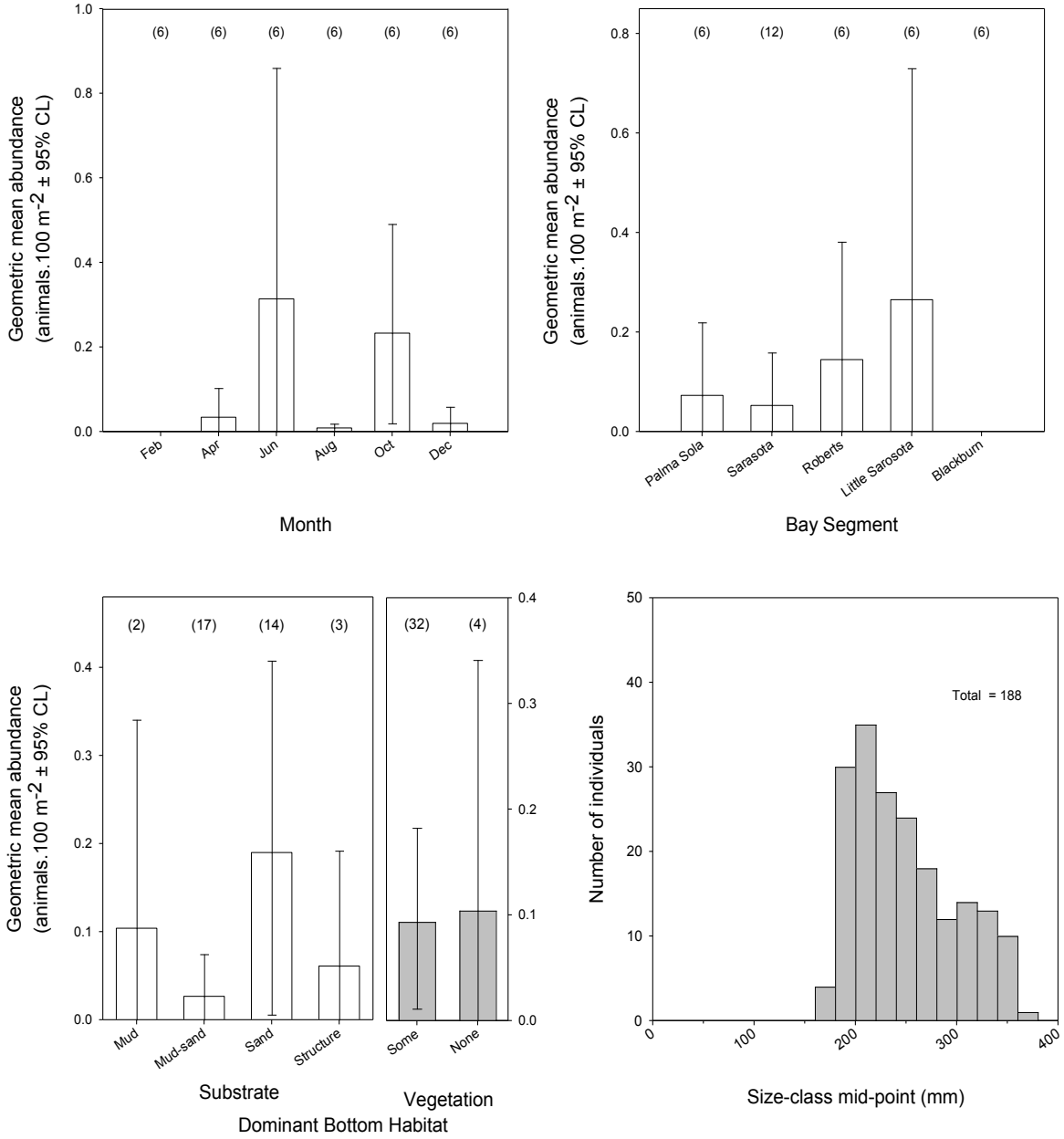
Harengula jaguana (scaled sardine)
183-m seine



Appendix F Figure 3. Relative abundance and length-frequency distribution of scaled sardine collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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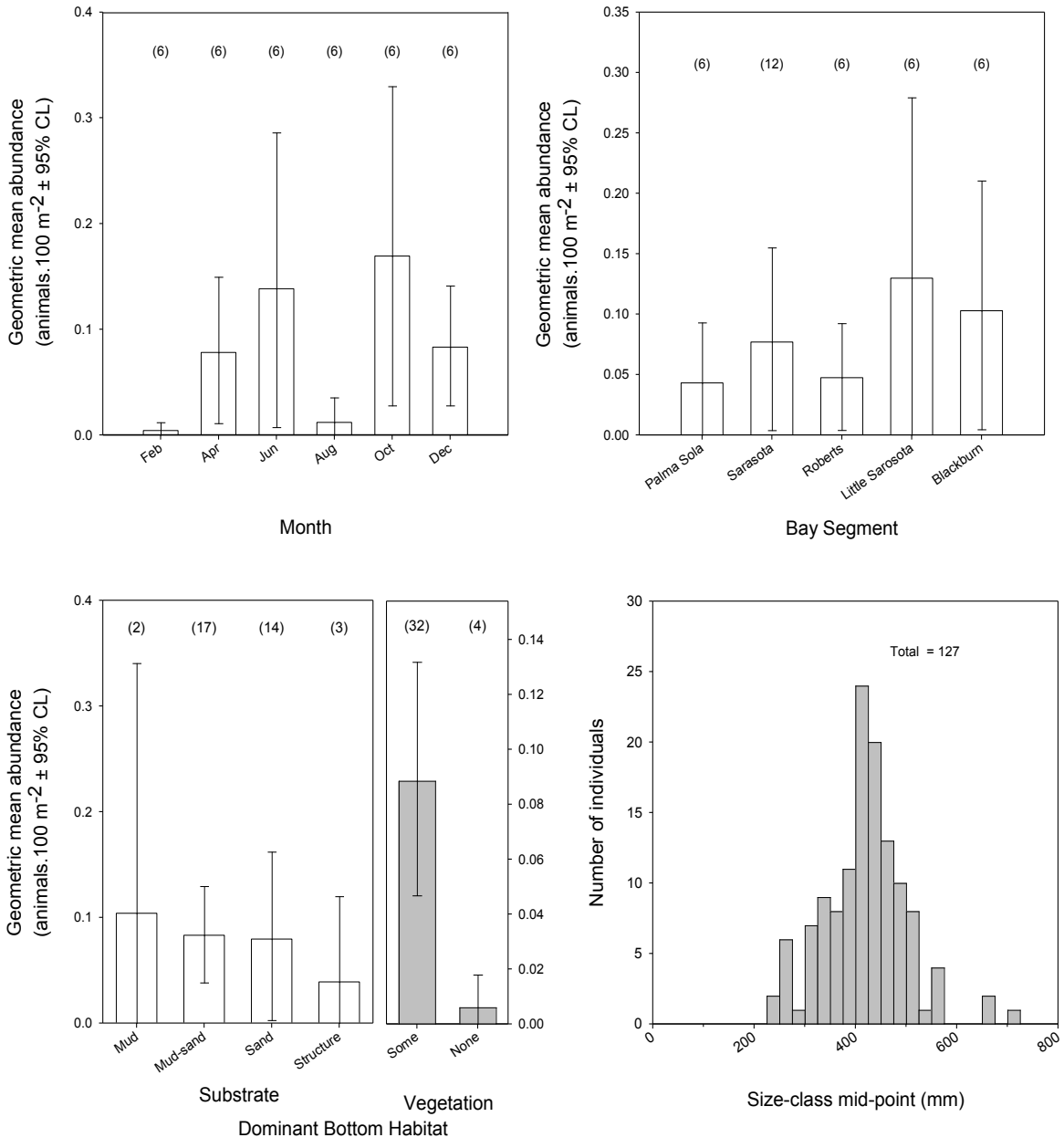
Ariopsis felis (hardhead catfish)
183-m seine



Appendix F Figure 4. Relative abundance and length-frequency distribution of hardhead catfish collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Centropomus undecimalis (common snook)
183-m seine

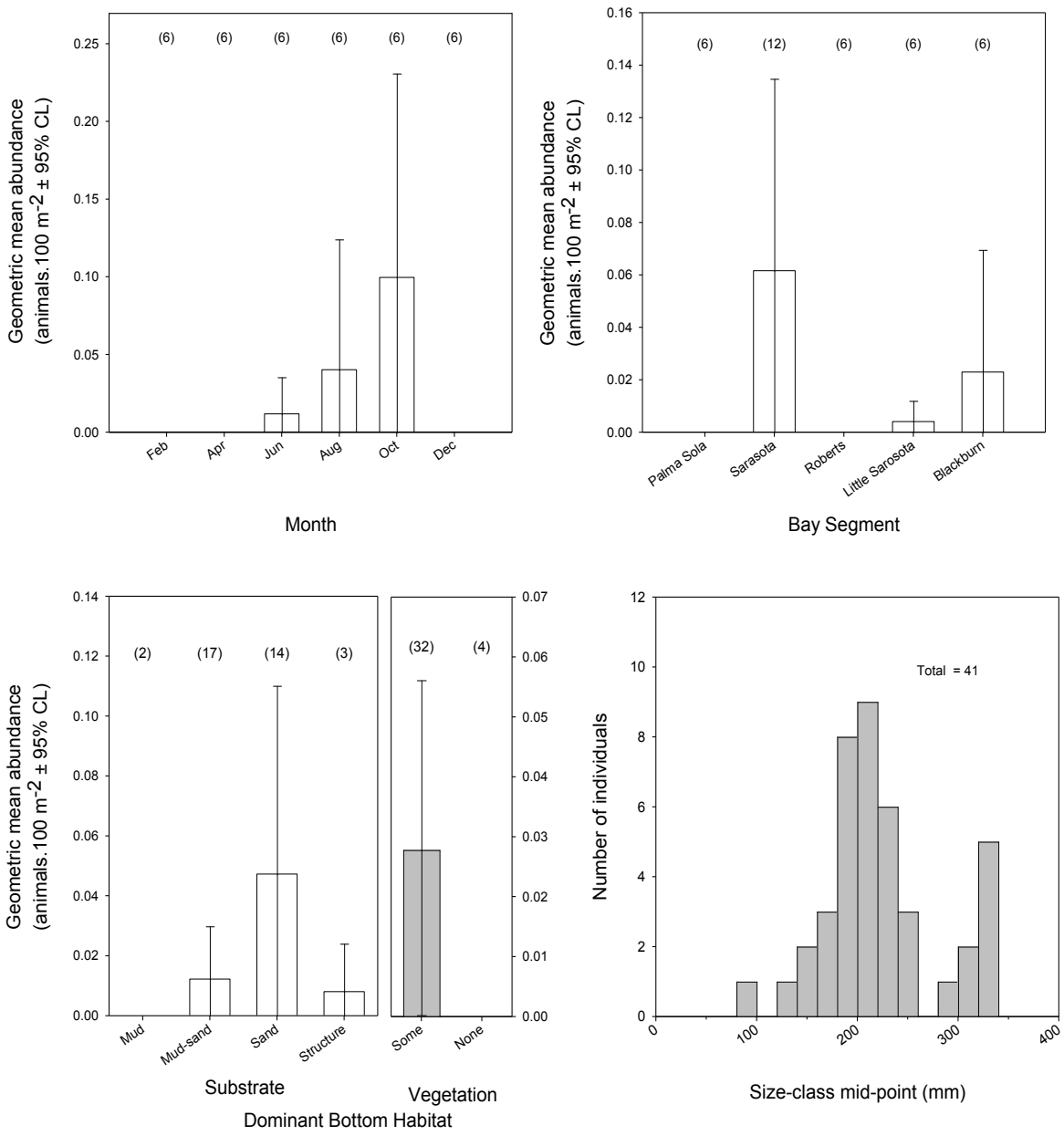


Appendix F Figure 5. Relative abundance and length-frequency distribution of common snook collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Mycteroperca microlepis (gag)

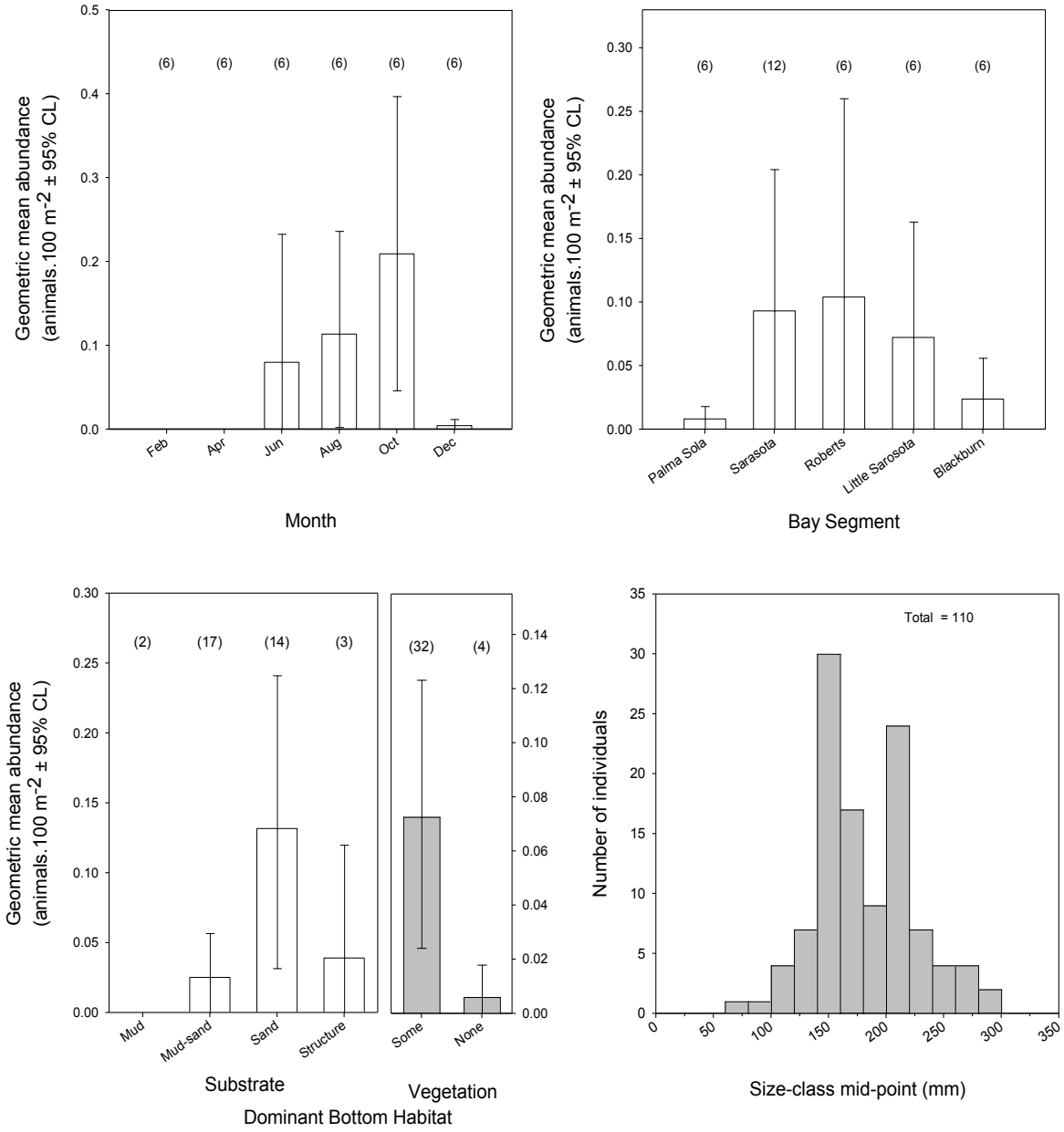
183-m seine



Appendix F Figure 6. Relative abundance and length-frequency distribution of gag collected with 183-m seine in th Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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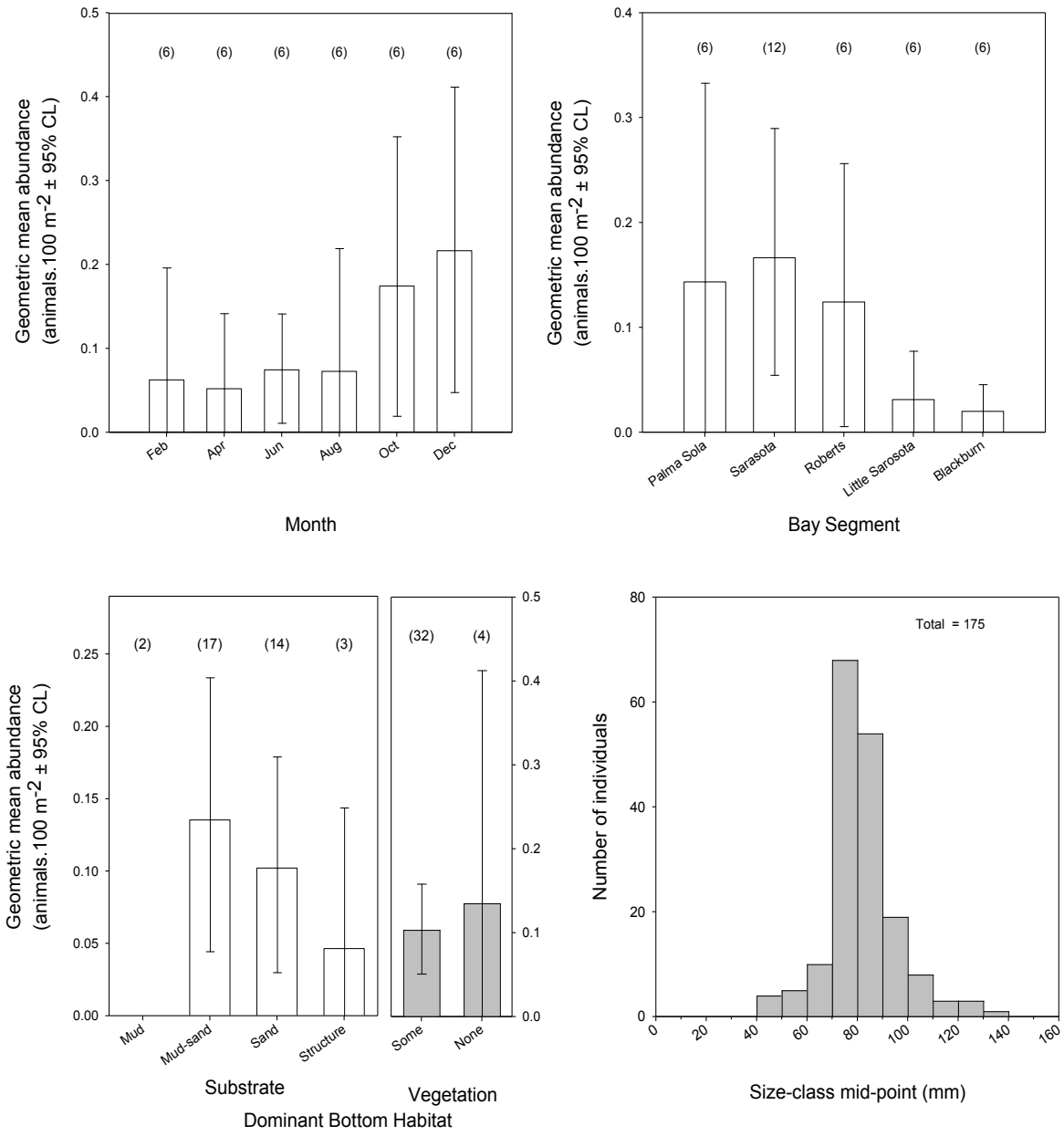
Lutjanus griseus (gray snapper)
183-m seine



Appendix F Figure 7. Relative abundance and length-frequency distribution of gray snapper collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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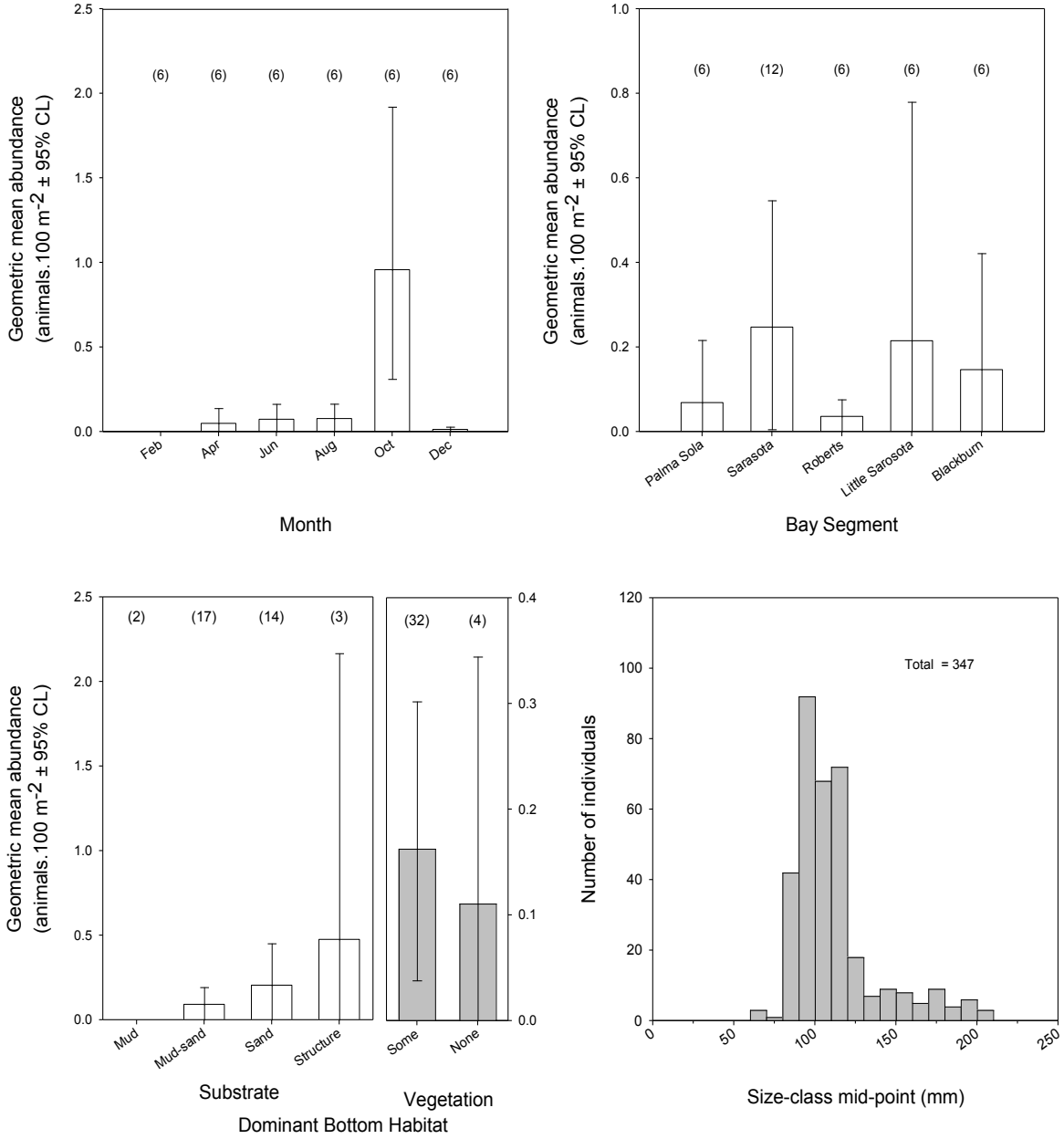
Eucinostomus gula (silver jenny)
183-m seine



Appendix F Figure 8. Relative abundance and length-frequency distribution of silver jenny collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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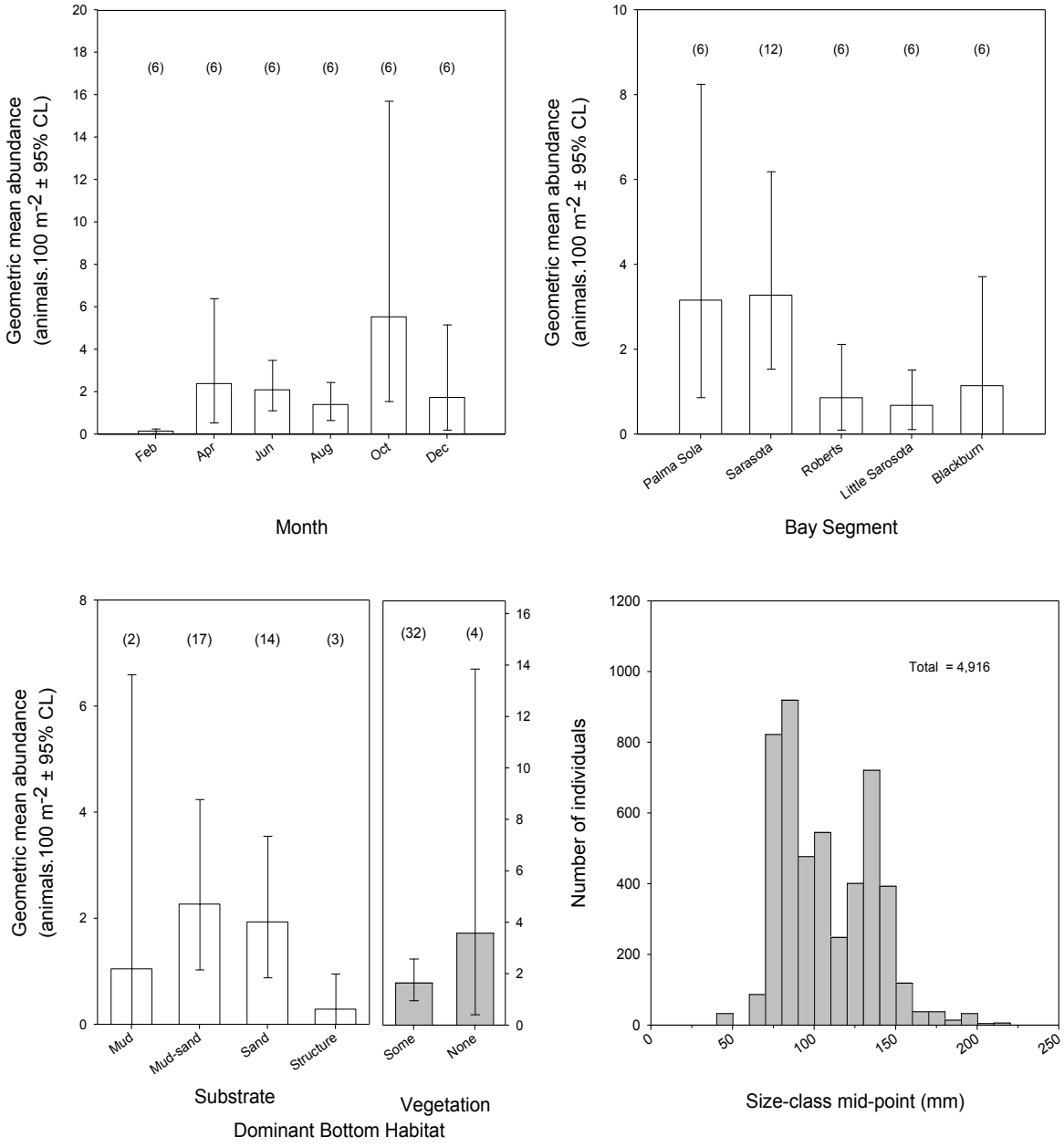
Orthopristis chrysoptera (pigfish)
183-m seine



Appendix F Figure 9. Relative abundance and length-frequency distribution of pigfish collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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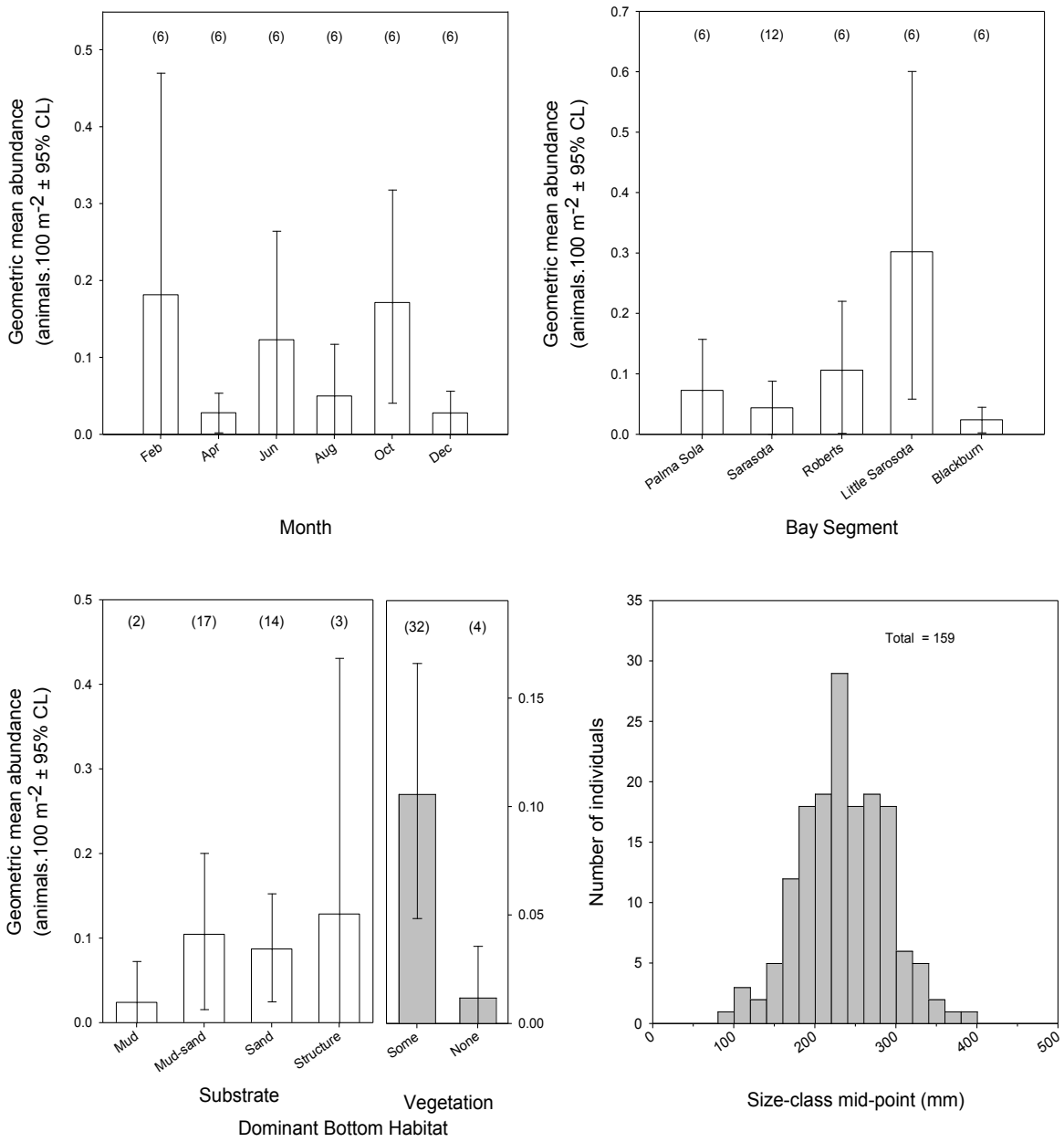
Lagodon rhomboides (pinfish)
183-m seine



Appendix F Figure 10. Relative abundance and length-frequency distribution of pinfish collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT

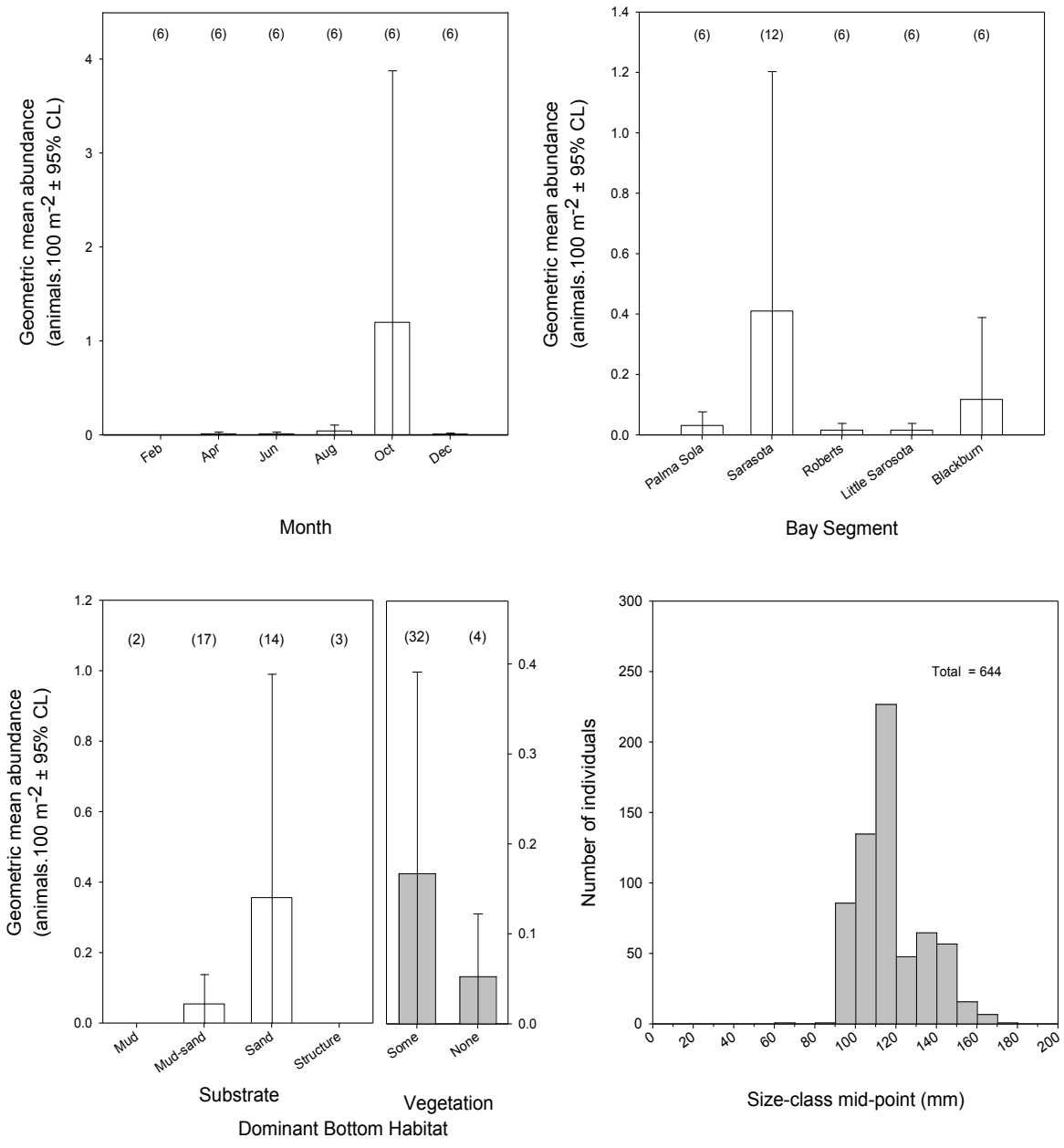
Archosargus probatocephalus (sheepshead)
183-m seine



Appendix F Figure 11. Relative abundance and length-frequency distribution of sheepshead collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Bairdiella chrysoura (silver perch)
183-m seine

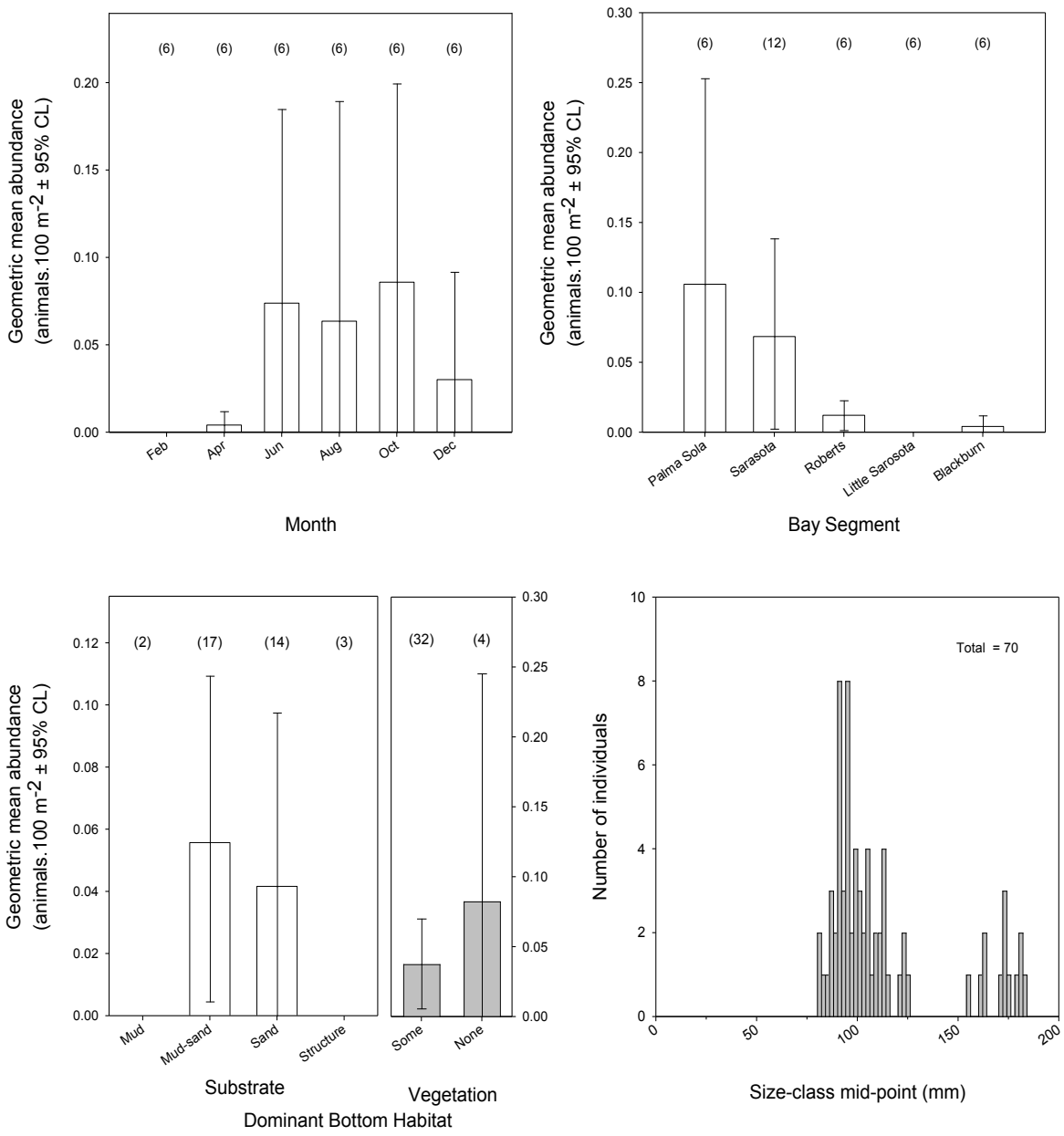


Appendix F Figure 12. Relative abundance and length-frequency distribution of silver perch collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Leiostomus xanthurus (spot)

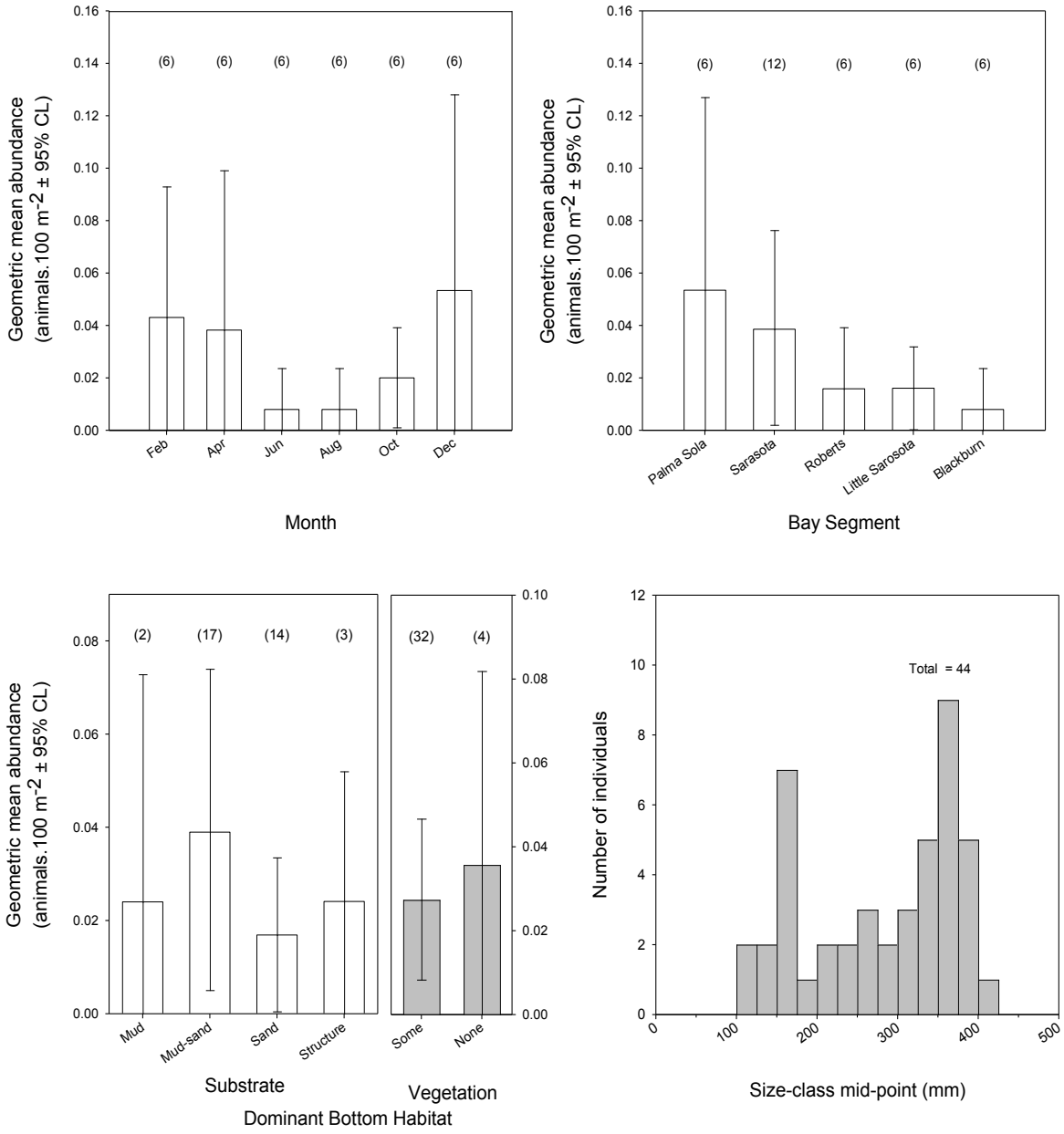
183-m seine



Appendix F Figure 13. Relative abundance and length-frequency distribution of spot collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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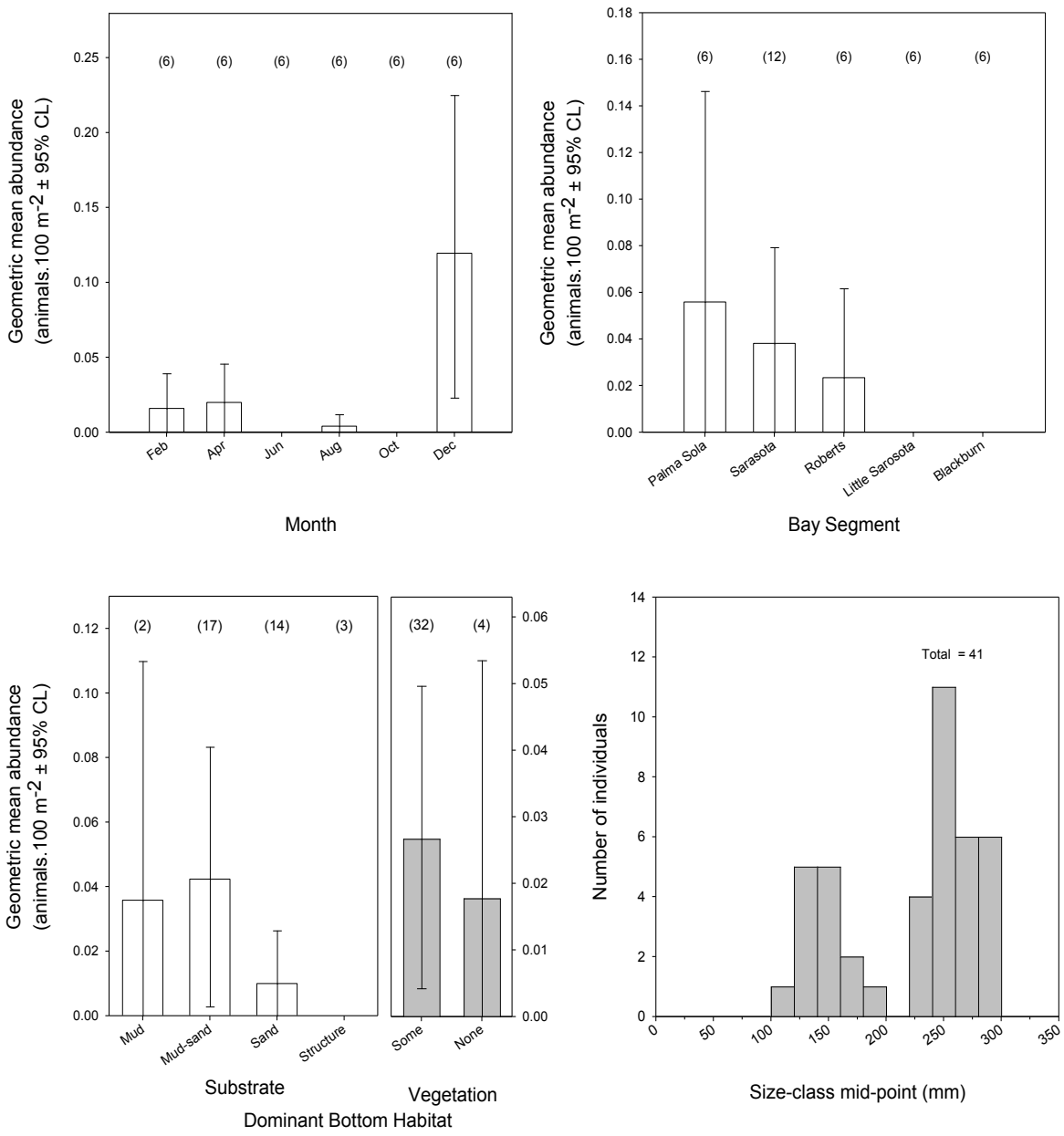
Mugil cephalus (striped mullet)
183-m seine



Appendix F Figure 14. Relative abundance and length-frequency distribution of striped mullet collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Mugil curema (white mullet)
183-m seine



Appendix F Figure 15. Relative abundance and length-frequency distribution of white mullet collected with 183-m seine in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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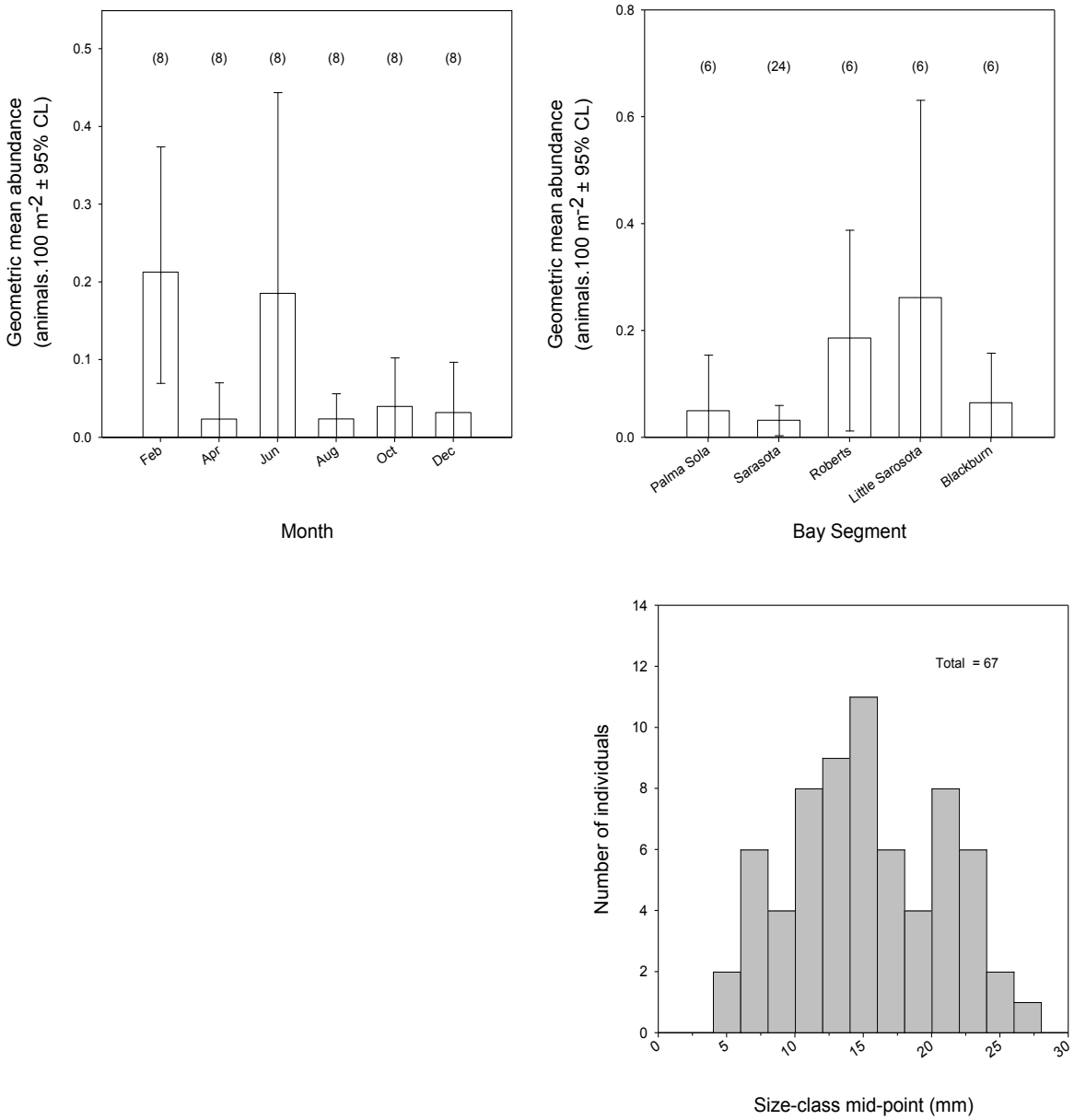
Appendix G. Species overview plots for dominant taxa (≥40 animals collected and ≥10 occurrence in a gear type) collected with 6.1-m trawls. Taxa are arranged phylogenetically.

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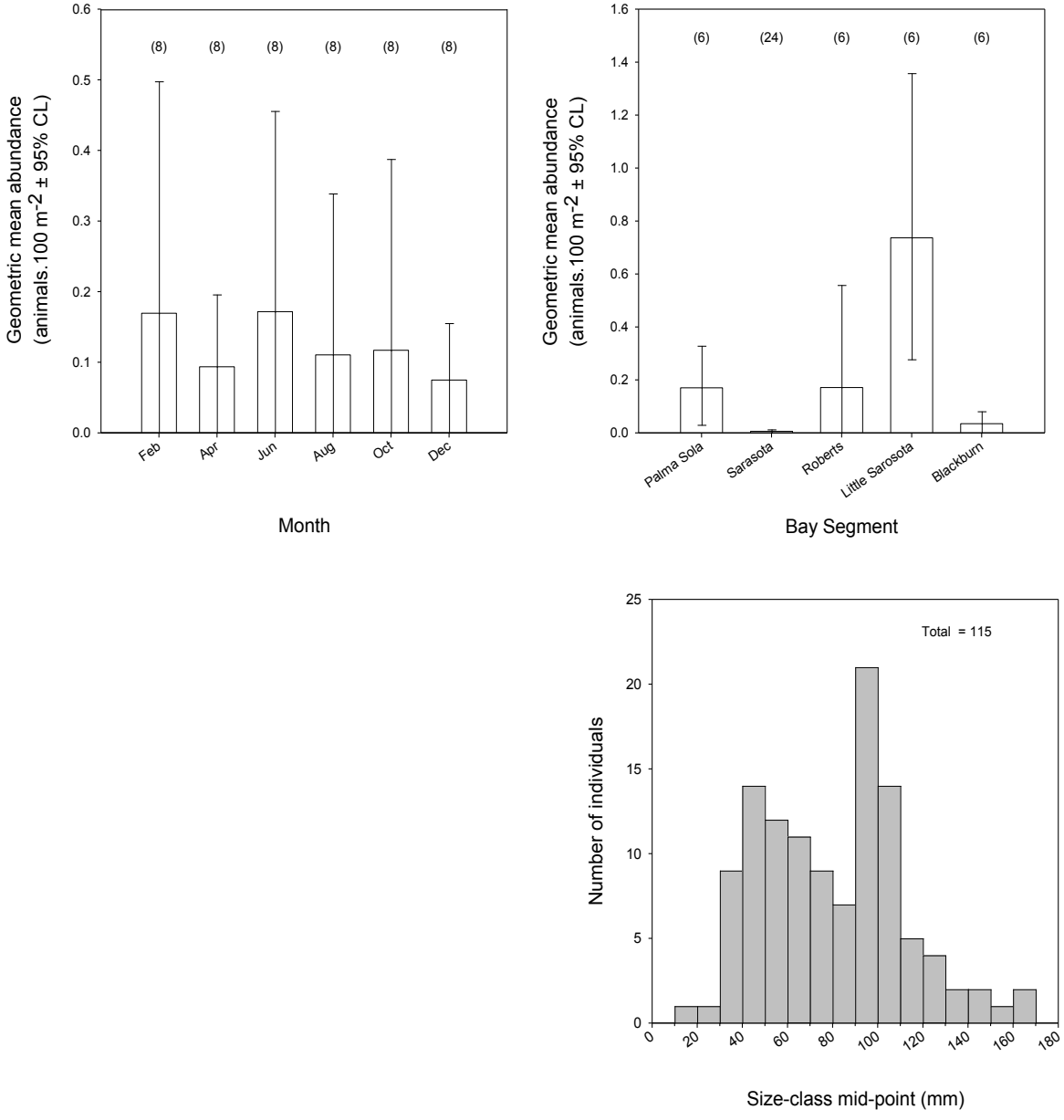
Farfantepenaeus duorarum (pink shrimp)
6.1-m trawl



Appendix G Figure 1. Relative abundance and length-frequency distribution of pink shrimp collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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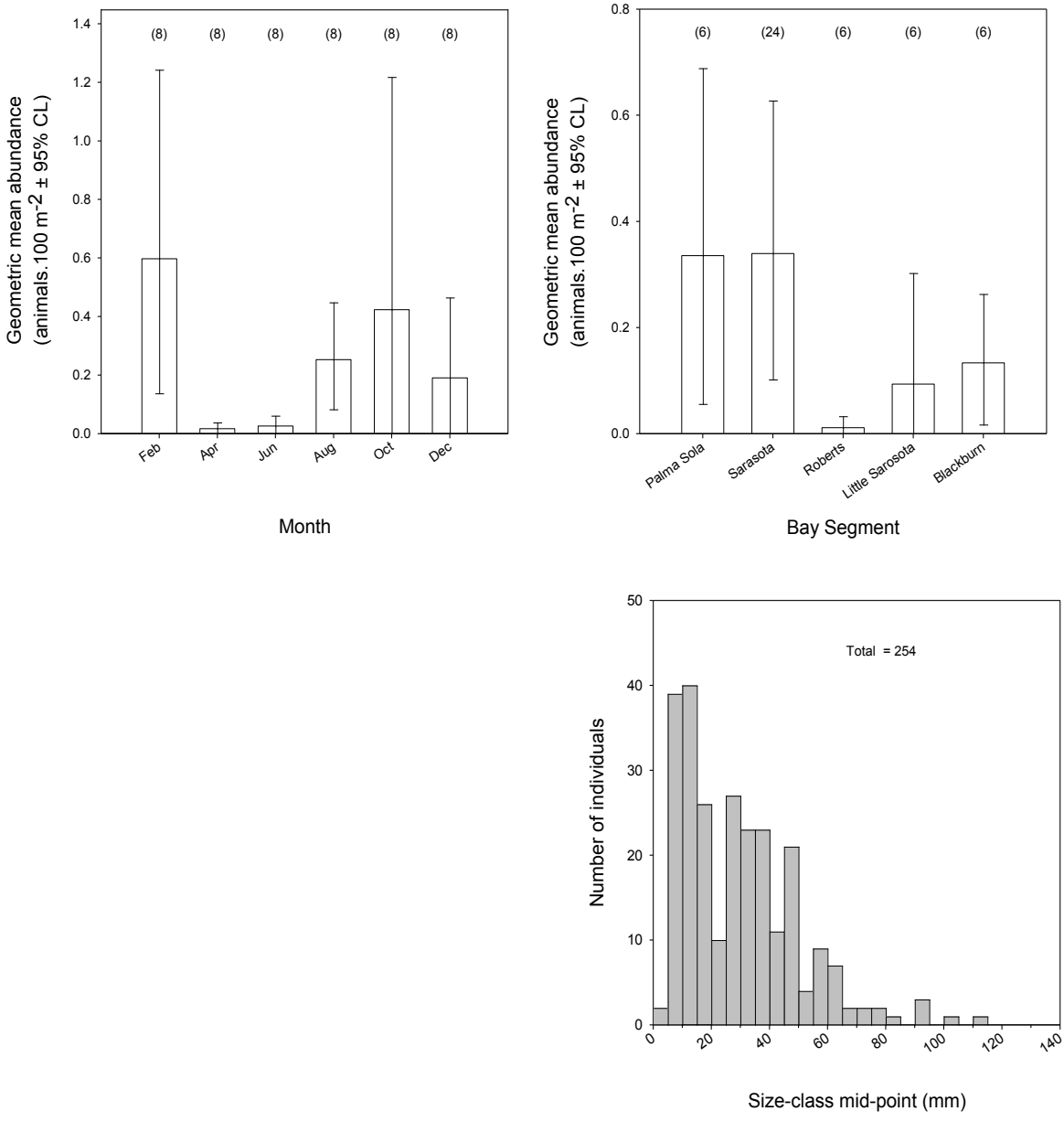
Callinectes sapidus (blue crab)
6.1-m trawl



Appendix G Figure 2. Relative abundance and length-frequency distribution of blue crab collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Menippe spp. (stone crabs)
6.1-m trawl

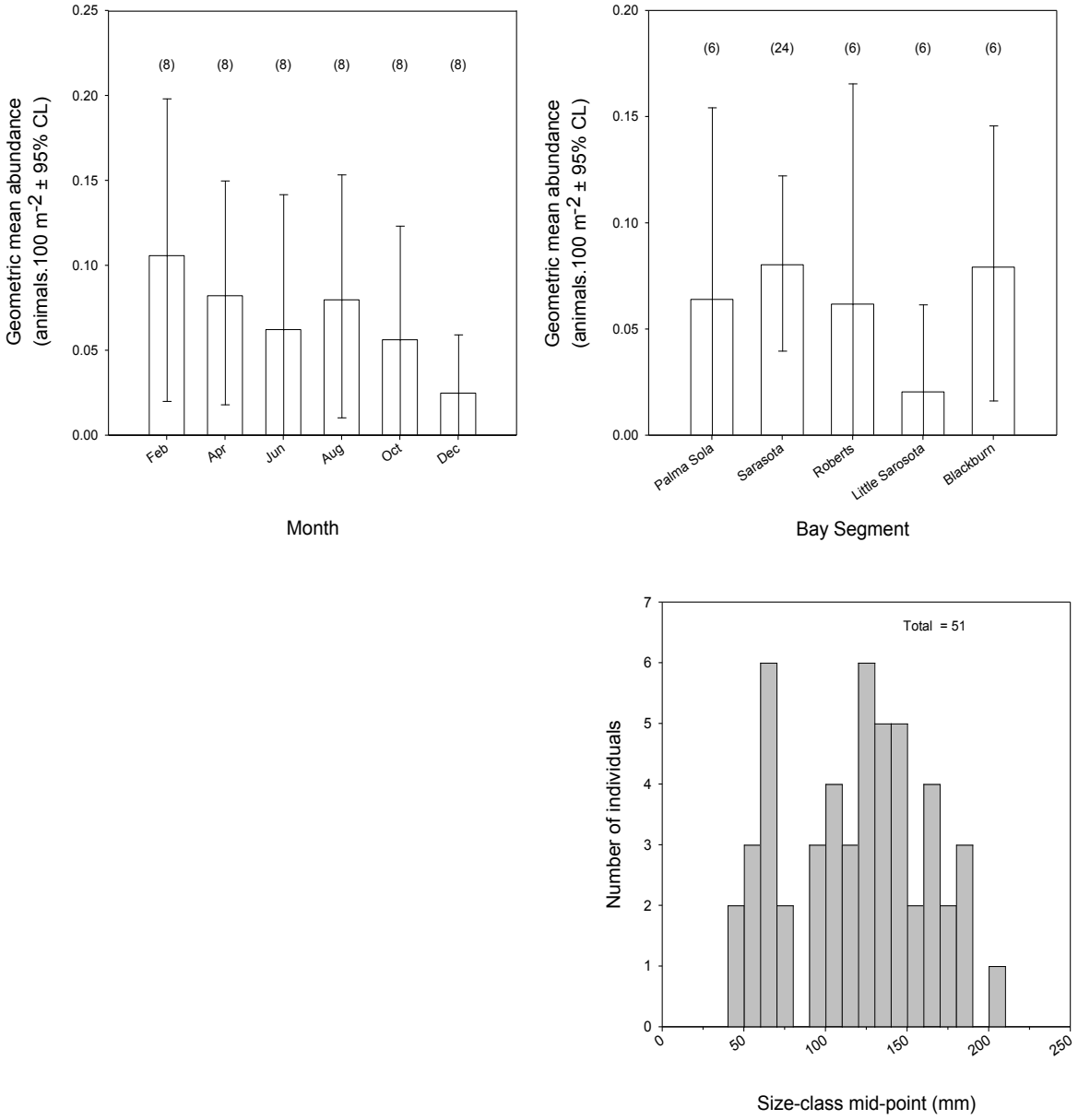


Appendix G Figure 3. Relative abundance and length-frequency distribution of stone crabs collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Prionotus scitulus (leopard searobin)

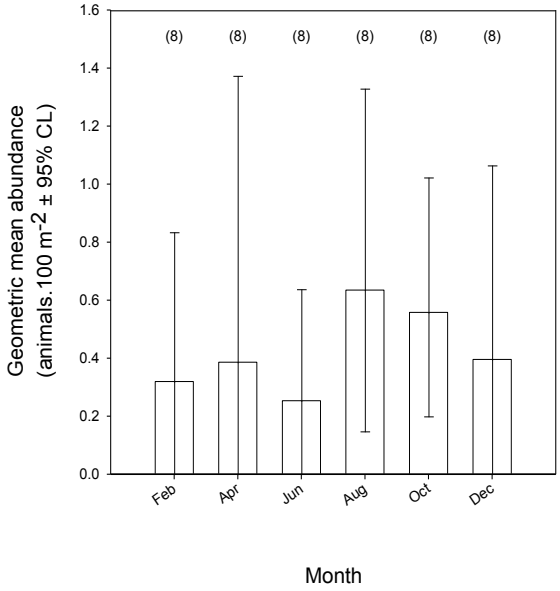
6.1-m trawl

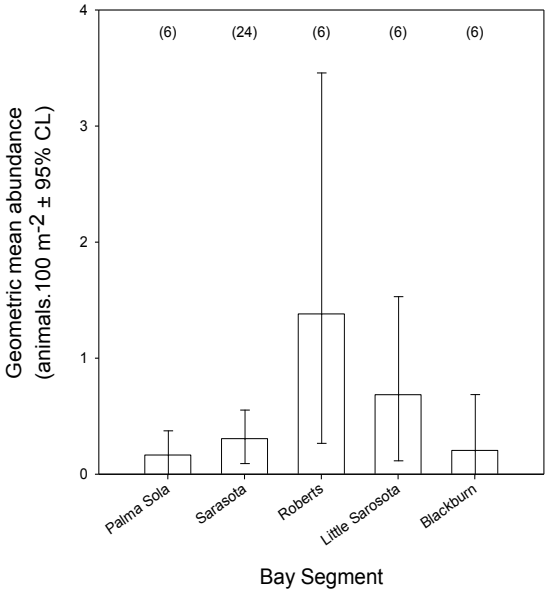


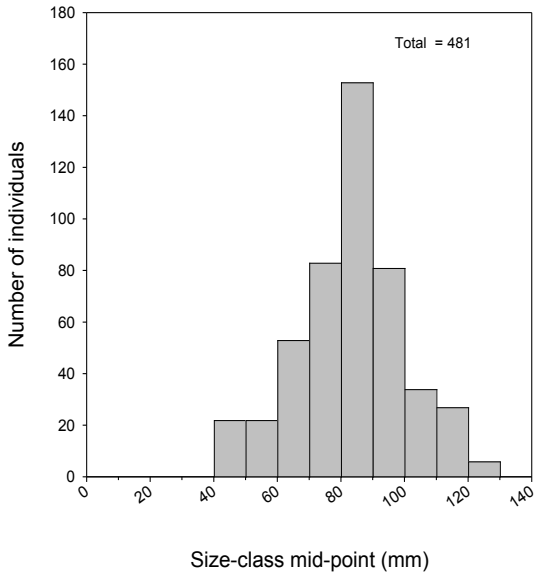
Appendix G Figure 4. Relative abundance and length-frequency distribution of leopard searobin collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Eucinostomus gula (silver jenny)
6.1-m trawl



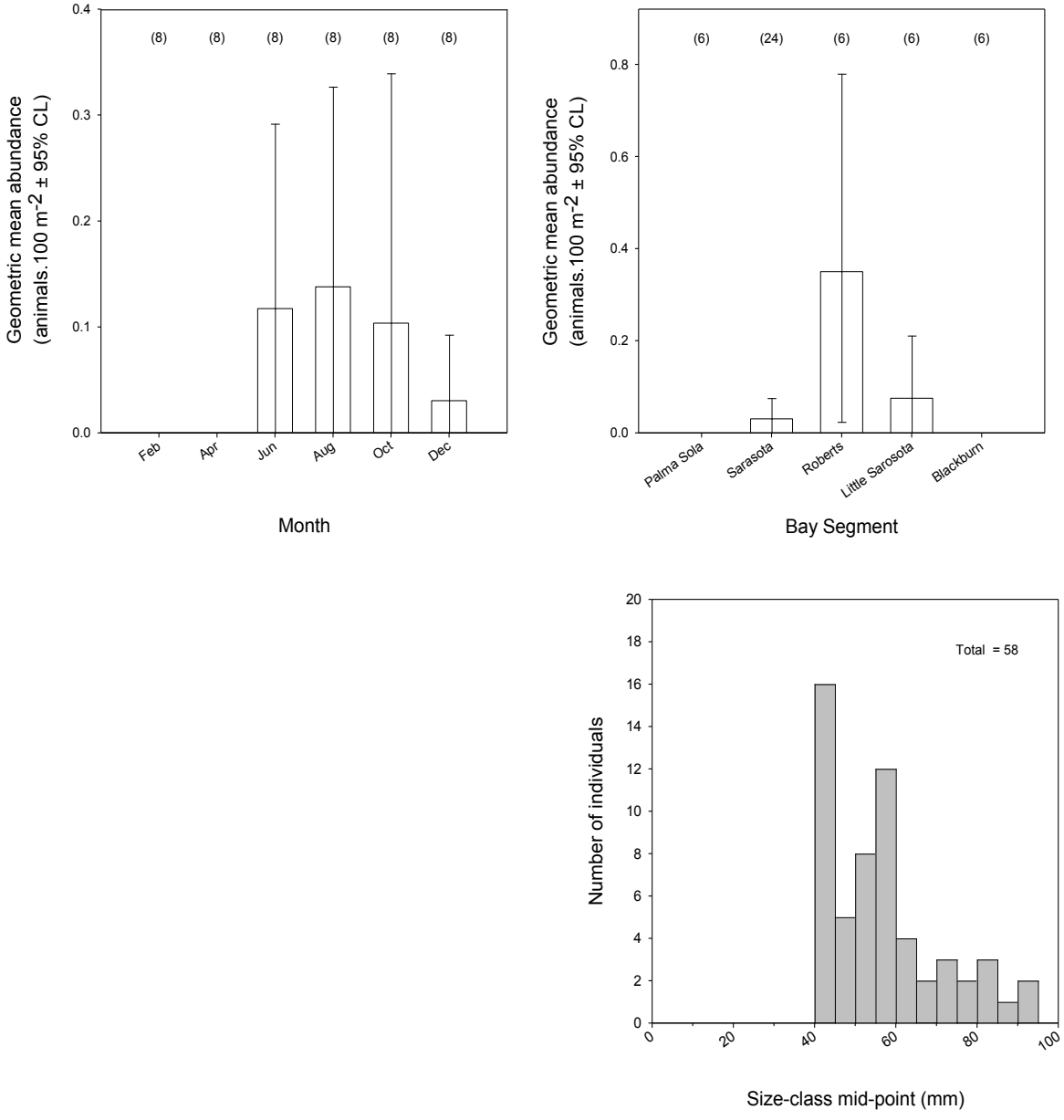




Appendix G Figure 5. Relative abundance and length-frequency distribution of silver jenny collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Eucinostomus harengulus (tidewater mojarra)
6.1-m trawl

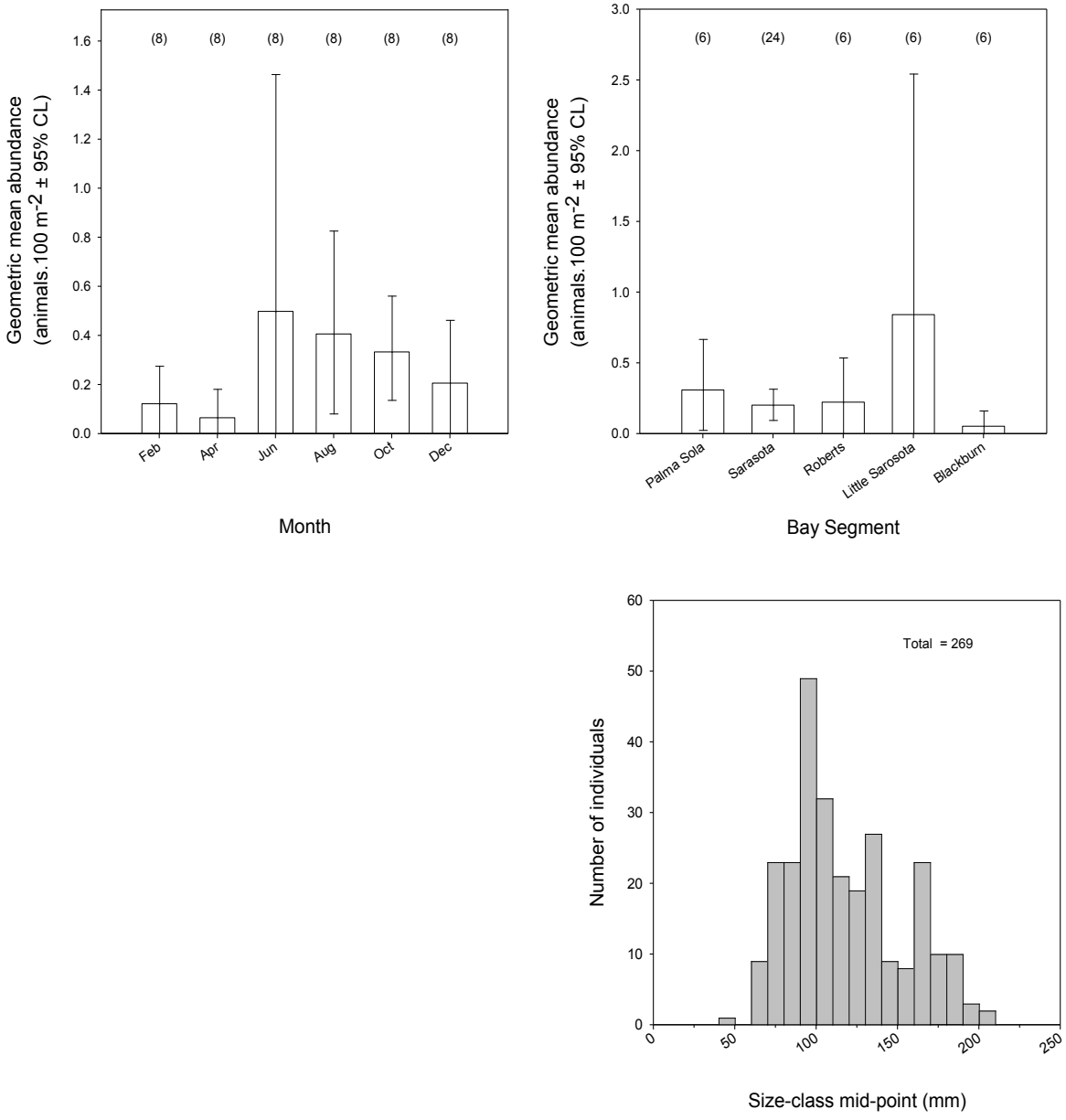


Appendix G Figure 6. Relative abundance and length-frequency distribution of tidewater mojarra collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Orthopristis chrysoptera (pigfish)

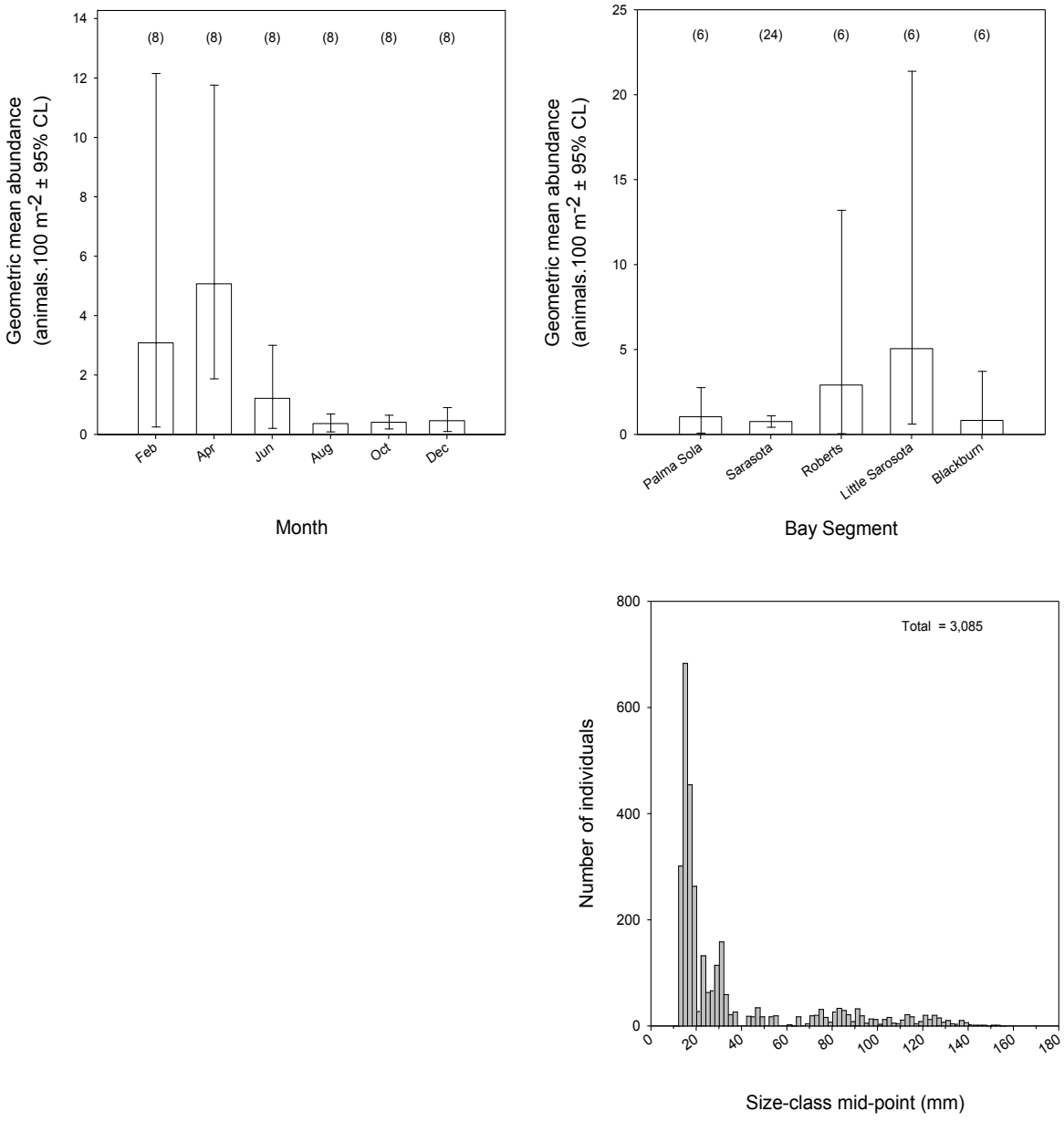
6.1-m trawl



Appendix G Figure 7. Relative abundance and length-frequency distribution of pigfish collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Lagodon rhomboides (pinfish)
6.1-m trawl

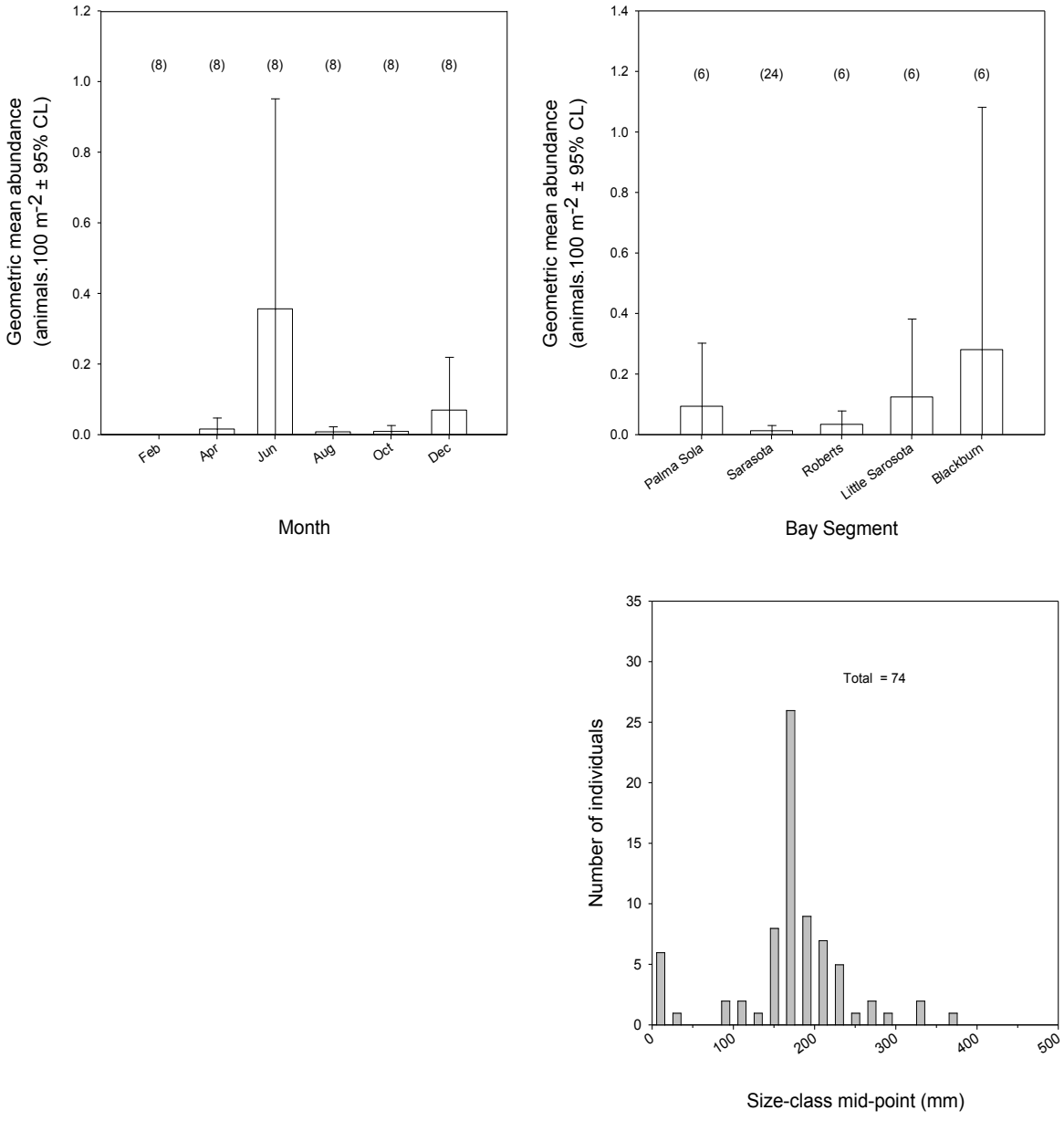


Appendix G Figure 8. Relative abundance and length-frequency distribution of pinfish collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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FL-SEN-20-0201-A-000429

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Archosargus probatocephalus (sheepshead)
6.1-m trawl

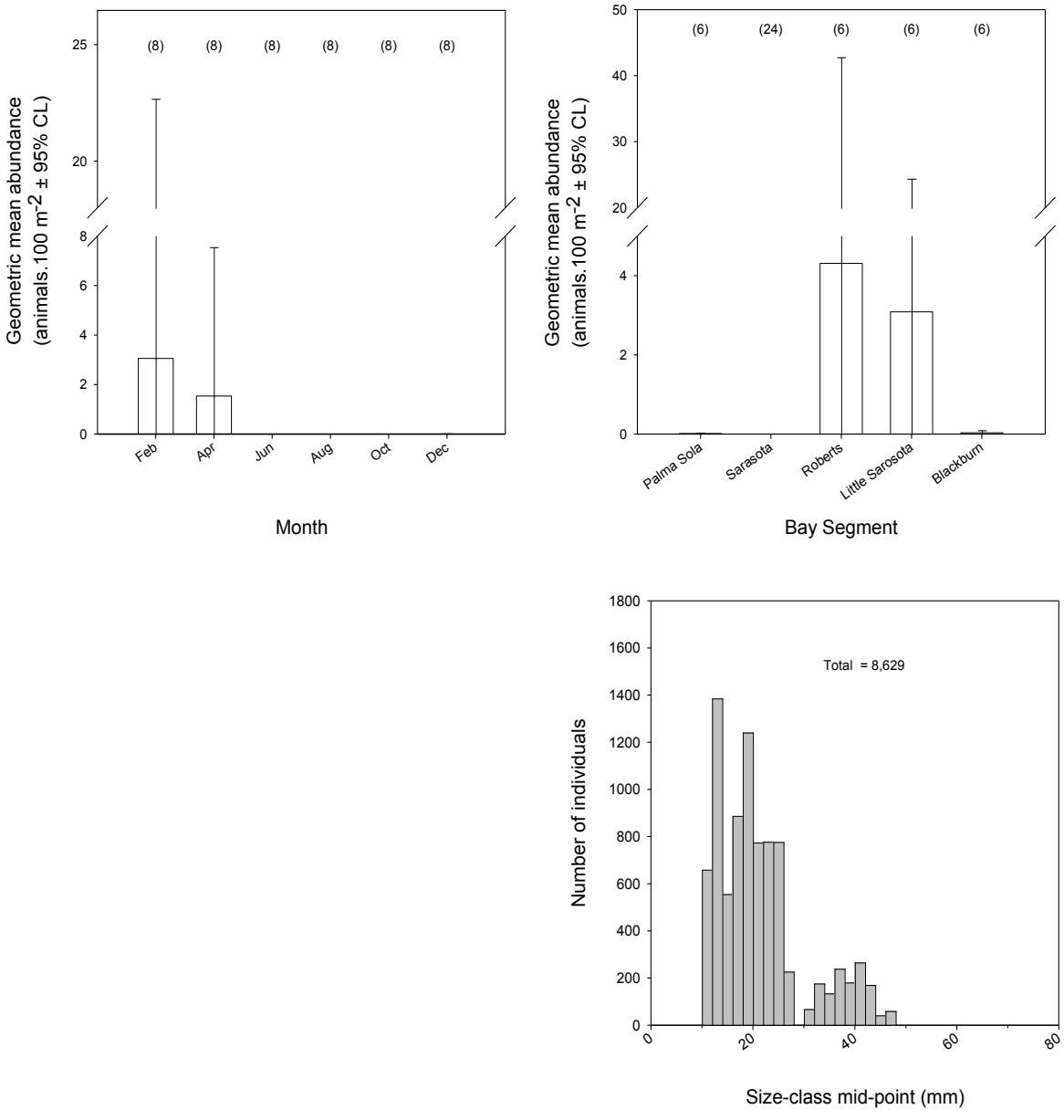


Appendix G Figure 9. Relative abundance and length-frequency distribution of sheepshead collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Leiostomus xanthurus (spot)

6.1-m trawl

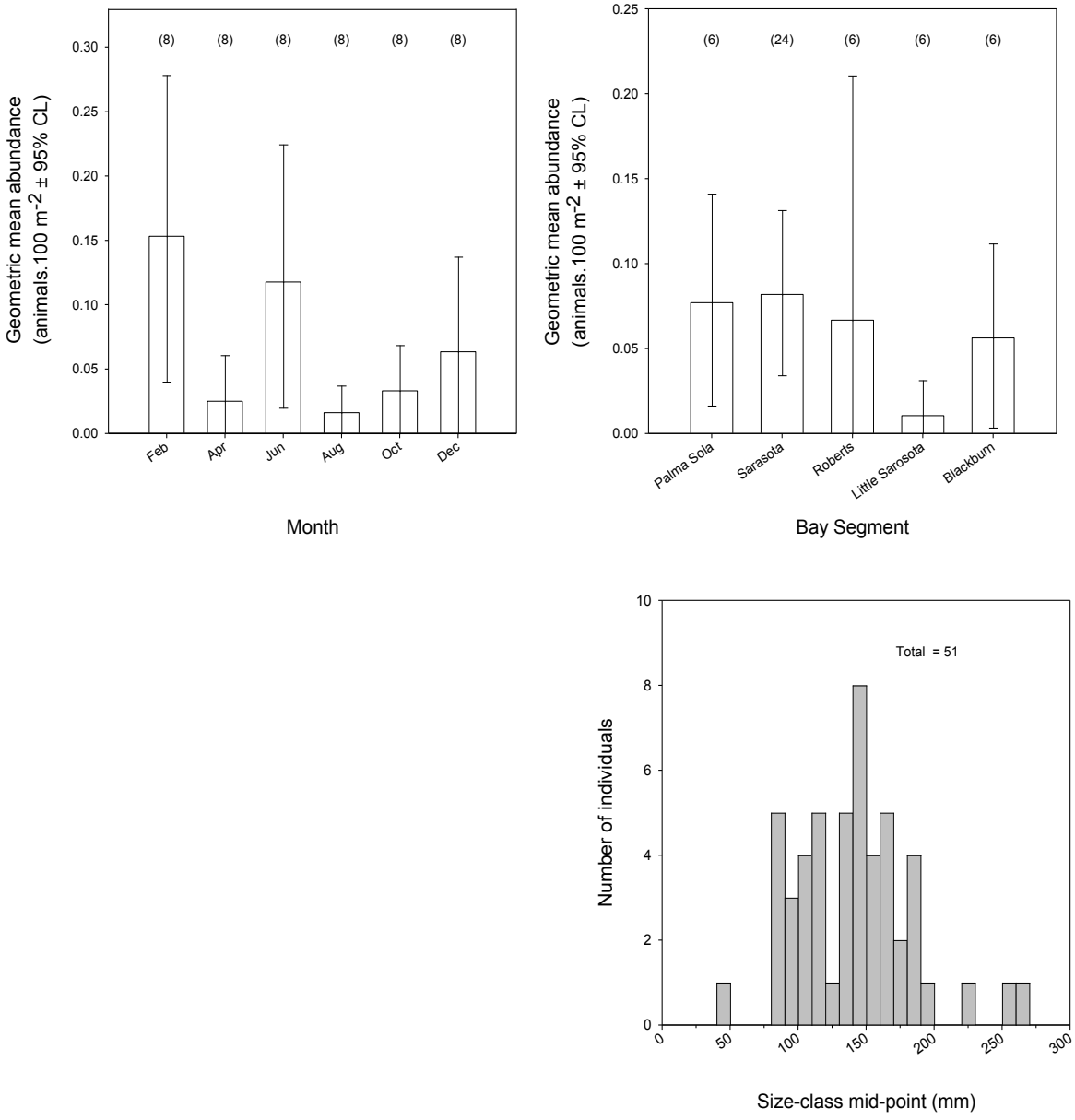


Appendix G Figure 10. Relative abundance and length-frequency distribution of spot collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

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Chilomycterus schoepfii (striped burrfish)
6.1-m trawl



Appendix G Figure 11. Relative abundance and length-frequency distribution of striped burrfish collected with 6.1-m trawl in the Sarasota Bay estuary, June 2009 to April 2010. Numbers in parenthesis along the top of each abundance graph represent the number of samples collected within each category.

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-000432

From: Alex Funkhouser <inboundnewsletter@sherlocktechnology.com>
Sent: Tuesday, January 21, 2020 12:12 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: $150K+ Digital Mgr Miami; Homnick on AI; SW DevCon; STATE OF THE CIO; NAF Mega Conf

$150K+ Digital Mgr Miami; Homnick on AI; SW DevCon; STATE OF THE CIO; NAF Mega Conf.

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Previous Newsletters
View in a Browser

Published Tuesday, January 21, 2020
to over 30,000 South Florida IT Professionals

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Tech Events

Tuesday, Jan 21 2020

Ironhack Open House : Learn how you can change careers ASAP!

Monthly Linux Meetup (also covering Open Source, UNIX and UNIX-Like Systems)

Direct Device to Device Communication – Shelly Products from Allterco Robotics

Wednesday, Jan 22 2020

vBeersPlus @ vBeersPlus New Horizons Miami (Blue Lagoon)

Thursday, Jan 23 2020

R + Tableau: Let's Enrich Data Science with More Visualizations with Hong Wang

Tuesday, Jan 28 2020

SFAA SIG – SAFe Scaling Agile : What , How and When ?

World Economic Forum 2020 Kicks Off

The World Economic Forum Annual Meeting in Davos-Klosters is the foremost creative force for engaging the world's top leaders in collaborative activities to shape global, regional and industry agendas at the beginning of each year. The theme of the 2020 meeting is Stakeholde... Read More

$150K+Bonus Sr. Manager Digital Product Miami, Florida

Senior Digital Product Manager, Permanent, Miami, Florida. Compensation: $130k-$150k with 15% bonus, plus outstanding benefits package! Based in Miami, FL and reporting to the Director, Product, the Sr. Manager/Manager, Product will be responsible fo... Read More

Earlybird Registration: 14th Annual State of the CIO 2020, Mar 4

We are excited to announce that the 14th Annual State of the CIO will take place on Wednesday, March 4, 2020, at the Signature Grand, Fort Lauderdale. The State of the CIO is the CIO Council's premier annual event and offers CIOs, CTOs, Senior IT Managers and Technology... Read More

Democratizing Artificial Intelligence (AI) with Google Cloud and Power BI, Jan 30

Details: This is a joint event between Gold Coast User Group (GCUG) and the Microsoft Data and AI South Florida User Group. Title: Democratizing Artificial Intelligence (AI) with Google Cloud and Power BI Presenter: Joe Homnick, Certified DBA and Data Scientist ... Read More

Call for Speakers & Sponsors for the South Florida Software Developer Conference (aka CodeCamp), Feb 29

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Wednesday, Jan 29 2020

OpenHackNight @ Ultimate Software

Thursday, Jan 30 2020

Democratizing AI with Google Cloud and Power BI by Joe "OG of the UG" Homnick

Saturday, Feb 01 2020

Tech for Good: Census 2020

Tuesday, Feb 04 2020

rstudio::conf 2020 viewing party □□□

Online Love + Data Analytics – Learn the data behind your favorite dating sites

Wednesday, Feb 05 2020

vBeersPlus @ West Palm Beach (Venture X)

Boca JS – Node JS 101 – Learn NodeJS w/ Damian Montero

Thursday, Feb 06 2020

WCMIA, Using Block Editor For Page Layout, And More

Wednesday, Feb 12 2020

vBeersPlus @ General Provision Downtown Ft. Lauderdale

The 2020 South Florida Software Developer Conference is the 16th annual conference previously known as the South Florida Code Camp. It is a FREE one-day GEEK FEST held on Saturday, February 29, 2020, at Nova Southeastern University. This year we are teaming up with Tech ... Read More

Join Us For SQLSATURDAY #946, South Florida, BI Edition, Feb 22

PASS SQLSaturday is a free training event for professionals who use the Microsoft data platform. These community events offer content across data management, cloud and hybrid architecture, analytics, business intelligence, AI, and more. This event will be held on Feb 22,... Read More

SUPERCONF 2020 Miami, Mar 13 to 14

SUPERCONF is a conference for makers! The designers, developers, and entrepreneurs molding our future. Hosted in sunny Miami (Wynwood to be exact). It's an intimate conference with only 250 tickets, so you'll get a chance to meet everyone; attendees, speakers, founders, ... Read More

Join us for the 2020 NAF Mega Student Conference, Apr 21

Developing Our Leaders and Innovators The conference features keynote speakers and other special speakers, break out sessions, plus internship interviews with industry professionals. Approximately 1,400 high school students will be attending from Miami-Dade NAF Academies ... Read More

Call for CyberSecurity Research White Papers – Journal of Cybersecurity Awareness & Education (CAE)

Journal of Cybersecurity Awareness & Education (CAE Journal) serves as a forum for higher education students to develop their research foundations through a better understanding of core cybersecurity elements that underpin our National Infrastructure and global technolog... Read More

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We believe that an educated community of technology professionals strengthens our companies, builds our economic region, and enhances all of our lives. That's why we are active in the South Florida technology community and why we proudly sponsor a wide range of events and user groups.

We would also appreciate the opportunity to serve your company's hiring needs by providing the best professionals our IT community has to offer for your specialized technical requirements.

Senior Java Developer, Miami
Sr. Manager, Digital Product, Miami
Director, Digital Product, Miami
Salesforce Cloud Dev/Admin contract, Weston
Node.js / Full Stack Developer, Miami
Junior Analyst / DB Developer, Miami
Systems Engineer, Boca Raton
Pre-Sales Engineer – Mobile, Boca Raton
Director – End User Experience, Miami
Director, Global Network Services, Miami
Chief Information Security Officer – CISO, Boca Raton
Graphic Designer, San Francisco
Senior iOS Developer, Webster
Data Science & Analytics Manager, Miami
Director of PR Business Development, Miami
System Engineer, Miami
Shopify eCommerce Manager, Fort Lauderdale
Jr. SEM Specialist, Miami
Software Developer – Full Stack, Fort Lauderdale
QA – Engineer, Boca Raton
Developer – Magento, Boca Raton
BI Analyst, Coral Gables
Java – Developer, Boca Raton
Social Media Creative Director, San Francisco
Social Media Account Director, San Francisco
IT Security – Director, Boca Raton
PR Account Supervisor, Miami
PR Account Coordinator, Miami
VoIP – Developer, Fort Lauderdale
Bilingual IBM Project Manager – Technical, Boca Raton
Sr. Security Development Engineer, Miami
Social Media – Account Executive, San Francisco
Account Executive – PR, Miami
Lead QA – Analyst, Fort Lauderdale
SharePoint – Developer – Admin, Boca Raton
Social Media – Account Supervisor, San Francisco
Business Analyst – Medicare C & D, Fort Lauderdale
Developer – Evangelist, New York
Senior Cloud Data Engineer, Miami
Marketing Manager – BD, Miami
Senior Account Executive – PR, Miami
Senior Cyber Security – Engineer, Weston
IT Director – Micros Systems, Fort Lauderdale
Business Continuity and Disaster Recovery Analyst & Project Manager (two roles) , Coral Springs
Product Manager- MAPD/PDP, Fort Lauderdale
Business Analyst – Medicare Enrollment, Fort Lauderdale
Chief of Staff to the Village Manager, North Bay Village
QA Analyst, Ft. Lauderdale
Software Developer (Junior and Mid), Coral Gables
Network Technician, North Bay Village
Software Developer (C++ to C# Development), Miami
Mid Java Developer, Miami
Senior Low Level Programmer with Video Drivers experience, Miami, FL

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From: Florida Chamber Foundation <emartin@flchamber.com>
Sent: Monday, October 28, 2019 2:42 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: $4,442 Reasons to Fix Florida's Broken Legal Climate

FIXING FLORIDA'S LAWSUIT ABUSE PROBLEM

$4,442 Reasons to Fix Florida's Broken Legal Climate

Unfortunately, Florida currently ranks among the nation's worst when it comes to legal climate. Florida's broken system is ranked 46th out of 50 states and puts the interests of personal injury trial lawyers who advertise on TV ahead of the people they represent. An average Florida family pays $4,442 in "lawsuit taxes," through increased prices caused by frivolous and other lawsuits.

"Now is more important than ever for the national Chamber to partner with state chambers because a lot of the legislative opportunities for lawsuit abuse reform are happening in the states," said Harold Kim, VP U.S. Chamber of Commerce and COO U.S. Chamber Institute for Legal Reform. "Florida is well positioned given the fact that the Florida Chamber has such a strong presence in Tallahassee and has the ability to advocate on some pretty difficult issues."

In the video below, you'll meet Mary, a hard-working Floridian who has money taken out of her pocket every day due to Florida's legal climate. Please share this educational video with your employees, vendors and family.

It's time to make Florida's legal system work for the people, not their personal injury lawyers.

Get Involved Today

Sign the petition to help fix Florida's broken legal system. Contact Carolyn Johnson at cjohnson@flchamber.com or 850-521-1235 for more information.

Florida Chamber Foundationl www.FLFoundation.org l Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

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From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Friday, January 10, 2020 4:57 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/13 Daily Briefing
Attachment(s): "Daily Briefing01-13 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 13, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

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KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Monday, January 13, 2020

SCHEDULE

N/A

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)
SB 514	Homestead Exemptions	In committee/council (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	On agenda (HP)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
SB 898	Insurance Guaranty Associations	On agenda (BI)
SB 922	Economic Development	In committee/council (CM)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)

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SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (IT)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (IT)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	On agenda (CM)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	In committee/council (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	In committee/council (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	Filed
SB 1424	Special Neighborhood Improvement Districts	Filed
SB 1450	Environmental Enforcement	Filed
SB 1488	Construction Defects	Filed
SB 1494	Insurance Coverage for Condominium Unit Owners	Filed
SB 1518	Acquisition of Certain Professional Services	Filed
SB 1538	Government Integrity	Filed
SB 1642	Tax Exemptions	Filed
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	Filed
SB 1684	Health Care Provider Credentialing	Filed

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Chair Diaz and the Education Committee will meet to consider the following bills: SB 62 by Senator Stargel—K-12 Education, SB 72 by Senator Stargel—Postsecondary Education, SB 536 by Senator Diaz—Charter Schools, SB 836 by Senator Simmons—Funds for the Operation of Schools, SB 1088 by Senator Diaz—Teacher Salary Enhancement, SB 1164 by Senator Perry—Gardiner Scholarship, and SB 1218 by Senator Diaz—Anti-bullying and Anti-harassment in Schools.

Chair Hooper and the Governmental Oversight and Accountability Committee will meet to consider the following bills: CS/SB 406 by the Committee on Health Policy and Senator Stargel—Public Records/Minor's Petition to Waive Consent/Abortion, CS/SB 476 by the Committee on Innovation, Industry, and Technology and Senator Hooper—Law Enforcement Vehicles, SB 504 by Senator Perry—Local Government Public Construction Works, SB 506 by Senator Perry—Public Procurement of Services, SB 620 by Senator Hooper—Firefighters' Bill of Rights, SB 936 by Senator Gainer—Disability Retirement Benefits, SM 976 by Senator Pizzo—Haitian and Caribbean American Recognitions, SM 978 by Senator Pizzo—Juneteenth Independence Day, SB 1050 by Senator Diaz—Disaster Volunteer Leave for State Employees, SB 1114 by Senator Montford—Cost-of-living Adjustments to State Employee Salaries, and SB 7010 by the Committee on Military and Veterans Affairs and Space (Wright)—OGSR/Servicemembers and the Spouses and Dependents of Servicemembers.

Chair Simpson and the Innovation, Industry, and Technology Committee will meet to consider the following bills: CS/SB 802 by the Committee on Judiciary; Senator Perry and others—Marketable Record Title Act, SB 1060 by Senator Thurston—Public Records and Meetings/911 or E911 Communication System, SB 1170 by Senator Baxley—Public Records and Meetings/Division of State Technology, SB 818 by Senator Hooper—Manufactured Housing, and SB 1128 by Senator Diaz—Vacation Rentals.

Chair Flores and the Community Affairs Committee will meet to consider the following bills: SB 566 by Senator Bracy—Prohibited Discrimination, CS/SB 580 by the Committee on Judiciary and Senator Bracy— Uniform Partition of Heirs Property Act, SB 630 by Senator Mayfield—Regulation of Smoking, SB 998 by Senator Hutson—Housing, and SB 1072 by Senator Wright—Redevelopment Trust Funds.

Chair Montford and the Environment and Natural Resources Committee will for presentations by the Florida Department of Environmental Protection on the Overview of Resiliency Programs and the Florida Department of Economic Opportunity on the Funding for Disaster Mitigation. The Committee will also meet to consider the following bills: Projects SB 606 by Senator Bean—Anchoring Limitation Areas, SB 812 by Senator Hutson—Public Records/Threatened or Endangered Species, SB 7016 by the Committee on Infrastructure and Security (Lee)— Statewide Office of Resiliency, SB 822 by Senator Albritton—Drones, and SPB 7024—Florida Forever.

Chair Lee and the Infrastructure and Security Committee will meet to consider the following bills: SB 70 by Senator Book and others—Panic Alarms in Public Schools, SB 728 by Senator Stargel—Threats, SB 788 by Senator Book—Statewide Active Shooter Response Planning, SB 834 by Senator Simmons—Emergency Alerts, a proposed committee substitute combining the following bills: SR 214 by Senator Rodriguez and others—White Nationalism and White Supremacy and SR 222 by Senator Simpson and others—White Nationalism and White Supremacy, SPB 7028—Public Safety and SPB 7030—Public Records/Active Threat Assessments and Threat Management Records.

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TOP CAUCUS TWEETS AND POSTS

Bill Galvano @BillGalvano
Art is an important part of our society. A goal of my term as Senate President was to commission a timeless, unifying, and welcoming piece of art for our 5th Floor Gallery. We will unveil this beautiful work of art on Tuesday.

George Gainer @SenatorGainer
Honored to help bring this wonderful program to #Okaloosa. #MentalHealthMatters

Sen. Anitere Flores @anitere_flores
On Tuesday, I received the Honors College Medallion from @fiuhonors for my continued support of @FIU over the years & for having established the 1st Gen Scholarship program. Thank you FIU for this award & for all the phenomenal work you're doing. #FIUAlum#GoPanthers

IN CASE YOU MISSED IT

CBS Miami: Ten Big Issues To Watch During The 2020 Florida Legislative Session
News 4 Jax: Florida lawmakers address ‘silent killer’ taking the lives of firefighters
Tallahassee Democrat: Lawmaker combines 'accountability' and 'compassion' in drunk driving bill

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Biscuit Bar (Chicken, Eggs), Apple Butter, Seasonal Fruit Salad

Lunch: Pulled Pork, Pulled Chicken, Buns, Tossed Salad, Mac & Cheese, Green Beans, Banana Pudding

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, January 13, 2020 6:02 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/14 Daily Briefing
Attachment(s): "Daily Briefing01-14 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 14, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Tuesday, January 14, 2020

SCHEDULE

9:30 — 11:00 AM
SESSION
11:00 AM — until completion
JOINT SESSION
2:30 — 4:30 PM **Schedule Conflict**
Commerce and Tourism - 110 Senate Building

- SB 838 - Business Organizations (Simmons)
- SB 848 - Rural Communities (Montford)
- SB 886 - Errors in Deeds (Powell)
- **SB 1192 - Tax on Aviation Fuel (Gruters)**

Health Policy - 412 Knott Building

- Impact of the Medicaid Retroactive Eligibility Waiver by the Agency for Health Care Administration
- SB 708 - Automated Pharmacy Systems (Hutson)
- **SB 518 - Cardiac Screening for Newborns (Gruters)**
- SB 1080 - Nonopioid Alternatives (Perry)
- SB 864 - Surrendered Newborn Infants (Baxley)
- SB 1020 - Institutional Formularies Established by Nursing Home Facilities (Bean)
- SB 500 - Prohibited Acts by Health Care Practitioners (Harrell)
- SB 878 - Public Records/Emergency Room Health Care Practitioners (Harrell)
- SB 1296 - Health Access Dental Licenses (Berman)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)

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President of the Senate

DAVID SIMMONS
President Pro Tempore

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SB 514	Homestead Exemptions	In committee/council (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	On agenda (HP)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
SB 898	Insurance Guaranty Associations	On agenda (BI)
SB 922	Economic Development	In committee/council (CM)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (IT)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (IT)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	On agenda (CM)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	In committee/council (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	In committee/council (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	In committee/council (EN)
SB 1488	Construction Defects	In committee/council (CA)

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SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	Filed
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	Filed
SB 1684	Health Care Provider Credentialing	Filed
SB 1778	Taxation of Real Property	Filed
SB 1822	Verification of Employment Eligibility	Filed

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President of the Senate

DAVID SIMMONS
President Pro Tempore

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Chair Albritton and the Agriculture Committee will to consider the following bills: SB 48 by Senator Book—Declawing of Cats, SB 786 by Senator Gainer—Public Records/Aquaculture Records/Department of Agriculture and Consumer Services, SB 1048 by Senator Pizzo—Courtroom Animal Advocates, SB 1082 by Senator Albritton—Domestic Violence Injunctions, SB 1084 by Senator Diaz and others—Emotional Support Animals, SB 1130 by Senator Albritton—Young Farmers and Ranchers, and SB 1276 by Senator Albritton—Department of Citrus.

Chair Gruters and the Commerce and Tourism Committee will meet to consider the following bills: SB 838 by Senator Simmons—Business Organizations, SB 848 by Senator Montford and others—Rural Communities, SB 886 by Senator Powell—Errors in Deeds, and SB 1192 by Senator Gruters—Tax on Aviation Fuel.

Chair Perry and the Criminal Justice Committee will meet to consider the following bills: SB 294 by Senator Wright and others—Crimes Against Veterans, SB 544 by Senator Harrell—Husband-wife Communications Privilege, SB 700 by Senator Perry and others—Juvenile Diversion Program Expunction, SB 846 by Senator Simmons—Costs of Prosecution and Investigation, SB 852 by Senator Pizzo—Restrictive Housing for Incarcerated Pregnant Women, SB 872 by Senator Perry—Public Records/Commissioners and Specified Personnel/School Administrators, SB 884 by Senator Hooper and others—Law Enforcement and Correctional Officers, SB 888 by Senator Perry—Public Nuisances, SB 1056 by Senator Simpson—PACE Center for Girls, SB 1292 by Senator Perry—Public Records/Nonjudicial Arrest Record of a Minor, SPB 7036—OGSR/Criminal Intelligence Information/Criminal Investigative Information, SPB 7032—OGSR/Body Camera Recordings Obtained by Law Enforcement Officers, SPB 7034—OGSR/Location Information, and SPB 7038—OGSR/Information Held by an Investigative Agency.

Chair Harrell and the Health Policy Committee will meet to consider the following bills: SB 708 by Senator Hutson—Automated Pharmacy Systems, SB 518 by Senator Gruters and others—Cardiac Screening for Newborns, SB 1080 by Senator Perry—Nonopioid Alternatives, SB 864 by Senator Baxley—Surrendered Newborn Infants, SB 1020 by Senator Bean—Institutional Formularies Established by Nursing Home Facilities, SB 500 by Senator Harrell—Prohibited Acts by Health Care Practitioners, SB 878 by Senator Harrell—Public Records/Emergency Room Health Care Practitioners, and SB 1296 by Senator Berman—Health Access Dental Licenses.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Rob Bradley @Rob_Bradley
So proud that @FLCaseyDeSantis visited our region today to learn about #ProjectSaveLives! Her incredible advocacy for these issues is already making a huge difference and saving lives-future is even brighter! We've invested in this program for 2 years at state level. More to do!

George Gainer @SenatorGainer
Off to a great start with the unanimous passage of our bill SB 936 which will better serve our state's veterans who are members or beneficiaries of the Florida Retirement System. This bill will further our goal of being the most veteran friendly state in the US. #District2

Debbie Mayfield @debbie_mayfield
Tomorrow, January 14th marks the start of the 2020 Legislative Session. The next 60 days will be extremely busy as we prepare the state budget and act on issues impacting all Floridians. Learn more about the upcoming Session in this week's #MayfieldMinute. conta.cc/2Nkp2cw

FL Senate Majority @FLSenateGOP
SB 1088 by @SenMannyDiazJr passed the Senate Education Committee. The Senate Republican Caucus values our teachers and is proud to support this legislation which aims to increase teacher salaries.

IN CASE YOU MISSED IT

WTSP Tampa: Florida Senate will honor first responders, survivors and those killed at NAS Pensacola
Florida Times-Union: DeSantis announces reduced Florida Prepaid prices
WUSF Tampa: A Slew Of Criminal Justice Bills Are Teed Up For The 2020 Session: Here's A Look At A Few Of Them

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bagels, Pastries, Breakfast Sandwiches, Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Pasta, Meat Sauce, Alfredo Sauce, Marinara Sauce, Meatballs, House Salad, Breadsticks

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, January 14, 2020 5:21 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/15 Daily Briefing
Attachment(s): "Daily Briefing01-15 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 15, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

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Daily Briefing
Senator Gruters
Wednesday, January 15, 2020

SCHEDULE

10:30 AM — 12:30 PM

Banking and Insurance - 412 Knott Building

- SB 116 - Prescription Insulin Drugs (Cruz)
- SB 880 - Nurse Registry (Baxley)
- SB 894 - Business Services (Rouson)
- **SB 898 - Insurance Guaranty Associations (Gruters)**
  - **A 336280 - Delete line 85 and insert: (Gruters)**
- SB 1092 - Fire Prevention and Control (Bean)
- SB 1188 - Public Records/Records of Insurers/Department of Financial Services (Albritton)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)
SB 514	Homestead Exemptions	In committee/council (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	On agenda (HP)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)

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SB 898	Insurance Guaranty Associations	On agenda (BI)
SB 922	Economic Development	In committee/council (CM)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (IT)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (IT)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	Acted on by committee/council, pending report (CM)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	In committee/council (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	In committee/council (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	In committee/council (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	Filed
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	Filed
SB 1684	Health Care Provider Credentialing	Filed
SB 1778	Taxation of Real Property	Filed
SB 1822	Verification of Employment Eligibility	Filed

AMERICAN OVERSIGHT

Chair Wright and the Military and Veterans Affairs and Space Committee will meet for a Senate Confirmation Hearing for Adjutant General of Florida National Guard Appointee: Eifert, James O. The committee will also meet to consider SB 96 by Senator Cruz and others—Educational Opportunities for Veterans and SB 352 by Senator Hutson—Unlawful Use of Uniforms, Medals, or Insignia.

Chair Benacquisto and the Rules Committee will meet to consider the following bills: SM 420 by Senator Diaz and others—VA MISSION Act of 2018, CS/CS/SB 140 by the Committees on Banking and Insurance, Community Affairs; Senator Hutson and others—Fireworks, CS/SB 356 by the Committee on Innovation, Industry, and Technology; Senator Hutson and others—Keep Our Graduates Working Act, SB 172 by Senator Bradley—Florida Drug and Cosmetic Act, SR 546 by Senator Rodriguez—Oppression of the Nicaraguan People/President Daniel Ortega, SB 594 by Senator Benacquisto—Florida Statutes, SB 596 by Senator Benacquisto—Florida Statutes, SB 598 by Senator Benacquisto—Florida Statutes, and SB 600 by Senator Benacquisto—Florida Statutes.

Chair Simmons and the Judiciary Committee will meet to consider the following bills: CS/SB 404 by the Committee on Health Policy; Senator Stargel and others—Parental Consent for Abortion, SB 726 by Senator Rouson—Florida Commission on Human Relations, SB 748 by Senator Flores—Takings Claims Within Areas of Critical State Concern, and SB 1002 by Senator Rodriguez—Subpoenas.

Chair Broxson and the Banking and Insurance Committee will meet to consider the following bills: SB 116 by Senator Cruz and others—Prescription Insulin Drugs, SB 880 by Senator Baxley—Nurse Registry, SB 894 by Senator Rouson—Business Services, SB 898 by Senator Gruters and others—Insurance Guaranty Associations, SB 1092 by Senator Bean—Fire Prevention and Control, and SB 1188 by Senator Albritton—Public Records/Records of
Insurers/Department of Financial Services.

Chair Book and the Children, Families, and Elder Affairs Committee will meet to consider the following bills: SB 82 by Senator Bean—Individuals With Disabilities, SB 994 by Senator Passidomo and others—Guardianship, and SB 1324 by Senator Simpson—Child Welfare.

Chair Mayfield and the Appropriations Subcommittee on Agriculture, Environment, and General Government will meet for the following Senate Confirmation Hearings: Executive Director of Northwest Florida Water Management District Appointee: Cyphers, Brett J., Executive Director of St. Johns River Water Management District Appointee: Shortelle, Ann B., Executive Director of South Florida Water Management District Appointee: Bartlett, Andrew "Drew", Executive Director of Southwest Florida Water Management District Appointee: Armstrong, Brian J., and Executive Director of Suwannee River Water Management District Appointee: Thomas, Hugh L.

Chair Bean and the Appropriations Subcommittee on Health and Human Services will meet to consider CS/SB 58 by the Committee on Health Policy; Senator Book and others—Prescription Drug Donation Repository Program and for a Senate Confirmation Hearing for State Surgeon General Appointee: Rivkees, Scott A.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Sen. Dennis Baxley @dennisbaxley
Today marks the first day of our 60 day Legislative Session and my colleagues and I are ready to continue our work of representing you in the Florida Senate! #OpeningDay

Kathleen Passidomo @Kathleen4SWFL
This morning we embark on a mission to create good policy for all Floridians. I am proud to serve Florida's Senate District 28 in Tallahassee.

Bill Galvano @BillGalvano
It was an honor to visit with the survivors and first responders of the NAS Pensacola terrorist attack, as well as the families of those we lost.

Lizbeth Benacquisto @lizbethkb
This morning @BillGalvano and the @FLSenate unveiled the new artwork that will greet Floridians from across the state as they enter the Senate Gallery, a beautiful piece carved from a native cypress tree.

IN CASE YOU MISSED IT

WPTV West Palm Beach: Key Florida senator files plan for Everglades restoration, money for other water projects
Miami Herald: Senate president doesn't set his agenda to start session but does quote Mother Theresa
Bay News 9: Watchdog: New Florida Legislation Aims to Toughen Guardianship Laws
Tallahassee Democrat: NAS Pensacola shooting first responders, victims, families honored by lawmakers

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Fajita Bar, Salad Bar, Chips, Guacamole, Queso, Salsa, Cookies

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Friday, January 17, 2020 5:17 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/21 Daily Briefing
Attachment(s): "Daily Briefing01-21 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 21, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

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FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Tuesday, January 21, 2020

SCHEDULE

10:00 — 11:30 AM

Commerce and Tourism - 110 Senate Building

- SB 666 - Florida Development Finance Corporation (Mayfield)
- SB 1112 - Bottled Water Excise Tax (Taddeo)
- SB 1244 - State Workforce Development Boards (Albritton)
- SB 1310 - Hunting and Fishing Sales Tax Holiday (Mayfield)
- **SB 922 - Economic Development (Gruters)**
  - **A 818472 - Between lines 114 and 115 insert: (Gruters)**
  - **A 694026 - Between lines 114 and 115 insert: (Gruters)**
  - **AA 460038 - Delete line 10 and insert: (Gruters)**

12:00 noon — 1:30 PM

Banking and Insurance - 412 Knott Building

- SB 736 - Coverage for Air Ambulance Services (Diaz)
- SB 914 - Property Insurance (Brandes)
- SB 1006 - Coverage for Hearing Aids for Children (Baxley)
- SB 1224 - Real Estate Conveyances (Simmons)
- SB 1338 - Prescription Drug Coverage (Wright)
- SB 1376 - Credit For Reinsurance (Broxson)
- SB 1404 - Department of Financial Services (Perry)

2:30 — 4:00 PM

Innovation, Industry, and Technology - 110 Senate Building

- SB 474 - Deregulation of Professions and Occupations (Albritton)
- CS/SB 498 - Consumer Protection (Baxley)
- SB 900 - Malt Beverages (Stargel)
- **SB 1102 - Specialty Contracting Services (Gruters)**
- **SB 1140 - Public Accountancy (Gruters)**

4:30 — 6:00 PM

Community Affairs - 301 Senate Building

- SB 388 - Citrus/Hernando Waterways Restoration Council (Hooper)

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- **SB 514 - Homestead Exemptions (Gruters)**
  - **D 301196 - Delete everything after the enacting clause and insert: (Gruters)**
- SB 1136 - Children's Services Councils (Brandes)
- SB 1254 - Community Development District Bond Financing (Wright)
- SB 1332 - Towing and Immobilizing Vehicles and Vessels (Hooper)
- SB 1398 - Regional Planning Council Meetings (Flores)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	On agenda (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)
SB 514	Homestead Exemptions	On agenda (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
SB 922	Economic Development	On agenda (CM)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	On agenda (IT)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	On agenda (IT)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	In committee/council (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	In committee/council (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)

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SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	In committee/council (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	In committee/council (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

Chair Albritton and the Agriculture Committee will meet to consider the following bills: SB 240 by Senator Rader—State Symbols, SB 764 by Senator Baxley—Certified Pile Burning, SB 806 by Senator Gainer—Public Records/Animal Health Records/Department of Agriculture and Consumer Services, SB 980 by Senator Brandes—Lost, Stray, Unwanted, or Homeless Dogs and Cats, and SB 1282 by Senator Harrell—Animal Cremation.

Chair Gruters and the Commerce and Tourism Committee will meet to consider the following bills: SB 666 by Senator Mayfield—Florida Development Finance Corporation, SB 1112 by Senator Taddeo and others—Bottled Water Excise Tax, SB 1244 by Senator Albritton—State Workforce Development Boards, SB 1310 by Senator Mayfield—Hunting and Fishing Sales Tax Holiday, and SB 922 by Senator Gruters—Economic Development.

Chair Perry and the Criminal Justice Committee will meet to consider the following bills: SB 92 by Senator Simmons—Controlled Substances, SB 656 by Senator Pizzo—Arrests, SB 850 by Senator Pizzo—Exposure of Sexual Organs, SB 1044 by Senator Pizzo and others—Animal Cruelty, SB 1116 by Senator Brandes—Trust Funds/State-Operated Institutions Inmate Welfare Trust Fund/Department of Corrections, SB 1118 by Senator Brandes—Inmate Welfare Trust Funds, SB 1142 by Senator Hooper—Offenses Against Firefighters, SB 1144 by Senator Brandes—Department of Juvenile Justice, SB 1146 by Senator Brandes—Special Risk Class of the Florida Retirement System, and SB 1304 by Senator Brandes—Sentencing.

Chair Harrell and the Health Policy Committee will meet to consider the following bills: SB 494 by Senator Simpson and others—H. Lee Moffitt Cancer Center and Research Institute, SB 810 by Senator Simmons—Tobacco and Nicotine Products, SB 792 by Senator Albritton and others—Physical Therapy, SB 120 by Senator Pizzo and others—Naloxone in Schools, SB 842 by Senator Wright—Injured Police Canines, SB 52 by Senator Bean—Medicaid Services, SB 916 by Senator Baxley—Program of All-Inclusive Care for the Elderly, and SB 1374 by Senator Harrell—Regional Perinatal Intensive Care Centers.

Chair Broxson and the Banking and Insurance Committee will meet to consider the following bills: SB 736 by Senator Diaz—Coverage for Air Ambulance Services, SB 914 by Senator Brandes—Property Insurance, SB 1006 by Senator Baxley and others—Coverage for Hearing Aids for Children, SB 1224 by Senator Simmons—Real Estate Conveyances, SB 1338 by Senator Wright—Prescription Drug Coverage, SB 1376 by Senator Broxson—Credit For Reinsurance, and SB 1404 by Senator Perry—Department of Financial Services.

Chair Book and the Children, Families, and Elder Affairs Committee will meet to consider the following bills: SB 122 by Senator Rouson and others—Child Welfare, SB 604 by Senator Bean—Servicemembers Civil Relief Act, SB 1104 by Senator Baxley—State Park Fee Waivers and Discounts, SB 1326 by Senator Simpson—Department of Children and Families, and SB 1542 by Senator Stargel—Alzheimer's Disease.

Chair Simmons and the Judiciary Committee will meet to consider the following bills: SM 978 by Senator Pizzo—Juneteenth Independence Day, SB 1262 by Senator Bracy—1920 Ocoee Election Day Riots, SB 1264 by Senator Bracy—Ocoee Election Day Riots Descendant Compensation Trust Fund/Department of Legal Affairs, SB 1302 by Senator Flores and others—Sovereign Immunity, SB 1510 by Senator Brandes—Jurisdiction of Courts, SB 1362 by Senator Rodriguez—Rental Agreements, SB 1298 by Senator Simmons—Office of the Judges of Compensation Claims, and SB 1392 by Senator Simmons—Official Headquarters of Judicial Officers. The committee will also hold a workshop, discussion and testimony on SB 1328 by Senator Wright—Fines and Fees.

Chair Diaz and the Education Committee will meet to consider the following bills: SB 132 by Senator Braynon—Sunshine Scholarship Program, SB 754 by Senator Baxley—School Crossing Guards, SB 866 by Senator Diaz—Florida Talent Development Council, SB 918 by Senator Brandes—Civic Education, SB 1220

AMERICAN OVERSIGHT

by Senator Diaz—Education, SB 1246 by Senator Stargel—Dual Enrollment, SB 1420 by Senator Flores—Charter Schools, and SPB 7040—Implementation of the Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission.

Chair Hooper and the Governmental Oversight and Accountability Committee will meet to consider the following bills: SB 338 by Senator Rodriguez—Energy Efficiency Savings in State Agencies, SB 952 by Senator Perry—Senior Management Service Class, SM 974 by Senator Pizzo—Jean-Jacques Dessalines Day, SB 1276 by Senator Albritton—Department of Citrus, SB 7014 by the Committee on Banking and Insurance (Broxson)—OGSR/Payment Instrument Transaction Information/Office of Financial Regulation, SB 7022 by the Committee on Infrastructure and Security (Lee)— OGSR/E-mail Addresses/Department of Highway Safety and Motor Vehicles, SPB 7042—State University Facility Designations, and SPB 7044—State-administered Retirement Systems.

Chair Simpson and the Innovation, Industry, and Technology Committee will meet to consider the following bills: SB 474 by Senator Albritton—Deregulation of Professions and Occupations, CS/SB 498 by the Committee on Commerce and Tourism and Senator Baxley—Consumer Protection, SB 900 by Senator Stargel—Malt Beverages, SB 1102 by Senator Gruters—Specialty Contracting Services, and SB 1140 by Senator Gruters—Public Accountancy.

Chair Flores and the Community Affairs Committee will meet to consider the following bills: SB 388 by Senator Hooper—Citrus/Hernando Waterways Restoration Council, SB 514 by Senator Gruters—Homestead Exemptions, SB 1136 by Senator Brandes—Children's Services Councils, SB 1254 by Senator Wright—Community Development District Bond Financing, SB 1332 by Senator Hooper—Towing and Immobilizing Vehicles and Vessels, and SB 1398 by Senator Flores—Regional Planning Council Meetings.

Chair Montford and the Environment and Natural Resources Committee will meet to consider the following bills: SB 906 by Senator Farmer—Prohibited Reptiles, SB 1042 by Senator Albritton—Aquatic Preserves, SB 1096 by Senator Cruz and others—Bottled Water, and SB 1098 by Senator Cruz and others—Fees/Bottled Water Companies/Department of Environmental Protection. The committee will also meet for a Presentation by the Office of Economic and Demographic Research on the Annual Assessment of Florida's Water Resources and Conservation Lands.

Chair Baxley and the Ethics and Elections Committee will meet for the following Senate Confirmation Hearings: Florida Citrus Commission Appointees: Hancock, Jonathan Ned Martinez, Carlos H., and Schirard, John Patrick, Board of Trustees of Daytona State College Appointees: Holness, Betty Jean, Howard, Randall B., Lloyd, Robert W., and Lubi, Garry R., Board of Trustees of Miami-Dade College Appointees: Abraham, Anay Marie and Bileca, Michael, Board of Trustees of St. Petersburg College Appointee: Gibbons, Deveron M., Board of Trustees of Valencia College Appointees: Lopez-Cid, Daisy and Sasso, Michael Adam, Board of Trustees for the Florida School for the Deaf and the Blind Appointee: Kramer, Matthew, Central Florida Expressway Authority Appointee: Madara, Jay, Board of Medicine Appointee: Cairns, Kevin, Tampa Port Authority Appointees: Allman, Patrick H. III and Mai, Hung T., Jacksonville Port Authority Appointee: Fleming, Edward J., Jr., Board of Professional Surveyors and Mappers Appointee: Hall, Iarelis Diaz, Governing Board of the Northwest Florida Water Management District Appointee: Roberts, George A., and Governing Board of the Suwannee River Water Management District Appointees: Keith, Charles G. and Schwab, Richard. The committee will also meet to consider the following bills: SB 1490 by Senator Bradley and others—Public Officers and Employees, SB 832 by Senator Stargel—Public Records/Members of the Legislature and the Cabinet, SB 1108 by Senator Baxley—Campaign Finance, SJR 1110 by Senator Baxley—Repeal of Public Campaign Financing Requirement, and SR 1458 by Senator Baxley—Supporting the Preservation of the Electoral College.

Chair Lee and the Infrastructure and Security Committee will meet to consider the following bills: SB 88 by Senator Stewart and others—Child Care Facilities, SB 158 by Senator Perry and others—Child Restraint

AMERICAN OVERSIGHT

Requirements, SB 290 by Senator Hooper—School Bus Safety, SB 378 by Senator Lee and others—Motor Vehicle Insurance, SB 538 by Senator Diaz and others—Emergency Reporting, SB 636 by Senator Stargel—Department of Highway Safety and Motor Vehicles, SB 676 by Senator Mayfield—High-speed Passenger Rail Safety, SB 966 by Senator Gainer—Public Records/Disaster Recovery Assistance, SB 1030 by Senator Stargel—Public Records/Vessel Title or Registration/Department of Highway Safety and Motor Vehicles, SB 1086 by Senator Diaz—Vehicle and Vessel Registration Data and Functionality, and SB 1500 by Senator Broxson—Specialty License Plate Fees.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Rob Bradley @Rob_Bradley
Of course “terms of sentence” in A4 includes paying restitution to victims of crime. Thanks to @flcourts for respecting the right of voters to have our constitutional amendments properly implemented. Great work @JamesGrantFL@JeffreyBrandes@Paul_Renner!

Debbie Mayfield @debbie_mayfield
Artwork from students across #Florida is being displayed in the Capitol during the 2020 Legislative Session. This beautiful piece is by Samantha from @GiffordMiddle@IRCSchools! #RisingStar

Sen. Anitere Flores @anitere_flores
16 years ago, I set out to be YOUR voice in Tallahassee. My constituents were seeking leadership on the economy, education, healthcare, property insurance & more. Thank you for your support & guidance all these years. I pray I served our Districts & Florida well. #FloresFinale

IN CASE YOU MISSED IT

Pensacola News Journal: Florida bill would create 'loophole' to let state employees raise money for medical bills
News 6 Orlando: Guardian bill passes first Senate hurdle
News 4 Jax: Florida Senate bill tackles school safety concerns
Business Observer Florida: Taxes, regulations on the docket in Tallahassee

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Beef Burger Bar, Chicken Burger Bar, Vertigo Chips, Garden Salad, Bread Pudding

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, January 21, 2020 6:02 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/22 Daily Briefing
Attachment(s): "Daily Briefing01-22 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 22, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Wednesday, January 22, 2020

SCHEDULE

10:30 AM — 12:00 noon
SESSION Special Order

- SB 172 - Florida Drug and Cosmetic Act (Bradley)
- SM 420 - VA MISSION Act of 2018 (Diaz)
- SR 546 - Oppression of the Nicaraguan People/President Daniel Ortega (Rodriguez)
- SB 594 - Florida Statutes (Benacquisto)
- SB 596 - Florida Statutes (Benacquisto)
- SB 598 - Florida Statutes (Benacquisto)
- SB 600 - Florida Statutes (Benacquisto)

1:30 — 3:30 PM
Appropriations Subcommittee on Criminal and Civil Justice - 37 Senate Building

- **SB 118 - Security in Trial Court Facilities (Gruters)**
- CS/SB 556 - Inmate Conditional Medical Release (Brandes)
- SB 560 - Sentencing (Brandes)
- CS/SB 574 - Conditional Aging Inmate Release (Brandes)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	On agenda (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)
SB 514	Homestead Exemptions	Acted on by committee/council, pending report (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
SB 922	Economic Development	Acted on by committee/council, pending report (CM)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	In committee/council (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	In committee/council (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	In committee/council (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	In committee/council (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

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Chair Wright and the Military and Veterans Affairs and Space Committee will meet to consider the following bills: SB 1070 by Senator Wright—Space Florida, SB 1074 by Senator Wright—Surviving Spouse Ad Valorem Tax Reduction, SJR 1076 by Senator Wright—Surviving Spouse Ad Valorem Tax Reduction, SB 1078 by Senator Wright—Special Election/Surviving Spouse Ad Valorem Tax Reduction, and SB 1260 by Senator Albritton—Florida Space Exploration Monument.

Chair Benacquisto and the Rules Committee will meet to consider the following bills: CS/SB 404 by the Committee on Health Policy; Senator Stargel and others—Parental Consent for Abortion and CS/SB 406 by the Committee on Health Policy and Senator Stargel—Public Records/Minor's Petition to Waive Consent/Abortion.

Chair Mayfield and the Appropriations Subcommittee on Agriculture, Environment, and General Government will meet to consider the following bills: CS/SB 506 by the Committee on Governmental Oversight and Accountability and Senator Perry—Public Procurement of Services, SB 540 by Senator Rader—Insurance Guaranty Associations, and CS/SB 712 by the Committee on Community Affairs and Senator Mayfield—Water Quality Improvements.

Chair Brandes and the Appropriations Subcommittee on Criminal and Civil Justice will meet to consider the following bills: SB 118 by Senator Gruters—Security in Trial Court Facilities, CS/SB 556 by the Committee on Criminal Justice; Senator Brandes and others—Inmate Conditional Medical Release, SB 560 by Senator Brandes and others—Sentencing, and CS/SB 574 by the Committee on Criminal Justice; Senator Brandes and others—Conditional Aging Inmate Release.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Florida Senate @FLSenate
We are pleased to welcome the newest member of the Florida Senate family. Turner Easton Hutson, born last night at 9:26 p.m to Senator and Mrs. @TravisJHutson. Welcome Turner! We can't wait to meet you.

Bill Galvano @BillGalvano
Great to be with @GovRonDeSantis@FLCaseyDeSantis@richardcorcoran@KeithPerryFL@SenMannyDiazJr former @FLSenatePresident Andy Gardiner and many others today to support the Gardiner Scholarship for our students with unique abilities! @StepUp4Students#SchoolChoice

George Gainer @SenatorGainer
Had a great visit today with my good friend Congressman @DrNealDunnFL2. I am consistently impressed with the work he is doing for the people in the panhandle. Thank you for the update and your dedicated service!

IN CASE YOU MISSED IT

Florida-Times Union: In Legislature, septic tank problems getting notice after heavy algae impacts prompt state review
WJHG Panama City: New facility to house special vehicles to be built for BCSO
Daily Commercial: State lawmakers vow to crack down on pollution that contributes to algae issues

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Shrimp and Pimento Cheese Grits, Orange Bourbon Chicken, Veggie Succotash, Rolls, Cobb Salad, Shortcake Bar

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, January 27, 2020 8:30 AM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/27 Daily Briefing
Attachment(s): "Daily Briefing01-27 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 27, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Monday, January 27, 2020

SCHEDULE

1:30 — 3:30 PM
Governmental Oversight and Accountability - 301 Senate Building

- **SB 1212 - International Affairs (Gruters)**
  - **A 316316 - Delete lines 54 - 173 and insert: (Gruters)**
- SB 7002 - OGSR/State Child Abuse Death Review Committee (Children, Families, and Elder Affairs)
- SB 7032 - OGSR/Body Camera Recordings Obtained by Law Enforcement Officers (Criminal Justice)
- SB 7034 - OGSR/Residential Facilities Serving Victims of Sexual Exploitation (Criminal Justice)
- SB 7036 - OGSR/Criminal Intelligence Information/Criminal Investigative Information (Criminal Justice)
- SB 7038 - OGSR/Information Held by an Investigative Agency (Criminal Justice)
- SB 822 - Drones (Albritton)
- SB 1690 - Preservation of Memorials (Torres)
- SB 240 - State Symbols (Rader)
- Consideration of proposed bill:
- SPB 7046 - State Group Insurance Program ()
- Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.
- 1280 Jones Jr., J. Robert

4:00 — 6:00 PM Schedule Conflict
Community Affairs - 301 Senate Building

- SB 334 - Tourist Development Tax (Stewart)
- SB 410 - Growth Management (Perry)
- SB 1336 - Preemption of Local Occupational Licensing (Perry)
- SB 716 - County Boundaries (Mayfield)
- SB 772 - Recreational Vehicle Parks (Hutson)
- SB 996 - Displacement of Private Waste Companies (Albritton)
- **SB 1236 - Educational Property Tax Exemption (Gruters)**
  - **A 928038 - Delete lines 50 - 54 and insert: (Gruters)**
- SB 1466 - Special Districts (Baxley)
- SB 748 - Takings Claims Within Areas of Critical State Concern (Flores)

AMERICAN OVERSIGHT

Environment and Natural Resources - 37 Senate Building

- Report by the Department of Environmental Protection on Citizen Support Organizations
- SB 1390 - Everglades Protection Area (Simmons)
- **SB 1450 - Environmental Enforcement (Gruters)**
  - **A 812520 - Delete line 164 and insert: (Gruters)**
- SB 1618 - Construction Materials Mining Activities (Diaz)
- SB 702 - Petroleum Cleanup (Albritton)
- SB 1382 - Environmental Resource Management (Albritton)

Ethics and Elections - 412 Knott Building

- Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.
- 295 Dye, Randall W.
- 305 Young, Orrin Wayne
- 1435 Payne, Danielle Holm
- 1845 Conner, William Theodore
- 1575 Eifert, James O.
- CS/SB 352 - Unlawful Use of Uniforms, Medals, or Insignia (Hutson)
- **SJR 1216 - Limitation on Terms of Office for Members of a District School Board (Gruters)**
  - **A 327674 - Delete lines 34 - 53 and insert: (Gruters)**
- SB 1312 - Voting Systems (Montford)
- SB 1354 - Statewide Voter Registration Application (Brandes)
- SB 1794 - Constitutional Amendments Proposed by Initiative (Hutson)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)

AMERICAN OVERSIGHT

SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	On agenda (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	On agenda (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	On agenda (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	On agenda (CA)
SB 1240	Corporate Income Tax Credit	On agenda (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	On agenda (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	In committee/council (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

Chair Diaz and the Education Committee will meet to consider the following bills: SB 190 by Senator Montford and others—Medicaid School-based Services, SB 738 by Senator Harrell—Jury Service, SB 774 by Senator Diaz—Public Records and Meetings/Applicant for President/State University or Florida College System Institution, SB 876 by Senator Gibson—Historically Black Colleges and Universities Matching Endowment Scholarship Program, SB 946 by Senator Baxley—Moments of Silence in Public Schools, SB 1568 by Senator Hutson—Education, SB 1688 by Senator Harrell—Early Learning and Early Grade Success, and SB 1696 by Senator Perry—Student Athletes.

Chair Hooper and the Governmental Oversight and Accountability Committee will meet to consider the following bills: SB 1212 by Senator Gruters—International Affairs, SB 7002 the Committee on Children, Families, and Elder Affairs (Book)—OGSR/State Child Abuse Death Review Committee, SB 7032 by the Committee on Criminal Justice (Perry)— OGSR/Body Camera Recordings Obtained by Law Enforcement Officers, SB 7034 by the Committee on Criminal Justice (Perry)— OGSR/Residential Facilities Serving Victims of Sexual Exploitation, SB 7036 by the Committee on Criminal Justice (Perry)—OGSR/Criminal Intelligence Information/Criminal Investigative Information, SB 7038 by the Committee on Criminal Justice (Perry)—OGSR/Information Held by an Investigative Agency, SB 822 by Senator Albritton—Drones, SB 1690 by Senator Torres—Preservation of Memorials, SB 240 by Senator Rader—State Symbols, and SPB 7046—State Group Insurance Program. The committee will also meet for a Confirmation Hearing for Investment Advisory Council Appointee: Jones, J. Robert, Jr.

Chair Simpson and the Innovation, Industry, and Technology Committee will meet to consider the following bills: SB 1154 by Senator Baxley—Community Associations, SB 1214 by Senator Baxley—Engineers, SB 1256 by Senator Albritton—Telegraph Companies, SB 890 by Senator Perry—Local Licensing, and SB 478 by Senator Perry—Motor Vehicle Rentals.

Chair Flores and the Community Affairs Committee will meet to consider the following bills: SB 334 by Senator Stewart—Tourist Development Tax, SB 410 by Senator Perry—Growth Management, SB 1336 by Senator Perry—Preemption of Local Occupational Licensing, SB 716 by Senator Mayfield—County Boundaries, SB 772 by Senator Hutson and others—Recreational Vehicle Parks, SB 996 by Senator Albritton—Displacement of Private Waste Companies, SB 1236 by Senator Gruters—Educational Property Tax Exemption, SB 1466 by Senator Baxley—Special Districts, and SB 748 by Senator Flores—Takings Claims Within Areas of Critical State Concern.

Chair Montford and the Environment and Natural Resources Committee will meet to consider the following bills: Report by the Department of Environmental Protection on Citizen Support Organizations, SB 1390 by Senator Simmons—Everglades Protection Area, SB 1450 by Senator Gruters—Environmental Enforcement, SB 1618 by Senator Diaz—Construction Materials Mining Activities, SB 702 by Senator Albritton—Petroleum Cleanup, and SB 1382 by Senator Albritton—Environmental Resource Management.

Chair Baxley and the Ethics and Elections Committee will meet for the following Senate Confirmation Hearings: Board of Trustees of Daytona State College Appointee: Dye, Randall W., Board of Trustees of Florida State College at Jacksonville Appointee: Young, Orrin Wayne , Governor's Mansion Commission Appointee: Payne, Danielle Holm, Tampa Port Authority Appointee: Conner, William Theodore, and Adjutant General of Florida National Guard
Appointee: Eifert, James O. Pleasure of Governor. The committee will also meet to consider the following bills: CS/SB 352 by the Committee on Military and Veterans Affairs and Space and Senator Hutson—Unlawful Use of Uniforms, Medals, or Insignia, SJR 1216 by Senator Gruters—Limitation on Terms of Office for Members of a District School Board, SB 1312 by Senator Montford—Voting Systems, SB 1354 by Senator Brandes—Statewide Voter Registration Application, and SB 1794 by Senator Hutson—Constitutional Amendments Proposed by Initiative.

AMERICAN OVERSIGHT

Chair Lee and the Infrastructure and Security Committee will meet to consider the following bills: SB 76 by Senator Book—Transportation Disadvantaged, SB 368 by Senator Rouson—Tampa Bay Area Regional Transit Authority, SB 422 by Senator Perry—Recreational Vehicles, SB 752 by Senator Bean and others—Emergency Sheltering of Persons with Pets, SB 844 by Senator Taddeo—Sales Tax Exemption for Hurricane Shutters and Impact-resistant Windows, SB 1000 by Senator Perry and others—Traffic and Pedestrian Safety, SB 1090 by Senator Diaz and others—Express Lanes, SB 1198 by Senator Berman—Purple Alert, SB 1258 by Senator Diaz—Commercial Service Airports, SB 1352 by Senator Brandes—Transportation Companies, SB 1464 by Senator Flores—Underground Facility Damage Prevention and Safety, and SR 1572 by Senator Stewart—Climate Change.

Chair Benacquisto and the Special Order Calendar Group will meet to set the Special Order Calendar.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Rob Bradley @Rob_Bradley
Incredibly honored to receive award from my dear friend Leader @SenAudrey2eet at the @FCBSL reception last night along with President @BillGalvano! Fabulous night as we celebrated milestones together-including the new CASS building at @FAMU_1887!

Kathleen Passidomo @Kathleen4SWFL
Pleased to welcome @GovRonDeSantis to Naples for his education standards announcement.

Bill Galvano @BillGalvano
Great news! @GovRonDeSantis announced Florida's unemployment rate dropped to record low of 3.0 percent in December 2019.

IN CASE YOU MISSED IT

FOX 51 Gainesville: Military training could translate to Florida college credits
News 4 Jax: House, Senate to take up genetic information issue
WPEC West Palm Beach: Gov. DeSantis announces Florida's unemployment rate drops to record low

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Assorted Breakfast Sandwiches, Fresh Fruit

Lunch: Signature Sandwiches, Chips, Garden Salad, Cookies

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, January 27, 2020 6:41 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/28 Daily Briefing
Attachment(s): "Daily Briefing01-28 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 28, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Tuesday, January 28, 2020

SCHEDULE

8:30 — 10:30 AM

Appropriations Subcommittee on Criminal and Civil Justice - 37 Senate Building

- CS/SB 554 - Sentencing (Brandes)
- CS/SB 700 - Juvenile Diversion Program Expunction (Perry)
- CS/SB 846 - Costs of Prosecution and Investigation (Simmons)
- SB 1002 - Subpoenas (Rodriguez)
- Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Corrections Department of Juvenile Justice Department of Law Enforcement Department of Legal Affairs/Attorney General Florida Commission on Offender Review State Courts Public Defenders State Attorneys Regional Conflict Counsels Statewide Guardian ad Litem Capital Collateral Regional Counsels Justice Administrative Commissions

11:00 AM — 1:00 PM

Finance and Tax - Not Meeting

1:30 — 3:30 PM

Commerce and Tourism - 110 Senate Building

- SB 1166 - Broadband Internet Service (Albritton)
- SB 1186 - Drug-free Workplaces (Baxley)
- SB 1356 - Employer Contributions for Reemployment Assistance (Bean)
- SB 1492 - Consumer Protection (Wright)
- **SB 1140 - Public Accountancy (Gruters)**
- **SB 1240 - Corporate Income Tax Credit (Gruters)**
- Presentation on Policy Considerations Related to Emerging Facial Recognition Technologies

4:00 — 6:00 PM

Banking and Insurance - 412 Knott Building

- SB 924 - Civil Actions Against Insurers (Brandes)
- SB 1306 - Individual Retirement Accounts (Thurston)
- SB 1338 - Prescription Drug Coverage (Wright)
- SB 1564 - Genetic Information for Insurance Purposes (Stargel)
- SB 1672 - Protection of Vulnerable Investors (Broxson)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	On agenda (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
SB 1212	International Affairs	Acted on by committee/council, pending report (GO)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	On agenda (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	On agenda (CA)
SB 1240	Corporate Income Tax Credit	On agenda (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	On agenda (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)

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SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	In committee/council (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

FYI – COMMITTEE ACTIVITY

Chair Mayfield and the Appropriations Subcommittee on Agriculture, Environment, and General Government will meet for a Presentation on Derelict Vessels by the Florida Fish and Wildlife Conservation Commission.

Chair Brandes and the Appropriations Subcommittee on Criminal and Civil Justice will meet to consider the following bills: CS/SB 554 by the Committee on Criminal Justice; Senator Brandes and others—Sentencing, CS/SB 700 by the Committee on Criminal Justice; Senator Perry and others—Juvenile Diversion Program Expunction, CS/SB 846 by the Committee on Criminal Justice and Senator Simmons—Costs of Prosecution and Investigation, and SB 1002 by Senator Rodriguez—Subpoenas. The subcommittee will also meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Corrections, Department of Juvenile Justice, Department of Law Enforcement, Department of Legal Affairs/Attorney General, Florida Commission on Offender Review, State Courts, Public Defenders, State Attorneys, Regional Conflict Counsels, Statewide Guardian ad Litem, Capital Collateral Regional Counsels, and Justice Administrative Commissions

Chair Diaz and the Appropriations Subcommittee on Education will meet to consider the following bills: SB 62 by Senator Stargel—K-12 Education, SB 72 by Senator Stargel—Postsecondary Education, CS/SB 434 by the Committee on Education and Senator Montford—Designation of School Grades, SB 486 by Senator Bradley—Florida Best and Brightest Programs, and SB 836 by Senator Simmons—Funds for the Operation of Schools. The subcommittee will also meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Education, Office of Early Learning, and Board of Governors.

Chair Bean and the Appropriations Subcommittee on Health and Human Services will meet to consider the following bills: SB 52 by Senator Bean—Medicaid Services, SB 82 by Senator Bean—Individuals With Disabilities, SB 1020 by Senator Bean—Institutional Formularies Established by Nursing Home Facilities, CS/SB 1324 by the Committee on Children, Families, and Elder Affairs and Senator Simpson—Child Welfare, and SB 1326 by Senator Simpson—Department of Children and Families.

Chair Albritton and the Agriculture Committee will meet to consider the following bills: SB 48 by Senator Book—Declawing of Cats, SB 1772 by Senator Montford—Environmental Value of Agricultural Lands and Timberlands, and SB 1876 by Senator Montford—State Hemp Program. The committee will also meet for a Presentation by Florida 4-H and an Update on the Florida Citrus Recovery Block Grant Program by the Florida Division of Emergency Management.

Chair Gruters and the Commerce and Tourism Committee will meet to consider the following bills: SB 1166 by Senator Albritton—Broadband Internet Service, SB 1186 by Senator Baxley—Drug-free Workplaces, SB 1356 by Senator Bean—Employer Contributions for Reemployment Assistance, SB 1492 by Senator Wright—Consumer Protection, SB 1140 by Senator Gruters—Public Accountancy, and SB 1240 by Senator Gruters—Corporate Income Tax Credit. The committee will also meet for a Presentation on Policy Considerations Related to Emerging Facial Recognition Technologies.

AMERICAN OVERSIGHT

Chair Perry and the Criminal Justice Committee will meet to consider the following bills: SB 652 by Senator Pizzo—Urban Core Gun Violence Task Force, CS/SB 728 by the Committee on Infrastructure and Security; Senator Stargel and others—Threats, SB 1018 by Senator Stewart—Exposure of Sexual Organs, SB 1024 by Senator Bean—Public Records/Criminal Intelligence and Criminal Investigative Information, SB 1286 by Senator Simmons—Contraband in Specified Facilities, SB 1416 by Senator Perry—Assaults on Specified Persons, SB 1718 by Senator Brandes—Public Meetings and Records/Conditional Aging Inmate Release Program, SB 1728 by Senator Brandes—Public Meetings and Records/Conditional Medical Release Program, SB 1802 by Senator Pizzo—Public Meetings/Urban Core Gun Violence Task Force, and SB 1880 by Senator Perry—Restitution for Juvenile Offenses.

Chair Harrell and the Health Policy Committee will meet to consider the following bills: SB 120 by Senator Pizzo and others—Naloxone in Schools, SB 916 by Senator Baxley—Program of All-Inclusive Care for the Elderly, SB 1374 by Senator Harrell—Regional Perinatal Intensive Care Centers, SB 1516 by Senator Harrell—Organ Transplant Technical Advisory Council, SB 798 by Senator Rouson—Procurement of Human Organs and Tissue, SB 1556 by Senator Bean—Nondiscrimination in Organ Transplants, SB 1726 by Senator Bean—Agency for Health Care Administration, SB 1742 by Senator Mayfield—Home Medical Equipment Providers, SB 926 by Senator Harrell—Health Care Practitioner Licensure, SB 928 by Senator Harrell—Public Records and Meetings/Interstate Medical Licensure Compact, SB 1676 by Senator Albritton—Direct Care Workers, and SB 1344 by Senator Harrell—Intermediate Care Facilities. The committee will also meet for a Review of Florida's Organ Donation and Transplantation System by OPPAGA.

Chair Broxson and the Banking and Insurance Committee will meet to consider the following bills: SB 924 by Senator Brandes—Civil Actions Against Insurers, SB 1306 by Senator Thurston—Individual Retirement Accounts, SB 1338 by Senator Wright and others—Prescription Drug Coverage, SB 1564 by Senator Stargel—Genetic Information for Insurance Purposes, and SB 1672 by Senator Broxson—Protection of Vulnerable Investors.

Chair Book and the Children, Families, and Elder Affairs Committee will meet to consider the following bills: SB 682 by Senator Baxley—Florida Guide to a Healthy Marriage, SB 870 by Senator Book—Mental Health, SB 1120 by Senator Harrell—Substance Abuse Services, SB 1218 by Senator Diaz—Anti-bullying and Anti-harassment in Schools, SB 1482 by Senator Bean—Domestic Violence Services, SB 1548 by Senator Perry—Child Welfare, SB 1586 by Senator Hooper and others—First Responders Suicide Deterrence Task Force, and SB 1748 by Senator Hutson and others—Child Welfare. The committee will also meet for a Presentation on Child Welfare Research by Robert Latham, Children and Youth Law Clinic, University of Miami.

Chair Simmons and the Judiciary Committee will meet to consider the following bills: SB 186 by Senator Taddeo—Contracts for the Sale or Lease of Pets, CS/SR's 214 & 222 by the Committee on Infrastructure and Security; Senators Rodriguez, Simpson and others—Philosophies that Espouse Superiority, SB 604 by Senator Bean—Servicemembers Civil Relief Act, SB 994 by Senator Passidomo and others—Guardianship, SB 1080 by Senator Perry and others—Nonopioid Alternatives, SB 1328 by Senator Wright—Fines and Fees, SB 1376 by Senator Broxson—Credit For Reinsurance, SB 28 by Senator Gibson—Relief of Clifford Williams by the State of Florida, SB 1668 by Senator Simmons—Damages, CS/SB 838 by the Committee on Commerce and Tourism and Senator Simmons—Business Organizations, SB 1224 by Senator Simmons and others—Real Estate Conveyances, and SB 1044 by Senator Pizzo and others—Animal Cruelty.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Debbie Mayfield @debbie_mayfield
See updates from Week 2 of the @FLSenate Legislative Session in this edition of the #MayfieldMinute!
conta.cc/2NY0MgL#FlaPol#SpaceCoast#TreasureCoast

Sen. Anitere Flores @anitere_flores
Kicking off the week thanking the best legislative staff ever! Diana Caridad, Alex Prado, Jennifer Gaviria, Patti Flor, Maria Chamorro, Alex Garcia, Will McRea, Demi Busatta, Nick Alvarez and Tiffany Lorente.

Kathleen Passidomo @Kathleen4SWFL
Today marks the 75th anniversary of the liberation of Auschwitz. As we reflect on the past, please take a moment today to celebrate resistance and heroism in the face of evil. We must do everything in our power to prevent the recurrence of mass atrocities like the Holocaust.

IN CASE YOU MISSED IT

ABC News Tampa: New push by Florida lawmakers to improve foster care system
News Talk Florida: Florida lawmakers advance fight against blue-green algae
WTSP Tampa: New legislation could change Safe Haven law and save lives

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Cuban Sandwiches, Pulled Pork, Grilled Chicken, Fried Plantains, Salad

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, January 28, 2020 6:19 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 01/29 Daily Briefing
Attachment(s): "Daily Briefing01-29 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the January 29, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan

Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

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Daily Briefing
Senator Gruters
Wednesday, January 29, 2020

SCHEDULE

9:00 — 10:30 AM

Appropriations Subcommittee on Criminal and Civil Justice - 37 Senate Building

- CS/SB 556 - Inmate Conditional Medical Release (Brandes)
- CS/SB 574 - Conditional Aging Inmate Release (Brandes)
- Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Corrections Department of Juvenile Justice Department of Law Enforcement Department of Legal Affairs/Attorney General Florida Commission on Offender Review State Courts Public Defenders State Attorneys Regional Conflict Counsels Statewide Guardian ad Litem Capital Collateral Regional Counsels Justice Administrative Commissions

4:00 — 6:00 PM

SESSION Third Reading

- SB 172 - Florida Drug and Cosmetic Act (Bradley)

Special Order

- CS/SB 356 - Keep Our Graduates Working Act (Hutson)
- SB 400 - Elder Abuse Fatality Review Teams (Gibson)
- CS/CS/SB 404 - Abortion (Stargel)
- CS/CS/SB 406 - Public Records/Minor's Petition to Waive Consent/Abortion (Stargel)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)

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DAVID SIMMONS
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SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	Pending Reference Review
SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
SB 1236	Educational Property Tax Exemption	Acted on by committee/council, pending report (CA)
SB 1240	Corporate Income Tax Credit	In committee/council (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (CA)
SB 1450	Environmental Enforcement	Acted on by committee/council, pending report (EN)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	In committee/council (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

Chair Mayfield and the Appropriations Subcommittee on Agriculture, Environment, and General Government will meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Agriculture and Consumer Services, Department of Citrus, Department of Environmental Protection, Fish and Wildlife Conservation Commission, Department of Business and Professional Regulation, Department of Financial Services, Department of Lottery, Department of Management Services, Public Service Commission and Department of Revenue.

Chair Brandes and the Appropriations Subcommittee on Criminal and Civil Justice will meet to consider the following bills: CS/SB 556 by the Committee on Criminal Justice; Senator Brandes and others—Inmate Conditional Medical Release and CS/SB 574 by the Committee on Criminal Justice; Senator Brandes and others—Conditional Aging Inmate Release. The subcommittee will also meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Corrections, Department of Juvenile Justice, Department of Law Enforcement, Department of Legal Affairs/Attorney General, Florida Commission on Offender Review, State Courts, Public Defenders, State Attorneys, Regional Conflict Counsels, Statewide Guardian ad Litem, Capital Collateral Regional Counsels, and Justice Administrative Commissions

Chair Diaz and the Appropriations Subcommittee on Education will meet to consider the following bills: SB 62 by Senator Stargel—K-12 Education, SB 72 by Senator Stargel—Postsecondary Education, CS/SB 434 by the Committee on Education and Senator Montford—Designation of School Grades, SB 486 by Senator Bradley—Florida Best and Brightest Programs, and SB 836 by Senator Simmons—Funds for the Operation of Schools. The subcommittee will also meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Education, Office of Early Learning, and Board of Governors.

Chair Bean and the Appropriations Subcommittee on Health and Human Services will meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elderly Affairs, Department of Health, and Department of Veterans' Affairs. The subcommittee will also consider the following bills as a continuation of Tuesday, January 28, 2020 Meeting: SB 52 by Senator Bean—Medicaid Services, SB 82 by Senator Bean—Individuals With Disabilities, SB 1020 by Senator Bean—Institutional Formularies Established by Nursing Home Facilities, CS/SB 1324 by the Committee on Children, Families, and Elder Affairs and Senator Simpson—Child Welfare, and SB 1326 by Senator Simpson—Department of Children and Families.

Chair Hutson and the Appropriations Subcommittee on Transportation, Tourism, and Economic Development will meet to consider the following bills: SB 362 by Senator Hooper and others—Florida Tourism Marketing and SB 7020 by the Committee on Infrastructure and Security (Lee)—Emergency Staging Areas. The subcommittee will also meet for a Review and Discussion of Fiscal Year 2020-2021 Budget Issues Relating to: Department of Economic Opportunity, Department of Transportation, Department of State, Department of Military Affairs, Division of Emergency Management, and Department of Highway Safety and Motor Vehicles.

Chair Benacquisto and the Rules Committee will meet to consider the following bills: SB 88 by Senator Stewart and others—Child Care Facilities, CS/CS/SB 124 by the Committees on Judiciary, Children, Families, and Elder Affairs and Senator Bean—Custody of Minor Children by Extended Family, CS/SB 128 by the Committee on Governmental Oversight and Accountability and Senator Wright—Public Records/Judicial Assistants, SB 294 by Senator Wright and others—Crimes Against Veterans, CS/SB 7010 by the Committees on Governmental Oversight and Accountability, and Military and Veterans Affairs and Space (Wright)—OGSR/Servicemembers and the Spouses and Dependents of Servicemembers, SB 248 by Senator Hooper—Public Records/County Attorneys and Assistant County Attorneys, CS/SB 476 by the Committee on Innovation, Industry, and Technology and Senator Hooper—Law Enforcement Vehicles, SB 886 by Senator Powell—Errors in Deeds, SM 978 by Senator Pizzo and others—Juneteenth Independence Day, SB 7006 by the

AMERICAN OVERSIGHT

Committee on Ethics and Elections (Baxley)— Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position, and SJR 142 by Senator Brandes and others—Abolishing the Constitution Revision Commission.

Chair Benacquisto and the Special Order Calendar Group will meet to set the Special Order Calendar.

TOP CAUCUS TWEETS AND POSTS

Debbie Mayfield @debbie_mayfield
Welcome to the @FLSenate Junny and @SheriffIvey. Thank you for your work to keep our communities safe. #whereisjunny#WeLoveOurCanines

Manny Diaz Jr. @SenMannyDiazJr
Thanks to @FLSenateGOP office for the assist today in delivering timely information to our local media outlets! Great job

Sen. Anitere Flores @anitere_flores
All Work, No Play isn't beneficial for children's development, so in 2017, we advocated for Public School Recess by passing SB 78. Studies show daily physical activity is crucial for students to develop social skills & better focus when in class. #FloresFactor

IN CASE YOU MISSED IT

Tampa Bay Times: Florida Senate tags $500 million for teacher pay raises
WCTV Tallahassee: Florida could use drones to fight pythons, invasive species
News-Press: Senate moves to boost environmental fines in Florida
WGCU Southwest Florida: In The Sunshine State, Lawmakers Hope To Protect Young Athletes From Dangers Of Sweltering Heat

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Chicken Marsala, Chicken Parmesan, Lasagna, House Salad, Brownies

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Friday, January 31, 2020 4:55 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/03 Daily Briefing
Attachment(s): "Daily Briefing02-03 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the Febuarary 3, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

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Daily Briefing
Senator Gruters
Monday, February 3, 2020

SCHEDULE

4:00 — 6:00 PM **Schedule Conflict**

Community Affairs - 301 Senate Building

- CS/SB 724 - Local Government Recycling Programs (Albritton)
- SB 1662 - Property Tax Exemption for Disabled Veterans (Albritton)
- SB 760 - Independent Special Fire Control Districts (Brandes)
- SB 888 - Public Nuisances (Perry)
- SB 1336 - Preemption of Local Occupational Licensing (Perry)
- **SB 1424 - Special Neighborhood Improvement Districts (Gruters)**
- SB 856 - Affordable Housing Tax Reduction (Pizzo)
- CS/SB 1302 - Sovereign Immunity (Flores)

Ethics and Elections - 412 Knott Building

- Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.
- 180 Johnson, Steve Allen
- 180 Poulton, William Scott
- 345 Felipe, Marcell
- 385 Kidwell, Thomas
- 1140 Benson, Ryan
- 1280 Jones Jr., J. Robert
- 1535 Vila Jr., Hector
- 2270 Fountain, Keith R.
- 2270 Zoltek, Michael John
- **SJR 1216 - Limitation on Terms of Office for Members of a District School Board (Gruters)**
  - **A 327674 - Delete lines 34 - 53 and insert: (Gruters)**
- SB 814 - Disposition of Surplus Funds by Candidates (Perry)
- CS/SB 1078 - Special Election/Surviving Spouse Ad Valorem Tax Reduction (Wright)
- SB 1372 - Elections (Brandes)

AMERICAN OVERSIGHT

SENATOR'S BILLS UPDATE

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SB 516	Campaign Financing	In committee/council (EE)
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SB 520	Drones	In committee/council (IS)
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SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
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SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
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SB 1140	Public Accountancy	On agenda (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
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SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
SB 1240	Corporate Income Tax Credit	On agenda (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	On agenda (CA)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)

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President of the Senate

DAVID SIMMONS
President Pro Tempore

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SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	On agenda (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

FYI – COMMITTEE ACTIVITY

Chair Diaz and the Education Committee will meet for the following Senate Confirmation Hearings: Board of Governors of the State University System Appointees: Lamb, Brian D., Scott, Steven M., Silagy, Eric E., and Stermon, Kent; Board of Trustees, Florida A & M University Appointee: Harper, Kristin R.; Board of Trustees, Florida Atlantic University Appointees: Dennis, Michael T.B. and Morris, Elycia; Board of Trustees, University of Central Florida Appointees: McAlpin, Caryl C., Mills, Harold F., and Okaty, Michael A.; Board of Trustees, Florida State University Appointees: Sasser, Bobby L. and Thiel, John William; Board of Trustees, Florida Gulf Coast University Appointees: Coone, Ashley, Morton, Edward Allen, and Semrod, Jaye; Board of Trustees, Florida International University Appointee: Lowell, Natasha; Board of Trustees, New College of Florida Appointees: Christaldi, Ronald A. and Ruiz, Mary; Board of Trustees, Florida Polytechnic University Appointee: Sasser, W. Earl, Jr.; Board of Trustees, University of Florida Appointees: Brandon, David Lee and Zucker, Anita G.; Board of Trustees, University of North Florida Appointees: Davis, Jill Smith and Patel, Nikul; Board of Trustees, University of South Florida Appointees: Callahan, Sandra W. and Griffin, Michael E.; and Board of Trustees, University of West Florida Appointees: Scott, Alonzie III, Singer, Jill Anne, and White, Stephanie S. The committee will also meet to consider the following bills: SB 1320 by Senator Cruz—Postsecondary Fee Waivers, SB 1402 by Senator Diaz—Higher Education, SB 1438 by Senator Harrell and others—Dyslexia, SB 1578 by Senator Hutson—Education, SB 1746 by Senator Stargel—Florida Virtual Education, SB 1784 by Senator Gainer—Vocational Rehabilitation Services, and SB 7000 by the Committee on Children, Families, and Elder Affairs (Book)—Reporting Abuse, Abandonment, and Neglect.

Chair Hooper and the Governmental Oversight and Accountability Committee will meet to consider the following bills: CS/SB 668 by the Committee on Children, Families, and Elder Affairs; Senator Book and others—Government-sponsored Recreation Programs, SB 716 by Senator Mayfield—County Boundaries, SB 786 by Senator Gainer—Public Records/Aquaculture Records/Department of Agriculture and Consumer Services, CS/SB 812 by the Committee on Environment and Natural Resources and Senator Hutson—Public Records/Endangered and Threatened Species, CS/SB 1060 by the Committee on Innovation, Industry, and Technology and Senator Thurston—Public Records and Meetings/911 or E911 Communication System, CS/SB 1146 by the Committee on Criminal Justice and Senator Brandes—Special Risk Class of the Florida Retirement System, SB 1170 by Senator Baxley and others—Public Records and Meetings/Division of State Technology, SB 1270 by Senator Lee—Fiduciary Duty of Care for Appointed Public Officials and Executive Officers, SB 1292 by Senator Perry—Public Records/Nonjudicial Arrest Record of a Minor, SB 1398 by Senator Flores—Regional Planning Council Meetings, SB 1490 by Senator Bradley and others—Public Officers and Employees, SB 1570 by Senator Perry—Division of Library and Information Services, SB 1714 by Senator Bradley—Sale of Surplus State-owned Office Buildings and Associated Nonconservation Lands, SB 1042 by Senator Albritton—Aquatic Preserves, and SB 1188 by Senator Albritton—Public Records/Records of Insurers/Department of Financial Services.

Chair Simpson and the Innovation, Industry, and Technology Committee will meet to consider the following bills: SB 1656 by Senator Albritton—Reclaimed Water, CS/SB 810 by the Committee on Health Policy and Senator Simmons—Tobacco and Nicotine Products, SB 1394 by Senator Simmons—Taxes and Fees, SB 912 by Senator Diaz—Department of Business and Professional Regulation, SB 1084 by Senator Diaz and

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others—Emotional Support Animals, SB 1698 by Senator Diaz—Regulation of Pet Stores, CS/SB 708 by the Committee on Health Policy and Senator Hutson—Automated Pharmacy Systems, SB 1174 by Senator Hutson—Communications Services Tax, and SB 630 by Senator Mayfield—Regulation of Smoking.

Chair Flores and the Community Affairs Committee will meet to consider the following bills: CS/SB 724 by the Committee on Environment and Natural Resources and Senator Albritton—Local Government Recycling Programs, SB 1662 by Senator Albritton—Property Tax Exemption for Disabled Veterans, SB 760 by Senator Brandes—Independent Special Fire Control Districts, SB 888 by Senator Perry—Public Nuisances, SB 1336 by Senator Perry—Preemption of Local Occupational Licensing, SB 1424 by Senator Gruters—Special Neighborhood Improvement Districts, SB 856 by Senator Pizzo—Affordable Housing Tax Reduction, and CS/SB 1302 by the Committee on Judiciary; Senator Flores and others—Sovereign Immunity.

Chair Montford and the Environment and Natural Resources Committee will for the following Senate Confirmation Hearings: Fish and Wildlife Conservation Commission Appointees: Barreto, Rodney L. and Hudson, Steven W.; Executive Director of Northwest Florida Water Management District Appointee: Cyphers, Brett J.; Governing Board of the St. Johns River Water Management District Appointees: Davis, Daniel J. and Howse, Ronald S.; Executive Director of St. Johns River Water Management District Appointee: Shortelle, Ann B.; Governing Board of the South Florida Water Management District Appointees: Butler, Benjamin L. and Bergeron, Ronald M.; Executive Director of South Florida Water Management District Appointee: Bartlett, Andrew "Drew"; Governing Board of the Southwest Florida Water Management District Appointees: Bispham, Paul J., Weightman, Seth, Schleicher, Joel A., Rice, Kelly S., and Germann, Roger W., Jr.; and Executive Director of Southwest Florida Water Management District Appointee: Armstrong, Brian J. The committee will also meet to consider the following bills: SB 32 by Senator Gibson—Relief of former employees of Fairfax Street Wood Treaters by the State of Florida, SB 680 by Senator Hutson and others—Shark Fins, SB 1152 by Senator Broxson—Brownfield Site Rehabilitation, SB 1720 by Senator Cruz—Florida Safe Drinking Water Act, SB 1878 by Senator Bradley and others—Environmental Protection, SB 688 by Senator Wright—Illegal Taking and Possession of Bears, SB 826 by Senator Mayfield—Marina Evacuations, and SB 1414 by Senator Mayfield—Fish and Wildlife Activities.

Chair Baxley and the Ethics and Elections Committee will meet for the following Senate Confirmation Hearings: Florida Citrus Commission Appointees: Johnson, Steve Allen and Poulton, William Scott; Board of Trustees of Miami-Dade College Appointee: Felipe, Marcell; Board of Trustees of St. Petersburg College Appointee: Kidwell, Thomas; Florida Housing Finance Corporation Appointee: Benson, Ryan; Investment Advisory Council Appointee: Jones, J. Robert, Jr.; Board of Medicine Appointee: Vila, Hector, Jr.; and Board of Professional Surveyors and Mappers Appointees: Fountain, Keith R. and Zoltek, Michael John. The committee will also meet to consider the following bills: SJR 1216 by Senator Gruters—Limitation on Terms of Office for Members of a District School Board, SB 814 by Senator Perry—Disposition of Surplus Funds by Candidates, CS/SB 1078 by the Committee on Military and Veterans Affairs and Space and Senator Wright—Special Election/Surviving Spouse Ad Valorem Tax Reduction, and SB 1372 by Senator Brandes—Elections.

Chair Lee and the Infrastructure and Security Committee will meet to consider the following bills: SB 306 by Senator Mayfield and others—State Funds, CS/SB 754 by the Committee on Education and Senator Baxley—School Crossing Guards, SB 1148 by Senator Brandes—Electric Bicycles, SB 1272 by Senator Montford—Statewide Emergency Shelter Task Force, SB 7040 by the Committee on Education (Diaz)—Implementation of the Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission, SPB 7048—Public Records/Public Shelter Space, SB 412 by Senator Bean and others—License Plates, SB 414 by Senator Bean and others—Fees/Specialty License Plates, SB 108 by Senator Rader—Specialty License Plates/Florida State Beekeepers Association, SB 110 by Senator Rader—Fees/Florida State Beekeepers Association License Plate, SB 314 by Senator Stewart—Specialty License Plates/Toastmasters, SB 316 by Senator Stewart—Fees/Toastmasters License Plate, SB 322 by Senator Stewart—Specialty License Plates/Gopher Tortoise, SB 324 by Senator Stewart—Fees/Gopher Tortoise License Plate, SB 328 by Senator Stewart—Specialty License Plates/Orlando United, SB 330 by Senator Stewart—Fees/Orlando United License

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Plate, SB 956 by Senator Perry—Specialty License Plates/Solar Power, SB 958 by Senator Perry—Fees/Solar Power License Plate, SB 1454 by Senator Powell and others—Specialty License Plates/Highwaymen, and SB 1456 by Senator Powell—Specialty License Plate Fees/Highwaymen. The committee will also meet for the following Senate Confirmation Hearing: Florida Transportation Commission Appointee: Burke, Richard.

Chair Benacquisto and the Special Order Calendar Group will meet to set the Special Order Calendar.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

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TOP CAUCUS TWEETS AND POSTS

Sen. Anitere Flores @anitere_flores
This week was extremely special because my son Max served as a Senate Page— engaging in what our legislative process is all about. #FloresFinale

Debbie Mayfield @debbie_mayfield
Thank you @GovRonDeSantis and @FLDEO for supporting our local communities. These grants will help #Fellsmere and #WestMelbourne be better prepared for future storms.

George Gainer @SenatorGainer
Two very impressive young ladies with the Florida Alliance of @YMCAs joined me in our Tallahassee office to discuss upcoming legislation this week. I appreciate their willingness to communicate the issues that matter to them!

IN CASE YOU MISSED IT

Tallahassee Democrat: Florida Senate delivers 3% pay raise for state workers in 2020-21 budget proposal
WTSP Tampa: Bill pushes for cooling tanks to keep Florida's student athletes safer
WCTV Tallahassee: Florida Senate, House $1.4 billion apart on budget proposals

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit, Pastries

Lunch: Deluxe Sandwich Tray, Pasta Salad, Fresh Fruit, Salad, Soup, Dessert Tray

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, February 03, 2020 6:22 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/04 Daily Briefing
Attachment(s): "Daily Briefing02-04 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 4, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Tuesday, February 4, 2020

SCHEDULE

9:00 — 11:00 AM

Commerce and Tourism - 110 Senate Building

- CS/SB 474 - Deregulation of Professions and Occupations (Albritton)
- SB 660 - Uniform Commercial Real Estate Receivership Act (Berman)
- SB 850 - Exposure of Sexual Organs (Pizzo)
- SR 1704 - Taiwan (Flores)
- **SB 1140 - Public Accountancy (Gruters)**
- **SB 1240 - Corporate Income Tax Credit (Gruters)**
  - **A 306312 - Delete line 20 and insert: (Gruters)**
- **SB 1642 - Tax Exemptions (Gruters)**
  - **D 854736 - Delete everything after the enacting clause and insert: (Gruters)**

12:30 — 2:30 PM

Banking and Insurance - 412 Knott Building

- CS/SB 478 - Motor Vehicle Rentals (Perry)
- SB 924 - Civil Actions Against Insurers (Brandes)
- SB 1334 - Financial Services (Brandes)
- SB 1492 - Consumer Protection (Wright)
- SB 1606 - Insurance (Perry)

3:00 — 4:30 PM Schedule Conflict

SESSION Third Reading

- SB 400 - Elder Abuse Fatality Review Teams (Gibson)
- CS/CS/SB 404, 1st Eng. - Abortion (Stargel)
- CS/CS/SB 406 - Public Records/Minor's Petition to Waive Consent/Abortion (Stargel)

Special Order

- CS/SB 476 - Law Enforcement Vehicles (Hooper)
- SB 886 - Errors in Deeds (Powell)
- CS/SB 1056 - PACE Center for Girls (Simpson)
- CS/SB 356 - Keep Our Graduates Working Act (Hutson)

3:45 PM — until completion Schedule Conflict

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

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Reunion Session

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	On agenda (CM)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	In committee/council (IS)
SJR 1216	Limitation on Terms of Office for Members of a District School Board	On agenda (EE)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
SB 1240	Corporate Income Tax Credit	On agenda (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	On agenda (CA)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

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SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	On agenda (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

FYI – COMMITTEE ACTIVITY

Chair Albritton and the Agriculture Committee will meet to consider the following bills: SB 806 by Senator Gainer—Public Records/Animal Health Records/Department of Agriculture and Consumer Services and SB 1876 by Senator Montford—State Hemp Program. The committee will also meet for an Overview of Carbon Farming.

Chair Gruters and the Commerce and Tourism Committee will meet to consider the following bills: CS/SB 474 by the Committee on Innovation, Industry, and Technology and Senator Albritton—Deregulation of Professions and Occupations, SB 660 by Senator Berman—Uniform Commercial Real Estate Receivership Act, SB 850 by Senator Pizzo—Exposure of Sexual Organs, SR 1704 by Senator Flores—Taiwan, SB 1140 by Senator Gruters—Public Accountancy, SB 1240 by Senator Gruters—Corporate Income Tax Credit, and SB 1642 by Senator Gruters—Tax Exemptions.

Chair Perry and the Criminal Justice Committee will meet for the following Senate Confirmation Hearing: Capital Collateral Regional Counsel - Middle Region Appointee: Pinkard, Eric. The committee will also meet to consider the following bills: CS/SB 728 by the Committee on Infrastructure and Security; Senator Stargel and others—Threats, SB 842 by Senator Wright—Injured Police Canines, CS/SB 952 by the Committee on Governmental Oversight and Accountability and Senator Perry—Senior Management Service Class, SB 1018 by Senator Stewart—Exposure of Sexual Organs, SB 1308 by Senator Brandes—Criminal Justice, SB 1396 by Senator Simmons—Driving Under the Influence, SB 1416 by Senator Perry—Assaults on Specified Persons, SB 1504 by Senator Brandes and others—Sentencing, SB 1506 by Senator Brandes—Public Records/Expunction of Specified Convictions, SB 1716 by Senator Brandes—Sentencing, and SB 1880 by Senator Perry—Restitution for Juvenile Offenses.

Chair Harrell and the Health Policy Committee will meet for the following Senate Confirmation Hearing: State Surgeon General Appointee: Rivkees, Scott A. The committee will also meet to consider the following bills: SB 1764 by Senator Flores—Childbirth, SB 1676 by Senator Albritton—Direct Care Workers, SB 1544 by Senator Albritton—Elderly Care, SB 1650 by Senator Simmons—Medicaid Provider Agreements for Charter and Private Schools, SB 512 by Senator Hutson—Nonembryonic Stem Cells, SB 1014 by Senator Rouson—Public Safety Telecommunicator Training, SB 744 by Senator Hooper and others—Podiatric Medicine, and SB 1206 by Senator Harrell—Applied Behavior Analysis Services.

Chair Broxson and the Banking and Insurance Committee will meet to consider the following bills: CS/SB 478 by the Committee on Innovation, Industry, and Technology and Senator Perry—Motor Vehicle Rentals, SB 924 by Senator Brandes—Civil Actions Against Insurers, SB 1334 by Senator Brandes—Financial Services, SB 1492 by Senator Wright—Consumer Protection, and SB 1606 by Senator Perry—Insurance.

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Chair Book and the Children, Families, and Elder Affairs Committee will meet to consider the following bills: SB 152 by Senator Brandes and others—Dental Therapy, SB 302 by Senator Rader—Adoption Records, SB 1062 by Senator Harrell and others—Involuntary Examinations of Minors, SB 1440 by Senator Powell—Children's Mental Health, SB 1548 by Senator Perry and others—Child Welfare, SB 1624 by Senator Perry—Economic Self-sufficiency, SB 1648 by Senator Albritton—Support for Incapacitated Adult Children, SB 1748 by Senator Hutson and others—Child Welfare, and SB 1886 by Senator Brandes—Grandparent Visitation Rights.

Chair Simmons and the Judiciary Committee will meet to consider the following bills: SB 290 by Senator Hooper—School Bus Safety, SB 868 by Senator Albritton—Construction Contracting, SB 1256 by Senator Albritton—Telegraph Companies, CS/SB 914 by the Committee on Banking and Insurance and Senator Brandes—Contingency Risk Multipliers, SB 1354 by Senator Brandes—Statewide Voter Registration Application, SB 1044 by Senator Pizzo and others—Animal Cruelty, SB 656 by Senator Pizzo—Arrests, SB 1306 by Senator Thurston—Individual Retirement Accounts,SB 1590 by Senator Powell—Juror Sanctions, SB 1766 by Senator Lee and others—Growth Management, SB 946 by Senator Baxley—Moments of Silence in Public Schools, SB 1634 by Senator Stargel—Parental Rights, and SB 1582 by Senator Simmons—Asbestos Trust Claims.

TOP CAUCUS TWEETS AND POSTS

Aaron Bean @AaronPBean
Had a blast on Saturday with my son and the Rotary Club of Fernandina Beach to make Rise Against Hunger happen. 55,000 total meals packaged Saturday morning!

Kathleen Passidomo @Kathleen4SWFL
I filed Senate Bill 994 to protect Florida's most vulnerable adults. Join me in my fight to ensure Florida's guardianship program is free from "bad actors." Learn more here: naplesnews.com/story/opinion/…

Sen. Dennis Baxley @dennisbaxley
In case you missed it: Appeared on The Bob Rose Show this last Friday. Check it out!
thesky973.radio.com/sen-dennis-bax…

IN CASE YOU MISSED IT

WUSF Tampa: Raises For State Employees Part of Florida Senate's $92.83 Billion Budget
News 4 Jax: Legislation could bring relief to Florida homeowners impacted by hurricane
WJCT Public Media: Lawtey, Other Hurricane Irma-Impacted FL Communities Get $84M For Infrastructure

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Assorted Breakfast Wraps, Bagel Melts, Fruit Bowl

Lunch: Fajita Bar, Salad Bar, Chips, Queso, Guacamole, Salsa, Cookies, Brownies

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, February 04, 2020 4:46 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/05 Daily Briefing
Attachment(s): "Daily Briefing02-05 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 5, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

KATHLEEN PASSIDOMO
Majority Leader

Daily Briefing
Senator Gruters
Wednesday, February 5, 2020

SCHEDULE

N/A

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	Acted on by committee/council, pending report (CM)
SB 1190	Cooling Towers	In committee/council (HP)

AMERICAN OVERSIGHT

SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	In committee/council (IS)
CS/SJR 1216	Limitation on Terms of Office for Members of a District School Board	Pending Reference Review
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
SB 1240	Corporate Income Tax Credit	Acted on by committee/council, pending report (CM)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (IT)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
SB 1642	Tax Exemptions	Acted on by committee/council, pending report (CM)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

Chair Wright and the Military and Veterans Affairs and Space Committee will meet to consider SB 936 by Senator Gainer—Disability Retirement Benefits and for a Presentation by Emmanuel Tormes, Senior Manager, Government Operations of The Boeing Company.

Chair Benacquisto and the Rules Committee will meet to consider the following bills: CS/SB 226 by the Committee on Health Policy and Senator Harrell—Athletic Trainers, CS/SB 292 by the Committee on Banking and Insurance and Senator Broxson—Insurance Claims Data, CS/SB 326 by the Committee on Environment and Natural Resources and Senator Perry—Environmental Regulation, SB 374 by Senator Rouson—Housing Discrimination, CS/CS/SB 580 by the Committees on Community Affairs, Judiciary; Senator Bracy and others—Uniform Partition of Heirs Property Act, CS/SB 604 by the Committee on Judiciary and Senator Bean—Servicemembers Civil Relief Act, SB 7004 by the Committee on Finance and Tax (Gainer)—OGSR/Taxpayer E-mail Addresses Held by a Tax Collector, CS/SB 352 by the Committee on Military and Veterans Affairs and Space and Senator Hutson—Unlawful Use of Uniforms, Medals, or Insignia, CS/SB 838 by the Committee on Commerce and Tourism and Senator Simmons—Business Organizations, SB 1224 by Senator Simmons and others—Real Estate Conveyances, and SB 7022 by the Committee on Infrastructure and Security (Lee)—OGSR/E-mail Addresses/Department of Highway Safety and Motor Vehicles.

Chair Bradley and the Appropriations Committee will meet to consider the following bills: SPB 2500—Appropriations, SPB 2502—Implementing the 2020-2021 General Appropriations Act, SPB 2504—State Employees, SB 7044 by the Committee on Governmental Oversight and Accountability (Hooper)—State-administered Retirement Systems, SPB 2506—Correctional Medical Authority, CS/SB 58 by the Committee on Health Policy; Senator Book and others—Prescription Drug Donation Repository Program (With subcommittee recommendation – Health and Human Services), A proposed committee substitute for SB 62 by Senator Stargel—K-12 Education (With subcommittee recommendation – Education), A proposed committee substitute for SB 72 by Senator Stargel—Postsecondary Education (With subcommittee recommendation – Education), A proposed committee substitute for SB 82 by Senator Bean—Individuals With Disabilities (With subcommittee recommendation – Health and Human Services), SB 100 by Senator Harrell and others—Dispensing Medicinal Drugs (With subcommittee recommendation – Health and Human Services), A proposed committee substitute for SB 136 by Senator Bean and others—Adoption Benefits (With subcommittee recommendation – Health and Human Services), CS/SB 154 by the Committee on Education and Senator Thurston—Human Trafficking Education in Schools, CS/SB 230 by the Committee on Health Policy and Senator Harrell—Department of Health, CS/SB 246 by the Committee on Governmental Oversight and Accountability and Senator Hooper—Public Construction, SB 348 by Senator Bean and others—Florida Kidcare Program (With subcommittee recommendation – Health and Human Services), SB 362 by Senator Hooper and others—Florida Tourism Marketing (With subcommittee recommendation – Transportation, Tourism, and Economic Development), SB 486 by Senator Bradley—Florida Best and Brightest Programs (With subcommittee recommendation – Education), CS/SB 500 by the Committee on Health Policy and Senator Harrell—Prohibited Acts by Health Care Practitioners, SB 540 by Senator Rader and others—Insurance Guaranty Associations (With subcommittee recommendation - Agriculture, Environment, and General Government), A proposed committee substitute for CS/SB 712 by the Committee on Community Affairs; Senator Mayfield and others—Water Quality Improvements (With subcommittee recommendation - Agriculture, Environment, and General Government), SB 7016 by the Committee on Infrastructure and Security (Lee)— Statewide Office of Resiliency, and SPB 7050—Circuit Court Judges.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

George Gainer @SenatorGainer
As a supporter of #WorldCancerDay, we believe that through our positive actions, together, we can reach the target of reducing the number of premature deaths from cancer by one third by 2030. See how you can help at worldcancerday.org #IAmAndIWill

Sen. Anitere Flores @anitere_flores
Radiologists, Dentists, Realtors, Home Builders, and Letter Carriers all stopped by my office today to share their issues, stories, and some laughs! Thank you all for visiting the Florida Senate! #session2020#dentalday

Debbie Mayfield @debbie_mayfield
Thank you @GovRonDeSantis for your dedication to protecting these environmentally sensitive lands. #FloridaForever

IN CASE YOU MISSED IT

Tampa Bay Times: Lawmakers seek to end Florida's key role in shark fin trade
WPTV West Palm Beach: Florida Senators back stamping-out smoking in parks
WTSP Tampa: Florida leaders approve $19M deal to preserve land in Sarasota County

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Spaghetti and Meatballs, Smoked Mozzarella Ravioli, Garlic Rolls, Caesar Salad, Greek Salad, Cookies

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Wednesday, February 05, 2020 5:58 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/06 Daily Briefing
Attachment(s): "Daily Briefing02-06 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 6, 2020 Majority Office Daily Brief for Sen. Gruters.
Thank you,

Austin Kernan

Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Thursday, February 6, 2020

SCHEDULE

10:00 AM — 6:00 PM
SESSION Third Reading

- CS/CS/SB 404, 1st Eng. - Abortion (Stargel)
- CS/CS/SB 406 - Public Records/Minor's Petition to Waive Consent/Abortion (Stargel)

Special Order

- CS/CS/SB 124 - Custody of Minor Children by Extended Family (Bean)
- SB 7006 - Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position (Ethics and Elections) Identical to HB 7009 - Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position
- CS/SB 356 - Keep Our Graduates Working Act (Hutson) Similar to CS/CS/CS/HB 115 - Keep Our Graduates Working Act

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	In committee/council (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	In committee/council (CF)
SB 1066	Impact Fees	In committee/council (CA)
SB 1102	Specialty Contracting Services	In committee/council (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (RC)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	In committee/council (IS)
CS/SJR 1216	Limitation on Terms of Office for Members of a District School Board	In committee/council (ED)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
CS/SB 1240	Corporate Income Tax Credit	Pending Reference Review
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	In committee/council (JU)
SB 1366	Trusts	In committee/council (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (IT)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
CS/SB 1642	Tax Exemptions	Pending Reference Review
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

FYI – COMMITTEE ACTIVITY

Chair Benacquisto and the Special Order Calendar Group will meet to set the Special Order Calendar.

TOP CAUCUS TWEETS AND POSTS

Sen. Anitere Flores @anitere_flores
It's @FIU Day! As a #ProudPanther, I have championed programs, bldgs,& more. From millions in funding for the Student Academic Success Center to the Engineering School, from UpLift to the Med School, we've worked hard to make FIU one of the best in our country! #FloresFinale

George Gainer @SenatorGainer
Thank you to Chair @SenTomWright and the entire @FLSenate Military, Veteran Affairs and Space Committee for unanimously passing SB 936 Disability Retirement Benefits for our veterans. I am very proud of this bill and our continued efforts to support veterans in Florida.

Rob Bradley @Rob_Bradley
Continuing the fight for the St. Johns, Apalachicola and Suwannee Rivers! jacksonville.com/news/20200204/…

IN CASE YOU MISSED IT

Florida Times-Union: North Florida rivers get boost in Senate bill
Tallahassee Democrat: 42 Hours for the 42 Million: Two days of walking brings awareness to child sex abuse

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Beef Brisket, Pulled Chicken, Mac-N-Cheese, Salad, Blueberry Cobbler

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Friday, February 07, 2020 5:17 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/10 Daily Briefing
Attachment(s): "Daily Briefing02-10 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 10, 2020 Majority Office Daily Brief for Sen. Gruters.
Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Monday, February 10, 2020

SCHEDULE

1:30 — 3:30 PM **Schedule Conflict**

Education - 412 Knott Building

- SB 646 - Postsecondary Student Athletes (Mayfield)
- SB 662 - School Grading System (Wright)
- SB 1100 - Florida Seal of Fine Arts Program (Rouson)
- **CS/SJR 1216 - Limitation on Terms of Office for Members of a District School Board (Gruters)**
  - **A 182116 - Delete lines 31 - 35 and insert: (Gruters)**
- SB 1550 - High School Graduation Requirements (Cruz)
- SB 1628 - Holocaust Education (Book)
- SB 1644 - Students With Disabilities in Public Schools (Book)
- SB 1750 - High School Graduation Requirements (Montford)
- SB 7042 - State University Facility Designations (Governmental Oversight and Accountability)

Governmental Oversight and Accountability - 301 Senate Building

- CS/SB 666 - Florida Development Finance Corporation (Mayfield)
- **SB 858 - Cost-of-living Adjustment for Special Risk Class Retirees (Gruters)**
  - **A 873758 - Between lines 33 and 34 insert: (Gruters)**
- CS/SB 928 - Public Records and Meetings/Interstate Medical Licensure Compact (Harrell)
- SB 966 - Public Records/Disaster Recovery Assistance (Gainer)
- CS/SB 1024 - Public Records/Postconviction Reinvestigative Information (Bean)
- CS/SB 1030 - Public Records/Vessel Title or Registration/Department of Highway Safety and Motor Vehicles (Stargel)
- SB 1260 - Florida Space Exploration Monument (Albritton)
- SB 1270 - Fiduciary Duty of Care for Appointed Public Officials and Executive Officers (Lee)
- SB 1312 - Voting Systems (Montford)
- SB 1466 - Special Districts (Baxley)
- SB 1632 - Cultural Affairs (Rouson)
- SB 1636 - Repeal of Advisory Bodies and Councils (Baxley)
- CS/SB 1718 - Public Meetings and Records/Conditional Aging Inmate Release Program (Brandes)
- CS/SB 1728 - Public Meetings and Records/Conditional Medical Release Program (Brandes)

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- SM 1756 - Temporary Protected Status to Venezuelans in the United States (Flores)
- CS/SB 1802 - Public Meetings/Urban Core Gun Violence Task Force (Pizzo)
- SB 1872 - Public Records/Commissioner of Financial Regulation/Financial Technology Sandbox Applications (Hutson)
- SB 1874 - Fees/Office of Financial Regulation/Financial Technology Sandbox Applications (Hutson)
- Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.
- 1280 Canida, Maria Teresa
- 1280 Olmstead, Vinny

Innovation, Industry, and Technology - 110 Senate Building

- SB 658 - Acquisition of Water and Wastewater Systems (Albritton)
- SB 1244 - State Workforce Development Boards (Albritton)
- SB 776 - Florida Real Estate Appraisal Board (Perry)
- **SB 1268 - Capital Investment Tax Credit (Gruters)**
- SB 1084 - Emotional Support Animals (Diaz)
- SB 912 - Department of Business and Professional Regulation (Diaz)
- Consideration of proposed bill:
- SPB 7052 - Office of Public Counsel ()
- SB 1352 - Transportation Companies (Brandes)
- SB 1870 - Technological Development (Hutson)

4:00 — 6:00 PM Schedule Conflict

Community Affairs - 301 Senate Building

- CS/SB 368 - Tampa Bay Area Regional Transit Authority (Rouson)
- CS/SB 538 - Emergency Reporting (Diaz)
- CS/SB 724 - Local Government Recycling Programs (Albritton)
- CS/SB 752 - Emergency Sheltering of Persons with Pets (Bean)
- SB 906 - Prohibited Reptiles (Farmer)
- **SB 1066 - Impact Fees (Gruters)**
  - **D 977602 - Delete everything after the enacting clause and insert: (Gruters)**
- **SB 1102 - Specialty Contracting Services (Gruters)**
  - **A 166916 - Between lines 17 and 18 insert: (Gruters)**
- SB 1122 - Emergency Telecommunication Devices in Public Swimming Pools (Pizzo)
- CS/SB 1148 - Electric Bicycles (Brandes)
- CS/SB 1154 - Community Associations (Baxley)
- SJR 1502 - Information About Counties and Municipalities (Diaz)
- SB 1512 - Local Government Reporting (Diaz)
- SB 1662 - Property Tax Exemption for Disabled Veterans (Albritton)
- CS/SB 1766 - Growth Management (Lee)

Infrastructure and Security - 110 Senate Building

- SB 78 - Transportation Facility Designations/General Daniel 'Chappie' James, Jr. (Broxson)
- SB 502 - Emergency Mitigation and Response (Montford)
- **SB 520 - Drones (Gruters)**
- **CS/SB 1212 - International Affairs (Gruters)**
- CS/SB 1332 - Towing and Immobilizing Vehicles and Vessels (Hooper)
- SB 1484 - Motor Vehicle Manufacturers and Dealers (Diaz)
- SB 1692 - Driver Licenses (Flores)

AMERICAN OVERSIGHT

- SB 1694 - Driver License Fees (Flores)
- SB 1738 - Motor Vehicle Dealers (Brandes)
- SPB 7054 - Transportation ()

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	In committee/council (FT)
CS/SB 514	Homestead Exemptions	In committee/council (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	On agenda (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	On agenda (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	In committee/council (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	On agenda (CF)
SB 1066	Impact Fees	On agenda (CA)
SB 1102	Specialty Contracting Services	On agenda (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (RC)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	On agenda (IS)
CS/SJR 1216	Limitation on Terms of Office for Members of a District School Board	On agenda (ED)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
CS/SB 1240	Corporate Income Tax Credit	Pending Reference Review
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	On agenda (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	On agenda (JU)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

SB 1366	Trusts	On agenda (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (IT)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
CS/SB 1642	Tax Exemptions	Pending Reference Review
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

FYI – COMMITTEE ACTIVITY

Chair Diaz and the Education Committee will meet to consider the following bills: SB 646 by Senator Mayfield—Postsecondary Student Athletes, SB 662 by Senator Wright—School Grading System, SB 1100 by Senator Rouson—Florida Seal of Fine Arts Program, CS/SJR 1216 by the Committee on Ethics and Elections and Senator Gruters—Limitation on Terms of Office for Members of a District School Board, SB 1550 by Senator Cruz—High School Graduation Requirements, SB 1628 by Senator Book and others—Holocaust Education, SB 1644 by Senator Book and others—Students With Disabilities in Public Schools, SB 1750 by Senator Montford—High School Graduation Requirements, and SB 7042 by the Committee on Governmental Oversight and Accountability (Hooper)—State University Facility Designations.

Chair Hooper and the Governmental Oversight and Accountability Committee will meet to consider the following bills: CS/SB 666 by the Committee on Commerce and Tourism and Senator Mayfield—Florida Development Finance Corporation, SB 858 by Senator Gruters—Cost-of-living Adjustment for Special Risk Class Retirees, CS/SB 928 by the Committee on Health Policy and Senator Harrell—Public Records and Meetings/Interstate Medical Licensure Compact, SB 966 by Senator Gainer—Public Records/Disaster Recovery Assistance, CS/SB 1024 by the Committee on Criminal Justice and Senator Bean—Public Records/Postconviction Reinvestigative Information, CS/SB 1030 by the Committee on Infrastructure and Security and Senator Stargel—Public Records/Vessel Title or Registration/Department of Highway Safety and Motor Vehicles, SB 1260 by Senator Albritton—Florida Space Exploration Monument, SB 1270 by Senator Lee—Fiduciary Duty of Care for Appointed Public Officials and Executive Officers, SB 1312 by Senator Montford—Voting Systems, SB 1466 by Senator Baxley and others—Special Districts, SB 1632 by Senator Rouson—Cultural Affairs, SB 1636 by Senator Baxley—Repeal of Advisory Bodies and Councils, CS/SB 1718 by the Committee on Criminal Justice and Senator Brandes—Public Meetings and Records/Conditional Aging Inmate Release Program, CS/SB 1728 by the Committee on Criminal Justice and Senator Brandes—Public Meetings and Records/Conditional Medical Release Program, SM 1756 by Senator Flores—Temporary Protected Status to Venezuelans in the United States, CS/SB 1802 by the Committee on Criminal Justice and Senator Pizzo—Public Meetings/Urban Core Gun Violence Task Force, SB 1872 by Senator Hutson—Public Records/Commissioner of Financial Regulation/Financial Technology Sandbox Applications, and SB 1874 by Senator Hutson—Fees/Office of Financial Regulation/Financial Technology Sandbox Applications. The committee will also meet for the following Senate Confirmation Hearings: Investment Advisory Council Appointee: Canida, Maria Teresa and Olmstead, Vinny.

AMERICAN OVERSIGHT

Chair Simpson and the Innovation, Industry, and Technology Committee will meet to consider the following bills: SB 658 by Senator Albritton—Acquisition of Water and Wastewater Systems, SB 1244 by Senator Albritton—State Workforce Development Boards, SB 776 by Senator Perry—Florida Real Estate Appraisal Board, SB 1268 by Senator Gruters—Capital Investment Tax Credit, SB 1084 by Senator Diaz and others—Emotional Support Animals, SB 912 by Senator Diaz—Department of Business and Professional Regulation, SPB 7052—Office of Public Counsel, SB 1352 by Senator Brandes—Transportation Companies, and SB 1870 by Senator Hutson and others—Technological Development.

Chair Flores and the Community Affairs Committee will meet to consider the following bills: CS/SB 368 by the Committee on Infrastructure and Security and Senator Rouson—Tampa Bay Area Regional Transit Authority, CS/SB 538 by the Committee on Infrastructure and Security; Senator Diaz and others—Emergency Reporting, CS/SB 724 by the Committee on Environment and Natural Resources and Senator Albritton—Local Government Recycling Programs, CS/SB 752 by the Committee on Infrastructure and Security; Senator Bean and others—Emergency Sheltering of Persons with Pets, SB 906 by Senator Farmer—Prohibited Reptiles, SB 1066 by Senator Gruters—Impact Fees, SB 1102 by Senator Gruters—Specialty Contracting Services, SB 1122 by Senator Pizzo—Emergency Telecommunication Devices in Public Swimming Pools, CS/SB 1148 by the Committee on Infrastructure and Security and Senator Brandes—Electric Bicycles, CS/SB 1154 by the Committee on Innovation, Industry, and Technology and Senator Baxley—Community Associations, SJR 1502 by Senator Diaz—Information About Counties and Municipalities, SB 1512 by Senator Diaz—Local Government Reporting, SB 1662 by Senator Albritton—Property Tax Exemption for Disabled Veterans, and CS/SB 1766 by the Committee on Judiciary; Senator Lee and others—Growth Management.

Chair Montford and the Environment and Natural Resources Committee will for the following Senate Confirmation Hearings: Executive Director of South Florida Water Management District Appointee: Bartlett, Andrew "Drew"; Governing Board of the South Florida Water Management District Appointee: Bergeron, Ronald M.; and Executive Director of Suwannee River Water Management District Appointee: Thomas, Hugh L. The committee will also meet to consider the following bills: SB 1360 by Senator Rodriguez—Florida Endangered and Threatened Species Act, SB 1378 by Senator Rouson—Vessels, CS/SR 1572 by the Committee on Infrastructure and Security and Senator Stewart—Climate Change, CS/SB 996 by the Committee on Community Affairs and Senator Albritton—Displacement of Private Waste Companies, and SB 1706 by Senator Montford—Water Testing for Pollution.

Chair Baxley and the Ethics and Elections Committee will meet for the following Senate Confirmation Hearings: Jacksonville Aviation Authority Appointee: Barnett, Michelle; Board of Trustees of Florida State College at Jacksonville Appointee; Odom, Roderick D.; Fish and Wildlife Conservation Commission Appointees: Barreto, Rodney L. and Hudson, Steven W.; Board of Governors of the State University System Appointees: Lamb, Brian D., Scott, Steven M., Silagy, Eric E. and Stermon, Kent; Higher Educational Facilities Financing Authority Appointees: Berardinelli, Joseph C., Czerniec, Timothy H. and Wagner, Tracy A.; Florida Housing Finance Corporation Appointee: Gulliford, William Irving; Board of Optometry Appointees: Burns-LeGros, Denise and Griffin, John Edmund; Board of Pilot Commissioners Appointee: Russo, Edward; Jacksonville Port Authority Appointee: Clarkson, John Palmer Florida Transportation Commission Appointee: Burke, Richard; Executive Director of Northwest Florida Water Management District Appointee: Cyphers, Brett J.; Governing Board of the St. Johns River Water Management District Appointees: Davis, Daniel J. and Howse, Ronald S.; Executive Director of St. Johns River Water Management District Appointee: Shortelle, Ann B.; Governing Board of the South Florida Water Management District Appointee: Butler, Benjamin L.; Governing Board of the Southwest Florida Water Management District Appointees: Bispham, Paul J., Germann, Roger W., Jr., Rice, Kelly S., Schleicher, Joel A. and Weightman, Seth; Executive Director of Southwest Florida Water Management District Appointee: Armstrong, Brian J.; Board of Trustees, Florida A & M University Appointee: Harper, Kristin R. Board of Trustees, Florida Atlantic University Appointees: Dennis, Michael T.B. and Morris, Elycia; Board of Trustees, University of Central Florida Appointees: McAlpin, Caryl C., Mills, Harold F. and Okaty, Michael A.; Board of Trustees, Florida State University Appointees: Sasser, Bobby L. and Thiel, John William; Board of Trustees, Florida Gulf Coast University Appointees: Coone, Ashley, Morton, Edward Allen and Semrod, Jaye;

AMERICAN OVERSIGHT

Board of Trustees, Florida International University Appointee: Lowell, Natasha; Board of Trustees, New College of Florida Appointees: Christaldi, Ronald A. and Ruiz, Mary; Board of Trustees, Florida Polytechnic University Appointee: Sasser, W. Earl, Jr.; Board of Trustees, University of Florida Appointees: Brandon, David Lee and Zucker, Anita G.; Board of Trustees, University of North Florida Appointees: Davis, Jill Smith and Patel, Nikul; Board of Trustees, University of South Florida Appointees: Callahan, Sandra W. and Griffin, Michael E.; Board of Trustees, University of West Florida Appointees: Scott, Alonzie III, Singer, Jill Anne and White, Stephanie S.

Chair Lee and the Infrastructure and Security Committee will meet to consider the following bills: SB 78 by Senator Broxson—Transportation Facility, Designations/General Daniel 'Chappie' James, Jr., SB 502 by Senator Montford and others—Emergency Mitigation and Response, SB 520 by Senator Gruters and others—Drones, CS/SB 1212 by the Committee on Governmental Oversight and, Accountability and Senator Gruters—International Affairs, CS/SB 1332 by the Committee on Community Affairs and Senator Hooper—Towing and Immobilizing Vehicles and Vessels, SB 1484 by Senator Diaz—Motor Vehicle Manufacturers and Dealers, SB 1692 by Senator Flores—Driver Licenses, SB 1694 by Senator Flores—Driver License Fees, and SB 1738 by Senator Brandes—Motor Vehicle Dealers.

Chair Benacquisto and the Special Order Calendar Group will meet to set the Special Order Calendar.

TOP CAUCUS TWEETS AND POSTS

George Gainer @SenatorGainer
ATTENTION, @FLDEO will be holding public workshops in the following Hurricane Michael-impacted communities: facebook.com/81587347852546…

Debbie Mayfield @debbie_mayfield
SCHOLARSHIP OPPORTUNITY for @BrevardSchools seniors! The @BrevardSF has more than 50 different scholarships covering a wide array of career interests, skills & community involvement. #SpaceCoastbit.ly/2uhqLsP

IN CASE YOU MISSED IT

WEAR TV Pensacola: Florida Senate passes bill requiring parental consent for abortions
WINK News Fort Myers: New Florida bill would set rules on converting water we use into something drinkable
Tampa Bay Times: Paramedics now carry guns on some SWAT teams in Tampa Bay area

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Biscuit Bar (Apple Butter, Chicken, Eggs), Fresh Fruit

Lunch: Chicken Sandwich, Grilled Chicken Wrap, Chicken Nuggets, Kale Salad, Cookies

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, February 10, 2020 6:26 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/11 Daily Briefing
Attachment(s): "Daily Briefing02-11 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 11, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Tuesday, February 11, 2020

SCHEDULE

10:00 AM — 12:00 noon

Commerce and Tourism - 110 Senate Building

- SB 54 - Tax Exemption for Diapers and Incontinence Products (Book)
- SB 900 - Malt Beverages (Stargel)
- SB 1128 - Vacation Rentals (Diaz)
- CS/SB 1214 - Engineers (Baxley)
- SB 1362 - Rental Agreements (Rodriguez)
- SB 1580 - Minority Businesses (Braynon)
- SB 1600 - Black Business Loan Program (Powell)

2:00 — 4:00 PM Schedule Conflict

Banking and Insurance - 412 Knott Building

- SB 378 - Motor Vehicle Insurance (Lee)
- SB 380 - Bank Property of Deceased Account Holders (Baxley)
- CS/SB 478 - Motor Vehicle Rentals (Perry)
- CS/SB 792 - Physical Therapy Practice (Albritton)
- SB 924 - Civil Actions Against Insurers (Brandes)
- SB 1334 - Financial Services (Brandes)
- CS/SB 1464 - Underground Facility Damage Prevention and Safety (Flores)
- SB 1556 - Nondiscrimination in Organ Transplants (Bean)
- SB 1618 - Construction Materials Mining Activities (Diaz)
- SB 1626 - Price Transparency in Health Care Services (Flores)
- SB 1828 - Litigation Financing Consumer Protection (Broxson)

Children, Families, and Elder Affairs - 301 Senate Building

- SB 152 - Dental Therapy (Brandes)
- SB 920 - First-episode Psychosis Programs (Rouson)
- **SB 1054 - Substance Abuse Services (Gruters)**
- SB 1156 - Children's Initiatives (Braynon)
- SB 1198 - Purple Alert (Berman)
- SB 1678 - Substance Abuse and Mental Health (Montford)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

2:00 — 5:00 PM **Schedule Conflict**
Judiciary - 110 Senate Building

- SB 4 - Relief of Dontrell Stephens by the Palm Beach County Sheriff's Office (Flores)
- CS/SB 410 - Growth Management (Perry)
- SB 664 - Verification of Employment Eligibility (Lee)
- SB 698 - Assisted Reproduction Facilities (Book)
- **SB 1340 - Legal Notices (Gruters)**
  - **A 190756 - Delete line 157 and insert: (Gruters)**
- **SB 1366 - Trusts (Gruters)**
  - **A 409666 - Delete lines 65 - 81 and insert: (Gruters)**
- CS/SB 1516 - Organ Donation (Harrell)
- SB 1672 - Protection of Vulnerable Investors (Broxson)
- CS/SB 1564 - Use of Genetic Information (Stargel)
- SB 1746 - Florida Virtual Education (Stargel)
- CS/SB 1794 - Constitutional Amendments Proposed by Initiative (Hutson)
- SB 16 - Relief of Christeia Jones, Logan Grant, Denard Maybin, Jr., and Lanard Maybin/Department of Highway Safety and Motor Vehicles (Simmons)
- CS/SB 1286 - Contraband in Specified Facilities (Simmons)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	On agenda (FT)
CS/SB 514	Homestead Exemptions	On agenda (FT)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
SB 520	Drones	On agenda (IS)
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	On agenda (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	Acted on by committee/council, pending report (GO)
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	On agenda (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	On agenda (CF)
SB 1066	Impact Fees	On agenda (CA)
SB 1102	Specialty Contracting Services	On agenda (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (RC)
SB 1190	Cooling Towers	In committee/council (HP)

AMERICAN OVERSIGHT

SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	On agenda (IS)
CS/SJR 1216	Limitation on Terms of Office for Members of a District School Board	Acted on by committee/council, pending report (ED)
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
CS/SB 1240	Corporate Income Tax Credit	In committee/council (FT)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	On agenda (JU)
SB 1366	Trusts	On agenda (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (IT)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
CS/SB 1642	Tax Exemptions	In committee/council (FT)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

FYI – COMMITTEE ACTIVITY

Chair Albritton and the Agriculture Committee will meet to consider the following bills: SB 1514 by Senator Albritton—Department of Agriculture and Consumer Services and CS/SB 1414 by the Committee on Environment and Natural Resources and Senator Mayfield—Fish and Wildlife Activities.

Chair Gruters and the Commerce and Tourism Committee will meet to consider the following bills: SB 54 by Senator Book and others—Tax Exemption for Diapers and Incontinence Products, SB 900 by Senator Stargel—Malt Beverages, SB 1128 by Senator Diaz—Vacation Rentals, CS/SB 1214 by the Committee on Innovation, Industry, and Technology and Senator Baxley—Engineers, SB 1362 by Senator Rodriguez—Rental Agreements, SB 1580 by Senator Braynon—Minority Businesses, and SB 1600 by Senator Powell—Black Business Loan Program.

Chair Perry and the Criminal Justice Committee will meet to consider the following bills: SB 618 by Senator Powell—Detention of Children, CS/SB 688 by the Committee on Environment and Natural Resources and Senator Wright—Illegal Taking, Possession, and Sale of Bears, SB 798 by Senator Rouson—Procurement of Human Organs and Tissue, SB 1508 by Senator Taddeo—Police Vehicles, SB 1552 by Senator Flores—Law Enforcement Activities, SB 1594 by Senator Powell—Firesafety Inspectors, SB 1690 by Senator Torres—Preservation of Memorials, SB 1866 by Senator Pizzo—Assault or Battery, and SB 1880 by Senator Perry—Restitution for Juvenile Offenses.

Chair Harrell and the Health Policy Committee will meet to consider the following bills: SB 1406 by Senator Broxson—Youth Athletic Activities, SB 190 by Senator Montford and others—Medicaid School-based Services, CS/SB 772 by the Committee on Community Affairs; Senator Hutson and others—Recreational Vehicle Parks,

AMERICAN OVERSIGHT

CS/SB 1668 by the Committee on Judiciary and Senator Simmons—Damages, SB 46 by Senator Farmer and others—Eye Care for Newborns and Infants, CS/SB 736 by the Committee on Banking and Insurance and Senator Diaz—Coverage for Air Ambulance Services, SB 1094 by Senator Diaz—Consultant Pharmacists, SB 1006 by Senator Baxley and others—Coverage for Hearing Aids for Children, CS/SB 880 by the Committee on Banking and Insurance and Senator Baxley—Nurse Registry, SB 1370 by Senator Harrell—Patient Safety Culture Surveys, and SB 584 by Senator Harrell—Council on Physician Assistants.

Chair Broxson and the Banking and Insurance Committee will meet to consider the following bills: SB 378 by Senator Lee and others—Motor Vehicle Insurance, SB 380 by Senator Baxley—Bank Property of Deceased Account Holders, CS/SB 478 by the Committee on Innovation, Industry, and Technology and Senator Perry—Motor Vehicle Rentals, CS/SB 792 by the Committee on Health Policy; Senator Albritton and others—Physical Therapy Practice, SB 924 by Senator Brandes—Civil Actions Against Insurers, SB 1334 by Senator Brandes—Financial Services, CS/SB 1464 by the Committee on Infrastructure and Security and Senator Flores—Underground Facility Damage Prevention and Safety, SB 1556 by Senator Bean—Nondiscrimination in Organ Transplants, SB 1618 by Senator Diaz—Construction Materials Mining Activities, SB 1626 by Senator Flores—Price Transparency in Health Care Services, and SB 1828 by Senator Broxson—Litigation Financing Consumer Protection.

Chair Book and the Children, Families, and Elder Affairs Committee will meet to consider the following bills: SB 152 by Senator Brandes and others—Dental Therapy, SB 920 by Senator Rouson—First-episode Psychosis Programs, SB 1054 by Senator Gruters—Substance Abuse Services, SB 1156 by Senator Braynon—Children's Initiatives, SB 1198 by Senator Berman—Purple Alert, and SB 1678 by Senator Montford—Substance Abuse and Mental Health.

Chair Simmons and the Judiciary Committee will meet to consider the following bills: SB 4 by Senator Flores—Relief of Dontrell Stephens by the Palm Beach County Sheriff's Office, CS/SB 410 by the Committee on Community Affairs and Senator Perry—Growth Management, SB 664 by Senator Lee and others—Verification of Employment Eligibility, SB 698 by Senator Book and others—Assisted Reproduction Facilities, SB 1340 by Senator Gruters—Legal Notices, SB 1366 by Senator Gruters—Trusts, CS/SB 1516 by the Committee on Health Policy and Senator Harrell—Organ Donation, SB 1672 by Senator Broxson—Protection of Vulnerable Investors, CS/SB 1564 by the Committee on Banking and Insurance and Senator Stargel—Use of Genetic Information, SB 1746 by Senator Stargel—Florida Virtual Education, CS/SB 1794 by the Committee on Ethics and Elections and Senator Hutson—Constitutional Amendments Proposed by Initiative, SB 16 by Senator Simmons—Relief of Christeia Jones, Logan Grant, Denard Maybin, Jr., and Lanard Maybin/Department of Highway Safety and Motor Vehicles, and CS/SB 1286 by the Committee on Criminal Justice and Senator Simmons—Contraband in Specified Facilities.

TOP CAUCUS TWEETS AND POSTS

Keith Perry @KeithPerryFL
Staying on the forefront of #cybersecurity is crucial for safeguarding our communities from hacking and fraud. Thank you Attorney General @AshleyMoodyFL for participating in this important workshop! Tomorrow's event is free and open to public #FlaPoltinyurl.com/uxp3w9b

Manny Diaz Jr. @SenMannyDiazJr
Looking for Another reason why Americans are flocking to #Florida? not to mention low taxes, beautiful weather and abundant School Choice!

Rob Bradley @Rob_Bradley
When folks talk about our work on #CJReform, they rarely mention our state's investment in Operation New Hope. This is real reform, real change, real hope...and it was done through targeted investments in the state budget over several years. @Travis_Cummings is a great partner.

AMERICAN OVERSIGHT

IN CASE YOU MISSED IT

WINK News Southwest Florida: Florida bills protect pets of domestic violence, victim's pet pivotal helping her escape
Sun Sentinel: Florida travelers may get free orange juice again, thanks to Senate's proposed budget
WTXL Tallahassee: Gov. Ron DeSantis announces new funding for Hurricane Michael recovery aid

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit, Pastries

Lunch: Chicken, Steak, and Shrimp Kabobs, Turmeric Rice, Pasta Salad, Greek Salad, Cookies

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, February 11, 2020 6:29 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 02/12 Daily Briefing
Attachment(s): "Daily Briefing02-12 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the February 12, 2020 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

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Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Wednesday, February 12, 2020

SCHEDULE

10:00 AM — 3:30 PM
SESSION Third Reading

- CS/CS/SB 124, 1st Eng. - Custody of Minor Children by Extended Family (Bean)
- HB 7009 - Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position (Public Integrity and Ethics Committee)
- CS/CS/CS/HB 115 - Keep Our Graduates Working Act (Health Quality Subcommittee)

Special Order

- SB 2500 - Appropriations (Appropriations)
- SB 2502 - Implementing the 2020-2021 General Appropriations Act (Appropriations)
- SB 2504 - State Employees (Appropriations)
- SB 2506 - Correctional Medical Authority (Appropriations)
- SB 7044 - State-administered Retirement Systems (Governmental Oversight and Accountability)
- SB 348 - Florida Kidcare Program (Bean)
- SB 362 - Florida Tourism Marketing (Hooper)
- CS/SB 58 - Prescription Drug Donation Repository Program (Book) Compare to CS/HB 177 - Prescription Drug Donation Repository Program
- SJR 142 - Abolishing the Constitution Revision Commission (Brandes) Similar to HJR 301 - Repeal of Constitution Revision Commission
- CS/SB 372 - Postsecondary Education for Certain Military Personnel (Lee)
- SM 978 - Juneteenth Independence Day (Pizzo)
- SB 7004 - OGSR/Taxpayer E-mail Addresses Held by a Tax Collector (Finance and Tax)

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (AP)
SB 126	Sales and Use Tax	On agenda (FT)
CS/SB 514	Homestead Exemptions	On agenda (FT)

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (AHS)
CS/SB 520	Drones	Pending Reference Review
CS/SB 522	Cruelty to Dogs	In committee/council (JU)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	On agenda (FT)
CS/SB 530	Entertainment Industry	In committee/council (IT)
SB 576	Research and Development Tax Credit	In committee/council (FT)
CS/SB 670	Smoking on Public Beaches and in Public Parks	In committee/council (IT)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
CS/SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	Pending Reference Review
CS/SB 898	Insurance Guaranty Associations	In committee/council (IT)
CS/SB 922	Economic Development	On agenda (AHS)
SB 1040	Reentry Into this State by Certain Persons	In committee/council (CJ)
SB 1054	Substance Abuse Services	Acted on by committee/council, pending report (CF)
SB 1066	Impact Fees	Acted on by committee/council, pending report (CA)
SB 1102	Specialty Contracting Services	Acted on by committee/council, pending report (CA)
SB 1126	Employment Conditions	In committee/council (GO)
SB 1140	Public Accountancy	In committee/council (RC)
SB 1190	Cooling Towers	In committee/council (HP)
SB 1192	Tax on Aviation Fuel	In committee/council (FT)
SB 1200	Voter Registration Maintenance	In committee/council (EE)
CS/SB 1212	International Affairs	In committee/council (RC)
CS/CS/SJR 1216	Limitation on Terms of Office for Members of a District School Board	Pending Reference Review
SM 1222	Designating Drug Cartels as Terrorist Organizations	In committee/council (GO)
CS/SB 1236	Educational Property Tax Exemption	In committee/council (FT)
CS/SB 1240	Corporate Income Tax Credit	In committee/council (FT)
SB 1266	Social Media Websites	In committee/council (IT)
SB 1268	Capital Investment Tax Credit	In committee/council (IT)
SB 1330	Municipal Service Taxing Units and Municipal Service Benefit Units	In committee/council (CA)
SB 1340	Legal Notices	On agenda (JU)
SB 1366	Trusts	On agenda (JU)
SB 1424	Special Neighborhood Improvement Districts	In committee/council (IT)
CS/SB 1450	Environmental Enforcement	In committee/council (ACJ)
SB 1488	Construction Defects	In committee/council (CA)
SB 1494	Insurance Coverage for Condominium Unit Owners	In committee/council (BI)
SB 1518	Acquisition of Certain Professional Services	In committee/council (CA)
SB 1538	Government Integrity	In committee/council (GO)
CS/SB 1642	Tax Exemptions	In committee/council (FT)
SM 1658	Free Trade Agreement Between the United States and the United Kingdom	In committee/council (CM)
SB 1684	Health Care Provider Credentialing	In committee/council (BI)
SB 1778	Taxation of Real Property	In committee/council (CM)
SB 1822	Verification of Employment Eligibility	In committee/council (JU)

AMERICAN OVERSIGHT

Chair Wright and the Military and Veterans Affairs and Space Committee will meet to consider the following bills: SB 1496 by Senator Lee—Veterans Treatment Courts and CS/SB 1586 by the Committee on Children, Families, and Elder Affairs; Senator Hooper and others—First Responders Suicide Deterrence Task Force.

Chair Benacquisto and the Rules Committee will meet to consider the following bills: CS/SB 290 by the Committee on Judiciary and Senator Hooper—School Bus Safety, CS/SB 364 by the Committee on Community Affairs; Senator Rader and others—Independent Living Task Force, SB 384 by Senator Baxley—Harris Chain of Lakes, SB 630 by Senator Mayfield—Regulation of Smoking, SB 716 by Senator Mayfield—County Boundaries, SB 936 by Senator Gainer—Disability Retirement Benefits, SB 1292 by Senator Perry—Public Records/Nonjudicial Arrest Record of a Minor, SB 7036 by the Committee on Criminal Justice (Perry)—OGSR/Criminal Intelligence Information/Criminal Investigative Information, SB 7038 by the Committee on Criminal Justice (Perry)— OGSR/Information Held by an Investigative Agency, CS/SB 7010 by the Committees on Governmental Oversight and Accountability, and Military and Veterans Affairs and Space (Wright)—OGSR/Servicemembers and the Spouses and Dependents of Servicemembers, SJR 396 by Senator Rodriguez—Single-subject Limitation for Taxation and Budget Reform Commission, SB 828 by Senator Benacquisto—Florida ABLE Program, SB 830 by Senator Benacquisto—OGSR/Certain Personal Financial and Health Information, CS/SB 994 by the Committee on Judiciary; Senator Passidomo and others—Guardianship, SB 1398 by Senator Flores—Regional Planning Council Meetings, and SR 1704 by Senator Flores—Taiwan.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Bill Galvano @BillGalvano
Such a great surprise and a tremendous honor to be presented with an honorary membership in the Florida Professional Firefighters @FPF343. Thank you!

George Gainer @SenatorGainer
Our #BayCounty officials never rest when it comes to #HurricaneMichael recovery. Couldn't ask for any better people to work alongside for the panhandle. Thank you for everything you do for our community.#District2

Debbie Mayfield @debbie_mayfield
SB1414 has passed the @FLSenate Agriculture Committee. Thank you Chairman @RepAlbritton for hearing this good bill today!

IN CASE YOU MISSED IT

WTXL Tallahassee: Bill to pay student athletes makes headway in Florida
The Independent Florida Alligator: UF/IFAS ranked the No. 1 public institution for agricultural sciences

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Rice Bowls (Chicken, Steak, Shrimp), Salad, Brownies

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Tuesday, December 10, 2019 5:05 PM EST
To: Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>
Subject: 12/11 Daily Briefing
Attachment(s): "Daily Briefing12-11 Gruters Daily Briefing.docx"

Good Afternoon,

Attached is the December 11, 2019 Majority Office Daily Brief for Sen. Gruters.

Thank you,

Austin Kernan
Legislative Analyst
Senate Majority Office
Office: (850) 487-5184
Cell: (352) 361-1691

AMERICAN OVERSIGHT

KATHLEEN PASSIDOMO
Majority Leader

THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

Daily Briefing
Senator Gruters
Wednesday, December 11, 2019

SCHEDULE

1:30 — 3:30 PM

Appropriations Subcommittee on Criminal and Civil Justice - 37 Senate Building

- CS/SB 346 - Criminal Justice (Bradley)
- Presentation on Governor's Fiscal Year 2020-2021 Budget Recommendations: Department of Corrections Department of Juvenile Justice Department of Law Enforcement Department of Legal Affairs/Attorney General Florida Commission on Offender Review State Courts Public Defenders State Attorneys Regional Conflict Counsels Statewide Guardian ad Litem Capital Collateral Regional Counsels Justice Administrative Commission
- Presentation on a Study of Health Care Services in the Florida Department of Corrections by Office of Program Policy Analysis and Government Accountability
- Presentation on Recommendation of the Appellate Review of County Court Decisions Workgroup

SENATOR'S BILLS UPDATE

Bill Display Name	Subject	Current Location
SB 118	Security in Trial Court Facilities	In committee/council (ACJ)
SB 126	Sales and Use Tax	In committee/council (FT)
SB 514	Homestead Exemptions	In committee/council (CA)
SB 516	Campaign Financing	In committee/council (EE)
SB 518	Cardiac Screening for Newborns	In committee/council (HP)
SB 520	Drones	In committee/council (IS)
SB 522	Cruelty to Dogs	Acted on by committee/council, pending report (CJ)
SB 524	Sales Tax Holiday for Disaster Preparedness Supplies	In committee/council (FT)
SB 530	Entertainment Industry	Acted on by committee/council, pending report (CM)
SB 576	Research and Development Tax Credit	In committee/council (FT)

AMERICAN OVERSIGHT

SB 670	Smoking on Public Beaches and in Public Parks	Acted on by committee/council, pending report (CA)
SB 686	Stormwater Management Systems	In committee/council (EN)
SB 732	Insulation Products	In committee/council (CA)
SB 734	Termination of Pregnancy	In committee/council (HP)
SB 858	Cost-of-living Adjustment for Special Risk Class Retirees	In committee/council (GO)
SB 898	Insurance Guaranty Associations	Filed
SB 922	Economic Development	Filed
SB 1040	Reentry Into this State by Certain Persons	Filed
SB 1054	Substance Abuse Services	Filed
SB 1066	Impact Fees	Filed
SB 1102	Specialty Contracting Services	Filed
SB 1126	Employment Conditions	Filed
SB 1140	Public Accountancy	Filed
SB 1190	Cooling Towers	Filed
SB 1192	Tax on Aviation Fuel	Filed
SB 1200	Voter Registration Maintenance	Filed

FYI – COMMITTEE ACTIVITY

Chair Wright and the Military and Veterans Affairs and Space Committee will meet to for presentation by Brigadier General Tom Landerwermeyer, USA (Ret.), President and CEO, Homes for our Troops and Andy Pujol, CEO, Founder and Volunteer, Building Homes for Heroes, Inc.

Chair Mayfield and the Appropriations Subcommittee on Agriculture, Environment, and General Government will meet for the following presentations: Governor's Environment Fiscal Year 2020-2021 Budget Recommendations, Governor's General Government Fiscal Year 2020-2021 Budget Recommendations, Florida PALM by the Department of Financial Services, and Florida Water and Wastewater Infrastructure by the Florida Water Environment Association Utility Council.

Chair Brandes and the Appropriations Subcommittee on Criminal and Civil Justice will meet for presentations on the Governor's Fiscal Year 2020-2021 Budget Recommendations, a Study of Health Care Services in the Florida Department of Corrections by the Office of Program Policy Analysis and Government Accountability, and Recommendation of the Appellate Review of County Court Decisions Workgroup. The subcommittee will also meet to consider CS/SB 346 by the Committee on Criminal Justice; Senator Bradley and others—Criminal Justice.

Chair Diaz and the Appropriations Subcommittee on Education will meet for a Presentation on Governor's Fiscal Year 2020-2021 Budget Recommendations.

Chair Bean and the Appropriations Subcommittee on Health and Human Services will meet for a Presentation on Governor's Fiscal Year 2020-2021 Budget Recommendations and to consider SB 348 by Senator Bean—Florida Kidcare Program.

Chair Hutson and the Appropriations Subcommittee on Transportation, Tourism, and Economic Development will meet for a Presentation on Governor's Fiscal Year 2020-2021 Budget Recommendations.

AMERICAN OVERSIGHT

TOP CAUCUS TWEETS AND POSTS

Manny Diaz Jr. @SenMannyDiazJr
Congrats to @iMaterKnights Principal Teresa Santalo in #District36 for being named a winner of @FloridaTaxWatch 2019-2020 Principal Leadership Awards! #ForTheKids

Keith Perry @KeithPerryFL
Always a great day when I get to visit with Florida Farm Bureau leaders from Alachua and Marion counties! #Agriculture is the backbone of Florida, and we need to use long-term science-based measures to help this industry flourish. #FarmBureauDay#BeTheVoice

Aaron Bean @AaronPBean
I had an awesome time last night catching up with the Governor at a Christmas Party at the Governor's Mansion! Florida continues to benefit from his bold leadership and I look forward to continuing to work with him this next legislative session.

IN CASE YOU MISSED IT

News 4 Jax: Florida Senate panel backs 'Best and Brightest' repeal
WCTV Tallahassee: Bill stopping HOAs from prohibiting police vehicles in officers' driveways advances
FOX 35 Orlando: Senators back task force on sea level rise
Pensacola News Journal: Longtime Santa Rosa County figure, former legislator John Broxson, dies at age 87

MENU FOR MAJORITY OFFICE LOUNGE

Breakfast: Bacon, Sausage, Scrambled Eggs, Breakfast Potatoes, Yogurt, Fresh Fruit

Lunch: Edamame, Spring Rolls, House Salad, Mongolian Beef, Masa Chili Chicken, Fried Rice, Steamed Rice, California Rolls, Shrimp Tempura Rolls, Dirty Harry Rolls

AMERICAN OVERSIGHT

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 11:45 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: 1212
Attachment(s): "Sisters of Florida State Cities and Counties.docx","Citizen Support Organizations Friends of Florida History EXAMPLE.docx","Friends Of Florida History Annual Report 19 20 EXAMPLE.pdf"

Victoria,

Please see the link below that will direct you to the Consular Corp of Florida listed by country.

Thank you!!!

http://orlando.consularcorps.info/countries/

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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Citizen Support Organizations

Friends of Florida History, Inc.

- Purpose is to provide assistance, funding, and promotional support for the archaeology, historic sites, museums, folklife, and historic preservation programs of the Division of Historical Resources.
- Up to twenty-five members appointed by the Secretary of State.
- Chair, Mr. Lester Abberger
- The Code of Ethics of Friends of Florida History, Inc. (.pdf)

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Friends of Florida History, Inc.

Division of Historical Resources
R.A. Gray Building, Suite 305
500 South Bronough Street
Tallahassee, FL 32399-0250
850.245.6300
www.flheritage.com

FY 2019-2020 Report

I. Statutory Authority or Executive Order Creating Organization

Section 267.17, *Florida Statutes*, provides statutory authority for the organization.

II. Mission and Results Obtained

Mission

The mission of Friends of Florida History, Inc. (FFH) shall be to enhance and perpetuate, through prudent stewardship and non-state financial support, the archaeology, historic sites, museums, folklife, historic preservation sites and programs of the Florida Division of Historical Resources (including, but not limited to, Miami Circle, Florida Folklife Program, Florida Main Street) and the Office of External Affairs (Mission San Luis and The Grove Museum) for the people of Florida and its visitors.

Results Obtained

Friends of Florida History, Inc. board members accomplish their mission through financial support for Florida Division of Historical Resources and the Office of External Affairs (Mission San Luis and The Grove Museum) programs and facilities. During FY 2018-2019, Friends of Florida History raised funds and in-kind donations of goods and services for Mission San Luis (2018-2019 Cultural Thursdays Colonial Spanish Florida History Lecture Series, 2019 Winter Solstice Celebration), The Grove Museum (education and membership programs), Florida Folklife Program (Florida Folk Heritage Awards, Florida Folk Festival – Florida Folk Program Area), Florida Main Street Program (2018 Florida Main Street Annual Conference, 2019 Florida Main Street Spring Quarterly Meeting) as well as activities organized by the Bureau of Historic Preservation (regional Certified Local Government trainings held in St. Augustine, Jupiter, and Deland) and the Bureau of Archaeological Research (2019 Florida Archaeology Month presentations).

FFH established a Florida Division of Historical Resources 'DHR Program Area Operating General Fund' account. In addition, Friends of Florida History, Inc. opened a money market ($125,000 MM) and CD accounts (a $75,000 6-month CD and a $75,000

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18-month CD) with funds earmarked for Mission San Luis. Throughout FY 2018-2019, Friends of Florida History, Inc. provided advice on Division programming.

III. Three Year Plan

To solicit, receive, hold, invest, and administer property, and subject to approval of the Department of State, make expenditures to provide assistance, funding, and promotional support to the archaeology, historic sites, museums, folklife, and historic preservation programs of the Division, in a manner consistent with the policies and goals of the Department in accordance with Chapter 267, *Florida Statutes.*

To support the Division in its efforts to implement and manage programs designed to create statewide impact and position Florida as a national leader in historic preservation.

IV. Code of Ethics

The Code of Ethics of Friends of Florida History, Inc. is as follows:

PREAMBLE

(1) It is essential to the proper conduct and operation of Friends of Florida History, Inc., (herein "CSO") that its board members, officers, and employees be independent and impartial and that their position not be used for private gain. Therefore, the Florida Legislature in Section 112.3251, *Florida Statutes*, requires that the law protect against any conflict of interest and establish standards for the conduct of CSO board members, officers, and employees in situations where conflicts may exist.

(2) It is hereby declared to be the policy of the state that no CSO board member, officer, or employee shall have any interest, financial or otherwise, direct or indirect, or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties for the CSO. To implement this policy and strengthen the faith and confidence of the people in Citizen Support Organizations, there is enacted a code of ethics setting forth standards of conduct required of Friends of Florida History, Inc., board members, officers, and employees in the performance of their official duties.

STANDARDS

The following standards of conduct are enumerated in Chapter 112, *Florida Statutes*, and are required by Section 112.3251, *Florida Statutes*, to be observed by CSO board members, officers, and employees.

1. Prohibition of Solicitation or Acceptance of Gifts

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No CSO board member, officer, or employee shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the CSO board member, officer, or employee would be influenced thereby.

2. Prohibition of Accepting Compensation Given to Influence a Vote

No CSO board member, officer, or employee shall accept any compensation, payment, or thing of value when the person knows, or, with reasonable care, should know that it was given to influence a vote or other action in which the CSO board member, officer, or employee was expected to participate in his or her official capacity.

3. Salary and Expenses

No CSO board member or officer shall be prohibited from voting on a matter affecting his or her salary, expenses, or other compensation as a CSO board member or officer, as provided by law.

4. Prohibition of Misuse of Position

A CSO board member, officer, or employee shall not corruptly use or attempt to use one's official position or any property or resource which may be within one's trust, or perform official duties, to secure a special privilege, benefit, or exemption.

5. Prohibition of Misuse of Privileged Information

No CSO board member, officer, or employee shall disclose or use information not available to members of the general public and gained by reason of one's official position for one's own personal gain or benefit or for the personal gain or benefit of any other person or business entity.

6. Post-Office/Employment Restrictions

A person who has been elected to any CSO board or office or who is employed by a CSO may not personally represent another person or entity for compensation before the governing body of the CSO of which he or she was a board member, officer, or employee for a period of two years after he or she vacates that office or employment position.

7. Prohibition of Employees Holding Office

No person may be, at one time, both a CSO employee and a CSO board member at the same time.

8. Requirements to Abstain from Voting

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A CSO board member or officer shall not vote in official capacity upon any measure which would affect his or her special private gain or loss, or which he or she knows would affect the special gain or any principal by whom the board member or officer is retained. When abstaining, the CSO board member or officer, prior to the vote being taken, shall make every reasonable effort to disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the CSO board member or officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

9. Failure to Observe CSO Code of Ethics

Failure of a CSO board member, officer, or employee to observe the Code of Ethics may result in the removal of that person from their position. Further, failure of the CSO to observe the Code of Ethics may result in the Florida Department of State terminating its Agreement with the CSO.

V. Current Federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

Please see attached IRS Form 990 for the 2017 tax year.

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Filing Instructions

Friends of Florida History, Inc.

Exempt Organization Tax Return

Taxable Year Ended June 30, 2018

Date Due: May 15, 2019

Remittance: None is required. Your Form 990 for the tax year ended 6/30/18 shows no balance due.

Signature: You are using a Personal Identification Number (PIN) for signing your return electronically. Sign the IRS e-file Authorization and mail it as soon as possible to:

Thomson Brock Luger & Company
3375G Capital Cir NE
Tallahassee, FL 32308-3736

Other: Initial and date the copies of the IRS e-file Signature Authorization and the Form 990. Retain them for your records. If previously signed and returned no further action is required for Form 8879-EO.

Your return is being filed electronically with the IRS and is not required to be mailed. Mailing a paper copy of your return to the IRS will delay the processing of your return.

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Form **8879-EO**

Department of the Treasury
Internal Revenue Service

IRS *e-file* Signature Authorization for an Exempt Organization

For calendar year 2017, or fiscal year beginning 7/01, 2017, and ending 6/30, 20 18

u **Do not send to the IRS. Keep for your records.**
u **Go to *www.irs.gov/Form8879EO* for the latest information.**

OMB No. 1545-1878

2017

Name of exempt organization

FRIENDS OF FLORIDA HISTORY, INC.

Employer identification number

59-3753544

Name and title of officer

LESTER ABBERGER
CHAIR

Part I Type of Return and Return Information (Whole Dollars Only)

Check the box for the return for which you are using this Form 8879-EO and enter the applicable amount, if any, from the return. If you check the box on line **1a, 2a, 3a, 4a,** or **5a,** below, and the amount on that line for the return being filed with this form was blank, then leave line **1b, 2b, 3b, 4b,** or **5b,** whichever is applicable, blank (do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. **Do not** complete more than one line in Part I.

1a Form 990 check here ▶ [X]	**b** **Total revenue,** if any (Form 990, Part VIII, column (A), line 12)	**1b**	622,888
2a Form 990-EZ check here ▶ [ ]	**b** **Total revenue,** if any (Form 990-EZ, line 9)	**2b**	
3a Form 1120-POL check here ▶ [ ]	**b** **Total tax** (Form 1120-POL, line 22)	**3b**	
4a Form 990-PF check here ▶ [ ]	**b** **Tax based on investment income** (Form 990-PF, Part VI, line 5)	**4b**	
5a Form 8868 check here ▶ [ ]	**b** **Balance Due** (Form 8868, line 3c)	**5b**	

Part II Declaration and Signature Authorization of Officer

Under penalties of perjury, I declare that I am an officer of the above organization and that I have examined a copy of the organization's 2017 electronic return and accompanying schedules and statements and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS **(a)** an acknowledgement of receipt or reason for rejection of the transmission, **(b)** the reason for any delay in processing the return or refund, and **(c)** the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the organization's electronic return and, if applicable, the organization's consent to electronic funds withdrawal.

Officer's PIN: check one box only

[X] I authorize THOMSON BROCK LUGER & COMPANY to enter my PIN 02062 as my signature

ERO firm name

Enter five numbers, but do not enter all zeros

on the organization's tax year 2017 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I also authorize the aforementioned ERO to enter my PIN on the return's disclosure consent screen.

[ ] As an officer of the organization, I will enter my PIN as my signature on the organization's tax year 2017 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I will enter my PIN on the return's disclosure consent screen.

Officer's signature } Date } 04/26/18

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit electronic filing identification number (EFIN) followed by your five-digit self-selected PIN.

59409000016

Do not enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2017 electronically filed return for the organization indicated above. I confirm that I am submitting this return in accordance with the requirements of **Pub. 4163,** Modernized e-File (MeF) Information for Authorized IRS *e-file* Providers for Business Returns.

ERO's signature } Date } 04/26/18

ERO Must Retain This Form — See Instructions
Do Not Submit This Form to the IRS Unless Requested To Do So

For Paperwork Reduction Act Notice, see back of form. Form **8879-EO** (2017)

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Form **990**

Department of the Treasury
Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

u Do not enter social security numbers on this form as it may be made public.

u Go to *www.irs.gov/Form990* for instructions and the latest information.

OMB No. 1545-0047

2017

Open to Public Inspection

A For the 2017 calendar year, or tax year beginning 07/01/17 , and ending 06/30/18

B Check if applicable:
- ☐ Address change
- ☐ Name change
- ☐ Initial return
- ☐ Final return/ terminated
- ☐ Amended return
- ☐ Application pending

C Name of organization
FRIENDS OF FLORIDA HISTORY, INC.

Doing business as

Number and street (or P.O. box if mail is not delivered to street address) | Room/suite
500 SOUTH BRONOUGH STREET, STE 305

City or town, state or province, country, and ZIP or foreign postal code
TALLAHASSEE FL 32399

D Employer identification number
59-3753544

E Telephone number
850-245-6332

G Gross receipts $ 2,043,804

F Name and address of principal officer:
LESTER ABBERGER
500 SOUTH BRONOUGH STREET, STE 305
TALLAHASSEE FL 32303

H(a) Is this a group return for subordinates? ☐ Yes ☒ No

H(b) Are all subordinates included? ☐ Yes ☐ No
If "No," attach a list. (see instructions)

I Tax-exempt status: ☒ 501(c)(3) ☐ 501(c) ( ) t (insert no.) ☐ 4947(a)(1) or ☐ 527

J Website: u WWW.MISSIONSANLUIS.ORG

H(c) Group exemption number u

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other u

L Year of formation: 2002

M State of legal domicile: FL

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities:
SEE SCHEDULE O

2 Check this box u ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets.

3 Number of voting members of the governing body (Part VI, line 1a)	3	9
4 Number of independent voting members of the governing body (Part VI, line 1b)	4	9
5 Total number of individuals employed in calendar year 2017 (Part V, line 2a)	5	0
6 Total number of volunteers (estimate if necessary)	6	209
7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
b Net unrelated business taxable income from Form 990-T, line 34	7b	0

	Prior Year	Current Year
Revenue		
8 Contributions and grants (Part VIII, line 1h)	17,181	62,126
9 Program service revenue (Part VIII, line 2g)	74,270	81,047
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	212,328	300,207
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	208,500	179,508
12 Total revenue – add lines 8 through 11 (must equal Part VIII, column (A), line 12)	512,279	622,888
Expenses		
13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)		0
14 Benefits paid to or for members (Part IX, column (A), line 4)		0
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)		0
16a Professional fundraising fees (Part IX, column (A), line 11e)		0
b Total fundraising expenses (Part IX, column (D), line 25) u 32,420		
17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	208,611	284,433
18 Total expenses. Add lines 13–17 (must equal Part IX, column (A), line 25)	208,611	284,433
19 Revenue less expenses. Subtract line 18 from line 12	303,668	338,455

	Beginning of Current Year	End of Year
Net Assets or Fund Balances		
20 Total assets (Part X, line 16)	3,695,523	3,881,903
21 Total liabilities (Part X, line 26)	108,509	95,645
22 Net assets or fund balances. Subtract line 21 from line 20	3,587,014	3,786,258

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer — Date

LESTER ABBERGER CHAIR
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
MATTHEW R. HANSARD				P00273516

Firm's name } THOMSON BROCK LUGER & COMPANY — Firm's EIN } 20-2259573

Firm's address } 3375G CAPITAL CIR NE TALLAHASSEE, FL 32308-3736 — Phone no. 850-385-7444

May the IRS discuss this return with the preparer shown above? (see instructions) ☒ Yes ☐ No

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For Paperwork Reduction Act Notice, see the separate instructions.
DAA

Part III **Statement of Program Service Accomplishments**

Check if Schedule O contains a response or note to any line in this Part III ☒

1 Briefly describe the organization's mission:

SEE SCHEDULE O

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? ☐ Yes ☒ No

If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? ☐ Yes ☒ No

If "Yes," describe these changes on Schedule O.

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses $ **231,836** including grants of $) (Revenue $ **81,047**)

TO PROMOTE USE, PRESERVATION, AND ENHANCEMENT OF FRIENDS OF FLORIDA HISTORY, INC. THROUGH PUBLIC AWARENESS PROJECTS, SPECIAL EVENTS, TOURS, MARKET RESEARCH, AND JOINT PARTNERSHIPS WITH OTHER NON-PROFIT AND FOR-PROFIT ORGANIZATIONS. ADDITIONALLY, TO PROVIDE CAPACITY FOR GRANT FUNDING AND SPECIAL PROJECTS RELATED TO MISSION SAN LUIS AND TO DEVELOP AND MAINTAIN GENERAL MEMBERSHIP SUPPORT FOR THE PURPOSES OF THE ORGANIZATION.

4b (Code:) (Expenses $ including grants of $) (Revenue $)

4c (Code:) (Expenses $ including grants of $) (Revenue $)

4d Other program services (Describe in Schedule O.)

(Expenses $ including grants of $) (Revenue $)

4e Total program service expenses u **231,836**

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Part IV Checklist of Required Schedules

			Yes	No
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? *If "Yes," complete Schedule A*	1	X	
2	Is the organization required to complete *Schedule B, Schedule of Contributors* (see instructions)?	2		X
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? *If "Yes," complete Schedule C, Part I*	3		X
4	**Section 501(c)(3) organizations.** Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? *If "Yes," complete Schedule C, Part II*	4		X
5	Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? *If "Yes," complete Schedule C, Part III*	5		X
6	Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? *If "Yes," complete Schedule D, Part I*	6		X
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? *If "Yes," complete Schedule D, Part II*	7		X
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? *If "Yes," complete Schedule D, Part III*	8		X
9	Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? *If "Yes," complete Schedule D, Part IV*	9		X
10	Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? *If "Yes," complete Schedule D, Part V*	10	X	
11	If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.			
a	Did the organization report an amount for land, buildings, and equipment in Part X, line 10? *If "Yes," complete Schedule D, Part VI*	11a	X	
b	Did the organization report an amount for investments—other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VII*	11b	X	
c	Did the organization report an amount for investments—program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VIII*	11c		X
d	Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part IX*	11d		X
e	Did the organization report an amount for other liabilities in Part X, line 25? *If "Yes," complete Schedule D, Part X*	11e		X
f	Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? *If "Yes," complete Schedule D, Part X*	11f	X	
12a	Did the organization obtain separate, independent audited financial statements for the tax year? *If "Yes," complete Schedule D, Parts XI and XII*	12a	X	
b	Was the organization included in consolidated, independent audited financial statements for the tax year? *If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional*	12b		X
13	Is the organization a school described in section 170(b)(1)(A)(ii)? *If "Yes," complete Schedule E*	13		X
14a	Did the organization maintain an office, employees, or agents outside of the United States?	14a		X
b	Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at $100,000 or more? *If "Yes," complete Schedule F, Parts I and IV*	14b		X
15	Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or other assistance to or for any foreign organization? *If "Yes," complete Schedule F, Parts II and IV*	15		X
16	Did the organization report on Part IX, column (A), line 3, more than $5,000 of aggregate grants or other assistance to or for foreign individuals? *If "Yes," complete Schedule F, Parts III and IV*	16		X
17	Did the organization report a total of more than $15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? *If "Yes," complete Schedule G, Part I* (see instructions)	17		X
18	Did the organization report more than $15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? *If "Yes," complete Schedule G, Part II*	18		X
19	Did the organization report more than $15,000 of gross income from gaming activities on Part VIII, line 9a? *If "Yes," complete Schedule G, Part III*	19		X

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Part IV Checklist of Required Schedules *(continued)*

			Yes	No
20a	Did the organization operate one or more hospital facilities? *If "Yes," complete Schedule H*	**20a**		X
b	If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?	**20b**		
21	Did the organization report more than $5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? *If "Yes," complete Schedule I, Parts I and II*	**21**		X
22	Did the organization report more than $5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? *If "Yes," complete Schedule I, Parts I and III*	**22**		X
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? *If "Yes," complete Schedule J*	**23**		X
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2002? *If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a*	**24a**		X
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	**24b**		
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	**24c**		
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	**24d**		
25a	**Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations.** Did the organization engage in an excess benefit transaction with a disqualified person during the year? *If "Yes," complete Schedule L, Part I*	**25a**		X
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? *If "Yes," complete Schedule L, Part I*	**25b**		X
26	Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? *If "Yes," complete Schedule L, Part II*	**26**		X
27	Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? *If "Yes," complete Schedule L, Part III*	**27**		X
28	Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):			
a	A current or former officer, director, trustee, or key employee? *If "Yes," complete Schedule L, Part IV*	**28a**		X
b	A family member of a current or former officer, director, trustee, or key employee? *If "Yes," complete Schedule L, Part IV*	**28b**		X
c	An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? *If "Yes," complete Schedule L, Part IV*	**28c**		X
29	Did the organization receive more than $25,000 in non-cash contributions? *If "Yes," complete Schedule M*	**29**		X
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? *If "Yes," complete Schedule M*	**30**		X
31	Did the organization liquidate, terminate, or dissolve and cease operations? *If "Yes," complete Schedule N, Part I*	**31**		X
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? *If "Yes," complete Schedule N, Part II*	**32**		X
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? *If "Yes," complete Schedule R, Part I*	**33**		X
34	Was the organization related to any tax-exempt or taxable entity? *If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1*	**34**	X	
35a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	**35a**		X
b	If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? *If "Yes," complete Schedule R, Part V, line 2*	**35b**		
36	**Section 501(c)(3) organizations.** Did the organization make any transfers to an exempt non-charitable related organization? *If "Yes," complete Schedule R, Part V, line 2*	**36**		X
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? *If "Yes," complete Schedule R, Part VI*	**37**		X
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? **Note.** All Form 990 filers are required to complete Schedule O.	**38**	X	

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Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V ☐

				Yes	No
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable	1a	5		
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	1b	0		
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	1c		X	
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	2a	0		
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns?	2b			
	Note. If the sum of lines 1a and 2a is greater than 250, you may be required to *e-file* (see instructions)				
3a	Did the organization have unrelated business gross income of $1,000 or more during the year?	3a			X
b	If "Yes," has it filed a Form 990-T for this year? *If "No" to line 3b, provide an explanation in Schedule O*	3b			
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	4a			X
b	If "Yes," enter the name of the foreign country: u See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).				
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?	5a			X
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?	5b			X
c	If "Yes" to line 5a or 5b, did the organization file Form 8886-T?	5c			
6a	Does the organization have annual gross receipts that are normally greater than $100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?	6a			X
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	6b			
7	**Organizations that may receive deductible contributions under section 170(c).**				
a	Did the organization receive a payment in excess of $75 made partly as a contribution and partly for goods and services provided to the payor?	7a			X
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?	7b			
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?	7c			X
d	If "Yes," indicate the number of Forms 8282 filed during the year	7d			
e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?	7e			X
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?	7f			X
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?	7g			
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?	7h			
8	**Sponsoring organizations maintaining donor advised funds.** Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?	8			
9	**Sponsoring organizations maintaining donor advised funds.**				
a	Did the sponsoring organization make any taxable distributions under section 4966?	9a			
b	Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?	9b			
10	**Section 501(c)(7) organizations.** Enter:				
a	Initiation fees and capital contributions included on Part VIII, line 12	10a			
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	10b			
11	**Section 501(c)(12) organizations.** Enter:				
a	Gross income from members or shareholders	11a			
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)	11b			
12a	**Section 4947(a)(1) non-exempt charitable trusts.** Is the organization filing Form 990 in lieu of Form 1041?	12a			
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year	12b			
13	**Section 501(c)(29) qualified nonprofit health insurance issuers.**				
a	Is the organization licensed to issue qualified health plans in more than one state? **Note.** See the instructions for additional information the organization must report on Schedule O.	13a			
b	Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans	13b			
c	Enter the amount of reserves on hand	13c			
14a	Did the organization receive any payments for indoor tanning services during the tax year?	14a			X
b	If "Yes," has it filed a Form 720 to report these payments? *If "No," provide an explanation in Schedule O*	14b			

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Part VI **Governance, Management, and Disclosure** *For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.*

Check if Schedule O contains a response or note to any line in this Part VI ..... [X]

Section A. Governing Body and Management

				Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year	1a	9		
	If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.				
b	Enter the number of voting members included in line 1a, above, who are independent	1b	9		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?	2			X
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, or trustees, or key employees to a management company or other person?	3			X
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4			X
5	Did the organization become aware during the year of a significant diversion of the organization's assets?	5			X
6	Did the organization have members or stockholders?	6			X
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?	7a			X
b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?	7b			X
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:				
a	The governing body?	8a		X	
b	Each committee with authority to act on behalf of the governing body?	8b		X	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? *If "Yes," provide the names and addresses in Schedule O*	9			X

Section B. Policies *(This Section B requests information about policies not required by the Internal Revenue Code.)*

			Yes	No
10a	Did the organization have local chapters, branches, or affiliates?	10a		X
b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b		
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a	X	
b	Describe in Schedule O the process, if any, used by the organization to review this Form 990.			
12a	Did the organization have a written conflict of interest policy? *If "No," go to line 13*	12a		X
b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b		
c	Did the organization regularly and consistently monitor and enforce compliance with the policy? *If "Yes," describe in Schedule O how this was done*	12c		
13	Did the organization have a written whistleblower policy?	13		X
14	Did the organization have a written document retention and destruction policy?	14	X	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?			
a	The organization's CEO, Executive Director, or top management official	15a		X
b	Other officers or key employees of the organization	15b		X
	If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions).			
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a		X
b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?	16b		

Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed u **NONE**

18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (Section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.

[ ] Own website [ ] Another's website [X] Upon request [ ] Other *(explain in Schedule O)*

19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

20 State the name, address, and telephone number of the person who possesses the organization's books and records: u

LESTER ABBERGER 500 SOUTH BRONOUGH STREET, STE 305

TALLAHASSEE FL 32304 850-245-6388

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Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII ☐

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than $100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

☐ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

(A) Name and Title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(1) **MELISSA SCHECHTER**	1.00									
SECRETARY	0.00	X		X				0	0	0
(2) **LESTER ABBERGER**	1.00									
CHAIR	0.00	X		X				0	0	0
(3) **TIMOTHY A. PARSONS, PH.D.**	1.00									
DIVISION DIRECTOR	0.00			X				0	87,100	18,715
(4) **CANDIDO CREIS ESTRADA**	1.00									
DIRECTOR	0.00	X						0	0	0
(5) **DON SLESNICK**	1.00									
VICE CHAIR	0.00	X		X				0	0	0
(6) **LEROY COLLINS, III**	1.00									
DIRECTOR	0.00	X						0	0	0
(7) **DANIEL FESENMAIER**	1.00									
DIRECTOR	0.00	X						0	0	0
(8) **CHERYL GRAGANELLA**	1.00									
TREASURER	0.00	X		X				0	0	0
(9) **MORRIS HYLTON**	1.00									
DIRECTOR	0.00	X						0	0	0
(10) **JAYMES TURNBULL**	1.00									
DIRECTOR	0.00	X						0	0	0
(11)										

AMERICAN OVERSIGHT

Part VII **Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees** *(continued)*

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
1b Sub-total u									87,100	18,715
c Total from continuation sheets to Part VII, Section A u										
d Total (add lines 1b and 1c) u									87,100	18,715

2 Total number of individuals (including but not limited to those listed above) who received more than $100,000 of reportable compensation from the organization u **0**

		Yes	No
3	Did the organization list any **former** officer, director, or trustee, key employee, or highest compensated employee on line 1a? *If "Yes," complete Schedule J for such individual*		X
4	For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? *If "Yes," complete Schedule J for such individual*		X
5	Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? *If "Yes," complete Schedule J for such person*		X

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

(A) Name and business address	(B) Description of services	(C) Compensation

2 Total number of independent contractors (including but not limited to those listed above) who received more than $100,000 of compensation from the organization u

AMERICAN OVERSIGHT

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII ☐

				(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512-514
Contributions, Gifts, Grants and Other Similar Amounts	1a Federated campaigns	1a					
	b Membership dues	1b	4,929				
	c Fundraising events	1c					
	d Related organizations	1d					
	e Government grants (contributions)	1e					
	f All other contributions, gifts, grants, and similar amounts not included above	1f	57,197				
	g Noncash contributions included in lines 1a-1f: $						
	h **Total.** Add lines 1a–1f u			62,126			
Program Service Revenue		Busn. Code					
	2a ADMISSION FEES			73,068	73,068		
	b ALL OTHER PROGRAMS			7,979	7,979		
	c						
	d						
	e						
	f All other program service revenue						
	g **Total.** Add lines 2a–2f u			81,047			
Other Revenue	3 Investment income (including dividends, interest, and other similar amounts) u			82,438			82,438
	4 Income from investment of tax-exempt bond proceeds u						
	5 Royalties u						
		(i) Real	(ii) Personal				
	6a Gross rents	145,146					
	b Less: rental exps.	811					
	c Rental inc. or (loss)	144,335					
	d Net rental income or (loss) u			144,335			144,335
		(i) Securities	(ii) Other				
	7a Gross amount from sales of assets other than inventory	1,614,849					
	b Less: cost or other basis & sales exps.	1,397,080					
	c Gain or (loss)	217,769					
	d Net gain or (loss) u			217,769	217,769		
	8a Gross income from fundraising events (not including $ ... of contributions reported on line 1c). See Part IV, line 18 a						
	b Less: direct expenses b						
	c Net income or (loss) from fundraising events u						
	9a Gross income from gaming activities. See Part IV, line 19 a						
	b Less: direct expenses b						
	c Net income or (loss) from gaming activities u						
	10a Gross sales of inventory, less returns and allowances a	58,198					
	b Less: cost of goods sold b	23,025					
	c Net income or (loss) from sales of inventory u			35,173			35,173
	Miscellaneous Revenue		Busn. Code				
	11a						
	b						
	c						
	d All other revenue						
	e **Total.** Add lines 11a–11d u						
	12 **Total revenue.** See instructions. u			622,888	298,816	0	261,946

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Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX ☐

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21				
2 Grants and other assistance to domestic individuals. See Part IV, line 22				
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees				
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages				
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)				
9 Other employee benefits				
10 Payroll taxes				
11 Fees for services (non-employees):				
a Management				
b Legal				
c Accounting	14,165	12,040	1,417	708
d Lobbying				
e Professional fundraising services. See Part IV, line 17				
f Investment management fees				
g Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O.)				
12 Advertising and promotion	15,677	13,325	1,568	784
13 Office expenses	1,484	1,262	148	74
14 Information technology				
15 Royalties				
16 Occupancy				
17 Travel				
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings				
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	7,894	6,710	789	395
23 Insurance				
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O.)				
a UTILITIES	96,546	82,064	9,655	4,827
b OTHER PROGRAM EXPENSES	58,240	58,240		
c LANDSCAPING	46,800	39,780	4,680	2,340
d SPECIAL EVENTS	21,310			21,310
e All other expenses	22,317	18,415	1,920	1,982
25 **Total functional expenses.** Add lines 1 through 24e	284,433	231,836	20,177	32,420
26 **Joint costs.** Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here ▶ ☐ if following SOP 98-2 (ASC 958-720)				

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Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part X ☐

				(A) Beginning of year		(B) End of year
Assets	1	Cash—non-interest bearing		637,909	1	406,549
	2	Savings and temporary cash investments		436,664	2	774,474
	3	Pledges and grants receivable, net			3	
	4	Accounts receivable, net			4	
	5	Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L			5	
	6	Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions). Complete Part II of Schedule L			6	
	7	Notes and loans receivable, net			7	
	8	Inventories for sale or use		30,296	8	39,951
	9	Prepaid expenses and deferred charges		3,259	9	4,695
	10a	Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D	10a 75,113			
	b	Less: accumulated depreciation	10b 35,857	23,613	10c	39,256
	11	Investments—publicly traded securities		1,242,867	11	1,351,842
	12	Investments—other securities. See Part IV, line 11		1,320,915	12	1,265,136
	13	Investments—program-related. See Part IV, line 11			13	
	14	Intangible assets			14	
	15	Other assets. See Part IV, line 11			15	
	16	**Total assets.** Add lines 1 through 15 (must equal line 34)		3,695,523	16	3,881,903
Liabilities	17	Accounts payable and accrued expenses		9,669	17	14,605
	18	Grants payable			18	
	19	Deferred revenue		98,840	19	81,040
	20	Tax-exempt bond liabilities			20	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D			21	
	22	Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L			22	
	23	Secured mortgages and notes payable to unrelated third parties			23	
	24	Unsecured notes and loans payable to unrelated third parties			24	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D			25	
	26	**Total liabilities.** Add lines 17 through 25		108,509	26	95,645
Net Assets or Fund Balances		**Organizations that follow SFAS 117 (ASC 958), check here** u ☒ **and complete lines 27 through 29, and lines 33 and 34.**				
	27	Unrestricted net assets		2,044,751	27	2,243,995
	28	Temporarily restricted net assets			28	
	29	Permanently restricted net assets		1,542,263	29	1,542,263
		Organizations that do not follow SFAS 117 (ASC 958), check here u ☐ **and complete lines 30 through 34.**				
	30	Capital stock or trust principal, or current funds			30	
	31	Paid-in or capital surplus, or land, building, or equipment fund			31	
	32	Retained earnings, endowment, accumulated income, or other funds			32	
	33	Total net assets or fund balances		3,587,014	33	3,786,258
	34	Total liabilities and net assets/fund balances		3,695,523	34	3,881,903

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Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI ☐

1	Total revenue (must equal Part VIII, column (A), line 12)	1	622,888
2	Total expenses (must equal Part IX, column (A), line 25)	2	284,433
3	Revenue less expenses. Subtract line 2 from line 1	3	338,455
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	3,587,014
5	Net unrealized gains (losses) on investments	5	-139,211
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O)	9	
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	3,786,258

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII ☐

			Yes	No
1	Accounting method used to prepare the Form 990: ☐ Cash ☒ Accrual ☐ Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O.			
2a	Were the organization's financial statements compiled or reviewed by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: ☐ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis	2a		X
b	Were the organization's financial statements audited by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: ☐ Separate basis ☒ Consolidated basis ☐ Both consolidated and separate basis	2b	X	
c	If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.	2c	X	
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?	3a		
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.	3b		

AMERICAN OVERSIGHT

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

u **Attach to Form 990 or Form 990-EZ.**

u **Go to *www.irs.gov/Form990* for instructions and the latest information.**

OMB No. 1545-0047

2017

Open to Public Inspection

Name of the organization

FRIENDS OF FLORIDA HISTORY, INC.

Employer identification number

59-3753544

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 12, check only one box.)

1 ☐ A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**

2 ☐ A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E (Form 990 or 990-EZ).)

3 ☐ A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**

4 ☐ A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state:

5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)

6 ☐ A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**

7 ☒ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)

8 ☐ A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.)

9 ☐ An agricultural research organization described in **section 170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture (see instructions). Enter the name, city, and state of the college or university:

10 ☐ An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)

11 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**

12 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2).** See **section 509(a)(3).** Check the box in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.

a ☐ **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. **You must complete Part IV, Sections A and B.**

b ☐ **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). **You must complete Part IV, Sections A and C.**

c ☐ **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). **You must complete Part IV, Sections A, D, and E.**

d ☐ **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). **You must complete Part IV, Sections A and D, and Part V.**

e ☐ Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.

f Enter the number of supported organizations

g Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1–10 above (see instructions))	(iv) Is the organization listed in your governing document? Yes	(iv) No	(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
(A)						
(B)						
(C)						
(D)						
(E)						
Total						

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Part II **Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)**
(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) u	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	54,627	255,024	12,072	17,181	62,126	401,030
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge	205,974	205,118	247,119	502,203	370,929	1,531,343
4 **Total.** Add lines 1 through 3	260,601	460,142	259,191	519,384	433,055	1,932,373
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
6 **Public support.** Subtract line 5 from line 4.						1,932,373

Section B. Total Support

Calendar year (or fiscal year beginning in) u	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
7 Amounts from line 4	260,601	460,142	259,191	519,384	433,055	1,932,373
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources	181,592	198,302	246,413	302,343	227,584	1,156,234
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)	2,494	1,816	4,862	5,359	7,979	22,510
11 **Total support.** Add lines 7 through 10						3,111,117

12	Gross receipts from related activities, etc. (see instructions)	12	200,639

13 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ▶ ☐

Section C. Computation of Public Support Percentage

14	Public support percentage for 2017 (line 6, column (f) divided by line 11, column (f))	14	62.11 %
15	Public support percentage from 2016 Schedule A, Part II, line 14	15	64.02 %

16a **33 1/3% support test—2017.** If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☒

b **33 1/3% support test—2016.** If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

17a **10%-facts-and-circumstances test—2017.** If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ ☐

b **10%-facts-and-circumstances test—2016.** If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and **stop here.** Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ ☐

18 **Private foundation.** If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ ☐

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Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Calendar year (or fiscal year beginning in) u	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 **Total.** Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of $5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 **Public support.** (Subtract line 7c from line 6.)						

Section B. Total Support

Calendar year (or fiscal year beginning in) u	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
13 **Total support.** (Add lines 9, 10c, 11, and 12.)						

14 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ▶ ☐

Section C. Computation of Public Support Percentage

15	Public support percentage for 2017 (line 8, column (f) divided by line 13, column (f))	15	%
16	Public support percentage from 2016 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17	Investment income percentage for **2017** (line 10c, column (f) divided by line 13, column (f))	17	%
18	Investment income percentage from **2016** Schedule A, Part III, line 17	18	%

19a **33 1/3% support tests—2017.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

b **33 1/3% support tests—2016.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ▶ ☐

20 **Private foundation.** If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ▶ ☐

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Part IV Supporting Organizations

(Complete only if you checked a box in line 12 on Part I. If you checked 12a of Part I, complete Sections A and B. If you checked 12b of Part I, complete Sections A and C. If you checked 12c of Part I, complete Sections A, D, and E. If you checked 12d of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

			Yes	No
1	Are all of the organization's supported organizations listed by name in the organization's governing documents? *If "No," describe in* ***Part VI*** *how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.*	1		
2	Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? *If "Yes," explain in* ***Part VI*** *how the organization determined that the supported organization was described in section 509(a)(1) or (2).*	2		
3a	Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? *If "Yes," answer (b) and (c) below.*	3a		
b	Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? *If "Yes," describe in* ***Part VI*** *when and how the organization made the determination.*	3b		
c	Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? *If "Yes," explain in* ***Part VI*** *what controls the organization put in place to ensure such use.*	3c		
4a	Was any supported organization not organized in the United States ("foreign supported organization")? *If "Yes," and if you checked 12a or 12b in Part I, answer (b) and (c) below.*	4a		
b	Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? *If "Yes," describe in* ***Part VI*** *how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.*	4b		
c	Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? *If "Yes," explain in* ***Part VI*** *what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.*	4c		
5a	Did the organization add, substitute, or remove any supported organizations during the tax year? *If "Yes," answer (b) and (c) below (if applicable). Also, provide detail in* ***Part VI,*** *including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).*	5a		
b	**Type I or Type II only.** Was any added or substituted supported organization part of a class already designated in the organization's organizing document?	5b		
c	**Substitutions only.** Was the substitution the result of an event beyond the organization's control?	5c		
6	Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? *If "Yes," provide detail in* ***Part VI.***	6		
7	Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? *If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).*	7		
8	Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? *If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).*	8		
9a	Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? *If "Yes," provide detail in* ***Part VI.***	9a		
b	Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? *If "Yes," provide detail in* ***Part VI.***	9b		
c	Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? *If "Yes," provide detail in* ***Part VI.***	9c		
10a	Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? *If "Yes," answer 10b below.*	10a		
b	Did the organization have any excess business holdings in the tax year? *(Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)*	10b		

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Part IV Supporting Organizations *(continued)*

			Yes	No
11	Has the organization accepted a gift or contribution from any of the following persons?			
a	A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?	11a		
b	A family member of a person described in (a) above?	11b		
c	A 35% controlled entity of a person described in (a) or (b) above? *If "Yes" to a, b, or c, provide detail in* ***Part VI.***	11c		

Section B. Type I Supporting Organizations

			Yes	No
1	Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? *If "No," describe in* ***Part VI*** *how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.*	1		
2	Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? *If "Yes," explain in* ***Part VI*** *how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.*	2		

Section C. Type II Supporting Organizations

			Yes	No
1	Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? *If "No," describe in* ***Part VI*** *how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).*	1		

Section D. All Type III Supporting Organizations

			Yes	No
1	Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?	1		
2	Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? *If "No," explain in* ***Part VI*** *how the organization maintained a close and continuous working relationship with the supported organization(s).*	2		
3	By reason of the relationship described in (2), did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? *If "Yes," describe in* ***Part VI*** *the role the organization's supported organizations played in this regard.*	3		

Section E. Type III Functionally-Integrated Supporting Organizations

1 *Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (****see instructions****).*

a ☐ The organization satisfied the Activities Test. *Complete* ***line 2*** *below.*

b ☐ The organization is the parent of each of its supported organizations. *Complete* ***line 3*** *below.*

c ☐ The organization supported a governmental entity. *Describe in* ***Part VI*** *how you supported a government entity (see instructions).*

			Yes	No
2	Activities Test. ***Answer (a) and (b) below.***			
a	Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? *If "Yes," then in* ***Part VI identify those supported organizations and explain*** *how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.*	2a		
b	Did the activities described in (a) constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? *If "Yes," explain in* ***Part VI*** *the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.*	2b		
3	Parent of Supported Organizations. ***Answer (a) and (b) below.***			
a	Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? *Provide details in* ***Part VI.***	3a		
b	Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? *If "Yes," describe in* ***Part VI*** *the role played by the organization in this regard.*	3b		

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Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

1 ☐ Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). **See instructions.** All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

Section A - Adjusted Net Income		(A) Prior Year	(B) Current Year (optional)
1 Net short-term capital gain	**1**		
2 Recoveries of prior-year distributions	**2**		
3 Other gross income (see instructions)	**3**		
4 Add lines 1 through 3.	**4**		
5 Depreciation and depletion	**5**		
6 Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)	**6**		
7 Other expenses (see instructions)	**7**		
8 **Adjusted Net Income** (subtract lines 5, 6 and 7 from line 4).	**8**		

Section B - Minimum Asset Amount		(A) Prior Year	(B) Current Year (optional)
1 Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):			
a Average monthly value of securities	**1a**		
b Average monthly cash balances	**1b**		
c Fair market value of other non-exempt-use assets	**1c**		
d **Total** (add lines 1a, 1b, and 1c)	**1d**		
e **Discount** claimed for blockage or other factors (explain in detail in **Part VI**):			
2 Acquisition indebtedness applicable to non-exempt-use assets	**2**		
3 Subtract line 2 from line 1d.	**3**		
4 Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions).	**4**		
5 Net value of non-exempt-use assets (subtract line 4 from line 3)	**5**		
6 Multiply line 5 by .035.	**6**		
7 Recoveries of prior-year distributions	**7**		
8 **Minimum Asset Amount** (add line 7 to line 6)	**8**		

Section C - Distributable Amount			Current Year
1 Adjusted net income for prior year (from Section A, line 8, Column A)	**1**		
2 Enter 85% of line 1.	**2**		
3 Minimum asset amount for prior year (from Section B, line 8, Column A)	**3**		
4 Enter greater of line 2 or line 3.	**4**		
5 Income tax imposed in prior year	**5**		
6 **Distributable Amount.** Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).	**6**		

7 ☐ Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).

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Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations *(continued)*

Section D - Distributions		Current Year
1	Amounts paid to supported organizations to accomplish exempt purposes	
2	Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity	
3	Administrative expenses paid to accomplish exempt purposes of supported organizations	
4	Amounts paid to acquire exempt-use assets	
5	Qualified set-aside amounts (prior IRS approval required)	
6	Other distributions (describe in **Part VI**). See instructions.	
7	**Total annual distributions.** Add lines 1 through 6.	
8	Distributions to attentive supported organizations to which the organization is responsive (provide details in **Part VI**). See instructions.	
9	Distributable amount for 2017 from Section C, line 6	
10	Line 8 amount divided by line 9 amount	

Section E - Distribution Allocations (see instructions)		(i) Excess Distributions	(ii) Underdistributions Pre-2017	(iii) Distributable Amount for 2017
1	Distributable amount for 2017 from Section C, line 6			
2	Underdistributions, if any, for years prior to 2017 (reasonable cause required-explain in **Part VI**). See instructions.			
3	Excess distributions carryover, if any, to 2017:			
a				
b	From 2013			
c	From 2014			
d	From 2015			
e	From 2016			
f	**Total** of lines 3a through e			
g	Applied to underdistributions of prior years			
h	Applied to 2017 distributable amount			
i	Carryover from 2012 not applied (see instructions)			
j	Remainder. Subtract lines 3g, 3h, and 3i from 3f.			
4	Distributions for 2017 from Section D, line 7: $			
a	Applied to underdistributions of prior years			
b	Applied to 2017 distributable amount			
c	Remainder. Subtract lines 4a and 4b from 4.			
5	Remaining underdistributions for years prior to 2017, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in **Part VI**. See instructions.			
6	Remaining underdistributions for 2017. Subtract lines 3h and 4b from line 1. For result greater than zero, explain in **Part VI**. See instructions.			
7	**Excess distributions carryover to 2018.** Add lines 3j and 4c.			
8	Breakdown of line 7:			
a	Excess from 2013			
b	Excess from 2014			
c	Excess from 2015			
d	Excess from 2016			
e	Excess from 2017			

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Part VI **Supplemental Information.** Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b; Part V, line 1; Part V, Section B, line 1e; Part V, Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See instructions.)

PART II, LINE 10 - OTHER INCOME DETAIL

OTHER INCOME	**$ 22,510**

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FL-SEN-20-0201-A-000355

SCHEDULE D (Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Financial Statements

u **Complete if the organization answered "Yes" on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.**
u **Attach to Form 990.**
u **Go to *www.irs.gov/Form990* for instructions and the latest information.**

OMB No. 1545-0047

2017

Open to Public Inspection

Name of the organization

FRIENDS OF FLORIDA HISTORY, INC.

Employer identification number

59-3753544

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

		(a) Donor advised funds	(b) Funds and other accounts
1	Total number at end of year		
2	Aggregate value of contributions to (during year)		
3	Aggregate value of grants from (during year)		
4	Aggregate value at end of year		

5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? ☐ Yes ☐ No

6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? ☐ Yes ☐ No

Part II Conservation Easements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply).

☐ Preservation of land for public use (e.g., recreation or education)
☐ Protection of natural habitat
☐ Preservation of open space
☐ Preservation of a historically important land area
☐ Preservation of a certified historic structure

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

			Held at the End of the Tax Year
a	Total number of conservation easements	2a	
b	Total acreage restricted by conservation easements	2b	
c	Number of conservation easements on a certified historic structure included in (a)	2c	
d	Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register	2d	

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year u

4 Number of states where property subject to conservation easement is located u

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? ☐ Yes ☐ No

6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year u

7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year u $

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? ☐ Yes ☐ No

9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items.

b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:

(i) Revenue included on Form 990, Part VIII, line 1 u $
(ii) Assets included in Form 990, Part X u $

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items:

a Revenue included on Form 990, Part VIII, line 1 u $
b Assets included in Form 990, Part X u $

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Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets *(continued)*

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):

- **a** ☐ Public exhibition
- **b** ☐ Scholarly research
- **c** ☐ Preservation for future generations
- **d** ☐ Loan or exchange programs
- **e** ☐ Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? ☐ Yes ☐ No

Part IV Escrow and Custodial Arrangements.

Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? ☐ Yes ☐ No

b If "Yes," explain the arrangement in Part XIII and complete the following table:

		Amount
c Beginning balance	1c	
d Additions during the year	1d	
e Distributions during the year	1e	
f Ending balance	1f	

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? ☐ Yes ☐ No

b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided on Part XIII ☐

Part V Endowment Funds.

Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance	2,106,263	2,105,263	2,105,263	1,505,263	1,404,789
b Contributions		1,000		600,000	100,474
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance	2,106,263	2,106,263	2,105,263	2,105,263	1,505,263

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:

- **a** Board designated or quasi-endowment u 26.78 %
- **b** Permanent endowment u 73.22 %
- **c** Temporarily restricted endowment u %

The percentages on lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

		Yes	No
(i) unrelated organizations	3a(i)		X
(ii) related organizations	3a(ii)		X
b If "Yes" on line 3a(ii), are the related organizations listed as required on Schedule R?	3b		

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land				
b Buildings				
c Leasehold improvements				
d Equipment		75,113	35,857	39,256
e Other				
Total. Add lines 1a through 1e. *(Column (d) must equal Form 990, Part X, column (B), line 10c.)* u				39,256

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Part VII Investments—Other Securities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1) Financial derivatives		
(2) Closely-held equity interests		
(3) Other **VANGUARD INSTITUTIONAL INDEX F**	**421,922**	**MARKET**
(A) **ISHARES RUSSELL 1000 GROWTH ETF**	**369,020**	**MARKET**
(B) **DFA U.S. LARGE CAP VALUE**	**270,587**	**MARKET**
(C) **DOUBLELINE TOTAL RETURN BOND FUND**	**203,607**	**MARKET**
(D)		
(E)		
(F)		
(G)		
(H)		
Total. *(Column (b) must equal Form 990, Part X, col. (B) line 12.)* u	**1,265,136**	

Part VIII Investments—Program Related.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

(a) Description of investment	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
Total. *(Column (b) must equal Form 990, Part X, col. (B) line 13.)* u		

Part IX Other Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

(a) Description	(b) Book value
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
Total. *(Column (b) must equal Form 990, Part X, col. (B) line 15.)* u	

Part X Other Liabilities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

1. (a) Description of liability	(b) Book value
(1) Federal income taxes	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
Total. *(Column (b) must equal Form 990, Part X, col. (B) line 25.)* u	

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII X

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Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

1	Total revenue, gains, and other support per audited financial statements			1	882,196
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:				
a	Net unrealized gains (losses) on investments	2a	-139,211		
b	Donated services and use of facilities	2b	374,683		
c	Recoveries of prior year grants	2c			
d	Other (Describe in Part XIII.)	2d			
e	Add lines **2a** through **2d**			2e	235,472
3	Subtract line **2e** from line **1**			3	646,724
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1:				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIII.)	4b	-23,836		
c	Add lines **4a** and **4b**			4c	-23,836
5	Total revenue. Add lines **3** and **4c.** *(This must equal Form 990, Part I, line 12.)*			5	622,888

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

1	Total expenses and losses per audited financial statements			1	682,952
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:				
a	Donated services and use of facilities	2a	374,683		
b	Prior year adjustments	2b			
c	Other losses	2c			
d	Other (Describe in Part XIII.)	2d			
e	Add lines **2a** through **2d**			2e	374,683
3	Subtract line **2e** from line **1**			3	308,269
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:				
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a			
b	Other (Describe in Part XIII.)	4b	-23,836		
c	Add lines **4a** and **4b**			4c	-23,836
5	Total expenses. Add lines **3** and **4c.** *(This must equal Form 990, Part I, line 18.)*			5	284,433

Part XIII Supplemental Information.

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

PART X - FIN 48 FOOTNOTE

MANAGEMENT IS NOT AWARE OF ANY ACTIVITIES THAT WOULD JEOPARDIZE THE ORGANIZATION'S TAX EXEMPT STATUS AND BELIEVES IT HAS NO UNCERTAIN TAX POSITIONS THAT QUALIFY FOR EITHER RECOGNITION OR DISCLOSURE IN THE FINANCIAL STATEMENTS AS OF JUNE 30, 2018 AND 2017.

THE ORGANIZATION IS SUBJECT TO ROUTINE AUDITS BY TAXING JURISDICTIONS. HOWEVER, THERE ARE CURRENTLY NO AUDITS IN PROGRESS FOR ANY TAX PERIODS. THE ORGANIZATION BELIEVES IT IS NO LONGER SUBJECT TO INCOME TAX EXAMINATIONS FOR FISCAL YEARS ENDING PRIOR TO JUNE 30, 2015.

PART XI, LINE 4B - REVENUE AMOUNTS INCLUDED ON RETURN - OTHER

AMERICAN OVERSIGHT

Part XIII Supplemental Information *(continued)*

FACILITY EXPENSES AND COST OF GOODS NETTED AGAINST REVENUE $ -23,836

PART XII, LINE 4B - EXPENSE AMOUNTS INCLUDED ON RETURN - OTHER

FACILITY EXPENSES AND COST OF GOODS NETTED AGAINST REVENUE $ -23,836

AMERICAN OVERSIGHT

SCHEDULE O (Form 990 or 990-EZ)	Supplemental Information to Form 990 or 990-EZ	OMB No. 1545-0047
Department of the Treasury Internal Revenue Service	Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information. u Attach to Form 990 or 990-EZ. u Go to *www.irs.gov/Form990* for the latest information.	2017 Open to Public Inspection

Name of the organization	Employer identification number
FRIENDS OF FLORIDA HISTORY, INC.	59-3753544

FORM 990 - ORGANIZATION'S MISSION OR MOST SIGNIFICANT ACTIVITIES

TO ENHANCE AND PERPETUATE THE ARCHAEOLOGY, HISTORIC SITES, MUSEUMS, FOLKLIFE, AND HISTORIC PRESERVATION PROGRAMS OF THE DIVISION (INCLUDING, BUT NOT LIMITED TO, MISSION SAN LUIS, THE GROVE, AND FLORIDA MAIN STREET) FOR THE PEOPLE OF FLORIDA AND ITS VISITORS.

FORM 990 - ORGANIZATION'S MISSION

TO ENHANCE AND PERPETUATE THE ARCHAEOLOGY, HISTORIC SITES, MUSEUMS, FOLKLIFE, AND HISTORIC PRESERVATION PROGRAMS OF THE DIVISION (INCLUDING, BUT NOT LIMITED TO, MISSION SAN LUIS, THE GROVE, AND FLORIDA MAIN STREET) FOR THE PEOPLE OF FLORIDA AND ITS VISITORS.

FORM 990 - ADDITIONAL INFORMATION

FORM 990, SCH D, PG 1, PART II, LINE 1B - THE STATE AGENCY IS RESPONSIBLE FOR PROMOTING FRIENDS OF FLORIDA HISTORY.

FORM 990, PART VI, LINE 11B - ORGANIZATION'S PROCESS TO REVIEW FORM 990

THE 990 IS FIRST REVIEWED BY THE CHAIR AND FINANCE COMMITTEE CHAIR. AFTER THEIR REVIEW IT IS BROUGHT BEFORE THE GOVERNANCE BOARD FOR THEIR REVIEW. IF THEY ARE IN AGREEMENT WITH THE CONTENTS, IT IS ACCEPTED FOR FILING.

FORM 990, PART VI, LINE 19 - GOVERNING DOCUMENTS DISCLOSURE EXPLANATION

THE ORGANIZATION MAKES ITS GOVERNING DOCUMENTS AND FINANCIAL STATEMENTS AVAILABLE TO THE PUBLIC UPON REQUEST.

AMERICAN OVERSIGHT

Name of the organization: FRIENDS OF FLORIDA HISTORY, INC.

Employer identification number: 59-3753544

FORM 990, PART XI, LINE 9 - OTHER CHANGES IN NET ASSETS EXPLANATION

FACILITY EXPENSES AND COST OF GOODS NETTED AGAINST REVENUE	$ 23,836
FACILITY EXPENSES AND COST OF GOODS NETTED AGAINST REVENUE	$ -23,836

AMERICAN OVERSIGHT

SCHEDULE R (Form 990)

Department of the Treasury
Internal Revenue Service

Related Organizations and Unrelated Partnerships

u **Complete if the organization answered "Yes" on Form 990, Part IV, line 33, 34, 35b, 36, or 37.**

u **Attach to Form 990.**

u **Go to *www.irs.gov/Form990* for instructions and the latest information.**

OMB No. 1545-0047

2017

Open to Public Inspection

Name of the organization

FRIENDS OF FLORIDA HISTORY, INC.

Employer identification number

59-3753544

Part I Identification of Disregarded Entities. Complete if the organization answered "Yes" on Form 990, Part IV, line 33.

(a) Name, address, and EIN (if applicable) of disregarded entity	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Total income	(e) End-of-year assets	(f) Direct controlling entity
(1)					
(2)					
(3)					
(4)					
(5)					

Part II Identification of Related Tax-Exempt Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related tax-exempt organizations during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Exempt Code section	(e) Public charity status (if section 501(c)(3))	(f) Direct controlling entity	(g) Section 512(b)(13) controlled entity? Yes	(g) No
(1) FDOS, DIV. OF HISTORICAL RESOURCES 500 S. BRONOUGH STREET 59-6001874 TALLAHASSEE FL 32399-0250	PROMOTION	FL	501C 1		FDOS		X
(2)							
(3)							
(4)							
(5)							

AMERICAN OVERSIGHT

Part III **Identification of Related Organizations Taxable as a Partnership.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related organizations treated as a partnership during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Predominant income (related, unrelated, excluded from tax under sections 512-514)	(f) Share of total income	(g) Share of end-of-year assets	(h) Dispro-portionate alloc.? Yes	(h) No	(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner? Yes	(j) No	(k) Percentage ownership
(1)												
(2)												
(3)												
(4)												

Part IV **Identification of Related Organizations Taxable as a Corporation or Trust.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34 because it had one or more related organizations treated as a corporation or trust during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Type of entity (C corp, S corp, or trust)	(f) Share of total income	(g) Share of end-of-year assets	(h) Percentage ownership	(i) Section 512(b)(13) controlled entity? Yes	(i) No
(1)									
(2)									
(3)									
(4)									

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Part V Transactions With Related Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35b, or 36.

		Yes	No
Note: Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.			
1 During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II–IV?			
a Receipt of **(i)** interest, **(ii)** annuities, **(iii)** royalties, or **(iv)** rent from a controlled entity	1a		X
b Gift, grant, or capital contribution to related organization(s)	1b		X
c Gift, grant, or capital contribution from related organization(s)	1c		X
d Loans or loan guarantees to or for related organization(s)	1d		X
e Loans or loan guarantees by related organization(s)	1e		X
f Dividends from related organization(s)	1f		X
g Sale of assets to related organization(s)	1g		X
h Purchase of assets from related organization(s)	1h		X
i Exchange of assets with related organization(s)	1i		X
j Lease of facilities, equipment, or other assets to related organization(s)	1j		X
k Lease of facilities, equipment, or other assets from related organization(s)	1k		X
l Performance of services or membership or fundraising solicitations for related organization(s)	1l		X
m Performance of services or membership or fundraising solicitations by related organization(s)	1m		X
n Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)	1n		X
o Sharing of paid employees with related organization(s)	1o	X	
p Reimbursement paid to related organization(s) for expenses	1p		X
q Reimbursement paid by related organization(s) for expenses	1q		X
r Other transfer of cash or property to related organization(s)	1r		X
s Other transfer of cash or property from related organization(s)	1s		X

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

	(a) Name of related organization	(b) Transaction type (a–s)	(c) Amount involved	(d) Method of determining amount involved
(1)	FDOS, DIV. OF HISTORICAL RESOURCES	O	370,929	CASH VALUE
(2)				
(3)				
(4)				
(5)				
(6)				

AMERICAN OVERSIGHT

Part VI Unrelated Organizations Taxable as a Partnership. Complete if the organization answered "Yes" on Form 990, Part IV, line 37.

Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization. See instructions regarding exclusion for certain investment partnerships.

(a) Name, address, and EIN of entity	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Predominant income (related, unrelated, excluded from tax under sections 512-514)	(e) Are all partners section 501(c)(3) organizations?		(f) Share of total income	(g) Share of end-of-year assets	(h) Disproportionate allocations?		(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner?		(k) Percentage ownership
				Yes	No			Yes	No		Yes	No	
(1)													
(2)													
(3)													
(4)													
(5)													
(6)													
(7)													
(8)													
(9)													
(10)													
(11)													

AMERICAN OVERSIGHT

Part VII **Supplemental Information.**
Provide additional information for responses to questions on Schedule R. See Instructions.

SCHEDULE R - ADDITIONAL INFORMATION

NAME OF RELATED ORGANIZATION: FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, THE OFFICE OF EXTERNAL AFFAIRS

AMERICAN OVERSIGHT

Form **4562**

Department of the Treasury
Internal Revenue Service (99)

Depreciation and Amortization

(Including Information on Listed Property)

u **Attach to your tax return.**

u **Go to *www.irs.gov/Form4562* for instructions and the latest information.**

OMB No. 1545-0172

2017

Attachment Sequence No. **179**

Name(s) shown on return: **FRIENDS OF FLORIDA HISTORY, INC.**

Identifying number: **59-3753544**

Business or activity to which this form relates: **INDIRECT DEPRECIATION**

Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount (see instructions)	1	510,000
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	2,030,000
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	

6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost

7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the **smaller** of line 5 or line 8	9	
10	Carryover of disallowed deduction from line 13 of your 2016 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11	
12	Section 179 expense deduction. Add lines 9 and 10, but don't enter more than line 11	12	
13	Carryover of disallowed deduction to 2018. Add lines 9 and 10, less line 12 ▶	13	

Note: Don't use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Don't include listed property.) (See instructions.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	2,006
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	7,395

Part III MACRS Depreciation (Don't include listed property.) (See instructions.)

Section A

17	MACRS deductions for assets placed in service in tax years beginning before 2017	17	0
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here u ☐		

Section B—Assets Placed in Service During 2017 Tax Year Using the General Depreciation System

	(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only–see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a	3-year property						
b	5-year property						
c	7-year property						
d	10-year property						
e	15-year property						
f	20-year property						
g	25-year property			25 yrs.		S/L	
h	Residential rental property			27.5 yrs.	MM	S/L	
				27.5 yrs.	MM	S/L	
i	Nonresidential real property			39 yrs.	MM	S/L	
					MM	S/L	

Section C—Assets Placed in Service During 2017 Tax Year Using the Alternative Depreciation System

20a	Class life					S/L	
b	12-year			12 yrs.		S/L	
c	40-year			40 yrs.	MM	S/L	

Part IV Summary (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	**Total.** Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations—see instructions	22	9,401
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

AMERICAN OVERSIGHT

Federal Asset Report
Form 990, Page 1

Asset	Description	Date In Service	Cost	Bus %	Sec 179	Bonus	Basis for Depr	Per	Conv	Meth	Prior	Current
Other Depreciation:												
1	Security Equipment Gift Shop	5/28/09	641				641	5	MO	S/L	641	0
2	Shop Equipment	10/28/10	6,703				6,703	5	MO	S/L	6,703	0
3	2 Printers and Cash Draws	10/28/10	1,000				1,000	5	MO	S/L	1,000	0
4	Furniture for Gift Shop	9/04/07	1,287				1,287	10	MO	S/L	1,264	23
5	Mirror	10/06/09	399				399	7	MO	S/L	399	0
6	Haverty's Dining Table and 4 Chairs	10/05/09	600				600	7	MO	S/L	600	0
7	2 Fountains	10/06/09	4,199				4,199	10	MO	S/L	3,254	420
8	Consoles	10/06/09	2,224				2,224	7	MO	S/L	2,224	0
9	Lowe's Refrigerator & Icemaker	10/30/09	941				941	5	MO	S/L	941	0
10	8 Benches	1/08/10	2,107				2,107	7	MO	S/L	2,107	0
11	Conference Room Table	1/08/10	1,344				1,344	7	MO	S/L	1,344	0
12	Exhibit Cases	5/31/10	3,558				3,558	10	MO	S/L	2,520	356
13	Case Cover Over Exhibit	5/31/10	650				650	5	MO	S/L	650	0
14	Exhibit Cases	6/30/10	3,558				3,558	10	MO	S/L	2,490	356
15	Conference Recorder	5/15/06	740				740	10	MO	S/L	740	0
16	Television	8/21/15	322				322	5	MO	S/L	118	65
17	Macbook Pro	6/22/17	1,046				1,046	5	MO	S/L	0	209
18	Dell Computer	6/27/17	1,800				1,800	5	MO	S/L	0	360
19	200 Chairs	6/26/17	5,334				5,334	7	MO	S/L	0	762
20	Portable Shed	12/12/16	10,778				10,778	7	MO	S/L	898	1,540
21	Listening System	6/22/17	1,186				1,186	5	MO	S/L	0	237
22	Buffalo and Blackbear Furs	2/02/17	1,160				1,160	7	MO	S/L	69	166
23	Samsung 4.2-cu ft Washer	7/12/17	599				599	7	MO	S/L	0	86
24	Southeast Portable Shed	7/20/17	19,434				19,434	7	MO	S/L	0	2,545
25	Epson Home Cinema 1040 Projector	7/07/17	599				599	5	MO	S/L	0	120
26	Lavalier Wireless System	8/28/17	899				899	5	MO	S/L	0	150
28	PastPerfect Software - Living History	10/31/17	2,006			X	0	3	MO	Amort	0	2,006
	Total Other Depreciation		75,114				73,108				27,962	9,401
	Total ACRS and Other Depreciation		75,114				73,108				27,962	9,401
	Grand Totals		75,114				73,108				27,962	9,401
	Less: Dispositions and Transfers		0				0				0	0
	Less: Start-up/Org Expense		0				0				0	0
	Net Grand Totals		75,114				73,108				27,962	9,401

AMERICAN OVERSIGHT

FL Asset Report
Form 990, Page 1

Asset	Description	Date In Service	Cost	Basis for Depr	FL Prior	FL Current	Federal Current	Difference Fed - FL
Other Depreciation:								
1	Security Equipment Gift Shop	5/28/09	641	641	641	0	0	0
2	Shop Equipment	10/28/10	6,703	6,703	6,703	0	0	0
3	2 Printers and Cash Draws	10/28/10	1,000	1,000	1,000	0	0	0
4	Furniture for Gift Shop	9/04/07	1,287	1,287	1,265	22	23	1
5	Mirror	10/06/09	399	399	399	0	0	0
6	Haverty's Dining Table and 4 Chairs	10/05/09	600	600	600	0	0	0
7	2 Fountains	10/06/09	4,199	4,199	3,254	420	420	0
8	Consoles	10/06/09	2,224	2,224	2,224	0	0	0
9	Lowe's Refrigerator & Icemaker	10/30/09	941	941	941	0	0	0
10	8 Benches	1/08/10	2,107	2,107	2,107	0	0	0
11	Conference Room Table	1/08/10	1,344	1,344	1,344	0	0	0
12	Exhibit Cases	5/31/10	3,558	3,558	2,520	356	356	0
13	Case Cover Over Exhibit	5/31/10	650	650	650	0	0	0
14	Exhibit Cases	6/30/10	3,558	3,558	2,490	356	356	0
15	Conference Recorder	5/15/06	740	740	740	0	0	0
16	Television	8/21/15	322	322	118	65	65	0
17	Macbook Pro	6/22/17	1,046	1,046	0	209	209	0
18	Dell Computer	6/27/17	1,800	1,800	0	360	360	0
19	200 Chairs	6/26/17	5,334	5,334	0	762	762	0
20	Portable Shed	12/12/16	10,778	10,778	898	1,540	1,540	0
21	Listening System	6/22/17	1,186	1,186	0	237	237	0
22	Buffalo and Blackbear Furs	2/02/17	1,160	1,160	69	166	166	0
23	Samsung 4.2-cu ft Washer	7/12/17	599	599	0	86	86	0
24	Southeast Portable Shed	7/20/17	19,434	19,434	0	2,545	2,545	0
25	Epson Home Cinema 1040 Projector	7/07/17	599	599	0	120	120	0
26	Lavalier Wireless System	8/28/17	899	899	0	150	150	0
28	PastPerfect Software - Living History	10/31/17	2,006	0	0	2,006	2,006	0
	Total Other Depreciation		75,114	73,108	27,963	9,400	9,401	1
	Total ACRS and Other Depreciation		75,114	73,108	27,963	9,400	9,401	1
	Grand Totals		75,114	73,108	27,963	9,400	9,401	1
	Less: Dispositions		0	0	0	0	0	0
	Less: Start-up/Org Expense		0	0	0	0	0	0
	Net Grand Totals		75,114	73,108	27,963	9,400	9,401	1

AMERICAN OVERSIGHT

AMT Asset Report
Form 990, Page 1

Asset	Description	Date In Service	Cost	Bus %	Sec 179	Bonus	Basis for Depr	Per	Conv	Meth	Prior	Current
Other Depreciation:												
1	Security Equipment Gift Shop	5/28/09	0				0	0	HY		0	0
2	Shop Equipment	10/28/10	0				0	0	HY		0	0
3	2 Printers and Cash Draws	10/28/10	0				0	0	HY		0	0
4	Furniture for Gift Shop	9/04/07	0				0	0	HY		0	0
5	Mirror	10/06/09	0				0	0	HY		0	0
6	Haverty's Dining Table and 4 Chairs	10/05/09	0				0	0	HY		0	0
7	2 Fountains	10/06/09	0				0	0	HY		0	0
8	Consoles	10/06/09	0				0	0	HY		0	0
9	Lowe's Refrigerator & Icemaker	10/30/09	0				0	0	HY		0	0
10	8 Benches	1/08/10	0				0	0	HY		0	0
11	Conference Room Table	1/08/10	0				0	0	HY		0	0
12	Exhibit Cases	5/31/10	0				0	0	HY		0	0
13	Case Cover Over Exhibit	5/31/10	0				0	0	HY		0	0
14	Exhibit Cases	6/30/10	0				0	0	HY		0	0
15	Conference Recorder	5/15/06	0				0	0	HY		0	0
16	Television	8/21/15	322				322	5	MO	S/L	118	65
17	Macbook Pro	6/22/17	1,046				1,046	5	MO	S/L	0	209
18	Dell Computer	6/27/17	1,800				1,800	5	MO	S/L	0	360
19	200 Chairs	6/26/17	5,334				5,334	7	MO	S/L	0	762
20	Portable Shed	12/12/16	10,778				10,778	7	MO	S/L	898	1,540
21	Listening System	6/22/17	1,186				1,186	5	MO	S/L	0	237
22	Buffalo and Blackbear Furs	2/02/17	1,160				1,160	7	MO	S/L	69	166
23	Samsung 4.2-cu ft Washer	7/12/17	599				599	7	MO	S/L	0	86
24	Southeast Portable Shed	7/20/17	19,434				19,434	7	MO	S/L	0	2,545
25	Epson Home Cinema 1040 Projector	7/07/17	599				599	5	MO	S/L	0	120
26	Lavalier Wireless System	8/28/17	899				899	5	MO	S/L	0	150
	Total Other Depreciation		43,157				43,157				1,085	6,240
	Total ACRS and Other Depreciation		43,157				43,157				1,085	6,240
	Grand Totals		43,157				43,157				1,085	6,240
	Less: Dispositions and Transfers		0				0				0	0
	Net Grand Totals		43,157				43,157				1,085	6,240

AMERICAN OVERSIGHT

Bonus Depreciation Report

Asset	Property Description	Date In Service	Tax Cost	Bus Pct	Tax Sec 179 Exp	Current Bonus	Prior Bonus	Tax - Basis for Depr
Activity: Form 990, Page 1								
28	PastPerfect Software - Living History	10/31/17	2,006		0	2,006	0	0
	Form 990, Page 1		2,006		0	2,006	0	0
	Grand Total		2,006		0	2,006	0	0

AMERICAN OVERSIGHT

Depreciation Adjustment Report
All Business Activities

Form	Unit	Asset	Description	Tax	AMT	AMT Adjustments/ Preferences

There are no assets that meet the criteria of this report

AMERICAN OVERSIGHT

Form **990**

Two Year Comparison Report

For calendar year 2017, or tax year beginning 07/01/17 , ending 06/30/18

2016 & 2017

Name

FRIENDS OF FLORIDA HISTORY, INC.

Taxpayer Identification Number

59-3753544

			2016	2017	Differences
Revenue	1. Contributions, gifts, grants	1.	12,181	57,197	45,016
	2. Membership dues and assessments	2.	5,000	4,929	-71
	3. Government contributions and grants	3.			
	4. Program service revenue	4.	74,270	81,047	6,777
	5. Investment income	5.	55,389	82,438	27,049
	6. Proceeds from tax exempt bonds	6.			
	7. Net gain or (loss) from sale of assets other than inventory	7.	156,939	217,769	60,830
	8. Net income or (loss) from fundraising events	8.			
	9. Net income or (loss) from gaming	9.			
	10. Net gain or (loss) on sales of inventory	10.	27,835	35,173	7,338
	11. Other revenue	11.	180,665	144,335	-36,330
	12. **Total revenue.** Add lines 1 through 11	12.	512,279	622,888	110,609
Expenses	13. Grants and similar amounts paid	13.			
	14. Benefits paid to or for members	14.			
	15. Compensation of officers, directors, trustees, etc.	15.			
	16. Salaries, other compensation, and employee benefits	16.			
	17. Professional fundraising fees	17.			
	18. Other professional fees	18.	14,150	14,165	15
	19. Occupancy, rent, utilities, and maintenance	19.			
	20. Depreciation and Depletion	20.	2,653	7,894	5,241
	21. Other expenses	21.	191,808	262,374	70,566
	22. **Total expenses.** Add lines 13 through 21	22.	208,611	284,433	75,822
	23. **Excess or (Deficit).** Subtract line 22 from line 12	23.	303,668	338,455	34,787
Other Information	24. Total exempt revenue	24.	512,279	622,888	110,609
	25. Total unrelated revenue	25.			
	26. Total excludable revenue	26.	495,098	560,762	65,664
	27. Total assets	27.	3,695,523	3,881,903	186,380
	28. Total liabilities	28.	108,509	95,645	-12,864
	29. Retained earnings	29.	3,587,014	3,786,258	199,244
	30. Number of voting members of governing body	30.	8	9	
	31. Number of independent voting members of governing body	31.	8	9	
	32. Number of employees	32.	1	0	
	33. Number of volunteers	33.	68	209	

AMERICAN OVERSIGHT

Federal Statements

Form 990, Part IX, Line 24e - All Other Expenses

Description	Total Expenses	Program Service	Management & General	Fund Raising
OTHER EXPENSES	$ 16,850	$ 13,163	$ 1,777	$ 1,910
LIVING HISTORY	4,035	4,035		
BANK SERVICE CHARGES	1,432	1,217	143	72
TOTAL	$ 22,317	$ 18,415	$ 1,920	$ 1,982

AMERICAN OVERSIGHT

Schedule A, Part II, Line 1(e)

Description	Amount
MEMBERSHIP DUES	$ 4,929
OTHER CONTRIBUTIONS	57,197
TOTAL	$ 62,126

Schedule A, Part II, Line 8(e)

Description	Amount
INVESTMENT INCOME	$ 82,438
MUSEUM SPACE	145,146
TOTAL	$ 227,584

Schedule A, Part II, Line 12 - Current year

Description	Amount
ADMISSION FEES	$ 73,068
ALL OTHER PROGRAMS	7,979
TOTAL	$ 81,047

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
Apalachicola	Columbus, Georgia	USA	1800[8]
Bay County	Mérida, Yucatán	Mexico	2003[9]
Bay Harbor Islands	Marechal Deodoro, Alagoas	Brazil	2003[10]
Boca Raton	Spandau Borough, Berlin[11]	Germany	1980[6]
Bonita Springs	Grünstadt, Rhineland-Palatinate[11]	Germany	1991[12]
Boynton Beach	Qufu, Shandong	China	2001[13]
	Les Cayes, Sud	Haiti	2001[14]
Bradenton	Barcarrota, Extremadura	Spain	1962[15]
	Guidonia Montecelio, Lazio	Italy	1988[16]
Cape Canaveral	Ithaca, Kefallinia	Greece	2005~[17]
	Kloten, Zurich	Switzerland	2000~[18]
	Sagres, Algarve	Portugal	2004[19]
Cape Coral	Nyeri, Nyeri	Kenya	2014[20]
	Kalamaria, Thessaloniki	Greece	2001[7]
Clearwater	Nagano, Nagano	Japan	1959[21]
	Wyong, New South Wales[11]	Australia	2001~[7]
Cocoa	Beit Shemesh, Jerusalen District	Israel	2004[14]
Cocoa Beach	Kyustendil, Kyustendil[11]	Bulgaria	2004[22]
	Santa Marta, Magdalena[11]	Colombia	1965[23]
Cooper City	Killarney, County Kerry	Ireland	2003[24]
Coral Gables	Aix-en-Provence, Provence-Alpes-Côte d'Azur	France	1997[25]
	Annapolis Royal, Nova Scotia	Canada	1984[26]
	Antigua Guatemala, Antigua	Guatemala	1993[27]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	El Puerto de Santa María, Cádiz	Spain	1987~[28]
	Granada, Granada		1988~[29]
	Provincia di Pisa, Toscana[30]	Italy	2003[31]
	Quito, Pichincha	Ecuador	1983~[32]
Coral Springs	Paraíso, Cartago	Costa Rica	2002[33]
Crestview	Noirmoutier-en-l'Île, Pays de la Loire	France	2001~[7]
Dania Beach	Fredensborg, Central Region	Denmark	2003[34]
Daytona Beach	Bayonne, Aquitaine	France	1998[35]
	Campeche, Campeche[11]	Mexico	1996~[36]
Deerfield Beach	Acre, North	Israel	1994[37]
DeLand	Belén, Guanacaste	Costa Rica	1996 [38]
	Miyazu, Kyoto	Japan	1977[39]
Delray Beach	Moshi, Arusha	Tanzania	2001 [39]
	Aquin, Sud	Haiti	2014 [40]
	Pesaro, Marche	Italy	2015 [41]
Deltona	Sanford, Florida	USA	2013[42]
Destin	Saint-Gilles-Croix-de-Vie, Pays de la Loire	France	1994[43]
Doral	Xizhi District	Taiwan	1964[44]
Dunedin	Stirling	Scotland, UK	1964[45][46]
	Summerside, Prince Edward Island	Canada	2000 [47]
Eatonville	Bamenda, Northwest Province	Cameroon	1976~[48]
	Agogo, Asante Akim North	Ghana	2001~[7]
Fort Lauderdale	Belo Horizonte, Minas Gerais	Brazil	2003[49]
	Cap-Haïtien, Nord	Haiti	2003[50]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Duisburg	Germany	2003[51]
	Mataró	Spain	2003[51]
	Ciudad de Panamá, Panamá	Panama	2001~[52]
	Gold Coast, Queensland	Australia	1980[53]
	Haifa, Haifa	Israel	2002[54]
	Isla Margarita, Nueva Esparta	Venezuela	1997[55]
	La Romana, La Romana	Dominican Republic	1995[56]
	Mar del Plata, Buenos Aires	Argentina	2000[57]
	Medellín, Antioquia	Colombia	1967[58]
	Muğla, Muğla	Turkey	1995~[59]
	Quepos, Puntarenas	Costa Rica	2003[50]
	Rimini, Emilia-Romagna	Italy	1985[60]
	São Sebastião, São Paulo[11]	Brazil	2001~[7][61]
	Sefton, Merseyside	England, UK	2000[62]
	Venezia, Veneto	Italy	2007[63]
Fort Walton Beach	Quezon City, Metro Manila	Philippines	2007[64]
	Dahuk, Dahuk	Iraq	2006[65]
	Jacmel, Sud-Est	Haiti	1998[66]
	Kfar Saba, Center	Israel	1998[67]
Gainesville	Novorossiysk, Krasnodar Krai	Russia	1982[68]
	Qalqilyah, West Bank	Palestinian National Authority	1998[67]
	Rzeszów, Podkarpackie Voivodeship	Poland	2001~[69]
Hialeah	Bucaramanga, Región Andina[11]	Colombia	2001~[7]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Cartago, Cartago[11]	Costa Rica	1984[70]
	Luján de Cuyo, Mendoza[11]	Argentina	1986[71]
	Managua, Managua[11]	Nicaragua	1966[71]
	Baia Mare, Maramureş	Romania	2003[72]
	Ciudad de la Costa, Canelones	Uruguay	1996~[73]
	Guatemala, Guatemala	Guatemala	1988[74]
	Herzliya, Tel Aviv	Israel	1988[75]
Hollywood	Lechería, Anzoátegui	Venezuela	2003~[72]
	Romorantin-Lanthenay, Centre[7]	France	1989[76]
	Salvaleón de Higüey, La Altagracia	Dominican Republic	2003[77]
	San Salvador, San Salvador	El Salvador	1962[5]
	Vlorë, Vlorë[7]	Albania	1994[78]
Homestead	Liberia, Guanacaste	Costa Rica	1977[79]
	Petit Goâve, Ouest	Haiti	2007[80]
Inverness	Inverness, Highland	Scotland, UK	2001~[7]
	Bahía Blanca, Buenos Aires	Argentina	1967[81]
	Changwon Unified, South Gyeongsang	South Korea	1983[81]
	Changwon Unified, South Gyeongsang		1983[82]
	Murmansk, Murmansk	Russia	1975[81]
Jacksonville	Nantes, Pays de la Loire	France	1984[81]
	Nelson Mandela Metropolitan Municipality, Eastern Cape	South Africa	2000[81]
	San Juan	Puerto Rico	2009
	Curitiba, Paraná	Brazil	2010
	Yingkou, Liaoning		1990[83]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Ningbo, Zhejiang	China	1990[84]
	Shaoxing, Zhejiang		1990[84]
	Suzhou, Jiangsu		1990[84]
Jensen Beach	Gregory Town, Eleuthera	The Bahamas	1989[85]
Key West	Green Turtle Cay, Abaco		2004[86]
Kissimmee	Hualien, Hualien County	Taiwan	1989[87]
	Miaoli, Miaoli County		1989[88]
Lake Placid	Lake Placid, New York	USA	1991[89]
Lake Worth	Lappeenranta, South Karelia[7]	Finland	1991~[90]
	Bălți, Bălți	Moldova	1997[81]
	Imabari, Ehime	Japan	1993[81]
	Richmond Hill, Ontario	Canada	1990[91]
Lakeland	Jiaxing, Zhejiang	China	1993
	Fengxian, Shanghai		1993
	Chongming, Shanghai		1993
	Rîbnița, Rîbnița District	Moldova (Transnistria)	1993[14]
	Portmore, Saint Catherine	Jamaica	1993[14]
Lantana	Lapua, Lansi-Suomen Laani	Finland	1979[92]
Largo	Tosayamada, Kōchi	Japan	1969[93]
Lauderdale-by-the-Sea	Henley-on-Thames, Oxfordshire	England, UK	2007 [94]
	San Isidro, Lima	Peru	2004[94]
Lauderdale Lakes	Port-de-Paix, Nord-Ouest	Haiti	2005 [95]
Lauderhill	Chaguanas	Trinidad and Tobago	2001[96]
	Gemlik, Bursa	Turkey	2002[97]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Falmouth, Trelawny	Jamaica	2002[14]
	Pétionville, Ouest	Haiti	2002[14]
	Suzano, São Paulo	Brazil	2002[14]
Madeira Beach	Machico, Ilha da Madeira	Portugal	1974[98]
	Agadir, Souss-Massa-Draâ	Morocco	1995[99]
	Amman, Amman	Jordan	1995[100]
	Bogotá, Distrito Capital	Colombia	1971[101]
	Buenos Aires, Buenos Aires	Argentina	1979[102]
	Cochabamba, Cochabamba	Bolivia	1995[103]
	Ibiza, Balearic Islands	Spain	1986~[104]
	Kagoshima, Kagoshima	Japan	1990[105]
	Kaohsiung	Taiwan	1987[106]
	Lima, Lima[107]	Peru	1977[108]
	Madrid, Madrid[107]	Spain	1997~[109]
Miami	Managua, Managua	Nicaragua	1991[110]
	Margherita di Savoia, Puglia	Italy	2011[111]
	Montes de Oca, San José	Costa Rica	1986~[104]
	Murcia, Murcia	Spain	1993[112]
	Nice, Provence-Alpes-Côte d'Azur	France	1986~[104]
	Palermo, Sicilia	Italy	2001~[7]
	Port-au-Prince, Ouest[107]	Haiti	2001[113]
	Qingdao, Shandong[107]	China	2005[114]
	Salvador, Bahia	Brazil	2006[115]
	Santiago	Chile	1986~[104]
	Santiago de Cali, Pacific Region	Colombia	1986~[104]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
Miami Beach	Santo Domingo, Distrito Nacional	Dominican Republic	1987~[116]
	Varna, Varna	Bulgaria	1994~[117]
	Yeruham, Hadarom	Israel	2007[118]
	Cozumel, Quintana Roo	Mexico	1992[119]
	Fortaleza, Ceará	Brazil	2006[120]
	Fujisawa, Kanagawa	Japan	1959[121]
	Ica, Ica	Peru	1996[122]
	Pescara, Abruzzo	Italy	1997~[123]
	Nahariya, North District	Israel	1971[124]
	Almonte, Andalusia	Spain	1971[124]
	Brampton, Ontario	Canada	1971[124]
	Basel	Switzerland	1971[124]
Miami-Dade County	Santa Marta, Magdalena	Colombia	1983~[125]
	Asunción, Asunción	Paraguay	1994[126]
	Cabildo de Tenerife, Tenerife	Spain	1993~[127]
	Cape Town, Western Cape	South Africa	2007[128]
	Cayman Islands	Cayman Islands	1986~[129]
	Gdańsk, Pomeranian Voivodeship	Poland	1990[130]
	Guatemala (department)	Guatemala	2007[131]
	Iquique, Tarapacá	Chile	1996[132]
	Kingston, Surrey	Jamaica	1987~[116]
	Lamentin, Basse-Terre	Guadeloupe	2003~[133]
	Maldonado, Maldonado	Uruguay	2001~[7]
	Mendoza, Mendoza	Argentina	2001[134]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Monagas	Venezuela	1996[135]
	Pereira, Risaralda	Colombia	2002[136]
	Petit Goâve, Ouest	Haiti	2001~[7]
	Provincia di Asti, Piemonte	Italy	1986[137]
	Pucallpa, Ucayali	Peru	2001~[7]
	Saint Kitts and Nevis	Saint Kitts and Nevis	2004[138]
	San Jose	Costa Rica	1990[130]
	Santa Cruz (department)	Bolivia	1996~[139]
	Santo Domingo, Distrito Nacional	Dominican Republic	1975[140]
	São Paulo, São Paulo	Brazil	1988[141]
	Stockholm County	Sweden	1996[142]
	New Taipei City	Taiwan	1990[130]
	The Bahamas	The Bahamas	1996[143]
	Turks and Caicos Islands	Turks and Caicos Islands	2001[144]
	Veracruz, Veracruz	Mexico	1993[127]
	Vitória, Espírito Santo	Brazil	2010[145]
Miramar	Santa Ana, Santa Ana[11]	El Salvador	2001~[7]
Miami Lakes	Desamparados, San José	Costa Rica	2006[146]
Mount Dora	Forres, Moray	Scotland, UK	1990 [147][148]
New Port Richey	Cavalaire-sur-Mer, Provence-Alpes-Côte d'Azur	France	2001~[7]
Niceville	Les Sables-d'Olonne, Pays de la Loire	France	2001~[7]
North Lauderdale	Yatağan, Muğla	Turkey	2002[149]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
North Miami	Delmas, Ouest	Haiti	2008[150]
	Miqdal, North	Israel	1989[151]
	San Pedro Sula, Cortés	Honduras	1989[152]
	Lucca, Tuscany	Italy	1989[152]
North Miami Beach	Sosúa, Puerto Plata	Dominican Republic	1989[152]
	Gonaives, Artibonite		1989[152]
	La Chapelle, Artibonite	Haiti	1989[152]
	Tabarre, Ouest		1989[152]
	Accra Metropolis District, Greater Accra	Ghana	1989[152]
	Pingzhen District, Taoyuan City	Taiwan	1989[152]
	Pisa, Toscana	Italy	2004 [153]
Ocala	Newbridge, County Kildare	Ireland	2008 [154]
	Sincelejo, Sucre	Colombia	1967[155]
Opa-Locka	Isla Pucu, Cordillera	Paraguay	1996[156]
	Curitiba, Paraná[11]	Brazil	1996[157]
	Guilin, Guangxi	China	1986[83]
	Monterrey, Nuevo León	Mexico	2001~[7]
	Orenburg	Russia	1997[158]
Orlando	Reykjanesbær, Gullbringusýsla	Iceland	1997~[159]
	Seine-et-Marne, Île-de-France	France	2002[7][160]
	Tainan, Tainan	Taiwan	2001~[7]
	Keelung		1982[87]
	Urayasu, Chiba	Japan	1991[161]
	Valladolid, Castilla y León	Spain	2006[162]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
Palatka	Palatka[11]	Russia	1991[163][164]
Palm Coast	Liberia, Guanacaste	Costa Rica	2005[165]
Pembroke Pines	Astrakhan, Astrakhan	Russia	1996[166]
	Chimbote, Santa	Peru	1964[167]
	Escazú, San José	Costa Rica	1981[167]
	Gero, Gifu[168]	Japan	1988[167]
Pensacola	Gorlivka, Donetsk	Ukraine	1981[167]
	Kaohsiung	Taiwan	1977[167]
	Miraflores, Lima	Peru	1964[167]
	Macharaviaya, Andalusia	Spain	1981[14]
Pinecrest (Dade County)	Cognac, Charente	France	1964[169]
Plant City	Portage la Prairie, Manitoba[11]	Canada	2001~[7]
Port St. Lucie	Putuo District, Zhoushan	China	2007[170]
Royal Palm Beach	Călăraşi, Călăraşi[171]	Romania	2005[172]
	Avilés, Asturias	Spain	1963[173]
	Cartagena, Bolívar	Colombia	2001~[7]
Saint Augustine	Santo Domingo, Distrito Nacional	Dominican Republic	2001~[7]
	Menorca, Baleares Islands	Spain	2001[174]
Saint Pete Beach	Sandown, Isle of Wight	England, UK	1999[175]
	Takamatsu, Kagawa	Japan	1960[176]
Saint Petersburg	Saint Petersburg, Leningrad	Russia	2003[177]
	Figueres, Catalonia	Spain	2003[14]
Sanford	Deltona, Florida	USA	2013[42]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
Sarasota	Dunfermline, Fife	Scotland, UK	1990[178][179]
	Hamilton, Ontario	Canada	1990[180]
	Perpignan, Languedoc-Roussillon	France	1994[181]
	Santo Domingo, Distrito Nacional	Dominican Republic	1963[182]
	Tel Mond, Center	Israel	1999[183]
	Province of Treviso	Italy	2007[184]
	Vladimir, Vladimir	Russia	1994[185]
	Xiamen, Fujian	China	2008[186]
	Mérida, Yucatán	Mexico	2010[187]
Southwest Ranches	Clifden, Connacht	Ireland	2006[188]
St. Cloud	Lynn Haven	USA	1995[189]
Sunny Isles Beach	Netanya, Center	Israel	2005[190]
	Hengchun, Pingtung County	Taiwan	2005[191]
	Taormina, Sicily	Italy	2005[191]
Sunrise	Yavne, Center	Israel	1985[192]
Stuart	Hope Town, Abaco	Bahamas	2014[193]
Sweetwater	Guitiriz, Lugo	Spain	1990[194]
	La Paz Centro, León	Nicaragua	1996[195]
	San Felipe de Puerto Plata, Puerto Plata[11]	Dominican Republic	1983[196]
Tallahassee	Konongo-Odumase, Asante Akim North	Ghana	2002[197]
	Krasnodar, Krasnodar Krai	Russia	1983[198]
	Ramat HaSharon, Tel Aviv	Israel	2006 [199]
	Sligo, Connacht	Ireland	1989[200]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	St. Maarten	Netherlands	2001~[7]
	Rugao, Jiangsu	China	2001
Tamarac	Fatsa, Ordu	Turkey	2002[201]
	Agrigento, Sicilia	Italy	1987[202]
	Ashdod, South	Israel	2005[203]
	Barranquilla, Atlántico	Colombia	1966[204]
	Boca del Río, Veracruz	Mexico	2002[205]
	Camarines Sur, Bicol	Philippines	2001~[7]
	Córdoba, Córdoba	Argentina	1966[206]
Tampa	Granada, Granada	Nicaragua	2001~[7]
	İzmir, İzmir	Turkey	2001~[7]
	Jiāxīng Shì, Zhèjiāng Shěng	China	2002~[205]
	Le Havre, Haute-Normandie	France	2001~[7]
	Oviedo, Asturias	Spain	2001~[7]
	Veracruz, Veracruz	Mexico	2002[205]
	Porto Alegre, Rio Grande do Sul	Brazil	2002[14]
	Kalymnos, Dhodhekanisos	Greece	2000[207]
Tarpon Springs	Larnaca, Larnaca District	Cyprus	2000[14]
	Halki, Dhodhekanisos	Greece	2000[14]
	Symi, Dhodhekanisos		2000[14]
Tavares	Xindian District, New Taipei City	Taiwan	2000
Temple Terrace	Eastleigh, Hampshire	England, UK	1989[208]
	Ceadîr-Lunga, Gagauzia[11]	Moldova	2001~[7]
Titusville	Soest, Utrecht[11]	Netherlands	1982[209]
	Yueyang, Hunan[11]	China	1988[83]

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Florida jurisdiction	Sister jurisdiction	Country	Year
Volusia County	Bayonne, Aquitaine[11]	France	1998[210]
	Campeche State[11]	Mexico	1995[38]
West Miami	León, León	Nicaragua	1974[211]
	Santa Cruz del Quiché, Quiché	Guatemala	1987[211]
West Palm Beach	Tzahar Region, North	Israel	1996[212]
Winter Haven	Sambuca di Sicilia, Sicilia	Italy	1987[213]

AMERICAN OVERSIGHT

From: FAHP <fahp@memberclicks-mail.net>
Sent: Thursday, November 07, 2019 1:17 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: 2019 FAHP Annual Conference Speaker Line-Up

SPONSORED GENERAL SESSIONS

State of Florida Health Insurance Marketplace Report andInsurance Commissioners Round-table

Florida Legislative Update

The Promise Fund: Delivering Care Where it is Needed Most | New ideas, practices and realities

***A*gency for Health Care Administration (AHCA) Update**

International Dialogue - The Evolving Global Regulatory Framework

Introduction to Tiatros: A Digital Therapeutics for Behavioral Health company

Increasing Healthy Actions: A Basic Strategic Approach to Digital Communications

The Rollout of EVV in Florida

I Want it All and I Want it Now: Executing Your Clinical Data Strategy

Incorporating Ridesharing into Your NEMT Program: The Capabilities of Lyft

Moving from Meeting Performance Goals toExcelling in Value-Based Care

Public-Private Collaboration to Drive Innovation in Medicaid

FAHP THANKS OUR SPONSORS AND EXHIBITORS

3M Health Information Systems; Access2Care; AHCV; Akerman; American Logistics; American Well; Amplifon Hearing Health Care; Beacon Health Options; Capital City Consulting; CastiaRx; Celtic Global Consulting;
Collective Medical; Corcoran Partners; DataLink Software; DentaQuest; Dexcom; Envolve; Genomic Health; GMS Call Center; Greenberg Traurig; healow Insights; HealthCrowd; Health Dialog Services Corporation; Health Network One; Health Management Systems, Inc.; Healthy Start; HHAeXchange; Hologic; HPA, A Cognizant Company; Independent Living Systems; IntelliRide by Transdev; InterSystems; J & B Medical;LIBERTY Dental Plan; LogistiCare Solutions; MCG Health; Medline Industries; Melinta Therapeutics; NationsHearing; PerformRx/PerformSpecialty; Pinnacle Brokers; Pulse8; RIDE2MD, Inc.; Rubin Turnbull & Associates; SafeRide Health; Tellus; The Promise Fund; Tiatros; Trividia Health; Uber Health; VARIS; Veyo

This email was sent togruters.joe@flsenate.gov by meetingplanner@fahp.net

Florida Association of Health Plans· 200 W. College Ave. , Tallahassee, Florida 32301 , United States

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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Wednesday, October 02, 2019 9:14 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: 2019 NCOIL Annual National Meeting Early Bird Rate Closes on October 14

View this email in your browser

Dear NCOIL Participant:

We write today to remind you that registration for the 2019 NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th is now open here. The early bird rate closes on October 14th.

A tentative meeting schedule is posted here.

NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for 15.25 credits of Texas CLE.

The Annual Meeting will begin at the conclusion of the NAIC meeting at the same location. Please plan to arrive in time for the Welcome Reception on the evening of December 10th. There will also be an optional tour of the Texas state capitol on that afternoon.

A full day of policy committees and general sessions will start with the busy Welcome Breakfast on December 11th.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code. You can do this by calling the hotel at 512-474-4744. If you have already made your hotel reservations with NAIC, we ask that you call the hotel with your confirmation code to amend them. You will not need to physically check out of the hotel room and will receive one hotel bill at the conclusion of your stay.

The hotel block closes on November 25th. The link for legislators is here - and the link for general participants is here.

Please do not hesitate to reach out to us with any questions at the NCOIL National Office.

Paul Penna
NCOIL

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You are receiving this email because you are a member of NCOIL

Our mailing address is:
NCOIL
2317 Highway 34 Ste 2B
Manasquan, NJ 08736-1443

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

AMERICAN OVERSIGHT

From: Baker, Tiffany <BAKER.TIFFANY@flhistoriccapitol.gov>
Sent: Friday, January 10, 2020 9:26 AM EST
To: Senators and District Staff – All <SenateDistrictStaff-All@flsenate.gov>
CC: Brown, Debbie <BROWN.DEBBIE@flsenate.gov>; Galea, Kathy <GALEA.KATHY@flsenate.gov>; Betta, Katherine <BETTA.KATHERINE@flsenate.gov>; Vickers, Lisa <VICKERS.LISA@flsenate.gov>; Hay, Timothy <HAY.TIMOTHY@flsenate.gov>
Subject: 2020 Legislative Legacies Reunion Dinner
Attachment(s): "HC Legislative Reunion Registration Brochure 2019 Web.pdf"

Dear Senator,

Please join your colleagues for a commemoration of your collective service to the State during the ***2020 Legislative Legacies Reunion Dinner*** on ***Tuesday, February 4, 2020*** at ***6:30 PM*** at the ***FSU Alumni Center***.

Gather during this signature Legislative Reunion program to enjoy the soulful sounds of Baby Grey, historic photos and stories featuring the decades past and present, and a delicious buffet dinner.

To register for the ***2020 Legislative Legacies Reunion Dinner***, please visit the Legislative Reunion Registration Page.

For more information about the entire exciting slate of 2020 Legislative Reunion activities to be held February 3-5, we have attached the complete Legislative Reunion Registration Brochure.

Please do not hesitate to reach out to Historic Capitol staff at 850-487-1902 if you have any questions regarding the program or would like assistance with the registration process.

We hope that you will join us for an evening filled with historic moments!

With warm regards,
The 2020 Legislative Reunion Host Committee

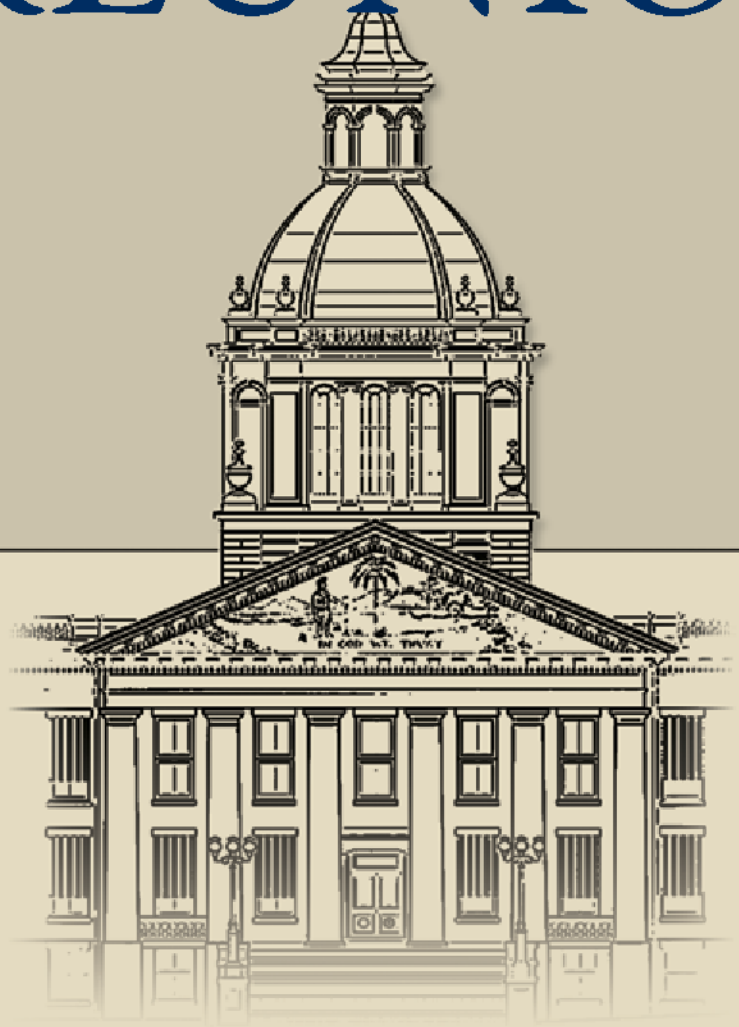
FLORIDA HISTORIC CAPITOL MUSEUM COUNCIL	**FLORIDA HISTORIC CAPITOL FOUNDATION**
The Honorable Curt Kiser, Chairman	Mr. John Clark, Chairman
The Honorable Ellyn Bogdanoff	The Honorable Kurt Browning, Vice Chair
Secretary Debbie Brown, Florida Senate	The Honorable Bill Gunter, Treasurer
The Honorable Dean Cannon	The Honorable Van Poole, Secretary
The Honorable Charlie Clary	The Honorable Dixie Sansom, Immediate Past Chair
The Honorable Bill Gunter	The Honorable J.D. Alexander
Sgt. at Arms Tim Hay, Florida Senate	Mr. Dominic Calabro
Sgt. at Arms Russell Hosford, Florida House	Mr. Frank Gernert
The Honorable Jeffrey Kottkamp	Justice Major Harding
Ms. Joanne Leznoff	The Honorable Jeffrey Kottkamp
The Honorable John Phelps	Dr. Ed Moore
The Honorable Van Poole	The Honorable Michelle Rehwinkel-Vasilinda
Clerk Jeff Takacs, Florida House	Mr. Mayo Woodward

Tiffany Baker / Museum Director
Florida Historic Capitol Museum / Room B-12 / 400 S. Monroe St. / Tallahassee, FL 32301-1100
email: baker.tiffany@flhistoriccapitol.gov
phone: 850-487-1902 or Direct Line: 850-410-2230
fax: 850-410-2233
www.flhistoriccapitol.gov

AMERICAN OVERSIGHT

REGISTER SOON!
Registration closes Friday, January 24, 2020

2020 LEGISLATIVE REUNION



Join us for three exciting days filled with non-stop fun and special moments with the friends and colleagues who helped you shape the future of Florida.

This year, as we mark the beginning of a new decade, plan to spend time reflecting on the impactful events of the past. Gather with friends to participate in behind-the-scenes tours, enjoy delicious food and drink, share institutional knowledge, and celebrate the legacy of your collective service to the state.

MONDAY, FEBRUARY 3 — WEDNESDAY, FEBRUARY 5 IN TALLAHASSEE, FLORIDA

AMERICAN OVERSIGHT
FL-SEN-20-02017-A-000594

Daily Schedule

Schedule is subject to change. Final schedule to be distributed in reunion program.

MONDAY, FEBRUARY 3

Director's Tour at The Grove Museum

4:00 PM-5:00 PM

Meet in The Grove parking lot on Monroe Street.

Limited to 25 registrants

Executive Director Johnathan Grandage will showcase Governor LeRoy Collins' legislative impact during this after-hours program at The Grove.

Welcome Reception

5:30 PM-7:00 PM | $25

Enjoy a warm welcome to the 2020 Legislative Reunion with food, friends, and fun. Fee includes beer, wine, and hors d'oeuvres.

TUESDAY, FEBRUARY 4

Registration

8:00 AM-4:00 PM

Historic Capitol Rotunda

Continental Breakfast, Coffee, and Capitol Updates with the Department of Management Services

9:00 AM-10:00 AM

Historic Capitol Senate Chamber

Have you been watching the construction process at the Capitol Complex? Does the Complex look completely different from the last time you were onsite? Wondering what the next step will be? Members of the Capitol Complex project team will share all the latest details about the transformation.

Historic Capitol Open Doors Tour

10:00 AM-11:00 AM

Meet at Registration Desk.

Limited to 15 registrants

Historic Capitol staff members will showcase fun new acquisitions and plans for the future while unlocking a few doors for a special look along the way.

State Treasures Tour

10:00 AM-11:30 AM

Meet at Historic Capitol Visitor Services Desk to walk down to Department of State.

Limited to 20 registrants

View the State's historic treasures at the State Archives and the Bureau of Archaeological Research's Conservation Lab.

Culturally Tallahassee Tour

10:00 AM-11:45 AM

Meet at Historic Capitol Visitor Services Desk to walk to bus for departure.

Limited to 25 registrants

Explore Tallahassee by bus for an overview of the impact of recent construction, new cultural opportunities, and a changing landscape.

Election 2000: Twenty Years Later Luncheon

NOON-1:30 PM | $20

Historic Capitol Senate Chamber

Limited to 80 registrants

Panel participants, including former Senate President John McKay and House Speaker Tom Feeney, will share Florida stories about the historic outcome of the 2000 Presidential Election. Before the program, stop by room 118 to view the "butterfly" ballot and voting booth. Do you have any artifacts from Election 2000? Be sure to let Historic Capitol staff know! Fee includes lunch.

Supreme Court Tour

1:45 PM-3:00 PM

Meet at Historic Capitol Visitor Services Desk to walk down to the Supreme Court.

Limited to 20 registrants

Tour the Supreme Court of Florida.

Venues

Be sure to refer to the list below when signing up for events.

CAPITOL COMPLEX
400 South Monroe Street
Tallahassee, FL 32399

DEPARTMENT OF STATE
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

FLORIDA SUPREME COURT
500 South Duval Street
Tallahassee, FL 32399

FSU ALUMNI CENTER
1030 West Tennessee Street
Tallahassee, FL 32304

FSU PRESIDENT'S HOUSE
Corner of Woodward and Tennessee Street
Tallahassee, FL 32304

THE GROVE
West 1st Avenue
Tallahassee, FL 32303

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Spouses Tea in the Senate Spouse Lounge

2:00 PM-3:00 PM

Mrs. Galvano invites all former spouses to share in fellowship and fun with the current spouses.
Please RSVP by selecting Spouses Tea during registration.

Reunion Appearance on the Senate Floor

3:30 PM-4:30 PM

Fourth Floor Rotunda
Line up by decade with your fellow former Senators to be honored on the Senate floor.

Legislative Reception hosted by the Honorable John Thrasher

5:30 PM-6:15 PM | $15

FSU President's House
Please park at the FSU Alumni Center adjacent to the FSU President's House. Enter lots via West Tennessee Street entrance.
Limited to 100 registrants
Florida State University President John Thrasher and First Lady Jean Thrasher invite you to the FSU President's House for a reception in honor of your legislative service.

Legislative Legacies Reunion Dinner

6:30 PM-9:00 PM | $65

FSU Alumni Center
Drinks and Dinner Service at 6:30 PM
Program at 7:15 PM
Enjoy the soulful sounds of Baby Gray and share your favorite memories with your classmates. Fee includes beer, wine, and buffet dinner.

PARKING AND DIRECTIONS

Because parking can be limited near the Capitol Complex, parking will be available at Governor's Square Mall and you may ride the Legislative Employee Shuttles to the Capitol Complex. Downtown and Governor's Square parking maps are available at www.flhistoriccapitol.gov.

On-street metered parking is available in downtown Tallahassee. Paid parking is also available at the Kleman Plaza Parking Garage, located between College Avenue and Pensacola Street with entrances on Duval or Bronough Streets.

WEDNESDAY, FEBRUARY 5

Reunion Appearance on the House Floor

9:00 AM-10:00 AM

Fourth Floor Rotunda
Line up by decade with your fellow former Representatives to be honored on the House floor.

Tour of *Florida Inspired*

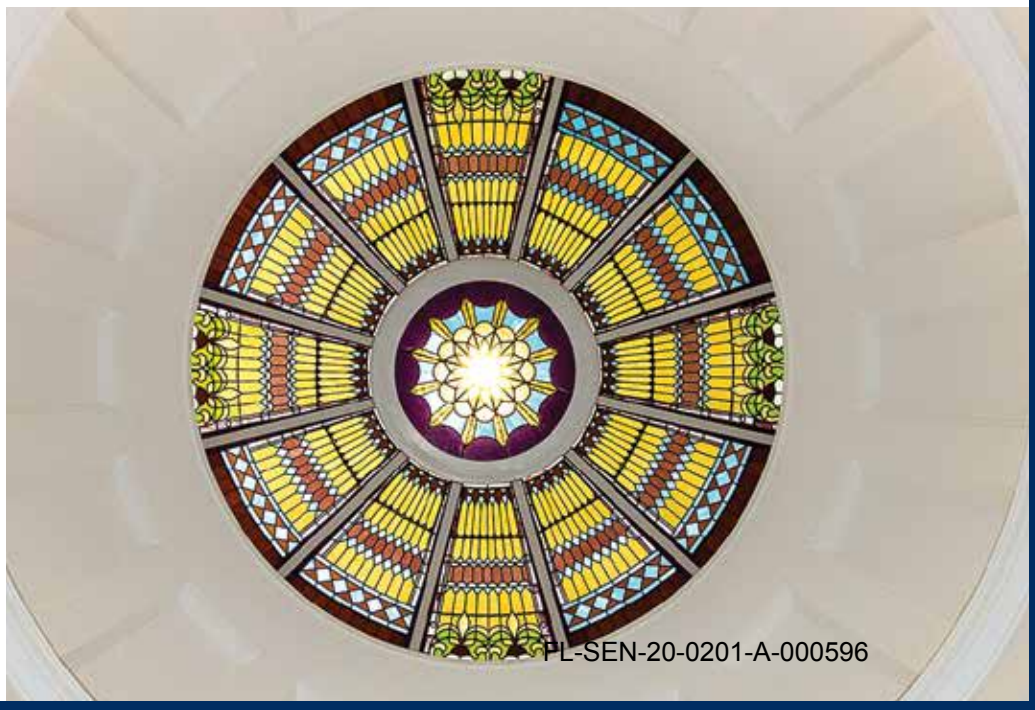
10:00 AM-11:00 AM

Meet at Historic Capitol Visitor Services Desk to walk down to Department of State.
Limited to 20 registrants
Explore the Museum of Florida History's newest exhibit featuring more than 125 landscape paintings by 98 different artists from the Risner Fine Art Collection.

Farewell Luncheon and Author Talk

10:30 AM-NOON | $25

The Governor's Club Plantation Room
Limited to 40 registrants
Gather for a fond farewell as former Senate President Mike Haridopolos and Mr. Peter Dunbar discuss their work on *The Modern Republican Party in Florida* (University of Florida Press, 2019). Fee includes lunch.



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Room Block Information

Book your hotel now as hotels in Tallahassee next year are in high-demand.
For your convenience, we have secured room blocks at the following locations:

HOME2 SUITES TALLAHASSEE
Cutoff date: 1/14/20
210 South Magnolia
Tallahassee, FL 32301
Rate: $189.00/night
850-402-8900
Ask for the Historic Capitol Museum Legislative Reunion group rate.

HOLIDAY INN TALLAHASSEE EAST CAPITOL-UNIVERSITIES
Cutoff date: 1/3/20
2003 Apalachee Parkway
Tallahassee, FL 32301
Rate: $225.00/night
Call for reservations:
850-792-8300 or
1-800-HOLIDAY
Ask for Room Block Code: HLR

HAMPTON INN & SUITES CAPITOL-UNIVERSITY
Cutoff date: 1/3/20
824 Railroad Avenue
Tallahassee, FL 32310
Rate: $259.00/night
Ask for Legislative Reunion group rate.

FOUR POINTS BY SHERATON TALLAHASSEE DOWNTOWN
Cutoff date: 1/13/20
316 West Tennessee Street
Tallahassee, FL 32399
Rate: $199.00/night
800-368-7764
Ask for Legislative Reunion group rate.

Although a room block was not available at the Doubletree hotel downtown, you may be able to still secure a single room:

DOUBLETREE BY HILTON
101 S Adams Street
Tallahassee, FL 32301
850-224-5000

Host Committee

We look forward to creating new memories with you.

FLORIDA HISTORIC CAPITOL MUSEUM COUNCIL

The Honorable Curt Kiser, Chairman
The Honorable Ellyn Bogdanoff
Secretary Debbie Brown, Florida Senate
The Honorable Dean Cannon
The Honorable Charlie Clary
The Honorable Bill Gunter
Sgt. at Arms Tim Hay, Florida Senate
Sgt. at Arms Russell Hosford, Florida House
The Honorable Jeffrey Kottkamp
Ms. Joanne Leznoff
The Honorable John Phelps
The Honorable Van Poole
Clerk Jeff Takacs, Florida House

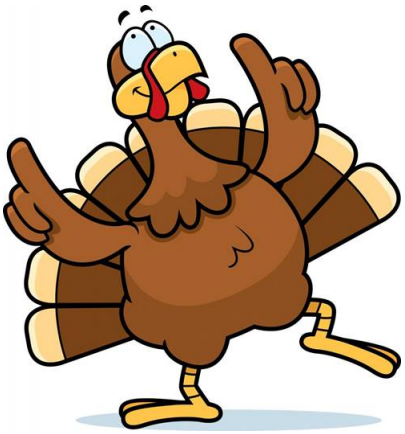
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Mr. Dominic Calabro
Mr. Frank Gernert
Justice Major Harding
Mr. Peter Harris
The Honorable Jeffrey Kottkamp
Dr. Ed Moore
The Honorable Michelle Rehwinkel-Vasilinda
Mr. Mayo Woodward

FLORIDA HISTORIC CAPITOL MUSEUM

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From: Brill, Victoria
Sent: Monday, November 25, 2019 3:38 PM EST
To: French Brown <FBrown@deanmead.com>
Attachment(s): "_s00126__.DOCX"



AMERICAN OVERSIGHT

By Senator Gruters

23-00203-20 2020126__

A bill to be entitled

An act relating to the sales and use tax; amending s. 212.02, F.S.; revising the definition of the term "retail sale"; amending s. 212.05, F.S.; conforming a provision to changes made by the act; amending s. 212.0596, F.S.; renaming the term "mail order sale" to "remote sale" and revising the definition; revising conditions under which certain dealers are subject to sales tax levies and collection; defining the term "making a substantial number of remote sales"; deleting an exemption for certain dealers from collecting local option surtaxes; conforming provisions to changes made by the act; creating s. 212.05965, F.S.; defining terms; providing that certain marketplace providers are subject to registration, collection, and remittance requirements for sales taxes; requiring marketplace providers to provide a certain certification to their marketplace sellers; specifying requirements for marketplace sellers; requiring marketplace providers to allow the Department of Revenue to examine and audit their books and records; specifying the examination and audit authority of the department; providing that a marketplace seller, and not the marketplace provider, is liable for sales tax collection and remittance under certain circumstances; authorizing marketplace providers and marketplace sellers to enter into agreements for the recovery of certain taxes, interest, and penalties; authorizing the department to

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

settle and compromise taxes, interest, or penalties assessed on sales conducted through a marketplace; providing construction and applicability; amending s. 212.06, F.S.; revising the definition of the term "dealer"; conforming provisions to changes made by the act; amending s. 212.12, F.S.; deleting an exclusion from certain dealers who are allowed a dealer's credit for collecting tax; deleting the authority of the department's executive director to negotiate a collection allowance with certain dealers; conforming a provision to changes made by the act; amending s. 212.18, F.S.; conforming a provision to changes made by the act; reenacting s. 212.20(4), F.S., relating to refunds of taxes adjudicated unconstitutionally collected, to incorporate the amendment made to s. 212.0596, F.S., in a reference thereto; authorizing the department to adopt emergency rules; providing for expiration of the authority; providing for severability; providing effective dates.

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

Section 1. Paragraph (e) of subsection (14) of section 212.02, Florida Statutes, is amended to read:

212.02 Definitions.—The following terms and phrases when used in this chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(14)

AMERICAN OVERSIGHT

(e) The term "retail sale" includes a remote ~~mail order~~ sale~~,~~ as defined in s. 212.0596(1).

Section 2. Effective October 1, 2020, paragraph (f) is added to subsection (14) of section 212.02, Florida Statutes, to read:

212.02 Definitions.—The following terms and phrases when used in this chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(14)

(f) The term "retail sale" includes a sale facilitated through a marketplace as defined in s. 212.05965(1).

Section 3. Section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making remote ~~mail order~~ sales~~;, or~~ who rents or furnishes any of the things or services taxable under this chapter~~;,~~ or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the

AMERICAN OVERSIGHT

purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

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2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in sub-subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

AMERICAN OVERSIGHT

FL-SEN-20-0201A-000603

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within 30 days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within 30 days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within 10 days of removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hangaring from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within 5 days of the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions

AMERICAN OVERSIGHT

of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost $425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but

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not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt

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emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

(b) At the rate of 6 percent of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state; however, for tangible property originally purchased exempt from tax for use exclusively for lease and which is converted to the owner’s own use, tax may be paid on the fair market value of the property at the time of conversion. If the fair market value of the property cannot be determined, use tax at the time of conversion shall be based on

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the owner's acquisition cost. Under no circumstances may the aggregate amount of sales tax from leasing the property and use tax due at the time of conversion be less than the total sales tax that would have been due on the original acquisition cost paid by the owner.

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(13)(a) to one lessee or rentee for a period of not less than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of

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the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

(d) At the rate of 6 percent of the lease or rental price paid by a lessee or rentee, or contracted or agreed to be paid by a lessee or rentee, to the owner of the tangible personal property.

(e)1. At the rate of 6 percent on charges for:

a. Prepaid calling arrangements. The tax on charges for prepaid calling arrangements shall be collected at the time of sale and remitted by the selling dealer.

(I) "Prepaid calling arrangement" has the same meaning as provided in s. 202.11.

(II) If the sale or recharge of the prepaid calling arrangement does not take place at the dealer's place of business, it shall be deemed to have taken place at the customer's shipping address or, if no item is shipped, at the customer's address or the location associated with the customer's mobile telephone number.

(III) The sale or recharge of a prepaid calling arrangement shall be treated as a sale of tangible personal property for purposes of this chapter, regardless of whether a tangible item evidencing such arrangement is furnished to the purchaser, and such sale within this state subjects the selling dealer to the jurisdiction of this state for purposes of this subsection.

(IV) No additional tax under this chapter or chapter 202 is

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due or payable if a purchaser of a prepaid calling arrangement who has paid tax under this chapter on the sale or recharge of such arrangement applies one or more units of the prepaid calling arrangement to obtain communications services as described in s. 202.11(9)(b)3., other services that are not communications services, or products.

b. The installation of telecommunication and telegraphic equipment.

c. Electrical power or energy, except that the tax rate for charges for electrical power or energy is 4.35 percent. Charges for electrical power and energy do not include taxes imposed under ss. 166.231 and 203.01(1)(a)3.

2. Section 212.17(3), regarding credit for tax paid on charges subsequently found to be worthless, is equally applicable to any tax paid under this section on charges for prepaid calling arrangements, telecommunication or telegraph services, or electric power subsequently found to be uncollectible. As used in this paragraph, the term "charges" does not include any excise or similar tax levied by the Federal Government, a political subdivision of this state, or a municipality upon the purchase, sale, or recharge of prepaid calling arrangements or upon the purchase or sale of telecommunication, television system program, or telegraph service or electric power, which tax is collected by the seller from the purchaser.

(f) At the rate of 6 percent on the sale, rental, use, consumption, or storage for use in this state of machines and equipment, and parts and accessories therefor, used in manufacturing, processing, compounding, producing, mining, or

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quarrying personal property for sale or to be used in furnishing communications, transportation, or public utility services.

(g)1. At the rate of 6 percent on the retail price of newspapers and magazines sold or used in Florida.

2. Notwithstanding other provisions of this chapter, inserts of printed materials which are distributed with a newspaper or magazine are a component part of the newspaper or magazine, and neither the sale nor use of such inserts is subject to tax when:

a. Printed by a newspaper or magazine publisher or commercial printer and distributed as a component part of a newspaper or magazine, which means that the items after being printed are delivered directly to a newspaper or magazine publisher by the printer for inclusion in editions of the distributed newspaper or magazine;

b. Such publications are labeled as part of the designated newspaper or magazine publication into which they are to be inserted; and

c. The purchaser of the insert presents a resale certificate to the vendor stating that the inserts are to be distributed as a component part of a newspaper or magazine.

(h)1. A tax is imposed at the rate of 4 percent on the charges for the use of coin-operated amusement machines. The tax shall be calculated by dividing the gross receipts from such charges for the applicable reporting period by a divisor, determined as provided in this subparagraph, to compute gross taxable sales, and then subtracting gross taxable sales from gross receipts to arrive at the amount of tax due. For counties that do not impose a discretionary sales surtax, the divisor is

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equal to 1.04; for counties that impose a 0.5 percent discretionary sales surtax, the divisor is equal to 1.045; for counties that impose a 1 percent discretionary sales surtax, the divisor is equal to 1.050; and for counties that impose a 2 percent sales surtax, the divisor is equal to 1.060. If a county imposes a discretionary sales surtax that is not listed in this subparagraph, the department shall make the applicable divisor available in an electronic format or otherwise. Additional divisors shall bear the same mathematical relationship to the next higher and next lower divisors as the new surtax rate bears to the next higher and next lower surtax rates for which divisors have been established. When a machine is activated by a slug, token, coupon, or any similar device which has been purchased, the tax is on the price paid by the user of the device for such device.

2. As used in this paragraph, the term "operator" means any person who possesses a coin-operated amusement machine for the purpose of generating sales through that machine and who is responsible for removing the receipts from the machine.

a. If the owner of the machine is also the operator of it, he or she shall be liable for payment of the tax without any deduction for rent or a license fee paid to a location owner for the use of any real property on which the machine is located.

b. If the owner or lessee of the machine is also its operator, he or she shall be liable for payment of the tax on the purchase or lease of the machine, as well as the tax on sales generated through the machine.

c. If the proprietor of the business where the machine is located does not own the machine, he or she shall be deemed to

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be the lessee and operator of the machine and is responsible for the payment of the tax on sales, unless such responsibility is otherwise provided for in a written agreement between him or her and the machine owner.

3.a. An operator of a coin-operated amusement machine may not operate or cause to be operated in this state any such machine until the operator has registered with the department and has conspicuously displayed an identifying certificate issued by the department. The identifying certificate shall be issued by the department upon application from the operator. The identifying certificate shall include a unique number, and the certificate shall be permanently marked with the operator's name, the operator's sales tax number, and the maximum number of machines to be operated under the certificate. An identifying certificate shall not be transferred from one operator to another. The identifying certificate must be conspicuously displayed on the premises where the coin-operated amusement machines are being operated.

b. The operator of the machine must obtain an identifying certificate before the machine is first operated in the state and by July 1 of each year thereafter. The annual fee for each certificate shall be based on the number of machines identified on the application times $30 and is due and payable upon application for the identifying device. The application shall contain the operator's name, sales tax number, business address where the machines are being operated, and the number of machines in operation at that place of business by the operator. No operator may operate more machines than are listed on the certificate. A new certificate is required if more machines are

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being operated at that location than are listed on the certificate. The fee for the new certificate shall be based on the number of additional machines identified on the application form times $30.

c. A penalty of $250 per machine is imposed on the operator for failing to properly obtain and display the required identifying certificate. A penalty of $250 is imposed on the lessee of any machine placed in a place of business without a proper current identifying certificate. Such penalties shall apply in addition to all other applicable taxes, interest, and penalties.

d. Operators of coin-operated amusement machines must obtain a separate sales and use tax certificate of registration for each county in which such machines are located. One sales and use tax certificate of registration is sufficient for all of the operator’s machines within a single county.

4. The provisions of this paragraph do not apply to coin-operated amusement machines owned and operated by churches or synagogues.

5. In addition to any other penalties imposed by this chapter, a person who knowingly and willfully violates any provision of this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

6. The department may adopt rules necessary to administer the provisions of this paragraph.

(i)1. At the rate of 6 percent on charges for all:

a. Detective, burglar protection, and other protection services (NAICS National Numbers 561611, 561612, 561613, and 561621). Fingerprint services required under s. 790.06 or s.

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790.062 are not subject to the tax. Any law enforcement officer, as defined in s. 943.10, who is performing approved duties as determined by his or her local law enforcement agency in his or her capacity as a law enforcement officer, and who is subject to the direct and immediate command of his or her law enforcement agency, and in the law enforcement officer's uniform as authorized by his or her law enforcement agency, is performing law enforcement and public safety services and is not performing detective, burglar protection, or other protective services, if the law enforcement officer is performing his or her approved duties in a geographical area in which the law enforcement officer has arrest jurisdiction. Such law enforcement and public safety services are not subject to tax irrespective of whether the duty is characterized as "extra duty," "off-duty," or "secondary employment," and irrespective of whether the officer is paid directly or through the officer's agency by an outside source. The term "law enforcement officer" includes full-time or part-time law enforcement officers, and any auxiliary law enforcement officer, when such auxiliary law enforcement officer is working under the direct supervision of a full-time or part-time law enforcement officer.

b. Nonresidential cleaning, excluding cleaning of the interiors of transportation equipment, and nonresidential building pest control services (NAICS National Numbers 561710 and 561720).

2. As used in this paragraph, "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

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3. Charges for detective, burglar protection, and other protection security services performed in this state but used outside this state are exempt from taxation. Charges for detective, burglar protection, and other protection security services performed outside this state and used in this state are subject to tax.

4. If a transaction involves both the sale or use of a service taxable under this paragraph and the sale or use of a service or any other item not taxable under this chapter, the consideration paid must be separately identified and stated with respect to the taxable and exempt portions of the transaction or the entire transaction shall be presumed taxable. The burden shall be on the seller of the service or the purchaser of the service, whichever applicable, to overcome this presumption by providing documentary evidence as to which portion of the transaction is exempt from tax. The department is authorized to adjust the amount of consideration identified as the taxable and exempt portions of the transaction; however, a determination that the taxable and exempt portions are inaccurately stated and that the adjustment is applicable must be supported by substantial competent evidence.

5. Each seller of services subject to sales tax pursuant to this paragraph shall maintain a monthly log showing each transaction for which sales tax was not collected because the services meet the requirements of subparagraph 3. for out-of-state use. The log must identify the purchaser’s name, location and mailing address, and federal employer identification number, if a business, or the social security number, if an individual, the service sold, the price of the service, the date of sale,

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the reason for the exemption, and the sales invoice number. The monthly log shall be maintained pursuant to the same requirements and subject to the same penalties imposed for the keeping of similar records pursuant to this chapter.

(j)1. Notwithstanding any other provision of this chapter, there is hereby levied a tax on the sale, use, consumption, or storage for use in this state of any coin or currency, whether in circulation or not, when such coin or currency:

a. Is not legal tender;

b. If legal tender, is sold, exchanged, or traded at a rate in excess of its face value; or

c. Is sold, exchanged, or traded at a rate based on its precious metal content.

2. Such tax shall be at a rate of 6 percent of the price at which the coin or currency is sold, exchanged, or traded, except that, with respect to a coin or currency which is legal tender of the United States and which is sold, exchanged, or traded, such tax shall not be levied.

3. There are exempt from this tax exchanges of coins or currency which are in general circulation in, and legal tender of, one nation for coins or currency which are in general circulation in, and legal tender of, another nation when exchanged solely for use as legal tender and at an exchange rate based on the relative value of each as a medium of exchange.

4. With respect to any transaction that involves the sale of coins or currency taxable under this paragraph in which the taxable amount represented by the sale of such coins or currency exceeds $500, the entire amount represented by the sale of such coins or currency is exempt from the tax imposed under this

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paragraph. The dealer must maintain proper documentation, as prescribed by rule of the department, to identify that portion of a transaction which involves the sale of coins or currency and is exempt under this subparagraph.

(k) At the rate of 6 percent of the sales price of each gallon of diesel fuel not taxed under chapter 206 purchased for use in a vessel, except dyed diesel fuel that is exempt pursuant to s. 212.08(4)(a)4.

(l) Florists located in this state are liable for sales tax on sales to retail customers regardless of where or by whom the items sold are to be delivered. Florists located in this state are not liable for sales tax on payments received from other florists for items delivered to customers in this state.

(m) Operators of game concessions or other concessionaires who customarily award tangible personal property as prizes may, in lieu of paying tax on the cost price of such property, pay tax on 25 percent of the gross receipts from such concession activity.

(2) The tax shall be collected by the dealer, as defined herein, and remitted by the dealer to the state at the time and in the manner as hereinafter provided.

(3) The tax so levied is in addition to all other taxes, whether levied in the form of excise, license, or privilege taxes, and in addition to all other fees and taxes levied.

(4) The tax imposed pursuant to this chapter shall be due and payable according to the brackets set forth in s. 212.12.

(5) Notwithstanding any other provision of this chapter, the maximum amount of tax imposed under this chapter and collected on each sale or use of a boat in this state may not

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exceed $18,000 and on each repair of a boat in this state may not exceed $60,000.

Section 4. Section 212.0596, Florida Statutes, is amended to read:

212.0596 Taxation of remote ~~mail order~~ sales.—

(1) For purposes of this chapter, a "remote ~~mail order~~ sale" is a retail sale of tangible personal property~~,~~ ordered by mail, telephone, the Internet, or other means of communication, from a dealer who receives the order outside of this state ~~in another state of the United States, or in a commonwealth, territory, or other area under the jurisdiction of the United States,~~ and transports the property or causes the property to be transported~~, whether or not by mail,~~ from any jurisdiction ~~of the United States~~, including this state, to a person in this state, including the person who ordered the property.

(2) Every dealer as defined in s. 212.06(2)(c) who makes a remote ~~mail order~~ sale is subject to the power of this state to levy and collect the tax imposed by this chapter when any of the following applies:

(a) The dealer is a corporation doing business under the laws of this state or is a person domiciled in, a resident of, or a citizen of~~,~~ this state.~~;~~

(b) The dealer maintains retail establishments or offices in this state, regardless of whether the remote ~~mail order~~ sales thus subject to taxation by this state result from or are related in any other way to the activities of such establishments or offices.~~;~~

(c) The dealer has agents in this state who solicit business or transact business on behalf of the dealer,

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regardless of whether the remote ~~mail order~~ sales thus subject to taxation by this state result from or are related in any other way to such solicitation or transaction of business. For purposes of this paragraph, ~~except that~~ a printer who mails or delivers for an out-of-state print purchaser material the printer printed for it is ~~shall~~ not ~~be~~ deemed to be the print purchaser's agent. ~~for purposes of this paragraph;~~

(d) The property was delivered in this state in fulfillment of a sales contract that was entered into in this state, in accordance with applicable conflict of laws rules, when a person in this state accepted an offer by ordering the property.~~;~~

(e) The dealer, by purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, unsolicited distribution of catalogs, computer-assisted shopping, television, radio, or other electronic media, or magazine or newspaper advertisements or other media, creates nexus with this state.~~;~~

(f) Through compact or reciprocity with another jurisdiction of the United States, that jurisdiction uses its taxing power and its jurisdiction over the retailer in support of this state's taxing power.~~;~~

(g) The dealer consents, expressly or by implication, to the imposition of the tax imposed by this chapter.~~;~~

(h) The dealer is subject to service of process under s. 48.181.~~;~~

(i) The dealer's remote ~~mail order~~ sales are subject to the power of this state to tax sales or to require the dealer to

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collect use taxes under a statute or statutes of the United States.~~;~~

(j) The dealer owns real property or tangible personal property that is physically in this state. For purposes of this paragraph, ~~except that~~ a dealer whose only property, ~~(~~including property owned by an affiliate,~~)~~ in this state is located at the premises of a printer with which the vendor has contracted for printing~~,~~ and is either a final printed product, ~~or~~ property that ~~which~~ becomes a part of the final printed product, or property from which the printed product is produced, is not deemed to own such property. ~~for purposes of this paragraph;~~

(k) The dealer, while not having nexus with this state on any of the bases described in paragraphs (a)-(j) or paragraph (l), is a corporation that is a member of an affiliated group of corporations, as defined in s. 1504(a) of the Internal Revenue Code, whose members are includable under s. 1504(b) of the Internal Revenue Code and whose members are eligible to file a consolidated tax return for federal corporate income tax purposes and any parent or subsidiary corporation in the affiliated group has nexus with this state on one or more of the bases described in paragraphs (a)-(j) or paragraph (l).~~; or~~

(l) The dealer or the dealer's activities, ~~have sufficient connection with or relationship to this state or its residents of some type~~ other than those described in paragraphs (a)-(k), result in making a substantial number of remote sales under subsection (3) ~~to create nexus empowering this state to tax its mail order sales or to require the dealer to collect sales tax or accrue use tax~~.

(3)(a) Every person ~~dealer~~ engaged in the business of

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making a substantial number of remote ~~mail order~~ sales is a dealer for purposes of this chapter ~~subject to the requirements of this chapter for cooperation of dealers in collection of taxes and in administration of this chapter, except that no fee shall be imposed upon such dealer for carrying out any required activity~~.

(b) As used in this section, the term "making a substantial number of remote sales" means:

1. Conducting 200 or more retail sales of tangible personal property in the previous calendar year to be delivered to a location within this state; or

2. Conducting any number of retail sales of tangible personal property in an amount exceeding $100,000 in the previous calendar year to be delivered to a location within this state.

For purposes of this paragraph, tangible personal property delivered to a location within this state is presumed to be used, consumed, distributed, or stored to be used or consumed in this state.

(4) The department shall, with the consent of another jurisdiction of the United States whose cooperation is needed, enforce this chapter in that jurisdiction, either directly or, at the option of that jurisdiction, through its officers or employees.

(5) The tax required under this section to be collected and any amount unreturned to a purchaser that is not tax but was collected from the purchaser under the representation that it was tax constitute funds of the State of Florida from the moment

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of collection.

(6) ~~Notwithstanding other provisions of law, a dealer who makes a mail order sale in this state is exempt from collecting and remitting any local option surtax on the sale, unless the dealer is located in a county that imposes a surtax within the meaning of s. 212.054(3)(a), the order is placed through the dealer's location in such county, and the property purchased is delivered into such county or into another county in this state that levies the surtax, in which case the provisions of s. 212.054(3)(a) are applicable.~~

~~(7)~~ The department may establish by rule procedures for collecting the use tax from unregistered persons who but for their remote ~~mail order~~ purchases would not be required to remit sales or use tax directly to the department. The procedures may provide for waiver of registration, provisions for irregular remittance of tax, elimination of the collection allowance, and nonapplication of local option surtaxes.

Section 5. Effective October 1, 2020, section 212.05965, Florida Statutes, is created to read:

212.05965 Taxation of marketplace sales.—

(1) As used in this section, the term:

(a) "Marketplace" means any physical place or electronic medium through which tangible personal property is offered for sale.

(b) "Marketplace provider" means a person who facilitates a retail sale by a marketplace seller by listing or advertising for sale by the marketplace seller tangible personal property in a marketplace, and who directly, or indirectly through agreements or arrangements with third parties, collects payment

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from the customer and transmits the payment to the marketplace seller, regardless of whether the marketplace provider receives compensation or other consideration in exchange for its services.

1. The term does not include a person who solely provides travel agency services. As used in this subparagraph, the term "travel agency services" means arranging, booking, or otherwise facilitating for a commission, fee, or other consideration vacation or travel packages, rental cars, or other travel reservations; tickets for domestic or foreign travel by air, rail, ship, bus, or other mode of transportation; or hotel or other lodging accommodations.

2. The term does not include a person who is a delivery network company unless the delivery network company is a registered dealer for purposes of this chapter and the delivery network company notifies all local merchants that sell through the delivery network company's website or mobile application that the delivery network company is subject to the requirements of a marketplace provider under this section. As used in this subparagraph, the term:

a. "Delivery network company" means a person who maintains a website or mobile application used to facilitate delivery services, the sale of local products, or both.

b. "Delivery network courier" means an individual who provides delivery services through a delivery network company website or mobile application using a personal means of transportation, such as a motor vehicle as defined in s. 320.01(1), bicycle, scooter, or other similar means of transportation; using public transportation; or by walking.

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c. "Delivery services" means the pickup and delivery by a delivery network courier of one or more local products from a local merchant to a customer, which may include the selection, collection, and purchase of the local product in connection with the delivery. The term does not include any delivery requiring more than 75 miles of travel from the local merchant to the customer.

d. "Local merchant" means a kitchen, restaurant, or a third-party merchant, including a grocery store, retail store, convenience store, or business of another type, which is not under common ownership or control of the delivery network company.

e. "Local product" means any tangible personal property, including food, but excluding freight, mail, or a package to which postage has been affixed.

(c) "Marketplace seller" means a person who has an agreement with a marketplace provider and who makes retail sales of tangible personal property through a marketplace owned, operated, or controlled by the marketplace provider.

(2) Every marketplace provider that has a physical presence in this state or that is making or facilitating through a marketplace a substantial number of remote sales as defined in s. 212.0596(3)(b) is subject to the requirements imposed by this chapter on dealers for registration and for the collection and remittance of taxes.

(3) A marketplace provider shall certify to its marketplace sellers that it will collect and remit the tax imposed under this chapter on taxable retail sales made through the marketplace. Such certification may be included in the agreement

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between the marketplace provider and marketplace seller.

(4)(a) A marketplace seller may not collect and remit the tax under this chapter on a taxable retail sale when the sale is made through the marketplace and the marketplace provider certifies, as required under subsection (3), that it will collect and remit such tax. A marketplace seller shall exclude such sales made through the marketplace from the marketplace seller's tax return under s. 212.11.

(b)1. A marketplace seller that has a physical presence in this state shall register and shall collect and remit the tax imposed under this chapter on all taxable retail sales made outside of the marketplace.

2. A marketplace seller making a substantial number of remote sales as defined in s. 212.0596(3)(b) shall register and shall collect and remit the tax imposed under this chapter on all taxable retail sales made outside of the marketplace. Sales made through the marketplace are not considered for the purposes of determining whether the seller has made a substantial number of remote sales.

(5)(a) A marketplace provider shall allow the department to examine and audit its books and records pursuant to s. 212.13. For retail sales facilitated through a marketplace, the department may not examine or audit the books and records of marketplace sellers, nor may the department assess marketplace sellers except to the extent the marketplace provider seeks relief under paragraph (b). The department may examine, audit, and assess a marketplace seller for retail sales made outside of the marketplace under paragraph (4)(b).

(b) The marketplace provider is relieved of liability for

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the tax on the retail sale and the marketplace seller or customer is liable for the tax imposed under this chapter if the marketplace provider demonstrates to the department's satisfaction that the marketplace provider made a reasonable effort to obtain accurate information related to the retail sales facilitated through the marketplace from the marketplace seller, but that the failure to collect and pay the correct amount of tax imposed under this chapter was due to the marketplace seller providing incorrect or incomplete information to the marketplace provider. This paragraph does not apply to a retail sale for which the marketplace provider is the seller if the marketplace provider and marketplace seller are related parties or if transactions between a marketplace seller and marketplace buyer are not conducted at arm's length.

(6) For purposes of registration pursuant to s. 212.18, a marketplace is deemed a separate place of business.

(7) A marketplace provider and marketplace seller may agree by contract or otherwise that if a marketplace provider pays the tax imposed under this chapter on a retail sale facilitated through a marketplace for a marketplace seller as a result of an audit or otherwise, the marketplace provider has the right to recover such tax and any associated interest and penalties from the marketplace seller.

(8) Consistent with s. 213.21, the department may settle and compromise any tax, interest, or penalty assessed on retail sales conducted through a marketplace.

(9) For purposes of this section, the limitations in ss. 213.30(3) and 213.756(2) apply.

(10) This section may not be construed to authorize the

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state to collect sales tax from both the marketplace provider and the marketplace seller on the same retail sale.

Section 6. Paragraph (c) of subsection (2) and paragraph (a) of subsection (5) of section 212.06, Florida Statutes, are amended to read:

212.06 Sales, storage, use tax; collectible from dealers; "dealer" defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(2)

(c) The term "dealer" is further defined to mean every person, as used in this chapter, who sells at retail or who offers for sale at retail, or who has in his or her possession for sale at retail; or for use, consumption, or distribution; or for storage to be used or consumed in this state, tangible personal property as defined herein, including a retailer who transacts a remote ~~mail order~~ sale or who is a marketplace provider under s. 212.05965.

(5)(a)1. Except as provided in subparagraph 2., it is not the intention of this chapter to levy a tax upon tangible personal property imported, produced, or manufactured in this state for export, provided that tangible personal property may not be considered as being imported, produced, or manufactured for export unless the importer, producer, or manufacturer delivers the same to a licensed exporter for exporting or to a common carrier for shipment outside the state or mails the same by United States mail to a destination outside the state; or, in the case of aircraft being exported under their own power to a destination outside the continental limits of the United States, by submission to the department of a duly signed and validated

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United States customs declaration, showing the departure of the aircraft from the continental United States; and further with respect to aircraft, the canceled United States registry of said aircraft; or in the case of parts and equipment installed on aircraft of foreign registry, by submission to the department of documentation, the extent of which shall be provided by rule, showing the departure of the aircraft from the continental United States; nor is it the intention of this chapter to levy a tax on any sale which the state is prohibited from taxing under the Constitution or laws of the United States. Every retail sale made to a person physically present at the time of sale shall be presumed to have been delivered in this state.

2.a. Notwithstanding subparagraph 1., a tax is levied on each sale of tangible personal property to be transported to a cooperating state as defined in sub-subparagraph c., at the rate specified in sub-subparagraph d. However, a Florida dealer will be relieved from the requirements of collecting taxes pursuant to this subparagraph if the Florida dealer obtains from the purchaser an affidavit setting forth the purchaser's name, address, state taxpayer identification number, and a statement that the purchaser is aware of his or her state's use tax laws, is a registered dealer in Florida or another state, or is purchasing the tangible personal property for resale or is otherwise not required to pay the tax on the transaction. The department may, by rule, provide a form to be used for the purposes set forth herein.

b. For purposes of this subparagraph, "a cooperating state" is one determined by the executive director of the department to cooperate satisfactorily with this state in collecting taxes on

AMERICAN OVERSIGHT

remote ~~mail order~~ sales. No state shall be so determined unless it meets all the following minimum requirements:

(I) It levies and collects taxes on remote ~~mail order~~ sales of property transported from that state to persons in this state, as described in s. 212.0596, upon request of the department.

(II) The tax so collected shall be at the rate specified in s. 212.05, not including any local option or tourist or convention development taxes collected pursuant to s. 125.0104 or this chapter.

(III) Such state agrees to remit to the department all taxes so collected no later than 30 days from the last day of the calendar quarter following their collection.

(IV) Such state authorizes the department to audit dealers within its jurisdiction who make remote ~~mail order~~ sales that are the subject of s. 212.0596, or makes arrangements deemed adequate by the department for auditing them with its own personnel.

(V) Such state agrees to provide to the department records obtained by it from retailers or dealers in such state showing delivery of tangible personal property into this state upon which no sales or use tax has been paid in a manner similar to that provided in sub-subparagraph g.

c. For purposes of this subparagraph, "sales of tangible personal property to be transported to a cooperating state" means remote ~~mail order~~ sales to a person who is in the cooperating state at the time the order is executed, from a dealer who receives that order in this state.

d. The tax levied by sub-subparagraph a. shall be at the

AMERICAN OVERSIGHT

rate at which such a sale would have been taxed pursuant to the cooperating state's tax laws if consummated in the cooperating state by a dealer and a purchaser, both of whom were physically present in that state at the time of the sale.

e. The tax levied by sub-subparagraph a., when collected, shall be held in the State Treasury in trust for the benefit of the cooperating state and shall be paid to it at a time agreed upon between the department, acting for this state, and the cooperating state or the department or agency designated by it to act for it; however, such payment shall in no event be made later than 30 days from the last day of the calendar quarter after the tax was collected. Funds held in trust for the benefit of a cooperating state shall not be subject to the service charges imposed by s. 215.20.

f. The department is authorized to perform such acts and to provide such cooperation to a cooperating state with reference to the tax levied by sub-subparagraph a. as is required of the cooperating state by sub-subparagraph b.

g. In furtherance of this act, dealers selling tangible personal property for delivery in another state shall make available to the department, upon request of the department, records of all tangible personal property so sold. Such records shall include a description of the property, the name and address of the purchaser, the name and address of the person to whom the property was sent, the purchase price of the property, information regarding whether sales tax was paid in this state on the purchase price, and such other information as the department may by rule prescribe.

Section 7. Paragraph (a) of subsection (1) and paragraph

AMERICAN OVERSIGHT

(a) of subsection (5) of section 212.12, Florida Statutes, are amended to read:

212.12 Dealer's credit for collecting tax; penalties for noncompliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(1)(a)~~1.~~ Notwithstanding any other law and for the purpose of compensating persons granting licenses for and the lessors of real and personal property taxed hereunder, for the purpose of compensating dealers in tangible personal property, for the purpose of compensating dealers providing communication services and taxable services, for the purpose of compensating owners of places where admissions are collected, and for the purpose of compensating remitters of any taxes or fees reported on the same documents utilized for the sales and use tax, as compensation for the keeping of prescribed records, filing timely tax returns, and the proper accounting and remitting of taxes by them, such seller, person, lessor, dealer, owner, and remitter ~~(except dealers who make mail order sales)~~ who files the return required pursuant to s. 212.11 only by electronic means and who pays the amount due on such return only by electronic means shall be allowed 2.5 percent of the amount of the tax due, accounted for, and remitted to the department in the form of a deduction. However, if the amount of the tax due and remitted to the department by electronic means for the reporting period exceeds $1,200, an allowance is not allowed for all amounts in excess of $1,200. For purposes of this paragraph ~~subparagraph~~, the term "electronic means" has the same meaning as provided in s. 213.755(2)(c).

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FL-SEN-20-0201A-000632

~~2. The executive director of the department is authorized to negotiate a collection allowance, pursuant to rules promulgated by the department, with a dealer who makes mail order sales. The rules of the department shall provide guidelines for establishing the collection allowance based upon the dealer's estimated costs of collecting the tax, the volume and value of the dealer's mail order sales to purchasers in this state, and the administrative and legal costs and likelihood of achieving collection of the tax absent the cooperation of the dealer. However, in no event shall the collection allowance negotiated by the executive director exceed 10 percent of the tax remitted for a reporting period.~~

(5)(a) The department is authorized to audit or inspect the records and accounts of dealers defined herein, including audits or inspections of dealers who make remote ~~mail order~~ sales ~~to the extent permitted by another state~~, and to correct by credit any overpayment of tax, and, in the event of a deficiency, an assessment shall be made and collected. No administrative finding of fact is necessary prior to the assessment of any tax deficiency.

Section 8. Paragraph (f) of subsection (3) of section 212.18, Florida Statutes, is amended to read:

212.18 Administration of law; registration of dealers; rules.—

(3)

(f) As used in this paragraph, the term "exhibitor" means a person who enters into an agreement authorizing the display of tangible personal property or services at a convention or a trade show. The following provisions apply to the registration

AMERICAN OVERSIGHT

of exhibitors as dealers under this chapter:

1. An exhibitor whose agreement prohibits the sale of tangible personal property or services subject to the tax imposed in this chapter is not required to register as a dealer.

2. An exhibitor whose agreement provides for the sale at wholesale only of tangible personal property or services subject to the tax imposed by this chapter must obtain a resale certificate from the purchasing dealer but is not required to register as a dealer.

3. An exhibitor whose agreement authorizes the retail sale of tangible personal property or services subject to the tax imposed by this chapter must register as a dealer and collect the tax on such sales.

4. An exhibitor who makes a remote ~~mail order~~ sale pursuant to s. 212.0596 must register as a dealer.

A person who conducts a convention or a trade show must make his or her exhibitor's agreements available to the department for inspection and copying.

Section 9. For the purpose of incorporating the amendment made by this act to section 212.0596, Florida Statutes, in a reference thereto, subsection (4) of section 212.20, Florida Statutes, is reenacted to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(4) When there has been a final adjudication that any tax pursuant to s. 212.0596 was levied, collected, or both, contrary to the Constitution of the United States or the State

AMERICAN OVERSIGHT

Constitution, the department shall, in accordance with rules, determine, based upon claims for refund and other evidence and information, who paid such tax or taxes, and refund to each such person the amount of tax paid. For purposes of this subsection, a "final adjudication" is a decision of a court of competent jurisdiction from which no appeal can be taken or from which the official or officials of this state with authority to make such decisions has or have decided not to appeal.

Section 10. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering this act.

(2) Notwithstanding any other law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section shall take effect upon this act becoming a law and expires July 1, 2021.

Section 11. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 12. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Monday, December 02, 2019 3:41 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Action Required – New College of Florida Multi-Purpose Building - Senator Joe Gruters
Attachment(s): "LFIR New College of Florida Multi-Purpose Building.pdf"

Notification of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

Please note that the following Local Funding Initiative Request, sponsored by **Senator Joe Gruters**, is available for publishing to the Senate website (flsenate.gov):

New College of Florida Multi-Purpose Building

Attached is a copy of the appropriations project information that is available for publishing.

If you approve of the information on the attached document, you can finalize submission by clicking on this request from your Local Funding Initiative Request Dashboard, then click publish.

Please contact the Senate Appropriations Committee at 850-487-5140 if you have any questions.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 10758

1. **Project Title** New College of Florida Multi-Purpose Building

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 12/02/2019

4. **Project/Program Description**

These funds will provide for the planning and design of new, multi-purpose facilities space to support enrollment growth at New College to 1200 students (approximately a 50% increase in enrollment). This project – the highest priority for New College and the third highest priority for the State University System as well – will provide approximately 107,000 square feet of space to support academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

5. **State Agency to receive requested funds** Board of Governors

State Agency contacted? (•) Yes ( ) No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	000
Fixed Capital Outlay	6,000,000
Total State Funds Requested	6,000,000

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	6000000	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	6,000,000	100 %

8. **Has this project previously received state funding?** ( ) Yes (•) No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** (•) Yes ( ) No

If yes, indicate nonrecurring amount per year. 17,400,000

AMERICAN OVERSIGHT

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits		
Other Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Operational Costs: Other		
Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering	Preparation of architectural design, engineering, and per-construction bid documents and permits.	6,000,000
Total State Funds Requested (must equal total from question #6)		6,000,000

AMERICAN OVERSIGHT

11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

These funds will provide for the planning and design of new, multi-purpose facilities space to support enrollment growth at New College to 1200 students (approximately a 50% increase in enrollment). This project -- the highest priority for New College and the second highest priority for the State University System as well -- will provide approximately 107,000 square feet of space to support academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

b. What activities and services will be provided to meet the intended purpose of these funds?

Preparation of architectural design, engineering, and pre-construction bid documents and permits.

c. What direct services will be provided to citizens by the appropriation project?

The new facilities space will allow New College to grow to 1,200 students and reach an 80% four-year graduation rate. This will result in an extra 100 New College graduates per year, providing critical human capital the state needs. The new facilities will provide space for academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

d. Who is the target population served by this project? How many individuals are expected to be served?

University students (1,200), plus faculty and support staff.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

Growing to 1,200 students and reaching an 80% four-year graduation rate will result in an extra 100 New College graduates per year. The 80% graduation rate will propel New College into the premier tier of all public and private liberal arts colleges in the country. Part of increasing the graduation rate focuses on increasing retention. The cost of educating first year undergraduates at NCF who do not begin a second year is estimated to be $1.2 million. Increasing the retention rate to hit hit a 4-year graduation rate of 80% will reduce those costs by more than half.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Withholding state funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 10758

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

New College of Florida

13. **Requestor Contact Information**

a. First Name: Donal Last Name: O'Shea

b. Organization: New College of Florida

c. E-mail Address: doshea@ncf.edu

d. Phone Number: (941)487-4100 Ext.

14. **Recipient Contact Information**

a. Organization: New College of Florida

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ○ Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ● University or College
- ○ Other (please specify)

d. First Name: Donal Last Name: O'Shea

e. E-mail Address: doshea@ncf.edu

f. Phone Number: (941)487-4100

15. **Lobbyist Contact Information**

a. Name: Chris Schoonover

b. Firm Name: Capital City Consulting

c. E-mail Address: Chris@cccfla.com

d. Phone Number: (850)222-9075 Ext.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Tuesday, November 05, 2019 3:15 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Action Required – See Something-Say Something - Returned to District - Senator Joe Gruters
Attachment(s): "LFIR See Something-Say Something.pdf"

Notification of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

Please note that the following Local Funding Initiative Request, been returned for updates/corrections:

See Something-Say Something

Please contact the Senate Appropriations Committee at 850-487-5140 if you have any questions.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

1. **Project Title** See Something-Say Something

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 10/24/2019

4. **Project/Program Description**

First Step of Sarasota in conjunction with the Sarasota School District providing a comprehensive school based program. Service components include health promotion; attention to students at risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure, suspension or dropping out; early problem identification, referral, and intervention fo studentrs exhibiting problem behaviors. Working with a Student Assistance Specialist to partner with students, families, parents, school resorce officers, school faculty and community agencies in seeking to remove barriers that impede student success Making sue that students and families have early access to referrals for additional services both social and emotional health. Providing high quality prevention and intervention programs to support safe environment for all students and faculty.

5. **State Agency to receive requested funds** Department of Education

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	823,807
Fixed Capital Outlay	000
Total State Funds Requested	823,807

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	823807	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	823,807	100 %

8. **Has this project previously received state funding?** ○ Yes ◉ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** ○ Yes ◉ No

If yes, indicate nonrecurring amount per year. to be determinded

AMERICAN OVERSIGHT

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits	1 School Board of Sarasota County, FL Project Manager Salary and Benefits	104,376
Other Salary and Benefits	1 Project Manager	75,000
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study	Project Evaluation	20,000
Operational Costs: Other		
Salary and Benefits	4 HS and 1 Second Chance School Student Assistance Program Specialists 5 tMHFA Coordinators Benefits	581,250
Expense/Equipment/ Travel/Supplies/Other	Microsoft Surface Laptops (11 X $799 each) Cell Phones (11 phones @ $30/month X 12 months) Local Travel 1200 Miles a month X 12 months X $.405/mile Consumable Supplies $300/month X 12 months	22,181
Consultants/Contracted Services/Study	Teen Mental Health First Aid Train the Trainer-Training $3000/person X 5 Coordinators 1 Project Director and Travel (flight, room and board) est. $1200/person X 5 Coordinators and 1 Project Director	21,000
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		823,807

AMERICAN OVERSIGHT

11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

To provide high quality prevention and intervention programs to support a safe learning environment for all students and faculty. To provide early substance abuse and mental health prevention and intervention services to students. To develop collaborative relationships with community partners to better serve students.

b. What activities and services will be provided to meet the intended purpose of these funds?

Service components of the program include health promotion for the general student body; attention to students who are at specie risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure suspension,, or dropping out; and early problem identification, referral, and intervention for students exhibiting problem behaviors.

c. What direct services will be provided to citizens by the appropriation project?

Making available a Student Assistance Specialisty to identify and refer students to services/specialists specific to the needs of the student to address their issues.

d. Who is the target population served by this project? How many individuals are expected to be served?

The Sarasota School District for students in 9th through 12th grade.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

To assure that the students and faculty by using effective practices, principle, and strategies will remove barriers that impede students success. The overall evaluation will be the cooperative responsibility of the Office of Research and Evaluation, the Sarasota School Board and the Student Assistance Program Coordinator and/or First Step Program Director, and a contracter external evaluation.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Either to re-write the program or shut the program down and return unused funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: David Last Name: Beesley

b. Organization: First Step of Saraota

c. E-mail Address: dbeesley@fsos.org

d. Phone Number: (941)366-5333 Ext.

14. **Recipient Contact Information**

a. Organization: First Step of Saraota

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ● Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ○ University or College
- ○ Other (please specify)

d. First Name: David Last Name: Beesley

e. E-mail Address: dbeesley@fsos.org

f. Phone Number: (941)366-5333

15. **Lobbyist Contact Information**

a. Name: Carole Green

b. Firm Name: Capitol Strategies Consulting Inc.

c. E-mail Address: Carole@capitolstrategiesinc.com

d. Phone Number: (850)590-2206 Ext.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Tuesday, November 05, 2019 3:18 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Action Required – See Something-Say Something - Returned to District - Senator Joe Gruters
Attachment(s): "LFIR See Something-Say Something.pdf"

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See Something-Say Something

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AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

1. **Project Title** See Something-Say Something

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 10/24/2019

4. **Project/Program Description**

First Step of Sarasota in conjunction with the Sarasota School District providing a comprehensive school based program. Service components include health promotion; attention to students at risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure, suspension or dropping out; early problem identification, referral, and intervention fo studentrs exhibiting problem behaviors. Working with a Student Assistance Specialist to partner with students, families, parents, school resorce officers, school faculty and community agencies in seeking to remove barriers that impede student success Making sue that students and families have early access to referrals for additional services both social and emotional health. Providing high quality prevention and intervention programs to support safe environment for all students and faculty.

5. **State Agency to receive requested funds** Department of Education

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	823,807
Fixed Capital Outlay	000
Total State Funds Requested	823,807

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	823807	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	823,807	100 %

8. **Has this project previously received state funding?** ○ Yes ◉ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** ○ Yes ◉ No

If yes, indicate nonrecurring amount per year. to be determinded

AMERICAN OVERSIGHT

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
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Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		823,807

AMERICAN OVERSIGHT

11. **Program Performance**

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b. What activities and services will be provided to meet the intended purpose of these funds?

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c. What direct services will be provided to citizens by the appropriation project?

Making available a Student Assistance Specialisty to identify and refer students to services/specialists specific to the needs of the student to address their issues.

d. Who is the target population served by this project? How many individuals are expected to be served?

The Sarasota School District for students in 9th through 12th grade.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

To assure that the students and faculty by using effective practices, principle, and strategies will remove barriers that impede students success. The overall evaluation will be the cooperative responsibility of the Office of Research and Evaluation, the Sarasota School Board and the Student Assistance Program Coordinator and/or First Step Program Director, and a contracter external evaluation.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Either to re-write the program or shut the program down and return unused funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: David Last Name: Beesley

b. Organization: First Step of Saraota

c. E-mail Address: dbeesley@fsos.org

d. Phone Number: (941)366-5333 Ext.

14. **Recipient Contact Information**

a. Organization: First Step of Saraota

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ● Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ○ University or College
- ○ Other (please specify)

d. First Name: David Last Name: Beesley

e. E-mail Address: dbeesley@fsos.org

f. Phone Number: (941)366-5333

15. **Lobbyist Contact Information**

a. Name: Carole Green

b. Firm Name: Capitol Strategies Consulting Inc.

c. E-mail Address: Carole@capitolstrategiesinc.com

d. Phone Number: (850)590-2206 Ext.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Tuesday, November 05, 2019 4:15 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Action Required – See Something-Say Something - Senator Joe Gruters
Attachment(s): "LFIR See Something-Say Something.pdf"

Notification of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

Please note that the following Local Funding Initiative Request, sponsored by **Senator Joe Gruters**, is available for publishing to the Senate website (flsenate.gov):

See Something-Say Something

Attached is a copy of the appropriations project information that is available for publishing.

If you approve of the information on the attached document, you can finalize submission by clicking on this request from your Local Funding Initiative Request Dashboard, then click publish.

Please contact the Senate Appropriations Committee at 850-487-5140 if you have any questions.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

1. **Project Title** See Something-Say Something

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 10/24/2019

4. **Project/Program Description**

First Step of Sarasota in conjunction with the Sarasota School District providing a comprehensive school based program. Service components include health promotion; attention to students at risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure, suspension or dropping out; early problem identification, referral, and intervention fo studentrs exhibiting problem behaviors. Working with a Student Assistance Specialist to partner with students, families, parents, school resorce officers, school faculty and community agencies in seeking to remove barriers that impede student success Making sue that students and families have early access to referrals for additional services both social and emotional health. Providing high quality prevention and intervention programs to support safe environment for all students and faculty.

5. **State Agency to receive requested funds** Department of Education

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	823,807
Fixed Capital Outlay	000
Total State Funds Requested	823,807

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	823807	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	823,807	100 %

8. **Has this project previously received state funding?** ○ Yes ◉ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** ○ Yes ◉ No

If yes, indicate nonrecurring amount per year. to be determinded

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10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits	1 School Board of Sarasota County, FL Project Manager Salary and Benefits	104,376
Other Salary and Benefits	1 Project Manager	93,750
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study	Project Evaluation	20,000
Operational Costs: Other		
Salary and Benefits	4 HS and 1 Second Chance School Student Assistance Program Specialists 5 tMHFA Coordinators Benefits	562,500
Expense/Equipment/ Travel/Supplies/Other	Microsoft Surface Laptops (11 X $799 each) Cell Phones (11 phones @ $30/month X 12 months) Local Travel 1200 Miles a month X 12 months X $.405/mile Consumable Supplies $300/month X 12 months	22,181
Consultants/Contracted Services/Study	Teen Mental Health First Aid Train the Trainer-Training $3000/person X 5 Coordinators 1 Project Director and Travel (flight, room and board) est. $1200/person X 5 Coordinators and 1 Project Director	25,200
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		823,807

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11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

To provide high quality prevention and intervention programs to support a safe learning environment for all students and faculty. To provide early substance abuse and mental health prevention and intervention services to students. To develop collaborative relationships with community partners to better serve students.

b. What activities and services will be provided to meet the intended purpose of these funds?

Service components of the program include health promotion for the general student body; attention to students who are at specie risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure suspension,, or dropping out; and early problem identification, referral, and intervention for students exhibiting problem behaviors.

c. What direct services will be provided to citizens by the appropriation project?

Making available a Student Assistance Specialisty to identify and refer students to services/specialists specific to the needs of the student to address their issues.

d. Who is the target population served by this project? How many individuals are expected to be served?

The Sarasota School District for students in 9th through 12th grade.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

To assure that the students and faculty by using effective practices, principle, and strategies will remove barriers that impede students success. The overall evaluation will be the cooperative responsibility of the Office of Research and Evaluation, the Sarasota School Board and the Student Assistance Program Coordinator and/or First Step Program Director, and a contracter external evaluation.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Either to re-write the program or shut the program down and return unused funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: David Last Name: Beesley

b. Organization: First Step of Saraota

c. E-mail Address: dbeesley@fsos.org

d. Phone Number: (941)366-5333 Ext.

14. **Recipient Contact Information**

a. Organization: First Step of Saraota

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
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- ○ Non-Profit 501(c) (4)
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a. Name: Carole Green

b. Firm Name: Capitol Strategies Consulting Inc.

c. E-mail Address: Carole@capitolstrategiesinc.com

d. Phone Number: (850)590-2206 Ext.

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From: Florida Trend <news@floridatrend.com>
Sent: Thursday, January 23, 2020 2:01 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Afternoon Update: By renting their homes, Floridians will make $24 million as the Super Bowl comes to town

Florida Trend

Subscribe to: Florida Trend

Florida Trend Afternoon Update

Thursday, January 23, 2020

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By renting their homes, Floridians will make $24 million as the Super Bowl comes to town

During last year's Super Bowl, one in four hosts who rented out their homes on Airbnb were doing so for the first time. It's safe to expect more of the same this year, as about 61,000 guests fill rooms in South Florida.

Florida House supports asking voters to repeal state's Constitution Revision Commission

The state House approved a proposal that would ask Florida voters in November to eliminate a powerful panel that placed seven constitutional amendments on the 2018 ballot — all of which passed.

Florida gas prices on the decline after 2020 record high

Gas prices in Florida jumped to a new 2020 high of $2.56 per gallon on Wednesday but have since declined 4 cents.

Human trafficking continues to be a growing problem in Florida

Florida has been known as a hotbed for human trafficking because of the state's economy. Florida's booming agriculture and tourism industries are two industries where trafficking can flourish.

Sysco's FreshPoint Central Florida distribution center to add 150 jobs after doubling size

A produce distribution center south of Orlando has doubled in size and is expected to add 150 jobs by 2029.

Best Companies To Work For In Florida

Last chance to join the winner list! Florida Trend's Best Companies To Work For In Florida program is a great way to find out how your company ranks. Participation is FREE, and you'll receive a benchmark summary just for participating. Registration closes on Friday, January 24th so sign up today at BestCcompaniesFL.com

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Entertainment

Florida's hidden gems: Under-the-radar places worth checking out in the Sunshine State

See a list of some of Florida's hidden gems, those tiny towns and under-the-radar spots you might never have heard of but are worth checking out. **More...**

Profile

Brian Kornfeld

National buzz over Tampa's arrival as a go-to region for tech startups and companies continues to percolate. Brian Kornfeld has played a key role in the rise. **More...**

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St. Petersburg, FL 33701
(727) 821-5800

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From: Brill, Victoria
Sent: Thursday, February 06, 2020 9:49 PM EST
To: Hebrank, Kari B. <KHebrank@carltonfields.com>; Carlos Cruz <cruz@convergegov.com>
Subject: amendmentdraft77275
Attachment(s): "amendmentdraft77275.DOCX"

Hi Kari/Carlos,

Please see the attached draft language for SB 1102. The drafter also recommended the language on lines 13-15 of this draft to mirror the same phrase we use in the bill on line 28.

Please let me know ASAP if this is ok.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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LEGISLATIVE ACTION

Senate . House

. . . . .

The Committee on Community Affairs (Gruters) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 17 and 18
insert:

(d) Any person who is not required to obtain registration or certification pursuant to s. 489.105(3)(d)-(o) may perform contracting services for the construction, remodeling, repair, or improvement of single-family residences, including a townhouse as defined in the Florida Building Code, and clubhouses or recreation buildings in a residential development without obtaining a local license if such person is under the

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supervision of a certified or registered general, building, or residential contractor. Such ~~As used in this paragraph,~~ supervision does not ~~shall not be deemed to~~ require ~~the existence of~~ a direct contract between the certified or registered general, building, or residential contractor and the person performing specialty contracting services.

====== D I R E C T O R Y C L A U S E A M E N D M E N T ======
And the directory clause is amended as follows:

Delete lines 14 - 15

and insert:

Section 1. Paragraph (d) of subsection (4) of section 489.117, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

================ T I T L E A M E N D M E N T ================
And the title is amended as follows:

Delete line 3

and insert:

amending s. 489.117, F.S.; revising the types of buildings for which individuals who are not required to obtain certain registrations or certifications may perform contracting services without a local license; authorizing certain persons

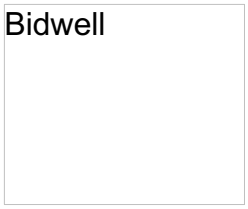
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From: NCSL Capitol Forum <events@ncsl.org>
Sent: Monday, November 18, 2019 8:37 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Arizona Cardinals President to Address NCSL Capitol Forum - Final Days to Save!

Forum

One More Day to Save on Registration!

Leadership Through the Lens of Arizona Cardinals President



Michael Bidwell, president of the Arizona Cardinals, will share his game plan for leadership both on and off the field. Away from the front office, Bidwell is Chairman-elect of Greater Phoenix Leadership and past Chairman of the Greater Phoenix Economic Council. He also serves on the boards of the Arizona Commerce Authority, Arizona Super Bowl Host Committee and the Pat Tillman Foundation.

Prepare for the 2020 Legislative Session

In addition to huddling up with an NFL president, this year's NCSL Capitol Forum offers a full agenda that covers the issues that matter the most to your state. Here are just a few can't-miss sessions:

- The State of Redistricting: An Overview
- Arming School Personnel: The Pros and Cons
- It's Go Time for the Census: Counting Down to 2020
- State Actions on Student Loan Oversight: Dollars and Sense
- Supreme Court Preview: Get Briefed on All the Hot Issues

Register by Nov. 19 to save!

Register Now **View Agenda**

Placeholder

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National Conference of State Legislatures
Denver: 303-364-7700
Washington: 202-624-5400

Unsubscribe from these messages.

7700 East First Place, Denver, CO 80230

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From: FLAUDGEN_AUDRPT <FLAUDGEN_AUDRPT@aud.state.fl.us>
Sent: Tuesday, November 26, 2019 4:01 PM EST
To: !HSE All House Members <HSEAllHouseMembers@myfloridahouse.gov>; !HSE Committee Staff Directors <HSECommitteeStaffDirectors@myfloridahouse.gov>; Meyer, Reynold <MEYER.REYNOLD@flsenate.gov>; Brown, Debbie <BROWN.DEBBIE@flsenate.gov>; JLAC <jlac@leg.state.fl.us>; Senate Staff Directors <SenateStaffDirectors@flsenate.gov>; Davila, Michelle <Michelle.Davila@myfloridahouse.gov>; Senators – All <Senators-All@leg.state.fl.us>; Vickers, Lisa <VICKERS.LISA@flsenate.gov>; Gormley, Carol <Carol.Gormley@myfloridahouse.gov>; Betta, Katherine <BETTA.KATHERINE@flsenate.gov>; Hamby, Tom <Tom.Hamby@myfloridahouse.gov>; Lewis, Celeste <Celeste.Lewis-Hemanes@myfloridahouse.gov>; Jones, Traci <Jones.Traci@flsenate.gov>; Dubose, Kathy <DUBOSE.KATHY@leg.state.fl.us>
CC: SHERRILL NORMAN <SHERRILLNORMAN@AUD.STATE.FL.US>; GREG CENTERS <GREGCENTERS@AUD.STATE.FL.US>; MATTHEW TRACY <MATTHEWTRACY@aud.state.fl.us>; JENNIFER BLANCA <JENNIFERBLANCA@AUD.STATE.FL.US>; CHRIS GOHLKE <CHRISGOHLKE@AUD.STATE.FL.US>; DAVID HUGHES <DAVIDHUGHES@AUD.STATE.FL.US>; MARILYN TENEWITZ <MARILYNTENEWITZ@AUD.STATE.FL.US>; KAREN VAN AMBURG <KARENVANAMBURG@aud.state.fl.us>; KATHRYN WALKER <KATHRYNWALKER@AUD.STATE.FL.US>; CHRISTI ALEXANDER <CHRISTIALEXANDER@AUD.STATE.FL.US>; LISA NORMAN <LISANORMAN@AUD.STATE.FL.US>; HEIDI BURNS <HEIDIBURNS@AUD.STATE.FL.US>; BRENDA SHINER <BRENDASHINER@AUD.STATE.FL.US>; MIKE YELVINGTON <MIKEYELVINGTON@AUD.STATE.FL.US>; BECKY MCGHEE <BECKYMCGHEE@AUD.STATE.FL.US>; AILEEN PETERSON <AILEENPETERSON@aud.state.fl.us>; KEN DANLEY <KENDANLEY@AUD.STATE.FL.US>; SHELLY CURTI <SHELLYCURTI@aud.state.fl.us>; GLENDA HART <GLENDAHART@AUD.STATE.FL.US>; RANDY AREND <RANDYAREND@AUD.STATE.FL.US>; MARK ARROYO <MARKARROYO@AUD.STATE.FL.US>; RACHEL SELLERS <RACHELSELLERS@AUD.STATE.FL.US>; MICAH RODGERS <MICAHRODGERS@AUD.STATE.FL.US>; JAIME HOELSCHER <JAIMEHOELSCHER@aud.state.fl.us>; TED WALLER <TEDWALLER@AUD.STATE.FL.US>; BRENDA RACIS <BRENDARACIS@AUD.STATE.FL.US>; TIM TUCKER <TIMTUCKER@AUD.STATE.FL.US>; DIANA GARZA <DIANAGARZA@aud.state.fl.us>; HECTOR QUEVEDO <HECTORQUEVEDO@aud.state.fl.us>; DENITA TYRE <DENITATYRE@AUD.STATE.FL.US>; KEITH WOLFE <KEITHWOLFE@AUD.STATE.FL.US>; DEREK NOONAN <DEREKNOONAN@AUD.STATE.FL.US>; MIKE GOMEZ <MIKEGOMEZ@AUD.STATE.FL.US>; ALLEN WEINER <ALLENWEINER@AUD.STATE.FL.US>; SAMANTHA PERRY <SAMANTHAPERRY@aud.state.fl.us>; BARRY BELL <BARRYBELL@AUD.STATE.FL.US>; JOSHUA BARRETT <JOSHUABARRETT@AUD.STATE.FL.US>; ANNA MCCORMICK <ANNAMCCORMICK@AUD.STATE.FL.US>; ULYSSES TURNER <ULYSSESTURNER@aud.state.fl.us>; BRUCE JEROSLOW <BRUCEJEROSLOW@aud.state.fl.us>; KATHERINE BUTLER <KATHERINEBUTLER@AUD.STATE.FL.US>; RAMON BOVER <RAMONBOVER@AUD.STATE.FL.US>; HILDA MORGAN <HILDAMORGAN@AUD.STATE.FL.US>; KELLEY LEWIS <KELLEYLEWIS@AUD.STATE.FL.US>; JAMES BEAUMONT <JAMESBEAUMONT@AUD.STATE.FL.US>; JACQUELINE BELL <JACQUELINEBELL@AUD.STATE.FL.US>
Subject: Auditor General Annual Report - 2019
Attachment(s): "2019 Annual Report.pdf"

The purpose of this e-mail is to provide an electronic copy of the 2019 Annual Report of the Auditor General. The Annual Report provides a summary of our audit and other accountability activities during the 12-month period November 1, 2018, through October 31, 2019. Pursuant to Section 11.45(7)(h), Florida Statutes, the Annual Report also includes recommended statutory and fiscal changes for consideration by the Legislature and our Projected 2-Year Work Plan identifying the audit and accountability activities expected to be undertaken during the 2020-2021 and 2021-2022 fiscal years.

The Annual Report may also be viewed on the Auditor General's Web site at FLAuditor.gov.

AMERICAN OVERSIGHT



ANNUAL REPORT

2019

November 1, 2018, Through October 31, 2019

AMERICAN OVERSIGHT

LEGISLATIVE AUDITING COMMITTEE
2018 – 2020

Alternating Chair
Senator Jeff Brandes

Senator Dennis Baxley

Senator Tom Lee

Senator Bill Montford

Senator Kevin Rader

Alternating Chair
Representative Jason Fischer

Representative Michael Caruso

Representative Chip LaMarca

Representative Sharon Pritchett

Representative Bob Rommel

Representative Jackie Toledo

Representative Patricia Williams

The Legislative Auditing Committee is established by Joint Rules of the Florida Legislature and its membership consists of members appointed from each house. The Committee may direct the Auditor General to conduct an audit, review, or examination of any entity or record as specified in Section 11.45(3), Florida Statutes. This includes State agencies, counties, municipalities, special districts, school districts, charter schools, and numerous other government organizations, as well as nongovernmental agencies, corporations, and persons who have received any appropriation made by the Legislature.

AMERICAN OVERSIGHT

AUDITOR GENERAL
STATE OF FLORIDA

Sherrill F. Norman, CPA
Auditor General

Claude Denson Pepper Building, Suite G74
111 West Madison Street
Tallahassee, Florida 32399-1450

Phone: (850) 412-2722
Fax: (850) 488-6975

November 26, 2019

The Honorable Bill Galvano
President of the Senate
409 The Capitol
Tallahassee, Florida 32399-1100

The Honorable Jose Oliva
Speaker of the House of Representatives
420 The Capitol
Tallahassee, Florida 32399-1300

Dear President Galvano and Speaker Oliva:

It is my privilege to provide the Auditor General's Annual Report for the period November 1, 2018, through October 31, 2019. In accordance with Section 11.45(7)(h), Florida Statutes, this Annual Report includes a list of statutory and fiscal changes recommended by the Auditor General for legislative consideration as well as our Projected 2-Year Work Plan identifying the audit and other accountability activities expected to be undertaken during the 2020-21 and 2021-22 fiscal years. Our Projected 2-Year Work Plan is a risk-based plan developed considering both the audit frequency requirements in State law and information obtained from the Legislature and other sources concerning areas of audit interest and operational risk.

This Annual Report also provides a brief description of our Office and highlights the audit and other accountability activities we performed during the 12-month period November 1, 2018, through October 31, 2019. These audits and activities include assignments made to our Office both in law and by legislative directive. During this period, our dedicated team of audit professionals and support staff issued over 220 reports, including reports related to operational, financial, and Federal awards audits, and attestation examination engagements of State and local governmental entities.

Pursuant to *Government Auditing Standards*, every 3 years our Office undergoes an independent external peer review of our Office's system of quality control. Last month, a team from the National State Auditors Association (NSAA) conducted such a review covering our reports issued during the period September 1, 2018, through August 31, 2019. I am pleased to inform you that our Office received a rating of "pass," which is the highest rating an audit organization can receive from an NSAA peer review team. A copy of the peer review team's report is included in this Annual Report and is also available for viewing on our Web site, FLAuditor.gov.

This year we commemorated our 50th year of auditing excellence for the benefit of Floridians and we will continue to work diligently to provide unbiased, timely, and relevant information the Legislature, Florida's citizens, public entity management, and other stakeholders can use to promote government accountability and stewardship and improve government operations. I am proud of what our staff have accomplished this past year and we greatly appreciate the Legislature's continued interest in our audit work and reports. Please let me know if you have any questions regarding this Annual Report or if we can be of any additional service to you in your service to the citizens of Florida.

Respectfully,

Sherrill F. Norman

Sherrill F. Norman

c: Members of the Senate and House
Chiefs of Staff
Committee Staff Directors

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-000667

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OUR OFFICE

The Auditor General is:

- ***A Constitutional Officer***
- ***A Legislative Officer***
- ***A Certified Public Accountant***
- ***The State's Independent External Auditor***

Our Vision

Excellence in auditing for the benefit of Floridians.

Our Core Values

- ***Integrity*** – Commitment to ethical conduct and truthfulness in all relationships.
- ***Independence and Objectivity*** – Being mindful of the reliance that is placed on our work and, therefore, taking a fact-based, nonpartisan, unbiased, fair, and balanced approach to all activities.
- ***Accountability*** – Holding ourselves accountable and being responsible for our actions, taking pride in our professionalism, striving for efficiency in our performance, and committing to the highest performance standards.

Our Mission

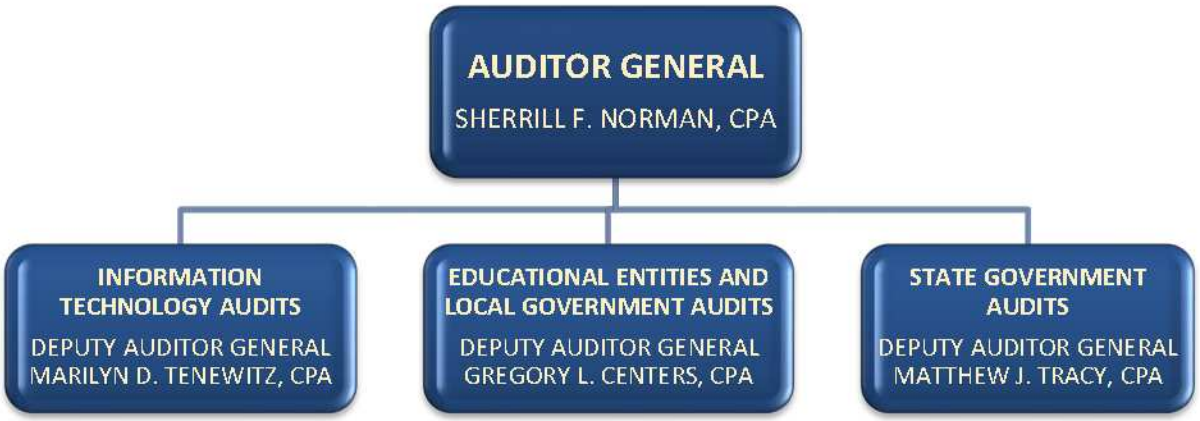
As the State's independent external auditor, the Auditor General provides unbiased, timely, and relevant information that the Legislature, Florida's citizens, public entity management, and other stakeholders can use to promote government accountability and stewardship and improve government operations. Specifically, the Auditor General:

- Audits financial statements to provide the Legislature and other users of financial statements independent assurance regarding the reliability of the financial statement information provided by government managers.
- Identifies and audits those operating units, programs, activities, functions, and transactions considered most vulnerable should a significant breakdown in internal control occur.
- Communicates, by an on-site presence and through examination, the Legislature's expectation that public entity management and employees are accountable for the proper administration of public funds and the achievement of entity objectives.
- Reports on whether expenditures of Federal, State, and local funds serve a public purpose and are made in compliance with applicable laws, rules, regulations, contracts, grant agreements, best practices, and other guidelines and whether government programs, activities, and functions are administered in an economic, efficient, and effective manner.
- Reports on whether governmental entities have established proper internal controls that reasonably ensure that financial reports and records are reliable; assets are safeguarded; and fraud, waste, abuse, and noncompliance are prevented or promptly detected and resolved.

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Our Organization

The organizational structure of the Auditor General's Office consists of three divisions: the State Government Audits Division, the Educational Entities and Local Government Audits Division, and the Information Technology Audits Division. Each Division is led by a Deputy Auditor General.



Management and staff of our organizational units work in coordination to meet the Auditor General's goals and objectives. Contact information for the Auditor General, each Deputy Auditor General, and other Auditor General management with reporting responsibilities is included in ***EXHIBIT E*** of this report.

While our Office headquarters is in Tallahassee, approximately half our professional audit staff are assigned to various other locations throughout the State. These locations facilitate our audits of the school districts, State colleges, State universities, and State agencies headquartered outside Tallahassee, as well as our audits of local governmental entities.



Photo by Sabrina Ballew



AMERICAN OVERSIGHT
FL-SEN-20-0201-A-000670

Our People

Delivering high-quality audit work products efficiently and effectively requires a competent, dedicated, and enthusiastic workforce. Many of our 360 full-time equivalent positions are held by audit professionals with various professional accounting and audit-related certifications. For example, as of October 31, 2019, our audit professionals included:

- 159 Certified Public Accountants.
- 18 Certified Information Systems Auditors.
- 16 Certified Fraud Examiners.

What We Do

Sections 11.42 and 11.45, Florida Statutes, set forth the general authority and duties of the Auditor General. Independently, and in accordance with applicable professional standards, the Auditor General:

- Conducts financial audits of the accounts and records of State government, State universities, State colleges, and school districts.
- Conducts operational and performance audits of public programs, activities, functions, and information technology systems and performs related duties as prescribed by law, concurrent resolution of the Legislature, or as directed by the Legislative Auditing Committee.
- Adopts rules, in consultation with the Florida Board of Accountancy, for audits performed by independent certified public accountants of local governmental entities, charter schools, charter technical career centers, school districts, and certain nonprofit and for-profit organizations.
- Conducts reviews of audit reports of local governmental entities, charter schools, charter technical career centers, school districts, and certain nonprofit and for-profit organizations.
- Conducts examinations of school districts' and other entities' records, as appropriate, to evaluate compliance with State requirements governing the determination and reporting of full-time equivalent (FTE) student enrollment reported to the Department of Education and used to determine Florida Education Finance Program funding allocations.
- Conducts quality assessment reviews of the internal audits performed by State agency offices of inspectors general.

The Auditor General performs audits and other engagements in accordance with generally accepted government auditing standards as set forth by the Comptroller General of the United States in *Government Auditing Standards*. *Government Auditing Standards* are applicable to financial and performance audits and attestation engagements and incorporate applicable auditing standards promulgated by the American Institute of Certified Public Accountants (AICPA). *Government Auditing Standards* require that, in all matters relating to audit work, the Auditor General and each individual auditor must maintain independence and avoid situations that could lead reasonable and informed persons to conclude that the auditor's independence is impaired. Our independence and other core values, along with the collective knowledge and skills of our staff, provide the basis for our credibility.

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Our Quality Control

Government Auditing Standards require us to undergo an independent review of our system of quality control at least once every 3 years. In October 2019, a team from the National State Auditors Association (NSAA) conducted such a review that covered engagements with reports issued during the period September 1, 2018, through August 31, 2019. Our Office received a rating of "pass," which is the highest rating an audit organization can receive from an NSAA peer review team. This rating means that the Auditor General's system of quality control provided reasonable assurance that our Office's work conformed to *Government Auditing Standards* and is evidence of the quality and professionalism of our staff. The peer review team's report is included as ***EXHIBIT D*** of this Annual Report and is also available on our Web site. Our next external peer review will be conducted in the fall of 2022.

Our Strategic Goals and Objectives

In recognition of our statutory duties and mission, within the framework of our core values, our work is planned and managed to address strategic objectives established to assist us in accomplishing our two primary strategic goals:

- Our ***Professional Services Goal*** is to provide timely, quality information to the Legislature and Florida's citizens relative to the financial accountability and stewardship of public officials. This goal encompasses multiple services directed toward financial reporting, legal compliance, and government operations.
- Our ***Professional Development Goal*** is to maximize the value of the Auditor General's work by continuing to promote quality, professionalism, and productivity. The Auditor General encourages all staff to pursue professional certifications and requires all management staff with responsibilities for audit or attestation engagements to hold applicable certifications, such as certified public accountant (CPA) or, when appropriate, certified information systems auditor (CISA). To enhance their technical proficiency, our professional audit staff receive a minimum of 80 hours of continuing professional education (CPE) in every 2-year period. Some of the CPE sessions are led by specialist guest speakers or external subject-matter experts, but we also recognize the importance of fostering the speaking and presentation skills of our own staff. Accordingly, we give our staff the opportunity to present on topics within their areas of expertise.

Our strategic objectives are:

Objective 1	Improve the operations and accountability of public entities.
Objective 2	Identify and audit essential government topics of specific interest to the Legislature.
Objective 3	Conduct audits and other engagements in accordance with applicable professional auditing standards.
Objective 4	Timely conduct all engagements in a cost-efficient manner.
Objective 5	Recruit and retain highly qualified, highly skilled staff.
Objective 6	Provide staff with an organizational environment and professional opportunities that promote job satisfaction.
Objective 7	Provide staff with the training, opportunities, technology, and encouragement needed to enhance professional competencies and effectively and efficiently complete audits and other assignments.
Objective 8	Continue to build on the Auditor General's reputation as a leader in the auditing and government financial reporting communities.

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Our Reports

Our audits and other accountability activities focus on executive branch (State) agencies, judicial branch entities, educational entities, local governmental entities, and certain other entities. A listing of all reports issued during the period November 1, 2018, through October 31, 2019, is included in this report as ***EXHIBIT B***. An overview of our audits and other accountability activities completed during that period begins on page 13 of this Annual Report. Copies of audit and other reports are available on our Web site, www.FLAuditor.gov, and are distributed as appropriate and upon request to:

- Legislative members and staff.
- Governing boards, officials, and management of governmental entities.
- Federal Government officials.
- Bond rating agencies.
- Florida's citizens.
- The media.
- Other interested parties.

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RECOMMENDED STATUTORY AND FISCAL CHANGES

Various provisions of State law require the Auditor General to conduct audits, examinations, or reviews of government programs, activities, and functions and report the results thereof to the President of the Senate, the Speaker of the House of Representatives, the Legislative Auditing Committee, senior management of the audited entity, and, as applicable, Federal grantor agencies. These reports have been provided as required by law, and many include findings and recommendations focusing on the need for management actions to improve the audited entities' level of legal compliance and internal controls relevant to legal compliance, economy and efficiency, financial reporting and records, and the safeguarding of assets. In addition, Section 11.45(7)(h), Florida Statutes, provides in part that the Auditor General shall annually compile and transmit to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Auditing Committee by December 1 of each year a list of statutory and fiscal changes recommended by the Auditor General.

The following recommended statutory and fiscal changes are provided to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Auditing Committee for consideration. These recommendations were either included in our audit reports during the past few audit cycles or arose during the course of performing the duties assigned to the Auditor General. The recommendations are presented by policy area to facilitate their use by the various legislative committees. Auditor General staff are available to discuss these recommendations with legislative members and staff. Contact information for the management staff referenced below is provided in ***EXHIBIT E*** of this report.

Policy Areas: Senate Education
House Education

- **Charter Schools** – The Legislature should consider amending Section 1002.33, Florida Statutes, to require school districts to monitor the eligibility of charter school classroom teachers for the Florida Best and Brightest Teacher Scholarship Program. The Legislature should also consider amending Section 1013.62, Florida Statutes, to require school districts to monitor charter school use of capital outlay funding.

  Audit Manager: Micah E. Rodgers, CPA

- **Charter Schools** – Section 1002.33(9)(o)2., Florida Statutes, requires that an independent audit be completed for charter schools within 30 days after notice of nonrenewal, closure, or termination to account for all funds and assets. Because of the varying complexity of audits, that time frame may not be a reasonable period to complete such audits. Accordingly, the Legislature should consider revising Section 1002.33(9)(o)2., Florida Statutes, to provide that an independent audit shall be "engaged" within 30 days after notice of nonrenewal, closure, or termination to account for all funds and assets.

  Audit Manager: Micah E. Rodgers, CPA

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- **The Florida Best and Brightest Teacher Scholarship Program** – The Legislature should consider charging administration of the Florida Best and Brightest Teacher Scholarship program to the Department of Education. Doing so would establish the Department as the entity responsible for providing guidance sufficient to enable the school districts and charter schools to consistently apply Section 1012.731, Florida Statutes.

  Audit Manager: Micah E. Rodgers, CPA

- **Transparency Requirements** – The Legislature should consider amending applicable statutory requirements to define the "transparency requirements" for charter schools, charter technical career centers, Florida College System institutions, and State universities or delete from Section 11.45(7)(i), Florida Statutes, the requirement for the Auditor General to list the charter schools, charter technical career centers, Florida College System institutions, and State universities that have failed to comply with the transparency requirements.

  Audit Manager: Micah E. Rodgers, CPA
  Jaime N. Hoelscher, CPA

- **Scholarship Funding Organizations** – The Legislature should consider amending Sections 11.45(2)(l), 1002.385(14)(a), and 1002.40(12), Florida Statutes, to require the Auditor General to conduct operational audits at least once every 3 years of the accounts and records of eligible nonprofit scholarship-funding organizations.

  Audit Manager: Michael J. Gomez, CPA

Policy Areas: Senate Community Affairs
House State Affairs

- **Special Districts** – Notwithstanding that Community Redevelopment Agencies (CRAs) are special districts that are covered by Section 218.39, Florida Statutes, because of their unique nature and specific audit requirements of Section 163.387(8)(a), Florida Statutes, the Legislature should consider amending:
  - Section 218.39(1), Florida Statutes, to expressly include a CRA meeting the criteria in Section 163.387(8)(a), Florida Statutes, as an entity required to have an annual financial audit.
  - Section 218.39(1)(c), Florida Statutes, to provide for any special district other than CRAs meeting the criteria in Section 163.387(8)(a), Florida Statutes.
  - Section 218.39(3)(a) and (b), Florida Statutes, to provide for any special district excluding CRAs meeting the criteria in Section 163.387(8)(a), Florida Statutes.

  Audit Manager: Michael J. Gomez, CPA

- **Local Governments** – The Legislature should consider:
  - Enacting a law that requires local governments to adopt a minimum general fund unrestricted fund balance policy or to maintain a certain level of general fund unrestricted fund balance.
  - Amending Section 218.391, Florida Statutes, to require local governments to perform auditor selection procedures at specified intervals. Also, amend Section 218.391, Florida Statutes, to require the local government audit committee to be advised by at least one person who has an understanding of generally accepted accounting principles and government auditing.

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Amendments to Section 281.391 should also be considered to require local governmental entities to establish ordinances, resolutions, or policies and procedures to define audit committee responsibilities.

- Revising the definition of "governmental unit" in Chapter 274, Florida Statutes, regarding tangible personal property owned by local governments, to include all "local governmental entities" as that term is defined in Section 218.31, Florida Statutes.
- Amending Section 403.7125, Florida Statutes, to require that audits of local government escrow accounts, maintained to accumulate financial resources for the proper closing and long-term care of landfills, are properly and consistently conducted in accordance with legislative intent.
- Amending Section 29.0085, Florida Statutes, to require that statutorily required annual statements of county compliance for court-related functions are properly and consistently prepared in accordance with legislative intent.
- Amending Section 218.31, Florida Statutes, to include a definition of the term "financial statements" as used in Section 218.32(1)(h)4., Florida Statutes.

Audit Report Numbers: 2015-037 and 2019-028
Audit Manager: Michael J. Gomez, CPA

- **Transparency Requirements** – The Legislature should consider amending Section 218.39, Florida Statutes, to define "transparency requirements" for local governmental entities or delete from Section 11.45(7)(i), Florida Statutes, the requirement for the Auditor General to list the local governmental entities that have failed to comply with transparency requirements.

Audit Manager: Michael J. Gomez, CPA

Policy Areas: Senate Judiciary
House Judiciary

- **Judicial Agencies** – The Legislature should consider requiring the Justice Administrative Commission and the agencies it administratively supports to employ, or otherwise provide for, an internal auditor with the qualifications and duties prescribed in Section 20.055, Florida Statutes, for State agency directors of auditing.

Audit Report Numbers: 2015-061 and 2020-008
Audit Manager: Michael J. Gomez, CPA

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Policy Areas: Senate Governmental Oversight and Accountability
House State Affairs

- **Audit Efficiency and Effectiveness** – Sections 11.47(3) and (4), Florida Statutes, are critical to ensuring the capability of the Auditor General to successfully complete audits. Section 11.47(3), Florida Statutes, was recently revised to provide that any person that willfully fails or refuses to provide the Auditor General access to an employee, officer, or agent of an entity subject to an audit commits a misdemeanor. Section 11.47(4), Florida Statutes, provides that any officer who willfully fails or refuses to furnish or produce any book, record, paper, document, data, or sufficient information necessary to a proper audit or examination which the Auditor General or the Office of Program Policy Analysis and Government Accountability is by law authorized to perform, shall be subject to removal from office. The Legislature should consider amending Section 11.47(4), Florida Statutes, to:

  - Provide that any person who willfully fails or refuses to provide the Auditor General access to an employee, officer, or agent of an entity subject to an audit shall be subject to removal from office.
  - Designate the specific party, or parties, responsible for removing an officer or person from office for the reasons stated therein.

Deputy Auditor Generals: **Gregory L. Centers, CPA**
Matthew J. Tracy, CPA
Marilyn D. Tenewitz, CPA

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WORK PLAN

Types of Engagements

Various statutory provisions provide the framework for the development of our work plan. Pursuant to law, we perform four major types of engagements – financial audits, operational audits, performance audits, and attestation examinations. Descriptions of these major types of engagements are presented below.

Financial Audits Government managers are responsible for the stewardship of financial resources and for preparing financial statements that conform to accounting principles promulgated by the Governmental Accounting Standards Board (GASB). Our audits of various entities' financial statements provide the Legislature, Florida's citizens, investors, bond rating agencies, and other users of the financial statements, independent assurance of the reliability of the financial information provided by government managers. Such independent assurance is given in the form of an opinion on the financial statements and is preceded by the performance of a rigorous examination of the entity's financial records and related representations made by government officials. Professional standards issued by the AICPA and the Comptroller General of the United States in *Government Auditing Standards* govern the nature, timing, and extent of the audit work performed. Under those standards, consideration of information technology internal controls is often an essential and significant part of the financial audit process because public entity operations and business processes are usually dependent on information technology.

Financial audits also may include audit procedures to evaluate an entity's compliance with requirements that could have a direct and material effect on each major Federal awards program administered by the entity and the effectiveness of internal controls established by management to consistently ensure compliance therewith. That is because, as a condition of receiving Federal funds, the United States Office of Management and Budget (OMB) requires a Single Audit of the recipient's financial statements and major Federal awards programs. The audit is referred to as a Single Audit because it is an organizationwide audit that includes, within its scope, work designed to meet the oversight needs of many Federal and pass-through grantors and State accountability officials. The Single Audit is performed in accordance with audit requirements located in Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), as well as audit requirements prescribed by applicable professional standards issued by the AICPA and the Comptroller General of the United States in *Government Auditing Standards*.

Operational Audits Operational audits evaluate management's performance in establishing and maintaining internal controls, including internal controls designed to prevent and detect fraud, waste, abuse, and noncompliance, and in administering assigned responsibilities in accordance with applicable laws, rules, contracts, grant agreements, and other guidelines. Operational audits examine internal controls, including information technology internal controls, that are designed and placed in operation to promote and encourage the achievement of management's control objectives in the categories of compliance, economic and efficient operations, reliability of financial records and reports, and safeguarding of assets, and identify weaknesses in those internal controls. Operational audits may also

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include comparisons of the performance of a program, activity, or function of a governmental entity to specific criteria. Our operational audits include a broad array of areas and are conducted in accordance with applicable *Government Auditing Standards*. The areas included within the scope of operational audits are determined through risk assessment processes that include, among other procedures, inquiries of legislative staff concerning items of concern and interest to the Legislature.

Performance Audits Performance audits examine a program, activity, or function of a governmental entity with respect to issues such as economy, efficiency, and effectiveness of a program; the adequacy of a program to meet the needs identified by the Legislature or governing body; alternative methods of providing program services or products; the accuracy or adequacy of public documents, reports, or requests prepared under a program by the public entity; and compliance of a program with appropriate policies, rules, or laws. Performance audits are conducted in accordance with applicable *Government Auditing Standards*.

Attestation Examinations Attestation examinations consist of obtaining sufficient, appropriate evidence to express an opinion on whether the subject matter of the examination is based on (or in conformity with) specified criteria in all material respects or an assertion is presented (or fairly stated), in all material respects, based on the specified criteria. Examination engagements are conducted in accordance with the *Statements on Standards for Attestation Engagements* issued by the AICPA and applicable *Government Auditing Standards*. For example, our examinations of school district and other entity compliance with State requirements relating to the classification, assignment, and verification of the full-time equivalent student enrollment and student transportation reported under the Florida Education Finance Program are attestation examination engagements.

Work Plan Development Process

In the development of our work plan, we first consider legal requirements establishing the frequency of the audits and other accountability activities we perform. Pursuant to law, we are to conduct annual financial audits of the State of Florida, the State Board of Administration Local Government Surplus Funds Trust Fund (Florida PRIME), the Florida School for the Deaf and the Blind, State universities, State colleges, and school districts in counties with populations of less than 150,000. We are to conduct financial audits of school districts in counties with populations of 150,000 or more every 3 years. In addition, at the direction of the Legislative Auditing Committee, we conduct a financial audit of the Department of the Lottery. We also conduct the annual financial audit of the Florida Retirement System.

For various other audits and accountability activities, a minimum frequency is also established in law. For example, operational audits of each State agency, State university, State college, school district, water management district, the Florida Clerks of Court Operations Corporation, and the Florida School for the Deaf and the Blind are required to be conducted at least every 3 years. In planning for these audits, we obtain information from legislative staff and other sources concerning areas of interest and operational risks. Operational risks are characteristics of government operations that may make a government program more susceptible to instances of fraud, waste, abuse, material reporting errors, or noncompliance with governing requirements. This information is used to develop a risk-based work plan that provides audit coverage of each entity during a 3-year cycle.

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2019-20 Work Plan

Our 2019-20 Work Plan encompassed a wide variety of programs, activities, and functions administered by many entities. Some of the unique projects on our 2019-20 Work Plan include operational audits of selected operations of the City of Gainesville, the Commission on Offender Review's caseload management, and county value adjustment boards and Department of Revenue oversight thereof.

An overview of our audits and other accountability activities completed during the period November 1, 2018, through October 31, 2019, begins on page 13 of this Annual Report. A listing of all reports issued during the period November 1, 2018, through October 31, 2019, is included in this report as ***EXHIBIT B***. Additionally, a listing of reports issued or scheduled to be issued subsequent to October 31, 2019, and by March 31, 2020, is included in this report as ***EXHIBIT C***.

Projected 2-Year Work Plan

Section 11.45(7)(h), Florida Statutes, provides, in part, that the Auditor General shall transmit to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Auditing Committee by December 1 of each year a projected 2-year work plan identifying the audits and other accountability activities to be undertaken by the Auditor General. Our ***PROJECTED WORK PLAN*** encompassing the work planned for the 2020-21 and 2021-22 fiscal years is included in this report as ***EXHIBIT A***. As appropriate, modifications to the work plan may be made in response to law changes, legislative requests, and other considerations.

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STATE GOVERNMENT

State Government
Audit Impact Measures

Total asset values upon which financial statement opinions were rendered	$608.9 billion
Total revenues upon which financial statement opinions were rendered	$214.6 billion
Total Federal awards expenditures for major programs audited	$25.1 billion
Total number of major Federal programs audited	21
Number of audit reports issued	
Attestation	1
Financial	5
Financial and Federal Awards	1
Performance	1
Operational [a]	23
Total number of audit reports issued	31
Number of audit findings	200
Number of findings identifying potential opportunities for cost recovery, savings, or loss avoidance	35
Total amount identified for cost recovery, savings, or loss avoidance	$6.5 million

[a] *Excludes Information Technology Operational Audits discussed later in this Annual Report under the subheading* **INFORMATION TECHNOLOGY**.

Financial Statements Pursuant to Section 11.45(2)(b), Florida Statutes, and the Federal Single Audit Act, the Auditor General is responsible for the audit of the State of Florida's financial statements, including consideration of compliance with laws of potential material impact on the financial statements. We found that the State of Florida's financial statements for the fiscal year ended June 30, 2018, were presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our independent auditor's report on the financial statements is addressed to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Auditing Committee and was published by the Chief Financial Officer in the State of Florida's *Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018*.

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Our report on the audit of the State's financial statements included two findings involving internal control over financial reporting that constituted significant deficiencies[1] at two State agencies. One significant deficiency related to improperly recording withdrawals from the State Treasury Investment Pool. The other significant deficiency related to not recording a prior-period adjustment for the correction of an error in previously issued financial statements and not recording a liability. We also noted an additional matter that we reported to management at one State agency pertaining to understating net receivables and unavailable revenue due to an error in the preparation of year-end accrual entries. Our report on internal controls over financial reporting is included in our report, *State of Florida – Compliance and Internal Controls Over Financial Reporting and Federal Awards* (report No. 2019-186).

Separate from our audit of the State of Florida's financial statements, we conducted audits of the financial statements of the Florida Retirement System Pension Plan and Other State-Administered Systems, the State Board of Administration Local Government Surplus Funds Trust Fund (Florida PRIME), the Department of the Lottery (Lottery), and the Florida School for the Deaf and the Blind. In all four audits, we found that the respective financial statements were presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

For the Lottery, as required by Section 24.123, Florida Statutes, we also examined internal control over financial reporting as of June 30, 2018, based on criteria established in *Internal Control – Integrated Framework* issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). We found that the Lottery maintained, in all material respects, effective internal control over financial reporting as of June 30, 2018, based on the established criteria. However, we also noted in our report (report No. 2019-090) two findings involving the need for enhancements to certain Lottery information technology (IT) internal control practices and the need for the Lottery to continue efforts to comply with statutory requirements governing minority retailer participation.

In addition to the audit of the Florida Retirement System Pension Plan and Other State-Administered Systems financial statements, we conducted an audit of the schedules of employer allocations of the Florida Retirement System Pension Plan defined benefit plan and the Retiree Health Insurance Subsidy Program defined benefit plan (System Pension Plans) as of and for the fiscal year ended June 30, 2018, and the related notes. Our audit found that the schedules presented fairly, in all material respects, the employer allocations and the net pension liability, total deferred outflows of resources, total deferred inflows of resources, and total pension expense/(income) for the total of all participating entities for the System Pension Plans as of and for the fiscal year ended June 30, 2018, in accordance with accounting principles generally accepted in the United States of America (report No. 2019-102).

We also conducted an attestation examination of the System Pension Plans schedules of deferred outflows for contributions subsequent to the June 30, 2018, measurement date by employer, as of and for the fiscal year ended June 30, 2019. This examination found that the schedules presented, in all material respects, the deferred outflows for contributions subsequent to the June 30, 2018, measurement date by employer in accordance with applicable GASB statements and applicable provisions of State law (report No. 2020-019).

[1] A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

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Federal Awards The Single Audit of the State of Florida includes State agencies, State universities, State colleges, judicial branch entities, and various other government entities for which the State is financially accountable. State agencies, State universities, and State colleges administered approximately 532 Federal awards programs or program clusters during the 2017-18 fiscal year. The Federal Single Audit Act directs the auditor to evaluate compliance with requirements applicable to each major program as well as the effectiveness of internal controls established by management to consistently ensure compliance. The results of our Single Audit of the State of Florida for the fiscal year ended June 30, 2018, are described in our report No. 2019-186.

We audited the State's compliance with requirements governing the 21 Federal awards programs or program clusters that we identified as major Federal awards programs for the fiscal year ended June 30, 2018. Expenditures for these major programs comprised approximately 67 percent of the $37.2 billion in total Federal awards expenditures reported by the State for the fiscal year ended June 30, 2018. Our Federal awards audit findings are tabulated by audit area in Table 1 and briefly summarized in the following paragraphs.

Table 1
Tabulation of State of Florida
Federal Awards Audit Findings by Audit Area

Audit Area	Number of Findings	Number of State Entities
Cash Management	1	1
Child Support Enforcement Administration	1	1
Eligibility and Claims Payments	1	1
Expenditures and Supporting Documentation	1	1
Information Technology Internal Controls	9	8
Medicaid Program Administration	4	2
Noncompliance with Statutory Requirements	4	3
Subawards and Monitoring	5	3
Unemployment Benefits and Tax Administration	5	2

We found that the State agencies materially complied with requirements governing major Federal awards programs, except with respect to compliance with certain requirements for 11 programs administered by 5 State agencies, as subsequently described:

- For National Guard Military Operations and Maintenance Projects, the Department of Military Affairs could not demonstrate compliance with certain Federal procurement and suspension and debarment requirements. These instances of noncompliance resulted in an opinion qualification.
- For Unemployment Insurance, the Department of Economic Opportunity did not always maintain adequate benefit eligibility and case investigation records. These instances of noncompliance resulted in opinion qualifications. Additionally, for Unemployment Insurance, we were unable to express, and did not express, an opinion on the Department of Economic Opportunity's compliance with reporting and benefits overpayments requirements because the Department could not provide accurate data or demonstrate that reported overpayment amounts on Federal Financial Reports were accurate.

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- For the Federal Family Education Loans Program, we were unable to express, and did not express, an opinion on the Department of Education's compliance with certain requirements because the Department did not provide documentation demonstrating compliance with requirements for the assignment of defaulted loans and the correct handling of loans that were sold.
- Department of Children and Families expenditures charged to the following Federal programs were not always incurred during the authorized period of performance, which resulted in an opinion qualification.
    - State Administrative Matching Grants for the Supplemental Nutrition Assistance Program
    - Temporary Assistance for Needy Families
    - Refugee and Entrant Assistance/Replacement Designee Administered Programs
    - Social Services Block Grant
    - Medical Assistance Program
    - Block Grants for Community Mental Health Services
    - Block Grants for Prevention and Treatment of Substance Abuse
- For the Temporary Assistance for Needy Families Cluster, the Department of Children and Families did not always review and process Income Eligibility and Verification System data exchange responses, which resulted in an opinion qualification.
- For Disaster Grants – Public Assistance (Presidentially Declared Disasters), the Division of Emergency Management did not always maintain documentation to support costs charged to the Disaster Grants program, did not verify that all applicable subrecipients were audited, did not evaluate subrecipient risk of noncompliance or develop an appropriate monitoring plan, and did not obtain required reports from some subrecipients. These instances of noncompliance resulted in opinion qualifications.

We also reported material weaknesses in internal control over compliance[2] for each of these 11 programs as well as an additional material weakness for National Guard Military Operations and Maintenance Projects, as Department of Military Affairs records did not evidence that access to the Integrated Emergency Operations Management System was granted only to authorized users or that the access privileges granted were appropriate.

Other instances of noncompliance, deficiencies in internal control over compliance,[3] or questioned costs were found at 11 State agencies and 1 State university. Questioned costs include costs of goods or services charged to one or more Federal awards programs that are not allowed under the applicable grant terms, not clearly supportive of the program's purposes, not documented in the manner prescribed by applicable Federal cost principles or State policies, or not incurred during the grant period. Such costs are subject to adjustment or disallowance by Federal grantor officials.

[2] A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a Federal program will not be prevented, or detected and corrected, on a timely basis.

[3] A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a Federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

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Operational Audits During the period November 1, 2018, through October 31, 2019, we issued 23 operational audit reports and 1 performance audit report on State governmental entities. Our reports addressed a broad array of programs, activities, and functions including:

- Internal management, financial, and operational controls and processes.
- Administration of private investigator, security officer, recovery agent, and concealed weapon licenses by the Department of Agriculture and Consumer Services.
- The Department of Legal Affairs Medicaid Fraud Control Unit and selected administrative activities.
- Oversight and administration of foster care programs and related services by the Department of Children and Families and selected Community-Based Care Lead Agencies and the oversight and administration of substance abuse and mental health services by the Department and selected Behavioral Health Managing Entities.
- Administration of Triumph Gulf Coast, Inc. project and program awards and selected administrative activities.
- Community supervision by and selected administrative activities of the Department of Corrections.
- Advertising and sponsorship by the Department of the Lottery and selected administrative activities.
- Administration of iBudget Florida by the Agency for Persons with Disabilities.
- Public Assistance Program management by the Division of Emergency Management.
- The Right-of-Way Relocation Assistance Program administered by the Department of Transportation.

Many of our operational audit findings pertained to weaknesses in internal controls. Internal controls are those processes put in place by entity management to prevent and detect fraud, waste, abuse, and noncompliance and to provide reasonable assurance that financial reports are reliable, operations are economical and efficient, applicable laws are followed, and assets are safeguarded against loss. In short, effective internal controls prevent adverse events from happening and detect them when they do. Our operational audit findings are tabulated by audit area in Table 2.

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Table 2
Tabulation of State Government
Operational Audit Findings by Audit Area

Audit Area	Number of Findings	Number of Entities
Capital Assets, Equipment, and Inventory	20	29
Construction and Related Activities	1	1
Contractual Services	6	4
Eligibility and Financial Assistance Payments	2	2
Expenditures and Disbursements	4	12
Financial Management and Record Keeping	9	7
Florida Single Audit Act	2	2
General Oversight or Governance	6	13
Information Technology Resources	28	34
Licensing and Related Activities	7	1
Personnel and Payroll	13	16
Policies for Communicating and Reporting Known or Suspected Fraud	2	11
Program Administration, Oversight, and Monitoring	29	22
Purchasing Practices	6	8
Regulatory Oversight and Monitoring	12	7
Revenue and Cash Collections	10	4
Risk Management	2	2
Safeguarding of Evidence	1	1
Safeguarding of Social Security Numbers	3	3
Service Organization Report	1	3

The results of several of our operational audits issued during the period November 1, 2018, through October 31, 2019, are summarized below.

- **Department of Agriculture and Consumer Services – Administration of Private Investigator, Security Officer, Recovery Agent, and Concealed Weapon Licenses and Prior Audit Follow-Up (Report No. 2019-064).** Our operational audit of the Department of Agriculture and Consumer Services (DACS) focused on the administration of private investigator, security officer, recovery agent, and concealed weapon licenses. Our audit disclosed that DACS controls for processing concealed weapon license applications and overseeing the licensing process were not always adequate or effectively implemented. Additionally, data publicly reported by the DACS was not always complete or accurate and applicants for various licenses were not always timely notified of application errors and omissions. Also, the DACS had not established time frames for completing investigations of complaints related to individuals advertising as providing private security and investigative services or recovery activities. Similarly, the DACS had not established time frames for reviewing disqualifying information for persons currently holding licenses. Our audit also found that DACS controls for quality assurance reviews, timely deposit of license fees and reimbursement of overpayments, and employee background screenings needed improvement. We also noted that various DACS information technology controls, timber sale proceed transfer controls, and selected inspection program controls needed enhancement.

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- **Department of Legal Affairs – Medicaid Fraud Control Unit, Selected Administrative Activities, and Prior Audit Follow-Up (Report No. 2019-097).** The Department of Legal Affairs (DLA) is responsible for operating the State's Medicaid Fraud Control Unit (MFCU), as well as administering programs to assist victims of crime. Our audit found that the DLA did not always properly conduct or document annual MFCU evidence room inventories in accordance with established policies and procedures. We also found that DLA change management controls needed enhancement to ensure that the responsibilities for Case Management Database modifications are appropriately separated and that DLA records evidence the entire change management process. In addition, we found that the information necessary to process crime victims' applications for compensation was not always complete or did not agree with the applicable supporting documentation and the DLA did not always ensure that annual victim assistance grant program monitoring reports and supporting documentation were timely reviewed and approved. Similar findings were noted in prior audit reports. Our audit also disclosed that the DLA did not always timely deactivate user access privileges to the Florida Accounting Information Resource Subsystem upon an employee's separation from DLA employment or timely or accurately record tangible personal property acquisitions in DLA property records.

- **Department of Children and Families – Oversight and Administration of Community-Based Care Lead Agencies and Behavioral Health Managing Entities and Selected Department Administrative Activities (Report No. 2019-111).** Our audit focused on the oversight and administration of foster care programs and related services administered by the Department of Children and Families (DCF) and selected Community-Based Care Lead Agencies (CBCs) and the oversight and administration of substance abuse and mental health services by the DCF and selected Behavioral Health Managing Entities (MEs). Our audit found that DCF monitoring of the CBCs and MEs continued to need improvement. We also found that DCF protocols for administering the CBC risk pool needed enhancement to ensure that unexpended funds are returned to the DCF at fiscal year-end. We noted that various Florida Safe Families Network (FSFN) and Substance Abuse and Mental Health Information System (SAMHIS) controls and processes need enhancement to ensure that data is timely and accurately entered and to ensure access privileges are appropriate and timely deactivated.

  Our audit further found that CBC and ME subaward and monitoring controls needed improvement, some CBC contract payments were not supported by adequate documentation or made in accordance with contract terms, certain other payments, including the payment of bonuses by one CBC, and uses of leave by some CBCs and MEs, were not always properly supported or justified. Additionally, some CBC and ME property management controls and records were not always adequate to ensure proper accountability over property purchased with DCF-provided funds. For one CBC, we noted that the CBC's records did not evidence the reasonableness of the $1.175 million purchase price for certain acquired property, the value of property subsequently returned to the seller, or that the CBC refunded to the State the appropriate share of the State's investment in the property. We also noted issues regarding certain DCF administrative activities, including purchasing cards, designation of work headquarters, data sanitization, collection and use of social security numbers, telework by employees, protection of child welfare data, and access to program data.

- **Department of the Lottery – Advertising and Sponsorship and Selected Administrative Activities (Report No. 2020-11).** Our audit of the Department of the Lottery (DOL) focused on DOL advertising and sponsorship and selected administrative activities. Our audit disclosed that DOL records did not always evidence adequate monitoring of advertising agency contracts. Our audit also found that DOL procedures for reconciling advertising agency subcontractor payments to vendor payment history records and DOL invoice payment controls need enhancement to, among to other things, ensure that sponsorship agreement payments are made in accordance with contract terms and conditions. We also found that the DOL did not always timely cancel purchasing cards upon a cardholder's separation from DOL employment.

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- **Department of Corrections – Community Supervision, Selected Administrative Activities, and Prior Audit Follow-Up (Report No. 2020-006).** The Department of Corrections (DOC) is responsible for supervising offenders released on probation or community control (community supervision). Our audit disclosed that DOC controls for administering drug and alcohol tests at probation offices needed enhancement. Our audit also disclosed that DOC records did not always evidence that State and Federal background checks were completed for correctional probation officers or their firearms, DOC controls needed enhancement to ensure that all probation officer field safety equipment is accounted for, and that the DOC did not always ensure that records were maintained for offenders released on community supervision or that the records maintained included the information specified by State law. We further noted that DOC controls over the intake, orientation, and case review of offenders released on community supervision, controls for offender supervision, and for the electronic monitoring of offenders, needed improvement. In addition, we found that the DOC utilized an internal budgetary redistribution process that sometimes bypassed the statutory approval process for budget transfers, the DOC did not always obtain and adequately document prior authorization and justification for overtime worked by correctional officers, and DOC records did not always accurately reflect motor vehicle usage and fuel cost information.

A listing of all State Government audit and attestation reports issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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EDUCATIONAL ENTITIES

Pursuant to law, the Auditor General has extensive audit responsibilities involving educational entities, including school districts, State universities, and State colleges. These responsibilities include audits of:

- Financial statements.
- Compliance with requirements of Federal awards.
- Selected operations.

We also perform examinations of school district and other entity compliance with State requirements relating to the classification, assignment, and verification of the full-time equivalent (FTE) student enrollment and student transportation reported under the Florida Education Finance Program. An overview of our audit activities is included on the following pages.

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SCHOOL DISTRICTS

School Districts Audit Impact Measures	
Total asset values upon which financial statement opinions were rendered	$15.8 billion
Total revenues upon which financial statement opinions were rendered	$10.5 billion
Total Federal awards expenditures for major programs audited	$399.8 million
Number of audit reports issued	
Financial and Federal Awards	46
Financial	1
Operational	30
Total number of audit reports issued	77
Number of audit findings	231
Number of findings identifying potential opportunities for cost recovery, savings, or loss avoidance	86
Total amount identified for cost recovery, savings, or loss avoidance	$19.8 million

Financial Statements We audited the financial statements of 47 school districts for the fiscal year ended June 30, 2018. We found that the school districts' financial statements were presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. We reported conditions involving internal control, including significant deficiencies[4] at 20 school districts. The significant deficiencies related to financial reporting procedures, inappropriate or unnecessary information technology access privileges, and inadequate separation of duties.

Federal Awards In conjunction with our financial audits of the school districts, for 46 of the school districts,[5] we examined compliance with Federal laws, regulations, and the terms and conditions for school district major Federal awards programs. Pursuant to the Federal Single Audit Act, the auditor is to express an opinion on compliance for each school district major Federal awards program and test and report on internal controls over compliance in accordance with Uniform Guidance. The number of

[4] A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

[5] The Jefferson County K-12, A Somerset School, is a combination of the three charter schools that operate all Jefferson County School District schools and administer the District Federal programs. Consequently, Jefferson County School District was not required to obtain, and did not obtain, a Federal awards audit.

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major Federal awards programs ranged from one to four at the 46 school districts we audited. In summary, our Federal Single Audits at the school districts disclosed that:

- 1 school district did not comply with indirect cost rate requirements considered material to the Child Nutrition Cluster, a major Federal awards program, resulting in a finding of noncompliance and material weakness[6] in internal control over the program, a qualified opinion on the program, and questioned costs[7] totaling $274,284.
- 2 school districts did not comply with Federal awards requirements for the Title I Program, a nonmajor Federal awards program, which resulted in $276,604 in questioned costs.

Operational Audits During the period November 1, 2018, through October 31, 2019, we issued operational audit reports for 30 school districts and considered the school districts' performance with respect to a variety of areas including internal control systems and compliance with specific laws and General Appropriations Act provisos. For example, our operational audits evaluated processes relating to procurement and construction practices, monitoring charter schools, personnel compensation and payroll administration, information technology, adult general education enrollment reporting to the Department of Education, school safety, and the use of ad valorem tax levy proceeds and other capital outlay funds.

[6] A material weakness in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a Federal program will not be prevented, or detected and corrected, on a timely basis.

[7] Questioned costs include costs of goods or services charged to one or more Federal awards programs that are not allowed under the applicable grant terms, not clearly supportive of the program's purposes, not documented in the manner prescribed by applicable Federal cost principles or State or school district policies, or not incurred during the grant period. If the applicable grantor disallows questioned costs, a school district may have to repay the costs from non Federal sources.

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Our operational audit findings are tabulated in Table 3 by audit area along with the financial and Federal awards audit findings. For several audit areas, similar findings were noted at multiple school districts.

Table 3
Tabulation of School District Audit Findings by Audit Area

Audit Area	Number of Findings	Number of Districts
Ad Valorem Tax Program and Capital Outlay	5	5
Adult General Education Enrollment Reporting	8	8
Capital Assets, Equipment, and Inventory	2	2
Cash and Cash Collections	3	3
Charter Schools	7	5
Construction and Related Activities	20	6
Control Environment – Separation of Incompatible Duties	1	1
Direct-Support Organization	3	3
Expenditures and Disbursements	1	1
Facilities	1	1
Federal Awards	3	3
Financial Management and Budgetary Internal Controls	13	11
Financial Reporting	5	5
Food Service Operations	1	1
Information Technology Internal Controls	61	34
Insurance	13	12
Personnel and Payroll	59	27
Purchasing Practices and Contractual Services	21	16
School Safety	2	2
Sexual Predator and Sexual Offender Registry Notification	1	1
Transportation Administration	1	1

The findings we noted for some of the audit areas are briefly described below.

- **Information Technology Internal Controls** – For 34 school districts, we reported that enhancements were needed regarding information technology (IT) internal controls for financial and related systems. For example, enhancements were needed for restricting IT access privileges to only what is needed by the user to perform assigned job duties, reviewing certain IT access privileges to promote the timely detection of inappropriate or unnecessary privileges, and timely deactivating the IT access privileges of former employees. Some of the inappropriate or unnecessary privileges noted increased the risk that unauthorized disclosure of sensitive personal student or employee information, including student and employee social security numbers, may occur. We also noted that school districts could enhance internal controls over IT by improving user authentication internal controls, as well as logging and monitoring significant system and network activity. Other needed enhancements involved developing effective internal controls to address management's security-related responsibilities, including security awareness training, risk assessment, data loss prevention, and disaster recovery.

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- **Personnel and Payroll** – Our audits disclosed that 27 school districts needed to enhance internal controls over the administration of personnel and payroll. For example, we noted Florida Best and Brightest Teacher Scholarship Program (Program) awards to ineligible recipients, inadequate records to support recipient eligibility, and the payment of employer payroll taxes for the Program from non-Program resources without Board approval. We also noted that employee, contractor worker, and volunteer background screenings and salary schedules did not always comply with State law; payments to employees did not always reconcile to Board-approved salary schedules; certain employment agreements included severance pay provisions that did not appear to be consistent with State law; and procedural enhancements were needed to prevent salary overpayments. In addition, performance assessments were not always performed in accordance with State law. Amounts identified for cost recovery, savings, or loss avoidance related to the personnel and payroll audit findings ranged from $800 to $881,000.

- **Purchasing Practices and Contractual Services** – Our audits disclosed that 16 school districts needed to enhance internal controls over purchasing practices and contractual services. For example, we noted enhancements were needed in internal controls over purchasing card programs and the procurement and administration of contractual service agreements and related payments. At 1 school district, we noted that the Board did not make a documented determination that the best option for upgrading the school district phone system was to use District personnel working overtime, rather than competitively selecting or directly negotiating with a service provider. At another school district, we noted that procedures for procuring an enterprise planning system were not effective to ensure the timely and successful implementation of the system.

- **Insurance** – At 12 school districts, we reported that internal controls over insurance activities could be improved. Examples of internal control deficiencies included the lack of a competitive selection process when procuring insurance and the lack of procedures to ensure that the dependents of employees and retirees were eligible to participate in the school district health insurance plan.

- **Financial Management and Budgetary Internal Controls** – For 11 school districts, we noted that enhancements were needed in internal controls over financial management and budgetary internal controls. For example, we reported financial management issues, including the lack of timely, monthly financial reports being provided to the Board; budgetary control and transparency issues, such as expenditures exceeding budgetary amounts at some school districts; and a lack of school district accountability over school internal funds.

A listing of all school district audit reports issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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FLORIDA EDUCATION FINANCE PROGRAM

Florida Education Finance Program
Full-Time Equivalent Student Enrollment
and Student Transportation
Examination Impact Measures

Total FTE Student Enrollment reported upon which compliance opinions were rendered	1,002,891
Total FTE Student Enrollment funding for entities examined	$3.1 billion
Total Student Transportation funding for entities examined	$164 million
Number of compliance examination reports issued for School Districts	22
Number of reports disclosing material noncompliance	22

Florida Education Finance Program (FEFP) funding, including Student Transportation funding (net of local school district funding) for the 2016-17 and 2017-18 fiscal years totaled approximately $8.1 billion and $8.4 billion, respectively. During the period November 1, 2018, through October 31, 2019, we completed examinations of the records of 11 school districts for the fiscal year ended June 30, 2017, and 11 school districts for the fiscal year ended June 30, 2018. These examinations were conducted to evaluate compliance with State requirements relating to the classification, assignment, and verification of the full-time equivalent (FTE) student enrollment, including teacher certification, and student transportation as reported under the FEFP.

Our examinations disclosed that, except for the material noncompliance noted in certain FEFP programs, the 22 school districts complied with State requirements. Generally, we considered noncompliance to be material when error rates equaled or exceeded 10 percent of the test population for one or more funded programs. Table 4 summarizes the areas of material noncompliance noted in our reports.

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Table 4
Tabulation of Entities with FEFP FTE Student Enrollment and Student Transportation Findings by Material Noncompliance Area

Material Noncompliance Area	Number of Districts
Preparation and Maintenance of Student Records	21
Teacher Qualifications	10
Ridership Classification and Funding Eligibility of Transported Students	15

As shown in Table 4, the most common area of material noncompliance pertained to the preparation and maintenance of student records. For example, our examinations disclosed reporting errors or student records that were not properly or accurately prepared or were not available at the time of our examination and could not be subsequently located. We also noted instances in which teachers did not meet State certification requirements, teachers' out-of-field assignments were not approved by the school board, parents were not notified regarding teachers' out-of-field status, teachers did not earn college credits toward certification in out-of-field areas, and teachers did not earn the required in-service training points in English for Speakers of Other Languages strategies. The material noncompliance we noted related to student transportation involved students' reported ridership classification or eligibility for State transportation funding.

The Department of Education is responsible for resolving the adjustments proposed in our examination reports and computing the financial impact of such proposed adjustments for application against the school districts' current or future funding. School districts are permitted to request informal conferences with the Department of Education to appeal the examinations' proposed adjustments. The resulting informal conference panels' recommendations are presented to the Commissioner of Education for acceptance.

A listing of all FEFP FTE Student Enrollment and Student Transportation attestation examination reports issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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STATE UNIVERSITIES AND STATE COLLEGES

State Universities and State Colleges
Audit Impact Measures

Total asset values upon which financial statement opinions were rendered	$34.4 billion
Total revenues upon which financial statement opinions were rendered	$18.7 billion
Number of audit reports issued	
Financial	40
Operational	22
Total number of audit reports issued	62
Number of audit findings	98
Number of findings identifying potential opportunities for cost recovery, savings, or loss avoidance	51
Total amount identified for cost recovery, savings, or loss avoidance	$29.1 million

Financial Statements During the period November 1, 2018, through October 31, 2019, we completed audits of the financial statements of 12 State universities and 28 State colleges for the fiscal year ended June 30, 2018. We found that the State universities and State colleges presented fairly, in all material respects, the financial statements for the applicable fiscal years in accordance with accounting principles generally accepted in the United States of America. However, we reported a material weakness[8] and material noncompliance[9] at one State university, the University of Central Florida (UCF). We also noted significant deficiencies at 2 State colleges (Northwest Florida State College and Lake-Sumter State College). The material weakness and material noncompliance at UCF related to controls that were ineffective to prevent, or timely detect and correct, the unallowable use of $29.1 million in Education and General appropriation carryforward funds for construction activities, contrary to Legislative directives. UCF also misreported the funding source for this construction in the capital outlay budget for the 2015-16 through 2018-19 fiscal years. The significant deficiencies at the State colleges pertained to inadequate financial reporting procedures and a lack of timely and complete bank reconciliations.

[8] A material weakness is a deficiency, or a combination of deficiencies, in internal controls such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected, on a timely basis.

[9] Material noncompliance is noncompliance with provisions of laws, regulations, contracts, or grant agreements that has a material effect on the financial statements.

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Federal Awards We audited the Federal awards program expenditures of the State universities and State colleges as part of our Single Audit of the State of Florida. A description of our Single Audit of the State of Florida begins on page 15.

Operational Audits During the period November 1, 2018, through October 31, 2019, we issued operational audit reports for 6 State universities and 16 State colleges. Our operational audits focused on several areas involving board oversight, such as policies regarding the use of State university or State college property, facilities, and services by direct-support organizations, as well as employment agreements and compensation. Our audits also evaluated internal controls over numerous operational areas and compliance with applicable Florida statutes and other requirements. For example, we tested selected information technology internal controls, the assessment and use of tuition fees, internal controls over the administration of construction contracts, procurement practices, textbook affordability, and internal controls over the administration of payroll and personnel.

Our operational audit findings and the financial audit findings are tabulated in Table 5 by audit area.

Table 5
Tabulation of State University and State College Audit Findings by Audit Area

Audit Area	Number of Findings	Number of Institutions
Adult General Education Enrollment Reporting	4	4
Auxiliary Enterprises	1	1
Board Policies and Actions	1	1
Cash and Cash Collections	5	5
Construction and Related Activities	13	5
Direct-Support Organizations	18	17
Distance Learning	2	2
Expenditures and Disbursements	1	1
Financial Management	8	7
Information Technology Internal Controls	18	12
Investments	2	1
Personnel and Payroll	10	10
Purchasing Practices and Contractual Services	5	4
Reporting to State Oversight Officials	1	1
Sexual Predator and Sexual Offender Registry Notification	1	1
Textbook Affordability	8	8

Some findings we noted at several State universities or State colleges are summarized below.

- **Direct-Support Organizations** – For 17 institutions, we reported that policies and records supporting institution property, facilities, and personal services used by direct-support

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organizations could be improved. We also noted that 1 of these institutions leased land and facilities from its direct-support organization, without documenting an apparent public purpose as the facilities remained unoccupied for the period that lease payments were made.

- **Information Technology Internal Controls** – For 12 institutions, we reported that information technology (IT) internal controls enhancements were needed for financial and related systems. Needed enhancements involved restricting IT access privileges to only those needed to perform assigned job duties and developing procedures to timely evaluate access privileges. We noted an increased risk of unauthorized disclosure of prospective, former, and current students' social security numbers due to these inadequate access controls. We also noted instances in which institutions did not timely deactivate access privileges for former employees. Examples of other internal control deficiencies noted include the lack of a security awareness program, the lack of an IT risk assessment, and a need for security controls related to user authentication.

- **Personnel and Payroll** – Ten institutions needed to improve the administration of personnel and payroll functions. For example, we noted instances in which institutions made severance and terminal leave payments that exceeded the limits established in State law. We also noted that several institutions needed to implement procedures to ensure that certain employees reported time worked and supervisory approval of the time worked was documented. Two institutions did not document the reasonableness of President Emeritus compensation. Amounts identified for cost recovery, savings, or loss avoidance related to the personnel and payroll audit findings totaled $15,698.

- **Textbook Affordability** – Eight institutions needed to improve textbook affordability policies and procedures. For example, we noted that certain institutions did not timely post textbook information to the institutions' Web sites and to the institutions' course registration system and did not maintain records to document the dates the required textbook information was posted. We also noted instances in which institutions needed to implement or enhance procedures to help ensure that textbooks are available to students at the best prices available.

- **Financial Management** – Other than the material weakness and material noncompliance finding discussed in the **Financial Statements** section on page 28, six institutions needed to enhance internal controls over financial management. Several institutions needed to enhance procedures related to student receivables. We also noted that the intercollegiate athletic programs at two institutions were not self-supporting and continued to experience cash deficits.

A listing of all State university and State college audit reports issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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INFORMATION TECHNOLOGY

INFORMATION TECHNOLOGY AUDITS

Public entities rely on information technology (IT) to record, process, maintain, and report essential financial and program information necessary to achieve their missions and business objectives. The widespread use of IT, without proper safeguards, can lead to vulnerabilities that allow the introduction of errors by employees in their daily work processes and actions by persons with malicious intentions. As such, IT internal controls are a critical component of public entity internal control systems and public entity management has an important stewardship responsibility for establishing effective IT internal controls. Such controls should reasonably assure the achievement of management's control objectives, including, in particular, assuring the confidentiality, integrity, and availability of data and IT resources. The absence of effective IT internal controls can result in significant risks to public entity operations and assets, such as the risk of unauthorized or erroneous disclosure, modification, or destruction of financial or sensitive information and IT resources.

The Auditor General evaluates the effectiveness of internal controls over IT in financial audits and operational audits. Consideration of IT internal controls is an essential and significant part of the audit process in these audits because public entity business processes that are relevant to the audit objectives are usually dependent on IT. The Auditor General also conducts IT operational audits of significant IT systems, processes, and controls.

State Agencies and Related Entities We issued six IT operational audit reports for State agencies and related entities during the period November 1, 2018, through October 31, 2019. These audits evaluated critical or complex systems, processes, or controls at six State agencies. These systems, processes, and controls included:

- The Florida Public Assistance System (FloridaPA.org) – a Web-based portal used by the Division of Emergency Management to manage the Disaster – Grants Florida Public Assistance programs relating to disaster relief and recovery.
- The Florida Accounting Information Resource Subsystem (FLAIR) – the State of Florida's accounting system that maintains State agency accounting and State budget control records and processes the State's payroll.
- The System for Unified Taxation (SUNTAX) – the tax administration and accounting system used by the Department of Revenue.
- The Reemployment Assistance Claims and Benefits Information System – a Web-based claims management system used by the Department of Economic Opportunity for all Reemployment Assistance Program functions.
- Selected IT general and application controls applicable to the Integrated Retirement Information System (IRIS) used by the Division of Retirement within the Department of Management Services to support the functions required to provide retirement services.
- Selected IT general controls at the Agency for Persons with Disabilities.

Educational and Related Entities During the period November 1, 2018, through October 31, 2019, we issued five IT operational audit reports for educational entities, including two State universities, one State college, and two school districts. These audits evaluated:

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- Selected IT internal controls at the Florida Polytechnic University applicable to Workday® Enterprise Cloud Applications, including the contractual relationship with Workday, Inc. as the provider for the University's Workday® Software as a Service subscription.
- Selected IT internal controls at the University of Florida applicable to the Oracle PeopleSoft Applications.
- Selected IT internal controls at the Charlotte County District School Board applicable to the Focus Student Information System (Focus) and the infrastructure supporting Focus.
- Selected IT internal controls at the Broward College applicable to Workday® Enterprise Cloud Applications, including the contractual relationship with Workday, Inc. as the provider for the College's Workday® Software as a Service subscription.
- Selected IT internal controls at the Seminole County District School Board applicable to the Oracle PeopleSoft Applications (PeopleSoft) and the Skyward Student Information System (Skyward) and the infrastructure supporting PeopleSoft and Skyward.

Our IT operational audit report findings primarily pertained to internal controls underlying the overarching principles for data integrity, data confidentiality, and data or IT resource availability and are tabulated by control area in Table 6. We noted findings related to general controls as well as business process application controls.

Table 6
Tabulation of Information Technology
Operational Audit Findings by Control Area

Control Area	Number of Findings	Number of Entities
Business Process Application Controls:		
Application-Level General	24	8
Configuration Management	6	2
Security Management	3	2
Business Process	3	1
Data Management System	1	1
General Controls:		
Security Management	14	8
Access	6	5
Configuration Management	1	1

Some of the common findings related to:

- Excessive or unnecessary user access privileges.
- Untimely removal of user access privileges.
- Lack of appropriate access authorization documentation for system users.
- Insufficient review of the appropriateness of user access privileges.
- Lack of retention of access control records related to the deactivation of access privileges.

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- Lack of timely security awareness training for employees.
- Lack of a comprehensive policy for the performance of background screenings for employees and contracted consultants.
- Inadequate mobile device management security controls.
- Inadequate data quality controls.
- Inadequate controls over change management.

To avoid the possibility of compromising entity data and IT resources, we did not disclose in the public reports the specific details of certain sensitive matters we noted for 10 of the 11 entities discussed in this section. Specific details of these matters, included in a total of 38 findings, were separately communicated to applicable entity management. These matters involved security control deficiencies relating to various topics such as logical access, user authentication, logging and monitoring, physical security of data, configuration management, account management, and vulnerability management.

ANALYTICAL AND AUTOMATED PROCEDURES AND AUDIT APPLICATIONS

In addition to IT operational audits, extensive IT support is provided to the Auditor General's financial and operational audit and attestation examination engagements through computer assisted audit techniques (CAATs) services. Such services are focused, allow for extensive data analysis in an efficient manner, and are accomplished by obtaining detailed information that can be used to prepare reconciliations, summaries, samples of detailed transactions, and range reports for our professional audit staff. CAATs services also include a variety of data queries and other data analyses that can identify unexpected or unexplained patterns that may be indicative of fraud. With the volume of data continuously growing, the use of CAATs allows increased audit coverage, more thorough and consistent analysis of data, and reduced audit risk.

In addition, custom computer application systems are maintained by IT support staff to support numerous audit activities. Examples include applications for our electronic audit working papers that document the audit work performed, for analyzing and compiling financial statement adjustments, and for support of our reviews of local government, school district, and charter school audit reports prepared by other independent certified public accountants.

A listing of all IT operational audit reports issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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OTHER AUDITS AND ACCOUNTABILITY ACTIVITIES

LOCAL GOVERNMENT AUDITS

Pursuant to Section 11.45(2)(j), Florida Statutes, we audit local governmental entities when determined to be necessary by the Auditor General, when directed by the Legislative Auditing Committee or the Legislature, or when otherwise required by law. During the period November 1, 2018, through October 31, 2019, we issued reports on two operational audits directed by the Legislative Auditing Committee and Legislature; reports on two operational audits of water management districts, pursuant to Section 11.45(2)(f), Florida Statutes; and reports on follow-up procedures we performed pursuant to Section 11.45(2)(j), Florida Statutes, for two operational audits of local governmental entities.

City of Opa-Locka and Opa-Locka Community Redevelopment Agency (CRA) Our operational audit report No. 2019-221 disclosed a pervasive lack of adequate controls necessary to promote and encourage compliance with applicable State laws, City ordinances and regulations, contracts, grant agreements, and other applicable guidelines; economic and efficient operations; reliability of records and reports; and the safeguarding of assets. Our audit also disclosed numerous instances of potential fraud, waste, and abuse. For some of our findings, the amount of resources lost due to noncompliance or inadequate accountability was not quantifiable; however, we identified questioned costs or potential avoidable losses totaling nearly $5 million, collectively, for the City and the CRA. Findings addressed:

- Deteriorating financial conditions.
- Inadequate administration and management of City operations, including the need for enhancements to controls for reporting known or suspected fraud and over the budgetary process.
- Lack of accountability for resources.
- Lack of adequate controls over cash, capital assets, motor vehicles, long-term debt, revenues and travel.
- Numerous control deficiencies related to payroll and personnel administration.
- Significant issues regarding procurement and contracting for goods and services, including instances where competitive selection processes were not used.
- Inadequate controls over the maintenance of public records.
- Significant issues and deficiencies relative to the creation, administration, funding, and oversight of the Opa-Locka CRA.

East Flagler Mosquito Control District The findings in our operational report No. 2019-112 of the District included:

- Lack of adequate policies and procedures regarding construction projects, including competitive selection of architectural services, evaluating suitability of proposed construction sites, retaining critical documents, assessing damages for construction delays, and monitoring project change orders.
- Lack of records evidencing that an architectural firm maintained the contractually required professional liability insurance coverage.

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- Lack of formal financial policies addressing the budget development and management process, which contributed to a significant overstatement of initial available balances, failure to post budget amendments to the District's Web site as required by law, and a lack of clarity in budget reports.
- Lack of policies and procedures establishing minimum unrestricted fund balances for the District's General Fund and lack of anti-fraud policies or procedures.

St. Johns River Water Management District The findings in our operational audit report No. 2019-079 disclosed that:

- Records did not always demonstrate the District inspector general complied with applicable statutory requirements.
- The most appropriate and statutorily-required competitive procurement practices were not always used in the District's acquisition of design-build services and for construction projects.
- There was no documentation showing Board approval to waive a closing contingency provision that became applicable during an acquisition of land for conservation purposes.

Northwest Florida Water Management District The findings in our operational audit report No. 2019-050 disclosed that:

- District policies and procedures for the disposal of tangible personal property could be improved.
- District motor vehicle logs did not always document supervisory review and approval to confirm the propriety of vehicle use.
- District vehicle maintenance and repair expenditures were not always recorded in the vehicle management system, which is used to monitor expenditures for each vehicle.

Follow-Up Procedures Section 11.45(2)(j), Florida Statutes, requires the Auditor General to, no later than 18 months after the release of a report on the audit of a local governmental entity, perform such appropriate follow-up procedures as deemed necessary to determine the audited entity's progress in addressing the findings contained within our previous report. We performed audits to determine the extent to which the following entities had corrected, or were in the process of correcting, findings disclosed in our previous reports.

- **City of Archer** - Our follow-up audit report No. 2019-088 disclosed that, of the 14 findings and recommendations contained in our report No. 2016-197, the City's actions corrected 5 findings, partially corrected 7 findings, and did not correct 2 findings.
- **City of Palatka and Palatka Downtown Redevelopment Agency** - Our follow-up audit report No. 2019-214 disclosed that, of the 5 findings and recommendations contained in our report No. 2017-107, the City and Downtown Redevelopment Agency's actions corrected 3 findings and partially corrected 2 findings.

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SCHOLARSHIP FUNDING ORGANIZATIONS

Pursuant to Sections 11.45(2)(l), 1002.385(14)(a), and 1002.40(12), Florida Statutes, we conduct annual operational audits of the accounts and records of eligible nonprofit scholarship-funding organizations participating in a State-sponsored scholarship program authorized by Chapter 1002, Florida Statutes.

AAA Scholarship Foundation – FL, LLC In our operational audit report Nos. 2019-179 and 2020-025, we noted that the Foundation generally complied with the applicable provisions governing the Florida Tax Credit Scholarship and Gardiner Scholarship Programs.

Step Up For Students, Inc. The findings in our operational audit report No. 2020-020 disclosed that:

- Household income of Florida Tax Credit Program scholarship applicants was not always properly evaluated to ensure that scholarships were awarded only to eligible students. Additionally, the Florida Department of Education was not consulted to ensure prior scholarship award eligibility errors were satisfactorily resolved.
- Procedures did not require and ensure that exempt employees maintained records of time worked or require supervisory approval of such records.
- Contrary to State law, employees and students were not notified of the purpose for which their social security numbers were collected. In addition, some unnecessary information technology user access privileges existed that increased the risk of unauthorized disclosure of sensitive personal student information.
- Application processing errors caused a delay in funding for certain students eligible through the Gardiner Scholarship Program.
- Procedures did not always identify those private schools required to contract with an independent certified public accountant for an agreed upon procedures engagement pursuant to State law; as a result, reports were not received from several private schools required to contract for such an engagement.
- Florida Tax Credit Scholarship Program investment earnings of $280,000 were spent for non-Program purposes.

RULES OF THE AUDITOR GENERAL AND OTHER GUIDANCE

To promote audit quality, the Auditor General promulgates rules in consultation with the Florida Board of Accountancy and provides technical assistance to local educational entities, nonprofit and for-profit organizations, and independent certified public accountants (CPAs). These rules (Chapters 10.550, 10.650, 10.700, 10.800, and 10.850) are updated annually and are readily accessible on the Auditor General Web site, www.FLAuditor.gov. Additionally, the Auditor General provides guidelines for reviewing audit reports of charter schools, charter technical career centers, school districts, the Florida Virtual School, virtual instruction program providers, and local governmental entities.

The Auditor General publishes a compliance supplement to assist CPAs in conducting local governmental entity audits pursuant to Section 218.39, Florida Statutes. The Auditor General also publishes another compliance supplement to assist auditors in identifying significant compliance issues that affect the operations of school districts and to provide a resource for the efficient and cost-effective research of significant laws and rules applicable to school district operations.

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REVIEWS OF AUDIT REPORTS

Section 11.45(7)(b), Florida Statutes, requires the Auditor General to review all audit reports submitted pursuant to Section 218.39, Florida Statutes. Section 218.39, Florida Statutes, requires that, for each year that the Auditor General does not conduct a financial audit of a charter school, charter technical career center, school district, county, and certain municipalities and special districts, the entity shall provide for an annual financial audit conducted by a CPA and submit a copy of the audit report to the Auditor General. We review the audit reports to determine whether:

- The auditor's reports comply with applicable *Government Auditing Standards* and Rules of the Auditor General.
- The accompanying financial statements conform to accounting principles generally accepted in the United States of America.
- The audit reports were prepared by independent CPAs properly licensed by the Florida Board of Accountancy.

Additionally, Section 215.97(12)(f), Florida Statutes, requires the Auditor General to perform ongoing reviews of financial reporting packages submitted pursuant to the Florida Single Audit Act to determine compliance with the reporting requirements of the Act and applicable Department of Financial Services rules and Rules of the Auditor General. We report the results of our reviews to the Legislature.

Significant Findings and Financial Trends In conjunction with our review of audit reports, we compile and transmit to the Legislature summaries of significant findings and financial trends identified in audit reports of charter schools, charter technical career centers, school districts, and local governmental entities.

OTHER ACTIVITIES

Required Notifications We are required by law to notify the Legislative Auditing Committee of any charter school, charter technical career center, school district, or local governmental entity, as applicable, that:

- Failed to comply with the Section 218.39, Florida Statutes, audit requirements.[10]
- Failed to take full corrective action in response to a recommendation included in a financial audit report that was also included in the two preceding financial audit reports.[11]
- Failed to provide significant items omitted from audit reports submitted to us.
- Failed to provide evidence of corrective action taken for noncompliance with Section 218.415, Florida Statutes, as noted by other CPAs.
- Met one or more of the conditions specified in Section 218.503(1), Florida Statutes.[12]

[10] For special districts, we are also required to notify the Department of Economic Opportunity.

[11] This requirement also applies to operational audits of school districts, State universities, and State colleges conducted pursuant to Section 11.45, Florida Statutes.

[12] For charter schools, charter technical career centers, and school districts, we are also required to notify the Commissioner of Education. For local governmental entities, we are also required to notify the Governor.

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We are also required to notify the President of the Senate, the Speaker of the House of Representatives, and the Department of Financial Services of all charter schools, charter technical career centers, school districts, State universities, State colleges, and local governmental entities that failed to comply with statutory transparency requirements as identified in audit reports reviewed pursuant to Section 11.45(7)(b), Florida Statutes, or by audits conducted by the Auditor General pursuant to Section 11.45(2), Florida Statutes.

Effective July 1, 2019, pursuant to Section 11.45(2)(k), Florida Statutes, we are required to contact each school district with findings and recommendations contained within the previous operational audit report and request evidence of the initiation of corrective action within 45 days and evidence of completion of corrective action within 180 days. If the school district fails to timely comply with our request or is unable to take corrective action within the required time frame, we are to notify the Legislative Auditing Committee.

Quality Assessment Reviews Pursuant to Section 11.45(2)(i), Florida Statutes, the Auditor General conducts quality assessment reviews of State agencies' Offices of Inspectors General (OIGs) internal audit activities. We issued six quality assessment review reports during the period November 1, 2018, through October 31, 2019. Four of the reports addressed review periods of July 2018 through June 2019, and two of the reports addressed review periods of July 2017 through June 2018.

For each of the six reviews, we reported that the quality assurance and improvement program related to the OIGs' internal audit activity was adequately designed and complied with during the review period to provide reasonable assurance of conformance with applicable professional auditing standards and the Code of Ethics issued by the Institute of Internal Auditors. We also found that the OIGs generally complied with those provisions of Section 20.055, Florida Statutes, governing the operation of State agencies' OIG internal audit activities.

Professional Activities To help accomplish our Professional Services Goal, we communicate and work with professional associations to improve governmental accounting, auditing, and financial reporting and to promote the efficient use of government resources. Additionally, our professional audit staff participated in National and State standards-setting processes and served as members of various National, State, and local professional organization boards, committees, and work groups.

A listing of audit reports and reports on other accountability activities issued during the period November 1, 2018, through October 31, 2019, is included in EXHIBIT B of this Annual Report.

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ANNUAL REPORT EXHIBITS

EXHIBIT A is our projected work plan for the 2020-21 and 2021-22 fiscal years and, as additional information, we have included three other exhibits in this Annual Report.

EXHIBIT A ***Projected Work Plan 2020-2021 and 2021-2022***	***EXHIBIT A*** represents our Projected 2-Year Work Plan for the 2020-21 and 2021-22 fiscal years based on our analyses as of November 25, 2019. Modifications to the Work Plan may be made in response to law changes, legislative requests, or other considerations. For information on our methodology for establishing our Work Plan, see pages 10 through 12.	**Pages 40 - 43**
EXHIBIT B ***Reports Issued During the Period November 1, 2018, Through October 31, 2019***	***EXHIBIT B*** lists each report we issued during the period November 1, 2018, through October 31, 2019. The report information is generally provided by entity type; however, some report information is listed under other audits and accountability activities.	**Pages 44 - 51**
EXHIBIT C ***Reports Issued or Scheduled to Be Issued Subsequent to October 31, 2019, and by March 31, 2020***	***EXHIBIT C*** provides information on our audit activities completed or in progress subsequent to the October 31, 2019, cutoff date for this Annual Report. We post reports to our Web site www.FLAuditor.gov as the reports are issued.	**Pages 52 - 54**
EXHIBIT D ***NSAA Peer Review Report***	***EXHIBIT D*** presents the NSAA Peer Review Report, dated October 18, 2019, on our system of quality control.	**Page 55**
EXHIBIT E ***Auditor General Contact Information***	***EXHIBIT E*** includes the names and telephone numbers of Auditor General management and each individual's areas of reporting responsibility. Contact information is also located in each audit report.	**Page 56**

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EXHIBIT A
PROJECTED WORK PLAN 2020 – 2021

Financial Audits:

- *Department of the Lottery*
- *Florida Retirement System Pension Plan and Other State-Administered Systems Schedules of Employer Allocations and Pension Amounts by Employer*
- *Florida School for the Deaf and the Blind*
- *Local Government Surplus Funds Trust Fund*
- *School Districts, including Audit of Federal Awards, as applicable (47)*
- *State of Florida Reporting Entity, including Audit of Federal Awards*
- *State Colleges (28)*
- *State Universities (12)*

Operational and Performance Audits:

- *Agency for Health Care Administration*
- *Citizens Property Insurance Corporation*
- *Commission on Offender Review*
- *Department of Agriculture and Consumer Services*
- *Department of Agriculture and Consumer Services – Information Technology Audit*
- *Department of Business and Professional Regulation*
- *Department of Children and Families*
- *Department of Children and Families – Florida Online Recipient Integrated Data Access (FLORIDA) System – Information Technology Audit*
- *Department of Corrections*
- *Department of Economic Opportunity – Reemployment Assistance Claims and Benefits Information System – Information Technology Audit*
- *Department of Financial Services – Florida Accounting Information Resource Subsystem (FLAIR) – Information Technology Audit*
- *Department of Health*
- *Department of Management Services*
- *Department of Military Affairs*
- *Department of Revenue*
- *Department of Revenue – Ad Valorem Tax Program*
- *Department of Transportation*
- *Department of Transportation – Federal Programs Management Subsystem – Information Technology Audit*

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EXHIBIT A
PROJECTED WORK PLAN 2020 – 2021

Operational and Performance Audits (Continued):

- *Department of Veterans' Affairs*
- *Fish and Wildlife Conservation Commission*
- *Florida State University Northwest Regional Data Center – Data Center Operations – Information Technology Audit*
- *Information Technology Audits of Selected State Agency and Educational Entity Major Systems*
- *Judicial-Related Entities*
- *Local Government Financial Reporting System*
- *Multi-Agency Audit of Surplus Hard Drives – Information Technology Audit*
- *Office of Early Learning*
- *Selected Local Governmental Entities*
- *Scholarship Funding Organizations*
- *School Districts (22)*
- *State Board of Administration*
- *State Board of Administration and Florida PRIME – Information Technology Audit*
- *State Colleges (9)*
- *State Universities (3)*
- *Triumph Gulf Coast, Inc.*

Florida Education Finance Program Examinations:

- *School Districts (30)*

Other Accountability Activities:

- *Annual Reviews of Audit Reports of Charter Schools, Charter Technical Career Centers, School Districts, Local Governmental Entities, and Certain Nonprofit and For-Profit Entities*
- *Compilations of Significant Findings and Financial Trends*
- *Per Diem Cost Certifications upon the Request of the Department of Management Services or Department of Corrections*
- *Quality Assessment Reviews of Offices of Inspectors General Internal Audit Activities (13)*
- *Technical Advice and Rule and Guideline Maintenance*

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EXHIBIT A
PROJECTED WORK PLAN 2021 – 2022

Financial Audits:

- *Department of the Lottery*
- *Florida Retirement System Pension Plan and Other State-Administered Systems Schedules of Employer Allocations and Pension Amounts by Employer*
- *Florida School for the Deaf and the Blind*
- *Local Government Surplus Funds Trust Fund*
- *School Districts, including Audit of Federal Awards, as applicable (47)*
- *State of Florida Reporting Entity, including Audit of Federal Awards*
- *State Colleges (28)*
- *State Universities (12)*

Operational and Performance Audits:

- *Agency for Health Care Administration*
- *Agency for Persons with Disabilities*
- *Agency for State Technology – State Data Center Operations – Information Technology Audit*
- *Department of Children and Families*
- *Department of Corrections*
- *Department of Economic Opportunity*
- *Department of Education*
- *Department of Environmental Protection*
- *Department of Financial Services*
- *Department of Financial Services – Florida Accounting Information Resource Subsystem (FLAIR) – Information Technology Audit*
- *Department of Law Enforcement – Information Technology Audit*
- *Department of Juvenile Justice*
- *Department of Legal Affairs*
- *Department of the Lottery*
- *Department of Management Services – Division of Retirement Integrated Retirement Information System (IRIS) – Information Technology Audit*
- *Division of Emergency Management*
- *Information Technology Audits of Selected State Agency and Educational Entity Major Systems*

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EXHIBIT A
PROJECTED WORK PLAN 2021 – 2022

- **Operational and Performance Audits (Continued):**
  - *Multi-Agency Audit of Disaster Recovery – Information Technology Audit*
  - *Office of Financial Regulation*
  - *Public Service Commission*
  - *Selected Local Governmental Entities*
  - *Scholarship Funding Organizations*
  - *School Districts (29)*
  - *State Colleges (13)*
  - *State Universities (6)*
  - *Triumph Gulf Coast, Inc.*

- **Florida Education Finance Program Examinations:**
  - *School Districts (30)*

- **Other Accountability Activities:**
  - *Annual Reviews of Audit Reports of Charter Schools, Charter Technical Career Centers, School Districts, Local Governmental Entities, and Certain Nonprofit and For-Profit Entities*
  - *Compilations of Significant Findings and Financial Trends*
  - *Per Diem Cost Certifications upon the Request of the Department of Management Services or Department of Corrections*
  - *Quality Assessment Reviews of Offices of Inspectors General Internal Audit Activities (34)*
  - *Technical Advice and Rule and Guideline Maintenance*

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EXHIBIT B

Reports Issued During the Period
November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	State Government	
2020-012	Agency for Persons With Disabilities - iBudget Florida - Operational Audit	08/13/2019
2020-018	Agency for Persons with Disabilities - Information Technology General Controls - Information Technology Operational Audit	08/27/2019
2019-152	Agency for State Technology - State IT Project Management and Oversight - Operational Audit	03/15/2019
2019-064	Department of Agriculture and Consumer Services - Administration of Private Investigator, Security Officer, Recovery Agent, and Concealed Weapon Licenses and Prior Audit Follow-Up - Operational Audit	12/03/2018
2019-111	Department of Children and Families - Oversight and Administration of Community-Based Care Lead Agencies and Behavioral Health Managing Entities and Selected Department Administrative Activities - Operational Audit	01/31/2019
2019-101	Department of Children and Families - Regulation of Child Care Providers and Licensing of Foster Homes - Operational Audit	01/14/2019
2020-006	Department of Corrections - Community Supervision, Selected Administrative Activities, and Prior Audit Follow-Up - Operational Audit	07/25/2019
2019-183	Department of Economic Opportunity - Reemployment Assistance Claims and Benefits Information System (CONNECT) - Information Technology Operational Audit	03/27/2019
2020-017	Department of Economic Opportunity - Selected Administrative Activities - Operational Audit	08/23/2019
2020-026	Department of Environmental Protection - Selected Information Technology Systems - Operational Audit	09/12/2019
2019-068	Department of Financial Services - Florida Accounting Information Resource Subsystem (FLAIR) - Information Technology Operational Audit	12/10/2018
2019-097	Department of Legal Affairs - Medicaid Fraud Control Unit, Selected Administrative Activities, and Prior Audit Follow-Up - Operational Audit	01/04/2019
2019-220	Department of Management Services - Information Technology General Controls and Integrated Retirement Information System (IRIS) - Information Technology Operational Audit	06/28/2019
2019-098	Department of Management Services - Statewide Law Enforcement Radio System Prior Audit Follow-Up and Selected Administrative Activities - Operational Audit	01/07/2019
2019-195	Department of Military Affairs - Selected Administrative Activities and Prior Audit Follow-Up - Operational Audit	03/28/2019
2020-003	Department of Revenue - Administration of the Ad Valorem Tax Program - Performance Audit	07/17/2019
2019-216	Department of Revenue - Selected Administrative Activities and Prior Audit Follow-Up - Operational Audit	05/31/2019
2019-124	Department of Revenue - System for Unified Taxation (SUNTAX) - Information Technology Operational Audit	02/14/2019
2020-011	Department of the Lottery - Advertising and Sponsorship and Selected Administrative Activities - Operational Audit	08/09/2019
2019-090	Department of the Lottery - Comprehensive Annual Financial Report	12/21/2018
2020-040	Department of Transportation - Right-of-Way Relocation Assistance Program - Operational Audit	10/24/2019
2019-209	Division of Administrative Hearings - Adjudication of Disputes Program, Workers' Compensation Appeals Program, and Selected Information Technology Controls and Administrative Activities - Operational Audit	04/22/2019

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EXHIBIT B

Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	State Government – Continued	
2019-049	Division of Emergency Management - Florida Public Assistance System (FloridaPA.org) - Information Technology Operational Audit	11/08/2018
2020-016	Division of Emergency Management - Public Assistance Program and Prior Audit Follow-Up - Operational Audit	08/22/2019
2020-019	Florida Retirement System and Retiree Health Insurance Subsidy Program Cost-Sharing Multiple Employer Defined Benefit Pension Plans Deferred Outflows for Contributions Subsequent to the June 30, 2018, Measurement Date by Employer	08/28/2019
2019-086	Florida Retirement System Pension Plan and Other State - Administered Systems - Financial Audit	12/19/2018
2019-197	Florida School for the Deaf and the Blind - Financial Audit	03/29/2019
2020-027	Florida State University - Northwest Regional Data Center - Cost Allocation Processes - Operational Audit	09/12/2019
2020-008	Justice Administrative Commission, State Attorneys, Public Defenders, Capital Collateral Regional Counsel, Criminal Conflict and Civil Regional Counsel, and Guardian Ad Litem - Operational Audit	07/31/2019
2019-203	Office of Early Learning - TEACH Scholarship Program and Prior Audit Follow-Up - Operational Audit	04/03/2019
2019-104	Office of Financial Regulation - Division of Securities and Prior Audit Follow-Up - Operational Audit	01/18/2019
2019-217	Public Service Commission - Selected Administrative Activities and Prior Audit Follow-Up - Operational Audit	06/19/2019
2019-102	Schedules of Employer Allocations and Pension Amounts by Employer for the Florida Retirement System Pension Plan and the Retiree Health Insurance Subsidy Program - Cost-Sharing Multiple Employer Defined Benefit Pension Plans	01/16/2019
2019-067	State Board of Administration - Local Government Surplus Funds Trust Fund (Florida PRIME) - (An External Investment Pool) - Financial Audit	12/07/2018
2019-186	State of Florida - Compliance and Internal Controls Over Financial Reporting and Federal Awards [a]	03/28/2019
2020-032	State University System Board of Governors - Operational Audit	09/30/2019
2019-215	Triumph Gulf Coast, Inc. - Operational Audit	05/21/2019
	School Districts	
2019-164	Alachua County District School Board - Financial and Federal Single Audit	03/20/2019
2019-085	Alachua County District School Board - Operational Audit	12/18/2018
2019-130	Baker County District School Board - Financial and Federal Single Audit	02/19/2019
2019-158	Bradford County District School Board - Financial and Federal Single Audit	03/19/2019
2019-198	Broward County District School Board - Financial and Federal Single Audit	03/29/2019
2019-210	Broward County District School Board - Operational Audit	04/26/2019
2019-127	Calhoun County District School Board - Financial and Federal Single Audit	02/15/2019
2019-212	Charlotte County District School Board - Focus Student Information System - Information Technology Operational Audit	05/02/2019
2019-163	Citrus County District School Board - Financial and Federal Single Audit	03/20/2019
2019-069	Citrus County District School Board - Operational Audit	12/10/2018
2019-185	Clay County District School Board - Financial and Federal Single Audit	03/27/2019

[a] Our independent auditor's report on the State of Florida's financial statements was published in the State of Florida's *Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018*.

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EXHIBIT B

Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	School Districts – Continued	
2019-115	Clay County District School Board - Operational Audit	02/05/2019
2019-072	Collier County District School Board - Financial and Federal Single Audit	12/11/2018
2019-109	Collier County District School Board - Operational Audit	01/29/2019
2019-119	Columbia County District School Board - Financial and Federal Single Audit	02/11/2019
2019-087	Columbia County District School Board - Operational Audit	12/19/2018
2019-120	Desoto County District School Board - Financial and Federal Single Audit	02/11/2019
2020-033	DeSoto County District School Board - Operational Audit	10/01/2019
2019-106	Dixie County District School Board - Financial and Federal Single Audit	01/24/2019
2019-060	Dixie County District School Board - Operational Audit	11/30/2018
2019-126	Flagler County District School Board - Financial and Federal Single Audit	02/15/2019
2019-065	Franklin County District School Board - Financial and Federal Single Audit	12/03/2018
2019-162	Gadsden County District School Board - Financial and Federal Single Audit	03/19/2019
2020-042	Gadsden County District School Board - Operational Audit	10/29/2019
2019-181	Gilchrist County District School Board - Financial and Federal Single Audit	03/26/2019
2019-150	Glades County District School Board - Financial and Federal Single Audit	03/15/2019
2020-009	Glades County District School Board - Operational Audit	08/06/2019
2019-149	Gulf County District School Board - Financial and Federal Single Audit	03/13/2019
2020-010	Gulf County District School Board - Operational Audit	08/08/2019
2019-157	Hamilton County District School Board - Financial and Federal Single Audit	03/19/2019
2020-013	Hamilton County District School Board - Operational Audit	08/14/2019
2019-142	Hardee County District School Board - Financial and Federal Single Audit	03/07/2019
2019-161	Hardee County District School Board - Operational Audit	03/19/2019
2019-113	Hendry County District School Board - Financial and Federal Single Audit	02/05/2019
2020-030	Hendry County District School Board - Operational Audit	09/26/2019
2019-137	Hernando County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	02/28/2019
2019-202	Hernando County District School Board - Operational Audit	04/02/2019
2019-117	Highlands County District School Board - Financial and Federal Single Audit	02/08/2019
2019-167	Holmes County District School Board - Financial and Federal Single Audit	03/21/2019
2020-037	Holmes County District School Board - Operational Audit	10/18/2019
2019-196	Indian River County District School Board - Financial and Federal Single Audit	03/28/2019
2019-144	Jackson County District School Board - Financial and Federal Single Audit	03/07/2019
2019-207	Jackson County District School Board - Operational Audit	04/18/2019
2019-153	Jefferson County District School Board - Financial Audit	03/15/2019
2019-208	Jefferson County District School Board and Jefferson County K-12, A Somerset School - Operational Audit	04/18/2019
2019-141	Lafayette County District School Board - Financial and Federal Single Audit	03/07/2019
2019-178	Levy County District School Board - Financial and Federal Single Audit	03/22/2019
2019-099	Levy County District School Board - Operational Audit	01/08/2019
2019-151	Liberty County District School Board - Financial and Federal Single Audit	03/15/2019

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Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	School Districts – Continued	
2019-172	Madison County District School Board - Financial and Federal Single Audit	03/21/2019
2019-205	Manatee County District School Board - Operational Audit	04/11/2019
2019-092	Martin County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	12/26/2018
2019-078	Monroe County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	12/14/2018
2019-145	Nassau County District School Board - Financial and Federal Single Audit	03/12/2019
2019-140	Nassau County District School Board - Operational Audit	03/05/2019
2019-135	Okaloosa County District School Board - Financial and Federal Single Audit	02/22/2019
2019-057	Okaloosa County District School Board - Operational Audit	11/27/2018
2019-146	Okeechobee County District School Board - Financial and Federal Single Audit	03/12/2019
2019-218	Palm Beach County District School Board - Operational Audit	06/24/2019
2019-082	Polk County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	12/19/2018
2019-204	Polk County District School Board - Operational Audit	04/08/2019
2019-191	Putnam County District School Board - Financial and Federal Single Audit	03/28/2019
2019-074	Sarasota County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	12/12/2018
2019-100	Sarasota County District School Board - Operational Audit	01/10/2019
2020-039	Seminole County District School Board - Oracle PeopleSoft Applications and Skyward Student Information System - Information Technology Operational Audit	10/22/2019
2019-199	St. Lucie County District School Board - Financial and Federal Single Audit	03/29/2019
2019-213	St. Lucie County District School Board - Operational Audit	05/13/2019
2019-173	Sumter County District School Board - Financial and Federal Single Audit	03/22/2019
2019-073	Sumter County District School Board - Operational Audit	12/12/2018
2019-131	Suwannee County District School Board - Financial and Federal Single Audit	02/19/2019
2019-094	Suwannee County District School Board - Operational Audit	01/02/2019
2019-121	Taylor County District School Board - Financial and Federal Single Audit	02/11/2019
2019-132	Union County District School Board - Financial and Federal Single Audit	02/19/2019
2019-070	Volusia County District School Board - Comprehensive Annual Financial Report and Federal Single Audit	12/11/2018
2019-211	Volusia County District School Board - Operational Audit	05/02/2019
2019-122	Wakulla County District School Board - Financial and Federal Single Audit	02/13/2019
2019-051	Wakulla County District School Board - Operational Audit	11/16/2018
2019-123	Walton County District School Board - Financial and Federal Single Audit	02/13/2019
2019-176	Washington County District School Board - Financial and Federal Single Audit	03/22/2019
	Florida Education Finance Program	
2020-028	Baker County District School Board - Florida Education Finance Program - Attestation Examination	09/17/2019
2020-031	Duval County District School Board - Florida Education Finance Program - Attestation Examination	09/27/2019
2019-062	Flagler County District School Board - Florida Education Finance Program - Attestation Examination	11/30/2018

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EXHIBIT B

Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	Florida Education Finance Program – Continued	
2019-089	Gadsden County District School Board - Florida Education Finance Program - Attestation Examination	12/20/2018
2019-075	Highlands County District School Board - Florida Education Finance Program - Attestation Examination	12/13/2018
2019-061	Hillsborough County District School Board - Florida Education Finance Program - Attestation Examination	11/30/2018
2020-043	Lafayette County District School Board - Florida Education Finance Program - Attestation Examination	10/31/2019
2020-021	Lake County District School Board - Florida Education Finance Program - Attestation Examination	09/09/2019
2020-024	Levy County District School Board - Florida Education Finance Program - Attestation Examination	09/10/2019
2019-091	Madison County District School Board - Florida Education Finance Program - Attestation Examination	12/21/2018
2019-080	Manatee County District School Board - Florida Education Finance Program - Attestation Examination	12/17/2018
2019-056	Marion County District School Board - Florida Education Finance Program - Attestation Examination	11/27/2018
2019-076	Martin County District School Board - Florida Education Finance Program - Attestation Examination	12/14/2018
2020-022	Palm Beach County District School Board - Florida Education Finance Program - Attestation Examination	09/09/2019
2020-041	Pinellas County District School Board - Florida Education Finance Program - Attestation Examination	10/29/2019
2020-002	Santa Rosa County District School Board - Florida Education Finance Program - Attestation Examination	07/11/2019
2019-071	Seminole County District School Board - Florida Education Finance Program - Attestation Examination	12/10/2018
2019-077	Suwannee County District School Board - Florida Education Finance Program - Attestation Examination	12/14/2018
2020-007	Union County District School Board - Florida Education Finance Program - Attestation Examination	07/30/2019
2020-034	Volusia County District School Board - Florida Education Finance Program - Attestation Examination	10/08/2019
2019-048	Walton County District School Board - Florida Education Finance Program - Attestation Examination	11/06/2018
2020-023	Washington County District School Board - Florida Education Finance Program - Attestation Examination	09/10/2019
	State Universities	
2019-105	Florida Agricultural and Mechanical University - Financial Audit	01/23/2019
2019-063	Florida Agricultural and Mechanical University - Operational Audit	12/03/2018
2019-156	Florida Atlantic University - Financial Audit	03/18/2019
2019-206	Florida Atlantic University - Operational Audit	04/12/2019
2019-189	Florida Gulf Coast University - Financial Audit	03/27/2019
2019-188	Florida International University - Financial Audit	03/27/2019
2020-005	Florida International University - Operational Audit	07/22/2019
2019-171	Florida Polytechnic University - Financial Audit	03/21/2019
2019-103	Florida Polytechnic University - Workday® Enterprise Cloud Applications - Information Technology Operational Audit	01/17/2019
2019-114	Florida State University - Financial Audit	02/05/2019
2019-083	Florida State University - Operational Audit	12/18/2018
2019-136	New College of Florida - Financial Audit	02/25/2019
2019-168	University of Central Florida - Financial Audit	03/21/2019

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FL-SEN-20-0201-A-000716

EXHIBIT B

Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	State Universities – Continued	
2019-095	University of Central Florida - Operational Audit	01/04/2019
2019-118	University of Florida - Financial Audit	02/11/2019
2019-138	University of Florida - Oracle PeopleSoft Applications - Information Technology Operational Audit	03/01/2019
2019-184	University of North Florida - Financial Audit	03/27/2019
2019-108	University of South Florida - Financial Audit	01/24/2019
2020-014	University of South Florida - Operational Audit	08/21/2019
2019-170	University of West Florida - Financial Audit	03/21/2019
	State Colleges	
2019-192	Broward College - Financial Audit	03/28/2019
2020-015	Broward College - Workday® Enterprise Cloud Applications - Information Technology Operational Audit	08/21/2019
2019-166	Chipola College - Financial Audit	03/20/2019
2019-058	Chipola College - Operational Audit	11/27/2018
2019-194	College of Central Florida - Financial Audit	03/28/2019
2019-133	College of Central Florida - Operational Audit	02/20/2019
2019-177	Daytona State College - Financial Audit	03/22/2019
2019-093	Daytona State College - Operational Audit	01/02/2019
2019-182	Eastern Florida State College - Financial Audit	03/26/2019
2019-059	Eastern Florida State College - Operational Audit	11/27/2018
2019-110	Florida Gateway College - Financial Audit	01/30/2019
2019-147	Florida Keys Community College - Financial Audit	03/13/2019
2019-174	Florida SouthWestern State College - Financial Audit	03/22/2019
2019-066	Florida SouthWestern State College - Operational Audit	12/07/2018
2019-129	Florida State College at Jacksonville - Financial Audit	02/18/2019
2019-219	Gulf Coast State College - Financial Audit	06/25/2019
2019-046	Gulf Coast State College - Operational Audit	11/02/2018
2019-128	Hillsborough Community College - Financial Audit	02/18/2019
2019-190	Indian River State College - Financial Audit	03/27/2019
2019-139	Indian River State College - Operational Audit	03/05/2019
2019-200	Lake-Sumter State College - Financial Audit	03/29/2019
2019-125	Lake-Sumter State College - Operational Audit	02/14/2019
2019-193	Miami Dade College - Financial Audit	03/28/2019
2019-175	North Florida Community College - Financial Audit	03/22/2019
2019-148	Northwest Florida State College - Financial Audit	03/13/2019
2019-180	Palm Beach State College - Financial Audit	03/26/2019
2020-038	Palm Beach State College - Operational Audit	10/18/2019
2019-107	Pasco-Hernando State College - Financial Audit	01/24/2019
2019-159	Pensacola State College - Financial Audit	03/19/2019
2019-081	Pensacola State College - Operational Audit	12/18/2018

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EXHIBIT B

Reports Issued During the Period November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	State Colleges - Continued	
2019-169	Polk State College - Financial Audit	03/21/2019
2019-054	Polk State College - Operational Audit	11/20/2018
2019-187	Santa Fe College - Financial Audit	03/27/2019
2019-134	Seminole State College of Florida - Financial Audit	02/22/2019
2019-084	Seminole State College of Florida - Operational Audit	12/18/2018
2019-165	South Florida State College - Financial Audit	03/20/2019
2019-160	St. Johns River State College - Financial Audit	03/19/2019
2019-053	St. Johns River State College - Operational Audit	11/19/2018
2019-143	St. Petersburg College - Financial Audit	03/07/2019
2019-154	State College of Florida, Manatee-Sarasota - Financial Audit	03/18/2019
2019-045	State College of Florida, Manatee-Sarasota - Operational Audit	11/02/2018
2019-116	Tallahassee Community College - Financial Audit	02/08/2019
2020-035	Tallahassee Community College - Operational Audit	10/09/2019
2019-155	Valencia College - Financial Audit	03/18/2019
2020-036	Valencia College - Operational Audit	10/16/2019
	Other Audits and Accountability Activities	
2019-179	AAA Scholarship Foundation - FL, LLC - Operational Audit	03/25/2019
2020-025	AAA Scholarship Foundation - FL, LLC - Operational Audit	09/11/2019
2019-088	City of Archer - Prior Audit Follow-Up - Operational Audit	12/20/2018
2019-221	City of Opa-locka and Opa-locka Community Redevelopment Agency - Operational Audit	06/28/2019
2019-214	City of Palatka and Palatka Downtown Redevelopment Agency - Prior Audit Follow-Up - Operational Audit	05/21/2019
2019-112	East Flagler Mosquito Control District - Operational Audit	02/01/2019
2019-050	Northwest Florida Water Management District - Operational Audit	11/15/2018
2020-001	Review of District School Board, Charter School, and Charter Technical Career Center Audit Reports for the Fiscal Year Ended June 30, 2018, Pursuant to Section 11.45(7)(b), Florida Statutes	07/11/2019
2019-096	Review of Local Governmental Entity 2016-17 Fiscal Year Audit Reports Pursuant to Section 11.45(7)(b), Florida Statutes	01/04/2019
2020-029	Review of Nonprofit, For-Profit, and Other Entities Financial Reporting Packages For Fiscal Years Ended October 1, 2017, Through September 30, 2018, Pursuant to Section 215.97(12)(f), Florida Statutes	09/25/2019
2019-079	St. Johns River Water Management District - Operational Audit	12/17/2018
2020-020	Step Up For Students, Inc. - Operational Audit	08/29/2019
2020-004	Summary of Significant Findings and Financial Trends Identified in Charter School and Charter Technical Career Center Audit Reports for the Fiscal Year Ended June 30, 2017, Pursuant to Section 11.45(7)(f), Florida Statutes	07/19/2019
2019-047	Summary of Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2017, Pursuant to Section 11.45(7)(f), Florida Statutes	11/06/2018

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FL-SEN-20-0201-A-000718

EXHIBIT B

Reports Issued During the Period
November 1, 2018, Through October 31, 2019

Report Number	Audited Entity and Report Title	Report Issue Date
	Other Audits and Accountability Activities - Continued	
2019-201	Summary of Significant Findings and Financial Trends Identified in Local Government Audit Reports for the 2016-17 Fiscal Year Pursuant to Section 11.45(7)(f), Florida Statutes	04/02/2019
2019-052	Board of Governors - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	11/16/2018
2020-044	Department of Corrections - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	10/31/2019
2020-046	Department of State - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	10/31/2019
2020-045	Executive Office of the Governor - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	10/31/2019
2019-055	Office of Financial Regulation - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	11/21/2018
2020-047	State Courts System - Office of Inspector General's Internal Audit Activity - Quality Assessment Review	10/31/2019

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FL-SEN-20-0201-A-000719

EXHIBIT C

Reports Issued or Scheduled to Be Issued Subsequent to October 31, 2019, and by March 31, 2020

State Government

Audit Entity	Scope/Areas of Operations
Agency for Health Care Administration	Analysis of Medicaid Claims Data
Agency for State Technology	State Data Center Operations – Information Technology
Department of Children and Families	Office of Public Benefits Integrity and Selected Administrative Activities State Mental Health Treatment Facilities Office of Inspector General's Internal Audit Activity
Department of Citrus	Contract Procurement and Management and Other Administrative Activities
Department of Corrections	Correctional Officer Recruitment, Certification, and Training, and Selected Administrative Activities
Department of Education	Office of Safe Schools and Prior Audit Follow-Up
Department of Elder Affairs	Office of Public and Professional Guardians and Selected Administrative Activities
Department of Financial Services	Funeral, Cemetery, and Consumer Services Regulation Division of Treasury – Selected Treasury Systems – Information Technology Florida Accounting Information Resource Subsystem – Information Technology
Department of Health	Food Service Establishment Licensing and Inspection and Prior Audit Follow-Up
Department of Highway Safety and Motor Vehicles	Selected Administrative Activities and Prior Audit Follow-Up
Department of Juvenile Justice	Procurement and Administration of Non-Residential Services Contracts, Selected Administrative Activities, and Prior Audit Follow-Up
Department of Law Enforcement	Administration of Aircraft, Selected Information Technology Controls, and Prior Audit Follow-Up
Department of the Lottery	Financial Statements
Department of Management Services	Florida Retirement System – Financial Statements Florida Retirement System – Schedules of Employer Allocations and Schedules of Pension Amounts and Certain Activities Through September 30, 2019
Department of State	Voting System Standards and Certification, Voter Registration Records Maintenance, Selected Administrative Activities, and Prior Audit Follow-Up
Executive Office of the Governor	Selected Administrative Activities
Fish and Wildlife Conservation Commission	Office of Inspector General's Internal Audit Activity
Florida Housing Finance Corporation	Office of Inspector General's Internal Audit Activity
Florida School for the Deaf and the Blind	Financial Statements Selected Areas of Operations
Florida State University – Northwest Regional Data Center	Data Center Operations – Information Technology

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FL-SEN-20-0201-A-000720

EXHIBIT C

Reports Issued or Scheduled to Be Issued Subsequent to October 31, 2019, and by March 31, 2020

State Government - Continued

Audit Entity	Scope/Areas of Operations
Office of Insurance Regulation	Financial Oversight and Market Regulation of Insurers and Selected Administrative Activities
Space Florida	Monitoring of Cooperative Agreements, Board Duties and Governance, and Selected Administrative Activities
State Board of Administration	Local Government Surplus Funds Trust Fund – Financial Statements
State of Florida	Financial Statements and Federal Awards
Triumph Gulf Coast, Inc.	Selected Areas of Operation

Educational Entities

Audit Entity/Subject	Scope/Areas of Operations
Florida Bright Futures Scholarship Program	Selected Areas of Operations
Florida Education Finance Program - Selected District School Boards and Other Entities (12)	Compliance with Reporting Requirements
Miami-Dade College Foundation	Selected Areas of Operations
Significant Findings and Financial Trends Identified in District School Board Audit Reports for the Fiscal Year Ended June 30, 2017	Significant Findings and Financial Trends Identified in District School Board Audit Reports Pursuant to Section 11.45(7)(b), Florida Statutes
School Districts	Financial and Federal Awards (46) Financial (1) Selected Areas of Operations (16) Information Technology (2)
State Colleges	Financial (28) Selected Areas of Operations (3) Information Technology (1)
State Universities	Financial (12) Selected Areas of Operations (3) Significant Financial Trends Identified in State University Financial Audit Reports for the 2017-18 Fiscal Year

Other

Audit Entity/Subject	Scope/Areas of Operations
Citrus County Board of County Commissioners - Detention Center Management Services Contract and Selected Administrative Activities	Follow-Up on Report No. 2018-007
City of Gulf Breeze	Selected Areas of Operation
City of North Miami	Follow-Up on Report No. 2018-038
City of Palm Bay	Selected Areas of Operation
Hillsborough County Aviation Authority - Tampa International Airport - 2012 Master Plan Capital Projects	Follow-Up on Report No. 2018-080

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EXHIBIT C

Reports Issued or Scheduled to Be Issued Subsequent to October 31, 2019, and by March 31, 2020

Other – Continued

Audit Entity/Subject	Scope/Areas of Operations
Local Governmental Entity Audit Reports	Results of Review of 2017-18 Fiscal Year Audit Reports - Pursuant to Section 11.45(7)(b), Florida Statutes
Local Governmental Entity Audit Reports and Annual Financial Reports	Significant Findings and Financial Trends Identified in 2017-18 Fiscal Year Audit Reports and Annual Financial Reports Reviewed Pursuant to Section 11.45(7)(f), Florida Statutes
Step Up for Students, Inc.	Selected Areas of Operation
Suwannee River Water Management District	Selected Areas of Operation
Town of Caryville	Selected Areas of Operation
Walton County Board of County Commissioners, Clerk of the Circuit Court, and Use of Funds Related to the Deepwater Horizon Oil Spill	Follow-Up on Report No. 2017-123

AMERICAN OVERSIGHT FL-SEN-20-0201-A-000722

EXHIBIT D
NSAA PEER REVIEW REPORT

National State
Auditors Association
An Affiliate of NASACT

NSAA

Headquarters Office
449 Lewis Hargett Circle, Suite 290
Lexington, KY 40503-3590
P (859) 276-1147, F (859) 278-0507
www.nasact.org

Washington Office
The Hall of the States
444 N. Capitol Street, NW, Suite 548
Washington, DC 20001
P (202) 624-5451, F (202) 624-5473

PEER REVIEW REPORT

October 18, 2019

The Honorable Sherrill Norman, CPA
State of Florida, Office of the Auditor General
Suite G72-E, 111 West Madison Street
Tallahassee, Florida 32399-1450

We have reviewed the system of quality control of the Florida Office of the Auditor General in effect for the period September 1, 2018 through August 31, 2019. A system of quality control encompasses the office's organizational structure and the policies adopted and procedures established to provide it with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The design of the system and compliance with it are the responsibility of the office. Our responsibility is to express an opinion on the design of the system and the office's compliance with the system based on our review.

We conducted our review in accordance with the policies and procedures for external peer reviews established by the National State Auditors Association (NSAA). In performing our review, we obtained an understanding of the office's system of quality control for engagements conducted in accordance with professional standards. In addition, we tested compliance with the office's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the office's policies and procedures on selected engagements. The engagements selected represented a reasonable cross-section of the office's engagements conducted in accordance with professional standards. We believe that the procedures we performed provide a reasonable basis for our opinion.

Our review was based on selective tests; therefore it would not necessarily disclose all design matters in the system of quality control or all compliance matters with the system. Also, there are inherent limitations in the effectiveness of any system of quality control; therefore, noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control of the Florida Office of the Auditor General in effect for the period September 1, 2018 through August 31, 2019 has been suitably designed and was complied with during the period to provide the audit organization with reasonable assurance of performing and reporting in conformity with *Government Auditing Standards* in all material respects. Audit organizations can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. **The Florida Auditor General has received a peer review rating of *pass*.**

Frank Buffington, CPA, CISA, CFE, CGAP
Concurring Reviewer
External Peer Review Team
National State Auditors Association

Ted Fugitt, CPA, CGAP
Team Leader
External Peer Review Team
National State Auditors Association

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-000723

EXHIBIT E
Auditor General Contact Information

Sherrill F. Norman, CPA
Auditor General

Claude Pepper Building, Suite G74 ◆ 111 West Madison Street ◆ Tallahassee, Florida 32399-1450

Phone: (850) 412-2722 ◆ E-mail: flaudgen@aud.state.fl.us ◆ Web Site: www.FLAuditor.gov

Information Technology Audits Division

Deputy Auditor General: Marilyn D. Tenewitz, CPA — (850) 412-2921

Audit Managers:

Heidi G. Burns, CPA, CISA	Information Technology Audits, Educational Entities	(850) 412-2926
Christopher G. Gohlke, CPA	Information Technology Audit Support	(850) 412-3030
J. David Hughes, CPA	Florida Education Finance Program	(850) 412-2971
Brenda H. Shiner, CISA	Information Technology Audits, State Agencies	(850) 412-2946

Educational Entities and Local Government Audits Division

Deputy Auditor General: Gregory L. Centers, CPA — (850) 412-2889

Audit Managers:

Michael J. Gomez, CPA	Charter Schools, Judicial, Local Governments, and Scholarship Funding Organizations	(850) 412-2881
Jaime N. Hoelscher, CPA	State Universities and State Colleges	(850) 412-2868
Micah E. Rodgers, CPA	District School Boards	(850) 412-2905

State Government Audits Division

Deputy Auditor General: Matthew J. Tracy, CPA — (850) 412-2922

Audit Managers:

Christi V. Alexander, CPA	Agriculture and Consumer Services, Business and Professional Regulation, Economic Opportunity, Education, Management Services, Northwest Regional Data Center, State, Triumph Gulf Coast	(850) 412-2786
Barry L. Bell, CPA	Corrections, Commission on Offender Review, Environmental Protection, Fish and Wildlife Conservation Commission, Highway Safety and Motor Vehicles, Juvenile Justice, Law Enforcement, Transportation	(850) 412-2752
Lisa A. Norman, CPA	Children and Families, Elder Affairs, Health, Health Care Administration, Persons with Disabilities, Enhanced Data Analytics	(850) 412-2831
Samantha M. Perry, CPA	Ad Valorem, Public Service Commission, Revenue, Statewide Federal Awards Audit	(850) 412-2762
Karen W. Van Amburg, CPA	Citrus, Emergency Management, Financial Regulation, Financial Services, Governor, Insurance Regulation, Legal Affairs, Military Affairs, Veterans' Affairs	(850) 412-2766
Kathryn D. Walker, CPA	Citizens Property Insurance Corporation, Florida Retirement System and Other State-Administered Systems, Florida School for the Deaf and the Blind, Lottery, State Board of Administration, Statewide Financial Statement Audit	(850) 412-2781

Reports are available in downloadable PDF format on our Web site at www.FLAuditor.gov.
Printed reports may be obtained by writing, calling, or e-mailing the Auditor General.

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-000724

From: Romant, Amanda <ROMANT.AMANDA@flsenate.gov>
Sent: Friday, November 15, 2019 9:55 AM EST
Subject: BALD Details for Tuesday, November 19, 2019
Attachment(s): "BALD Nov 2019 Agenda_Final.pdf","BALD Presentation_11.19.19.pptx","CourthouseProposal.pdf","Parking_SCF Bradenton map 10_2019.pdf"

Good Morning,

President Galvano is looking forward to seeing everyone at the Bay Area Legislative Delegation Meeting this Tuesday, November 19. Here are some final details related to parking, the agenda, as well as the electronic versions of the presentations available.

***
Date: Tuesday, November 19, 2019
Time: 9:00 a.m. to Noon
Location: Library and Learning Center at State College of Florida, 5840 26th St W, Bradenton, FL 34207
***

Parking: State College of Florida recommends **Parking Lot H**, located off the 60th Ave. W. entrance of the campus. Parking passes are not required for guests of special events and there are no fees to park on campus. If you need assistance, the SCF Public Safety team will be available to help.

If you have not confirmed your attendance, please do so by the end of the day. To ensure that every delegation member has a seat, we must communicate a final head count to SCF staff by 5:00 p.m. today.

Please feel free to reach out at any time with questions.

Sincerely,

Amanda E. Romant

Legislative Assistant to President Bill Galvano, District 21
1023 Manatee Avenue West
Suite 201
Bradenton, Florida 34205
Office: 941.741.3401
Fax: 888.263.7894

AMERICAN OVERSIGHT

BAY AREA
LEGISLATIVE DELEGATION

NOVEMBER 19, 2019 | AGENDA | Chairman, President Bill Galvano

9:00 a.m. - Welcome, Pledge, Invocation

- Chairman, Pres. Bill Galvano gavels in meeting and welcomes delegation members and guests.
- Senator Stargel leads the Pledge of Allegiance.
- Representative Valdes leads the invocation.
- Roll Call.

9:05 a.m. - Introductory Remarks and Delegation Introductions

- Pres. Galvano gives brief introductory remarks.
- BALD members introduce themselves and their districts.

9:15 a.m. - Opening Remarks from Dr. Carol Probstfeld, State College of Florida

- Welcome.

9:30 a.m. - Presentation / Judge Robert Morris

- Second District Court of Appeal Courtroom Proposal.
- Time for questions and answers.

10:00 a.m. - Presentation / Rick Homans, President and CEO, Tampa Bay Partnership

- "Building Tampa Bay's Talent Pipeline" Tampa Bay Works Initiative Update - Talent Pipeline Management.
- Time for questions and answers.

10:30 a.m. - Presentation / Westshore Interchange

- Remarks from Secretary David Gwynn (District 7).
- Remarks from Beth Alden, Executive Director, Hillsborough County Metropolitan Planning Organization.
- Time for questions and answers.

11:00 a.m. - Presentation / Kevin Sowers, President, John Hopkins Health Systems

- Presentation: "Progress Towards Sustained Compliance".
- Time for questions and answers.

11:30 a.m. - Additional Comments & Adjournment

- Additional comments by Pres. Galvano or Delegation members.
- Adjourn.

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ABOUT THE PARTNERSHIP



OUR MISSION

Create a unified, competitive and prosperous Tampa Bay

CEO-DRIVEN

Privately funded and led by a small group of the region's top business executives

ISSUE-FOCUSED

Identify and prioritize regional challenges, then advocate for public policy solutions

FACT-BASED

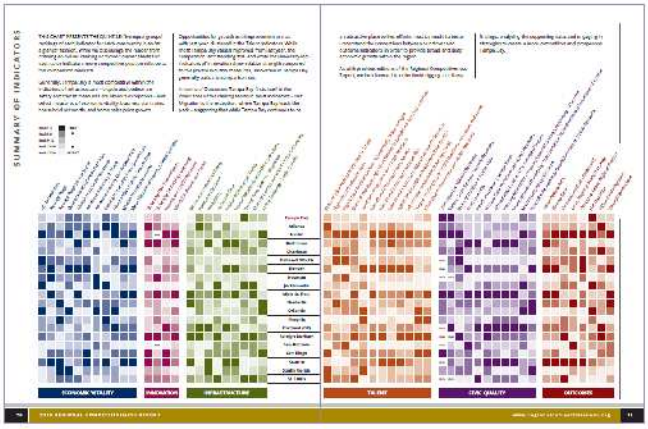
Objective, data-driven research to shape our agenda and measure our progress

TAMPA BAY PARTNERSHIP

AMERICAN OVERSIGHT

REGIONAL COMPETITIVENESS REPORT





TAMPA BAY PARTNERSHIP

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TALENT IN TAMPA BAY



#17	#19	#19	#20	#20	#20
GRADUATION RATE	DISCONNECTED YOUTH	EDUCATIONAL ATTAINMENT (AA/AS+)	EDUCATIONAL ATTAINMENT (BA/BS+)	EDUCATIONAL ATTAINMENT (GRAD/PROF)	LABOR FORCE PARTICIPATION RATE
78.92%	13.9%	36.9%	27.7%	9.9%	74.9%

TAMPA BAY PARTNERSHIP

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TALENT PIPELINE RESEARCH



Regional Talent Working Group

- 30+ CEOs and senior HR executives
- Co-Chairs have included Judy Genshaft (USF), Troy Taylor (Coca-Cola Beverages Florida), Scott Fink (Fink Automotive Group) and Gwen Cummings (Amgen)

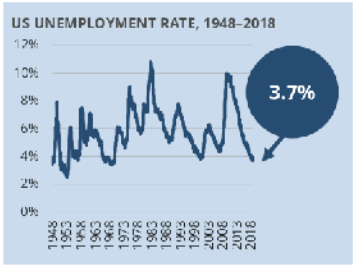
Key Activities

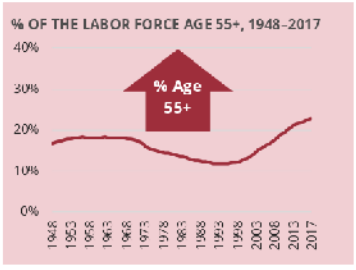
- Benchmark trip to review best practices from Upskill Houston
- $300,000 workforce grant from JPMorgan Chase
- Hired TIP Strategies research and develop a regional workforce strategy for the Tampa-St. Pete-Clearwater MSA
- Stakeholder, employer and best practice interviews

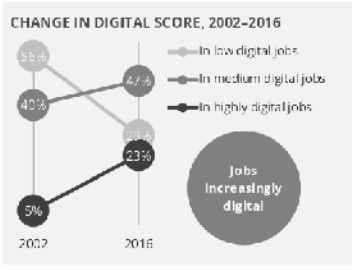
TAMPA BAY
PARTNERSHIP

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NATIONAL TRENDS







The economy is at full employment

Almost one-quarter of the workforce is eligible to retire in the next 10 years

The digitalization of the workplace has placed new demands on job skills

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REGIONAL CHALLENGES

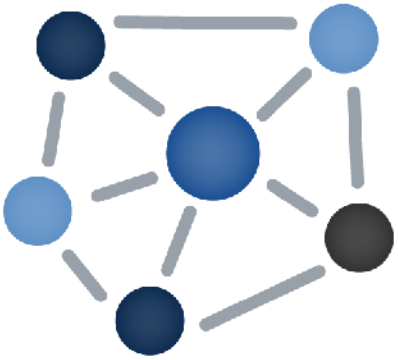


The workforce system is fragmented and largely siloed by county lines

TAMPA BAY PARTNERSHIP

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REGIONAL CHALLENGES



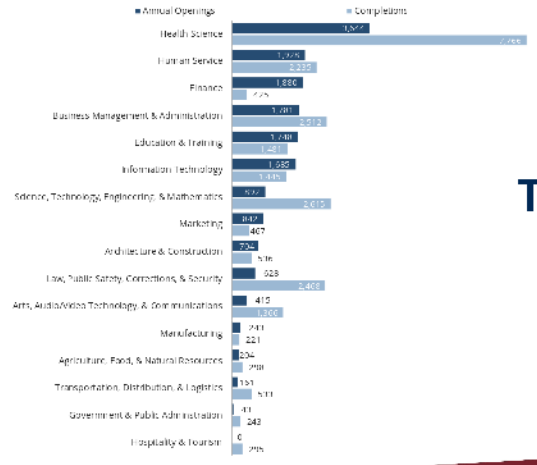
Regional coordination is limited and lacking for large-scale needs

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REGIONAL CHALLENGES

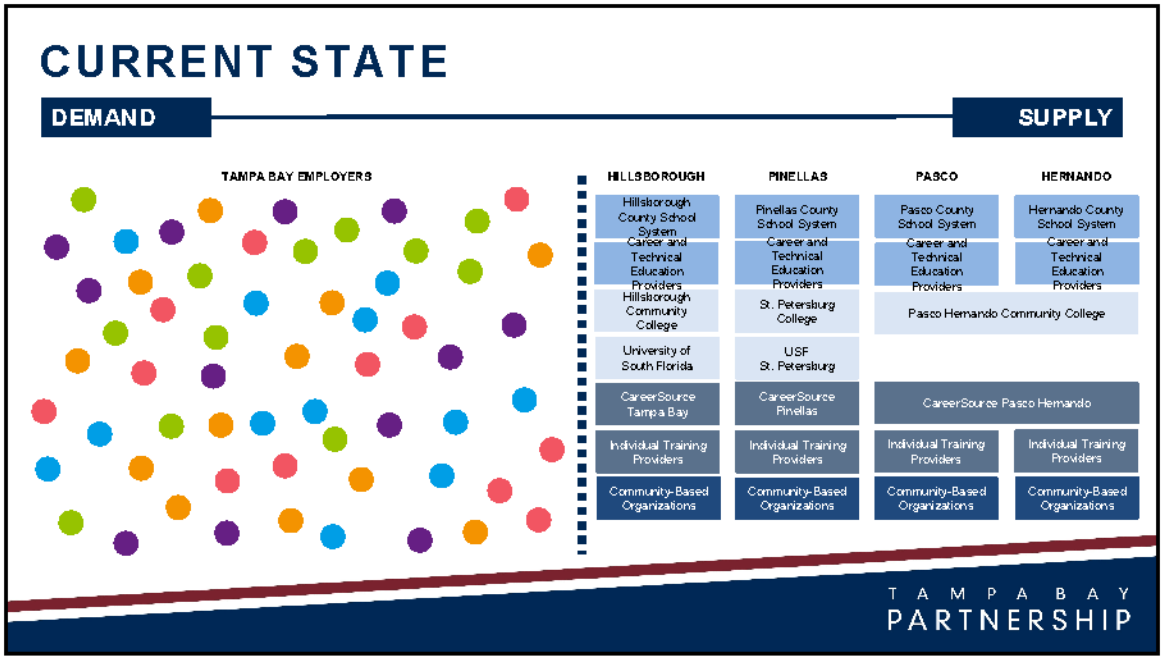
FIGURE 10. ENTRY-LEVEL OPENINGS AND COMPLETIONS BY CAREER CLUSTER



Talent supply isn't aligned with employer demand

TAMPA BAY PARTNERSHIP

AMERICAN OVERSIGHT



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FUTURE STATE

DEMAND — **SUPPLY**

TALENT PIPELINE MANAGEMENT®

Strategy 1
Organize Employer Collaboratives

Strategy 2
Engage In Demand Planning

Strategy 3
Communicate Competency and Credential Requirements

Strategy 4
Analyze Talent Flows

Strategy 5
Build Talent Supply Chains

Strategy 6
Continuous Improvement



Number of critical, hard to fill positions

Specific employability skills needed for occupation

Specific competencies needed for occupation

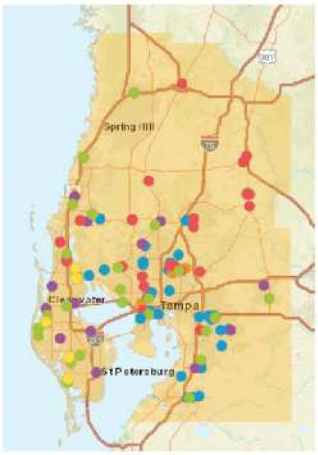
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TAMPA BAY PARTNERSHIP

AMERICAN OVERSIGHT

HEALTHCARE COLLABORATIVE



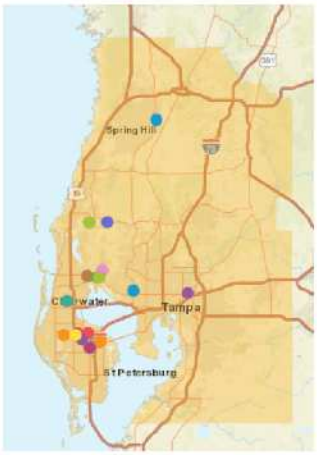
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MANUFACTURING COLLABORATIVE



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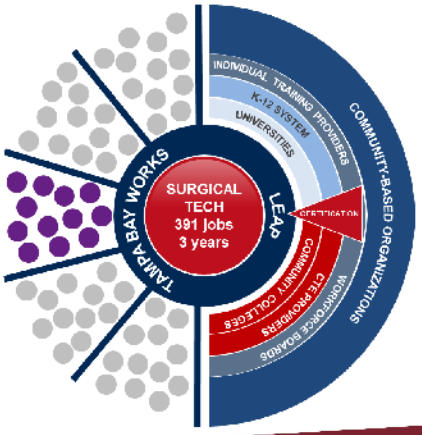
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PERFORMANCE METRICS

DEMAND

Number of Qualified Job Applicants

Time to Fill Open Positions

Time to Productivity

Turnover Rate



SUPPLY

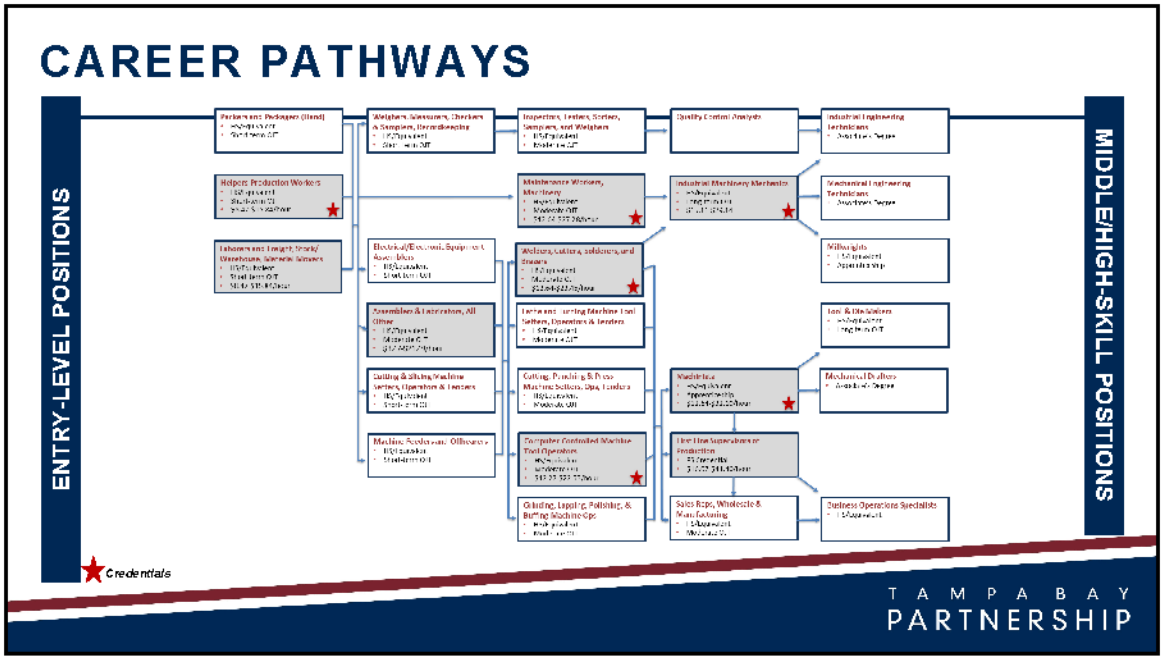
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Issue

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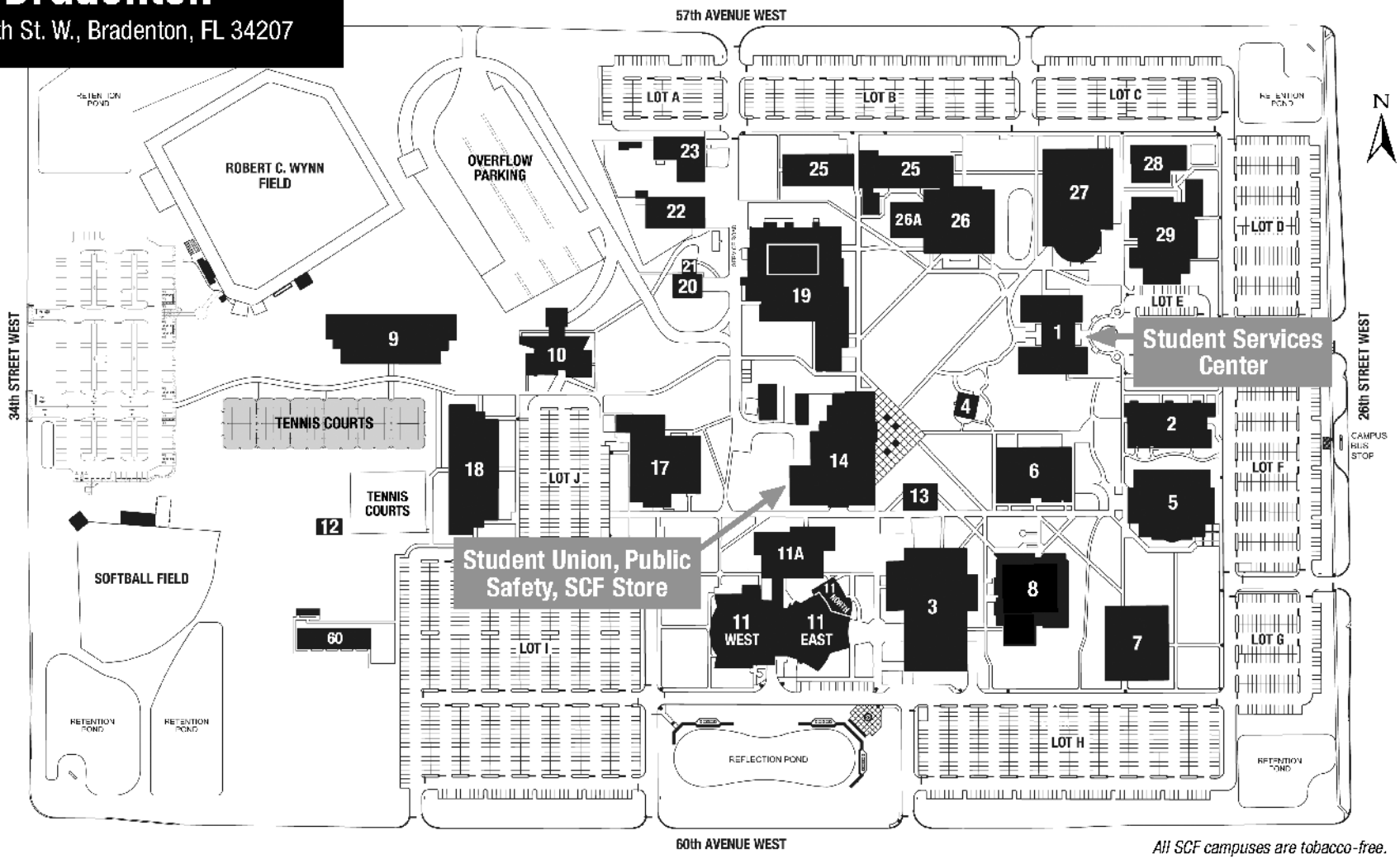
- Current space in Stetson building is 26,500 square feet. Extrapolating from the 2016 space and location needs study commissioned by the Legislature, the Tampa branch location should be approximately 60,000 square feet, which by maintaining the leased space in Lakeland is 13,000 less than would otherwise be needed.
- New Tampa branch facility would be located somewhere within the zone suggested by the previously referenced study. A near-airport or easy-interstate-access location makes more economic and practical sense, but all options will be considered.
- Lease would be rent-to-own over 30 years with option to purchase at any time during the term. It will include a clause that the court can terminate in any year in which the Legislature chooses not to fund the rental payment.
- The space would be designed by the owner/lessor but with court input and will be:
    - Understated from traditional courthouses, as it will be designed to meet the court's needs but also anticipate a subsequent tenant should the court vacate during the term.
    - Designed with a sharp focus on the future and make maximum use of technology for the benefit of the court, lawyers, and parties.
    - Designed as class A space as per DMS requirements.
- Space would be self-contained and free-standing for security purposes.
- Current rent for Stetson space is $678,000 per year. Anticipated rent for new space with adequate square footage is $2.2 million per year, based on a square-foot average of $38-$40 for commercial space in Tampa Bay Area.

September 13, 2019

AMERICAN OVERSIGHT

SCF Bradenton

5840 26th St. W., Bradenton, FL 34207



All SCF campuses are tobacco-free.

Directory

1 Student Services Center

2 Radiography Lab and Dental Hygiene Clinic
3 Library & Learning Center and Family Heritage House
4 Campus Ministry/Student Services Annex
5 Academic Resource Center
6 Information Technology Center
7 Office Complex
8 Multi-use
9 Classroom Building
10 Art & Design
11 EAST: SCF Neel Performing Arts Center
WEST: Music and Theatre
Howard Studio Theatre
NORTH: The Gallery at SCF
11A Future site of Studio for the Performing Arts
12 Theatre/Athletics Warehouse
13 Performance Pavilion

14 Student Union, Public Safety, SCF Store

17 Gymnasium
18 Professional Development Center, Center for Corporate and Community Development, Traffic Safety Institute
19 SCFCS/Multi-use
20 Central Services
21 Motorcycle
22 Warehouse
23 Facilities Management
25 Science
26 Science Lab
26A Future site of expanded Science Lab
27 Mathematics
28 Occupational Therapy Assistant and Physical Therapist Assistant
29 Nursing
60 Portable Classrooms (100-104)

AMERICAN OVERSIGHT

Rev. 10/19

STATE COLLEGE OF FLORIDA - SCF Bradenton Building Descriptions

(See reverse side for detailed map of Bradenton campus)

Bldg. 1–Stephen J. Korcheck Student Services Center
Admissions, educational records, registration, advising, financial aid, disability resource center, testing and assessment, career resource center and other support functions

Bldg. 2–Radiography Laboratory and Dental Hygiene Clinic
Radiography and dental hygiene offices and laboratories, public dental hygiene clinic

Bldg. 3–Library & Learning Center
Books, electronic resources, online databases, photocopying, group study rooms, and café. The Family Heritage House African American history museum is located on the second floor.

Bldg. 4–Campus Ministry/Student Services Annex
Large meeting room, office, kitchen area, and smaller meeting room

Bldg. 5–Raymond D. Cheydleur Academic Resource Center
Offices, tutorial areas for developmental education programs and other specialized learning labs

Bldg. 6–Lillian B. and George R. Greene Information Technology Center
Computer center, electronic classrooms, information technology services and institutional research offices

Bldg. 7–J. Hartley Blackburn Office Complex
Administrative offices for the president, vice presidents, communications and marketing, finance, business services, human resources, and the Foundation

Bldg. 8–Multi-use

Bldg. 9–Classroom Building
Social & behavioral sciences and language & literature department offices, general classrooms and a digital cinema/photography suite

Bldg. 10–Art and Design Building
Art and design offices, computer labs for graphic design program, digital cinema program classrooms; printmaking, photography and ceramics studios

Bldg. 11–EAST: SCF Neel Performing Arts Center - Seating for 839 with wheelchair-accessible seating and restrooms

WEST: Music and Theatre Building - Music department offices, Howard Studio Theatre, music rehearsal room, music classrooms and practice rooms

NORTH: The Gallery at SCF - Art gallery and exhibits

Bldg. 11A–Future site of Studio for the Performing Arts

Bldg. 13–Performance Pavilion

Bldg. 14–Wilson F. Wetzler Student Union
Café and food service, Public Safety, SCF Store, Student Solution Center and Office of Student Life

Bldg. 17–Hal Chasey Gymnasium
Gymnasium that seats 904, locker rooms, weight room and athletics department offices

Bldg. 18–Professional Development Center
Corporate and Community Development offices and registration facilities, business & technology department offices, seminar rooms and classrooms

Bldg. 19–SCFCS/Multi-use
Classrooms, administrative offices and learning resource site for SCFCS, ACP and other uses

Bldg. 20–Central Services

Bldg. 21–Motorcycle

Bldg. 22–Warehouse

Bldg. 23–Facilities Management
Offices for the facilities management department

Bldg. 25–Science Building
Natural science department offices, classrooms, laboratories for physics and physical science

Bldg. 26–Science Laboratory Building
Natural science department offices, laboratories for biotechnology, biology, chemistry, anatomy, physiology and microbiology

Bldg. 26A–Future site of expanded science lab

Bldg. 27–H. Shelton Moody Mathematics Building
Mathematics department offices and classrooms

Bldg. 28–Occupational Therapy Assistant/Physical Therapist Assistant Building
Departmental offices, classrooms and laboratories

Bldg. 29–Georgeen H. DeChow Nursing Building
Nursing department offices, teaching auditorium, classrooms, conference room, audiovisual/computer/nursing skill laboratories

Bldg. 60–Portables
Classrooms 100-104

AMERICAN OVERSIGHT

From: Romant, Amanda <ROMANT.AMANDA@flsenate.gov>
Sent: Friday, November 15, 2019 1:15 PM EST
Subject: BALD Details for Tuesday, November 19, 2019
Attachment(s): "BALD Nov 2019 Agenda_Final.pdf","BALD Presentation_11.19.19.pptx","CourthouseProposal.pdf","Parking_SCF Bradenton map 10_2019.pdf"

Good Afternoon,

President Galvano is looking forward to seeing everyone at the Bay Area Legislative Delegation Meeting this Tuesday, November 19. Here are some final details related to parking, the agenda, as well as the electronic versions of the presentations available.

***
Date: Tuesday, November 19, 2019
Time: 9:00 a.m. to Noon
Location: Library and Learning Center at State College of Florida, 5840 26th St W, Bradenton, FL 34207
***

Parking: State College of Florida recommends **Parking Lot H**, located off the 60th Ave. W. entrance of the campus. Parking passes are not required for guests of special events and there are no fees to park on campus. If you need assistance, the SCF Public Safety team will be available to help.

If you have not confirmed your attendance, please do so by the end of the day. To ensure that every delegation member has a seat, we must communicate a final head count to SCF staff by 5:00 p.m. today.

Please feel free to reach out at any time with questions.

Sincerely,

Amanda E. Romant

Legislative Assistant to President Bill Galvano, District 21
1023 Manatee Avenue West
Suite 201
Bradenton, Florida 34205
Office: 941.741.3401
Fax: 888.263.7894

AMERICAN OVERSIGHT

BAY AREA
LEGISLATIVE DELEGATION

NOVEMBER 19, 2019 | AGENDA | Chairman, President Bill Galvano

9:00 a.m. - Welcome, Pledge, Invocation

- Chairman, Pres. Bill Galvano gavels in meeting and welcomes delegation members and guests.
- Senator Stargel leads the Pledge of Allegiance.
- Representative Valdes leads the invocation.
- Roll Call.

9:05 a.m. - Introductory Remarks and Delegation Introductions

- Pres. Galvano gives brief introductory remarks.
- BALD members introduce themselves and their districts.

9:15 a.m. - Opening Remarks from Dr. Carol Probstfeld, State College of Florida

- Welcome.

9:30 a.m. - Presentation / Judge Robert Morris

- Second District Court of Appeal Courtroom Proposal.
- Time for questions and answers.

10:00 a.m. - Presentation / Rick Homans, President and CEO, Tampa Bay Partnership

- "Building Tampa Bay's Talent Pipeline" Tampa Bay Works Initiative Update - Talent Pipeline Management.
- Time for questions and answers.

10:30 a.m. - Presentation / Westshore Interchange

- Remarks from Secretary David Gwynn (District 7).
- Remarks from Beth Alden, Executive Director, Hillsborough County Metropolitan Planning Organization.
- Time for questions and answers.

11:00 a.m. - Presentation / Kevin Sowers, President, John Hopkins Health Systems

- Presentation: "Progress Towards Sustained Compliance".
- Time for questions and answers.

11:30 a.m. - Additional Comments & Adjournment

- Additional comments by Pres. Galvano or Delegation members.
- Adjourn.

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AMERICAN OVERSIGHT

ABOUT THE PARTNERSHIP



OUR MISSION

Create a unified, competitive and prosperous Tampa Bay

CEO-DRIVEN

Privately funded and led by a small group of the region's top business executives

ISSUE-FOCUSED

Identify and prioritize regional challenges, then advocate for public policy solutions

FACT-BASED

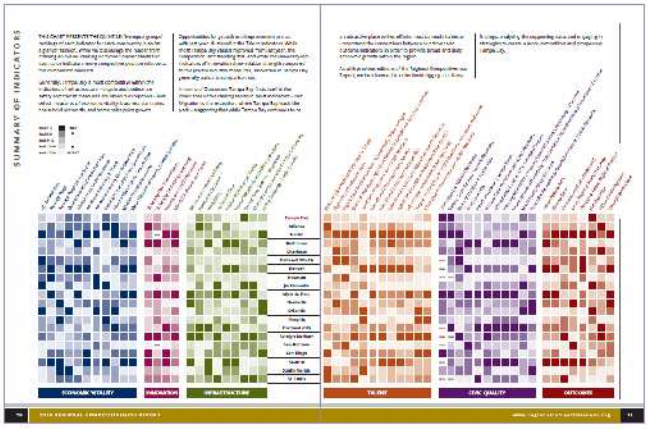
Objective, data-driven research to shape our agenda and measure our progress

TAMPA BAY PARTNERSHIP

AMERICAN OVERSIGHT

REGIONAL COMPETITIVENESS REPORT





TAMPA BAY
PARTNERSHIP

AMERICAN OVERSIGHT

TALENT IN TAMPA BAY



#17	#19	#19	#20	#20	#20
GRADUATION RATE	DISCONNECTED YOUTH	EDUCATIONAL ATTAINMENT (AA/AS+)	EDUCATIONAL ATTAINMENT (BA/BS+)	EDUCATIONAL ATTAINMENT (GRAD/PROF)	LABOR FORCE PARTICIPATION RATE
78.92%	13.9%	36.9%	27.7%	9.9%	74.9%

TAMPA BAY PARTNERSHIP

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TALENT PIPELINE RESEARCH



Regional Talent Working Group

- 30+ CEOs and senior HR executives
- Co-Chairs have included Judy Genshaft (USF), Troy Taylor (Coca-Cola Beverages Florida), Scott Fink (Fink Automotive Group) and Gwen Cummings (Amgen)

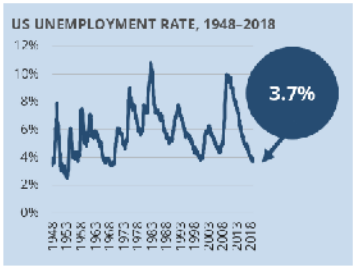
Key Activities

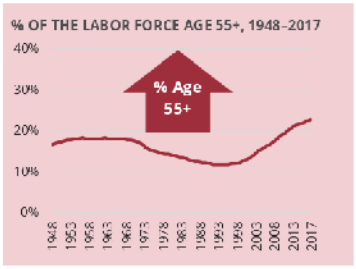
- Benchmark trip to review best practices from Upskill Houston
- $300,000 workforce grant from JPMorgan Chase
- Hired TIP Strategies research and develop a regional workforce strategy for the Tampa-St. Pete-Clearwater MSA
- Stakeholder, employer and best practice interviews

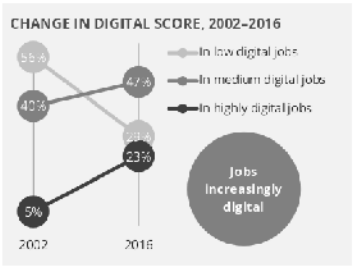
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NATIONAL TRENDS







The economy is at full employment	Almost one-quarter of the workforce is eligible to retire in the next 10 years	The digitalization of the workplace has placed new demands on job skills

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REGIONAL CHALLENGES

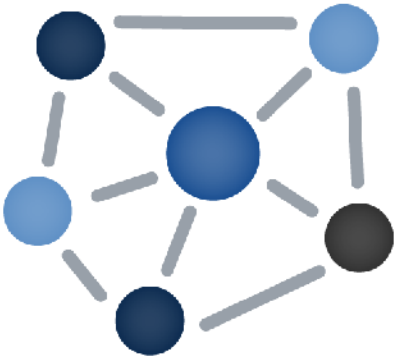


The workforce system is fragmented and largely siloed by county lines

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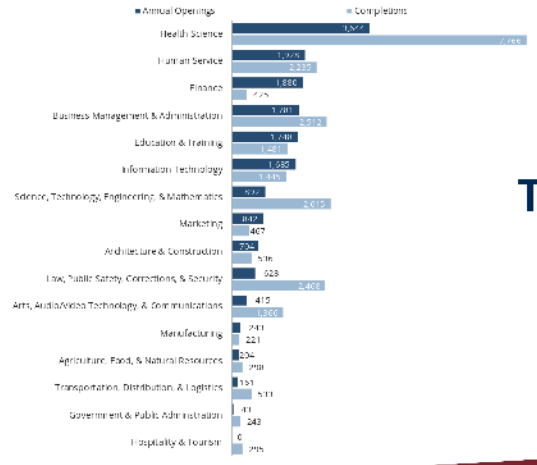
Regional coordination is limited and lacking for large-scale needs

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REGIONAL CHALLENGES

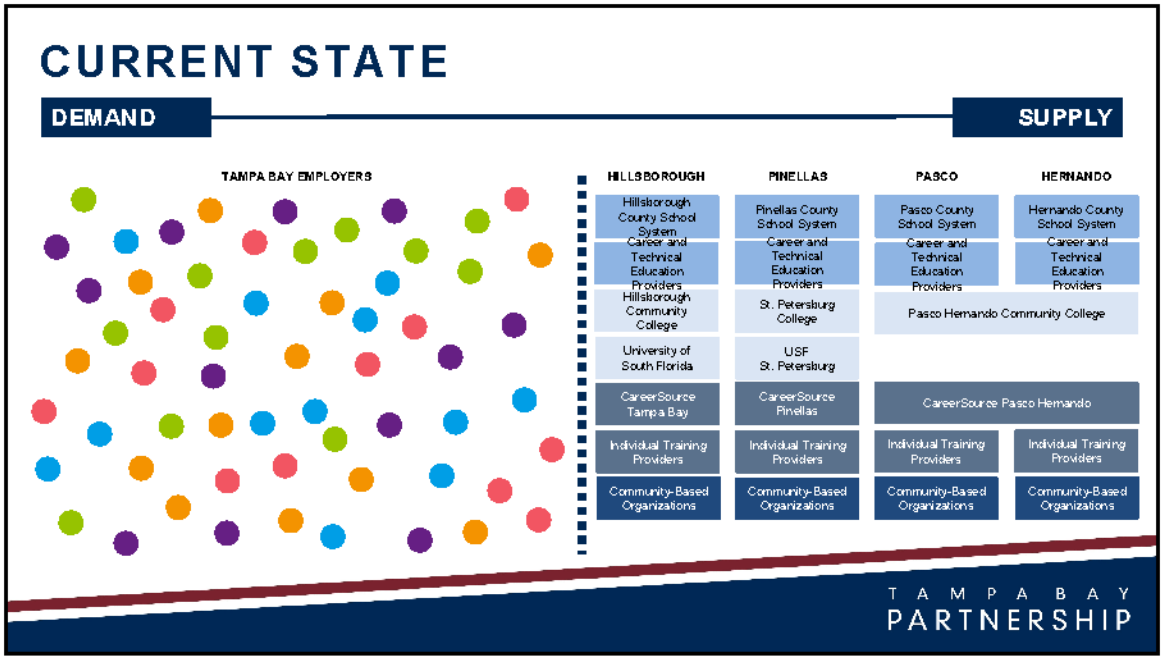
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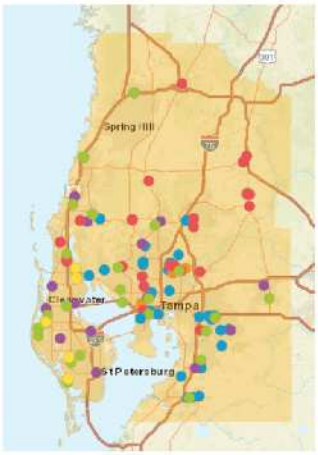
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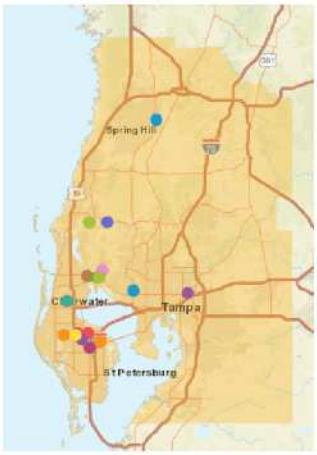
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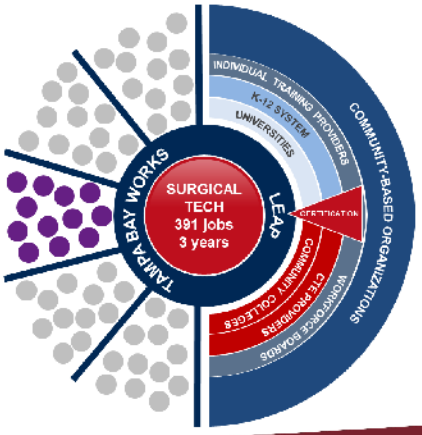
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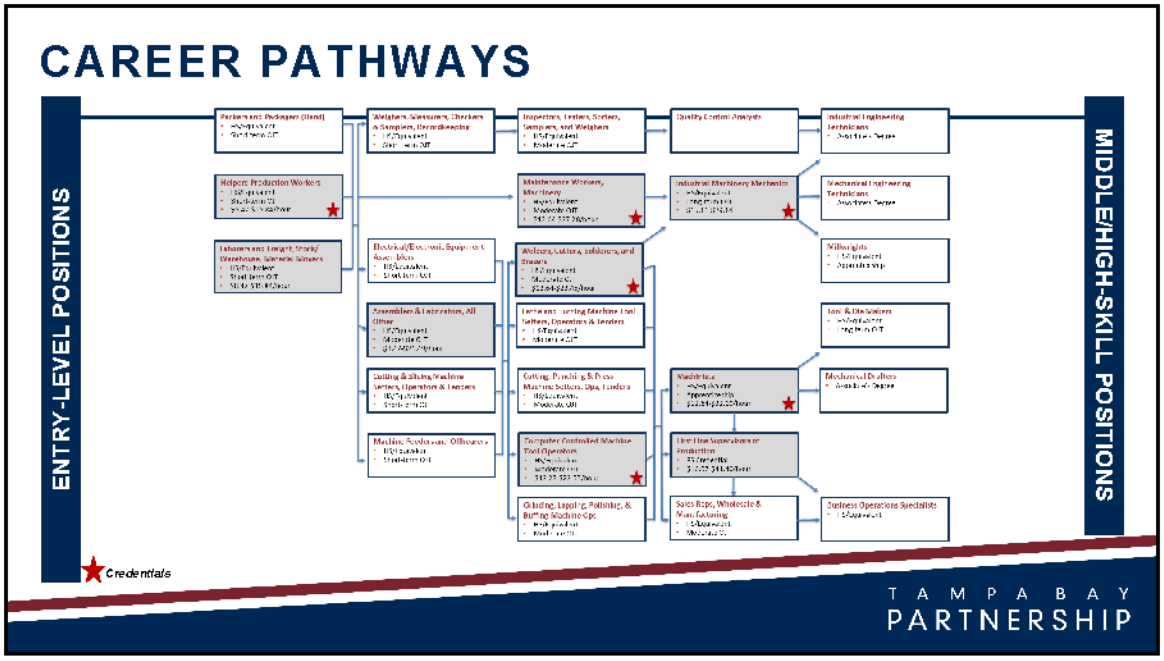
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Considerations

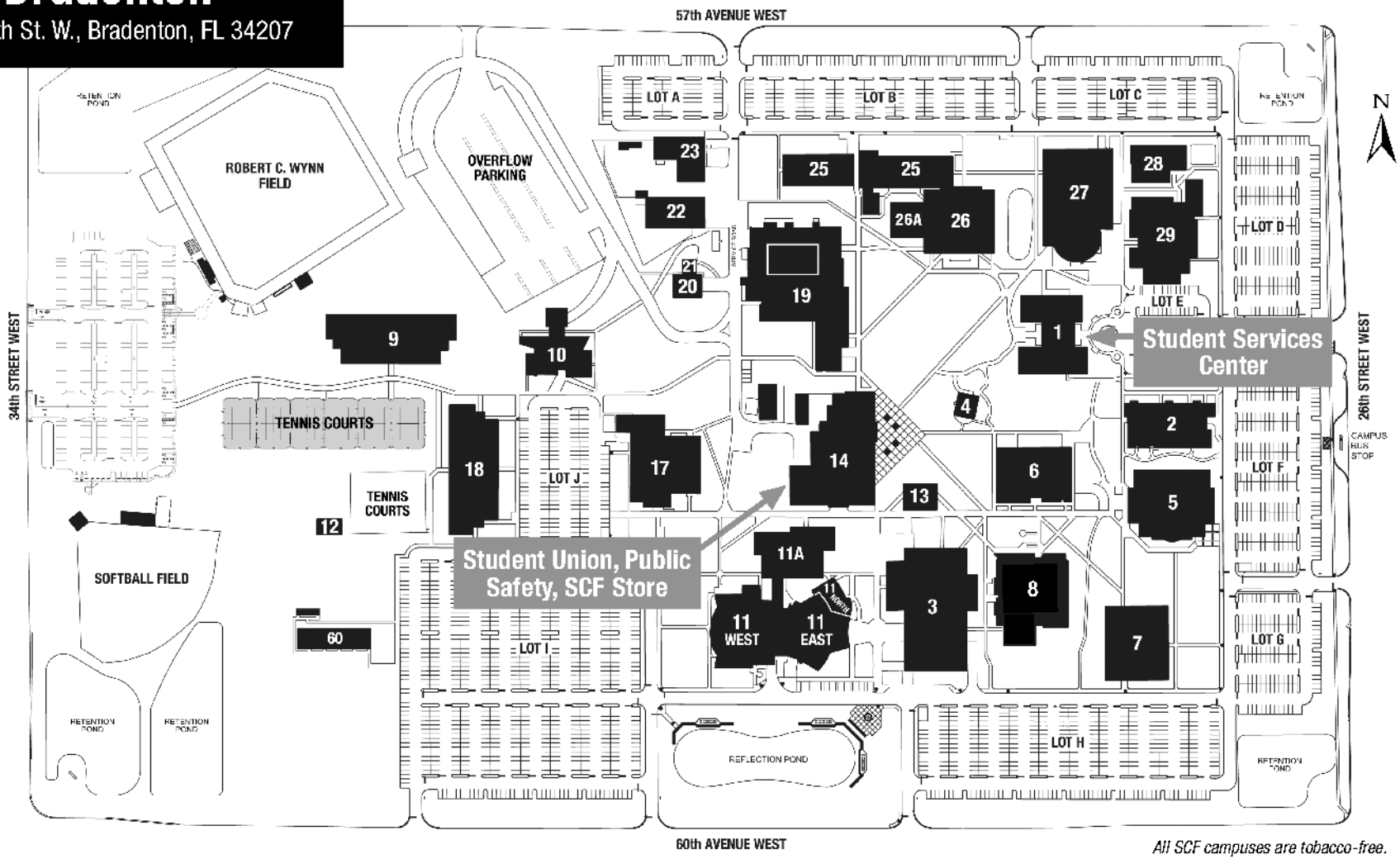
- Current space in Stetson building is 26,500 square feet. Extrapolating from the 2016 space and location needs study commissioned by the Legislature, the Tampa branch location should be approximately 60,000 square feet, which by maintaining the leased space in Lakeland is 13,000 less than would otherwise be needed.
- New Tampa branch facility would be located somewhere within the zone suggested by the previously referenced study. A near-airport or easy-interstate-access location makes more economic and practical sense, but all options will be considered.
- Lease would be rent-to-own over 30 years with option to purchase at any time during the term. It will include a clause that the court can terminate in any year in which the Legislature chooses not to fund the rental payment.
- The space would be designed by the owner/lessor but with court input and will be:
    - Understated from traditional courthouses, as it will be designed to meet the court's needs but also anticipate a subsequent tenant should the court vacate during the term.
    - Designed with a sharp focus on the future and make maximum use of technology for the benefit of the court, lawyers, and parties.
    - Designed as class A space as per DMS requirements.
- Space would be self-contained and free-standing for security purposes.
- Current rent for Stetson space is $678,000 per year. Anticipated rent for new space with adequate square footage is $2.2 million per year, based on a square-foot average of $38-$40 for commercial space in Tampa Bay Area.

September 13, 2019

AMERICAN OVERSIGHT

SCF Bradenton

5840 26th St. W., Bradenton, FL 34207



All SCF campuses are tobacco-free.

Directory

1 Student Services Center

2 Radiography Lab and Dental Hygiene Clinic
3 Library & Learning Center and Family Heritage House
4 Campus Ministry/Student Services Annex
5 Academic Resource Center
6 Information Technology Center
7 Office Complex
8 Multi-use
9 Classroom Building
10 Art & Design
11 EAST: SCF Neel Performing Arts Center
WEST: Music and Theatre
Howard Studio Theatre
NORTH: The Gallery at SCF
11A Future site of Studio for the Performing Arts
12 Theatre/Athletics Warehouse
13 Performance Pavilion

14 Student Union, Public Safety, SCF Store

17 Gymnasium
18 Professional Development Center, Center for Corporate and Community Development, Traffic Safety Institute
19 SCFCS/Multi-use
20 Central Services
21 Motorcycle
22 Warehouse
23 Facilities Management
25 Science
26 Science Lab
26A Future site of expanded Science Lab
27 Mathematics
28 Occupational Therapy Assistant and Physical Therapist Assistant
29 Nursing
60 Portable Classrooms (100-104)

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Rev. 10/19

STATE COLLEGE OF FLORIDA - SCF Bradenton Building Descriptions

(See reverse side for detailed map of Bradenton campus)

Bldg. 1–Stephen J. Korcheck Student Services Center
Admissions, educational records, registration, advising, financial aid, disability resource center, testing and assessment, career resource center and other support functions

Bldg. 2–Radiography Laboratory and Dental Hygiene Clinic
Radiography and dental hygiene offices and laboratories, public dental hygiene clinic

Bldg. 3–Library & Learning Center
Books, electronic resources, online databases, photocopying, group study rooms, and café. The Family Heritage House African American history museum is located on the second floor.

Bldg. 4–Campus Ministry/Student Services Annex
Large meeting room, office, kitchen area, and smaller meeting room

Bldg. 5–Raymond D. Cheydleur Academic Resource Center
Offices, tutorial areas for developmental education programs and other specialized learning labs

Bldg. 6–Lillian B. and George R. Greene Information Technology Center
Computer center, electronic classrooms, information technology services and institutional research offices

Bldg. 7–J. Hartley Blackburn Office Complex
Administrative offices for the president, vice presidents, communications and marketing, finance, business services, human resources, and the Foundation

Bldg. 8–Multi-use

Bldg. 9–Classroom Building
Social & behavioral sciences and language & literature department offices, general classrooms and a digital cinema/photography suite

Bldg. 10–Art and Design Building
Art and design offices, computer labs for graphic design program, digital cinema program classrooms; printmaking, photography and ceramics studios

Bldg. 11–EAST: SCF Neel Performing Arts Center - Seating for 839 with wheelchair-accessible seating and restrooms

WEST: Music and Theatre Building - Music department offices, Howard Studio Theatre, music rehearsal room, music classrooms and practice rooms

NORTH: The Gallery at SCF - Art gallery and exhibits

Bldg. 11A–Future site of Studio for the Performing Arts

Bldg. 13–Performance Pavilion

Bldg. 14–Wilson F. Wetzler Student Union
Café and food service, Public Safety, SCF Store, Student Solution Center and Office of Student Life

Bldg. 17–Hal Chasey Gymnasium
Gymnasium that seats 904, locker rooms, weight room and athletics department offices

Bldg. 18–Professional Development Center
Corporate and Community Development offices and registration facilities, business & technology department offices, seminar rooms and classrooms

Bldg. 19–SCFCS/Multi-use
Classrooms, administrative offices and learning resource site for SCFCS, ACP and other uses

Bldg. 20–Central Services

Bldg. 21–Motorcycle

Bldg. 22–Warehouse

Bldg. 23–Facilities Management
Offices for the facilities management department

Bldg. 25–Science Building
Natural science department offices, classrooms, laboratories for physics and physical science

Bldg. 26–Science Laboratory Building
Natural science department offices, laboratories for biotechnology, biology, chemistry, anatomy, physiology and microbiology

Bldg. 26A–Future site of expanded science lab

Bldg. 27–H. Shelton Moody Mathematics Building
Mathematics department offices and classrooms

Bldg. 28–Occupational Therapy Assistant/Physical Therapist Assistant Building
Departmental offices, classrooms and laboratories

Bldg. 29–Georgeen H. DeChow Nursing Building
Nursing department offices, teaching auditorium, classrooms, conference room, audiovisual/computer/nursing skill laboratories

Bldg. 60–Portables
Classrooms 100-104

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, January 03, 2020 11:30 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Be Informed About Your Cybersecurity! GCBX LUNCH & LEARN: CYBERSECURITY- Wednesday, January 22nd

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX LUNCH & LEARN: CYBERSECURITY

When: 22 Jan 2020 11:30 AM, EST
Where: Grove- 10670 Boardwalk Loop, Lakewood Ranch, FL 34202

Will you be attending?

Register | Not attending

EVENT DETAILS:

GCBX Lunch & Learn: Cybersecurity

Wednesday, January 22nd
11:30 am – 1:15 pm
11:30 - Registration
12:00 - Program
Location: The Grove - Fever Tree Hall

Attendees will learn about the National Institute of Standards and Technology (NIST) Framework, a comprehensive five-step process that helps businesses prepare for the cyber-attacks threatening your data.

Presented By:
Nathan Bailey, Chief Operating Officer for SouthTech
David Karins, Karins Engineering Group
Jared Hawkins, Atlas Insurance Agency

$40 for GCBX Members

Lunch will be Included.

Click here for Flyer

*It is the policy of GCBX to charge for events if cancellations are not made at least 72 hours prior to the even .

Best regards,
Gulf Coast Builders Exchange

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If you no longer wish to receive these emails you can unsubscribe at any time.

This email contains links that will automatically log you into the Gulf Coast Builders Exchange site.
These links will work for the next 7 days only. Please, don't forward this email to anyone!

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, January 14, 2020 11:25 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Become Informed About Your Cybersecurity at the next GCBX Lunch & Learn- Wednesday, January 22nd

AMERICAN OVERSIGHT

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX LUNCH & LEARN: CYBERSECURITY

When: 22 Jan 2020 11:30 AM, EST
Where: Grove- 10670 Boardwalk Loop, Lakewood Ranch, FL 34202

Will you be attending?

Register | Not attending

EVENT DETAILS:

GCBX Lunch & Learn: Cybersecurity

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Thank You Presenting Sponsor!

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These links will work for the next 7 days only. Please, don't forward this email to anyone!

AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Thursday, November 21, 2019 4:16 PM EST
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Spencer, Chris <Chris.Spencer@LASPBS.STATE.FL.US>
CC: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Subject: Bill Draft - DEP
Attachment(s): "billdraft75494.DOCX"

Good Afternoon!

Please find the attached draft from Bill Drafting. Please let me know if you have any edits.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

23-01448-20

A bill to be entitled

An act relating to environmental enforcement; amending ss. 161.054, 252.941, 258.397, 258.46, 373.129, 373.209, 373.430, 376.065, 376.071, 376.16, 376.25, 376.302, 377.37, 378.211, 403.086, 403.121, 403.141, 403.161, 403.413, 403.7234, 403.726, 403.727, and 403.93345, F.S.; increasing the civil penalties for violations of certain provisions relating to beach and shore construction, the Accidental Release Prevention Program, the Biscayne Bay Aquatic Preserve, aquatic preserves, the state water resource plan, artesian wells, pollution, operating a terminal facility without discharge prevention and response certificates, discharge contingency plans for vessels, the Pollutant Discharge Prevention and Control Act, the Clean Ocean Act, the pollution of surface and ground waters, the regulation of oil and gas resources, the Phosphate Land Reclamation Act, sewage disposal facilities, pollution control, reasonable costs and expenses for pollution releases, necessary permits, dumping litter, small quantity generators, the abatement of imminent hazards caused by hazardous substances, hazardous waste generators, transporters, or facilities, and coral reef protection, respectively; providing that each day that certain violations are not remediated constitutes a separate offense; making technical changes; reenacting s. 252.940(1)(c), F.S., to incorporate the amendment made to s. 252.941, F.S., in a reference thereto;

AMERICAN OVERSIGHT

FL-SEN-20-0201A-000777

reenacting s. 823.11(5), F.S., to incorporate the amendment made to s. 376.16, F.S., in a reference thereto; reenacting s. 376.303(1)(d), F.S., to incorporate the amendment made to s. 376.302, F.S., in a reference thereto; reenacting ss. 403.077(5), 403.131(2), 403.4154(3)(d), and 403.860(5), F.S., to incorporate the amendment made to s. 403.121, F.S., in a reference thereto; reenacting ss. 403.708(10), 403.7191(7), and 403.811, F.S., to incorporate the amendment made to s. 403.141, F.S., in a reference thereto; reenacting s. 403.7255(2), F.S., to incorporate the amendment made to s. 403.161, F.S., in a reference thereto; reenacting s. 403.7186(8), F.S., to incorporate the amendment made to ss. 403.141 and 403.161, F.S., in references thereto; providing an effective date.

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

Section 1. Subsection (1) of section 161.054, Florida Statutes, is amended to read:

161.054 Administrative fines; liability for damage; liens.—

(1) In addition to the penalties provided for in ss. 161.052, 161.053, and 161.121, any person, firm, corporation, or governmental agency, or agent thereof, refusing to comply with or willfully violating ~~any of the provisions of~~ s. 161.041, s. 161.052, or s. 161.053, or any rule or order prescribed by the department thereunder, shall incur a fine for each offense in an amount up to $15,000 ~~$10,000~~ to be fixed, imposed, and collected

AMERICAN OVERSIGHT

by the department. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 2. Subsection (2) of section 252.941, Florida Statutes, is amended to read:

252.941 Prohibitions, violations, penalties, intent.—

(2) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ subsection (1) commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.083(1)(g) by a fine of not more than $15,000 ~~$10,000~~ for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 3. Subsection (7) of section 258.397, Florida Statutes, is amended to read:

258.397 Biscayne Bay Aquatic Preserve.—

(7) ENFORCEMENT.—~~The provisions of~~ This section may be enforced in accordance with ~~the provisions of~~ s. 403.412. In addition, the Department of Legal Affairs may ~~is authorized to~~ bring an action for civil penalties of $7,500 ~~$5,000~~ per day against any person, natural or corporate, who violates ~~the provisions of~~ this section or any rule or regulation issued hereunder. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Enforcement of applicable state regulations shall be supplemented by the Miami-Dade County Department of Environmental Resources Management through the creation of a full-time enforcement presence along the Miami River.

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Section 4. Section 258.46, Florida Statutes, is amended to read:

258.46 Enforcement; violations; penalty.—~~The provisions of~~ This act may be enforced by the Board of Trustees of the Internal Improvement Trust Fund or in accordance with ~~the provisions of~~ s. 403.412. However, any violation by any person, natural or corporate, of ~~the provisions of~~ this act or any rule or regulation issued hereunder is ~~shall be~~ further punishable by a civil penalty of not less than $4,750 ~~$500~~ per day or more than $7,500 ~~$5,000~~ per day of such violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 5. Subsections (5) and (7) of section 373.129, Florida Statutes, are amended, to read:

373.129 Maintenance of actions.—The department, the governing board of any water management district, any local board, or a local government to which authority has been delegated pursuant to s. 373.103(8), is authorized to commence and maintain proper and necessary actions and proceedings in any court of competent jurisdiction for any of the following purposes:

(5) To recover a civil penalty for each offense in an amount not to exceed $15,000 ~~$10,000~~ per offense. Until a violation is resolved by order or judgment, each date during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(a) A civil penalty recovered by a water management district pursuant to this subsection shall be retained and used

AMERICAN OVERSIGHT

exclusively by the water management district that collected the money. A civil penalty recovered by the department pursuant to this subsection must be deposited into the Water Quality Assurance Trust Fund established under s. 376.307.

(b) A local government that is delegated authority pursuant to s. 373.103(8) may deposit a civil penalty recovered pursuant to this subsection into a local water pollution control program trust fund, notwithstanding ~~the provisions of~~ paragraph (a). However, civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violations of state water quality standards may be used only to restore water quality in the area that was the subject of the action, and civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violation of requirements relating to water quantity may be used only to purchase lands and make capital improvements associated with surface water management, or other purposes consistent with the requirements of this chapter for the management and storage of surface water.

(7) To enforce ~~the provisions of~~ part IV of this chapter in the same manner and to the same extent as provided in ss. 373.430, 403.121(1) and (2), 403.131, 403.141, and 403.161.

Section 6. Subsection (3) of section 373.209, Florida Statutes, is amended to read:

373.209 Artesian wells; penalties for violation.—

(3) Any person who violates ~~any provision of~~ this section is ~~shall be~~ subject to either:

(a) The remedial measures provided for in s. 373.436; or

(b) A civil penalty of $150 ~~$100~~ a day for each and every

AMERICAN OVERSIGHT

day of such violation and for each and every act of violation. The civil penalty may be recovered by the water management board of the water management district in which the well is located or by the department in a suit in a court of competent jurisdiction in the county where the defendant resides, in the county of residence of any defendant if there is more than one defendant, or in the county where the violation took place. The place of suit shall be selected by the board or department, and the suit, by direction of the board or department, shall be instituted and conducted in the name of the board or department by appropriate counsel. The payment of any such damages does not impair or abridge any cause of action which any person may have against the person violating ~~any provision of~~ this section.

Section 7. Subsections (2) through (5) of section 373.430, Florida Statutes, are amended to read:

373.430 Prohibitions, violation, penalty, intent.—

(2) A person who ~~Whoever~~ commits a violation specified in subsection (1) is liable for any damage caused and for civil penalties as provided in s. 373.129.

(3) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g), by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) due to reckless

AMERICAN OVERSIGHT

indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g), by a fine of not more than $10,000 ~~$5,000~~ or 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(b) or who violates paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not more than $10,000 or by 6 months in jail, or by both, for each offense.

Section 8. Paragraphs (a) and (e) of subsection (5) of section 376.065, Florida Statutes, are amended to read:

376.065 Operation of terminal facility without discharge prevention and response certificate prohibited; penalty.—

(5)(a) A person who violates this section or the terms and requirements of such certification commits a noncriminal infraction. The civil penalty for any such infraction shall be $750 ~~$500~~, except as otherwise provided in this section.

(e) A person who elects to appear before the county court or who is required to so appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $750 ~~$500~~.

Section 9. Paragraphs (a) and (e) of subsection (2) of section 376.071, Florida Statutes, are amended to read:

376.071 Discharge contingency plan for vessels.—

(2)(a) A master of a vessel that violates subsection (1) commits a noncriminal infraction and shall be cited for such

AMERICAN OVERSIGHT

infraction. The civil penalty for such an infraction shall be $7,500 ~~$5,000~~, except as otherwise provided in this subsection.

(e) A person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $7,500 ~~$5,000~~.

Section 10. Section 376.16, Florida Statutes, is amended to read:

376.16 Enforcement and penalties.—

(1) It is unlawful for any person to violate ~~any provision of~~ ss. 376.011-376.21 or any rule or order of the department made pursuant to this act. A violation is ~~shall be~~ punishable by a civil penalty of up to $75,000 ~~$50,000~~ per violation per day to be assessed by the department. Until a violation is resolved by order or judgment, each day during any portion of which the violation occurs or is not remediated constitutes a separate offense. The penalty provisions of this subsection do ~~shall~~ not apply to any discharge promptly reported and removed by a person responsible, in accordance with the rules and orders of the department, or to any discharge of pollutants equal to or less than 5 gallons.

(2) In addition to the penalty provisions which may apply under subsection (1), a person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

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(a) For discharges of gasoline or diesel over 5 gallons, the civil penalty for the second discharge shall be $750 ~~$500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $1,500 ~~$1,000~~, except as otherwise provided in this section.

(b) For discharges of any pollutant other than gasoline or diesel, the civil penalty for a second discharge shall be $3,750 ~~$2,500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $7,500 ~~$5,000~~, except as otherwise provided in this section.

(3) A person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $75 ~~$50~~ for each discharge subsequent to the first.

(b) For discharges of pollutants other than gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $150 ~~$100~~ for each discharge subsequent to the first.

(4) A person charged with a noncriminal infraction pursuant to subsection (2) or subsection (3) may:

(a) Pay the civil penalty;

(b) Post a bond equal to the amount of the applicable civil penalty; or

(c) Sign and accept a citation indicating a promise to appear before the county court.

The department employee authorized to issue these citations may

AMERICAN OVERSIGHT

indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(5) Any person who willfully refuses to post bond or accept and sign a citation commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) After compliance with paragraph (4)(b) or paragraph (4)(c), any person charged with a noncriminal infraction under subsection (2) or subsection (3) may:

(a) Pay the civil penalty, either by mail or in person, within 30 days after the date of receiving the citation; or

(b) If the person has posted bond, forfeit the bond by not appearing at the designated time and location.

A person cited for an infraction under this section who pays the civil penalty or forfeits the bond has admitted the infraction and waives the right to a hearing on the issue of commission of the infraction. Such admission may not be used as evidence in any other proceeding.

(7) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $750 ~~$500~~ for the second discharge of gasoline or diesel and a civil penalty up to, but not exceeding, $1,500 ~~$1,000~~ for each subsequent discharge of gasoline or diesel within a 12-month period.

(8) Any person who elects to appear before the county court

AMERICAN OVERSIGHT

or who is required to appear waives the limitations of the civil penalties specified in subsection (2) or subsection (3). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $7,500 ~~$5,000~~ for the second discharge of pollutants other than gasoline or diesel and a civil penalty up to, but not exceeding, $15,000 ~~$10,000~~ for each subsequent discharge of pollutants other than gasoline or diesel within a 12-month period.

(9) At a hearing under this section, the commission of a charged offense must be proved by the greater weight of the evidence.

(10) A person who is found by a hearing official to have committed an infraction may appeal that finding to the circuit court.

(11) Any person who has not posted bond and who neither pays the applicable civil penalty, as specified in subsection (2) or subsection (3) within 30 days of receipt of the citation nor appears before the court commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(12) Any person who makes or causes to be made a false statement that which the person does not believe to be true in response to requirements of ~~the provisions of~~ ss. 376.011-376.21 commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Paragraph (a) of subsection (6) of section 376.25, Florida Statutes, is amended to read:

376.25 Gambling vessels; registration; required and

AMERICAN OVERSIGHT

prohibited releases.—

(6) PENALTIES.—

(a) A person who violates this section is subject to a civil penalty of not more than $75,000 ~~$50,000~~ for each violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 12. Subsections (2) and (3) of section 376.302, Florida Statutes, are amended to read:

376.302 Prohibited acts; penalties.—

(2) Except as provided in s. 376.311, any person who violates ~~commits a violation specified in~~ subsection (1) is liable to the state for any damage caused and for civil penalties as provided in s. 403.141.

(3) Any person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) commits ~~shall be guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not less than $2,500 or more than $25,000, or punishable by 1 year in jail, or by both for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 13. Paragraph (a) of subsection (1) of section 377.37, Florida Statutes, is amended to read:

377.37 Penalties.—

(1)(a) Any person who violates ~~any provision of~~ this law or any rule, regulation, or order of the division made under this chapter or who violates the terms of any permit to drill for or

AMERICAN OVERSIGHT

produce oil, gas, or other petroleum products referred to in s. 377.242(1) or to store gas in a natural gas storage facility, or any lessee, permitholder, or operator of equipment or facilities used in the exploration for, drilling for, or production of oil, gas, or other petroleum products, or storage of gas in a natural gas storage facility, who refuses inspection by the division as provided in this chapter, is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state. Furthermore, such person, lessee, permitholder, or operator is subject to the judicial imposition of a civil penalty in an amount of not more than $15,000 ~~$10,000~~ for each offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. This section does not ~~Nothing herein shall~~ give the department the right to bring an action on behalf of any private person.

Section 14. Subsection (2) of section 378.211, Florida Statutes, is amended to read:

378.211 Violations; damages; penalties.—

(2) The department may institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty for violation of this part or of any rule adopted or order issued pursuant to this part. The penalty may ~~shall~~ not exceed the following amounts, and the court shall consider evidence in

AMERICAN OVERSIGHT

mitigation:

(a) For violations of a minor or technical nature, $150 ~~$100~~ per violation.

(b) For major violations by an operator on which a penalty has not been imposed under this paragraph during the previous 5 years, $1,500 ~~$1,000~~ per violation.

(c) For major violations not covered by paragraph (b), $7,500 ~~$5,000~~ per violation.

Subject to ~~the provisions of~~ subsection (4), until a violation is resolved by order or judgment, each day or any portion thereof in which the violation continues or is not remediated shall constitute a separate violation.

Section 15. Subsection (2) of section 403.086, Florida Statutes, is amended to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(2) Any facilities for sanitary sewage disposal shall provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the Department of Environmental Protection. Failure to conform shall be punishable by a civil penalty of $750 ~~$500~~ for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

Section 16. Section 403.121, Florida Statutes, is amended to read:

403.121 Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in

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s. 403.161(1).

(1) Judicial remedies:

(a) The department may institute a civil action in a court of competent jurisdiction to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, and aquatic life, of the state caused by any violation.

(b) The department may institute a civil action in a court of competent jurisdiction to impose and to recover a civil penalty for each violation in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(c) Except as provided in paragraph (2)(c), it is ~~shall~~ not ~~be~~ a defense to, or ground for dismissal of, these judicial remedies for damages and civil penalties that the department has failed to exhaust its administrative remedies, has failed to serve a notice of violation, or has failed to hold an administrative hearing prior to the institution of a civil action.

(2) Administrative remedies:

(a) The department may institute an administrative proceeding to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, or aquatic life, of the state caused by any violation. The department may order that the violator pay a specified sum as damages to the state. Judgment for the amount of damages determined by the department may be entered in any court having

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jurisdiction thereof and may be enforced as any other judgment.

(b) If the department has reason to believe a violation has occurred, it may institute an administrative proceeding to order the prevention, abatement, or control of the conditions creating the violation or other appropriate corrective action. Except for violations involving hazardous wastes, asbestos, or underground injection, the department shall proceed administratively in all cases in which the department seeks administrative penalties that do not exceed $50,000 ~~$10,000~~ per assessment as calculated in accordance with subsections (3), (4), (5), (6), and (7). Pursuant to 42 U.S.C. s. 300g-2, the administrative penalty assessed pursuant to subsection (3), subsection (4), or subsection (5) against a public water system serving a population of more than 10,000 shall be not less than $1,000 per day per violation. The department may ~~shall~~ not impose administrative penalties in excess of $50,000 ~~$10,000~~ in a notice of violation. The department may ~~shall~~ not have more than one notice of violation seeking administrative penalties pending against the same party at the same time unless the violations occurred at a different site or the violations were discovered by the department subsequent to the filing of a previous notice of violation.

(c) An administrative proceeding shall be instituted by the department's serving of a written notice of violation upon the alleged violator by certified mail. If the department is unable to effect service by certified mail, the notice of violation may be hand delivered or personally served in accordance with chapter 48. The notice shall specify the ~~provision of the~~ law, rule, regulation, permit, certification, or order of the

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department alleged to be violated and the facts alleged to constitute a violation thereof. An order for corrective action, penalty assessment, or damages may be included with the notice. When the department is seeking to impose an administrative penalty for any violation by issuing a notice of violation, any corrective action needed to correct the violation or damages caused by the violation must be pursued in the notice of violation or they are waived. However, an ~~no~~ order is not ~~shall become~~ effective until after service and an administrative hearing, if requested within 20 days after service. Failure to request an administrative hearing within this time period constitutes ~~shall constitute~~ a waiver thereof, unless the respondent files a written notice with the department within this time period opting out of the administrative process initiated by the department to impose administrative penalties. Any respondent choosing to opt out of the administrative process initiated by the department in an action that seeks the imposition of administrative penalties must file a written notice with the department within 20 days after service of the notice of violation opting out of the administrative process. A respondent's decision to opt out of the administrative process does not preclude the department from initiating a state court action seeking injunctive relief, damages, and the judicial imposition of civil penalties.

(d) If a person timely files a petition challenging a notice of violation, that person will thereafter be referred to as the respondent. The hearing requested by the respondent shall be held within 180 days after the department has referred the initial petition to the Division of Administrative Hearings

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unless the parties agree to a later date. The department has the burden of proving with the preponderance of the evidence that the respondent is responsible for the violation. ~~No~~ Administrative penalties should not be imposed unless the department satisfies that burden. Following the close of the hearing, the administrative law judge shall issue a final order on all matters, including the imposition of an administrative penalty. When the department seeks to enforce that portion of a final order imposing administrative penalties pursuant to s. 120.69, the respondent may ~~shall~~ not assert as a defense the inappropriateness of the administrative remedy. The department retains its final-order authority in all administrative actions that do not request the imposition of administrative penalties.

(e) After filing a petition requesting a formal hearing in response to a notice of violation in which the department imposes an administrative penalty, a respondent may request that a private mediator be appointed to mediate the dispute by contacting the Florida Conflict Resolution Consortium within 10 days after receipt of the initial order from the administrative law judge. The Florida Conflict Resolution Consortium shall pay all of the costs of the mediator and for up to 8 hours of the mediator's time per case at $150 per hour. Upon notice from the respondent, the Florida Conflict Resolution Consortium shall provide to the respondent a panel of possible mediators from the area in which the hearing on the petition would be heard. The respondent shall select the mediator and notify the Florida Conflict Resolution Consortium of the selection within 15 days of receipt of the proposed panel of mediators. The Florida Conflict Resolution Consortium shall provide all of the

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administrative support for the mediation process. The mediation must be completed at least 15 days before the final hearing date set by the administrative law judge.

(f) In any administrative proceeding brought by the department, the prevailing party shall recover all costs as provided in ss. 57.041 and 57.071. The costs must be included in the final order. The respondent is the prevailing party when an order is entered awarding no penalties to the department and such order has not been reversed on appeal or the time for seeking judicial review has expired. The respondent is ~~shall be~~ entitled to an award of attorney's fees if the administrative law judge determines that the notice of violation issued by the department seeking the imposition of administrative penalties was not substantially justified as defined in s. 57.111(3)(e). An ~~No~~ award of attorney's fees as provided by this subsection may not ~~shall~~ exceed $15,000.

(g) Nothing herein shall be construed as preventing any other legal or administrative action in accordance with law. Nothing in this subsection shall limit the department's authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief. When the department exercises its authority to judicially pursue injunctive relief, penalties in any amount up to the statutory maximum sought by the department must be pursued as part of the state court action and not by initiating a separate administrative proceeding. The department retains the authority to judicially pursue penalties in excess of $50,000 ~~$10,000~~ for violations not specifically included in the administrative penalty schedule, or for multiple or multiday violations alleged to exceed a total of $50,000

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~~$10,000~~. The department also retains the authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief and damages, if a notice of violation seeking the imposition of administrative penalties has not been issued. The department has the authority to enter into a settlement, either before or after initiating a notice of violation, and the settlement may include a penalty amount different from the administrative penalty schedule. Any case filed in state court because it is alleged to exceed a total of $50,000 ~~$10,000~~ in penalties may be settled in the court action for less than $50,000 ~~$10,000~~.

(h) Chapter 120 applies ~~shall apply~~ to any administrative action taken by the department or any delegated program pursuing administrative penalties in accordance with this section.

(3) Except for violations involving hazardous wastes, asbestos, or underground injection, administrative penalties must be calculated according to the following schedule:

(a) For a drinking water contamination violation, the department shall assess a penalty of $3,000 ~~$2,000~~ for a Maximum Containment Level (MCL) violation; plus $1,500 ~~$1,000~~ if the violation is for a primary inorganic, organic, or radiological Maximum Contaminant Level or it is a fecal coliform bacteria violation; plus $1,500 ~~$1,000~~ if the violation occurs at a community water system; and plus $1,500 ~~$1,000~~ if any Maximum Contaminant Level is exceeded by more than 100 percent. For failure to obtain a clearance letter prior to placing a drinking water system into service when the system would not have been eligible for clearance, the department shall assess a penalty of $4,500 ~~$3,000~~.

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(b) For failure to obtain a required wastewater permit, other than a permit required for surface water discharge, the department shall assess a penalty of $1,500 ~~$1,000~~. For a domestic or industrial wastewater violation not involving a surface water or groundwater quality violation, the department shall assess a penalty of $3,000 ~~$2,000~~ for an unpermitted or unauthorized discharge or effluent-limitation exceedance. For an unpermitted or unauthorized discharge or effluent-limitation exceedance that resulted in a surface water or groundwater quality violation, the department shall assess a penalty of $7,500 ~~$5,000~~.

(c) For a dredge and fill or stormwater violation, the department shall assess a penalty of $1,500 ~~$1,000~~ for unpermitted or unauthorized dredging or filling or unauthorized construction of a stormwater management system against the person or persons responsible for the illegal dredging or filling, or unauthorized construction of a stormwater management system plus $3,000 ~~$2,000~~ if the dredging or filling occurs in an aquatic preserve, an Outstanding Florida Water, a conservation easement, or a Class I or Class II surface water, plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than one-quarter acre but less than or equal to one-half acre, and plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than one-half acre but less than or equal to one acre. The administrative penalty schedule does ~~shall~~ not apply to a dredge and fill violation if the area dredged or filled exceeds one acre. The department retains the authority to seek the judicial imposition of civil penalties for all dredge and fill violations involving more than one acre. The department shall assess a

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penalty of $4,500 ~~$3,000~~ for the failure to complete required mitigation, failure to record a required conservation easement, or for a water quality violation resulting from dredging or filling activities, stormwater construction activities or failure of a stormwater treatment facility. For stormwater management systems serving less than 5 acres, the department shall assess a penalty of $3,000 ~~$2,000~~ for the failure to properly or timely construct a stormwater management system. In addition to the penalties authorized in this subsection, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts unpermitted or unauthorized dredging or filling. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(d) For mangrove trimming or alteration violations, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts mangrove trimming or alteration without a permit as required by s. 403.9328. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(e) For solid waste violations, the department shall assess a penalty of $3,000 ~~$2,000~~ for the unpermitted or unauthorized disposal or storage of solid waste; plus $1,000 if the solid waste is Class I or Class III (excluding yard trash) or if the

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solid waste is construction and demolition debris in excess of 20 cubic yards, plus $1,500 ~~$1,000~~ if the waste is disposed of or stored in any natural or artificial body of water or within 500 feet of a potable water well, plus $1,500 ~~$1,000~~ if the waste contains PCB at a concentration of 50 parts per million or greater; untreated biomedical waste; friable asbestos greater than 1 cubic meter which is not wetted, bagged, and covered; used oil greater than 25 gallons; or 10 or more lead acid batteries. The department shall assess a penalty of $4,500 ~~$3,000~~ for failure to properly maintain leachate control; unauthorized burning; failure to have a trained spotter on duty at the working face when accepting waste; or failure to provide access control for three consecutive inspections. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to construct or maintain a required stormwater management system.

(f) For an air emission violation, the department shall assess a penalty of $1,500 ~~$1,000~~ for an unpermitted or unauthorized air emission or an air-emission-permit exceedance, ~~plus $1,000 if the emission results in an air quality violation,~~ plus $4,500 ~~$3,000~~ if the emission was from a major source and the source was major for the pollutant in violation; plus $1,500 ~~$1,000~~ if the emission was more than 150 percent of the allowable level.

(g) For storage tank system and petroleum contamination violations, the department shall assess a penalty of $7,500 ~~$5,000~~ for failure to empty a damaged storage system as necessary to ensure that a release does not occur until repairs to the storage system are completed; when a release has occurred from that storage tank system; for failure to timely recover

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free product; or for failure to conduct remediation or monitoring activities until a no-further-action or site-rehabilitation completion order has been issued. The department shall assess a penalty of $4,500 ~~$3,000~~ for failure to timely upgrade a storage tank system. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to conduct or maintain required release detection; failure to timely investigate a suspected release from a storage system; depositing motor fuel into an unregistered storage tank system; failure to timely assess or remediate petroleum contamination; or failure to properly install a storage tank system. The department shall assess a penalty of $1,500 ~~$1,000~~ for failure to properly operate, maintain, or close a storage tank system.

(4) In an administrative proceeding, in addition to the penalties that may be assessed under subsection (3), the department shall assess administrative penalties according to the following schedule:

(a) For failure to satisfy financial responsibility requirements or for violation of s. 377.371(1), $7,500 ~~$5,000~~.

(b) For failure to install, maintain, or use a required pollution control system or device, $6,000 ~~$4,000~~.

(c) For failure to obtain a required permit before construction or modification, $4,500 ~~$3,000~~.

(d) For failure to conduct required monitoring or testing; failure to conduct required release detection; or failure to construct in compliance with a permit, $3,000 ~~$2,000~~.

(e) For failure to maintain required staff to respond to emergencies; failure to conduct required training; failure to prepare, maintain, or update required contingency plans; failure

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to adequately respond to emergencies to bring an emergency situation under control; or failure to submit required notification to the department, $1,500 ~~$1,000~~.

(f) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to prepare, submit, maintain, or use required reports or other required documentation, $750 ~~$500~~.

(5) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to comply with any other departmental regulatory statute or rule requirement not otherwise identified in this section, the department may assess a penalty of $1,000 ~~$500~~.

(6) For each additional day during which a violation occurs, the administrative penalties in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be assessed per day per violation.

(7) The history of noncompliance of the violator for any previous violation resulting in an executed consent order, but not including a consent order entered into without a finding of violation, or resulting in a final order or judgment after the effective date of this law involving the imposition of $3,000 ~~$2,000~~ or more in penalties shall be taken into consideration in the following manner:

(a) One previous such violation within 5 years prior to the filing of the notice of violation will result in a 25-percent per day increase in the scheduled administrative penalty.

(b) Two previous such violations within 5 years prior to the filing of the notice of violation will result in a 50-percent per day increase in the scheduled administrative

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penalty.

(c) Three or more previous such violations within 5 years prior to the filing of the notice of violation will result in a 100-percent per day increase in the scheduled administrative penalty.

(8) The direct economic benefit gained by the violator from the violation, where consideration of economic benefit is provided by Florida law or required by federal law as part of a federally delegated or approved program, shall be added to the scheduled administrative penalty. The total administrative penalty, including any economic benefit added to the scheduled administrative penalty, may ~~shall~~ not exceed $15,000 ~~$10,000~~.

(9) The administrative penalties assessed for any particular violation may ~~shall~~ not exceed $7,500 ~~$5,000~~ against any one violator, unless the violator has a history of noncompliance, the economic benefit of the violation as described in subsection (8) exceeds $7,500 ~~$5,000~~, or there are multiday violations. The total administrative penalties may ~~shall~~ not exceed $50,000 ~~$10,000~~ per assessment for all violations attributable to a specific person in the notice of violation.

(10) The administrative law judge may receive evidence in mitigation. The penalties identified in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be reduced up to 50 percent by the administrative law judge for mitigating circumstances, including good faith efforts to comply prior to or after discovery of the violations by the department. Upon an affirmative finding that the violation was caused by circumstances beyond the reasonable control of the respondent

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and could not have been prevented by respondent's due diligence, the administrative law judge may further reduce the penalty.

(11) Penalties collected pursuant to this section shall be deposited into the Water Quality Assurance Trust Fund or other trust fund designated by statute and shall be used to fund the restoration of ecosystems, or polluted areas of the state, as defined by the department, to their condition before pollution occurred. The Florida Conflict Resolution Consortium may use a portion of the fund to administer the mediation process provided in paragraph (2)(e) and to contract with private mediators for administrative penalty cases.

(12) The purpose of the administrative penalty schedule and process is to provide a more predictable and efficient manner for individuals and businesses to resolve relatively minor environmental disputes. Subsections (3)-(7) may ~~Subsection (3), subsection (4), subsection (5), subsection (6), or subsection (7) shall~~ not be construed as limiting a state court in the assessment of damages. The administrative penalty schedule does not apply to the judicial imposition of civil penalties in state court as provided in this section.

Section 17. Subsection (1) of section 403.141, Florida Statutes, is amended to read:

403.141 Civil liability; joint and several liability.—

(1) Whoever violates ~~commits a violation specified in~~ s. 403.161(1) is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air,

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waters, and property, including animal, plant, and aquatic life, of the state to their former condition, and furthermore is subject to the judicial imposition of a civil penalty for each offense in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Nothing herein gives ~~shall give~~ the department the right to bring an action on behalf of any private person.

Section 18. Subsections (2) through (5) of section 403.161, Florida Statutes, are amended to read:

403.161 Prohibitions, violation, penalty, intent.—

(2) A person who violates ~~Whoever commits a violation specified in~~ subsection (1) is liable to the state for any damage caused and for civil penalties as provided in s. 403.141.

(3) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g) by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) due to reckless indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g) by a fine of not more than

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$10,000 ~~$5,000~~ or by 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(b) or who violates paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g) by a fine of not more than $10,000 or by 6 months in jail, or by both for each offense.

Section 19. Paragraph (a) of subsection (6) of section 403.413, Florida Statutes, is amended to read:

403.413 Florida Litter Law.—

(6) PENALTIES; ENFORCEMENT.—

(a) Any person who dumps litter in violation of subsection (4) in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume and not for commercial purposes commits ~~is guilty of~~ a noncriminal infraction, punishable by a civil penalty of $150 ~~$100~~, from which $50 shall be deposited into the Solid Waste Management Trust Fund to be used for the solid waste management grant program pursuant to s. 403.7095. In addition, the court may require the violator to pick up litter or perform other labor commensurate with the offense committed.

Section 20. Subsection (5) of section 403.7234, Florida Statutes, is amended to read:

403.7234 Small quantity generator notification and verification program.—

(5) Any small quantity generator who does not comply with the requirements of subsection (4) and who has received a notification and survey in person or through one certified letter from the county is subject to a fine of between $75 ~~$50~~

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and $150 ~~$100~~ per day for a maximum of 100 days. The county may collect such fines and deposit them in its general revenue fund. Fines collected by the county shall be used to carry out the notification and verification procedure established in this section. If there are excess funds after the notification and verification procedures have been completed, such funds shall be used for hazardous and solid waste management purposes only.

Section 21. Subsection (3) of section 403.726, Florida Statutes, is amended to read:

403.726 Abatement of imminent hazard caused by hazardous substance.—

(3) An imminent hazard exists if any hazardous substance creates an immediate and substantial danger to human health, safety, or welfare or to the environment. The department may institute action in its own name, using the procedures and remedies of s. 403.121 or s. 403.131, to abate an imminent hazard. However, the department is authorized to recover a civil penalty of not more than $37,500 ~~$25,000~~ for each day until a ~~of continued~~ violation is resolved by order or judgment. Whenever serious harm to human health, safety, and welfare; the environment; or private or public property may occur prior to completion of an administrative hearing or other formal proceeding that which might be initiated to abate the risk of serious harm, the department may obtain, ex parte, an injunction without paying filing and service fees prior to the filing and service of process.

Section 22. Paragraph (a) of subsection (3) of section 403.727, Florida Statutes, is amended to read:

403.727 Violations; defenses, penalties, and remedies.—

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(3) Violations of the provisions of this act are punishable as follows:

(a) Any person who violates ~~the provisions of~~ this act, the rules or orders of the department, or the conditions of a permit is liable to the state for any damages specified in s. 403.141 and for a civil penalty of not more than $75,000 ~~$50,000~~ for each day of continued violation or until a violation is resolved by order or judgment, except as otherwise provided herein. The department may revoke any permit issued to the violator. In any action by the department against a small hazardous waste generator for the improper disposal of hazardous wastes, a rebuttable presumption of improper disposal shall be created if the generator was notified pursuant to s. 403.7234; the generator shall then have the burden of proving that the disposal was proper. If the generator was not so notified, the burden of proving improper disposal shall be placed upon the department.

Section 23. Subsection (8) of section 403.93345, Florida Statutes, is amended to read:

403.93345 Coral reef protection.—

(8) In addition to the compensation described in subsection (5), the department may assess, per occurrence, civil penalties according to the following schedule:

(a) For any anchoring of a vessel on a coral reef or for any other damage to a coral reef totaling less than or equal to an area of 1 square meter, $225 ~~$150~~, provided that a responsible party who has anchored a recreational vessel as defined in s. 327.02 which is lawfully registered or exempt from registration pursuant to chapter 328 is issued, at least once, a

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warning letter in lieu of penalty; with aggravating circumstances, an additional $225 ~~$150~~; occurring within a state park or aquatic preserve, an additional $225 ~~$150~~.

(b) For damage totaling more than an area of 1 square meter but less than or equal to an area of 10 square meters, $450 ~~$300~~ per square meter; with aggravating circumstances, an additional $450 ~~$300~~ per square meter; occurring within a state park or aquatic preserve, an additional $450 ~~$300~~ per square meter.

(c) For damage exceeding an area of 10 square meters, $1,500 ~~$1,000~~ per square meter; with aggravating circumstances, an additional $1,500 ~~$1,000~~ per square meter; occurring within a state park or aquatic preserve, an additional $1,500 ~~$1,000~~ per square meter.

(d) For a second violation, the total penalty may be doubled.

(e) For a third violation, the total penalty may be tripled.

(f) For any violation after a third violation, the total penalty may be quadrupled.

(g) The total of penalties levied may not exceed $375,000 ~~$250,000~~ per occurrence.

Section 24. Paragraph (c) of subsection (1) of s. 252.940, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 252.941, Florida Statutes, in a reference thereto.

Section 25. Subsection (5) of s. 823.11, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.16, Florida Statutes, in a reference thereto.

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Section 26. Paragraph (d) of subsection (1) of s. 376.303, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.302, Florida Statutes, in a reference thereto.

Section 27. Subsection (5) of s. 403.077, subsection (2) of s. 403.131, paragraph (d) of subsection (3) of s. 403.4154, and subsection (5) of s. 403.860, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 403.121, Florida Statutes, in references thereto.

Section 28. Subsection (10) of s. 403.708, subsection (7) of s. 403.7191, and s. 403.811, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 403.141, Florida Statutes, in references thereto.

Section 29. Subsection (2) of s. 403.7255, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 403.161, Florida Statutes, in a reference thereto.

Section 30. Subsection (8) of s. 403.7186, Florida Statutes, is reenacted for the purpose of incorporating the amendments made by this act to ss. 403.141 and 403.161, Florida Statutes, in references thereto.

Section 31. This act shall take effect July 1, 2020.

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From: Zander, Lindsey <lindsey.zander@myflfamilies.com>
Sent: Friday, November 08, 2019 4:46 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Wickersheim, Michael <Michael.Wickersheim@myflfamilies.com>; Fiore, John Paul <John.Fiore@myflfamilies.com>
Subject: Bill Draft Transfer
Attachment(s): "SAMH Bill 1 Language.doc","OCW Bill 2 Child Welfare Language.docx"

Hi Vickie,

Could you please transfer the following bill drafts to the respective Senator's offices:

23-01040-20 (OCW Bill 2) – Kayla Lott in Senator Perry's office
23-01042-20 (SAMH Bill 1) – Taylor Peck in Senator Montford's office

Thank you so much, and have a great weekend!

Best,

Lindsey Zander
Deputy Director of Legislative Affairs
Department of Children and Families
1317 Winewood Blvd.
Tallahassee, Florida 32399
(o): (850) 488-9410 | (c): (850) 228-1833
lindsey.zander@myflfamilies.com

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A bill to be entitled

An act relating to child welfare

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

Section 1. Paragraph (a) of subsection (4) of section 20.19, Florida Statutes is amended to read:

20.19 Department of Children and Families. -

(4)

(a) The department, through offices, shall provide services relating to:

1. Adult protection.

2. Child care regulation.

3. Child welfare.

4. Domestic violence.

5. Economic self-sufficiency.

6. Homelessness.

7. Mental health.

8. Refugees.

9. Substance abuse.

10. Well-being of staff.

Section 2. Subsection (2) is incorporated in section (1) of section 25.385, Florida Statutes, and new subsection (2) is added to that section, to read:

25.385 Standards for instruction of circuit and county court judges ~~in handling domestic violence cases~~.-

Coding: Words ~~stricken~~ are deletions; words underlined are additions.

DRAFT

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-000811

(1) The Florida Court Educational Council shall establish standards for instruction of circuit and county court judges who have responsibility for domestic violence cases, and the council shall provide such instruction on a periodic and timely basis.

~~(2)~~ As used in this section:

(a) The term "domestic violence" has the meaning set forth in s. 741.28.

(b) "Family or household member" has the meaning set forth in s. 741.28.

(2) The Florida Court Educational Council shall establish standards for instruction of circuit court judges who have responsibility for dependency cases. The standards for instruction must be consistent with an reinforce the purposes of Chapter 39, particularly the purpose of ensuring that a permanent placement is achieved as soon as possible for every child in foster care and that no child remains in foster care longer than 1 year. This instruction must be provided on a periodic and timely basis and may be provided by or in consultation with current or retired judiciary, the Department of Children and Families, or the Statewide Guardian ad Litem Office established by s. 39.8296, F.S.

Section 3. Section 39.01(56), Florida Statutes, is amended to read:

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(56) "Parent" means a woman who gives birth to a child and a man whose consent to the adoption of the child would be required under s. 63.062(1). The term "parent" also means legal father as defined in this section. If a child has been legally adopted, the term "parent" means the adoptive mother or father of the child. For purposes of this chapter only, when the phrase "parent or legal custodian" is used, it refers to rights or responsibilities of the parent and, only if there is no living parent with intact parental rights, to the rights or responsibilities of the legal custodian who has assumed the role of the parent. The term does not include an individual whose parental relationship to the child has been legally terminated, or an alleged or prospective parent, unless~~:~~

~~(a) The parental status falls within the terms of s. 39.503(1) or s. 63.062(1); or~~

~~(b)~~ P<u>parental</u> status is applied for the purpose of determining whether the child has been abandoned.

Section 4. Subsection (7) of section 39.205, Florida Statutes, is amended to read:

39.205 Penalties relating to reporting of child abuse, abandonment, or neglect.-

(7) The department shall establish procedures for determining whether a false report of child abuse, abandonment, or neglect has been made and for submitting all identifying information relating to such a report to

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the appropriate law enforcement agency ~~and shall report annually to the Legislature the number of reports referred~~.

Section 5. Paragraph (a) of subsection (7) of section 39.302, Florida Statutes is amended to read:

39.302 Protective Investigations of institutional child abuse, abandonment, or neglect.-

(7)

(a) However, if such a person is a licensee of the department and is named in any capacity in a report ~~in three or more reports~~ within a 5-year period, the department must ~~may~~ review the report ~~those reports~~ and determine whether the information contained in the report~~s~~ is relevant for purposes of determining whether the person's license should be renewed or revoked. If the information is relevant to the decision to renew or revoke the license, the department may rely on the information contained in the report in making that decision.

Section 6. Paragraph (c) of subsection (8) of section 39.402, Florida Statutes, is amended to read:

39.402 Placement in a shelter.-

(8)

(c) At the shelter hearing, the court shall:

1. Appoint a guardian ad litem to represent the best interest of the child, unless the court finds that such representation is unnecessary;

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2. Inform the parents or legal custodians of their right to counsel to represent them at the shelter hearing and at each subsequent hearing or proceeding, and the right of the parents to appointed counsel, pursuant to the procedures set forth in s. 39.013;

3. Give the parents or legal custodians an opportunity to be heard and to present evidence; and

4. Inquire of those present at the shelter hearing as to the identity and location of the legal father. In determining who the legal father of the child may be, the court shall inquire under oath of those present at the shelter hearing whether they have any of the following information:

a. Whether the mother of the child was married at the probable time of conception of the child or at the time of birth of the child.

b. Whether the mother was cohabiting with a male at the probable time of conception of the child.

c. Whether the mother has received payments or promises of support with respect to the child or because of her pregnancy from a man who claims to be the father.

d. Whether the mother has named any man as the father on the birth certificate of the child or in connection with applying for or receiving public assistance.

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e. Whether any man has acknowledged or claimed paternity of the child in a jurisdiction in which the mother resided at the time of or since conception of the child or in which the child has resided or resides.

f. Whether a man is named on the birth certificate of the child pursuant to s. 382.013(2).

g. Whether a man has been determined by a court order to be the father of the child.

h. Whether a man has been determined to be the father of the child by the Department of Revenue as provided in s. 409.256.

5. If the inquiry under subsection (8)(c)4. identifies a person as a legal father, as defined in s. 39.01(40), the court shall enter an order establishing the paternity of the child. Once an order establishing paternity has been entered, the court shall not take any further action to disestablish this paternity in the absence of an action filed pursuant to chapter 742. Where a Chapter 742 action is filed, the court having jurisdiction over the dependency matter may conduct proceedings under chapter 742 either as part of the chapter 39 proceeding or in a separate action under chapter 742. In such a proceeding, the putative father must first prove he has acted with diligence in seeking the establishment of paternity and has manifested a substantial and continuing concern for the welfare of the child. If these facts are established, the

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putative father must then prove by clear and convincing evidence that there is a clear and compelling reason to establish paternity and disestablish the legal father based primarily on the child's best interest. Where the establishment of the putative father's paternity will delay permanency for the child or the putative father cannot pass a home study to be a placement for the child, there is a rebuttable presumption that it is not in the child's best interest to disestablish the child's legal father to establish the legal status of the putative father.

Section 7. Paragraphs (b) and (i) of subsection (6) of section 39.407, Florida Statutes, are amended to read:

39.407 Medical, psychiatric, and psychological examination and treatment of child; physical, mental, or substance abuse examination of person with or requesting child custody. -

(6) Children who are in the legal custody of the department may be placed by the department, without prior approval of the court, in a residential treatment center licensed under s. 394.875 or a hospital licensed under chapter 395 for residential mental health treatment only pursuant to this section or may be placed by the court in accordance with an order of involuntary examination or involuntary placement entered pursuant to s. 394.463 or s. 394.467. All children placed in a residential treatment

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program under this subsection must have a guardian ad litem appointed.

(b) Whenever the department believes that a child in its legal custody is emotionally disturbed and may need residential treatment, an examination and suitability assessment must be conducted by a qualified evaluator who is appointed by the ~~Agency for Health Care Administration~~ Department of Children and Families. This suitability assessment must be completed before the placement of the child in a residential treatment center for emotionally disturbed children and adolescents or a hospital. The qualified evaluator must be a psychiatrist or a psychologist licensed in Florida who has at least 3 years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents and who has no actual or perceived conflict of interest with any inpatient facility or residential treatment center or program.

(i) The department must adopt rules for implementing timeframes for the completion of suitability assessments by qualified evaluators and a procedure that includes timeframes for completing the 3-month independent review by the qualified evaluators of the child's progress toward achieving the goals and objectives of the treatment plan which review must be submitted to the court. The ~~Agency for Health Care Administration~~ Department and Children and Families must adopt rules for the registration of qualified

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evaluators, the procedure for selecting the evaluators to conduct the reviews required under this section, and a reasonable, cost-efficient fee schedule for qualified evaluators.

Section 8. Section 39.503, Florida Statutes, is amended to read:

39.503 Identity or location of parent unknown; special procedures.—

(1) If the identity or location of a parent is unknown and a petition for dependency ~~or shelter~~ is filed, the court shall conduct under oath the following inquiry of the parent or legal custodian who is available, or, if no parent or legal custodian is available, of any relative or custodian of the child who is present at the hearing and likely to have any of the following information:

(a) Whether the mother of the child was married at the probable time of conception of the child or at the time of birth of the child.

(b) Whether the mother was cohabiting with a male at the probable time of conception of the child.

(c) Whether the mother has received payments or promises of support with respect to the child or because of her pregnancy from a man who claims to be the father.

(d) Whether the mother has named any man as the father on the birth certificate of the child or in

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connection with applying for or receiving public assistance.

(e) Whether any man has acknowledged or claimed paternity of the child in a jurisdiction in which the mother resided at the time of or since conception of the child, or in which the child has resided or resides.

(f) Whether a man is named on the birth certificate of the child pursuant to s. 382.013(2).

(g) Whether a man has been determined by a court order to be the father of the child.

(h) Whether a man has been determined to be the father of the child by the Department of Revenue as provided in s. 409.256.

(2) The information required in subsection (1) may be supplied to the court or the department in the form of a sworn affidavit by a person having personal knowledge of the facts.

(3) If the inquiry under subsection (1) identifies any person as a parent or, where there is no legal father, a prospective parent and that person's location is known, the court shall require notice of the hearing to be provided to that person.

(4) If the inquiry under subsection (1) identifies a person as a legal father, as defined in s. 39.01(40), the court shall enter an order establishing the paternity of the child. Once an order establishing

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paternity has been entered, the court shall not take any further action to disestablish this paternity in the absence of an action filed pursuant to chapter 742. Where a chapter 742 action is filed, the court having jurisdiction over the dependency matter may conduct proceedings under chapter 742 either as part of the chapter 39 proceeding or in a separate action under chapter 742. In such a proceeding, the putative father must first prove he has acted with diligence in seeking the establishment of paternity and has manifested a substantial and continuing concern for the welfare of the child. If these facts are established, the putative father must then prove by clear and convincing evidence that there is a clear and compelling reason to establish paternity and disestablish the legal father based primarily on the child's best interest. Where the establishment of the putative father's paternity will delay permanency for the child or the putative father cannot pass a home study to be a placement for the child, there is a rebuttable presumption that it is not in the child's best interest to disestablish the child's legal father to establish the legal status of the putative father.

~~(4)~~(5) If the inquiry under subsection (1) fails to identify any person as a parent or, where there is no legal father, a prospective parent, the court shall

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so find and may proceed without further notice and the petitioner is relieved of further search.

~~(5)~~(6) If the inquiry under subsection (1) identifies a parent or, where there is no legal father, a prospective parent~~,~~ and that person's location is unknown, the court shall direct the petitioner to conduct a diligent search for that person before scheduling a disposition hearing regarding the dependency of the child unless the court finds that the best interest of the child requires proceeding without notice to the person whose location is unknown.

~~(6)~~(7) The diligent search required by subsection ~~(5)~~(6) must include, at a minimum, inquiries of all relatives of the parent or prospective parent made known to the petitioner, inquiries of all offices of program areas of the department likely to have information about the parent or prospective parent, inquiries of other state and federal agencies likely to have information about the parent or prospective parent, inquiries of appropriate utility and postal providers, a thorough search of at least one electronic database specifically designed for locating persons, a search of the Florida Putative Father Registry, and inquiries of appropriate law enforcement agencies. Pursuant to s. 453 of the Social Security Act, 42 U.S.C. s. 653(c)(4), the department, as the state agency administering Titles IV-B and IV-E of the act,

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shall be provided access to the federal and state parent locator service for diligent search activities.

~~(7)~~(8) Any agency contacted by a petitioner with a request for information pursuant to subsection ~~(6)~~(7) shall release the requested information to the petitioner without the necessity of a subpoena or court order.

~~(8)~~(9) If the inquiry and diligent search identifies and locates a parent, the individual shall be considered a parent for all purposes under this chapter and the court shall require notice of all hearings to be provided to that person.

(10) If the inquiry and diligent search identifies and locates a prospective parent and there is no legal father, that person must be given the opportunity to become a party to the proceedings by completing a sworn affidavit of parenthood and filing it with the court or the department. A prospective parent who files a sworn affidavit of parenthood while the child is a dependent child but no later than at the time of or before the adjudicatory hearing in any termination of parental rights proceeding for the child shall be considered a parent for all purposes under this ~~section~~ chapter unless the other parent contests the determination of parenthood. No person shall have standing to file a sworn affidavit of parenthood or otherwise establish parenthood at the time of or after the adjudicatory

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hearing in a termination of parental rights proceeding for a child. If the known parent contests the recognition of the prospective parent as a parent, the court having jurisdiction over the dependency matter shall conduct paternity proceedings under chapter 742. ~~t~~The prospective parent may not be recognized as a parent until proceedings to determine maternity or paternity ~~under chapter 742~~ have been concluded. However, the prospective parent shall continue to receive notice of hearings as a participant pending results of the ~~chapter 742~~ proceedings to determine maternity or paternity.

~~(9)~~(11) If the diligent search under subsection ~~(5)~~(6) fails to ~~identify and~~ locate a parent or, where there is no legal father, a prospective parent who was identified during the inquiry under subsection (1), the court shall so find and may proceed without further notice and the petitioner is relieved of further search.

Section 9. Paragraph (c) of subsection (1) and subsections (3) and (7) of section 39.521, Florida Statutes, are amended to read:

39.521 Disposition hearings; powers of disposition.--

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(c) When any child is adjudicated by a court to be dependent, the court having jurisdiction of the child has the power by order to:

1. Require the parent and, when appropriate, the legal guardian or the child to participate in treatment and services identified as necessary. The court may require the person who has custody or who is requesting custody of the child to submit to a mental health or substance abuse disorder assessment or evaluation. The order may be made only upon good cause shown and pursuant to notice and procedural requirements provided under the Florida Rules of Juvenile Procedure. The mental health assessment or evaluation must be administered by a qualified professional as defined in s. 39.01, and the substance abuse assessment or evaluation must be administered by a qualified professional as defined in s. 397.311. The court may also require such person to participate in and comply with treatment and services identified as necessary, including, when appropriate and available, participation in and compliance with a mental health court program established under chapter 394 or a treatment-based drug court program established under s. 397.334. Adjudication of a child as dependent based upon evidence of harm as defined in s. 39.01(35)(g) demonstrates good cause, and the court shall require the parent whose actions caused the harm to submit to a

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substance abuse disorder assessment or evaluation and to participate and comply with treatment and services identified in the assessment or evaluation as being necessary. In addition to supervision by the department, the court, including the mental health court program or the treatment-based drug court program, may oversee the progress and compliance with treatment by a person who has custody or is requesting custody of the child. The court may impose appropriate available sanctions for noncompliance upon a person who has custody or is requesting custody of the child or make a finding of noncompliance for consideration in determining whether an alternative placement of the child is in the child's best interests. Any order entered under this subparagraph may be made only upon good cause shown. This subparagraph does not authorize placement of a child with a person seeking custody of the child, other than the child's parent or legal custodian, who requires mental health or substance abuse disorder treatment.

2. Require, if the court deems necessary, the parties to participate in dependency mediation.

3. Require placement of the child either under the protective supervision of an authorized agent of the department in the home of one or both of the child's parents or in the home of a relative of the child or another adult approved by the court, or in the custody

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of the department. ~~Protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion, and shall in either case be considered a permanency option for the child. The order terminating supervision by the department must set forth the powers of the custodian of the child and include the powers ordinarily granted to a guardian of the person of a minor unless otherwise specified. Upon the court's termination of supervision by the department, further judicial reviews are not required if permanency has been established for the child.~~

4. Determine whether the child has a strong attachment to the prospective permanent guardian and whether such guardian has a strong commitment to permanently caring for the child.

(3) When any child is adjudicated by a court to be dependent, the court shall determine the appropriate placement for the child as follows:

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(a) If the court determines that the child can safely remain in the home with the parent with whom the child was residing at the time the events or conditions arose that brought the child within the jurisdiction of the court and that remaining in this home is in the best interest of the child, then the court shall order conditions under which the child may remain or return to the home and that this placement be under the protective supervision of the department for not less than 6 months.

(b) If there is a parent with whom the child was not residing at the time the events or conditions arose that brought the child within the jurisdiction of the court who desires to assume custody of the child, the court shall place the child with that parent upon completion of a home study, unless the court finds that such placement would endanger the safety, well-being, or physical, mental, or emotional health of the child. Any party with knowledge of the facts may present to the court evidence regarding whether the placement will endanger the safety, well-being, or physical, mental, or emotional health of the child. If the court places the child with such parent, it may do either of the following:

1. Order that the parent assume sole custodial responsibilities for the child. The court may also provide for reasonable visitation by the noncustodial

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parent. The court may then terminate its jurisdiction over the child.

2. Order that the parent assume custody subject to the jurisdiction of the circuit court hearing dependency matters. The court may order that reunification services be provided to the parent from whom the child has been removed, that services be provided solely to the parent who is assuming physical custody in order to allow that parent to retain later custody without court jurisdiction, or that services be provided to both parents, in which case the court shall determine at every review hearing which parent, if either, shall have custody of the child. The standard for changing custody of the child from one parent to another or to a relative or another adult approved by the court shall be the best interest of the child.

(c) If no fit parent is willing or available to assume care and custody of the child, place the child in the temporary legal custody of an adult relative, the adoptive parent of the child's sibling, or another adult approved by the court who is willing to care for the child, under the protective supervision of the department. The department must supervise this placement until the child reaches permanency status in this home, and in no case for a period of less than 6 months. Permanency in a relative placement shall be by adoption, long-term custody, or guardianship.

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(d) If the child cannot be safely placed in a nonlicensed placement, the court shall commit the child to the temporary legal custody of the department. Such commitment invests in the department all rights and responsibilities of a legal custodian. The department shall not return any child to the physical care and custody of the person from whom the child was removed, except for court-approved visitation periods, without the approval of the court. Any order for visitation or other contact must conform to the provisions of s. 39.0139. The term of such commitment continues until terminated by the court or until the child reaches the age of 18. After the child is committed to the temporary legal custody of the department, all further proceedings under this section are governed by this chapter.

~~Protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion, and shall in either case be considered a permanency option for the child. The order terminating~~

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~~supervision by the department shall set forth the powers of the custodian of the child and shall include the powers ordinarily granted to a guardian of the person of a minor unless otherwise specified. Upon the court's termination of supervision by the department, no further judicial reviews are required, so long as permanency has been established for the child.~~

~~(7) The court may enter an order ending its jurisdiction when a child has been returned to the parents, provided the court shall not terminate its jurisdiction or the department's supervision over the child until 6 months after the child's return. The department shall supervise the placement of the child after reunification for at least 6 months with each parent or legal custodian from whom the child was removed. The court shall determine whether its jurisdiction should be continued or terminated in such a case based on a report of the department or agency or the child's guardian ad litem, and any other relevant factors; if its jurisdiction is to be terminated, the court shall enter an order to that effect.~~

Section 10. Section 39.522, Florida Statutes, is amended to read:

39.522 Postdisposition change of custody.- The court may change the temporary legal custody or the conditions of protective supervision at a postdisposition hearing, without the necessity of

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another adjudicatory hearing. If a child must be removed from the parent's custody while the department is supervising the placement of the child after the child has been returned to the parent, the modification of placement shall be pursuant to this section.

(1) At any time, an authorized agent of the Department or a law enforcement officer may remove a child from a court-ordered placement and take the child into custody if the child's current caregiver requests immediate removal of the child from the home or if the circumstances meet the criteria of s. 39.401(b). The Department shall file a motion to modify placement within one business day of the child being taken into custody. Unless all parties stipulate to the change of placement, the court shall set a hearing within 24 hours of the filing of the motion. At the hearing, the court shall determine whether the Department has established probable cause that reasonable grounds exist to immediately remove the child from the current placement. The court may base its determination on a sworn motion or affidavit and may hear all relevant and material evidence, including oral and written reports to the extent of its probative value even though it would not be competent evidence at an adjudicatory hearing. If probable cause is not established to support the removal from the placement, the court shall enter an order to return the child to the placement.

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If the caregiver admits to a need for a change of placement or probable cause is established to support the removal from the placement, the court shall enter an order changing the placement. If the child is not placed in foster care, then the new placement for the child must meet the home study criteria in Chapter 39. Where the court modifies a child's placement based upon a probable cause standard, the court shall conduct a subsequent evidentiary hearing on the motion, unless all parties waive the hearing, at which the court shall determine whether the Department has established by a preponderance of the evidence that continuing the child in the new placement is in the child's best interest. When applying this standard, the court shall consider the continuity of the child's placement in the same out-of-home residence as a factor when determining the best interests of the child.

(2) At any time before a child is residing in the permanent placement approved at a permanency hearing, a child who has been placed in the child's own home under the protective supervision of an authorized agent of the department, in the home of a relative, in the home of a legal custodian, or in some other place may be brought before the court by the department or by any other party ~~interested person~~, upon the filing of a ~~petition~~ motion alleging a need for a change in the conditions of protective supervision or the placement.

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If the parents or other legal custodians deny the need for a change, the court shall hear all parties in person or by counsel, or both. Upon the admission of a need for a change or after such hearing, the court shall enter an order changing the placement, modifying the conditions of protective supervision, or continuing the conditions of protective supervision as ordered. The standard for changing custody of the child shall be whether a preponderance of the evidence establishes that a change is in the best interest of the child. When applying this standard, the court shall consider the continuity of the child's placement in the same out-of-home residence as a factor when determining the best interests of the child. If the child is not placed in foster care, then the new placement for the child must meet the home study criteria and court approval pursuant to this chapter.

~~(2)~~(3) In cases where the issue before the court is whether a child should be reunited with a parent, the court shall review the conditions for return and determine whether the circumstances that caused the out-of-home placement and issues subsequently identified have been remedied to the extent that the return of the child to the home with an in-home safety plan prepared or approved by the department will not be detrimental to the child's safety, well-being, and physical, mental, and emotional health.

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~~(3)~~(4) In cases where the issue before the court is whether a child who is placed in the custody of a parent should be reunited with the other parent upon a finding that the circumstances that caused the out-of-home placement and issues subsequently identified have been remedied to the extent that the return of the child to the home of the other parent with an in-home safety plan prepared or approved by the department will not be detrimental to the child, the standard shall be that the safety, well-being, and physical, mental, and emotional health of the child would not be endangered by reunification and that reunification would be in the best interest of the child.

Section 11. Subsection (7) of section 39.6011, Florida Statutes, is amended to read:

39.6011 Case plan development.-

(7) The case plan must be filed with the court and copies provided to all parties, including the child if appropriate:~~, not less than 3 business days before the disposition hearing.~~

(a) Not less than 72 hours before the disposition hearing, if the disposition hearing occurs on or after the 60th day after the date the child was placed in out-of-home care.

(b) Not less than 72 hours before the case plan acceptance hearing, if the disposition hearing occurs before the 60th day after the date the child was placed in

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out-of-home care and a case plan has not been submitted pursuant to this paragraph, or if the court does not approve the case plan at the disposition hearing.

Section 12. Section 39.630, Florida Statutes, is created to read:

39.630 Case closure.- For all proceedings under this chapter, the court shall close the judicial case by terminating protective supervision and its jurisdiction as provided in this section.

(1) Where a child has been placed under the protective supervision of the department, protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed except that the department must supervise the placement of the child after reunification for at least 6 months with each parent or legal custodian from whom the child was removed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion.

(2) The order terminating supervision by the department must set forth the powers of the custodian of the child and include the powers ordinarily granted

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to a guardian of the person of a minor unless otherwise specified.

(3) Upon the court's termination of supervision by the department, further judicial reviews are not required.

(4) The court must enter a written order ending its jurisdiction when a child has been returned to a parent, provided the court shall not terminate its jurisdiction over the child for at least 6 months after the child's return to the home and not until protective supervision is no longer need.

(5) Where a child has not been removed from the home, the court must enter a written order ending its jurisdiction when the court determines that permanency has been achieved for the child.

(6) Where a child is placed in the custody of a parent and the court determines that reasonable efforts to reunify the child with the other parent are not required, the court may at any time order that the custodial parent assume sole custodial responsibilities for the child, may provide for reasonable visitation by the noncustodial parent, and may then terminate its jurisdiction over the child. If the court has previously approved a case plan that requires that services be provided to the noncustodial parent, the court may not terminate its jurisdiction prior to the expiration of the case plan unless the court finds by a

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preponderance of the evidence that it is not likely that the child will be reunified with the noncustodial parent within 12 months after the child was removed from the home.

(7) Where a child has been adopted pursuant to a chapter 63 proceeding, the court must enter a written order terminating its jurisdiction over the child in the chapter 39 proceeding.

(8) The court shall determine whether its jurisdiction should be continued or terminated based on a report of the department or agency or the child's guardian ad litem.

Section 13. Subsection (3) of section 39.801, Florida Statutes, is amended to read:

(3) Before the court may terminate parental rights, in addition to the other requirements set forth in this part, the following requirements must be met:

(a) Notice of the date, time, and place of the advisory hearing for the petition to terminate parental rights and a copy of the petition must be personally served upon the following persons, specifically notifying them that a petition has been filed:

1. The parents of the child.

2. The legal custodians of the child.

3. If the parents who would be entitled to notice are dead or unknown, a living relative of the child,

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unless upon diligent search and inquiry no such relative can be found.

4. Any person who has physical custody of the child.

5. Any grandparent entitled to priority for adoption under s. 63.0425.

6. Any prospective parent who has been identified and located under s. 39.503 or s. 39.803, unless a court order has been entered pursuant to s. 39.503~~(4)~~(5) or ~~(9)~~(11) or s. 39.803~~(4)~~(5) or ~~(9)~~(11) which indicates no further notice is required. Except as otherwise provided in this section, if there is not a legal father, notice of the petition for termination of parental rights must be provided to any known prospective father who is identified under oath before the court or who is identified by a diligent search of the Florida Putative Father Registry. Service of the notice of the petition for termination of parental rights is not required if the prospective father executes an affidavit of nonpaternity or a consent to termination of his parental rights which is accepted by the court after notice and opportunity to be heard by all parties to address the best interests of the child in accepting such affidavit.

7. The guardian ad litem for the child or the representative of the guardian ad litem program, if the program has been appointed.

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The document containing the notice to respond or appear must contain, in type at least as large as the type in the balance of the document, the following or substantially similar language: "FAILURE TO PERSONALLY APPEAR AT THIS ADVISORY HEARING CONSTITUTES CONSENT TO THE TERMINATION OF PARENTAL RIGHTS OF THIS CHILD (OR CHILDREN). IF YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN THE PETITION ATTACHED TO THIS NOTICE."

(b) If a party required to be served with notice as prescribed in paragraph (a) cannot be served, notice of hearings must be given as prescribed by the rules of civil procedure, and service of process must be made as specified by law or civil actions.

(c) Notice as prescribed by this section may be waived, in the discretion of the judge, with regard to any person to whom notice must be given under this subsection if the person executes, before two witnesses and a notary public or other officer authorized to take acknowledgments, a written surrender of the child to a licensed child-placing agency or the department.

(d) If the person served with notice under this section fails to personally appear at the advisory hearing, the failure to personally appear shall constitute consent for termination of parental rights

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by the person given notice. If a parent appears for the advisory hearing and the court orders that parent to personally appear at the adjudicatory hearing for the petition for termination of parental rights, stating the date, time, and location of said hearing, then failure of that parent to personally appear at the adjudicatory hearing shall constitute consent for termination of parental rights.

Section 14. Section 39.8025, Florida Statutes, is created to read:

39.8025 Permanent commitment of children with deceased parents to the department for subsequent adoption.-

(1) Where both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding, the child meets the definition of a child who is found to be dependent pursuant to s. 39.01(15)(e) and shall be permanently committed to the custody of the department for the purpose of adoption as outlined in this section.

(2) Where both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding, an attorney for the department, or any other person who has knowledge of the facts alleged or is informed of them and believes that they are true, may initiate a proceeding seeking an adjudication of dependency and permanent commitment of the child to the custody of the

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department for the purpose of adoption by filing a petition for adjudication and permanent commitment. If after a child has already been adjudicated dependent both parents become deceased or the last living parent becomes deceased, an attorney for the department, or any other person who has knowledge of the facts alleged or is informed of them and believes that they are true, may file a petition for permanent commitment.

(a) The petition shall be in writing, identify the deceased parents, and allege the facts that establish both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding.

(b) The form of the petition is governed by the Florida Rules of Juvenile Procedure.

(c) The petition must be signed by the petitioner under oath stating the petitioner's good faith in filing the petition.

(3) When a child has been placed in shelter status by order of the court and not yet adjudicated, a petition for adjudication and permanent commitment must be filed within 21 days after the shelter hearing. In all other cases, the petition must be filed within a reasonable time after the date the child was referred to protective investigation or after the petitioner becomes aware of the facts supporting the petition.

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(4) When a petition for adjudication and permanent commitment or a petition for permanent commitment has been filed, the clerk of court shall set the case before the court for an adjudicatory hearing.

(5) Notice of the date, time, and place of the adjudicatory hearing for the petition for adjudication and permanent commitment or the petition for permanent commitment and a copy of the petition must be served upon the following persons in accordance with the Florida Rules of Juvenile Procedure, specifically notifying them that a petition has been filed:

(a) Any person who has physical custody of the child.

(b) A living relative of each parent of the child, unless upon diligent search and inquiry no such relative can be found.

(c) The guardian ad litem for the child or the representative of the guardian ad litem program, if the program has been appointed.

(6) The adjudicatory hearing shall be held as soon as practicable after the petition is filed and in accordance with the Florida Rules of Juvenile Procedure, but no later than 30 days after the arraignment.

(7) Adjudicatory hearings shall be conducted by the judge without a jury, applying the rules of evidence in use in civil cases and adjourning the hearings from time to time as necessary. In a hearing on a petition for adjudication and permanent commitment or a petition for

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permanent commitment, the court shall consider whether the petitioner has established by clear and convincing evidence that both parents of the child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding. The presentation of a certified copy of the death certificate for each parent shall constitute evidence of the parents' deaths and no further evidence is required to establish that element.

(8) If the court finds that a petition for adjudication and permanent commitment has been establish by clear and convincing evidence, the court shall enter a written order adjudicating the child dependent and permanently committing the child to the custody of the department for the purpose of adoption. The order shall provide for a disposition hearing, to be scheduled no later than 30 days after entry of the order, in which the department shall provide to the court a case plan that identifies the permanency goal for the child. Reasonable efforts must be made to place the child in a timely manner in accordance with the permanency plan and to complete whatever steps are necessary to finalize the permanent placement of the child. Thereafter, until the adoption of the child is finalized or the child reaches the age of 18 years, whichever occurs first, the court shall hold hearings at 6-month intervals to review the progress being made toward permanency for the child.

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(9) If the court finds that a petition for permanent commitment has been establish by clear and convincing evidence, the court shall enter a written order permanently committing the child to the custody of the department for the purpose of adoption. The order does not need to readjudicate the child. The order shall provide for a disposition hearing, to be scheduled no later than 30 days after entry of the order, in which the department shall provide to the court an amended case plan that identifies the permanency goal for the child. Reasonable efforts must be made to place the child in a timely manner in accordance with the permanency plan and to complete whatever steps are necessary to finalize the permanent placement of the child. Thereafter, until the adoption of the child is finalized or the child reaches the age of 18 years, whichever occurs first, the court shall hold hearings at 6-month intervals to review the progress being made toward permanency for the child.

(10) If the court finds at the adjudicatory hearing on a petition for adjudication and permanent commitment that clear and convincing evidence does not establish that both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding but that a preponderance of the evidence establishes the child has no parent or legal custodian capable of providing supervision or care, the court shall enter a written order adjudicating the child dependent.

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The order shall provide for a disposition hearing, to be scheduled no later than 30 days after entry of the order, pursuant to s. 39.521.

(11) If the court finds at the adjudicatory hearing on a petition for adjudication and permanent commitment that clear and convincing evidence does not establish that both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding and that a preponderance of the evidence does not establish the child has no parent or legal custodian capable of providing supervision or care, the court shall enter a written order so finding and dismissing the case.

(12) If the court finds at the adjudicatory hearing on a petition for permanent commitment that clear and convincing evidence does not establish that both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding the court shall enter a written order so finding. Such an order does not bar the petitioner from filing a subsequent petition for permanent commitment based on newly discovered evidence that establishes both parents of a child are deceased and the child does not have a legal custodian through a probate or guardianship proceeding.

Section 15 Section 39.803, Florida Statutes, is amended to read:

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39.803 Identity or location of parent unknown after filing of termination of parental rights petition; special procedures.—

(1) If the identity or location of a parent is unknown, ~~and~~ a petition for termination of parental rights is filed, and the court has not previously conducted an inquiry or entered an order relieving the petitioner of further notice or search under s. 39.503, the court shall conduct under oath the following inquiry of the parent who is available, or, if no parent is available, of any relative, caregiver, or legal custodian of the child who is present at the hearing and likely to have the information:

(a) Whether the mother of the child was married at the probable time of conception of the child or at the time of birth of the child.

(b) Whether the mother was cohabiting with a male at the probable time of conception of the child.

(c) Whether the mother has received payments or promises of support with respect to the child or because of her pregnancy from a man who claims to be the father.

(d) Whether the mother has named any man as the father on the birth certificate of the child or in connection with applying for or receiving public assistance.

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(e) Whether any man has acknowledged or claimed paternity of the child in a jurisdiction in which the mother resided at the time of or since conception of the child, or in which the child has resided or resides.

(f) Whether a man is named on the birth certificate of the child pursuant to s. 382.013(2).

(g) Whether a man has been determined by a court order to be the father of the child.

(h) Whether a man has been determined to be the father of the child by the Department of Revenue as provided in s. 409.256.

(2) The information required in subsection (1) may be supplied to the court or the department in the form of a sworn affidavit by a person having personal knowledge of the facts.

(3) If the inquiry under subsection (1) identifies any person as a parent or, where there is no legal father, a prospective parent and that person's location is known, the court shall require notice of the hearing to be provided to that person.

(4) If the inquiry under subsection (1) identifies a person as a legal father, as defined in s. 39.01(40), the court shall enter an order establishing the paternity of the child. Once an order establishing paternity has been entered, the court shall not take any further action to disestablish this paternity in

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the absence of an action filed pursuant to chapter 742. Where a Chapter 742 action is filed, the court having jurisdiction over the dependency matter may conduct proceedings under chapter 742 either as part of the chapter 39 proceeding or in a separate action under chapter 742. In such a proceeding, the putative father must first prove he has acted with diligence in seeking the establishment of paternity and has manifested a substantial and continuing concern for the welfare of the child. If these facts are established, the putative father must then prove by clear and convincing evidence that there is a clear and compelling reason to establish paternity and disestablish the legal father based primarily on the child's best interest. Where the establishment of the putative father's paternity will delay permanency for the child or the putative father cannot pass a home study to be a placement for the child, there is a rebuttable presumption that it is not in the child's best interest to disestablish the child's legal father to establish the legal status of the putative father.

~~(4)~~(5) If the inquiry under subsection (1) fails to identify any person as a parent or, where there is no legal father, a prospective parent, the court shall so find and may proceed without further notice and the petitioner is relieved of further search.

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~~(5)~~(6) If the inquiry under subsection (1) identifies a parent or, where there is no legal father, prospective parent, and that person's location is unknown, the court shall direct the petitioner to conduct a diligent search for that person before scheduling an adjudicatory hearing regarding the petition for termination of parental rights to the child unless the court finds that the best interest of the child requires proceeding without actual notice to the person whose location is unknown.

~~(6)~~(7) The diligent search required by subsection ~~(5)~~(6) must include, at a minimum, inquiries of all known relatives of the parent or prospective parent, inquiries of all offices of program areas of the department likely to have information about the parent or prospective parent, inquiries of other state and federal agencies likely to have information about the parent or prospective parent, inquiries of appropriate utility and postal providers, a thorough search of at least one electronic database specifically designed for locating persons, a search of the Florida Putative Father Registry, and inquiries of appropriate law enforcement agencies. Pursuant to s. 453 of the Social Security Act, 42 U.S.C. s. 653(c)(4), the department, as the state agency administering Titles IV-B and IV-E of the act, shall be provided access to the federal and

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state parent locator service for diligent search activities.

~~(7)~~(8) Any agency contacted by a petitioner with a request for information pursuant to subsection ~~(6)~~(7) shall release the requested information to the petitioner without the necessity of a subpoena or court order.

~~(8)~~(9) If the inquiry and diligent search identifies and locates a parent, the individual shall be considered a parent for all purposes under this chapter and the court shall require notice of all hearings to be provided to that person.

(10) If the inquiry and diligent search identifies and locates a prospective parent and there is no legal father, that person must be given the opportunity to become a party to the proceedings by completing a sworn affidavit of parenthood and filing it with the court or the department. A prospective parent who files a sworn affidavit of parenthood while the child is a dependent child but no later than at the time of or before the adjudicatory hearing in the termination of parental rights proceeding for the child shall be considered a parent for all purposes under this ~~section~~ chapter. No person shall have standing to file a sworn affidavit of parenthood or otherwise establish parenthood at the time of or after the adjudicatory hearing in a termination of parental rights proceeding for a child.

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If the known parent contests the recognition of the prospective parent as a parent, the court having jurisdiction over the dependency matter shall conduct paternity proceedings under chapter 742. The prospective parent may not be recognized as a parent until proceedings to determine maternity or paternity have been concluded. However, the prospective parent shall continue to receive notice of hearings as a participant pending results of the proceedings to determine maternity or paternity.

~~(9)~~(11) If the diligent search under subsection ~~(5)~~(6) fails to ~~identify and~~ locate a parent or, where there is no legal father, a prospective parent who was identified during the inquiry under subsection (1), the court shall so find and may proceed without further notice and the petitioner is relieved of further search.

Section 16. Subsection (2) of section 39.806, Florida Statutes, is amended to read:

39.806 Grounds for termination of parental rights.-

(2) Reasonable efforts to preserve and reunify families are not required if a court of competent jurisdiction has determined that any of the events described in paragraphs (1)(b)-(d) or paragraphs (1)(f)-~~(m)~~(n) have occurred.

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Section 17. Section 39.812, Florida Statutes, is amended to read:

39.812 Postdisposition relief; petition for adoption.-

(1) If the department is given custody of a child for subsequent adoption in accordance with this chapter, the department may place the child with an agency as defined in s. 63.032, with a child-caring agency registered under s. 409.176, or in a family home for prospective subsequent adoption without the need for a court order unless as otherwise provided by s. 39.812. The department is authorized, without the need for a court order, to allow prospective adoptive parents to visit with a child in the department's custody to determine whether adoptive placement would be appropriate. The department may thereafter become a party to any proceeding for the legal adoption of the child and appear in any court where the adoption proceeding is pending and consent to the adoption, and that consent alone shall in all cases be sufficient.

(2) In any subsequent adoption proceeding, the parents are not entitled to notice of the proceeding and are not entitled to knowledge at any time after the order terminating parental rights is entered of the whereabouts of the child or of the identity or location of any person having the custody of or having adopted the child, except as provided by order of the court

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pursuant to this chapter or chapter 63. In any habeas corpus or other proceeding involving the child brought by any parent of the child, an agent or contract provider of the department may not be compelled to divulge that information, but may be compelled to produce the child before a court of competent jurisdiction if the child is still subject to the guardianship of the department.

(3) The entry of the custody order to the department does not entitle the department to guardianship of the estate or property of the child, but the department shall be the guardian of the person of the child.

(4) The court shall retain jurisdiction over any child placed in the custody of the department until the child is adopted. After custody of a child for subsequent adoption has been given to the department, the court has jurisdiction for the purpose of reviewing the status of the child and the progress being made toward permanent adoptive placement. As part of this continuing jurisdiction, for good cause shown by the guardian ad litem for the child, the court may review the appropriateness of the adoptive placement of the child.

(a) If the department has denied an individual's application to adopt a child, that denied applicant may file a motion to file a Chapter 63 petition to adopt a

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child without the department's consent, wherein the denied applicant must allege that the department unreasonably withheld its consent to the adoption, and the court as part of its continuing jurisdiction may review and rule upon the motion.

1. The denied applicant shall have standing in the Chapter 39 proceeding only to file such a motion and to present evidence in support of the motion at a hearing.

2. When reviewing whether the department unreasonably withheld its consent, the court shall only consider whether the department's review of the application was consistent with the agency's policies and made in an expeditious manner, using an abuse of discretion review. The court may not weigh the denied applicant against another applicant to determine which placement is in the child's best interest.

3. If the denied applicant establishes by a preponderance of the evidence that the department unreasonably withheld its consent, the court shall enter an order that finds the denied applicant may file a petition to adopt the child pursuant to Chapter 63 and the department's consent is waived.

4. If the denied applicant does not prove by a preponderance of the evidence that the department unreasonably withheld its consent, the court shall enter an order so finding.

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5. The denied applicant's standing in the Chapter 39 proceeding is terminated upon the entry of a court order on the motion.

(b) When a licensed foster parent or court-ordered custodian has applied to adopt a child who has resided with the foster parent or custodian for at least 6 months and who has previously been permanently committed to the legal custody of the department and the department does not grant the application to adopt, the department may not, in the absence of a prior court order authorizing it to do so, remove the child from the foster home or custodian, except when:

1.~~(a)~~ There is probable cause to believe that the child is at imminent risk of abuse or neglect;

2.~~(b)~~ Thirty days have expired following written notice to the foster parent or custodian of the denial of the application to adopt, within which period no formal challenge of the department's decision has been filed; or

3.~~(c)~~ The foster parent or custodian agrees to the child's removal.; or

4.~~(d)~~ The department has selected another prospective adoptive applicant to adopt the child and either the foster parent or custodian has not filed a motion to file a Chapter 63 petition to adopt a child without the department's consent pursuant to subsection (4) or the court has denied such a motion.

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(5) The petition for adoption must be filed in the division of the circuit court which entered the judgment terminating parental rights, unless a motion for change of venue is granted pursuant to s. 47.122. A copy of the consent executed by the department must be attached to the petition, unless waived pursuant to ~~s. 63.062(7)~~subsection (4) of this section. The petition must be accompanied by a statement, signed by the prospective adoptive parents, acknowledging receipt of all information required to be disclosed under s. 63.085 and a form provided by the department which details the social and medical history of the child and each parent and includes the social security number and date of birth for each parent, if such information is available or readily obtainable. The prospective adoptive parents may not file a petition for adoption until the judgment terminating parental rights becomes final. An adoption proceeding under this subsection is governed by chapter 63.

(6)(a) Once a child's adoption is finalized, the community-based care lead agency must make a reasonable effort to contact the adoptive family by telephone 1 year after the date of finalization of the adoption as a postadoption service. For purposes of this subsection, the term "reasonable effort" means the exercise of reasonable diligence and care by the community-based care lead agency to make contact with

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the adoptive family. At a minimum, the agency must document the following:

1. The number of attempts made by the community-based care lead agency to contact the adoptive family and whether those attempts were successful;

2. The types of postadoption services that were requested by the adoptive family and whether those services were provided by the community-based care lead agency; and

3. Any feedback received by the community-based care lead agency from the adoptive family relating to the quality or effectiveness of the services provided.

(b) The community-based care lead agency must report annually to the department on the outcomes achieved and recommendations for improvement under this subsection.

Section 18. Section 39.813, Florida Statutes, is amended to read:

39.813 Continuing jurisdiction.- The court which terminates the parental rights of a child who is the subject of termination proceedings pursuant to this chapter shall retain exclusive jurisdiction in all matters pertaining to the child's adoption pursuant to chapter 63. The Department's decision to deny an application to adopt a child who is under the court's jurisdiction is reviewable only through a motion to file a chapter 63 petition to adopt a child without the department's consent as provided

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in s. 39.812(4) and is not subject to the provisions of chapter 120.

Section 19. Subsection (7) of section 63.062, Florida Statutes, is amended to read:

63.062 Persons required to consent to adoption; affidavit of nonpaternity; waiver of venue.-

(7) If parental rights to the minor have previously been terminated, the adoption entity with which the minor has been placed for subsequent adoption may provide consent to the adoption. In such case, no other consent is required. When the minor has been permanently committed to the department for subsequent adoption, the department must consent to the adoption or the petition must attach to the petition to adopt a court order entered pursuant to s 39.812(4) that finds the department ~~The consent of the department shall be waived upon a determination by the court that such consent is being~~ unreasonably withheld its consent and ~~if the petitioner has filed with the court~~ a favorable preliminary adoptive home study as required under s. 63.092.

Section 20. Subsection (6) of section 63.082, Florida Statutes, is amended to read:

63.082 Execution of consent to adoption or affidavit of nonpaternity; family social and medical history; revocation of consent.-

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(6)(a) If a parent executes a consent for adoption of a minor with an adoption entity or qualified prospective adoptive parents and the minor child is under the supervision of the department, or otherwise subject to the jurisdiction of the dependency court as a result of the entry of a shelter order, a dependency petition, or a petition for termination of parental rights pursuant to chapter 39, but parental rights have not yet been terminated, the adoption consent is valid, binding, and enforceable by the court.

(b) Upon execution of the consent of the parent, the adoption entity shall be permitted to intervene in the dependency case as a party in interest and must provide the court that acquired jurisdiction over the minor, pursuant to the shelter order or dependency petition filed by the department, a copy of the preliminary home study of the prospective adoptive parents and any other evidence of the suitability of the placement. The preliminary home study must be maintained with strictest confidentiality within the dependency court file and the department's file. A preliminary home study must be provided to the court in all cases in which an adoption entity has intervened pursuant to this section. The exemption in s. 63.092(3) excusing the filing of a home study for a stepparent or a relative does not apply when a minor child is under the supervision of the department or otherwise subject to the jurisdiction of the dependency court as a result of the filing of a shelter

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petition, a dependency petition, or a petition for termination of parental rights pursuant to chapter 39. Unless the court has concerns regarding the qualifications of the home study provider, or concerns that the home study may not be adequate to determine the best interests of the child, the home study provided by the adoption entity shall be deemed to be sufficient and no additional home study needs to be performed by the department.

(c) If an adoption entity files a motion to intervene in the dependency case in accordance with this chapter, the dependency court shall promptly grant a hearing to determine whether the adoption entity has filed the required documents to be permitted to intervene and whether a change of placement of the child is in the best interests of the child. Absent good cause or mutual agreement of the parties, the final hearing on the motion to intervene and the change of placement of the child must be held within 30 days after the filing of the motion, and a written final order shall be filed within 15 days after the hearing.

(d) If after consideration of all relevant factors, including those set forth in paragraph (e), the court determines that the prospective adoptive parents are properly qualified to adopt the minor child and that the adoption is in the best interests of the minor child, the court shall promptly order the transfer of custody of the minor child to the prospective adoptive parents, under the supervision of the adoption entity. The court may establish

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reasonable requirements for the transfer of custody in the transfer order, including a reasonable period of time to transition final custody to the prospective adoptive parents. The adoption entity shall thereafter provide monthly supervision reports to the department until finalization of the adoption. If the child has been determined to be dependent by the court, the department shall provide information to the prospective adoptive parents at the time they receive placement of the dependent child regarding approved parent training classes available within the community. The department shall file with the court an acknowledgment of the parent's receipt of the information regarding approved parent training classes available within the community.

(e) In determining whether the best interests of the child are served by transferring the custody of the minor child to the prospective adoptive parent selected by the parent or adoption entity, the court shall consider and weigh all relevant factors, including, but not limited to:

1. The permanency offered;

2. The established bonded relationship between the child and the current caregiver in any potential adoptive home in which the child has been residing;

3. The stability of the potential adoptive home in which the child has been residing as well as the desirability of maintaining continuity of placement;

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4. The importance of maintaining sibling relationships, if possible;

5. The reasonable preferences and wishes of the child, if the court deems the child to be of sufficient maturity, understanding, and experience to express a preference;

6. Whether a petition for termination of parental rights has been filed pursuant to s. 39.806(1)(f), (g), or (h);

7. What is best for the child; and

8. The right of the parent to determine an appropriate placement for the child.

(f) The adoption entity shall be responsible for keeping the dependency court informed of the status of the adoption proceedings at least every 90 days from the date of the order changing placement of the child until the date of finalization of the adoption.

(g) At the arraignment hearing held pursuant to s. 39.506, in the order that approves the case plan pursuant to s. 39.603, and in the order that changes the permanency goal to adoption pursuant to s. 39.621, the court shall provide written notice to the biological parent who is a party to the case of his or her right to participate in a private adoption plan including written notice of the factors provided in paragraph (e).

Section 21. Subsection (4) of section 402.281, Florida Statutes, is amended to read:

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402.281 Gold Seal Quality Care Program.-

(4) In order to obtain and maintain a designation as a Gold Seal Quality Care provider, a child care facility, large family child care home, or family day care home must meet the following additional criteria:

(a) The child care provider must not have had any class I violations, as defined by rule, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of a class I violation shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class I violations for a period of 2 years from the date of the Department's final action.

(b) The child care provider must not have had three or more class II violations, as defined by rule, within the 2 years preceding its application for designation as a Gold Seal Quality Care provider. Commission of three or more class II violations within a 2-year period shall be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class II violations for a period of 1 year from the date of the Department's final action.

(c) The child care provider must not have been cited for the same class III violation, as defined by rule, three or more times and failed to correct the violation within 1 year after the date of each citation, within the 2 years preceding its application for designation as a Gold Seal

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Quality Care provider. Commission of the same class III violation three or more times and failure to correct within the required time during a 2-year period may be grounds for termination of the designation as a Gold Seal Quality Care provider until the provider has no class III violations for a period of 1 year from the date of the Department's final action.

Section 22. Subsection (1) of section 402.301, Florida Statutes is amended to read:

402.301 Child care facilities; legislative intent and declaration of purpose and policy.— It is the legislative intent to protect the health, safety, and well-being of the children of the state and to promote their emotional and intellectual development and care. Toward that end:

(1) It is the purpose of ss. 402.301-402.319 to establish statewide minimum standards for the care and protection of children in child care facilities, to ensure maintenance of these standards, and to approve county administration and enforcement to regulate conditions in such facilities through a program of licensing. During periods of rule development, the department may work with a child care advisory council that consists of child care facility owners/directors, operators of family day care homes, and large family child care operators.

Section 23. Subsections (8) and (11) of section 402.302, Florida Statutes, are amended to read:

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402.302 Definitions.-As used in this chapter, the term:

(8) "Family day care home" means an occupied primary residence belonging to the operator of the family day care home in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. Household children under 13 years of age, when on the premises of the family day care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A family day care home shall be allowed to provide care for one of the following groups of children, which shall include household children present in the home under 13 years of age:

(a) A maximum of four children from birth to 12 months of age.

(b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.

(c) A maximum of six preschool children if all are older than 12 months of age.

(d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

(11) "Large family child care home" means an occupied primary residence belonging to the large family child care

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home operator in which child care is regularly provided for children from at least two unrelated families, which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, and which has at least two full-time child care personnel on the premises during the hours of operation. One of the two full-time child care personnel must be the owner or occupant of the residence. A large family child care home must first have operated as a licensed family day care home for 2 years, with an operator who has had a child development associate credential or its equivalent and for 1 year, before seeking licensure as a large family child care home. Household children under 13 years of age, when on the premises of the large family child care home or on a field trip with children enrolled in child care, shall be included in the overall capacity of the licensed home. A large family child care home shall be allowed to provide care for one of the following groups of children, which shall include household children present in the home under 13 years of age:

(a) A maximum of 8 children from birth to 24 months of age.

(b) A maximum of 12 children, with no more than 4 children under 24 months of age.

Section 24. Subparagraphs (1), (7), and (9) of section 402.305, Florida Statutes, are amended to read:

402.305 Licensing standards; child care facilities.—

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(1) LICENSING STANDARDS. — The department shall establish licensing standards that each licensed child care facility must meet regardless of the origin or source of the fees used to operate the facility or the type of children served by the facility.

(a) The standards shall be designed to address the following areas:

1. The health, sanitation, safety, and adequate physical surroundings for all children in child care.

2. The health and nutrition of all children in child care.

3. The child development needs of all children in child care.

(b) All standards established under ss. 402.301-402.319 must be consistent with the rules adopted by the State Fire Marshal for child care facilities. However, if the facility is operated in a public school, the department shall use the public-school fire code, as provided in the rules of the State Board of Education, as the minimum standard for firesafety.

(c) The minimum standards for child care facilities shall be adopted in the rules of the department and shall address the areas delineated in this section. The standards shall align with the requirements of this section and the Child Care and Development Fund pursuant to 45 C.F.R. part 98. The department, in adopting rules to establish minimum standards for child care facilities, shall recognize that

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different age groups of children may require different standards. The department may adopt different minimum standards for facilities that serve children in different age groups, including school-age children. The department shall also adopt by rule a definition for child care which distinguishes between child care programs that require child care licensure and after-school programs that do not require licensure. Notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. After-school programs that otherwise meet the criteria for exclusion from licensure may provide snacks and meals through the federal Afterschool Meal Program (AMP) administered by the Department of Health in accordance with federal regulations and standards. The Department of Health shall consider meals to be provided through the AMP only if the program is actively participating in the AMP, is in good standing with the department, and the meals meet AMP requirements. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

(7) SANITATION AND SAFETY.—

(a) Minimum standards shall include requirements for sanitary and safety conditions, first aid treatment, emergency procedures, and pediatric cardiopulmonary resuscitation. The minimum standards shall require that at

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least one staff person trained and certified in cardiopulmonary resuscitation, as evidenced by current documentation of course completion, must be present at all times that children are present.

(b) In the case of a child care program for school-age children attending before and after school programs on the public-school site, the department shall use the public school fire code, as adopted in the rules of the State Board of Education, as the minimum standard for firesafety. In the case of a child care program for school-age children attending before-school and after-school programs on a site operated by a municipality, the department shall adopt rules for such site and intended use.

(c) Some type of communications system, such as a pocket pager or beeper, shall be provided to a parent whose child is in drop-in child care to ensure the immediate return of the parent to the child, if necessary.

(9) ADMISSIONS AND RECORDKEEPING.—

(a) Minimum standards shall include requirements for preadmission and periodic health examinations, requirements for immunizations, and requirements for maintaining emergency information and health records on all children.

(b) At time of enrollment and annually thereafter, ~~During the months of August and September of each year,~~ each child care facility shall provide parents of children enrolled in the facility detailed information regarding the causes, symptoms, and transmission of the influenza virus

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in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(c) At time of enrollment and annually thereafter, ~~During the months of April and September of each year,~~ at a minimum, each facility shall provide parents of children enrolled in the facility information regarding the potential for a distracted adult to fail to drop off a child at the facility and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The child care facility shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which child care facilities may choose to reproduce and provide to parents to satisfy the requirements of this paragraph.

(d) Because of the nature and duration of drop-in child care, requirements for preadmission and periodic health examinations and requirements for medically signed records of immunization required for child care facilities shall not apply. A parent of a child in drop-in child care shall, however, be required to attest to the child's health condition and the type and current status of the child's immunizations.

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(e) Any child shall be exempt from medical or physical examination or medical or surgical treatment upon written request of the parent or guardian of such child who objects to the examination and treatment. However, the laws, rules, and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated because of any exemption from or variation of the health and immunization minimum standards.

(10) TRANSPORTATION SAFETY.—

(a) Minimum standards shall include all of the following for child care facilities, family day care homes, and large family child care homes:

1. Requirements ~~requirements~~ for child restraints or seat belts in vehicles used by child care facilities and large family child care homes to transport children,

2. Requirements ~~requirements~~ for annual inspections of such ~~the~~ vehicles,

3. Limitations ~~limitations~~ on the number of children that may be transported in ~~the~~ such vehicles,

4. Procedures ~~procedures~~ to ensure that ~~avoid leaving~~ children are not inadvertently left in vehicles when transported by the facility, and that systems are in place to ensure accountability for children transported by such facilities and homes ~~the child care facility~~.

5. Prior to providing transportation services or reinstating transportation services after a lapse or discontinuation of more than 30 days, a child care

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facility, family day care home, or large family child care home shall be approved by the department to transport children. Approval by the department is based on the provider's demonstration of compliance with all current rules for transportation.

(b) A child care facility, family day care home, or large family child care home is not responsible for the safe transport of children when they are being transported by a parent or guardian.

Section 25. Subsection (3) of section 402.3054, Florida Statutes, is amended to read:

402.3054 Child enrichment service providers.-

(3) A child enrichment service provider shall be of good moral character based upon screening. This screening shall be conducted in the same manner as that of child care personnel and as provided in s. 402.305(2)(a)~~chapter 435~~, using the level 2 standards for screening set forth in that chapter. A child enrichment service provider must meet the screening requirements prior to providing services to a child in a child care facility. A child enrichment service provider who has met the screening standards shall not be required to be under the direct and constant supervision of child care personnel.

Section 26. Subsections (13) through (15) of section 402.313, Florida Statutes, are amended to read:

402.313 Family day care homes.—

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(13) The department shall, by rule, establish minimum standards for family day care homes that are required to be licensed by county licensing ordinance or county licensing resolution or that voluntarily choose to be licensed. The standards should include requirements for staffing, training, maintenance of immunization records, minimum health and safety standards, reduced standards for the regulation of child care during evening hours by municipalities and counties, and enforcement of standards. The standards shall align with the requirements of this section and the Child Care and Development Fund pursuant to 45 C.F.R. part 98.

(14) At time of enrollment and annually thereafter, ~~During the months of August and September of each year,~~ each family day care home shall provide parents of children enrolled in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(15) At time of enrollment and annually thereafter, ~~During the months of April and September of each year,~~ at a minimum, each family day care home shall provide parents of children attending the family day care home information regarding the potential for a distracted adult to fail to

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drop off a child at the family day care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The family day care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which family day care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.

Section 27. Subsections (7), (9), and (10) of section 402.3131, Florida Statutes, are amended to read:

402.3131 Large Family Child Care homes. -

(7) The department shall, by rule, establish minimum standards for large family child care homes. The standards shall include, at a minimum, requirements for staffing, maintenance of immunization records, minimum health standards, minimum safety standards, minimum square footage, and enforcement of standards. The standards shall align with the requirements of this section and the Child Care and Development Fund pursuant to 45 C.F.R. part 98.

(9) At time of enrollment and annually thereafter, ~~During the months of August and September of each year,~~ each large family child care home shall provide parents of children enrolled in the home detailed information regarding the causes, symptoms, and transmission of the influenza virus in an effort to educate those parents regarding the importance of immunizing their children

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against influenza as recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

(10) At time of enrollment and annually thereafter, ~~During the months of April and September of each year,~~ at a minimum, each large family child care home shall provide parents of children attending the large family child care home information regarding the potential for a distracted adult to fail to drop off a child at the large family child care home and instead leave the child in the adult's vehicle upon arrival at the adult's destination. The large family child care home shall also give parents information about resources with suggestions to avoid this occurrence. The department shall develop a flyer or brochure with this information that shall be posted to the department's website, which large family child care homes may choose to reproduce and provide to parents to satisfy the requirements of this subsection.

Section 28. Subsections (6) and (7) of section 409.1451, Florida Statutes, are amended to read:

409.1451 The Road-to-Independence Program

(6) Accountability.- The department shall develop outcome measures for the program and other performance measures ~~in order~~ to maintain oversight of the program. ~~No later than January 31 of each year, the department shall prepare a report on the outcome measures and the department's oversight activities and submit the report to~~

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~~the President of the Senate, the Speaker of the House of Representatives, and the committees with jurisdiction over issues relating to children and families in the Senate and the House of Representatives. The report must include:~~

~~(a) An analysis of performance on the outcome measures developed under this section reported for each community-based care lead agency and compared with the performance of the department on the same measures.~~

~~(b) A description of the department's oversight of the program, including, by lead agency, any programmatic or fiscal deficiencies found, corrective actions required, and current status of compliance.~~

~~(c) Any rules adopted or proposed under this section since the last report. For the purposes of the first report, any rules adopted or proposed under this section must be included~~.

(7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The secretary shall establish the Independent Living Services Advisory Council for the purpose of reviewing and making recommendations concerning the implementation and operation of the provisions of s. 39.6251 and the Road-to-Independence Program. The advisory council shall function as specified in this subsection until the Legislature determines that the advisory council can no longer provide a valuable contribution to the department's efforts to achieve the

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goals of the services designed to enable a young adult to live independently.

(a) The advisory council shall assess the implementation and operation of the Road-to-Independence Program and advise the department on actions that would improve the ability of these Road-to-Independence Program services to meet the established goals. The advisory council shall keep the department informed of problems being experienced with the services, barriers to the effective and efficient integration of services and support across systems, and successes that the system of services has achieved. The department shall consider, but is not required to implement, the recommendations of the advisory council.

~~(b) The advisory council shall report to the secretary on the status of the implementation of the Road to Independence Program, efforts to publicize the availability of the Road to Independence Program, the success of the services, problems identified, recommendations for department or legislative action, and the department's implementation of the recommendations contained in the Independent Living Services Integration Workgroup Report submitted to the appropriate substantive committees of the Legislature by December 31, 2013. The department shall submit a report by December 31 of each year to the Governor, the President of the Senate, and the Speaker of the House~~

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~~of Representatives which includes a summary of the factors reported on by the council and identifies the recommendations of the advisory council and either describes the department's actions to implement the recommendations or provides the department's rationale for not implementing the recommendations.~~

(c) Members of the advisory council shall be appointed by the secretary of the department. The membership of the advisory council must include, at a minimum, representatives from the headquarters and regional offices of the Department of Children and Families, community-based care lead agencies, the Department of Juvenile Justice, the Department of Economic Opportunity, the Department of Education, the Agency for Health Care Administration, the State Youth Advisory Board, CareerSource Florida, Inc., the Statewide Guardian Ad Litem Office, foster parents, recipients of services and funding through the Road-to-Independence Program, and advocates for children in care. The secretary shall determine the length of the term to be served by each member appointed to the advisory council, which may not exceed 4 years.

(d) The department shall provide administrative support to the Independent Living Services Advisory Council to accomplish its assigned tasks. The advisory council shall be afforded access to all appropriate data from the department, each community-based care

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lead agency, and other relevant agencies in order to accomplish the tasks set forth in this section. The data collected may not include any information that would identify a specific child or young adult.

(e) The advisory council report required under paragraph (b) must include an analysis of the system of independent living transition services for young adults who reach 18 years of age while in foster care before completing high school or its equivalent and recommendations for department or legislative action. The council shall assess and report on the most effective method of assisting these young adults to complete high school or its equivalent by examining the practices of other states.

Section 29. This act shall take effect July 1, 2020.

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SAMH BILL #1

A bill to be entitled

An act relating to substance abuse and mental health; amending s. 394.455, F.S.; revising the definition of mental illness; amending s. 394.492, F.S.; revising definitions; amending s. 394.674, F.S.; revising eligibility requirements for department-funded substance abuse and mental health services; amending s. 916.111, F.S.; revising definitions; amending s. 394.656, F.S.; revising requirements for the criminal justice, mental health, and substance abuse reinvestment grant program; amending s. 394.658, F.S.; revising requirements for selection of grant award recipients; amending s. 397.321, F.S.; revising duties of the department of children and families; amending s. 397.99, F.S.; revising requirements for the school substance abuse prevention partnership grant; amending s. 394.908, F.S.; revising requirements for substance abuse and mental health funding equity; providing for an effective date.

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

Section 1. Subsection (28) of section 394.455, Florida Statutes, is amended to read:

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394.455 Definitions.—As used in this part, the term:

(28) "Mental illness" means an impairment of the mental or emotional processes that exercise conscious control of one's actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person's ability to meet the ordinary demands of living. For the purposes of this part, the term does not include a developmental disability as defined in chapter 393, intoxication, or conditions manifested only by dementia, antisocial behavior, or substance abuse.

Section 2. Subsections (1) and (4) through (6) of section 394.492, Florida Statutes, are amended to read:

394.492 Definitions.—As used in ss. 394.490-394.497, the term:

(1) "Adolescent" means a person who is at least 13 years of age but under 21 ~~18~~ years of age.

(4) "Child or adolescent at risk of emotional disturbance" means a person under 21 ~~18~~ years of age who has an increased likelihood of becoming emotionally disturbed because of risk factors that include, but are not limited to:

(a) Being homeless.

(b) Having a family history of mental illness.

(c) Being physically or sexually abused or neglected.

(d) Abusing alcohol or other substances.

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(e) Being infected with human immunodeficiency virus (HIV).

(f) Having a chronic and serious physical illness.

(g) Having been exposed to domestic violence.

(h) Having multiple out-of-home placements.

(i) Having trauma exposure.

(5) "Child or adolescent who has an emotional disturbance" means a person under 21 ~~18~~ years of age who is diagnosed with a mental, emotional, or behavioral disorder of sufficient duration to meet one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of the American Psychiatric Association, but who does not exhibit behaviors that substantially interfere with or limit his or her role or ability to function in the family, school, or community. The emotional disturbance must not be considered to be a temporary response to a stressful situation. The term does not include a child or adolescent who meets the criteria for involuntary placement under s. 394.467(1).

(6) "Child or adolescent who has a serious emotional disturbance or mental illness" means a person under 21 ~~18~~ years of age who:

(a) Is diagnosed as having a mental, emotional, or behavioral disorder that meets one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association; and

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(b) Exhibits behaviors that substantially interfere with or limit his or her role or ability to function in the family, school, or community, which behaviors are not considered to be a temporary response to a stressful situation.

The term includes a child or adolescent who meets the criteria for involuntary placement under s. 394.467(1).

Section 3. Section 394.674, Florida Statutes, is amended to read:

394.674 Eligibility for publicly funded substance abuse and mental health services; fee collection requirements.—

(1) To be eligible to receive substance abuse and mental health services funded by the department, an individual must be indigent, uninsured, or underinsured, and must meet at least one of the following criteria: ~~a member of at least one of the department's priority populations approved by the Legislature. The priority populations include:~~

(a) For ~~adult~~ mental health services, an individual must be one of the following:

1. An adult who has a serious mental illness, as defined by the department using criteria that minimally include diagnosis, prognosis, functional impairment, and receipt of disability income for a psychiatric condition.

2. An adult at risk of serious mental illness, defined as:

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a. Having a primary diagnosis of a mental disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association that is not considered a serious mental illness; or

b. Having a diagnosed condition defined as Z-codes in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association; and

c. Experiencing a severe stressful event and problems with coping or symptoms placing the individual at risk of more restrictive interventions.

3. A child or adolescent at risk of emotional disturbance as defined in s. 394.492(4).

4. A child or adolescent who has an emotional disturbance as defined in s. 394.492(5).

5. A child or adolescent who has a serious emotional disturbance or mental illness as defined in s. 394.492(6).

6. An individual who has a primary diagnosis of mental illness and a co-occurring substance use disorder.

An individual experiencing an acute mental or emotional crisis as defined in s. 394.67(17).

~~Adults who have severe and persistent mental illness, as designated by the department using criteria that include severity of diagnosis, duration of the mental illness, ability to independently perform activities of daily~~

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~~living, and receipt of disability income for a psychiatric condition. Included within this group are:~~

~~a. Older adults in crisis.~~

~~b. Older adults who are at risk of being placed in a more restrictive environment because of their mental illness.~~

~~c. Persons deemed incompetent to proceed or not guilty by reason of insanity under chapter 916.~~

~~d. Other persons involved in the criminal justice system.~~

~~e. Persons diagnosed as having co-occurring mental illness and substance abuse disorders.~~

~~2. Persons who are experiencing an acute mental or emotional crisis as defined in s. 394.67(17).~~

(b) For substance abuse services, an individual must meet one of the following:

~~children's mental health services:~~

1. Have a substance use disorder that meets one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

2. Have a substance use disorder that meets one of the diagnostic categories specified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association as the primary diagnosis, and a co-occurring mental illness or serious emotional disturbance.

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3. Be at risk for initiating alcohol or drug use.

~~1. Children who are at risk of emotional disturbance as defined in s. 394.492(4).~~

~~2. Children who have an emotional disturbance as defined in s. 394.492(5).~~

~~3. Children who have a serious emotional disturbance as defined in s. 394.492(6).~~

~~4. Children diagnosed as having a co-occurring substance abuse and emotional disturbance or serious emotional disturbance.~~

~~(c) For substance abuse treatment services:~~

~~1. Adults who have substance abuse disorders and a history of intravenous drug use.~~

~~2. Persons diagnosed as having co-occurring substance abuse and mental health disorders.~~

~~3. Parents who put children at risk due to a substance abuse disorder.~~

~~4. Persons who have a substance abuse disorder and have been ordered by the court to receive treatment.~~

~~5. Children at risk for initiating drug use.~~

~~6. Children under state supervision.~~

~~7. Children who have a substance abuse disorder but who are not under the supervision of a court or in the custody of a state agency.~~

~~8. Persons identified as being part of a priority population as a condition for receiving services funded~~

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~~through the Center for Mental Health Services and Substance Abuse Prevention and Treatment Block Grants.~~

(2) Providers receiving department funds for behavioral health services must give priority to the following populations:

1. Pregnant women and women with dependent children.

2. Intravenous drug users.

3. Individuals who have a substance use disorder and have been ordered by the court to receive treatment.

4. Parents and caretakers with child welfare involvement and parents and caretakers who put children at risk due to substance abuse.

5. Children and adolescents under state supervision.

6. Individuals involved in the criminal justice system including those deemed incompetent to proceed or not guilty by reason of insanity under chapter 916.

(3)~~(2)~~ Crisis services, as defined in s. 394.67, must, within the limitations of available state and local matching resources, be available to each individual ~~person~~ who is eligible for services under subsection (1), regardless of the individual's ~~person's~~ ability to pay for such services. An individual ~~person~~ who is experiencing a mental health crisis and who does not meet the criteria for involuntary examination under s. 394.463(1), or an individual ~~person~~ who is experiencing a substance abuse crisis and who does not meet the involuntary admission criteria in s. 397.675, must contribute to the cost of his

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or her care and treatment pursuant to the sliding fee scale developed under subsection (5) ~~(4)~~, unless charging a fee is contraindicated because of the crisis situation.

(4)~~(3)~~ Mental health services, substance abuse services, and crisis services, as defined in s. 394.67, must, within the limitations of available state and local matching resources, be available to each individual ~~person~~ who is eligible for services under subsection (1). Such individual ~~person~~ must contribute to the cost of his or her care and treatment pursuant to the sliding fee scale developed under subsection (5)~~(4)~~.

(5)~~(4)~~ The department shall adopt rules to implement ~~client~~ eligibility, ~~client~~ enrollment, and fee collection requirements for publicly funded substance abuse and mental health services.

(a) The rules must require each provider under contract with the department or managing entities which enrolls eligible individuals ~~persons~~ into treatment to develop a sliding fee scale for individuals ~~persons~~ who have a net family income at or above 150 percent of the Federal Poverty Income Guidelines, unless otherwise required by state or federal law. The sliding fee scale must use the uniform schedule of discounts by which a provider under contract with the department or managing entity discount~~s~~ its established ~~client~~ charges for services supported with state, federal, or local funds, using, at a minimum, factors such as family income,

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financial assets, and family size as declared by the individual ~~person~~ or the individual's ~~person's~~ guardian. The rules must include uniform criteria to be used by all service providers in developing the schedule of discounts for the sliding fee scale.

(b) The rules must address the most expensive types of treatment, such as residential and inpatient treatment, in order to make it possible for an individual ~~client~~ to responsibly contribute to his or her mental health or substance abuse care without jeopardizing the family's financial stability. An individual ~~person~~ who is not eligible for Medicaid and whose net family income is less than 150 percent of the Federal Poverty Income Guidelines must pay a portion of his or her treatment costs which is comparable to the copayment amount required by the Medicaid program for Medicaid clients pursuant to s. 409.9081.

(c) The rules must require that individuals ~~persons~~ who receive financial assistance from the Federal Government because of a disability and are in long-term residential treatment settings contribute to their board and care costs and treatment costs and must be consistent with the provisions in s. 409.212.

(6)~~(5)~~ An individual ~~person~~ who meets the eligibility criteria in subsection (1) shall be served in accordance with the appropriate district substance abuse and mental health services plan specified in s. 394.75 and within available resources.

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Section 4. Subsections (2) through (6) of section 394.656, Florida Statutes, are amended to read:

394.656 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program.—

(2) The department shall establish a Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Advisory ~~Review~~ Committee. The committee shall include:

(a) One representative of the Department of Children and Families;

(b) One representative of the Department of Corrections;

(c) One representative of the Department of Juvenile Justice;

(d) One representative of the Department of Elder Affairs;

(e) One representative of the Office of the State Courts Administrator;

(f) One representative of the Department of Veterans' Affairs;

(g) One representative of the Florida Sheriffs Association;

(h) One representative of the Florida Police Chiefs Association;

(i) One representative of the Florida Association of Counties;

(j) One representative of the Florida's One Behavioral Health Association ~~Alcohol and Drug Abuse Association~~;

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(k) One representative of the Florida Association of Managing Entities;

~~(l) One representative of the Florida Council for Community Mental Health;~~

(l)~~(m)~~ One representative of the National Alliance of Mental Illness;

(m)~~(n)~~ One representative of the Florida Prosecuting Attorneys Association;

(n)~~(o)~~ One representative of the Florida Public Defender Association; and

(o)~~(p)~~ One administrator of an assisted living facility that holds a limited mental health license.

(3) The committee shall serve as the advisory body to review policy and funding issues that help reduce the impact of persons with mental illness and substance abuse disorders on communities, criminal justice agencies, and the court system. The committee shall advise the department in selecting priorities for grants~~ and investing awarded grant moneys~~.

(4) The committee must have experience in substance use and mental health disorders, community corrections, and law enforcement. ~~To the extent possible, the committee shall have expertise in grant review and grant application scoring.~~

(5)(a) A county, a consortium of counties, or an~~ not for profit community provider or managing~~ entity designated by the county planning council or committee, as described

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in s. 394.657, may apply for a 1-year planning grant or a 3-year implementation or expansion grant. ~~The purpose of the grants is to demonstrate that investment in treatment efforts related to mental illness, substance abuse disorders, or co-occurring mental health and substance abuse disorders results in a reduced demand on the resources of the judicial, corrections, juvenile detention, and health and social services systems.~~

(b) To be eligible to receive a ~~1 year planning grant or a 3 year implementation or expansion~~ grant:

1. A county applicant must have a planning council or committee that is in compliance with the membership requirements set forth in this section.

2. A county planning council or committee may designate a not-for-profit community provider, ~~or~~ a managing entity as described in s. 394.9082, a sheriff's office, or a local law enforcement agency to apply on behalf of the county. The county planning council or committee must provide ~~must be designated by the county planning council or committee and have written authorization to submit an application. A not-for-profit community provider or managing entity must have~~ written authorization for each designated entity and each submitted application.

(c) The department may award a 3-year implementation or expansion grant to an applicant who has not received a 1-year planning grant.

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(d) The department may require an applicant to conduct sequential intercept mapping for a project. For purposes of this paragraph, the term "sequential intercept mapping" means a process for reviewing a local community's mental health, substance abuse, criminal justice, and related systems and identifying points of interceptions where interventions may be made to prevent an individual with a substance abuse disorder or mental illness from deeper involvement in the criminal justice system.

(6) The department ~~grant review and selection committee~~ shall select the grant recipients in collaboration with the Department of Corrections, the Department of Juvenile Justice, the Department of Elder Affairs, the Office of the State Courts Administrator, and the Department of Veterans' Affairs. ~~and notify the department in writing of the recipients' names.~~ Contingent upon the availability of funds ~~and upon notification by the grant review and selection committee of those applicants approved to receive planning, implementation, or expansion grants~~, the department may transfer funds appropriated for the grant program to a selected grant recipient.

Section 5. Subsection (1) is amended, and subsection (3) is repealed of section 394.658, Florida Statutes, to read:

394.658 Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program requirements.—

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(1) The ~~Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee, in collaboration with the~~ Department of Children and Families, in collaboration with the Department of Corrections, the Department of Juvenile Justice, the Department of Elder~~ly~~ Affairs, the Department of Veterans' Affairs, and the Office of the State Courts Administrator, shall establish criteria to be used to review submitted applications and to select the county that will be awarded a 1-year planning grant or a 3-year implementation or expansion grant. A planning, implementation, or expansion grant may not be awarded unless the application of the county meets the established criteria.

(a) The application criteria for a 1-year planning grant must include a requirement that the applicant county or counties have a strategic plan to initiate systemic change to identify and treat individuals who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders who are in, or at risk of entering, the criminal or juvenile justice systems. The 1-year planning grant must be used to develop effective collaboration efforts among participants in affected governmental agencies, including the criminal, juvenile, and civil justice systems, mental health and substance abuse treatment service providers, transportation programs, and housing assistance programs. The collaboration efforts shall be the basis for developing a problem-solving model

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and strategic plan for treating adults and juveniles who are in, or at risk of entering, the criminal or juvenile justice system and doing so at the earliest point of contact, taking into consideration public safety. The planning grant shall include strategies to divert individuals from judicial commitment to community-based service programs offered by the Department of Children and Families in accordance with ss. 916.13 and 916.17.

(b) The application criteria for a 3-year implementation or expansion grant shall require information from a county that demonstrates its completion of a well-established collaboration plan that includes public-private partnership models and the application of evidence-based practices. The implementation or expansion grants may support programs and diversion initiatives that include, but need not be limited to:

1. Mental health courts;

2. Diversion programs;

3. Alternative prosecution and sentencing programs;

4. Crisis intervention teams;

5. Treatment accountability services;

6. Specialized training for criminal justice, juvenile justice, and treatment services professionals;

7. Service delivery of collateral services such as housing, transitional housing, and supported employment; and

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8. Reentry services to create or expand mental health and substance abuse services and supports for affected persons.

(c) Each county application must include the following information:

1. An analysis of the current population of the jail and juvenile detention center in the county, which includes:

a. The screening and assessment process that the county uses to identify an adult or juvenile who has a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders;

b. The percentage of each category of persons admitted to the jail and juvenile detention center that represents people who have a mental illness, substance abuse disorder, or co-occurring mental health and substance abuse disorders; and

c. An analysis of observed contributing factors that affect population trends in the county jail and juvenile detention center.

2. A description of the strategies the county intends to use to serve one or more clearly defined subsets of the population of the jail and juvenile detention center who have a mental illness or to serve those at risk of arrest and incarceration. The proposed strategies may include identifying the population designated to receive the new interventions, a description of the services and

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supervision methods to be applied to that population, and the goals and measurable objectives of the new interventions. The interventions a county may use with the target population may include, but are not limited to:

a. Specialized responses by law enforcement agencies;

b. Centralized receiving facilities for individuals evidencing behavioral difficulties;

c. Postbooking alternatives to incarceration;

d. New court programs, including pretrial services and specialized dockets;

e. Specialized diversion programs;

f. Intensified transition services that are directed to the designated populations while they are in jail or juvenile detention to facilitate their transition to the community;

g. Specialized probation processes;

h. Day-reporting centers;

i. Linkages to community-based, evidence-based treatment programs for adults and juveniles who have mental illness or substance abuse disorders; and

j. Community services and programs designed to prevent high-risk populations from becoming involved in the criminal or juvenile justice system.

3. The projected effect the proposed initiatives will have on the population and the budget of the jail and juvenile detention center. The information must include:

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a. The county's estimate of how the initiative will reduce the expenditures associated with the incarceration of adults and the detention of juveniles who have a mental illness;

b. The methodology that the county intends to use to measure the defined outcomes and the corresponding savings or averted costs;

c. The county's estimate of how the cost savings or averted costs will sustain or expand the mental health and substance abuse treatment services and supports needed in the community; and

d. How the county's proposed initiative will reduce the number of individuals judicially committed to a state mental health treatment facility.

4. The proposed strategies that the county intends to use to preserve and enhance its community mental health and substance abuse system, which serves as the local behavioral health safety net for low-income and uninsured individuals.

5. The proposed strategies that the county intends to use to continue the implemented or expanded programs and initiatives that have resulted from the grant funding.

~~(3) Using the criteria adopted by rule, the county designated or established criminal justice, juvenile justice, mental health, and substance abuse planning council or committee shall prepare the county or counties' application for the 1-year planning or 3-year~~

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~~implementation or expansion grant. The county shall submit the completed application to the statewide grant review committee.~~

Section 6. Section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity in the funding of substance abuse and mental health services for the department's districts and regions and to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be used:

(1) Funding thresholds for substance abuse and mental health services in each of the current districts, statewide, shall be established based on the current number of individuals in need per district of substance abuse and mental health services, respectively.

(2) "Individuals in need" means those persons who meet eligibility criteria pursuant to s. 394.674 ~~fit the profile of the respective priority populations~~ and require mental health or substance abuse services.

(3) Any additional funding beyond the 2005-2006 fiscal year base appropriation for ~~alcohol, drug abuse, and~~ substance abuse and mental health services shall be allocated to districts for substance abuse and mental health services based on:

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(a) Epidemiological estimates of disabilities that apply to eligible individuals ~~the respective priority populations~~.

(b) A pro rata share distribution that ensures districts below the statewide average funding level per ~~individual in each priority population of~~ "individuals in need" receive funding necessary to achieve equity.

(4) Individuals ~~Priority populations for individuals~~ in need shall be displayed for each district and distributed concurrently with the approved operating budget. The display ~~by priority population~~ shall show: The annual number of individuals served based on prior year actual numbers, the annual cost per individual served, and the estimated number of the total ~~priority population for~~ individuals in need.

(5) The annual cost per individual served shall be defined as the total actual funding for either mental health or substance abuse services ~~each priority population~~ divided by the number of individuals served receiving either mental health or substance abuse services in ~~the priority population for~~ that year.

Section 7. Present subsections (17) through (20) of section 397.321, Florida Statutes, are redesignated as subsections (16) through (19), respectively, and present subsection (16) of that section is deleted, to read:

397.321 Duties of the department.—The department shall:

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~~(16) Develop a certification process by rule for community substance abuse prevention coalitions.~~

(16)~~(17)~~ Provide sufficient and qualified staff to oversee all contracting, licensing, and planning functions within each of its substate offices, as permitted by legislative appropriation.

(17)~~(18)~~ Ensure that the department develops and ensures the implementation of procedures between its Substance Abuse Program Office and other departmental programs regarding the referral of substance abuse impaired persons to service providers, information on service providers, information on methods of identifying substance abuse impaired juveniles, and procedures for referring such juveniles to appropriate service providers.

(18)~~(19)~~ Designate addictions receiving facilities for the purpose of ensuring that only qualified service providers render services within the context of a secure facility setting.

(19)~~(20)~~ Develop and prominently display on its website all forms necessary for the implementation and administration of parts IV and V of this chapter. These forms shall include, but are not limited to, a petition for involuntary admission form and all related pleading forms, and a form to be used by law enforcement agencies pursuant to s. 397.6772. The department shall notify law enforcement agencies, the courts, and other state agencies of the existence and availability of such forms.

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Section 8. Subsections (1) through (3) of section 397.99, Florida Statutes, are amended, to read:

397.99 School substance abuse prevention partnership grants.—

(1) GRANT PROGRAM.—

(a) In order to encourage the development of effective substance abuse prevention and early intervention strategies for school-age populations, the school substance abuse prevention partnership grant program is established.

(b) The department shall administer the program in cooperation with the Department of Education, ~~and~~ the Department of Juvenile Justice, and the managing entities under contract with the department pursuant to s. 394.9082.

(2) APPLICATION PROCEDURES; FUNDING REQUIREMENTS.—

(a) Schools, or community-based organizations in partnership with schools, may submit a grant proposal for funding or continued funding to the managing entity ~~department~~ by March 1 of each year. Notwithstanding the requirements in s. 394.9082(5)(i), the managing entity shall use a competitive solicitation process for ~~The department shall establish~~ grant application procedure~~s~~ which ensures that grant recipients implement programs and practices that are effective. The Managing Entity ~~department~~ shall include the grant application document on its ~~an~~ Internet website.

(b) Grants may fund programs to conduct prevention activities serving students who are not involved in

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substance use, intervention activities serving students who are experimenting with substance use, or both prevention and intervention activities, if a comprehensive approach is indicated as a result of a needs assessment.

(c) Grants may target youth, parents, and teachers and other school staff, coaches, social workers, case managers, and other prevention stakeholders.

(d) Performance measures for grant program activities shall measure improvements in student attitudes or behaviors as determined by the department.

(e) At least 50 percent of the grant funds available for local projects must be allocated to support the replication of prevention programs and practices that are based on research and have been evaluated and proven effective. The Managing Entity ~~department~~ shall develop related qualifying criteria.

(f) In order to be considered for funding, the grant application shall include the following assurances and information:

1. A letter from the administrators of the programs collaborating on the project, such as the school principal, community-based organization executive director, or recreation department director, confirming that the grant application has been reviewed and that each partner is committed to supporting implementation of the activities described in the grant proposal.

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2. A rationale and description of the program and the services to be provided, including:

a. An analysis of prevention issues related to the substance abuse prevention profile of the target population.

b. A description of other primary substance use and related risk factors.

c. Goals and objectives based on the findings of the needs assessment.

d. The selection of programs or strategies that have been shown to be effective in addressing the findings of the needs assessment.

e. A method of identifying the target group for universal prevention strategies, and a method for identifying the individual student participants in selected and indicated prevention strategies.

f. A description of how students will be targeted.

g. Provisions for the participation of parents and guardians in the program.

h. An evaluation component to measure the effectiveness of the program in accordance with performance-based program budgeting effectiveness measures.

i. A program budget, which includes the amount and sources of local cash and in-kind resources committed to the budget and which establishes, to the satisfaction of the Managing Entity ~~department~~, that the entity will make a

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cash or in-kind contribution to the program of a value that is at least 25 percent of the amount of the grant.

(g) The Managing Entity ~~department~~ shall consider the following in awarding such grants:

1. The number of youths that will be targeted.

2. The validity of the program design to achieve project goals and objectives that are clearly related to performance-based program budgeting effectiveness measures.

3. The desirability of funding at least one approved project in each of the department's substate entities.

(3) The department shall require the Managing Entity to coordinate the review of grant applications with local representatives of the Department of Education and the Department of Juvenile Justice and shall make award determinations no later than June 30 of each year. All applicants shall be notified by the Managing Entity ~~department~~ of its final action.

Section 9. Subsection (1) of section 916.111, Florida Statutes is amended to read:

916.111 Training of Experts.—The evaluation of defendants for competency to proceed or for sanity at the time of the commission of the offense shall be conducted in such a way as to ensure uniform application of the criteria enumerated in Rules 3.210 and 3.216, Florida Rules of Criminal Procedure. The department shall develop, and may contract with accredited institutions:

(1) To provide:

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(a) A plan for training mental health professionals to perform forensic evaluations and to standardize the criteria for procedures to be used in these evaluations;

(b) Clinical protocols and procedures based upon the criteria of Rules 3.210 and 3.216, Florida Rules of Criminal Procedure; ~~and~~

(c) Training of mental health professionals in the application of these protocols and procedures in performing forensic evaluations and providing reports to the courts; and

(d) Refresher training every three years for previously trained mental health professionals who are conducting evaluations for the courts, to review forensic statutory requirements, recent changes to statute, Florida trends and concerns related to forensic commitments, alternatives to maximum security treatment facilities, community forensic treatment providers, evaluation requirements, and forensic service array updates.

Section 10. This act shall take effect on July 1, 2020.

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From: Anita Berry <Anita@johnstonstewart.com>
Sent: Tuesday, November 12, 2019 5:48 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Bill Drafting
Attachment(s): "FFTA Draft Language 11.7.19.docx"

Hi Vickie!

Thank you so much for your help, as always. If you wouldn't mind putting the attached into drafting, that would be great! Rep. McClure is putting it in drafting in the House. Please let me know if you need anything else.

Thank you so much!

Anita

Anita Berry

JS | JOHNSTON & STEWART
GOVERNMENT STRATEGIES

C: (301) 524-0172
E: anita@johnstonstewart.com

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AMERICAN OVERSIGHT

509.XXX Mobile food dispensing vehicle; preemption. –

1. As used in this section, the term:
    a. “Mobile food dispensing vehicle” means any vehicle mounted public food service establishment which is self-propelled or otherwise movable from place to place and includes self-contained utilities, such as gas, water, electricity and liquid waste disposal.
    b. “Division” means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

2. A municipality, county or other local government entity may not:
    a. Require a separate license, registration or permit beyond those established by the division pursuant to F.S. 509.241 as a condition for the mobile food dispensing vehicle’s operation within the jurisdiction.
    b. Require a separate license, registration or permit fee beyond those established by the division pursuant to F.S. 509.251. as a condition for the mobile food dispensing vehicle’s operation within the jurisdiction.
    c. Entirely or constructively prohibit mobile food dispensing vehicles from operating within the jurisdiction.

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From: Brill, Victoria
Sent: Monday, November 25, 2019 5:33 PM EST
To: Anita Berry <Anita@johnstonstewart.com>
Subject: Bill Draft
Attachment(s): "billdraft75499 (1).DOCX"

Hello!

Please see the attached bill. Please let me know if any changes are needed.

Thank you!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

23-01453-20

A bill to be entitled

An act relating to the tax on aviation fuel; repealing ss. 206.9815, 206.9825, 206.9826, 206.9835, 206.9837, 206.9845, 206.9855, 206.9865, and 206.9875, F.S., relating to definitions, the tax on aviation fuel, refunds for certain air carriers, administration of the tax, disclosure of price, distribution of proceeds, refunds to carriers, commercial air carrier registration and reporting, and a tax exemption for federal entities, respectively; amending ss. 163.3206, 206.42, 206.9915, 207.003, 207.005, 213.053, 332.007, and 332.009, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Part III of chapter 206, Florida Statutes, composed of ss. 206.9815, 206.9825, 206.9826, 206.9835, 206.9837, 206.9845, 206.9855, 206.9865, and 206.9875, Florida Statutes, is repealed.

Section 2. Paragraph (a) of subsection (2) of section 163.3206, Florida Statutes, is amended to read:

163.3206 Fuel terminals.—

(2) As used in this section, the term:

(a) "Fuel" means any of the following:

1. Alternative fuel as defined in s. 525.01.

2. Aviation fuel. As used in this subparagraph, the term "aviation fuel" means fuel for use in aircraft, and includes aviation gasoline and aviation turbine fuels and kerosene, as

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determined by the American Society for Testing and Materials specifications D-910 or D-1655 or current specifications ~~as defined in s. 206.9815~~.

3. Diesel fuel as defined in s. 206.86.

4. Gas as defined in s. 206.9925.

5. Motor fuel as defined in s. 206.01.

6. Natural gas fuel as defined in s. 206.9951.

7. Oil as defined in s. 206.9925.

8. Petroleum fuel as defined in s. 525.01.

9. Petroleum product as defined in s. 206.9925.

Section 3. Subsection (1) of section 206.42, Florida Statutes, is amended to read:

206.42 Aviation gasoline exempt from excise tax; rocket fuel.—

(1) Each and every dealer in aviation gasoline in the state by whatever name designated who purchases from any terminal supplier, importer, or wholesaler, and sells, aviation gasoline (A.S.T.M. specification D-910 or current specification), of such quality not adapted for use in ordinary motor vehicles, being designed for and sold and exclusively used for aircraft, is exempted from the payment of taxes levied under this part~~, but is subject to the tax levied under part III~~.

Section 4. Subsection (3) of section 206.9915, Florida Statutes, is amended to read:

206.9915 Legislative intent and general provisions.—

(3) The provisions of ss. 206.01, 206.02, 206.026, 206.027, 206.028, 206.051, 206.052, 206.054, 206.055, 206.06, 206.07, 206.075, 206.08, 206.09, 206.095, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16, 206.17, 206.175, 206.18,

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206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.24, 206.27, 206.28, 206.416, 206.42, 206.44, 206.48, 206.49, 206.56, 206.59, 206.86, 206.87, 206.872, 206.873, 206.8735, 206.874, 206.8741, 206.8745, 206.94, and 206.945~~, and 206.9815~~ shall, as far as lawful or practicable, be applicable to the levy and collection of taxes imposed pursuant to this part as if fully set out in this part and made expressly applicable to the taxes imposed herein.

Section 5. Section 207.003, Florida Statutes, is amended to read:

207.003 Privilege tax levied.—A tax for the privilege of operating any commercial motor vehicle upon the public highways of this state shall be levied upon every motor carrier at a rate which includes the minimum rates provided in parts I, II, and III ~~IV~~ of chapter 206 on each gallon of diesel fuel or motor fuel used for the propulsion of a commercial motor vehicle by such motor carrier within the state.

Section 6. Subsection (3) of section 207.005, Florida Statutes, is amended to read:

207.005 Returns and payment of tax; delinquencies; calculation of fuel used during operations in the state; credit; bond.—

(3) For the purpose of computing the carrier's liability for the road privilege tax, the total gallons of fuel used in the propulsion of any commercial motor vehicle in this state shall be multiplied by the rates provided in parts I, II, and III ~~IV~~ of chapter 206. From the sum determined by this calculation, there shall be allowed a credit equal to the amount of the tax per gallon under parts I, II, and III ~~IV~~ of chapter

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206 for each gallon of fuel purchased in this state during the reporting period when the diesel fuel or motor fuel tax was paid at the time of purchase. If the tax paid under parts I, II, and III ~~IV~~ of chapter 206 exceeds the total tax due under this chapter, the excess may be allowed as a credit against future tax payments, until the credit is fully offset or until eight calendar quarters shall have passed since the end of the calendar quarter in which the credit accrued, whichever occurs first. A refund may be made for this credit provided it exceeds $10.

Section 7. Paragraph (h) of subsection (8) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(h) Names and addresses of persons paying taxes pursuant to part III ~~IV~~ of chapter 206 to the Department of Environmental Protection in the conduct of its official duties.

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 8. Subsection (7) of section 332.007, Florida Statutes, is amended to read:

332.007 Administration and financing of aviation and

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airport programs and projects; state plan.—

(7) Subject to the availability of appropriated funds ~~in addition to aviation fuel tax revenues~~, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

(a) The department shall provide priority funding in support of:

1. Land acquisition which provides additional capacity at the qualifying international airport or at that airport's supplemental air carrier airport.

2. Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

3. Airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(b) No single airport shall secure discretionary capacity improvement project funds in excess of 50 percent of the total discretionary capacity improvement project funds available in any given budget year.

(c) Unless prohibited by the General Appropriations Act or by law, the department may transfer funds within each category of the airport and aviation discretionary capacity improvement program to maximize the aviation services or federal aid available to this state.

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(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned and operated by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

Section 9. Section 332.009, Florida Statutes, is amended to read:

332.009 Limitation on operation of chapter.~~ Nothing in this chapter shall be construed to authorize expenditure of aviation fuel tax revenues on space transportation projects.~~ Nothing in this chapter shall be construed to limit the department's authority under s. 331.360.

Section 10. This act shall take effect July 1, 2020.

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From: Brill, Victoria
Sent: Wednesday, January 08, 2020 2:17 PM EST
To: Ballard, David <David.Ballard@myfloridahouse.gov>
Subject: billdraft75050 (2)
Attachment(s): "billdraft75050 (2).DOCX"

AMERICAN OVERSIGHT

23-01005B-20

A bill to be entitled

An act relating to the Department of Health; amending s. 400.93, F.S.; exempting allopathic, osteopathic, and chiropractic physicians who sell or rent electrostimulation medical equipment and supplies therefor from home medical equipment provider licensure requirements under certain circumstances; creating s. 456.4501, F.S.; implementing the Interstate Medical Licensure Compact in this state; providing for an interstate medical licensure process; providing requirements for multistate practice; creating s. 456.4502, F.S.; establishing that a formal hearing before the Division of Administrative Hearings must be held if there are any disputed issues of material fact when the licenses of certain physicians and osteopathic physicians are suspended or revoked by this state under the compact; requiring the department to notify the division of a petition for a formal hearing within a specified timeframe; requiring the administrative law judge to issue a recommended order; requiring the Board of Medicine or the Board of Osteopathic Medicine, as applicable, to determine and issue final orders in certain cases; providing the department with standing to seek judicial review of any final order of the boards; creating s. 456.4504, F.S.; authorizing the department to adopt rules; creating s. 456.48, F.S.; providing a definition for the term "health insurer"; requiring the Financial Services Commission, in consultation with the Agency

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FL-SEN-20-0201A-000918

for Health Care Administration, to adopt a certain standard form by rule for the verification of credentials of specified health care professionals; requiring health insurers and hospitals to use only such form after a specified date; creating s. 456.481, F.S.; providing definitions and applicability; specifying requirements for applicants to qualify for expedited credentialing and certain payments; requiring managed care plans to treat applicants as participating providers in their respective health benefit plan networks for certain purposes; authorizing a managed care plan to exclude applicants from its participating provider directory or listings while their applications are pending approval; specifying a managed care plan's right to recover certain amounts from an applicant under certain circumstances; prohibiting an applicant or the applicant's medical group from charging a managed care plan enrollee certain fees; providing construction; creating s. 458.3129, F.S.; establishing that a physician licensed under the Interstate Medical Licensure Compact is deemed to be licensed under chapter 458, F.S.; creating s. 459.074, F.S.; establishing that an osteopathic physician licensed under the Interstate Medical Licensure Compact is deemed to be licensed under chapter 459, F.S.; amending s. 491.003, F.S.; defining the terms "certified master social worker" and "practice of generalist social work"; amending s. 491.004, F.S.;

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deleting an obsolete provision; amending s. 491.0045, F.S.; revising intern registration requirements; providing an exception; amending s. 491.005, F.S.; revising the licensure requirements for clinical social workers, marriage and family therapists, and mental health counselors; amending s. 491.0057, F.S.; requiring that an applicant for dual licensure as a marriage and family therapist pass an examination designated by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling instead of by the department; amending s. 491.006, F.S.; revising requirements for licensure or certification by endorsement for certain professions; repealing s. 491.0065, F.S., relating to requirements for instruction on HIV and AIDS; amending s. 491.007, F.S.; deleting a provision providing certified master social workers an exemption from continuing education requirements; deleting a provision requiring the board to establish a procedure for the biennial renewal of intern registrations; amending s. 491.009, F.S.; revising who may enter an order denying licensure or imposing penalties against an applicant for licensure under certain circumstances; amending s. 491.012, F.S.; providing that using the title "certified master social worker" without a valid, active license is unlawful; amending s. 491.0145, F.S.; requiring the department to license an applicant for designation as a certified master social worker under certain circumstances; requiring applicants for designation as

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a certified master social worker to submit their application to the board; deleting a provision relating to the nonrefundable fee for examination set by department rule; authorizing the board to adopt rules; amending s. 491.0149, F.S.; requiring the use of applicable professional titles by specified licensees and registrants on social media and other specified materials; repealing s. 491.015, F.S., relating to duties of the department as to certified master social workers; creating s. 627.444, F.S.; providing a definition for the term "health insurer"; specifying requirements and procedures for, and restrictions on, health insurers and their designees in reviewing credentialing applications; authorizing a civil cause of action for applicants against health insurers or designees under certain circumstances; amending s. 768.28, F.S.; designating the state commissioners of the Interstate Medical Licensure Compact Commission and other members or employees of the commission as state agents for the purpose of applying sovereign immunity and waivers of sovereign immunity; requiring the commission to pay certain claims or judgments; authorizing the commission to maintain insurance coverage to pay such claims or judgments; amending s. 414.065, F.S.; conforming a cross-reference; providing an effective date.

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

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Section 1. Paragraph (l) is added to subsection (5) of section 400.93, Florida Statutes, to read:

400.93 Licensure required; exemptions; unlawful acts; penalties.—

(5) The following are exempt from home medical equipment provider licensure, unless they have a separate company, corporation, or division that is in the business of providing home medical equipment and services for sale or rent to consumers at their regular or temporary place of residence pursuant to the provisions of this part:

(l) Physicians licensed under chapter 458, chapter 459, or chapter 460 for the sale or rental of electrostimulation medical equipment and electrostimulation medical equipment supplies to their patients in the course of their practice.

Section 2. Section 456.4501, Florida Statutes, is created to read:

456.4501 Interstate Medical Licensure Compact.—The Interstate Medical Licensure Compact is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:

SECTION 1

PURPOSE

In order to strengthen access to health care, and in recognition of the advances in the delivery of health care, the member states of the Interstate Medical Licensure Compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of

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state medical boards, provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The Compact creates another pathway for licensure and does not otherwise change a state's existing Medical Practice Act. The Compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter, and therefore, requires the physician to be under the jurisdiction of the state medical board where the patient is located. State medical boards that participate in the Compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the Compact.

SECTION 2

DEFINITIONS

In this compact:

(a) "Bylaws" means those bylaws established by the Interstate Commission pursuant to Section 11 for its governance, or for directing and controlling its actions and conduct.

(b) "Commissioner" means the voting representative appointed by each member board pursuant to Section 11.

(c) "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication, or entry of a plea of guilt or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal

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offense by the court shall be considered final for purposes of disciplinary action by a member board.

(d) "Expedited License" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the Compact.

(e) "Interstate Commission" means the interstate commission created pursuant to Section 11.

(f) "License" means authorization by a state for a physician to engage in the practice of medicine, which would be unlawful without the authorization.

(g) "Medical Practice Act" means laws and regulations governing the practice of allopathic and osteopathic medicine within a member state.

(h) "Member Board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation, and education of physicians as directed by the state government.

(i) "Member State" means a state that has enacted the Compact.

(j) "Practice of medicine" means the diagnosis, treatment, prevention, cure, or relieving of a human disease, ailment, defect, complaint, or other physical or mental condition, by attendance, advice, device, diagnostic test, or other means, or offering, undertaking, attempting to do, or holding oneself out as able to do, any of these acts.

(k) "Physician" means any person who:

(1) Is a graduate of a medical school accredited by the Liaison Committee on Medical Education, the Commission on Osteopathic College Accreditation, or a medical school listed in

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the International Medical Education Directory or its equivalent;

(2) Passed each component of the United States Medical Licensing Examination (USMLE) or the Comprehensive Osteopathic Medical Licensing Examination (COMLEX-USA) within three attempts, or any of its predecessor examinations accepted by a state medical board as an equivalent examination for licensure purposes;

(3) Successfully completed graduate medical education approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

(4) Holds specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists; however, the specialty certification or a time-unlimited specialty certificate does not have to be maintained once a physician is initially determined to be eligible for expedited licensure through the Compact;

(5) Possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

(6) Has never been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(7) Has never held a license authorizing the practice of medicine subjected to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to non-payment of fees related to a license;

(8) Has never had a controlled substance license or permit suspended or revoked by a state or the United States Drug

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Enforcement Administration; and

(9) Is not under active investigation by a licensing agency or law enforcement authority in any state, federal, or foreign jurisdiction.

(l) "Offense" means a felony, high court misdemeanor, or crime of moral turpitude.

(m) "Rule" means a written statement by the Interstate Commission promulgated pursuant to Section 12 of the Compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, if the rule is not inconsistent with the laws of the member state. The term includes the amendment, repeal, or suspension of an existing rule.

(n) "State" means any state, commonwealth, district, or territory of the United States.

(o) "State of Principal License" means a member state where a physician holds a license to practice medicine and which has been designated as such by the physician for purposes of registration and participation in the Compact.

SECTION 3

ELIGIBILITY

(a) A physician must meet the eligibility requirements as defined in Section 2(k) to receive an expedited license under the terms and provisions of the Compact.

(b) A physician who does not meet the requirements of

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Section 2(k) may obtain a license to practice medicine in a member state if the individual complies with all laws and requirements, other than the Compact, relating to the issuance of a license to practice medicine in that state.

SECTION 4

DESIGNATION OF STATE OF PRINCIPAL LICENSE

(a) A physician shall designate a member state as the state of principal license for purposes of registration for expedited licensure through the Compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

(1) The state of primary residence for the physician, or

(2) The state where at least 25% of the practice of medicine occurs, or

(3) The location of the physician's employer, or

(4) If no state qualifies under subsection (1), subsection (2), or subsection (3), the state designated as state of residence for purpose of federal income tax.

(b) A physician may redesignate a member state as state of principal license at any time, as long as the state meets the requirements in subsection (a).

(c) The Interstate Commission is authorized to develop rules to facilitate redesignation of another member state as the state of principal license.

SECTION 5

APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

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(a) A physician seeking licensure through the Compact shall file an application for an expedited license with the member board of the state selected by the physician as the state of principal license.

(b) Upon receipt of an application for an expedited license, the member board within the state selected as the state of principal license shall evaluate whether the physician is eligible for expedited licensure and issue a letter of qualification, verifying or denying the physician's eligibility, to the Interstate Commission.

(1) Static qualifications, which include verification of medical education, graduate medical education, results of any medical or licensing examination, and other qualifications as determined by the Interstate Commission through rule, shall not be subject to additional primary source verification where already primary source verified by the state of principal license.

(2) The member board within the state selected as the state of principal license shall, in the course of verifying eligibility, perform a criminal background check of an applicant, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with U.S. 5 C.F.R. s. 731.202.

(3) Appeal on the determination of eligibility shall be made to the member state where the application was filed and shall be subject to the law of that state.

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(c) Upon verification in subsection (b), physicians eligible for an expedited license shall complete the registration process established by the Interstate Commission to receive a license in a member state selected pursuant to subsection (a), including the payment of any applicable fees.

(d) After receiving verification of eligibility under subsection (b) and any fees under subsection (c), a member board shall issue an expedited license to the physician. This license shall authorize the physician to practice medicine in the issuing state consistent with the Medical Practice Act and all applicable laws and regulations of the issuing member board and member state.

(e) An expedited license shall be valid for a period consistent with the licensure period in the member state and in the same manner as required for other physicians holding a full and unrestricted license within the member state.

(f) An expedited license obtained through the Compact shall be terminated if a physician fails to maintain a license in the state of principal licensure for a non-disciplinary reason, without redesignation of a new state of principal licensure.

(g) The Interstate Commission is authorized to develop rules regarding the application process, including payment of any applicable fees, and the issuance of an expedited license.

SECTION 6

FEES FOR EXPEDITED LICENSURE

(a) A member state issuing an expedited license authorizing the practice of medicine in that state, or the regulating

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authority of the member state, may impose a fee for a license issued or renewed through the Compact.

(b) The Interstate Commission is authorized to develop rules regarding fees for expedited licenses. However, those rules shall not limit the authority of a member state, or the regulating authority of the member state, to impose and determine the amount of a fee under subsection (a).

SECTION 7

RENEWAL AND CONTINUED PARTICIPATION

(a) A physician seeking to renew an expedited license granted in a member state shall complete a renewal process with the Interstate Commission if the physician:

(1) Maintains a full and unrestricted license in a state of principal license;

(2) Has not been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;

(3) Has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal, or foreign jurisdiction, excluding any action related to non-payment of fees related to a license; and

(4) Has not had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration.

(b) Physicians shall comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.

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(c) The Interstate Commission shall collect any renewal fees charged for the renewal of a license and distribute the fees to the applicable member board.

(d) Upon receipt of any renewal fees collected in subsection (c), a member board shall renew the physician's license.

(e) Physician information collected by the Interstate Commission during the renewal process will be distributed to all member boards.

(f) The Interstate Commission is authorized to develop rules to address renewal of licenses obtained through the Compact.

SECTION 8

COORDINATED INFORMATION SYSTEM

(a) The Interstate Commission shall establish a database of all physicians licensed, or who have applied for licensure, under Section 5.

(b) Notwithstanding any other provision of law, member boards shall report to the Interstate Commission any public action or complaints against a licensed physician who has applied or received an expedited license through the Compact.

(c) Member boards shall report disciplinary or investigatory information determined as necessary and proper by rule of the Interstate Commission.

(d) Member boards may report any non-public complaint, disciplinary, or investigatory information not required by subsection (c) to the Interstate Commission.

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(e) Member boards shall share complaint or disciplinary information about a physician upon request of another member board.

(f) All information provided to the Interstate Commission or distributed by member boards shall be confidential, filed under seal, and used only for investigatory or disciplinary matters.

(g) The Interstate Commission is authorized to develop rules for mandated or discretionary sharing of information by member boards.

SECTION 9

JOINT INVESTIGATIONS

(a) Licensure and disciplinary records of physicians are deemed investigative.

(b) In addition to the authority granted to a member board by its respective Medical Practice Act or other applicable state law, a member board may participate with other member boards in joint investigations of physicians licensed by the member boards.

(c) A subpoena issued by a member state shall be enforceable in other member states.

(d) Member boards may share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

(e) Any member state may investigate actual or alleged violations of the statutes authorizing the practice of medicine in any other member state in which a physician holds a license

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to practice medicine.

SECTION 10

DISCIPLINARY ACTIONS

(a) Any disciplinary action taken by any member board against a physician licensed through the Compact shall be deemed unprofessional conduct which may be subject to discipline by other member boards, in addition to any violation of the Medical Practice Act or regulations in that state.

(b) If a license granted to a physician by the member board in the state of principal license is revoked, surrendered or relinquished in lieu of discipline, or suspended, then all licenses issued to the physician by member boards shall automatically be placed, without further action necessary by any member board, on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board shall remain encumbered until that respective member board takes action to reinstate the license in a manner consistent with the Medical Practice Act of that state.

(c) If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided, and:

(1) Impose the same or lesser sanction(s) against the physician so long as such sanctions are consistent with the Medical Practice Act of that state; or

(2) Pursue separate disciplinary action against the

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physician under its respective Medical Practice Act, regardless of the action taken in other member states.

(d) If a license granted to a physician by a member board is revoked, surrendered or relinquished in lieu of discipline, or suspended, then any license(s) issued to the physician by any other member board(s) shall be suspended, automatically and immediately without further action necessary by the other member board(s), for ninety (90) days upon entry of the order by the disciplining board, to permit the member board(s) to investigate the basis for the action under the Medical Practice Act of that state. A member board may terminate the automatic suspension of the license it issued prior to the completion of the ninety (90) day suspension period in a manner consistent with the Medical Practice Act of that state.

SECTION 11

INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

(a) The member states hereby create the "Interstate Medical Licensure Compact Commission."

(b) The purpose of the Interstate Commission is the administration of the Interstate Medical Licensure Compact, which is a discretionary state function.

(c) The Interstate Commission shall be a body corporate and joint agency of the member states and shall have all the responsibilities, powers, and duties set forth in the Compact, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the Compact.

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(d) The Interstate Commission shall consist of two voting representatives appointed by each member state who shall serve as Commissioners. In states where allopathic and osteopathic physicians are regulated by separate member boards, or if the licensing and disciplinary authority is split between multiple member boards within a member state, the member state shall appoint one representative from each member board. A Commissioner shall be a(n):

(1) Allopathic or osteopathic physician appointed to a member board;

(2) Executive director, executive secretary, or similar executive of a member board; or

(3) Member of the public appointed to a member board.

(e) The Interstate Commission shall meet at least once each calendar year. A portion of this meeting shall be a business meeting to address such matters as may properly come before the Commission, including the election of officers. The chairperson may call additional meetings and shall call for a meeting upon the request of a majority of the member states.

(f) The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

(g) Each Commissioner participating at a meeting of the Interstate Commission is entitled to one vote. A majority of Commissioners shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission. A Commissioner shall not delegate a vote to another Commissioner. In the absence of its Commissioner, a member state may delegate voting authority for a

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specified meeting to another person from that state who shall meet the requirements of subsection (d).

(h) The Interstate Commission shall provide public notice of all meetings and all meetings shall be open to the public. The Interstate Commission may close a meeting, in full or in portion, where it determines by a two-thirds vote of the Commissioners present that an open meeting would be likely to:

(1) Relate solely to the internal personnel practices and procedures of the Interstate Commission;

(2) Discuss matters specifically exempted from disclosure by federal statute;

(3) Discuss trade secrets, commercial, or financial information that is privileged or confidential;

(4) Involve accusing a person of a crime, or formally censuring a person;

(5) Discuss information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(6) Discuss investigative records compiled for law enforcement purposes; or

(7) Specifically relate to the participation in a civil action or other legal proceeding.

(i) The Interstate Commission shall keep minutes which shall fully describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, including record of any roll call votes.

(j) The Interstate Commission shall make its information and official records, to the extent not otherwise designated in the Compact or by its rules, available to the public for

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inspection.

(k) The Interstate Commission shall establish an executive committee, which shall include officers, members, and others as determined by the bylaws. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rulemaking, during periods when the Interstate Commission is not in session. When acting on behalf of the Interstate Commission, the executive committee shall oversee the administration of the Compact including enforcement and compliance with the provisions of the Compact, its bylaws and rules, and other such duties as necessary.

(l) The Interstate Commission may establish other committees for governance and administration of the Compact.

SECTION 12

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The Interstate Commission shall have the duty and power to:

(a) Oversee and maintain the administration of the Compact;

(b) Promulgate rules which shall be binding to the extent and in the manner provided for in the Compact;

(c) Issue, upon the request of a member state or member board, advisory opinions concerning the meaning or interpretation of the Compact, its bylaws, rules, and actions;

(d) Enforce compliance with Compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process;

(e) Establish and appoint committees including, but not

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limited to, an executive committee as required by Section 11, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties;

(f) Pay, or provide for the payment of the expenses related to the establishment, organization, and ongoing activities of the Interstate Commission;

(g) Establish and maintain one or more offices;

(h) Borrow, accept, hire, or contract for services of personnel;

(i) Purchase and maintain insurance and bonds;

(j) Employ an executive director who shall have such powers to employ, select or appoint employees, agents, or consultants, and to determine their qualifications, define their duties, and fix their compensation;

(k) Establish personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel;

(l) Accept donations and grants of money, equipment, supplies, materials and services, and to receive, utilize, and dispose of it in a manner consistent with the conflict of interest policies established by the Interstate Commission;

(m) Lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use, any property, real, personal, or mixed;

(n) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(o) Establish a budget and make expenditures;

(p) Adopt a seal and bylaws governing the management and

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operation of the Interstate Commission;

(q) Report annually to the legislatures and governors of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include reports of financial audits and any recommendations that may have been adopted by the Interstate Commission;

(r) Coordinate education, training, and public awareness regarding the Compact, its implementation, and its operation;

(s) Maintain records in accordance with the bylaws;

(t) Seek and obtain trademarks, copyrights, and patents; and

(u) Perform such functions as may be necessary or appropriate to achieve the purposes of the Compact.

SECTION 13

FINANCE POWERS

(a) The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff. The total assessment, subject to appropriation, must be sufficient to cover the annual budget approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.

(b) The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same.

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(c) The Interstate Commission shall not pledge the credit of any of the member states, except by, and with the authority of, the member state.

(d) The Interstate Commission shall be subject to a yearly financial audit conducted by a certified or licensed public accountant and the report of the audit shall be included in the annual report of the Interstate Commission.

SECTION 14

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

(a) The Interstate Commission shall, by a majority of Commissioners present and voting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the Compact within twelve (12) months of the first Interstate Commission meeting.

(b) The Interstate Commission shall elect or appoint annually from among its Commissioners a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson, or in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission.

(c) Officers selected in subsection (b) shall serve without remuneration from the Interstate Commission.

(d) The officers and employees of the Interstate Commission shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or

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arising out of, or relating to, an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities; provided that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

(1) The liability of the executive director and employees of the Interstate Commission or representatives of the Interstate Commission, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state, may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

(2) The Interstate Commission shall defend the executive director, its employees, and subject to the approval of the attorney general or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of

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Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

(3) To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

SECTION 15

RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

(a) The Interstate Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the Compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the Compact, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect.

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(b) Rules deemed appropriate for the operations of the Interstate Commission shall be made pursuant to a rulemaking process that substantially conforms to the "Model State Administrative Procedure Act" of 2010, and subsequent amendments thereto.

(c) Not later than thirty (30) days after a rule is promulgated, any person may file a petition for judicial review of the rule in the United States District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices, provided that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the Interstate Commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the Interstate Commission.

SECTION 16

OVERSIGHT OF INTERSTATE COMPACT

(a) The executive, legislative, and judicial branches of state government in each member state shall enforce the Compact and shall take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of the Compact and the rules promulgated hereunder shall have standing as statutory law but shall not override existing state authority to regulate the practice of medicine.

(b) All courts shall take judicial notice of the Compact

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and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the Compact which may affect the powers, responsibilities or actions of the Interstate Commission.

(c) The Interstate Commission shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Interstate Commission shall render a judgment or order void as to the Interstate Commission, the Compact, or promulgated rules.

SECTION 17

ENFORCEMENT OF INTERSTATE COMPACT

(a) The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of the Compact.

(b) The Interstate Commission may, by majority vote of the Commissioners, initiate legal action in the United States District Court for the District of Columbia, or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal offices, to enforce compliance with the provisions of the Compact, and its promulgated rules and bylaws, against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

(c) The remedies herein shall not be the exclusive remedies

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of the Interstate Commission. The Interstate Commission may avail itself of any other remedies available under state law or the regulation of a profession.

SECTION 18

DEFAULT PROCEDURES

(a) The grounds for default include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by the Compact, or the rules and bylaws of the Interstate Commission promulgated under the Compact.

(b) If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the Compact, or the bylaws or promulgated rules, the Interstate Commission shall:

(1) Provide written notice to the defaulting state and other member states, of the nature of the default, the means of curing the default, and any action taken by the Interstate Commission. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default; and

(2) Provide remedial training and specific technical assistance regarding the default.

(c) If the defaulting state fails to cure the default, the defaulting state shall be terminated from the Compact upon an affirmative vote of a majority of the Commissioners and all rights, privileges, and benefits conferred by the Compact shall terminate on the effective date of termination. A cure of the

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default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

(d) Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to terminate shall be given by the Interstate Commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(e) The Interstate Commission shall establish rules and procedures to address licenses and physicians that are materially impacted by the termination of a member state, or the withdrawal of a member state.

(f) The member state which has been terminated is responsible for all dues, obligations, and liabilities incurred through the effective date of termination including obligations, the performance of which extends beyond the effective date of termination.

(g) The Interstate Commission shall not bear any costs relating to any state that has been found to be in default or which has been terminated from the Compact, unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.

(h) The defaulting state may appeal the action of the Interstate Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

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SECTION 19

DISPUTE RESOLUTION

(a) The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes which are subject to the Compact and which may arise among member states or member boards.

(b) The Interstate Commission shall promulgate rules providing for both mediation and binding dispute resolution as appropriate.

SECTION 20

MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

(a) Any state is eligible to become a member state of the Compact.

(b) The Compact shall become effective and binding upon legislative enactment of the Compact into law by no less than seven (7) states. Thereafter, it shall become effective and binding on a state upon enactment of the Compact into law by that state.

(c) The governors of non-member states, or their designees, shall be invited to participate in the activities of the Interstate Commission on a non-voting basis prior to adoption of the Compact by all states.

(d) The Interstate Commission may propose amendments to the Compact for enactment by the member states. No amendment shall become effective and binding upon the Interstate Commission and the member states unless and until it is enacted into law by

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unanimous consent of the member states.

SECTION 21

WITHDRAWAL

(a) Once effective, the Compact shall continue in force and remain binding upon each and every member state; provided that a member state may withdraw from the Compact by specifically repealing the statute which enacted the Compact into law.

(b) Withdrawal from the Compact shall be by the enactment of a statute repealing the same, but shall not take effect until one (1) year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member state.

(c) The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing the Compact in the withdrawing state.

(d) The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within sixty (60) days of its receipt of notice provided under subsection (c).

(e) The withdrawing state is responsible for all dues, obligations and liabilities incurred through the effective date of withdrawal, including obligations, the performance of which extend beyond the effective date of withdrawal.

(f) Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the Compact or upon such later date as determined by the Interstate Commission.

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(g) The Interstate Commission is authorized to develop rules to address the impact of the withdrawal of a member state on licenses granted in other member states to physicians who designated the withdrawing member state as the state of principal license.

SECTION 22
DISSOLUTION

(a) The Compact shall dissolve effective upon the date of the withdrawal or default of the member state which reduces the membership in the Compact to one (1) member state.

(b) Upon the dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

SECTION 23
SEVERABILITY AND CONSTRUCTION

(a) The provisions of the Compact shall be severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the Compact shall be enforceable.

(b) The provisions of the Compact shall be liberally construed to effectuate its purposes.

(c) Nothing in the Compact shall be construed to prohibit the applicability of other interstate compacts to which the

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states are members.

SECTION 24

BINDING EFFECT OF COMPACT AND OTHER LAWS

(a) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.

(b) All laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

(c) All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

(d) All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

(e) In the event any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

Section 3. Section 456.4502, Florida Statutes, is created to read:

456.4502 Interstate Medical Licensure Compact; disciplinary proceedings.—A physician licensed pursuant to chapter 458, chapter 459, or s. 456.4501 whose license is suspended or revoked by this state pursuant to the Interstate Medical Licensure Compact as a result of disciplinary action taken against the physician's license in another state shall be granted a formal hearing before an administrative law judge from the Division of Administrative Hearings held pursuant to chapter

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120 if there are any disputed issues of material fact. In such proceedings:

(a) Notwithstanding s. 120.569(2), the department shall notify the division within 45 days after receipt of a petition or request for a formal hearing.

(b) The determination of whether the physician has violated the laws and rules regulating the practice of medicine or osteopathic medicine, as applicable, including a determination of the reasonable standard of care, is a conclusion of law that is to be determined by appropriate board, and is not a finding of fact to be determined by an administrative law judge.

(c) The administrative law judge shall issue a recommended order pursuant to chapter 120.

(d) The Board of Medicine or the Board of Osteopathic Medicine, as applicable, shall determine and issue the final order in each disciplinary case. Such order shall constitute final agency action.

(e) Any consent order or agreed-upon settlement is subject to the approval of the department.

(f) The department shall have standing to seek judicial review of any final order of the board, pursuant to s. 120.68.

Section 4. Section 456.4504, Florida Statutes, is created to read:

456.4504 Interstate Medical Licensure Compact rules.—The department may adopt rules to implement the Interstate Medical Licensure Compact.

Section 5. Section 456.48, Florida Statutes, is created to read:

456.48 Standardized credentialing application.—

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(1) As used in this section, the term "health insurer" means an authorized insurer offering health insurance as defined in s. 624.603, a managed care plan as defined in s. 409.962, or a health maintenance organization as defined in s. 641.19(12).

(2) The Financial Services Commission, in consultation with the Agency for Health Care Administration, shall adopt by rule a standardized credentialing form for verifying the credentials of an applicant licensed under chapter 458, chapter 459, chapter 461, or chapter 466. In prescribing a form under this section, the commission shall adopt the most current version of the credentialing application form provided by the Council for Affordable Quality Healthcare, Inc.

(3) Notwithstanding any other law to the contrary, effective January 1, 2021, or 6 months after the effective date of the rule adopting the standardized credentialing form, whichever is later, a health insurer or a hospital licensed under chapter 395 shall use only the standardized credentialing form approved by the commission to verify the credentials of an applicant licensed under chapter 458, chapter 459, chapter 461, or chapter 466.

Section 6. Section 456.481, Florida Statutes, is created to read:

456.481 Expedited credentialing process.—

(1) As used in this section, the term:

(a) "Applicant" means a person licensed under chapter 458, chapter 459, chapter 461, or chapter 466 who is applying for expedited credentialing under this section.

(b) "Enrollee" means an individual who is eligible to receive health care services under a managed care plan.

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(c) "Managed care plan" means an insurer issuing a health insurance policy pursuant to s. 627.6471 or s. 627.6472, a managed care plan as defined in s. 409.962, or a health maintenance organization as defined in s. 641.19(12).

(d) "Medical group" means an entity through which health care services are provided to individuals by two or more persons licensed under chapter 458, chapter 459, chapter 461, or chapter 466 and that receives reimbursement for such services.

(e) "Participating provider" means a person licensed under chapter 458, chapter 459, chapter 461, or chapter 466 who has contracted with a managed care plan to provide services to enrollees.

(2) This section applies only to an applicant who joins an established medical group that has a current contract in force with a managed care plan.

(3) To qualify for expedited credentialing under this section and for payment under subsection (4), an applicant must:

(a) Be licensed in this state by, and be in good standing with, the Board of Medicine, the Board of Osteopathic Medicine, the Board of Podiatric Medicine, or the Board of Dentistry, as applicable.

(b) Submit all documentation and any other information required by the managed care plan as necessary for the managed care plan to begin the credentialing process to include such applicant in its health benefit plan network.

(c) Agree to comply with the terms of the managed care plan's participating provider contract in force with the applicant's established medical group.

(4) For purposes of payment, after an applicant qualifies

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for expedited credentialing under subsection (3), the managed care plan shall consider the applicant a participating provider in its health benefit plan network when services are provided to the managed care plan's enrollees by the applicant, including:

(a) Authorizing the applicant to collect copayments from enrollees.

(b) Making payments to the applicant.

(c) Authorizing the applicant to provide services to enrollees.

(5) Pending the approval of an application submitted under this section, the managed care plan may exclude the applicant from the managed care plan's directory of participating providers or any other listing of participating providers.

(6) If, upon completion of the expedited credentialing process, the managed care plan determines that the applicant does not meet the managed care plan's credentialing requirements:

(a) The managed care plan may recover from the applicant or the applicant's medical group an amount equal to the difference between payments for in-network benefits and out-of-network benefits.

(b) The applicant or the applicant's medical group may retain any copayments collected or in the process of being collected as of the date of the managed care plan's determination.

(7) An enrollee in a managed care plan is not responsible, and must be held harmless, for the difference between the in-network payment to the applicant and the out-of-network charge of the applicant or the applicant's medical group for the

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service provided to the enrollee. The applicant and the applicant's medical group may not charge the enrollee for any portion of the applicant's fee which is not paid or reimbursed by the enrollee's managed care plan.

(8) A managed care plan that complies with this section is not subject to any liability for damages arising out of or in connection with, directly or indirectly, payment by the managed care plan to an applicant as if the applicant were a participating provider in the health benefit plan network.

Section 7. Section 458.3129, Florida Statutes, is created to read:

458.3129 Interstate Medical Licensure Compact.—A physician licensed to practice medicine under s. 456.4501 is deemed to also be licensed under this chapter.

Section 8. Section 459.074, Florida Statutes, is created to read:

459.074 Interstate Medical Licensure Compact.—A physician licensed to practice osteopathic medicine under s. 456.4501 is deemed to also be licensed under this chapter.

Section 9. Present subsections (2) through (7) of section 491.003, Florida Statutes, are redesignated as subsections (3) through (8), respectively, present subsections (8) through (17) are redesignated as subsections (10) through (19), respectively, and new subsections (2) and (9) are added to that section to read:

491.003 Definitions.—As used in this chapter:

(2) "Certified master social worker" means a person licensed under this chapter to practice generalist social work.

(9) The term "practice of generalist social work" means the

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application of social work theory, knowledge, methods, and ethics to and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities. The term includes the application of specialized knowledge and advanced practice skills to nondiagnostic assessment, treatment planning, implementation and evaluation, case management, information and referral, supervision, and consultation; to education, research, advocacy, community organization; and to the development, implementation, and administration of policies, programs, and activities.

Section 10. Subsections (3) and (4) of section 491.004, Florida Statutes, are amended to read:

491.004 Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling.—

~~(3) No later than January 1, 1988, the Governor shall appoint nine members of the board as follows:~~

~~(a) Three members for terms of 2 years each.~~

~~(b) Three members for terms of 3 years each.~~

~~(c) Three members for terms of 4 years each.~~

(3) ~~(4)~~ As the terms of the ~~initial~~ members expire, the Governor shall appoint successors for terms of 4 years; and those members shall serve until their successors are appointed.

Section 11. Subsections (2) and (6) of section 491.0045, Florida Statutes, are amended to read:

491.0045 Intern registration; requirements.—

(2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies

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has done all of the following:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed $200, as set by board rule.~~;~~

(b)1. Completed the education requirements as specified in s. 491.005(1)(c), (3)(c), or (4)(c) for the profession for which he or she is applying for licensure, if needed; and

2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.

(c) Identified a qualified supervisor.

(d) Completed an 8-hour Florida laws and rules course approved by the board.

(6) A registration issued on or before March 31, 2017, expires March 31, 2022, and may not be renewed or reissued. Any registration issued after March 31, 2017, expires 60 months after the date it is issued. The board may make a one-time exception from the requirements of this section in emergency or hardship cases, as defined by board rule, if ~~A subsequent intern registration may not be issued unless~~ the candidate has passed the theory and practice examination described in s. 491.005(1)(d), (3)(d), and (4)(d).

Section 12. Subsection (1), paragraph (b) of subsection (2), and subsections (3) and (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.—

(1) CLINICAL SOCIAL WORK.—Upon verification of documentation and payment of a fee not to exceed $200, as set by

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board rule, plus the actual per applicant cost ~~to the department~~ for purchase of the examination from the ~~American~~ Association of ~~State~~ Social Work ~~Worker's~~ Boards or its successor ~~a similar national organization~~, the department shall issue a license as a clinical social worker to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

(b)1. Has received a doctoral degree in social work from a graduate school of social work which at the time the applicant graduated was accredited by an accrediting agency recognized by the United States Department of Education or has received a master's degree in social work from a graduate school of social work which at the time the applicant graduated:

a. Was accredited by the Council on Social Work Education;

b. Was accredited by the Canadian Association of Schools of Social Work; or

c. Has been determined to have been a program equivalent to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education. An applicant who graduated from a program at a university or college outside of the United States or Canada must present documentation of the equivalency determination from the council in order to qualify.

2. The applicant's graduate program must have emphasized direct clinical patient or client health care services, including, but not limited to, coursework in clinical social work, psychiatric social work, medical social work, social casework, psychotherapy, or group therapy. The applicant's graduate program must have included all of the following

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coursework:

a. A supervised field placement which was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.

b. Completion of 24 semester hours or 32 quarter hours in courses approved by board rule ~~theory of human behavior and practice methods as courses in clinically oriented services, including a minimum of one course in psychopathology, and no more than one course in research, taken in a school of social work accredited or approved pursuant to subparagraph 1~~.

~~3. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant shall be required to provide additional documentation, including, but not limited to, a syllabus or catalog description published for the course.~~

(c) Has had at least 2 years of clinical social work experience, which took place subsequent to completion of a graduate degree in social work at an institution meeting the accreditation requirements of this section, under the supervision of a licensed clinical social worker or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If the applicant's graduate program was not a program which emphasized direct clinical patient or client health care services as described in subparagraph (b)2., the supervised experience requirement must take place after the applicant has completed a minimum of 15

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semester hours or 22 quarter hours of the coursework required. A doctoral internship may be applied toward the clinical social work experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination designated ~~provided~~ by the board ~~department for this purpose~~.

(e) Has demonstrated, in a manner designated by board rule ~~of the board~~, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

(2) CLINICAL SOCIAL WORK.—

(b) An applicant from a master's or doctoral program in social work which did not emphasize direct patient or client services may complete the clinical curriculum content requirement by returning to a graduate program accredited by the Council on Social Work Education or the Canadian Association for Social Work Education ~~of Schools of Social Work~~, or to a clinical social work graduate program with comparable standards, in order to complete the education requirements for examination. However, a maximum of 6 semester or 9 quarter hours of the clinical curriculum content requirement may be completed by credit awarded for independent study coursework as defined by board rule.

(3) MARRIAGE AND FAMILY THERAPY.—Upon verification of documentation and payment of a fee not to exceed $200, as set by board rule, plus the actual cost ~~to the department~~ for the purchase of the examination from the Association of Marital and Family Therapy Regulatory Boards ~~Board~~, or its successor ~~similar~~

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~~national~~ organization, the department shall issue a license as a marriage and family therapist to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate fee.

(b)~~1.~~ Has a minimum of a master's degree with major emphasis in marriage and family therapy, or a closely related field, from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education or from a state university program accredited by the Council for Accreditation of Counseling and Related Educational Programs which has graduate courses approved by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling ~~and has completed all of the following requirements:~~

~~a. Thirty-six semester hours or 48 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level course credits in each of the following nine areas: dynamics of marriage and family systems; marriage therapy and counseling theory and techniques; family therapy and counseling theory and techniques; individual human development theories throughout the life cycle; personality theory or general counseling theory and techniques; psychopathology; human sexuality theory and counseling techniques; psychosocial theory; and substance abuse theory and counseling techniques. Courses in research, evaluation, appraisal, assessment, or testing theories and procedures; thesis or dissertation work; or practicums, internships, or fieldwork may not be applied toward this requirement.~~

~~b. A minimum of one graduate-level course of 3 semester~~

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~~hours or 4 quarter hours in legal, ethical, and professional standards issues in the practice of marriage and family therapy or a course determined by the board to be equivalent.~~

~~c. A minimum of one graduate-level course of 3 semester hours or 4 quarter hours in diagnosis, appraisal, assessment, and testing for individual or interpersonal disorder or dysfunction; and a minimum of one 3-semester-hour or 4-quarter-hour graduate-level course in behavioral research which focuses on the interpretation and application of research data as it applies to clinical practice. Credit for thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.~~

~~d. A minimum of one supervised clinical practicum, internship, or field experience in a marriage and family counseling setting, during which the student provided 180 direct client contact hours of marriage and family therapy services under the supervision of an individual who met the requirements for supervision under paragraph (c). This requirement may be met by a supervised practice experience which took place outside the academic arena, but which is certified as equivalent to a graduate-level practicum or internship program which required a minimum of 180 direct client contact hours of marriage and family therapy services currently offered within an academic program of a college or university accredited by an accrediting agency approved by the United States Department of Education, or an institution which is publicly recognized as a member in good standing with the Association of Universities and Colleges of Canada or a training institution accredited by the Commission on Accreditation for Marriage and Family Therapy Education~~

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~~recognized by the United States Department of Education. Certification shall be required from an official of such college, university, or training institution.~~

~~2. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant shall be required to provide additional documentation, including, but not limited to, a syllabus or catalog description published for the course~~.

The required master's degree must have been received in an institution of higher education which at the time the applicant graduated was: fully accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation ~~Commission on Recognition of Postsecondary Accreditation~~; publicly recognized as a member in good standing with ~~the Association of~~ Universities ~~and Colleges of~~ Canada; or an institution of higher education located outside the United States and Canada~~,~~ which at the time the applicant was enrolled and at the time the applicant graduated maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as professional marriage and family therapists or psychotherapists. The burden of establishing that the requirements of this

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provision have been met shall be upon the applicant, and the board shall require documentation, such as, but not limited to, an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. An applicant with a master's degree from a program which did not emphasize marriage and family therapy may complete the coursework requirement in a training institution fully accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States Department of Education.

(c) Has had at least 2 years of clinical experience during which 50 percent of the applicant's clients were receiving marriage and family therapy services, which must be at the post-master's level under the supervision of a licensed marriage and family therapist with at least 5 years of experience, or the equivalent, who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major emphasis in marriage and family therapy or a closely related field that did not include all the coursework required under paragraph (b) ~~sub-subparagraphs (b)1.a.-c.~~, credit for the post-master's level clinical experience shall not commence until the applicant has completed a minimum of 10 of the courses required under paragraph (b) ~~sub-subparagraphs (b)1.a.-c.~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage

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and family systems, theories, or techniques. Within the 2 ~~3~~ years of required experience, the applicant shall provide direct individual, group, or family therapy and counseling, to include the following categories of cases: unmarried dyads, married couples, separating and divorcing couples, and family groups including children. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination designated ~~provided~~ by the board ~~department~~ for this purpose.

(e) Has demonstrated, in a manner designated by board rule ~~of the board~~, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

(f) For the purposes of dual licensure, the department shall license as a marriage and family therapist any person who meets the requirements of s. 491.0057. Fees for dual licensure shall not exceed those stated in this subsection.

(4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed $200, as set by board rule, plus the actual per applicant cost ~~to the department~~ for purchase of the examination from the National Board for Certified Counselors or its successor ~~Professional Examination Service for the National Academy of Certified Clinical Mental Health Counselors or a similar national organization~~, the department shall issue a license as a mental health counselor to an applicant who the board certifies:

(a) Has submitted an application and paid the appropriate

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fee.

(b)1. Has a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs that consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction~~, including a course in human sexuality and a course in substance abuse~~. If the master's degree is earned from a program related to the practice of mental health counseling that is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least 60 semester hours or 80 quarter hours and meet the following requirements:

a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling ~~in community settings; and substance abuse~~. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework addressing diagnostic processes,

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including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience ~~in legal, ethical, and professional standards issues in the practice of mental health counseling, which includes goals, objectives, and practices of professional counseling organizations, codes of ethics, legal considerations, standards of preparation, certifications and licensing, and the role identity and professional obligations of mental health counselors. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement~~.

c. The equivalent, as determined by the board, of at least 700 ~~1,000~~ hours of university-sponsored supervised clinical practicum, internship, or field experience that includes at least 280 hours of direct client services, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the post-master's clinical experience requirement.

2. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant shall be required to provide additional documentation, including, but not limited to, a syllabus or catalog description published for the course.

Education and training in mental health counseling must have been received in an institution of higher education which at the

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time the applicant graduated was: fully accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation or its successor ~~Commission on Recognition of Postsecondary Accreditation~~; publicly recognized as a member in good standing with ~~the Association of~~ Universities ~~and Colleges of~~ Canada; or an institution of higher education located outside the United States and Canada, which at the time the applicant was enrolled and at the time the applicant graduated maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by a regional accrediting body recognized by the Council for Higher Education Accreditation or its successor ~~Commission on Recognition of Postsecondary Accreditation~~. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as mental health counselors. The burden of establishing that the requirements of this provision have been met shall be upon the applicant, and the board shall require documentation, such as, but not limited to, an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. Beginning July 1, 2026, an applicant must have a master's degree in a program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours to apply for licensure under this paragraph.

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(c) Has had at least 2 years of clinical experience in mental health counseling~~,~~ which must be at the post-master's level under the supervision of a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the practice of mental health counseling that did not include all the coursework required under sub-subparagraphs (b)1.a.-b., credit for the post-master's level clinical experience shall not commence until the applicant has completed a minimum of seven of the courses required under sub-subparagraphs (b)1.a.-b., as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

(d) Has passed a theory and practice examination designated ~~provided~~ by the board ~~department~~ for this purpose.

(e) Has demonstrated, in a manner designated by board rule ~~of the board~~, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

Section 13. Subsection (3) of section 491.0057, Florida Statutes, is amended to read:

491.0057 Dual licensure as a marriage and family therapist.—The department shall license as a marriage and family

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therapist any person who demonstrates to the board that he or she:

(3) Has passed the examination designated ~~provided~~ by the board ~~department~~ for marriage and family therapy.

Section 14. Paragraph (b) of subsection (1) of section 491.006, Florida Statutes, is amended to read:

491.006 Licensure or certification by endorsement.—

(1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department and remitting the appropriate fee, demonstrates to the board that he or she:

(b)1. Holds an active valid license to practice and has actively practiced the profession for which licensure is applied in another state for 3 of the last 5 years immediately preceding licensure.

~~2. Meets the education requirements of this chapter for the profession for which licensure is applied.~~

2.~~3.~~ Has passed a substantially equivalent licensing examination in another state or has passed the licensure examination in this state in the profession for which the applicant seeks licensure.

3.~~4.~~ Holds a license in good standing, is not under investigation for an act that would constitute a violation of this chapter, and has not been found to have committed any act that would constitute a violation of this chapter. ~~The fees paid by any applicant for certification as a master social worker under this section are nonrefundable.~~

Section 15. Section 491.0065, Florida Statutes, is repealed.

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Section 16. Subsections (2) and (3) of section 491.007, Florida Statutes, are amended to read:

491.007 Renewal of license, registration, or certificate.—

(2) Each applicant for renewal shall present satisfactory evidence that, in the period since the license or certificate was issued, the applicant has completed continuing education requirements set by rule of the board or department. Not more than 25 classroom hours of continuing education per year shall be required. ~~A certified master social worker is exempt from the continuing education requirements for the first renewal of the certificate.~~

~~(3) The board or department shall prescribe by rule a method for the biennial renewal of an intern registration at a fee set by rule, not to exceed $100.~~

Section 17. Subsection (2) of section 491.009, Florida Statutes, is amended to read:

491.009 Discipline.—

(2) The ~~department, or, in the case of psychologists, the~~ board~~,~~ may enter an order denying licensure or imposing any of the penalties in s. 456.072(2) against any applicant for licensure or licensee who is found guilty of violating any provision of subsection (1) of this section or who is found guilty of violating any provision of s. 456.072(1).

Section 18. Paragraph (a) of subsection (1) of section 491.012, Florida Statutes, is amended to read:

491.012 Violations; penalty; injunction.—

(1) It is unlawful and a violation of this chapter for any person to:

(a) Use the following titles or any combination thereof,

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unless she or he holds a valid, active license as a clinical social worker issued pursuant to this chapter:

1. "Licensed clinical social worker."

2. "Clinical social worker."

3. "Licensed social worker."

4. "Psychiatric social worker."

5. "Psychosocial worker."

6. "Certified master social worker."

Section 19. Section 491.0145, Florida Statutes, is amended to read:

491.0145 Certified master social worker.—

(1) The department shall license ~~may certify~~ an applicant for a designation as a certified master social worker who, upon applying to the department and remitting the appropriate fee, demonstrates to the board that he or she has met the following conditions:

(a) ~~(1)~~ The applicant has submitted ~~completes~~ an application and has paid ~~to be provided by the department and pays~~ a nonrefundable fee not to exceed $250 to be established by rule of the board ~~department. The completed application must be received by the department at least 60 days before the date of the examination in order for the applicant to qualify to take the scheduled exam~~.

(b) ~~(2)~~ The applicant submits proof satisfactory to the board ~~department~~ that the applicant has received a doctoral degree in social work, or a master's degree in social work with a major emphasis or specialty in ~~clinical practice or administration, including, but not limited to, agency~~ administration and supervision, program planning and evaluation,

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staff development, research, community organization, community services, social planning, and human service advocacy. Doctoral degrees must have been received from a graduate school of social work which at the time the applicant was enrolled and graduated was accredited by an accrediting agency approved by the United States Department of Education. Master's degrees must have been received from a graduate school of social work which at the time the applicant was enrolled and graduated was accredited by the Council on Social Work Education or the Canadian Association of Schools for ~~of~~ Social Work Education or by one that meets comparable standards.

(c) ~~(3)~~ The applicant has had at least 2 ~~3~~ years' experience, as defined by rule of the board, including, but not limited to, clinical services or administrative activities as described in paragraph (b) ~~defined in subsection (2)~~, ~~2 years of~~ which must be at the post-master's level under the supervision of a person who meets the education and experience requirements for licensure ~~certification~~ as a certified master social worker, as defined by rule of the board, or licensure as a clinical social worker under this chapter. A doctoral internship may be applied toward the supervision requirement.

(d) ~~(4)~~ Any person who holds a master's degree in social work from an institution ~~institutions~~ outside the United States may apply to the board ~~department~~ for licensure ~~certification~~ if the academic training in social work has been evaluated as equivalent to a degree from a school accredited by the Council on Social Work Education. Any such person shall submit a copy of the academic training from the Foreign Equivalency Determination Service of the Council on Social Work Education.

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(e)~~(5)~~ The applicant has passed an examination required by the board ~~department~~ for this purpose. ~~The nonrefundable fee for such examination may not exceed $250 as set by department rule.~~

(2)~~(6)~~ ~~Nothing in~~ This chapter does not ~~shall be construed to~~ authorize a certified master social worker to provide clinical social work services.

(3) The board may adopt rules to implement this section.

Section 20. Section 491.0149, Florida Statutes, is amended to read:

491.0149 Display of license; use of professional title on promotional materials.—

(1)(a) A person licensed under this chapter as a clinical social worker, marriage and family therapist, ~~or~~ mental health counselor, or certified ~~as a~~ master social worker shall conspicuously display the valid license issued by the department or a true copy thereof at each location at which the licensee practices his or her profession.

(b)1. A licensed clinical social worker shall include the words "licensed clinical social worker" or the letters "LCSW" on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the licensee.

2. A licensed marriage and family therapist shall include the words "licensed marriage and family therapist" or the letters "LMFT" on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the licensee.

3. A licensed mental health counselor shall include the words "licensed mental health counselor" or the letters "LMHC"

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on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the licensee.

(c) A generalist social worker shall include the words "certified master social worker" or the letters "CMSW" on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the licensee.

(2)(a) A person registered under this chapter as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern shall conspicuously display the valid registration issued by the department or a true copy thereof at each location at which the registered intern is completing the experience requirements.

(b) A registered clinical social worker intern shall include the words "registered clinical social worker intern," a registered marriage and family therapist intern shall include the words "registered marriage and family therapist intern," and a registered mental health counselor intern shall include the words "registered mental health counselor intern" on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the registered intern.

(3)(a) A person provisionally licensed under this chapter as a provisional clinical social worker licensee, provisional marriage and family therapist licensee, or provisional mental health counselor licensee shall conspicuously display the valid provisional license issued by the department or a true copy thereof at each location at which the provisional licensee is providing services.

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(b) A provisional clinical social worker licensee shall include the words "provisional clinical social worker licensee," a provisional marriage and family therapist licensee shall include the words "provisional marriage and family therapist licensee," and a provisional mental health counselor licensee shall include the words "provisional mental health counselor licensee" on all promotional materials, including cards, brochures, stationery, advertisements, social media, and signs, naming the provisional licensee.

Section 21. Section 491.015, Florida Statutes, is repealed.

Section 22. Section 627.444, Florida Statutes, is created to read:

627.444 Credentialing.—

(1) As used in this section, the term "health insurer" means an authorized insurer offering health insurance as defined in s. 624.603, a managed care plan as defined in s. 409.962, or a health maintenance organization as defined in s. 641.19(12).

(2) A health insurer or its designee must provide electronic or written verification of receipt to an applicant within 10 calendar days after the health insurer or its designee receives the applicant's application.

(3)(a) Upon receipt of an application, a health insurer or its designee must promptly review the application to determine whether it is complete. The health insurer or its designee must conclude the credentialing process within 30 calendar days after the date on which the health insurer or its designee determines an application is complete.

(b) If the health insurer or its designee determines that the application is incomplete, the health insurer or its

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designee must so notify the applicant in writing within 10 calendar days after the date on which the health insurer or its designee received the application. The written notice must include a detailed list of all items required to complete the application. If the health insurer or its designee does not send the notice within such period, the application is deemed complete.

(c) If the health insurer or its designee notifies the applicant of an incomplete application in accordance with paragraph (b), the period under paragraph (a) is tolled and the application is suspended from the date on which the notice was sent to the applicant until the date on which the health insurer or its designee receives the required information from the applicant.

(d) The health insurer or its designee may request only that information necessary for the health insurer or its designee to fairly and responsibly review the application.

(4) An applicant may bring an action in a court of appropriate jurisdiction against a health insurer or its designee for a violation of this section.

Section 23. Paragraph (h) is added to subsection (10) of section 768.28, Florida Statutes, to read:

768.28 Waiver of sovereign immunity in tort actions; recovery limits; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

(10)

(h) For the purposes of this section, the representative appointed from the Board of Medicine and the representative

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appointed from the Board of Osteopathic Medicine, when serving as commissioners of the Interstate Medical Licensure Compact Commission pursuant to s. 456.4501, and any administrator, officer, executive director, employee, or representative of the Interstate Medical Licensure Compact Commission, when acting within the scope of their employment, duties, or responsibilities in this state, are considered agents of the state. The commission shall pay any claims or judgments pursuant to this section and may maintain insurance coverage to pay any such claims or judgments.

Section 24. Paragraph (c) of subsection (4) of section 414.065, Florida Statutes, is amended to read:

414.065 Noncompliance with work requirements.—

(4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless otherwise provided, the situations listed in this subsection shall constitute exceptions to the penalties for noncompliance with participation requirements, except that these situations do not constitute exceptions to the applicable time limit for receipt of temporary cash assistance:

(c) *Noncompliance related to treatment or remediation of past effects of domestic violence.*—An individual who is determined to be unable to comply with the work requirements under this section due to mental or physical impairment related to past incidents of domestic violence may be exempt from work requirements, except that such individual shall comply with a plan that specifies alternative requirements that prepare the individual for self-sufficiency while providing for the safety of the individual and the individual's dependents. A participant who is determined to be out of compliance with the alternative

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requirement plan shall be subject to the penalties under subsection (1). The plan must include counseling or a course of treatment necessary for the individual to resume participation. The need for treatment and the expected duration of such treatment must be verified by a physician licensed under chapter 458 or chapter 459; a psychologist licensed under s. 490.005(1), s. 490.006, or the provision identified as s. 490.013(2) in s. 1, chapter 81-235, Laws of Florida; a therapist as defined in s. 491.003(3) or (7) ~~s. 491.003(2) or (6)~~; or a treatment professional who is registered under s. 39.905(1)(g), is authorized to maintain confidentiality under s. 90.5036(1)(d), and has a minimum of 2 years' ~~years~~ experience at a certified domestic violence center. An exception granted under this paragraph does not automatically constitute an exception from the time limitations on benefits specified under s. 414.105.

Section 25. This act shall take effect July 1, 2020.

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From: Brill, Victoria
Sent: Wednesday, January 08, 2020 4:12 PM EST
To: Anita Berry <Anita@johnstonstewart.com>
Subject: billdraft75453
Attachment(s): "billdraft75453.DOCX"

Here you go!

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23-01407-20

A bill to be entitled

An act relating to mobile food dispensing vehicles; amending s. 509.013, F.S.; providing a definition for the term "mobile food dispensing vehicle"; creating s. 509.099, F.S.; prohibiting a municipality, a county, or another local governmental entity from requiring a mobile food dispensing vehicle to obtain a separate license, registration, or permit or to pay a separate license, registration, or permit fee or from prohibiting such a vehicle from operating within the jurisdiction of the municipality, county, or locality; amending ss. 159.27, 212.08, 316.1955, 404.056, 477.0135, 509.032, 509.221, 553.5041, 705.17, 705.185, 717.1355, and 877.24, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 509.013, Florida Statutes, is amended to read:

509.013 Definitions.—As used in this chapter, the term:

(1)~~(6)~~ "Director" means the director of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(2)~~(1)~~ "Division" means the Division of Hotels and Restaurants of the Department of Business and Professional Regulation.

(3) "Guest" means any patron, customer, tenant, lodger, boarder, or occupant of a public lodging establishment or public

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FL-SEN-20-0201A-000981

food service establishment.

(4) "Mobile food dispensing vehicle" means any vehicle-mounted public food service establishment which is self-propelled or otherwise movable from place to place and includes self-contained utilities, such as gas, water, electricity, and liquid waste disposal.

(5) ~~(16)~~ "Nontransient" means a guest in nontransient occupancy.

(6) ~~(14)~~ "Nontransient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose intention is that the dwelling unit occupied will be the sole residence of the guest.

(7) ~~(15)~~ "Nontransient occupancy" means occupancy when it is the intention of the parties that the occupancy will not be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is the sole residence of the guest, the occupancy is nontransient.

(8) ~~(2)~~ "Operator" means the owner, licensee, proprietor, lessee, manager, assistant manager, or appointed agent of a public lodging establishment or public food service establishment.

(9) ~~(5)~~ (a) "Public food service establishment" means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared before ~~prior to~~ being delivered to another location for consumption. The term includes a culinary education program, as defined in s. 381.0072(2), which offers, prepares, serves, or

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sells food to the general public, regardless of whether it is inspected by another state agency for compliance with sanitation standards.

(b) The following are excluded from the definition in paragraph (a):

1. Any place maintained and operated by a public or private school, college, or university:

a. For the use of students and faculty; or

b. Temporarily to serve such events as fairs, carnivals, food contests, cook-offs, and athletic contests.

2. Any eating place maintained and operated by a church or a religious, nonprofit fraternal, or nonprofit civic organization:

a. For the use of members and associates; or

b. Temporarily to serve such events as fairs, carnivals, food contests, cook-offs, or athletic contests.

Upon request by the division, a church or a religious, nonprofit fraternal, or nonprofit civic organization claiming an exclusion under this subparagraph must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

3. Any eating place maintained and operated by an individual or entity at a food contest, cook-off, or a temporary event lasting from 1 to 3 days which is hosted by a church or a religious, nonprofit fraternal, or nonprofit civic organization. Upon request by the division, the event host must provide the division documentation of its status as a church or a religious, nonprofit fraternal, or nonprofit civic organization.

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4. Any eating place located on an airplane, train, bus, or watercraft which is a common carrier.

5. Any eating place maintained by a facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place that is regulated under s. 381.0072.

6. Any place of business issued a permit or inspected by the Department of Agriculture and Consumer Services under s. 500.12.

7. Any place of business where the food available for consumption is limited to ice, beverages with or without garnishment, popcorn, or prepackaged items sold without additions or preparation.

8. Any theater, if the primary use is as a theater and if patron service is limited to food items customarily served to the admittees of theaters.

9. Any vending machine that dispenses any food or beverages other than potentially hazardous foods, as defined by division rule.

10. Any vending machine that dispenses potentially hazardous food and which is located in a facility regulated under s. 381.0072.

11. Any research and development test kitchen limited to the use of employees and which is not open to the general public.

(10) ~~(4)~~ (a) "Public lodging establishment" includes a transient public lodging establishment as defined in subparagraph 1. and a nontransient public lodging establishment as defined in subparagraph 2.

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1. "Transient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

2. "Nontransient public lodging establishment" means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests for periods of at least 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests for periods of at least 30 days or 1 calendar month.

License classifications of public lodging establishments, and the definitions therefor, are set out in s. 509.242. For the purpose of licensure, the term does not include condominium common elements as defined in s. 718.103.

(b) The following are excluded from the definitions in paragraph (a):

1. Any dormitory or other living or sleeping facility maintained by a public or private school, college, or university for the use of students, faculty, or visitors.

2. Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place regulated under s. 381.0072.

3. Any place renting four rental units or less, unless the

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rental units are advertised or held out to the public to be places that are regularly rented to transients.

4. Any unit or group of units in a condominium, cooperative, or timeshare plan and any individually or collectively owned one-family, two-family, three-family, or four-family dwelling house or dwelling unit that is rented for periods of at least 30 days or 1 calendar month, whichever is less, and that is not advertised or held out to the public as a place regularly rented for periods of less than 1 calendar month, provided that no more than four rental units within a single complex of buildings are available for rent.

5. Any migrant labor camp or residential migrant housing permitted by the Department of Health under ss. 381.008-381.00895.

6. Any establishment inspected by the Department of Health and regulated by chapter 513.

7. Any nonprofit organization that operates a facility providing housing only to patients, patients' families, and patients' caregivers and not to the general public.

8. Any apartment building inspected by the United States Department of Housing and Urban Development or other entity acting on the department's behalf that is designated primarily as housing for persons at least 62 years of age. The division may require the operator of the apartment building to attest in writing that such building meets the criteria provided in this subparagraph. The division may adopt rules to implement this requirement.

9. Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel,

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timeshare project, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242.

(11) ~~(7)~~ "Single complex of buildings" means all buildings or structures that are owned, managed, controlled, or operated under one business name and are situated on the same tract or plot of land that is not separated by a public street or highway.

(12) ~~(8)~~ "Temporary food service event" means any event of 30 days or less in duration where food is prepared, served, or sold to the general public.

(13) ~~(9)~~ "Theme park or entertainment complex" means a complex comprised of at least 25 contiguous acres owned and controlled by the same business entity and which contains permanent exhibitions and a variety of recreational activities and has a minimum of 1 million visitors annually.

(14) ~~(10)~~ "Third-party provider" means, for purposes of s. 509.049, any provider of an approved food safety training program that provides training or such a training program to a public food service establishment that is not under common ownership or control with the provider.

(15) ~~(13)~~ "Transient" means a guest in transient occupancy.

(16) ~~(11)~~ "Transient establishment" means any public lodging establishment that is rented or leased to guests by an operator whose intention is that such guests' occupancy will be temporary.

(17) ~~(12)~~ "Transient occupancy" means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is not the sole residence of the guest,

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the occupancy is transient.

Section 2. Section 509.099, Florida Statutes, is created to read:

509.099 Mobile food dispensing vehicle; preemption.—A municipality, a county, or other local governmental entity may not:

(1) Require a separate license, registration, or permit, or a separate license, registration, or permit fee beyond those established by the division under s. 509.241 or s. 509.251, as applicable, as a condition for the operation of a mobile food dispensing vehicle within the jurisdiction of the municipality, county, or locality.

(2) Prohibit mobile food dispensing vehicles from operating within the jurisdiction of the municipality, county, or locality.

Section 3. Subsection (12) of section 159.27, Florida Statutes, is amended to read:

159.27 Definitions.—The following words and terms, unless the context clearly indicates a different meaning, shall have the following meanings:

(12) "Public lodging or restaurant facility" means property used for any public lodging establishment as defined in s. 509.242 or public food service establishment as defined in s. 509.013 ~~s. 509.013(5)~~ if it is part of the complex of, or necessary to, another facility qualifying under this part.

Section 4. Paragraph (jj) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the

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rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(jj) *Complimentary meals.*—Also exempt from the tax imposed by this chapter are food or drinks that are furnished as part of a packaged room rate by any person offering for rent or lease any transient living accommodations as described in s. 509.013 ~~s. 509.013(4)(a)~~ which are licensed under part I of chapter 509 and which are subject to the tax under s. 212.03, if a separate charge or specific amount for the food or drinks is not shown.

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Such food or drinks are considered to be sold at retail as part of the total charge for the transient living accommodations. Moreover, the person offering the accommodations is not considered to be the consumer of items purchased in furnishing such food or drinks and may purchase those items under conditions of a sale for resale.

Section 5. Paragraph (b) of subsection (4) of section 316.1955, Florida Statutes, is amended to read:

316.1955 Enforcement of parking requirements for persons who have disabilities.—

(4)

(b) Notwithstanding paragraph (a), a theme park or an entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~ which provides parking in designated areas for persons who have disabilities may allow any vehicle that is transporting a person who has a disability to remain parked in a space reserved for persons who have disabilities throughout the period the theme park is open to the public for that day.

Section 6. Subsection (5) of section 404.056, Florida Statutes, is amended to read:

404.056 Environmental radiation standards and projects; certification of persons performing measurement or mitigation services; mandatory testing; notification on real estate documents; rules.—

(5) NOTIFICATION ON REAL ESTATE DOCUMENTS.—Notification shall be provided on at least one document, form, or application executed at the time of, or before ~~prior to~~, contract for sale and purchase of any building or execution of a rental agreement for any building. Such notification shall contain the following

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language:

"RADON GAS: Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department."

The requirements of this subsection do not apply to any residential transient occupancy, as described in s. 509.013 ~~s. 509.013(12)~~, provided that such occupancy is 45 days or less in duration.

Section 7. Subsection (6) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—

(6) A license is not required of any individual providing makeup or special effects services in a theme park or entertainment complex to an actor, stunt person, musician, extra, or other talent, or providing makeup or special effects services to the general public. The term "theme park or entertainment complex" has the same meaning as in s. 509.013 ~~s. 509.013(9)~~.

Section 8. Paragraph (c) of subsection (3) of section 509.032, Florida Statutes, is amended to read:

509.032 Duties.—

(3) SANITARY STANDARDS; EMERGENCIES; TEMPORARY FOOD SERVICE EVENTS.—The division shall:

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(c) Administer a public notification process for temporary food service events and distribute educational materials that address safe food storage, preparation, and service procedures.

1. Sponsors of temporary food service events shall notify the division not less than 3 days before the scheduled event of the type of food service proposed, the time and location of the event, a complete list of food service vendors participating in the event, the number of individual food service facilities each vendor will operate at the event, and the identification number of each food service vendor's current license as a public food service establishment or temporary food service event licensee. Notification may be completed orally, by telephone, in person, or in writing. A public food service establishment or food service vendor may not use this notification process to circumvent the license requirements of this chapter.

2. The division shall keep a record of all notifications received for proposed temporary food service events and shall provide appropriate educational materials to the event sponsors and notify the event sponsors of the availability of the food-recovery brochure developed under s. 595.420.

3.a. Unless excluded under s. 509.013 ~~s. 509.013(5)(b)~~, a public food service establishment or other food service vendor must obtain one of the following classes of license from the division: an individual license, for a fee of no more than $105, for each temporary food service event in which it participates; or an annual license, for a fee of no more than $1,000, that entitles the licensee to participate in an unlimited number of food service events during the license period. The division shall establish license fees, by rule, and may limit the number

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of food service facilities a licensee may operate at a particular temporary food service event under a single license.

b. Public food service establishments holding current licenses from the division may operate under the regulations of such a license at temporary food service events.

Section 9. Paragraph (b) of subsection (2) of section 509.221, Florida Statutes, is amended to read:

509.221 Sanitary regulations.—

(2)

(b) Within a theme park or entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~, the bathrooms are not required to be in the same building as the public food service establishment, so long as they are reasonably accessible.

Section 10. Paragraph (b) of subsection (5) of section 553.5041, Florida Statutes, is amended to read:

553.5041 Parking spaces for persons who have disabilities.—

(5) Accessible perpendicular and diagonal accessible parking spaces and loading zones must be designed and located to conform to ss. 502 and 503 of the standards.

(b) If there are multiple entrances or multiple retail stores, the parking spaces must be dispersed to provide parking at the nearest accessible entrance. If a theme park or an entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~ provides parking in several lots or areas from which access to the theme park or entertainment complex is provided, a single lot or area may be designated for parking by persons who have disabilities, if the lot or area is located on the shortest accessible route to an accessible entrance to the theme park or entertainment complex or to transportation to such an accessible

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entrance.

Section 11. Subsection (2) of section 705.17, Florida Statutes, is amended to read:

705.17 Exceptions.—

(2) Sections 705.1015-705.106 do not apply to any personal property lost or abandoned on premises located within a theme park or entertainment complex, as defined in s. 509.013 ~~s. 509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with s. 705.185.

Section 12. Section 705.185, Florida Statutes, is amended to read:

705.185 Disposal of personal property lost or abandoned on the premises of certain facilities.—When any lost or abandoned personal property is found on premises located within a theme park or entertainment complex, as defined in s. 509.013 ~~s. 509.013(9)~~, or operated as a zoo, a museum, or an aquarium, or on the premises of a public food service establishment or a public lodging establishment licensed under part I of chapter 509, if the owner or operator of such premises elects to comply with this section, any lost or abandoned property must be delivered to such owner or operator, who must take charge of the property and make a record of the date such property was found. If the property is not claimed by its owner within 30 days after it is found, or a longer period of time as may be deemed appropriate by the owner or operator of the premises, the owner or operator of the premises may not sell and must dispose of the

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property or donate it to a charitable institution that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code for sale or other disposal as the charitable institution deems appropriate. The rightful owner of the property may reclaim the property from the owner or operator of the premises at any time before the disposal or donation of the property in accordance with this section and the established policies and procedures of the owner or operator of the premises. A charitable institution that accepts an electronic device, as defined in s. 815.03(9), access to which is not secured by a password or other personal identification technology, shall make a reasonable effort to delete all personal data from the electronic device before its sale or disposal.

Section 13. Section 717.1355, Florida Statutes, is amended to read:

717.1355 Theme park and entertainment complex tickets.—This chapter does not apply to any tickets for admission to a theme park or entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~, or to any tickets to a permanent exhibition or recreational activity within such theme park or entertainment complex.

Section 14. Subsection (8) of section 877.24, Florida Statutes, is amended to read:

877.24 Nonapplication of s. 877.22.—Section 877.22 does not apply to a minor who is:

(8) Attending an organized event held at and sponsored by a theme park or entertainment complex as defined in s. 509.013 ~~s. 509.013(9)~~.

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436 Section 15. This act shall take effect July 1, 2020.

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From: Brill, Victoria
Sent: Friday, January 17, 2020 6:16 PM EST
To: Joe Gruters <joegruters@gmail.com>
CC: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Bills for Tuesday 1/21/2020
Attachment(s): "1140_Staff Analysis.PDF","1102_ITT_Staff Analysis.PDF","922_CM_Staff Analysis.PDF","514_CA_Staff Analysis.PDF","Q&A.docx","TPs_Background.docx"

Senator,

The following four bills are up on Tuesday:

1) SB 922 – Economic Development @ 10 AM in Commerce & Tourism
    a. Staff Analysis attached (http://flsenate.gov/Session/Bill/2020/922/Analyses/2020s00922.pre.cm.PDF)
    b. Waiting on Q&A and TP
    c. Need to discuss amendments (1 technical and 1 substantive) and amendment to the amendment to substantive amendment
2) SB 1102 – Specialty Contracting Services @ 2:30 PM in Innovation, Industry, & Technology
    a. Staff Analysis attached (http://flsenate.gov/Session/Bill/2020/1102/Analyses/2020s01102.pre.it.PDF)
    b. Background information & Q&A attached (VB review not complete yet)
    c. No amendments
3) SB 1140 – Public Accountancy @ 2:30 PM in Innovation, Industry, & Technology
    a. Staff Analysis attached (http://flsenate.gov/Session/Bill/2020/1140/Analyses/2020s01140.pre.it.PDF)
    b. Waiting on Q&A and TP
    c. No amendments
4) SB 514 – Homestead Exemptions @ 4:30 in Community Affairs
    a. Staff Analysis attached (http://flsenate.gov/Session/Bill/2020/514/Analyses/2020s00514.pre.ca.PDF)
    b. Working on modifying Q&A & TP from last year (similar bill)
    c. Strike-All amendments recommended from staff and matches HB (http://flsenate.gov/Session/Bill/2020/514/Amendment/301196/PDF)

Please let me know if you have any questions.

-Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Innovation, Industry, and Technology

BILL:	SB 1102
INTRODUCER:	Senator Gruters
SUBJECT:	Specialty Contracting Services
DATE:	January 17, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kraemer	Imhof	IT	**Pre-meeting**
2.			CA	
3.			RC	

I. Summary:

SB 1102 creates an exemption from local and state licensing for persons under the supervision of a certified or registered pool contractor for the construction, remodeling, or repair of swimming pools, hot tubs, and other water features. The supervising contractor need not have a direct contract with the unlicensed person performing the specialty contracting services. The exemption is not available for persons required to be certified or registered as contractors for specified trade categories described in current law.[1]

The bill has no impact on state government.

The bill provides an effective date of July 1, 2020.

II. Present Situation:

Part I of ch. 489, F.S., dealing with Constructing Contracting, sets forth requirements for qualified persons to be licensed if they have sufficient technical expertise in the applicate trade.[2]

A contractor is a person who undertakes a job or submits a bid to construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure for others, and whose job scope is substantially similar to one of 17 specified scopes of work.[3] A contractor

[1] *See* ss. 489.105(3)(a) through (i) and (m) through (o), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[2] *See* ss. 489.101-489.146, F.S.
[3] *See* ss. 489.105(3)(a) through (q), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, commercial pool/spa contractor, residential pool/spa contractor, swimming pool servicing contractor, plumbing contractor, underground utility and excavation contractor, solar contractor, pollutant storage systems contractor, and specialty contractor.

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must be licensed by the Department of Business and Professional Regulation's Construction Industry Licensing Board (board) or certified by the county in which he or she wishes to work.[4] In most circumstances, a contractor must subcontract all electrical, mechanical, plumbing, roofing, sheet metal, swimming pool, and air-conditioning work unless the contractor holds a state certificate or registration in the appropriate trade category.[5]

A subcontractor who does not have a state certificate or registration may work under the supervision of a licensed or certified contractor, if:

- The work of the subcontractor falls within the scope of the contractor's license; and
- The subcontractor is not engaged in construction work that would require specified contractor licensing (i.e., licensure as an electrical contractor,[6]a septic tank contractor,[7] a sheet metal contractor, roofing contractor, Class A, B, or C air-conditioning contractor, mechanical contractor, commercial pool/spa contractor, residential pool/spa contractor, swimming pool servicing contractor, plumbing contractor, underground utility and excavation contractor, or solar contractor.[8]

The term "certification" means the act by a contractor obtaining or holding a geographically unlimited certificate of competency from the DBPR.[9] A contractor registered with the DBPR has fulfilled competency requirements only in those jurisdictions in which a registration is issued, and registered contractors may contract only in those jurisdictions.[10]

The term "specialty contractor" means a contractor whose scope of practice is limited to:

- A particular construction category adopted by board rule; and
- A subset of the [trade categories for contractors listed in s. 489.105(3)(a) through (p), F.S., such as roofing, air-conditioning, plumbing, etc.].[11]

The board has adopted rules for the voluntary certification of swimming pool specialty contractors and residential pool/spa servicing contractors.[12] Licenses for these contractors include those for:

- Swimming Pool Layout;
- Swimming Pool Structural;
- Swimming Pool Excavation;
- Swimming Pool Trim;
- Swimming Pool Decking;
- Swimming Pool Piping; and
- Swimming Pool Finishes.

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[4] Sections 489.107(1), 489.113(1), and 489.117(1)(b), F.S.
[5] Section 489.113(3), F.S. Various exceptions for general, building, residential, and solar contractors are set forth in ss. 489.113(3)(a) through (g), F.S.
[6] *See* Part II, of ch. 489, F.S., relating to Electrical and Alarm System Contracting,
[7] *See* Part III of ch. 489, F.S., relating to Septic Tank Contracting.
[8] Section 489.113(2), F.S.
[9] *See* s. 489.105(7) and (8), F.S.
[10] *See* ss. 489.105((9) and (10), F.S.
[11] Section 489.105(3)(q), F.S.
[12] *See* Fla. Admin. Code R. 61G4-15.032 and 61G4-15.040 (2020) available at https://www.flrules.org/gateway/ChapterHome.asp?Chapter=61G4-15 (last visited Jan. 14, 2020).

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Section 489.117(4(d), F.S., similarly allows unlicensed persons to perform contracting services[13] related to the construction, remodeling, repair, or improvement of single-family residences and townhomes, under supervision by a certified or registered general, building, or residential contractor. The supervising contractor need not have a direct contract with the unlicensed person performing the contracting services. A legal challenge to the applicability of this exemption to local license requirements in St. Johns County was not successful.[14]

III. Effect of Proposed Changes:

SB 1102 amends s. 487.117(4), F.S., to exempt from local and state licensing for persons under the supervision of a certified or registered commercial pool/spa contractor, a residential pool/spa contractor, or a swimming pool/spa servicing contractor (a licensed pool contractor) for the performance of certain specialty contracting services. The bill provides a contractual relationship between the supervising contractor and those performing the specialty contracting services is not required (i.e., the performance of such contracting services is outside the business of contracting and need not be undertaken through a contractor/subcontractor relationship).

The services that may be performed by unlicensed persons under the supervision of a licensed pool contractor include the construction, remodeling, repair, or improvement of swimming pools, hot tubs, spas, and interactive water features, as defined in the Florida Building Code (code).[15] Of those terms, the current code does not appear to define "interactive water features." However, the described scope of work for "swimming pool piping specialty contractor" includes "decorative or interactive water displays or areas."[16]

The exemption is not available for persons required to be certified or registered as contractors for specified trade categories described in s. 489.105(3), F.S.[17]

The exemption from local contractor licensing and specialty contractor licensing created in the bill is similar to an exemption enacted in 1993.[18] Section 489.117(4)(d), F.S., allows unlicensed persons to perform contracting services related to the construction, remodeling, repair, or improvement of single-family residences and townhomes, under supervision by a certified or registered general, building, or residential contractor. The supervising contractor need not have a direct contract with the unlicensed person performing the contracting services.

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[13] The specified scopes of work are sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[14] *See Florida Home Builders Ass'n v. St. Johns County*, 914 So.2d 1035 (Fla. 5th DCA 2005).
[15] The term "swimming pool" is defined as "[a]ny structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground pools; hot tubs; spas and fixed-in-place wading pools." *See* ch. 2 of the 2017 Florida Building Code (Sixth Edition), available at https://codes.iccsafe.org/content/FBC2017/chapter-2-definitions (last visited Jan. 14, 2020).
[16] *See* Fla. Admin. Code R. 61G4-15.032(2)(f), relating to certification of swimming pool piping specialty contractors, available at https://www.flrules.org/gateway/ChapterHome.asp?Chapter=61G4-15 (last visited Jan. 14, 2020).
[17] *See* ss. 489.105(3)(a) through (i) and (m) through (o), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[18] *See* ch. 93-154, s. 3, and ch. 93-166, s. 12, Laws of Fla. These provisions have been subsequently amended.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons who are not licensed as contractors in a trade and have not been eligible to engage in such work may now, under the supervision of certified or registered contractors whose licenses cover such work, construct, remodel, repair, or improve swimming pools, hot tubs, spas, or interactive water features.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 489.117 of the Florida Statutes.

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IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Innovation, Industry, and Technology

BILL:	SB 1140
INTRODUCER:	Senator Gruters
SUBJECT:	Public Accountancy
DATE:	January 17, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Oxamendi	Imhof	IT	**Pre-meeting**
2.			CM	
3.			RC	

I. Summary:

SB 1140 permits a nonresident Florida-licensed certified public accountant (CPA) to renew his or her license, if the CPA has complied with the continuing education requirements in the state in which his or her office is located. However, a nonresident CPA must satisfy Florida's ethics-related continuing education requirements. If the state in which the nonresident CPA's office is located does not have continuing education requirements as a condition for license renewal, the nonresident CPA must comply with the continuing education requirements in Florida.

The bill requires that the majority of the hours for continuing education in ethics must review the applicable Florida statutes and rules.

The bill permits a CPA to place his or her license in a retired status if the person is at least 55 years of age, holds a current active or inactive license that is in good standing, and is not the subject of any sanction or disciplinary action. If a licensee on retired status reenters the workforce in a position that has an association with accounting or any of the CPA services, the licensee automatically loses her or his retired status. A retired CPA:

- May continue to provide services utilizing accounting skills, and tax, management advisory, or consulting services, as defined in s. 473.302(8)(b), F.S., but may not provide certain accounting services defined ss. 473.302(8)(a), (c), and (d), F.S., such as services that involve an opinion on financial statements or the preparation of financial statements.
- May engage in specified activities, including serving without compensation on a board of directors or board of trustees, providing volunteer tax preparation services, and participating in an advisory role for a similar charitable, civic, or other nonprofit organizations.
- May accept routine reimbursement for certain expenses, such as actual costs of travel and meals associated with volunteer services.
- May use the title of "retired CPA," but may not offer or render professional services that require her or his signature and use of the CPA title, regardless of whether the word "retired" is attached to such title.

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- Is not required to fulfill the continuing education requirements.
- May reactivate her or his license in a conditional manner determined by the board, which must require the payment of fees and the completion of any required continuing education.

The effective date of the bill is July 1, 2020.

II. Present Situation:

The Florida Board of Accounting (board) in the Department of Business and Professional Regulation (DBPR) is the agency responsible for regulating and licensing more than 38,000 active and 2,700 inactive CPAs and more than 5,700 accounting firms in Florida.[1] The Division of Certified Public Accounting provides administrative support to the nine-member board, which consists of seven CPAs and two laypersons.[2]

A certified public accountant is a person who holds a license to practice public accounting in this state under ch. 473, F.S., or an individual who is practicing public accounting in this state pursuant to the practice privilege granted in s. 473.3141, F.S.[3]

The practice of public accounting includes offering to the public the performance of services involving audits, reviews, compilations, tax preparation, management advisory or consulting services, or preparation of financial statements.[4] To engage in the practice of public accounting, as defined in s. 473.302(8)(a), F.S., an individual or firm must be licensed pursuant to ss. 473.308 or 473.3101, F.S., and business entities must meet the requirements of s. 473.309, F.S.

Definitions

Section 473.302(8), F.S., define the terms "practice of," "practicing public accountancy," or "public accounting" to mean:

> (a) Offering to perform or performing for the public one or more types of services involving the expression of an opinion on financial statements, the attestation as an expert in accountancy to the reliability or fairness of presentation of financial information, the utilization of any form of opinion or financial statements that provide a level of assurance, the utilization of any form of disclaimer of opinion which conveys an assurance of reliability as to matters not specifically disclaimed, or the expression of an opinion on the reliability of an assertion by one party for the use by a third party;

[1] Florida Department of Business and Professional Regulation, Fiscal Year 2018-2019 Annual Report, page 12, available at http://www.myfloridalicense.com/DBPR/os/documents/DivisionAnnualReport_FY1819.pdf(last visited Jan. 14, 2020).
[2] Section 473.303, F.S.
[3] *See* s. 473.302(4), F.S. Section 473.3141, F.S., permits a person who does not have an office in Florida to practice public accountancy in this state without obtaining a license under ch. 473, F.S., notifying or registering with the board, or paying a fee if the person meets the required criteria.
[4] Section 473.302(8), F.S.

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> (b) Offering to perform or performing for the public one or more types of services involving the use of accounting skills, or one or more types of tax, management advisory, or consulting services, by any person who is a certified public accountant who holds an active license, issued pursuant to this chapter, or who is authorized to practice public accounting pursuant to the practice privileges granted in s. 473.3141, [F.S.,] including the performance of such services by a certified public accountant in the employ of a person or firm; or
> (c) Offering to perform or performing for the public one or more types of service involving the preparation of financial statements not included within paragraph (a), by a certified public accountant who holds an active license, issued pursuant to this chapter, or who is authorized to practice public accounting pursuant to the practice privileges granted in s. 473.3141[, F.S.]; by a firm of certified public accountants; or by a firm in which a certified public accountant has an ownership interest, including the performance of such services in the employ of another person. The board shall adopt rules establishing standards of practice for such reports and financial statements; provided, however, that nothing in this paragraph shall be construed to permit the board to adopt rules that have the result of prohibiting Florida certified public accountants employed by unlicensed firms from preparing financial statements as authorized by this paragraph.

Qualifications

To be licensed as a certified public accountant, a person must:[5]

- Be of good moral character;
- Pass the licensure exam; and
- Have at least 150 semester hours of education, with a focus on accounting and business.

License by Endorsement

Section 473.308, F.S., provides for the licensure of individuals desiring to be licensed as a certified public accountant. Section 473.308(7), F.S., provides for licensure of certified public accountants by endorsement. To qualify, an applicant for licensure by endorsement the applicant must satisfy education, work experience, good moral character requirements. Applicants for endorsement must also have completed education courses that are equivalent to the continuing education requirements in this state during the two years immediately preceding the application for licensure by endorsement.

If the applicant is <u>not licensed</u> in another state or territory, the applicant must:[6]

- Have passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306, F.S.; and
- Have completed continuing professional education courses that are at least equivalent to the continuing professional education requirements for a Florida certified public accountant.

[5] Sections 473.308(2)-(5), F.S.
[6] Section 473.308(7)(a), F.S.

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If the applicant is licensed in another state or territory, the applicant has:[7]

- Satisfied licensing criteria that were substantially equivalent to the licensure criteria in this state at the time the license was issued; or
- If the licensing criterial are not substantially equivalent to Florida, passed a national, regional, state of territorial licensing examination with examination criteria that were substantially equivalent to the examination criteria required in this state; or
- A valid license in another state or territory for at least 10 years before applying for a license in Florida, and has passed a national, regional, state of territorial licensing examination with examination criteria that were substantially equivalent to the examination criteria required in this state.

Continuing Education

Certified public accountants, as part of the license renewal procedure, are required to submit proof satisfactory to the board that, during the two years prior to their application for renewal, they have successfully completed not less than 48 or more than 80 hours of continuing professional education programs in public accounting subjects approved by the board.[8] The board has the authority to prescribe by rule additional continuing professional education hours, not to exceed 25 percent of the total hours required, for failure to complete the hours required for renewal by the end of the reestablishment period.[9]

At least 25 percent of the total hours required by the board must be in accounting-related and auditing-related subjects, as distinguished from federal and local taxation matters and management services.[10]

Not less than 10 percent of the total continuing education hours must be in accounting-related and auditing-related subjects, as distinguished from federal and local taxation matters and management services.[11]

Not less than five percent of the continuing education must be in ethics applicable to the practice of public accounting, including a review of the provisions of ch. 455, F.S.,[12] and ch. 473, F.S., and the related administrative rules. This requirement must be administered by providers approved by the board.

Inactive Licenses

Section 473.313(1), F.S., permits Florida-licensed CPAs to request that their license be placed on inactive status. Section 473.313(2), F.S., authorizes the board to adopt rules establishing the

[7] Section 473.308(7)(b), F.S.
[8] Section 473.312(1)(a), F.S.
[9] *Id.*
[10] *Id.*
[11] Section 473.312(1)(b), F.S.
[12] Chapter 455, relates to the regulation of professions by the department.

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minimum requirements for placing a license on inactive status, renewing an inactive license, and reactivating the inactive license.[13]

A person may reactivate a license by applying to the department and paying a $250 application fee.[14] If the license is delinquent on January 1 because of failure to report completed continuing education requirements, the applicant must submit a complete application to the board by March 15 immediately after the delinquent period.[15]

Current law does not provide CPAs the option of placing licenses into a retired status as an alternative to inactive status.

III. Effect of Proposed Changes:

Licensure by Endorsement

The bill amends s. 476.308(1)(a)1., F.S., to change the term "another state" to "any state". The bill does not make the same change throughout s. 476.308, F.S., where the term "another state" is used. Section 476.308(1)(a)1., F.S., as amended by the bill, appears to include persons who have not been licensed in Florida within the licensure by endorsement requirements in paragraph (a). The amendment to this section appears to not have a substantive effect because such a person, i.e., a person from Florida who has not been license in any state or territory, must satisfy the licensing requirements of this state whether they do so through the regular licensure qualification process or the licensure by endorsement process.

Continuing Education

The bill amends s. 473.311(1), F.S., to permit a nonresident licensee to renew his or her Florida license if the licensee has complied with the continuing education requirements in the state in which his or her office is located. However, under the bill, the nonresident licensee is required to complete not less than 5 percent of the continuing education in ethics applicable to the practice of public accounting, including a review of the provisions of ch. 455, F.S., and ch. 473, F.S., and the related administrative rules.

The nonresident licensee must comply with the continuing education requirements in Florida if the state in which the nonresident licensee's office is located does not have continuing education requirements as a condition for license renewal.

The bill amends s. 473.312(1)(c), F.S., require that the majority of the hours for the continuing education in ethics must be in a review of the provisions of ch. 455, F.S.,[16] and ch. 473, F.S., and the related administrative rules.

[13] *See* Fla. Admin R. 61H1-33.006 (2019).
[14] Fla Admin. R. 61H1-31.006 (2019).
[15] Section 473.313(3), F.S.
[16] Chapter 455, relates to the regulation of professions by the department.

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Retired Status

The bill amends s. 473.313, F.S., to permit a Florida CPA to place his or her license in a retired status if the person is:

- At least 55 years of age;
- Holds a current active or inactive license; and
- In good standing and not the subject of any sanction or disciplinary action.

If a licensee on retired status reenters the workforce in a position that has an association with accounting or any of the services, the licensee automatically loses her or his retired status. However, a CPA on retired status may continue to provide services utilizing accounting skills, and tax, management advisory, or consulting services, as defined in s. 473.302(8)(b), F.S., but may not provide certain accounting services defined ss. 473.302(8)(a), (c), and (d), F.S., such as services that involve an opinion on financial statements or the preparation of financial statements.

The bill authorizes a retired licensee to engage in specified activities, including serving without compensation on a board of directors or board of trustees, providing volunteer tax preparation services, and participating in an advisory role for a similar charitable, civic, or other nonprofit organizations.

A licensee on retired status must affirm in writing her or his understanding of the limited types of activities in which she or he may engage while in retired status and that she or he has a professional duty to ensure that she or he holds the professional competencies necessary to participate in such activities.

A retired licensee:

- May accept routine reimbursement for actual costs of travel and meals associated with volunteer services or de minimis per diem amounts paid to the licensee to cover such expenses as allowed by law.
- May use the title of "retired CPA," but may not offer or render professional services that require her or his signature and use of the CPA title, regardless of whether the word "retired" is attached to such title.
- Is not required to maintain the continuing education requirements.
- May reactivate her or his license in a conditional manner determined by the board, which must require the payment of fees and the completion of any required continuing education.

Effective Date

The effective date of the bill is July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

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B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 473.308, 473.311, 473.312, and 473.313.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

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B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL:	SB 514
INTRODUCER:	Senator Gruters
SUBJECT:	Homestead Exemptions
DATE:	January 14, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Toman	Ryon	CA	**Pre-meeting**
2.			FT	
3.			AP	

I. Summary:

SB 514 allows a person or family unit to retain a homestead exemption under certain circumstances.

Current law provides that a property owner who is receiving or claiming an ad valorem tax exemption in another state that is conditioned upon permanent residency in that state may not receive the ad valorem homestead exemption in Florida. This provision operates regardless of whether the property owner applied for the exemption in the other state or was granted the exemption without applying for it.

The bill allows a person or family unit that has a homestead exemption in Florida and an ad valorem, residency-based exemption or credit in another state to retain the Florida homestead exemption if: 1) the person or family unit demonstrates to the satisfaction of the property appraiser that the person or family unit did not apply for the exemption or credit in the other state and, 2) the person or family unit has relinquished the exemption or credit in the other state.

The bill authorizes the Department of Revenue to require its homestead exemption forms to contain information about an applicant's receipt of residency-based tax exemptions or credits in another state.

The changes made by the bill apply to tax years beginning on or after January 1, 2021.

II. Present Situation:

General Overview of Property Taxation

The ad valorem tax or "property tax" is an annual tax levied by counties, municipalities, school districts, and some special districts. The tax is based on the taxable value of property as of

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January 1 of each year.[1] The property appraiser annually determines the assessed or "just value"[2] of property within the taxing authority and then applies relevant exclusions, assessment limitations, and exemptions to determine the property's "taxable value."[3] Tax bills are mailed in November of each year based on the previous January 1 valuation and payment is due by March 31.

The Florida Constitution prohibits the state from levying ad valorem taxes[4] and limits the Legislature's authority to provide for property valuations at less than just value, unless expressly authorized.[5]

The just valuation standard generally requires the property appraiser to consider the highest and best use of property;[6] however, the Florida Constitution authorizes certain types of property to be valued based on their current use (classified use assessments), which often result in lower assessments. Properties that receive classified use treatment in Florida include: agricultural land, land producing high water recharge to Florida's aquifers, and land used exclusively for noncommercial recreational purposes;[7] land used for conservation purposes;[8] historic properties when authorized by the county or municipality;[9] and certain working waterfront property.[10]

Statewide Homestead Exemption

Every person having legal and equitable title to real estate and who maintains a permanent residence on the real estate (homestead property) is eligible for a $25,000 tax exemption applicable to all ad valorem tax levies, including levies by school districts.[11] An additional $25,000 exemption applies to homestead property value between $50,000 and $75,000.[12] This exemption does not apply to ad valorem taxes levied by school districts.

Section 196.031(5), F.S., provides that a person who is receiving or claiming an ad valorem tax exemption or a tax credit in another state where permanent residency is required as a basis for the granting of that exemption or tax credit is not entitled to a homestead exemption in Florida.

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[1] Both real property and tangible personal property are subject to tax. Section 192.001(12), F.S., defines "real property" as land, buildings, fixtures, and all other improvements to land. Section 192.001(11)(d), F.S., defines "tangible personal property" as all goods, chattels, and other articles of value capable of manual possession and whose chief value is intrinsic to the article itself.

[2] Property must be valued at "just value" for purposes of property taxation, unless the Florida Constitution provides otherwise. FLA. CONST. art VII, s. 4. Just value has been interpreted by the courts to mean the fair market value that a willing buyer would pay a willing seller for the property in an arm's-length transaction. *See Walter v. Shuler,* 176 So. 2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So. 2d 1163 (Fla. 1976); *Southern Bell Tel. & Tel. Co. v. Dade County,* 275 So. 2d 4 (Fla. 1973).

[3] *See* s. 192.001(2) and (16), F.S.

[4] FLA. CONST. art. VII, s. 1(a).

[5] *See* FLA. CONST. art. VII, s. 4.

[6] Section 193.011(2), F.S.

[7] FLA. CONST. art. VII, s. 4(a).

[8] FLA. CONST. art. VII, s. 4(b).

[9] FLA. CONST. art. VII, s. 4(e).

[10] FLA. CONST. art. VII, s. 4(j).

[11] FLA. CONST. art VII, s. 6(a).

[12] *Id.*

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Improperly Granted Homestead Exemptions

Florida provides several property tax exemptions for homestead property.[13] Since Florida's homestead exemption requires that the property owner use the homestead property as a permanent residence, a property owner can only have one homestead exemption.

If a property appraiser determines that for any year or years within the prior 10 years a property owner was granted a homestead exemption, but was not entitled to it, the property appraiser must send the owner a notice of intent to file a tax lien on any property owned by the owner in that county.[14] The property owner has 30 days to pay the taxes owed, plus a penalty of 50 percent of the unpaid taxes for each year and 15 percent interest per annum. If not paid within 30 days of notice, the property appraiser must file a tax lien.[15] The tax lien remains on the property until it is paid or until it expires after 20 years.[16] The lien process applies whether or not the taxpayer applied for the residency-based exemption in the other state.

If a homestead exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the person improperly receiving the exemption shall not be assessed penalty and interest.[17]

III. Effect of Proposed Changes:

Section 1 amends s. 196.031, F.S., to specify that a person or family unit that receives or claims an ad valorem tax exemption or tax credit in another state where permanent residency is required as a basis for granting that exemption or credit is disqualified from the homestead tax exemption in Florida, unless the person or family unit demonstrates to the satisfaction of the property appraiser that the person or family unit did not apply for the exemption or credit in the other state and that the person or family unit has relinquished such exemption or credit.

Section 2 amends s. 196.121, F.S., to authorize the Department of Revenue to include on its forms for homestead exemptions the requirement that the homestead exemption applicant provide information about tax exemptions or tax credits in another state where permanent residency is required as a basis for the tax exemption or tax credit.

Section 3 provides that the changes made by the bill apply beginning with the 2021 tax roll.

Section 4 provides an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

[13] *See, e.g.,* ss. 196.031, 196.071, 196.075, 196.081, and 196.091, F.S.
[14] *See* ss. 196.011(9)(a), 196.075, and 196.161(1)(b), F.S.
[15] *Id.*
[16] Section 95.091(1)(b), F.S.
[17] Section 196.161(1)(b), F.S.

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B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference has not yet determined the fiscal impact of the bill.

B. Private Sector Impact:

A property owner that has been found to have a Florida homestead exemption and a similar exemption or credit in another state may continue to qualify for the homestead exemption in Florida if she or he did not apply for the tax exemption or tax credit in another state and relinquishes the exemption or credit in the other state.

C. Government Sector Impact:

According to the Florida Department of Revenue (DOR), if the bill passes, DOR would need to amend Form DR-501 and Rule 12D-16.002, F.A.C.[18]

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 196.031 and 196.121.

[18] Florida Department of Revenue, *HB 223/SB 514 Agency Analysis* (November 5, 2019) (on file with the Senate Committee on Community Affairs).

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IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Commerce and Tourism

BILL:	SB 922
INTRODUCER:	Senator Gruters
SUBJECT:	Economic Development
DATE:	January 17, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Reeve	McKay	CM	**Pre-meeting**
2.			ATD	
3.			AP	

I. Summary:

SB 922 makes changes to the Qualified Target Industry Tax Refund Program. Specifically, the bill provides that certain businesses that relocate to, or expand into, a county affected by Hurricane Michael are eligible to receive an increased tax refund and authorizes certain businesses located in a county affected by Hurricane Michael to apply for an economic recovery extension. The bill also removes the scheduled repeal date for the tax refund program.

The bill takes effect July 1, 2020.

II. Present Situation:

Qualified Target Industry Tax Refund Program

The Qualified Target Industry (QTI) Tax Refund Program was created by the Legislature in 1994 to encourage the creation and retention of high-quality, high-wage jobs by providing state tax refunds to eligible businesses creating jobs in certain target industries. Tax refunds awarded through the program are determined by the number of jobs created, the average annual wages paid, and the location of the eligible business. Under current law, the tax refund program will expire on June 30, 2020.[1]

In order to be eligible to receive a tax refund, a business must apply to be certified as a qualified target industry business by the Department of Economic Opportunity (DEO). Businesses must be engaged in one of Florida's target industries as identified by DEO and Enterprise Florida, Inc. (EFI).[2] The current qualified targeted industries are aviation and aerospace; life sciences;

[1] Section 288.106(9), F.S.

[2] Section 288.106(2)(q), F.S. Every three years, beginning January 1, 2011, DEO must consult with EFI, economic development organizations, the State University System, local governments, employee and employer organizations, market

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manufacturing; defense and homeland security; information technology; financial and professional services; logistics and distribution; research and development; cleantech; and corporate headquarters.[3]

Additionally, a business applying for certification as a qualified target industry business must meet the following requirements:

- A business's project must create at least 10 new jobs, or create a net employment increase of at least 10 percent in the case of an expansion of an existing business. The DEO is authorized to waive this requirement for a business in a rural community or an enterprise zone;[4]
- New jobs must pay an annual average wage of at least 115 percent of the average private sector wage in a business's area or the statewide private sector average wage. The DEO is authorized to waive this requirement for a business in a brownfield area, a rural city, a rural community, or an enterprise zone.[5] Jobs created by a manufacturing project in any location within the state may pay an annual average wage of at least 100 percent of the average private sector wage in a business's area;[6] and
- A business must receive a local funding match, paid by public or private sources, equal to 20 percent of the annual tax refund. The existence of local financial support must be confirmed by a resolution adopted by the governing body of the county or municipality where the business is located.[7] A business located in a brownfield area, a rural city, or a rural community is authorized to exercise an exemption from the local financial support requirement, but the business would not be eligible for more than 80 percent of the total tax refunds originally allowed.[8]

Under s. 288.106(3)(d), tax refunds may be claimed for one or more of the following taxes paid:

- Sales and use tax;
- Corporate income taxes;
- Insurance premium taxes;
- Intangible personal property taxes;
- Ad valorem taxes;
- Certain state communication services taxes; and
- Excise taxes on documents.

Qualified target industry businesses are eligible to receive a tax refund equal to $3,000 per newly created job. If a business is located in a rural community or an enterprise zone, the refund amount is increased to $6,000 per created job.[9] Qualified target industry businesses may also be eligible for the following additional tax refund payments under s. 288.106(3)(b):

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analysts, and economists to review and revise the list of target industries. Target industries are determined according to criteria found in statute.

[3] Enterprise Florida, Inc., *Qualified Targeted Industries for Incentives, available at* https://www.enterpriseflorida.com/wp-content/uploads/SI_Targeted_Industries.pdf (last visited Jan. 17, 2020).

[4] Section 288.106(4)(b)2., F.S.

[5] Section 288.106(4)(b)1.a., F.S.

[6] Section 288.106(4)(b)1.b., F.S.

[7] Section 288.106(4)(a)10., F.S.

[8] Section 288.106(2)(k), F.S.

[9] Section 288.106(3)(b)1., F.S.

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- $1,000 per created job if such jobs pay an average annual wage of at least 150 percent of the average private sector wage in a business's area;
- $2,000 per created job if such jobs pay an average annual wage of at least 200 percent of the average private sector wage in a business's area;
- $1,000 per created job if a business's local financial support is equal to the state's incentive award; and
- $2,000 per created jobs if a business falls within one of the designated high-impact sectors[10] or increases exports of its goods through a seaport[11] or airport in the state by at least 10 percent by value or tonnage in each of the years the business receives a tax refund.

A qualified target industry business cannot receive more than $1.5 million in tax refunds in any fiscal year, or more than $2.5 million in any fiscal year if the business is located in an enterprise zone.[12] The total state share of tax refund payments may not exceed $35 million.[13]

In the event of negative economic conditions in a business's industry, a named hurricane or tropical storm, or specific acts of terrorism, a qualified target industry business may request an economic recovery extension. The request must provide evidence detailing how the aforementioned conditions have prevented a business from carrying out the terms of its tax refund agreement. Upon approval, the DEO will renegotiate a business's tax refund agreement. Agreements may not be extended for more than 2 years, and a business that receives an extension may not receive a tax refund for the period covered by the extension. Requests for an economic recovery extension were permitted in lieu of any tax refund claim scheduled between January 1, 2009, and July 1, 2012.[14]

In response to the Deepwater Horizon oil spill, the Legislature enacted a special incentive within the QTI program to encourage business investment in the counties disproportionally affected by the disaster.[15] DEO was authorized to waive any or all wage or local financial support requirements between July 1, 2011, and June 30, 2014, for a business located in Bay, Escambia, Franklin, Gulf, Okaloosa, Santa Rosa, Walton, or Wakulla County. During this period, a qualified target industry business that relocated all or part of its business to one of such counties from another state was also eligible for a tax refund of $6,000 per job created.[16]

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[10] Pursuant to s. 288.108(6), F.S., EFI must consult with the DEO, economic development organizations, the State University System, local governments, employee and employer organizations, market analysts, and economists every three years, beginning January 1, 2011, to review the designated high-impact sectors. The sectors currently designated as high impact are transportation equipment (including aviation and aerospace), information technology, life sciences, financial services, corporate headquarters, and clean energy. *See* Office of Program Policy Analysis and Government Accountability, *Florida Economic Development Program Evaluations – Year 7*, 17 (2019), *available at* http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1916rpt.pdf (last visited Jan. 17, 2020).

[11] Section 288.106(3)(b)4.b., F.S., limits seaports to the ports of Jacksonville, Tampa, Port Everglades, Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port St. Joe, Panama City, St. Petersburg, Pensacola, Fernandina, and Key West.

[12] Section 288.106(3)(c), F.S.

[13] Section 288.095(3)(a), F.S.

[14] Section 288.106(5)(b)1., F.S.

[15] Chapter 2011-142, s. 150, Laws of Fla.

[16] Section 288.106(8), F.S.

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To date, 1,360 businesses have been approved to participate in the QTI program and over $260 million has been awarded in tax refunds. According to the DEO, the 321 businesses actively participating in the program in the 2018-2019 fiscal year created 7,462 jobs in total and exceeded the number of total new jobs expected to be created by 3,184.[17]

After June 30, 2020, a business may not become certified as a qualified target industry business. Tax refund agreements already in existence before then will remain in effect.

Hurricane Michael

Hurricane Michael made landfall in the Florida Panhandle as a Category 5 Hurricane on October 10, 2018. The storm, the fourth most powerful hurricane to hit the country, remained at category 3 strength as it traveled into southwest Georgia. Storm surge and 160 mph winds caused destruction and losses of almost $7 billion along the hurricane's path.[18] In the year following the storm, FEMA has provided $1.9 billion in federal funds for housing assistance, disaster loans, public assistance grants, and hazard mitigation grants.[19] Businesses have been slow to reopen, largely due to a shortage of workers worsened by the lack of affordable housing in the area.

III. Effect of Proposed Changes:

SB 922 amends certain provisions in s. 288.106, F.S., regarding economic recovery extensions and additional tax refunds for qualified businesses in Disproportionally Affected Counties.

Under current law, a qualified target industry business was authorized to submit a request for an economic recovery extension in lieu of any tax refund claim scheduled to be submitted between January 1, 2009, and July 1, 2012. The bill amends s. 288.106(5)(b)4, F.S., which would allow a qualified target industry business located in a county affected by Hurricane Michael to apply for an economic recovery extension in lieu of any tax refund claim scheduled to be submitted after January 1, 2021, but before July 1, 2023. A business that receives an economic recovery extension may not receive a tax refund for the period covered by the extension, which is not to exceed 2 years.

Section 288.106(8), F.S., authorized the DEO to waive any or all wage or local financial support requirements between July 1, 2011, and June 30, 2014, for a business located in a "Disproportionally Affected County." During this period, a qualified target industry business relocating all or part of its business to a "Disproportionally Affected County" from another state was also eligible for a tax refund of $6,000 per job created. SB 922 would replace all references to a "Disproportionally Affected County" with a "county affected by Hurricane Michael" and update the period during which requirements can be waived and businesses can receive an additional tax refund to between July 1, 2020, and June 30, 2023. DEO's decision to waive wage

[17] Florida Department of Economic Opportunity, *2019 Incentives Report*, 7-8, *available at* http://www.floridajobs.org/docs/default-source/reports-and-legislation/2018-2019-annual-incentives-report---final.pdf?sfvrsn=c2a340b0_2 (last visited Jan. 17, 2020).
[18] "A year after Michael, Florida community still in crisis" *Associated Press,* October 9, 2019, *available at* https://apnews.com/0d260a9ec44545458ab1f25b6f969a5a (last visited Jan. 13, 2020).
[19] Federal Emergency Management Agency, *Florida Hurricane Michael, available at* https://www.fema.gov/disaster/4399 (last visited Jan. 17, 2020).

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or financial support eligibility requirements would also have to be stated in writing. The bill would increase the additional tax refund to $10,000 per created job and entitle a business that "relocates from another state to, or establishes its business or expands its existing business in, a county affected by Hurricane Michael" to such a refund. The bill defines a "county affected by Hurricane Michael" as Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Wakulla, Walton, or Washington County.

The bill removes the tax refund program's expiration date of June 30, 2020, and would permanently reauthorize the program.

The bill takes effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference has not yet met regarding the bill.

The bill increases the amount of tax refunds that certain qualified target industry businesses in specified counties are eligible to receive. However, the annual funding cap of $35 million, pursuant to s. 288.095(3)(a), F.S., would still apply. This could decrease the total number of tax refunds the DEO is able to award through the program.

B. Private Sector Impact:

The amount of tax refunds available to a qualified target industry business that relocates to or expands into to a county affected by Hurricane Michael is increased from $6,000 to

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$10,000 per created job, which could incentivize certain businesses to relocate to or expand into those areas.

C. Government Sector Impact:

The Department of Economic Opportunity has not yet analyzed the bill's potential impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 288.106 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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SB 1102

Questions & Answers

Q: Why is this bill needed?
A: There is a labor shortage in the swimming pool subcontractor market—there are not enough licensed swimming pool subcontractors to serve the active pool contractors (roughly 11:1 ratio of contractors to subcontractors—3893 active licensed swimming pool contractors and only 351 licensed swimming specialty subcontractors). Consequently, many pool contractors find themselves in a position where their only option to finish a job is use an unlicensed subcontractor. This bill will put more people to work legally in the swimming pool industry.

Q: Why can't subcontractors just get licensed?
A: The statutory requirements disincentivizes subcontractors from obtaining the subcontractor license. They have to demonstrate 4 years of specific experience in the license area, pass a credit check or post a bond, and pass an exam—nearly the same requirements as full-fledged swimming pool contractor. Consequently, many elect not to obtain the license. As a result, there have only been 75 new specialty swimming pool sub-contractors licensed since 2016.

Q:Wouldn't removing the licensing requirement lead to bad or dangerous work being done on swimming pools?
A: No. The prime swimming pool contractor is ultimately responsible for the construction of the swimming pool, whether it is an employee of the contractor or a subcontractor. The swimming pool contractor is supervising and checking the work and is responsible for the quality of the work.

Q: How would this bill effect the subcontractors' and contractors' workers comp insurance?
A: There should be no effect. A prime swimming pool contractor's workers comp policy should account for subcontractors on the job site and a subcontractor would still be able to carry a workers comp policy based on a local business license.

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SB 1102 – Specialty Contracting Services

- Any person who is not required to be registered or certified as a contractor for licensed trades may perform residential contracting services without a local license under the supervision of a general, building, or residential contractor. This law is known as the Jim Walters exemption.

- The Jim Walters exemption ensures Florida's construction industry is able to safely and economically complete projects without being stifled by unnecessary government regulations.

- Swimming pool contractors are similar to general, building, and residential contractors because they are largely responsible for the entire project, from the first turn of dirt to final completion of the project.

- Unlike general, building, and residential contractors, however, swimming pool contractors are not covered by the Jim Walters exemption. Instead, they are restricted in their use of subcontractors to specialty contractors. Licenses for these specialty contractors were created by agency rule and include areas such as decking, excavation, and trim.

- While specialty licenses were created to allow swimming pool contractors to subcontract their work, specialty licenses have become an unnecessary chokehold restricting job and wage growth because of significant shortage of specialty contractors statewide. There are only 351 specialty contractor licensees for nearly 4,000 swimming pool contractors, and growth has been anemic with just 75 new licensees in the last four years.

- The proposed bill will generate growth in jobs and wages by allowing swimming pool contractors to use individuals who will work under the supervision and scope of the contractor's license. Similar to the Jim Walters exemption, safety and quality will be ensured by requiring oversight of these individuals by a licensed swimming pool contractor.

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Swimming Pool Subcontractors: Fact Sheet

Swimming Pool Contractors (CPC licensees) rely heavily on subcontractors that specialize in a limited part of the swimming pool construction process to complete new builds and remodels efficiently while keeping high standards.

To allow CPC licensees to hire subcontractors, 7 categories of Swimming Pool Specialty Contractors were created by administrative rule under Rule 61G4-15.032:

1. Swimming Pool Layout Specialty Contractor
    a. Scope: layout, shaping, steel installation, and rough piping of pools, spas, and hot tub shells
2. Swimming Pool Structural Specialty Contractor
    a. Scope: shaping and shooting of gunite, shotcrete, concrete, or similar product mix used in the construction of swimming pools and spas. This scope of work includes the installation of fiberglass shells and vinyl liners
3. Swimming Pool Excavation Specialty Contractor
    a. Scope: the excavation and earthmoving required for the installation of pools, spas, and hot tub shells
4. Swimming Pool Trim Specialty Contractor
    a. Scope: installation of tile and coping for pools, spas, and hot tub shells. Decorative or interactive water displays or areas that use recirculated water, including waterfalls and spray nozzles, are also included
5. Swimming Pool Decking Specialty Contractor
    a. Scope: construction and installation of concrete flatwork, pavers and bricks, retaining walls, and footings associated with the construction of pools, spas, and hot tub shells
6. Swimming Pool Piping Specialty Contractor
    a. Scope: installation of piping or the installation of circulating, filtering, disinfecting, controlling, or monitoring equipment and devices used in the construction of pools, spas, hot tubs, and decorative or interactive water displays or areas
7. Swimming Pool Finishes Specialty Contractor
    a. Scope: coating or plastering of the interior surfaces of pools, spas, or hot tub shells

Swimming Pool Specialty Subcontractor licensure has similar requirements as a Swimming Pool Contractor, disincentivizing application for Specialty Subcontractor license:

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- 4 Years of Experience
- Credit Check or Bond
- Practical Exam

Swimming Pool Specialty Subcontractor Shortage

- 3893 Licensed Swimming Pool Contractors in the State of Florida
- 351 Licensed Swimming Pool Specialty Sub Contractors in the State of Florida
- Only 75 new Swimming Pool Specialty Contractors Since 2016
- Only 107 License Practical Exam Proctors throughout the state

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From: NCSL <dc-directors@ncsl.org>
Sent: Monday, October 21, 2019 3:51 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Capitol to Capitol | Monday, Oct. 21, 2019: NCSL in D.C.

NCSL Banner

building-1758584_640(4).jpg

Capitol to Capitol | Monday, Oct. 21, 2019

NCSL in D.C.

NCSL will host a briefing on Capitol Hill this week to educate congressional staff on the importance of state cyber proficiency and funding. In addition to South Carolina Senator Tom Alexander (R), co-chair of NCSL's Executive Committee Task Force on Cybersecurity, other participants include New Jersey Office of Homeland Security Director and Preparedness Jared Maples; Maj. Gen. Timothy Williams, adjutant general, Virginia; and Delaware Chief Information Officer James Collins, the National Association of State Chief Information Officers' past-president. Senator Gary Peters, a chief co-sponsor of the NCSL supported S. 1846, the "State and Local Government Cybersecurity Act of 2019" is also expected to speak on the importance of federal-state-local collaboration on cybersecurity issues.

Last week, NCSL participated in an event with U.S. Senator Mike Lee (R-Utah) where he unveiled legislation to provide significant new authority to state and local governments to regulate drone operations. The bill, which NCSL supports, would allow state and local governments (when not preempted by states) to set reasonable restrictions on drone operations—something states are generally preempted from doing now.

NCSL's recent correspondence with the Hill and the administration:

- NCSL letter to Senator Gary Peters (D-Mich.) and Senator Rob Portman (R-Ohio) thanking them for their leadership in introducing S 1846, the "State and Local Government Cybersecurity Act of 2019." (Oct. 21, 2019)
- NCSL comments in response to the U.S. Environmental Protection Agency's (EPA) proposed rule, Updating Regulations on Water Quality Certification (Oct. 16, 2019)

State-Federal Blogs:

- Long-Awaited Updates to Lead and Copper Rule Released—What's Proposed? (NCSL, Oct. 16, 2019
- States, Not Feds, Should Oversee Sports Betting (NCSL, Oct. 16, 2019)

After Recess, Senate Appropriators May Drive "Mini-Bus"

Upon returning last week from October recess, lawmakers made little progress in advancing fiscal year (FY) 2020 spending bills, but Senate leadership expressed it may attempt to move a cluster of less controversial bills this week. Senate Appropriations Chairman Richard Shelby (R-Ala.) hopes to pass a "mini-bus" of bills first procedurally, then to the actual Senate floor.

The package is expected to include funding for Commerce-Justice-Science, Agriculture-FDA, Interior-Environment, Transportation-HUD and MILCON-VA. House and Senate staffers attempted to craft allocations over the October recess that would be amenable to both chambers but funding over the president's border wall continued to be an obstacle for any substantive reconciliation. While the House passed 10 of its 12 annual spending bills before the August recess, the Senate has yet to pass any of the bills required to fund the FY that began Oct. 1. The continuing resolution (PL 116-59), which has kept the federal government operating into this new FY based on FY 2019 levels, is set to expire Nov. 21.

NCSL Contact: Erlinda Doherty

AMERICAN OVERSIGHT

Senate Considers Pension Plan Relief

Senate activity to help failing pension plans for coal miners and other union workers is gaining bipartisan momentum as more than 1 million retirees would be affected by a $66 billion looming shortfall, according to reports. While the strategy for advancing measures is still unclear, Senate Finance Chairman Chuck Grassley (R-Iowa) said his committee is working on a plan he hopes can be used to engage in substantive discussions with the House, which proposed its own version of legislation that would extend loans to struggling plans. The Congressional Budget Office ultimately found the House bill would have had very little impact on addressing the crisis, but the Senate has expressed interest in proposing a comprehensive plan that would include low-interest loans and grants.

NCSL Contact: Erlinda Doherty

Vaping Tax, Extenders Legislation Gain Momentum

The House Ways and Means Committee plans to consider legislation this week that would place a federal tax on electronic cigarettes. While the actual vehicle for moving this measure forward is still unclear, a bipartisan measure from Representative Tom Suozzi (D-N.Y.) and Representative Pete King (R-N.Y.) that would tax e-cigarettes at $3 a pack, is being considered. Bipartisan momentum on tax extender legislation is also forming as Grassley has expressed support in working with Minority Chairman Ron Wyden (D-Ore.) to potentially adopt the House Ways and Means version of an extenders package that has already gained ground in that chamber.

NCSL Contact: Erlinda Doherty

DYK? Considered baseball's national anthem, "Take Me Out to the Ball Game" was written by composer Albert von Tilzer and lyricist Jack Norworth, both of whom had never attended a professional baseball game prior to writing the song.

EPA Proposes Major Changes to Renewable Fuel Standard

The Environmental Protection Agency (EPA) proposed a major update to the Renewable Fuel standard for FY 2020 and FY 2021. The proposed rule is centered around ensuring a set amount of biofuels is blended into the nation's fuel supply, based upon the amount determined by the EPA regardless of the hardship waivers it issues.

Specifically, the EPA will continue to grant economic hardship waivers to small refiners when warranted, but will require large refineries to blend extra gallons equal to a three-year rolling average of the number of exempted gallons, which for the upcoming 2020 compliance year is expected to be about a billion gallons. The intent is to ensure that refiners must blend close to the 15 billion gallons of conventional ethanol required by the EPA's annual rule. The administration also announced it will begin a process to make it easier for gas stations to sell gasoline with 15% ethanol (E15), as it will permit gas stations to use the same tanks they use for 10% ethanol fuel—the standard gasoline used in most cars—for 15% ethanol (E15). Previously, the administration acted to legalize the year-round sales of E15.

NCSL Contacts: Ben Husch and Kristen Hildreth

AMERICAN OVERSIGHT

Trump Administration Announces Future Changes to Medicare Reform

Earlier this month, the administration announced an executive order (EO) regarding future changes to the Medicare program with a focus on Medicare Advantage (MA) plans. Several of the EO's recommendations include: reducing barriers for enrollees to get Medicare Medical Savings Accounts, ensuring fee-for-service (FFS) Medicare is not promoted over MA; a report submitted by the secretary of Health and Human Services and other White House officials identifying approaches that would modify Medicare FFS payments to more closely reflect prices paid for MA and commercial health insurance plans services; providing beneficiaries with improved access to providers; emphasizing time spent with patients over Medicare payments received; and the elimination of unnecessary regulatory billing requirements and benefit definitions among others. The announcement included a response regarding Democratic presidential candidates' proposals to reform America's health care system into a universal health care model, with some including Medicare for All.

NCSL Contacts: Haley Nicholson and Margaret Wile

POTUS Issues New EO on Federal Guidance

The president issued two EOs. One EO requires agencies to post all guidance documents on a searchable website, and anything not posted is considered rescinded. The other EO is aimed at preventing opaque or unlawful interpretations of regulations. Requiring federal agencies to make all agency guidance publicly available, as well as conducting educational outreach to industries when policy changes are made, is intended to reduce the legal weight of federal agency guidance. In addition, "significant" guidance documents will go through a public comment process, although this process is already standard practice at certain agencies.

NCSL Contacts: Ben Husch, Kristen Hildreth (natural resources and infrastructure) and Lucia Bragg (law, criminal justice and public safety)

DYK? The Washington Nationals, recently clinching the National League pennant, will advance to their first World Series, facing the Houston Astros this week. They will be the 29th of 30 baseball franchises to play in at least one World Series (the Seattle Mariners are the now only team to never have made a World Series appearance). The Washington Senators—named in tribute to Senator Arthur Gorman, who represented Maryland from 1881 to 1899 and from 1903 to his death in 1906, and was an avid baseball player—were the last Washington, D.C., baseball team to play in a World Series game.

AMERICAN OVERSIGHT

State and Local Legal Center **Upcoming Webinars**

May Statutory Annotations by Copyrighted?

In *Georgia v. Public.Resource.Org, Inc.*, the U.S. Supreme Court will decide the deceptively simple question of whether statutory annotations may be copyrighted. Numerous state legislatures, including Georgia, work with an outside publisher that updates statutory annotations each year. Webinar speakers will cover the implications of this case for state and local governments more generally, the policy and legal arguments each side is making before the Supreme Court, and how this case may impact the legal publishing industry.

Date: Nov. 13
Time: 1 p.m. ET/ Noon CT/ 11 a.m. MT/ 10 a.m. PT
Register here.

ADA Compliant Websites

Local governments and many other entities across the country have been sued for violating the Americans with Disabilities Act (ADA) because their websites are not accessible to persons with disabilities. Minh Vu and Seyfarth Shaw will discuss the laws that require accessible websites, why government entities have been targeted for lawsuits, and what state and local government officials can do to avoid being sued.

Date: Dec. 9
Time: 1 p.m. ET
Register here.

AMERICAN OVERSIGHT

The Reading Room

- Unmanned Aircraft Systems: FAA's Compliance and Enforcement Approach for Drones Could Benefit from Improved Communication and Data (GAO, Oct. 17, 2019)
- Gun Control: National Instant Criminal Background Check System (NICS) Operations and Related Legislation (CRS, Oct. 17, 2019)
- H.R. 2514, COUNTER Act of 2019 (CBO, Oct. 16, 2019)
- H.R. 1230, Protecting Older Workers Against Discrimination Act (CBO, Oct. 16, 2019)
- H.R. 4334, Dignity in Aging Act of 2019 (CBO, Oct. 16, 2019)
- Public Transit Ridership Continues to Decline (CRS, Oct. 16, 2019)
- Reissued Labor Department Rule Tests Congressional Review Act Ban on Promulgating "Substantially the Same" Rules (CRS, Oct. 15, 2019)
- H.R. 2507, Newborn Screening Saves Lives Reauthorization Act of 2019 (CBO, Oct. 15, 2019)
- Two Decades of Change in Federal and State Higher Education Funding (Pew, Oct. 15, 2019)
- The Diesel Emissions Reduction Act (DERA) Program (CRS, Oct. 11, 2019)
- H.R. 4432, Protecting Critical Infrastructure Against Drones and Emerging Threats Act (CBO, Oct. 10, 2019)
- Court Upholds Net Neutrality But Says States Can Write Their Own Rules (NCSL, Oct. 9, 2019)
- Health Care for Veterans: Answers to Frequently Asked Questions (CRS, Oct. 10, 2019)
- The Controlled Substances Act (CSA): A Legal Overview for the 116th Congress (CRS, Oct. 9, 2019)
- H.R. 1309, Workplace Violence Prevention for Health Care and Social Service Workers Act (CBO, Oct. 9, 2019)
- Maternal and Child Home Visiting Program: HHS Determined That States Generally Met the Maintenance of Effort Requirement (GAO, Oct. 9, 2019)
- Unaccompanied Alien Children: An Overview (CRS, Oct. 9, 2019)
- "Technical Corrections" to Tax Reform (CRS, Oct. 9, 2019)
- A Brief Introduction to the National Flood Insurance Program (CRS, Oct. 8, 2019)
- Closing the Flood Insurance Gap (CRS, Oct. 8, 2019)
- Private Flood Insurance and the National Flood Insurance Program (NFIP) (CRS, Oct. 8, 2019)
- H.R. 3167, National Flood Insurance Program Reauthorization Act of 2019 (CBO, Oct. 4, 2019)

Correction, Capitol to Capitol Oct. 7: House Ways and Means Chairman Richard Neal (D-Mass.).

Read the Oct. 7 Capitol to Capitol.

Like Capitol to Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this very short survey.

If you have comments or suggestions regarding Capitol to Capitol, please contact: Molly Ramsdell.

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AMERICAN OVERSIGHT

From: NCSL <dc-directors@ncsl.org>
Sent: Monday, October 28, 2019 4:23 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Capitol to Capitol | Monday, Oct. 28, 2019: NCSL State and Local Cybersecurity Day on the Hill

NCSL Banner

building-1758584_640(4).jpg

Capitol to Capitol | Monday, Oct. 28, 2019

This week the Senate will continue to try and move fiscal year 2020 appropriations. The House, in addition to hearing more impeachment testimony, is scheduled to hold votes on several bills including reauthorizing funding and programs under the Older Americans Act, regulating the sale of online e-cigarettes and making full use of the Harbor Maintenance Trust Fund (read NCSL's letter of support).

NCSL State and Local Cybersecurity Day on the Hill

Last week NCSL organized and participated in a congressional briefing titled "State and Local Cybersecurity Day on the Hill." Senator Thomas Alexander (R-S.C.) represented NCSL, and was joined by officials from the National Governors Association and the National Association of Chief Information Officers. Alexander's remarks addressed cybersecurity as a nonpartisan issue, the need for increased coordination between federal, state and local governments, and reiterated NCSL's support for federal legislation, S.1846, that supports the goal of federal, state, and local collaboration on cybersecurity issues.

SenatorAlexander.png?r=1572287959882

NCSL Contacts: Susan Frederick (law, criminal justice and public safety) and Abbie Gruwell (commerce and finance)

Longer-Term Continuing Resolution Becoming More Likely

The Senate was expected to pass a "minibus" last week—a package of noncontroversial bills funding the departments of Agriculture, Transportation-HUD, Interior-Environment and Commerce-Justice-State—but debate regarding amendments halted that progress. While Senate leadership maintains that passage is still possible this week, both chambers remain nearly at an impasse on funding for the border wall, making a longer-term continuing resolution seem more likely.

NCSL Contact: Erlinda Doherty

AMERICAN OVERSIGHT

Ways and Means Approves First Federal E-Cigarette Tax

The House Ways and Means Committee approved legislation last week creating a tax on e-cigarettes with the expectation that the measure would lower usage rates in minors and young adults, while generating an estimated $10 billion in revenue. HR 4742 would apply a $1-per-pack federal tax rate on nicotine-based vapes, which is about the same rate currently enforced on traditional cigarettes. While the bill was approved along mostly partisan lines, there has been discussion that a bill taxing a wider array of vaporized products could get more widespread support. The House has already drafted a bipartisan version of this broader bill and the Senate Finance Committee has two versions of its own. There has been momentum in recent weeks to pass legislation aimed at banning flavored vaping products due to reported harmful effects, but the already large list of tax measures lingering in both chambers presents a challenge for this issue to take priority. Meanwhile, the president, who originally supported an across-the-board ban of flavored vaping products, has recently backpedaled on that pledge.

NCSL Contact: Erlinda Doherty

DYK? Candy corn—the tri-colored confection, which has maintained the same recipe since its invention in the 1880s—was designed to resemble chicken feed. At the time of its invention, farmers made up half of America's labor force, and candy corn was packed in boxes with a rooster on the front to appeal to America's agricultural roots. Oct. 30 is National Candy Corn Day.

EPA Sues California for Cap and Trade Program

The Department of Justice sued the state of California for participating in a cap-and-trade greenhouse emissions reduction program with Quebec. The lawsuit alleges that the program, which California and Quebec first agreed to in 2014, is illegal because it puts the state in the position of conducting foreign policy, a power reserved for the federal government. Another joint auction is scheduled for Nov. 19.

NCSL Contacts: Ben Husch and Kristen Hildreth

Supreme Court Declines to Halt State Court Climate Cases

The U.S. Supreme Court denied, without explanation, a request from several oil companies to move a court case brought by the city of Baltimore regarding the impacts of climate change from Maryland State Court into the federal court system. The court has already ruled that "common law" lawsuits over greenhouse gas pollution are preempted by the EPA's authority under the Clean Air Act. However, claims under public nuisance or product liability laws might be successful at the state level.

NCSL Contacts: Ben Husch and Kristen Hildreth

Treasury Reports FY 2019 Deficit

The Treasury Department reported that the federal deficit totaled $984 billion for fiscal year 2019, or 4.7% of the GDP. The level is the highest recorded deficit since 2012, marking an increase of $205 billion—or 26%—over the previous fiscal year.

NCSL Contact: Erlinda Doherty

AMERICAN OVERSIGHT

Roadway Fatalities Continue Decline, but Pedestrian and Bicycle Deaths Increase

New data released by the National Highway and Traffic Safety Administration (NHTSA) show there was a decrease in overall highway traffic fatalities in 2018, but deaths of pedestrians and bicyclists increased. Overall, 36,560 people died on the roads in 2018, down 2.4% from the year before. However, despite the decrease in overall deaths, pedestrian and bicyclist fatalities continued to rise, with deaths of those on foot climbing 3.4% to 6,283 last year, more than in any year since 1990. Deaths of pedestrians have jumped by 42% in the last decade, even as the combined number of all other traffic deaths has fallen by 8%. NHTSA's initial estimates for the first half of 2019 also show the positive trends may continue, with a 3.4% decrease in total fatalities compared to the same period in 2018.

NCSL Contacts: Ben Husch and Kristen Hildreth

DYK? New Hampshire's Keene Pumpkin Festival holds the annual record for most lit jack-o'-lanterns on display (30,581) at one event, a tradition that broke the Guinness World Record in 2013.

NCSL's 2019 Capitol Forum

Prepare for 2020: From disaster spending to the Electoral College and everything in between, we've got you covered. Join colleagues and experts from across the country in sunny Phoenix to roll up your sleeves and dig into the issues states will be discussing next year.

NCSL's 2019 Capitol Forum will take place **Dec. 10- 12** in Phoenix, at the JW Marriott Phoenix Desert Ridge Resort and Spa.

Upcoming Capitol Forum Dates:

- **Nov. 19:** Hotel reservations must be completed to take advantage of NCSL's discount room rates ($199/night plus tax and discounted Resort Fee of $20/night).
- **Nov. 19:** Final day to access the advanced registration rate of $400 for legislators and legislative staff.

The Reading Room

- Private School Choice: Accountability in State Tax Credit Scholarship Programs (GAO, Oct. 24, 2019)
- Substance Use Disorder: Prevalence of Recovery Homes, and Selected States' Investigations and Oversight (GAO, Oct. 24, 2019)
- Medicaid: Opioid Use Disorder Services for Pregnant and Postpartum Women, and Children (GAO, Oct. 24, 2019)
- Introduction to Veterans Health Care (CRS, Oct. 24, 2019)
- PHMSA's Pipeline Safety Reauthorization: Funding Issues (CRS, Oct. 24, 2019)
- S.1881, VETS Safe Travel Act (CBO, Oct. 23, 2019)
- Market-Based Greenhouse Gas Emission Reduction Legislation: 108th through 116th Congresses (CRS, Oct. 23, 2019)
- Unemployment Insurance: Consequences of Changes in State Unemployment Compensation Laws (CRS, Oct. 23, 2019)
- Disaster Recovery: Recent Disasters Highlight Progress and Challenges (GAO, Oct. 22, 2019)
- Traffic Safety: Improved Reporting Could Clarify States' Achievement of Fatality and Injury Targets (GAO, Oct. 22, 2019)
- Assistance to States for the Education of Children With Disabilities (Federal Register, Oct. 21, 2019)
- H.R. 4617, SHIELD Act (CBO, Oct. 21, 2019)
- S. 1822, Broadband Deployment Accuracy and Technological Availability Act (CBO, Oct. 18, 2019)
- S. 2094, Enhancing State Energy Security Planning and Emergency Preparedness Act of 2019 (CBO, Oct. 18, 2019)

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Read the Oct. 21 Capitol to Capitol.

Like Capitol to Capitol? Have ideas or suggestions for how it can be improved? Please take two minutes to let us know in this very short survey.

If you have comments or suggestions regarding Capitol to Capitol, please contact: Molly Ramsdell.

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From: NCSL <dc-directors@ncsl.org>
Sent: Monday, October 07, 2019 4:27 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Capitol to Capitol | Monday, Oct. 7, 2019: Surprise Billing, REAL ID...

NCSL Banner

building-1758584_640(4).jpg

Capitol to Capitol | Monday, Oct. 7, 2019

Congress is in recess until Oct. 15; the current continuing resolution (CR) expires Nov. 21. More on the CR can be found in last week's Capitol to Capitol.

Surprise Billing and Prescription Drugs, Congress Marches On

Members and staff are still meeting to work on proposals to address surprise medical bills and prescription drug prices. House Ways and Means Chairman Richard Neal (D-Maine) proposed a solution to Democratic lawmakers that would bring together stakeholder groups and relevant federal agencies, such as Health and Human Services and the departments of Labor and Treasury, to develop recommendations that could then be issued as a regulation by the administration. Neal's proposal is one of several among lawmakers to address these policies before the end the of the year.

NCSL Contacts: Haley Nicholson and Margaret Wile

TSA: Only 27% of Americans have REAL ID as One Year Deadline Passes

TSA reported that only 27% of Americans have been issued a Real ID-compliant identification card. Acting TSA Deputy Administrator Patricia Cogswell noted that the low enrollment numbers may in part be explained by the fact that some states have only recently begun to issue the licenses, but acknowledged that the low enrollment is concerning. All travelers age 18 or older have until Oct. 1, 2020, to obtain a Real ID-compliant identification card. After that date, those without a Real ID will have to present another form of acceptable identification to fly domestically. That includes U.S. passports, Department of Homeland Security trusted traveler cards, transportation worker identification credentials and permanent resident cards. Currently, 47 states issue compliant ID cards. More on the REAL ID can be found here.

NCSL Contacts: Ben Husch and Kristen Hildreth

Court Rules EPA Failed to Achieve Appropriate Reductions in Interstate Air Pollution

The D.C. Circuit Court of Appeals unanimously ordered the Environmental Protection Agency (EPA) to devise a new plan on how to address pollution that travels across state lines. Specifically, EPA is ordered to revise its 2018 "closeout" rule, which would have ended the requirements of certain states in the eastern half of the U.S. to reduce smog under the Cross State Air Pollution Rule (CSAPR).

CSAPR was initially promulgated to require upwind states to reduce power plant emissions that travel with wind patterns and contribute to ozone and fine particle pollution on downwind states. This ruling builds off a related case from Sept. 2019 where the court ruled largely in favor of CSAPR, but that EPA needed impose a deadline for upwind states to eliminate their "significant contributions" to downwind ozone pollution. Further legal challenges surrounding the CSAPR are anticipated.

NCSL Contacts: Ben Husch and Kristen Hildreth

AMERICAN OVERSIGHT

NTSB Formally Recommends Seat Belt Requirement for Limos

The National Transportation Safety Board (NTSB) issued a recommendation, which is not legally binding, for new federal seat belt requirements for limousines. The recommendation comes as NTSB investigates an October 2018 limousine crash that killed 20 people. Specifically, the board wants the National Highway Traffic Safety Administration to require lap/shoulder belts for each passenger seat on all new vehicles used as limousines, and to require that limousine seating systems "meet minimum performance standards to ensure their integrity during a crash."

NCSL Contacts: Ben Husch and Kristen Hildreth

CMS Appeals 340B Ruling Date

A federal D.C. district court judge ruled last year that the Centers for Medicare and Medicaid Services (CMS) lacked authority to reduce reimbursements for Medicare Part B drugs, which are purchased through the 340B program by certain hospitals. Despite the court's decision, the CMS has defended the reductions during the appeals process, with oral arguments scheduled before the D.C. Circuit Court of Appeals on Nov. 8. The agency's proposed cuts are almost 30% to hospitals participating in the 340B program.

NCSL Contacts: Haley Nicholson and Margaret Wile

DYK? Last week, Jimmy Carter, the 39th commander in chief, became the oldest living former U.S. president.

FDA Releases New Food Safety Dashboard

The Food and Drug Administration (FDA) announced a "Food Safety Dashboard" (FSMA) tool used to track implementation of new rules under the Food Safety Modernization Act and new metrics for inspections and recalls. The FDA noted that "comparing the FSMA data with our recall data shows the bigger picture, demonstrating the effectiveness of preventive measures as food recalls once again have reached a five-year low."

NCSL Contacts: Ben Husch and Kristen Hildreth

Explore Critical Issues Facing States at NCSL Capitol Forum
Registration is now open for NCSL's Capitol Forum, **Dec. 10-12 in sunny Phoenix.**

This year's NCSL Capitol Forum is an excellent opportunity to connect with your colleagues from across the country to explore the most critical issues facing the states. From redistricting to our ever-popular Supreme Court roundup and preview, there will be something for everyone.

Early bird registration for the 2019 NCSL Capitol Forum ends Tuesday, Nov. 19. Take advantage of this discounted rate and register today!

DYK? The Pony Express mail service ran nonstop and was faster than its competitors. During a route, a rider typically traveled 75 to 100 miles, and changed horses every 10 to 15 miles at one of the nearly 200 relief stations along the way. Changes between horses and riders were synchronized so no time was wasted. For the more dangerous work, riders were paid between $100 and $125 per month; for treacherous routes, a few riders were paid $150.

AMERICAN OVERSIGHT

The Reading Room

- EPA Repeals the Clean Power Plan and Finalizes Affordable Clean Energy Rule (CRS, Oct. 4, 2019)
- H.R. 3167, National Flood Insurance Program Reauthorization Act of 2019 (CBO, Oct. 4, 2019)
- Foster Care: Education Could Help States Improve Educational Stability for Youth in Foster Care (GAO, Oct. 2, 2019)
- Indian Health Service: Facilities Reported Expanding Services Following Increases in Health Insurance Coverage and Collections (GAO, Oct. 1, 2019)
- H.R. 2486, the Fostering Undergraduate Talent by Unlocking Resources for Education Act (the "FUTURE Act") (CRS, Oct. 2, 2019)
- Nonimmigrant and Immigrant Visa Categories: Data Brief (CRS, Oct. 1, 2019)
- Water Resources Development Act: Primer (CRS, Sept. 30, 2019)
- Military Funding for Southwest Border Barriers (CRS, Sept. 27, 2019)
- Social Security: Raising or Eliminating the Taxable Earnings Base (CRS, Sept. 27, 2019)

Read the Sept. 30 Capitol to Capitol.

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From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Wednesday, October 23, 2019 8:36 AM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Chief Economist Says “Consumer Sentiment is Up”

BY THE NUMBERS

Florida Chamber Foundation Chief Economist: "Consumer Sentiment is Up" Small Businesses Still Concerned About a Quality Workforce

Consumer sentiment is up, the probability of a recession is down and the 900 net new people coming to Florida every day bring $989,000 in annual income with them - every hour, 24 hours a day.

These are a few of the highlights Dr. Jerry Parrish, Chief Economist for the Florida Chamber Foundation, discusses in the recent ***By the Numbers***. Click here for details as well the Florida Chamber of Commerce Quarterly Business Index Survey results and an update on the impact the trade wars are having on the manufacturing industry.

Dr. Parrish and Florida's Future

Are happy days here again, or are recent improvements in Consumer Sentiment and the Probability of a Florida Recession a temporary reprieve? Join the Florida Chamber Foundation and business leaders around Florida at the 2019 Future of Florida Forum to hear Dr. Parrish share insights on economic trends and Florida's future.

Florida Chamber Foundation | **www.FLFoundation.org**
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Wednesday, October 23, 2019 8:33 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Chief Economist Says “Consumer Sentiment is Up”

BY THE NUMBERS

Florida Chamber Foundation Chief Economist: "Consumer Sentiment is Up"

Small Businesses Still Concerned About a Quality Workforce

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Florida Chamber Foundation | **www.FLFoundation.org**
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

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From: Candace Bunker <candace.bunker@citizensfla.com>
Sent: Tuesday, December 17, 2019 6:36 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Citizens Advisor: December 17, 2019

AMERICAN OVERSIGHT

Citizens again to evaluate reduction options

Print

MAITLAND, FL - Citizens Property Insurance Corporation will again seek input from independent evaluators to determine if it is doing all it can to serve its policyholders and Floridians as the state's insurer of last resort.

Citizens Board of Governors last week agreed that Citizens should again seek an outside review to see if additional options are available for Citizens to continue protecting Florida property owners while further reducing its footprint since the last outside study was published five years ago.

In August 2019, Senator Jeff Brandes, R-St. Petersburg, challenged Citizens to look at ways to further reduce its policy count, which at the time was 420,000. The board first discussed the issue at its September meeting. Last Wednesday, board members agreed with Citizens staff to move forward.

"Senator Brandes is right. We should continue to look at ways to improve for our policyholders and stakeholders," said Citizens Chairman Bo Rivard. "We agree the timing is right and look forward to seeing where it leads us."

At its peak in 2011, Citizens covered 1.5 million policies - 23 percent of the Florida market - with exposure that topped $512 billion. In the event of a 1-in-100-year storm, Floridians were on the hook for $11.6 billion in assessments.

Since then, Citizens has eliminated the risk of assessment in a 1-in-100-year storm and reduced its policy count through depopulation efforts, an invigorated private market and legislative reforms to reduce unnecessary litigation and assignment of benefits abuse.

From 2011 to 2015, Citizens was the subject of studies by outside groups including Florida State University, the James Madison Institute, the Insurance Information Institute and the National Association of Insurance Commissioners. The studies focused on ways to reduce Citizens exposure from its peak.

Citizens policy count has since leveled off and remained relatively stable in 2019, hovering above 420,000 until November, when Citizens added roughly 23,000 policyholders from Florida Specialty Insurance Company, which was placed in receivership by state regulators in October. As of December 6, 2019, Citizens policy count stood at 444,000.

"We still believe it is appropriate to examine what might be necessary to get Citizens exposure to an even lower level," said Barry Gilway, Citizens President/CEO and Executive Director.

"We got lucky:" 2019 CAT season brings minimal losses

JACKSONVILLE, FL - After dodging a few meteorological bullets, Floridians emerged from the 2019 hurricane season with hardly a scratch as potentially disastrous storms spared the state despite a couple very close calls.

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December 17, 2019

Events

March 25 @ 9 a.m.
Citizens Board of Governors
Tampa

Spotlight

Image

Christine Ashburn
Chief - Communications, Legislative & External Affairs

Image

Candace Bunker
Director - Legislative & External Affairs

Policies in Force

444,272
as of December 6, 2019

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Citizens and other insurers also continued to deal with effects from Hurricane Michael. As of December 13, Citizens had closed 94 percent of claims.

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Citizens Property Insurance Corporation
www.citizensfla.com

From: Candace Bunker <candace.bunker@citizensfla.com>
Sent: Tuesday, December 17, 2019 6:36 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Citizens Advisor: December 17, 2019

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Citizens again to evaluate reduction options

Print

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Citizens Board of Governors last week agreed that Citizens should again seek an outside review to see if additional options are available for Citizens to continue protecting Florida property owners while further reducing its footprint since the last outside study was published five years ago.

In August 2019, Senator Jeff Brandes, R-St. Petersburg, challenged Citizens to look at ways to further reduce its policy count, which at the time was 420,000. The board first discussed the issue at its September meeting. Last Wednesday, board members agreed with Citizens staff to move forward.

"Senator Brandes is right. We should continue to look at ways to improve for our policyholders and stakeholders," said Citizens Chairman Bo Rivard. "We agree the timing is right and look forward to seeing where it leads us."

At its peak in 2011, Citizens covered 1.5 million policies - 23 percent of the Florida market - with exposure that topped $512 billion. In the event of a 1-in-100-year storm, Floridians were on the hook for $11.6 billion in assessments.

Since then, Citizens has eliminated the risk of assessment in a 1-in-100-year storm and reduced its policy count through depopulation efforts, an invigorated private market and legislative reforms to reduce unnecessary litigation and assignment of benefits abuse.

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Citizens policy count has since leveled off and remained relatively stable in 2019, hovering above 420,000 until November, when Citizens added roughly 23,000 policyholders from Florida Specialty Insurance Company, which was placed in receivership by state regulators in October. As of December 6, 2019, Citizens policy count stood at 444,000.

"We still believe it is appropriate to examine what might be necessary to get Citizens exposure to an even lower level," said Barry Gilway, Citizens President/CEO and Executive Director.

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From: Jim Watson, President and CEO <comm@cmtc.com>
Sent: Monday, November 25, 2019 6:52 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: CMTC's eNewsletter for November 2019

NOVEMBER 2019

Welcome to CMTC's *News for Manufacturers* eNewsletter!

In this Issue

- Technology is Key to Survival
- Black Friday and Cyber Monday Top 10 Fraud Alert Tips
- Why Veterans Make Great Hires and How to Recruit Them
- December Events
- Show Off Your Made in CA Pride or Join Today
- Manufacturing Month Success
- Gen Z is the Answer to Skills Gap
- Getting Food on the Table Safely and Less Wastefully
- SB 1343 Harassment Avoidance Training
- Blog Posts
- California Manufacturing Quiz

In the News

Gregg Profozich speaking to Manufacturers' Council of the Inland Empire

TECHNOLOGY IS KEY TO SURVIVAL OF MANUFACTURERS

Presenter, Gregg Profozich, Director of Advanced Manufacturing Technologies at California Manufacturing Technology Consulting (CMTC), gave the audience plenty to think about as he covered Manufacturing 4.0: Where We Are… Where We Are Going. Manufacturers attending the Manufacturers' Council of the Inland Empire meeting on October 30 were intrigued to learn about the latest innovations in their industry.

Manufacturing 4.0 includes cyber-physical systems (CPS), the internet of things (IoT), industrial internet of things (IIoT), cloud computing, cognitive computing and artificial intelligence.

Profozich said, "New technologies can lead to rapid, widespread change as the rate of technology adoption is accelerating across society. As an example, the hearing aid industry essentially converted to additive manufacturing in only 500 days." He then went into detail on three emerging manufacturing technologies: additive manufacturing, advanced robotics and smart manufacturing. Each of these technologies will fundamentally change how products are manufactured.

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SMART MANUFACTURING SERVICES WITH CMTC

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ADVANCED ROBOTICS AND AUTOMATION SERVICES WITH CMTC

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BLACK FRIDAY AND CYBER MONDAY TOP 10 FRAUD ALERT TIPS

Reprinted from KnowB4 blog article by Stu Sjouwerman

We have been warning against these types of scams for years and the bad guys are at it again. Black Friday attracts crowds, crowds attract scammers, and that means you need to take extra care when shopping online over the Black Friday and Cyber Monday weekend.

About 75% of Americans plan to do at least half of their holiday shopping online this year, shows a new TransUnion 2019 Holiday Retail Fraud Survey. Yes, online shopping skips the crowds at the mall, but you need to navigate an increasingly dangerous cybersecurity minefield.

It's Holiday Season for the bad guys too! But not the way you might think. They go into scam-overdrive mode. Black Friday and Cyber Monday are the busiest on-line shopping days and the bad guys are planning to get rich with your money. So, here are the **Top 10 Fraud Alert Tips:**

- **Never click on links in emails.** If you want to shop at a site, enter that site address in your browser. There are thousands of fake sites that look almost identical to the real thing. Don't fall for evil-twin shopping sites.
- **Don't open attachments with special offers.** It's a classic scam. The offer should be in the email and you should be able to see it right away.
- **Watch for malicious ads and popups.** Do not click on ads that sound too good to be true, and ignore popups that might propose the "best deal ever".
- **Beware of e-skimmers.** This is a new one. Do you know that bad guys sometimes skim your credit card at gas stations or ATMs? Well, there is a new flavor of that, the shopping website you order from might be infected with a "e-skimmer" and they steal your card data when you check out. You can prevent that by using PayPal or Amazon.
- **Use a credit card to buy stuff online if possible.** NEVER use a debit card to make online purchases but use that debit card to take out cash only.
- **Do not shop over a public Wi-Fi.** You simply do not know if it's secure and who is listening. Only shop using a secure, trusted network. If you have no other way to shop, use a VPN which encrypts your traffic.
- **Be very careful when you see a free offer during the holidays.** There is an explosion of all kinds of survey fraud and gift card scams.
- **Do not re-use any of your passwords.** Instead, use a password manager to create hard-to-break passwords. Re-using any password is literally an invitation to get hacked.
- **Keep a close eye on your credit card and bank accounts.** During this season, unexpected and strange charges might appear which could very well be the first sign your card or even your whole identity has been stolen. If you think you might have been scammed, stay calm and call your credit card company, nix that card and get a new one.
- **Be especially suspicious of gift card scams**. They can be a perfect holiday gift, but gift card scams are skyrocketing. Only buy gift cards from trusted sources.

So, especially this time of year, do not let the bad guys exploit your holiday spirit and use it against you. Remember to stay alert when you shop online! *Think Before You Click!*

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WHY VETERANS MAKE GREAT INDUSTRIAL EMPLOYEES AND HOW TO RECRUIT THEM TO JOIN YOUR TEAM

Reprinted from Thomas Net, author Lindsay Gilder

Serving in the military is an incredible challenge. But for many veterans, the biggest hurdle often comes during their return to civilian life. 44% of veterans who served in the decade since September 11 have a difficult time readjusting after completing their service, according to a recent Pew Research Center study.

A great way to give back to the veterans who protect our freedom and our country is to make this difficult transition a little bit easier.

Veterans possess a wealth of skills and knowledge that makes them great candidates for jobs in manufacturing and industrial businesses. Thomas Insights spoke to leading industry professionals about the traits that make veterans uniquely qualified for these rewarding positions, and how your industrial business can find and recruit talented veteran candidates for your open job opportunities.

Read the article online to learn more about:

- What Traits Make Veterans Great Candidates for Industrial Jobs?
- What You Need to Know About Hiring Veterans
- How to Recruit Veterans into Open Opportunities at Your Company

"Smart employers realize that there are some skills that can be taught and learned while there are other intangible skills that must be developed via experience over time. The military does a very good job of putting people in positions of great responsibility early in their careers. This is why many military veterans have leadership skills and a work ethic that is usually found in more experienced candidates."

Read more online...

Read more

Upcoming Events

Check out Our Events Page at www.cmtc.com

December

Tuesday, December 3
10:00 am PST
WEBINAR
Machine Vision 101: an Introduction to Industrial Machine Vision
Join Catalyst Connection, CMTC, FuzeHub, and Impact Washington for a webinar webinar, presented by Raminder Sandhu, Advanced Automation Practice Lead, for CMTC in California.

Topics to be covered:

- What is machine vision?
- Key players in the industry
- Line Scan, 2D and 3D Vision Systems
- What are good places to apply machine vision on the factory floor?
- Artificial Intelligence vs Traditional Machine Vision Software

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Thursday, December 5
5:30 pm
RBC MT Panel Event: Planning Before the Sale of Your Company
Hosted by M&T Investment Group, RBC Wealth Management, and CMTC. Reid Matthews and Chase Tushaus will lead the panel discussion.

Location: AleSmith Brewing Company
9990 AleSmith Ct., San Diego, CA 92126

RSVP: www.theMTinvestmentgroup.com

Click here to download a printable pdf

NAVFAC EXWC Industry Day
Tuesday, December 10
8:00 am
Marriott Hotel Ventura
Naval Facilities Engineering and Expeditionary Warfare Center, Economic Development Collaborative and MatterLabs present a Technology Exposition, hosted by RDP-21. For details about opportunities to participate as a sponsor or exhibitor, please contact: Bill Simmons (805) 351-9429.
Ticketed event: Eventbrite.com

2020

January

Wednesday, January 22
11:30 am -1:30 pm
Technology Showcase and Accessing Capital Seminar
SBDC hosted by El Camino College

13430 Hawthorne Blvd
Hawthorne, CA 90250

Registration link TBA on Events Page at cmtc.com

February

Thursday, February 20
11:30 am -1:30 pm
Kern County Technology Showcase and Accessing Capital Seminar
CMTC, CSUB Small Business Development Center, with the participation of the Kern Economic Development Corp.

Owens Valley Career Development Center
2574 Diaz Ln, Bishop, CA 93514

Registration link TBA on Events Page at cmtc.com

March

Wednesday, March 25 - Friday, March 27
CALED 2020 Annual Conference: Getting It Done

Sheraton Grand Sacramento Hotel
13th and J St
Sacramento, CA 95814

California Association for Local Economic Development Conference. CMTC is a co-sponsor of the event.

Register: https://caled.org/40-caled-annual-training-conference/ Secure the Early Bird rates through 2019.

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Made in California Proud

SHOW OFF YOUR MADE IN CA PRIDE

Studies demonstrate that consumers are seeking out—and willing to pay more—for American-made products because they're known for their quality. That means sharing your Made in CA logo can really pay off.

Simply take a photo of your Made in CA logo and post it to Twitter, Facebook or Linkedin using the hashtag **#MadeinCAProud**. The logo can be on the wall (frame and display your certificate), on your packaging, on your website, or even in a selfie! When you share the photo, we'll then feature it on our main Made in CA webpage and repost it in our social media posts. Increasing your company's online visibility at no cost to you can only be a plus!

https://www.cmtc.com/made-in-california-profile

Ready to Join Made in CA

Complete the online form and include a copy of your logo artwork and NAICS code.

https://offers.cmtc.com/join-the-made-in-california-program

Manufacturing Month

On behalf of over 5,000 students and community members [illegible] our

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You Rock

On behalf of over 5,000 students and community members in California, thank you for your participation, making Manufacturing Day 2019 a success! We really appreciate all the organizers and event hosts for helping manufacturers to shine a spotlight on manufacturing and inspiring new talent to consider it for the future.

Hey! We have lots of photos to share ... but may be missing yours. Please take a moment to send us any photos taken during your Manufacturing Month event. Look for the MFGDAY19 Flip Book posted soon on our website — highlighting the manufacturers and organizations involved.

Are you ready?

MFGDAY-sq

Planning for Manufacturing Day October 2, 2020 has started! Throughout the month of October next year, manufacturers will be celebrating National Manufacturing Day by opening their facilities for student tours or participating in expos. Taking on the vital work of inspiring our young people to pursue careers in manufacturing and engineering, manufacturers help answer the critical challenge of workforce development. Today's science, technology, engineering, and math graduates will help manufacturing face the challenges of changing technology, global competition, and sustaining production growth.

Are you interested in holding a Manufacturing Day event in October 2020? Please contact Steve Brand, Communications Manager, at comm@cmtc.com

GEN Z IS THE ANSWER TO THE SKILLS GAP— THEY JUST DON'T KNOW IT YET

Reprinted from IndustryWeek.com (Oct. 30, 2019), author Alan Mindlin

> Gen Z refers to the generation that was born between 1996-2010, following milennials. This generation has been raised on the internet and social media, with some the oldest finishing college by 2020 and entering the workforce.

Having witnessed the student-loan crisis, this generation [Gen Z] may be more open to educational paths other than four-year college.

With their unique characteristics and career outlook, the Gen Z workforce can help solve the manufacturing skills gap. But lack of awareness and mis-perceptions about the industry are holding them back. That all adds up to a big opportunity for manufacturers to change their outreach, hiring and benefit strategies to connect with this generation of potential workers.

Having witnessed the massive debt and competitive job market many milennials faced upon graduation, Gen Z is determined to make practical educational decisions with an emphasis on financial stability. For many of them, a four-year college degree is only necessary if it's a requirement for their ultimate career goals. Instead, they're considering alternative education options that require less time and money to set them on their future paths.

New-collar jobs, a term coined by IBM CEO Ginni Rometty, provide that balance of job security and little up-front investment. These jobs require the technical and soft skills that are valuable in today's economy, but don't require a four-year degree. Instead, *new-collar workers* are trained through technical colleges, vocational schools, certification programs or even on-the-job instruction.

New-collar jobs are especially prevalent in the manufacturing industry, which has evolved dramatically with advances

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The lack of awareness around manufacturing

Despite this seemingly perfect fit, most members of Gen Z haven't considered careers in manufacturing. This is due in large part to a lack of awareness around the number of available manufacturing jobs and the variety of roles, as well as the misperceptions associated with the industry.

Many Gen Z'ers simply don't know much about the manufacturing industry. Manufacturing careers are rarely included in high school curriculums. And parents likely aren't talking to their kids about the industry either, as many believe manufacturing is outdated, low-paying or unchallenging. Similarly, Silicon Valley giants like Google, Apple and Tesla are perceived as more tech-savvy — even though new innovations like IoT and advanced robotics are also transforming the manufacturing industry. By the time many members of Gen Z learn about the career possibilities in manufacturing (if they ever do), they've already chosen another path.

What manufacturers can do

Employers can take several steps to help create awareness, change misperceptions and encourage Gen Z to get excited about their industry.

- **Public outreach and partnerships**: Reach out to Gen Z where they already are — get in touch with local high schools, community colleges, vocational programs and other nearby services. Establish collaborative programs aimed at creating a talent pipeline that will benefit the entire community. Internships and apprenticeships provide Gen Z'ers the opportunity to gain the active, hands-on and immersive learning experiences they crave,while allowing businesses the chance to test-run future candidates.
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Skilled workers are out there — manufacturers just need to adapt their searches. A change in perspective around job requirements combined with awareness and training initiatives will widen the talent pool and welcome the next generation of new-collar workers.

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GETTING FOOD ON OUR TABLES FROM THE U.S. AND AROUND THE WORLD, SAFELY AND LESS WASTEFULLY

Reprinted from NIST article, author Nenad Ivezic
Nenad Ivezic is the leader of the Process Engineering Group in the Systems Integration Division of the NIST Engineering Laboratory.

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Yes, grocery shopping does give me pause these days.

A recent study found that "addressing drivers of food waste can slash the value of food lost and wasted every year globally by nearly $700 billion." Clearly, moving food from farm to table nowadays is not without challenges, to say the least. Yet, there are some outstanding developments that are starting to help address these safety and waste issues.

For example, food manufacturers and distributors are beginning to attach new internet of things (IoT) sensors to food shipping containers. These IoT devices use the regular internet communication infrastructure (the same as your email app does) to "talk" to senders and receivers of the containers about their temperature, humidity and other conditions, including unauthorized tampering with the contents. These sensors provide critical and useful information to the monitoring systems of both the sender and the receiver of the shipments.

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As you can see, more than ever, moving food safely and efficiently around the U.S. and the world requires that partners in the food supply chain exchange important information in a usable and timely manner. Before that can happen, however, a community of stakeholders, including food manufacturers, IoT device-makers and operators in the food supply chain, needs to find a meaningful and feasible way of representing that data to assure it is communicated and interpreted as intended.

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Technology is evolving at an astonishing pace, changing the way we live and the way we do business. Of course, it's not just Silicon Valley tech companies that need to keep up with these advancements. Today, businesses big and small, across all industries, need to prioritize technology in order to effectively compete, keep operations running efficiently, and deliver greater value to customers. Manufacturers that allow themselves to fall behind simply enable others to step up and steal their customers, and potentially their entire business.

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From: Jim Watson, President and CEO <comm@cmtc.com>
Sent: Monday, November 25, 2019 6:50 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: CMTC's eNewsletter for November 2019

NOVEMBER 2019

Welcome to CMTC's *News for Manufacturers* eNewsletter!

In this Issue

- Technology is Key to Survival
- Black Friday and Cyber Monday Top 10 Fraud Alert Tips
- Why Veterans Make Great Hires and How to Recruit Them
- December Events
- Show Off Your Made in CA Pride or Join Today
- Manufacturing Month Success
- Gen Z is the Answer to Skills Gap
- Getting Food on the Table Safely and Less Wastefully
- SB 1343 Harassment Avoidance Training
- Blog Posts
- California Manufacturing Quiz

In the News

Gregg Profozich speaking to Manufacturers' Council of the Inland Empire

TECHNOLOGY IS KEY TO SURVIVAL OF MANUFACTURERS

Presenter, Gregg Profozich, Director of Advanced Manufacturing Technologies at California Manufacturing Technology Consulting (CMTC), gave the audience plenty to think about as he covered Manufacturing 4.0: Where We Are… Where We Are Going. Manufacturers attending the Manufacturers' Council of the Inland Empire meeting on October 30 were intrigued to learn about the latest innovations in their industry.

Manufacturing 4.0 includes cyber-physical systems (CPS), the internet of things (IoT), industrial internet of things (IIoT), cloud computing, cognitive computing and artificial intelligence.

Profozich said, "New technologies can lead to rapid, widespread change as the rate of technology adoption is accelerating across society. As an example, the hearing aid industry essentially converted to additive manufacturing in only 500 days." He then went into detail on three emerging manufacturing technologies: additive manufacturing, advanced robotics and smart manufacturing. Each of these technologies will fundamentally change how products are manufactured.

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BLACK FRIDAY AND CYBER MONDAY TOP 10 FRAUD ALERT TIPS

Reprinted from KnowB4 blog article by Stu Sjouwerman

We have been warning against these types of scams for years and the bad guys are at it again. Black Friday attracts crowds, crowds attract scammers, and that means you need to take extra care when shopping online over the Black Friday and Cyber Monday weekend.

About 75% of Americans plan to do at least half of their holiday shopping online this year, shows a new TransUnion 2019 Holiday Retail Fraud Survey. Yes, online shopping skips the crowds at the mall, but you need to navigate an increasingly dangerous cybersecurity minefield.

It's Holiday Season for the bad guys too! But not the way you might think. They go into scam-overdrive mode. Black Friday and Cyber Monday are the busiest on-line shopping days and the bad guys are planning to get rich with your money. So, here are the **Top 10 Fraud Alert Tips:**

- **Never click on links in emails.** If you want to shop at a site, enter that site address in your browser. There are thousands of fake sites that look almost identical to the real thing. Don't fall for evil-twin shopping sites.
- **Don't open attachments with special offers.** It's a classic scam. The offer should be in the email and you should be able to see it right away.
- **Watch for malicious ads and popups.** Do not click on ads that sound too good to be true, and ignore popups that might propose the "best deal ever".
- **Beware of e-skimmers.** This is a new one. Do you know that bad guys sometimes skim your credit card at gas stations or ATMs? Well, there is a new flavor of that, the shopping website you order from might be infected with a "e-skimmer" and they steal your card data when you check out. You can prevent that by using PayPal or Amazon.
- **Use a credit card to buy stuff online if possible.** NEVER use a debit card to make online purchases but use that debit card to take out cash only.
- **Do not shop over a public Wi-Fi.** You simply do not know if it's secure and who is listening. Only shop using a secure, trusted network. If you have no other way to shop, use a VPN which encrypts your traffic.
- **Be very careful when you see a free offer during the holidays.** There is an explosion of all kinds of survey fraud and gift card scams.
- **Do not re-use any of your passwords.** Instead, use a password manager to create hard-to-break passwords. Re-using any password is literally an invitation to get hacked.
- **Keep a close eye on your credit card and bank accounts.** During this season, unexpected and strange charges might appear which could very well be the first sign your card or even your whole identity has been stolen. If you think you might have been scammed, stay calm and call your credit card company, nix that card and get a new one.
- **Be especially suspicious of gift card scams**. They can be a perfect holiday gift, but gift card scams are skyrocketing. Only buy gift cards from trusted sources.

So, especially this time of year, do not let the bad guys exploit your holiday spirit and use it against you. Remember to stay alert when you shop online! *Think Before You Click!*

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WHY VETERANS MAKE GREAT INDUSTRIAL EMPLOYEES AND HOW TO RECRUIT THEM TO JOIN YOUR TEAM

Reprinted from Thomas Net, author Lindsay Gilder

Serving in the military is an incredible challenge. But for many veterans, the biggest hurdle often comes during their return to civilian life. 44% of veterans who served in the decade since September 11 have a difficult time readjusting after completing their service, according to a recent Pew Research Center study.

A great way to give back to the veterans who protect our freedom and our country is to make this difficult transition a little bit easier.

Veterans possess a wealth of skills and knowledge that makes them great candidates for jobs in manufacturing and industrial businesses. Thomas Insights spoke to leading industry professionals about the traits that make veterans uniquely qualified for these rewarding positions, and how your industrial business can find and recruit talented veteran candidates for your open job opportunities.

Read the article online to learn more about:

- What Traits Make Veterans Great Candidates for Industrial Jobs?
- What You Need to Know About Hiring Veterans
- How to Recruit Veterans into Open Opportunities at Your Company

"Smart employers realize that there are some skills that can be taught and learned while there are other intangible skills that must be developed via experience over time. The military does a very good job of putting people in positions of great responsibility early in their careers. This is why many military veterans have leadership skills and a work ethic that is usually found in more experienced candidates."

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Upcoming Events

Check out Our Events Page at www.cmtc.com

December

Tuesday, December 3
10:00 am PST
WEBINAR
Machine Vision 101: an Introduction to Industrial Machine Vision
Join Catalyst Connection, CMTC, FuzeHub, and Impact Washington for a webinar webinar, presented by Raminder Sandhu, Advanced Automation Practice Lead, for CMTC in California.

Topics to be covered:

- What is machine vision?
- Key players in the industry
- Line Scan, 2D and 3D Vision Systems
- What are good places to apply machine vision on the factory floor?
- Artificial Intelligence vs Traditional Machine Vision Software

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Thursday, December 5
5:30 pm
RBC MT Panel Event: Planning Before the Sale of Your Company
Hosted by M&T Investment Group, RBC Wealth Management, and CMTC. Reid Matthews and Chase Tushaus will lead the panel discussion.

Location: AleSmith Brewing Company
9990 AleSmith Ct., San Diego, CA 92126

RSVP: www.theMTinvestmentgroup.com

Click here to download a printable pdf

NAVFAC EXWC Industry Day
Tuesday, December 10
8:00 am
Marriott Hotel Ventura
Naval Facilities Engineering and Expeditionary Warfare Center, Economic Development Collaborative and MatterLabs present a Technology Exposition, hosted by RDP-21. For details about opportunities to participate as a sponsor or exhibitor, please contact: Bill Simmons (805) 351-9429.
Ticketed event: Eventbrite.com

2020

January

Wednesday, January 22
11:30 am -1:30 pm
Technology Showcase and Accessing Capital Seminar
SBDC hosted by El Camino College

13430 Hawthorne Blvd
Hawthorne, CA 90250

Registration link TBA on Events Page at cmtc.com

February

Thursday, February 20
11:30 am -1:30 pm
Kern County Technology Showcase and Accessing Capital Seminar
CMTC, CSUB Small Business Development Center, with the participation of the Kern Economic Development Corp.

Owens Valley Career Development Center
2574 Diaz Ln, Bishop, CA 93514

Registration link TBA on Events Page at cmtc.com

March

Wednesday, March 25 - Friday, March 27
CALED 2020 Annual Conference: Getting It Done

Sheraton Grand Sacramento Hotel
13th and J St
Sacramento, CA 95814

California Association for Local Economic Development Conference. CMTC is a co-sponsor of the event.

Register: https://caled.org/40-caled-annual-training-conference/ Secure the Early Bird rates through 2019.

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Made in California Proud

SHOW OFF YOUR MADE IN CA PRIDE

Studies demonstrate that consumers are seeking out—and willing to pay more—for American-made products because they're known for their quality. That means sharing your Made in CA logo can really pay off.

Simply take a photo of your Made in CA logo and post it to Twitter, Facebook or Linkedin using the hashtag **#MadeinCAProud**. The logo can be on the wall (frame and display your certificate), on your packaging, on your website, or even in a selfie! When you share the photo, we'll then feature it on our main Made in CA webpage and repost it in our social media posts. Increasing your company's online visibility at no cost to you can only be a plus!

https://www.cmtc.com/made-in-california-profile

Ready to Join Made in CA

Complete the online form and include a copy of your logo artwork and NAICS code.

https://offers.cmtc.com/join-the-made-in-california-program

Manufacturing Month

On behalf of over 5,000 students and community members [illegible] our

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You Rock

On behalf of over 5,000 students and community members in California, thank you for your participation, making Manufacturing Day 2019 a success! We really appreciate all the organizers and event hosts for helping manufacturers to shine a spotlight on manufacturing and inspiring new talent to consider it for the future.

Hey! We have lots of photos to share ... but may be missing yours. Please take a moment to send us any photos taken during your Manufacturing Month event. Look for the MFGDAY19 Flip Book posted soon on our website — highlighting the manufacturers and organizations involved.

Are you ready?

MFGDAY-sq

Planning for Manufacturing Day October 2, 2020 has started! Throughout the month of October next year, manufacturers will be celebrating National Manufacturing Day by opening their facilities for student tours or participating in expos. Taking on the vital work of inspiring our young people to pursue careers in manufacturing and engineering, manufacturers help answer the critical challenge of workforce development. Today's science, technology, engineering, and math graduates will help manufacturing face the challenges of changing technology, global competition, and sustaining production growth.

Are you interested in holding a Manufacturing Day event in October 2020? Please contact Steve Brand, Communications Manager, at comm@cmtc.com

GEN Z IS THE ANSWER TO THE SKILLS GAP— THEY JUST DON'T KNOW IT YET

Reprinted from IndustryWeek.com (Oct. 30, 2019), author Alan Mindlin

> Gen Z refers to the generation that was born between 1996-2010, following milennials. This generation has been raised on the internet and social media, with some the oldest finishing college by 2020 and entering the workforce.

Having witnessed the student-loan crisis, this generation [Gen Z] may be more open to educational paths other than four-year college.

With their unique characteristics and career outlook, the Gen Z workforce can help solve the manufacturing skills gap. But lack of awareness and mis-perceptions about the industry are holding them back. That all adds up to a big opportunity for manufacturers to change their outreach, hiring and benefit strategies to connect with this generation of potential workers.

Having witnessed the massive debt and competitive job market many milennials faced upon graduation, Gen Z is determined to make practical educational decisions with an emphasis on financial stability. For many of them, a four-year college degree is only necessary if it's a requirement for their ultimate career goals. Instead, they're considering alternative education options that require less time and money to set them on their future paths.

New-collar jobs, a term coined by IBM CEO Ginni Rometty, provide that balance of job security and little up-front investment. These jobs require the technical and soft skills that are valuable in today's economy, but don't require a four-year degree. Instead, *new-collar workers* are trained through technical colleges, vocational schools, certification programs or even on-the-job instruction.

New-collar jobs are especially prevalent in the manufacturing industry, which has evolved dramatically with advances

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in technology. Today's manufacturers need employees with digital skills in automation, software, robotics, analytics, cloud computing and 3D printing. As digital natives, Gen Z's experience with tech means they can easily adapt and adopt the skills needed to work with these new technologies.

The lack of awareness around manufacturing

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From: Redig, Tamra <Redig.Tamra@flsenate.gov>
Sent: Wednesday, February 05, 2020 6:07 PM EST
To: Denson, Tori <Tori.Denson@myfloridahouse.gov>; Frier, Nancy <Frier.Nancy@flsenate.gov>; Grissom, William <Grissom.William@flsenate.gov>; Harrington, Tiffany <Tiffany.Harrington@myfloridahouse.gov>; Hay, Timothy <Hay.Timothy@flsenate.gov>; Mackintosh, Andrew <Mackintosh.Andrew@flsenate.gov>; Moore, Alexandra <Alexandra.Moore@myfloridahouse.gov>; Senate Committee - Approp. Sub. Agr, Env., & Gen. Gov. <SenateCommittee-Approp.Sub.AgrEnv&GenGovt@flsenate.gov>; Senate Committee - Governmental Oversight and Accountability <SenateCommittee-GovernmentalOversightandAccountability@flsenate.gov>; Senate District 04 (Bean) <SenateDistrict04Bea@flsenate.gov>; Senate District 15 (Torres) <SenateDistrict15Torre@flsenate.gov>; Senate District 16 (Hooper) <SenateDistrict16Hooper@flsenate.gov>; Senate District 26 (Albritton) <SenateDistrict26Albritton@flsenate.gov>; Senate District 29 (Rader) <SenateDistrict29Rader@flsenate.gov>; Senate Majority Office <SenateMajorityOffice@flsenate.gov>; Senate Minority Office <SenateMinorityOffice@flsenate.gov>; Senate Services Center <SenateServicesCenter1@leg.state.fl.us>; Smith, Melissa <Melissa.Smith@myfloridahouse.gov>; Williamson, Heather <Heather.Williamson@myfloridahouse.gov>; Crawford, Lindsay <Crawford.Lindsay@flsenate.gov>; Senate District 12 (Baxley) <SenateDistrict12Baxley@flsenate.gov>; Senate District 24 (Brandes) <SenateDistrict24Brandes@flsenate.gov>; Senate District 39 (Flores) <SenateDistrict39Flores@flsenate.gov>; Senate District 02 (Gainer) <SenateDistrict02Gainer@flsenate.gov>; Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>; Senate District 25 (Harrell) <SenateDistrict25Harrell@flsenate.gov>; Senate District 20 (Lee) <SenateDistrict20Lee@flsenate.gov>; Senate District 17 (Mayfield) <SenateDistrict17Mayfield@flsenate.gov>; Senate District 03 (Montford) <SenateDistrict03Montford@flsenate.gov>; Senate District 38 (Pizzo) <SenateDistrict38Pizzo@flsenate.gov>; Senate District 19 (Rouson) <SenateDistrict19Rouson@flsenate.gov>; Senate District 22 (Stargel) <SenateDistrict22Stargel@flsenate.gov>; Senate Committee - Community Affairs <SenateCommittee-CommunityAffairs@flsenate.gov>; Senate Committee - Commerce and Tourism <SenateCommittee-CommerceandTourism@flsenate.gov>; Senate Committee - Criminal Justice <SenateCommittee-CriminalJustice@flsenate.gov>; Senate Committee - Ethics and Elections <SenateCommittee-EthicsandElections@flsenate.gov>; Senate Committee - Health Policy <SenateCommittee-HealthPolicy@flsenate.gov>; Senate Committee - Infrastructure and Security <SenateCommittee-InfrastructureandSecurity@flsenate.gov>; Senate Committee - Military and Veterans Affairs and Space <SenateCommittee-MilitaryandVeteransAffairsandSpace@flsenate.gov>
Subject: Committee Meeting Notice: GO 02/10/20 1:30 p.m.
Attachment(s): "tmp7D1A.PDF"

AMERICAN OVERSIGHT

The Florida Senate

COMMITTEE MEETING NOTICE

GOVERNMENTAL OVERSIGHT AND ACCOUNTABILITY
Senator Hooper, Chair
Senator Rader, Vice Chair

MEETING DATE: Monday, February 10, 2020
TIME: 1:30—3:30 p.m.
PLACE: 301 Senate Building

AMENDMENT DEADLINE: The amendment deadline for this meeting, including proposed committee substitutes and delete everything amendments, is Friday, February 7, 2020 at 1:30 p.m. All amendments must be in final form and barcoded when filed.

MEMBERS: Senator Hooper, Chair; Senator Rader, Vice Chair; Senators Albritton, Bean, and Torres

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CS/SB 666 by Commerce and Tourism / Mayfield—Florida Development Finance Corporation

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SB 858 by Gruters—Cost-of-living Adjustment for Special Risk Class Retirees

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CS/SB 928 by Health Policy / Harrell—Public Records and Meetings/Interstate Medical Licensure Compact

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SB 966 by Gainer—Public Records/Disaster Recovery Assistance

CS/SB 1024 by Criminal Justice / Bean—Public Records/Postconviction Reinvestigative Information

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CS/SB 1030 by Infrastructure and Security / Stargel—Public Records/Vessel Title or Registration/Department of Highway Safety and Motor Vehicles

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SB 1260 by Albritton—Florida Space Exploration Monument

SB 1270 by Lee—Fiduciary Duty of Care for Appointed Public Officials and Executive Officers

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SB 1312 by Montford—Voting Systems

SB 1466 by Baxley—Special Districts

SB 1632 by Rouson—Cultural Affairs

SB 1636 by Baxley—Repeal of Advisory Bodies and Councils

CS/SB 1718 by Criminal Justice / Brandes—Public Meetings and Records/Conditional Aging Inmate Release Program

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With the Chair's approval, DURING regular session file 1 copy with the Secretary of the Senate (Room 303, Capitol) at least 3 days before meeting and PRIOR to regular session at least 7 days before meeting (Rules 2.6 and 2.8). File 1 copy with the Sergeant at Arms.

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CS/SB 1728 by Criminal Justice / Brandes—Public Meetings and Records/Conditional Medical Release Program

SM 1756 by Flores—Temporary Protected Status to Venezuelans in the United States

CS/SB 1802 by Criminal Justice / Pizzo—Public Meetings/Urban Core Gun Violence Task Force

SB 1872 by Hutson—Public Records/Commissioner of Financial Regulation/Financial Technology Sandbox Applications

SB 1874 by Hutson—Fees/Office of Financial Regulation/Financial Technology Sandbox Applications

Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.

OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING
Investment Advisory Council	
Canida, Maria Teresa (Coral Gables)	12/12/2022
Olmstead, Vinny (Vero Beach)	02/01/2023

Other Related Meeting Documents

With the Chair's approval, DURING regular session file 1 copy with the Secretary of the Senate (Room 303, Capitol) at least 3 days before meeting and PRIOR to regular session at least 7 days before meeting (Rules 2.6 and 2.8). File 1 copy with the Sergeant at Arms.

AMERICAN OVERSIGHT

From: Vause, Diane <VAUSE.DIANE@flsenate.gov>
Sent: Wednesday, January 22, 2020 3:53 PM EST
To: Senate Committee - Military and Veterans Affairs and Space <SenateCommittee-MilitaryandVeteransAffairsandSpace@flsenate.gov>; Senate District 07 (Hutson) <SenateDistrict07Hutson@flsenate.gov>; Senate District 23 (Gruters) <SenateDistrict23Gruters@flsenate.gov>; Senate District 03 (Montford) <SenateDistrict03Montford@flsenate.gov>; Senate District 24 (Brandes) <SenateDistrict24Brandes@flsenate.gov>; !HSE Public Integrity and Ethics Committee <!HSEPublicIntegrityandEthicsCommittee@myfloridahouse.gov>; !HSE State Affairs Committee <!HSEStateAffairsCommittee@myfloridahouse.gov>; Mackintosh, Andrew <MACKINTOSH.ANDREW@flsenate.gov>; Senate Committee - Ethics and Elections <SenateCommittee-EthicsandElections@flsenate.gov>; Senate District 12 (Baxley) <SenateDistrict12Baxley@flsenate.gov>; Senate District 22 (Stargel) <SenateDistrict22Stargel@flsenate.gov>; Senate District 28 (Passidomo) <SenateDistrict28Passidomo@flsenate.gov>; Senate District 30 (Powell) <SenateDistrict30Powell@flsenate.gov>; Senate District 35 (Braynon) <SenateDistrict35Braynon@flsenate.gov>; Senate District 36 (Diaz) <SenateDistrict36Diaz@flsenate.gov>; Senate District 37 (Rodriguez) <SenateDistrict37Rodriguez@flsenate.gov>; Senate Majority Office <SenateMajorityOffice@flsenate.gov>; Senate Minority Office <SenateMinorityOffice@flsenate.gov>; Senate Sergeant's Office <SenateSergeant'sOffice1@flsenate.gov>; Senate Services Center <SenateServicesCenter1@leg.state.fl.us>
Subject: Committee Meeting Notice EE 01/27/20 4:00 p.m.
Attachment(s): "tmp8BE7.PDF"

Please find attached the Committee Meeting Notice for EE on 01/27/20 at 4:00 p.m.

AMERICAN OVERSIGHT

The Florida Senate

COMMITTEE MEETING NOTICE

ETHICS AND ELECTIONS
Senator Baxley, Chair
Senator Braynon, Vice Chair

MEETING DATE: Monday, January 27, 2020
TIME: 4:00—6:00 p.m.
PLACE: *Pat Thomas Committee Room,* 412 Knott Building

AMENDMENT DEADLINE: The amendment deadline for this meeting, including proposed committee substitutes and delete everything amendments, is Friday, January 24, 2020 at 4:00 p.m. All amendments must be in final form and barcoded when filed.

MEMBERS: Senator Baxley, Chair; Senator Braynon, Vice Chair; Senators Diaz, Passidomo, Powell, Rodriguez, and Stargel

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Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.

OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING
Board of Trustees of Daytona State College	
Dye, Randall W. (Deland)	05/31/2023
Board of Trustees of Florida State College at Jacksonville	
Young, Orrin Wayne (Jacksonville)	05/31/2021
Governor's Mansion Commission	
Payne, Danielle Holm (Winter Park)	09/30/2022
Tampa Port Authority	
Conner, William Theodore (Tampa)	11/25/2021
Adjutant General of Florida National Guard	
Eifert, James O. ()	Pleasure of Governor

CS/SB 352 by Military and Veterans Affairs and Space / Hutson—Unlawful Use of Uniforms, Medals, or Insignia

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SJR 1216 by Gruters—Limitation on Terms of Office for Members of a District School Board

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SB 1312 by Montford—Voting Systems

SB 1354 by Brandes—Statewide Voter Registration Application

SB 1794 by Hutson—Constitutional Amendments Proposed by Initiative

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Other Related Meeting Documents

With the Chair's approval, DURING regular session file 1 copy with the Secretary of the Senate (Room 303, Capitol) at least 3 days before meeting and PRIOR to regular session at least 7 days before meeting (Rules 2.6 and 2.8). File 1 copy with the Sergeant at Arms.

AMERICAN OVERSIGHT

From: Secretary of the Senate <SecretaryoftheSenate@flsenate.gov>
Sent: Thursday, November 14, 2019 4:06 PM EST
To: Senate - All <Senate-All@flsenate.gov>
CC: Takacs, Jeff <Jeff.Takacs@myfloridahouse.gov>; Vickers, Lisa <Vickers.Lisa@flsenate.gov>; Betta, Katherine <BETTA.KATHERINE@flsenate.gov>; Meyer, Reynold <Meyer.Reynold@flsenate.gov>
Subject: Constitutional Amendment - FIEC Notice
Attachment(s): "FIEC Notice of Workshops and Conference on Voter Approval of Constitutional Amendments.docx"

Below is the schedule of upcoming meetings of the Financial Impact Estimating Conference. The schedule is also available on the Senate website under Additional Meetings.

Financial Impact Estimating Conference Public Notice:

Voter Approval of Constitutional Amendments

Requires all proposed amendments or revisions to the state constitution to be approved by the voters in two elections, instead of one, in order to take effect. The proposal applies the current thresholds for passage to each of the two elections.

- Public Workshop – Thursday, November 21st at 8:30 a.m. until completion; 117 Knott
- Principals' Workshop – Friday, December 6th at 1:30 p.m. until completion; 117 Knott
- Formal Conference – Friday, December 13th at 1:30 p.m. until completion; 117 Knott

In 2004, a constitutional amendment passed that requires initiative petitions be filed with the Secretary of State by February 1st of each general election year in order to be eligible for ballot consideration. This has been interpreted to mean that all signatures have been certified by the local supervisors of election and that the other requirements for geographic distribution have been met. For 2020, the required number of valid signatures is 766,200.

Section 15.21, Florida Statutes, further requires the Secretary of State to "immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference" once the certified forms "equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art. XI of the State Constitution." For 2020, this means that there are at least 76,632 valid and qualifying signatures.

Because the Legislature passed CS/CS/HB 5 during the 2019 Session and it is has now been signed into law (see CHAPTER 2019-64), this Financial Impact Estimating Conference (FIEC) has 75 days to complete the required analyses and a financial impact statement to be placed on the ballot.

As part of FIEC's review process, three public meetings have been scheduled—a public workshop, a principals' workshop, and a formal conference. More meetings will be scheduled as necessary.

The attached document provides the dates and locations of the public meetings, as well as some explanation regarding the process.

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NOTICE OF WORKSHOPS AND CONFERENCE
FINANCIAL IMPACT ESTIMATING CONFERENCE

The Financial Impact Estimating Conference (FIEC) will be holding workshops and a conference on the petition initiative entitled "***Voter Approval of Constitutional Amendments (19-08)***". Unless otherwise indicated on the schedule below, all meetings will held in Room 117, Knott Building, 415 W. St. Augustine Street, Tallahassee, Florida. Once begun, they will continue until completion of the agenda.

The FIEC is required by s. 100.371, Florida Statutes, to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. In this regard, the FIEC is now in the process of preparing a financial impact statement to be placed on the ballot that shows the estimated increase or decrease in any revenues or costs to state and local governments resulting from the proposed initiative. Because the Legislature passed CS/CS/HB 5 during the 2019 Session and it is has now been signed into law (see CHAPTER 2019-64), the FIEC will also be considering the estimated economic impact on the economy and the overall impact to the state budget.

The purpose of the Public Workshop is to provide an opportunity for sponsors, interested parties, proponents and opponents of the initiative to make formal presentations to the FIEC regarding the probable financial and economic impact of the initiative. In addition to the workshop, information may be submitted at any time to the FIEC by contacting the Legislative Office of Economic and Demographic Research (contact information below).

Voter Approval of Constitutional Amendments (19-08)

- Public Workshop – Thursday, November 21st at 8:30 a.m.
- Principals' Workshop – Friday, December 6th at 1:30 p.m.
- Formal Conference – Friday, December 13th at 1:30 p.m.

For additional information regarding the meetings, please contact the Florida Legislature's Office of Economic and Demographic Research at

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(850) 487-1402.

Address for submitting information to the FIEC:

The Florida Legislature
Office of Economic and Demographic Research
111 West Madison, Suite 574
Tallahassee, FL 32399-6588
Email: edrcoordinator@leg.state.fl.us
FAX: (850) 922-6436

For additional information regarding the Financial Impact Estimating Conference process and the Initiative Petition process, please visit the Florida Legislature's Office of Economic and Demographic Research's website at: http://edr.state.fl.us/Content/constitutional-amendments/index.cfm and the Florida Department of State, Division of Elections' website at: https://dos.elections.myflorida.com/initiatives/

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, January 20, 2020 11:32 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Critical Information for your Business! Last Chance to Register! GCBX Lunch & Learn- Wednesday, January 22nd

AMERICAN OVERSIGHT

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX LUNCH & LEARN: CYBERSECURITY

When: 22 Jan 2020 11:30 AM, EST
Where: Grove- 10670 Boardwalk Loop, Lakewood Ranch, FL 34202

Each attendee will leave with a Cybersecurity Playbook for Contractors that you can use now and in the future to Identify, Protect, Detect & Respond to Cybersecuirty attacks/issues in your business.

Will you be attending?

Register | Not attending

EVENT DETAILS:

GCBX Lunch & Learn: Cybersecurity

Wednesday, January 22nd

11:30 am – 1:15 pm

11:30 - Registration

12:00 - Program

Location: The Grove - Fever Tree Hall

Attendees will learn about the National Institute of Standards and Technology (NIST) Framework, a comprehensive five-step process that helps businesses prepare for the cyber-attacks threatening your data.

Each attendee will leave with a Cybersecurity Playbook for contractors that you can use now and in the future to Identify, Protect, Detect & Respond to Cybersecuirty attacks/issues in your business.

Presented By:
Nathan Bailey, Chief Operating Officer for SouthTech
David Karins, Karins Engineering Group

$40 for GCBX Members

Lunch will be Included.

Click here for Flyer

Thank You Presenting Sponsor!

*It is the policy of GCBX to charge for events if cancellations are not made at least 72 hours prior to the even .

Best regards,
Gulf Coast Builders Exchange

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If you no longer wish to receive these emails you canunsubscribe at any time.

This email contains links that will automatically log you into the Gulf Coast Builders Exchange site.
These links will work for the next 7 days only. Please, don't forward this email to anyone!

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From: Brill, Victoria
Sent: Friday, December 20, 2019 3:02 PM EST
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Subject: DEP Bill Draft
Attachment(s): "billdraft75494 (2).DOCX"

Hello & Happy Friday!

Here is the updated draft from the last revision. Please let me know if you have any additional thoughts.

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

23-01448A-20

A bill to be entitled

An act relating to environmental enforcement; amending ss. 161.054, 258.397, 258.46, 373.129, 373.209, 373.430, 376.065, 376.071, 376.16, 376.25, 377.37, 378.211, 403.086, 403.121, 403.141, 403.161, 403.413, 403.7234, 403.726, 403.727, and 403.93345, F.S.; increasing the civil penalties for violations of certain provisions relating to beach and shore construction, the Biscayne Bay Aquatic Preserve, aquatic preserves, the state water resource plan, artesian wells, pollution, operating a terminal facility without discharge prevention and response certificates, discharge contingency plans for vessels, the Pollutant Discharge Prevention and Control Act, the Clean Ocean Act, the pollution of surface and ground waters, the regulation of oil and gas resources, the Phosphate Land Reclamation Act, sewage disposal facilities, pollution control, reasonable costs and expenses for pollution releases, necessary permits, dumping litter, small quantity generators, the abatement of imminent hazards caused by hazardous substances, hazardous waste generators, transporters, or facilities, and coral reef protection, respectively; providing that each day that certain violations are not remediated constitutes a separate offense; making technical changes; reenacting s. 823.11(5), F.S., to incorporate the amendment made to s. 376.16, F.S., in a reference thereto; reenacting ss. 403.077(5), 403.131(2), 403.4154(3)(d), and

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403.860(5), F.S., to incorporate the amendment made to s. 403.121, F.S., in a reference thereto; reenacting ss. 403.708(10), 403.7191(7), and 403.811, F.S., to incorporate the amendment made to s. 403.141, F.S., in a reference thereto; reenacting s. 403.7255(2), F.S., to incorporate the amendment made to s. 403.161, F.S., in a reference thereto; reenacting s. 403.7186(8), F.S., to incorporate the amendment made to ss. 403.141 and 403.161, F.S., in references thereto; providing an effective date.

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

Section 1. Subsection (1) of section 161.054, Florida Statutes, is amended to read:

161.054 Administrative fines; liability for damage; liens.—

(1) In addition to the penalties provided for in ss. 161.052, 161.053, and 161.121, any person, firm, corporation, or governmental agency, or agent thereof, refusing to comply with or willfully violating ~~any of the provisions of~~ s. 161.041, s. 161.052, or s. 161.053, or any rule or order prescribed by the department thereunder, shall incur a fine for each offense in an amount up to $15,000 ~~$10,000~~ to be fixed, imposed, and collected by the department. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 2. Subsection (7) of section 258.397, Florida Statutes, is amended to read:

258.397 Biscayne Bay Aquatic Preserve.—

AMERICAN OVERSIGHT

(7) ENFORCEMENT.—~~The provisions of~~ This section may be enforced in accordance with ~~the provisions of~~ s. 403.412. In addition, the Department of Legal Affairs may ~~is authorized to~~ bring an action for civil penalties of $7,500 ~~$5,000~~ per day against any person, natural or corporate, who violates ~~the provisions of~~ this section or any rule or regulation issued hereunder. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Enforcement of applicable state regulations shall be supplemented by the Miami-Dade County Department of Environmental Resources Management through the creation of a full-time enforcement presence along the Miami River.

Section 3. Section 258.46, Florida Statutes, is amended to read:

258.46 Enforcement; violations; penalty.—~~The provisions of~~ This act may be enforced by the Board of Trustees of the Internal Improvement Trust Fund or in accordance with ~~the provisions of~~ s. 403.412. However, any violation by any person, natural or corporate, of ~~the provisions of~~ this act or any rule or regulation issued hereunder is ~~shall be~~ further punishable by a civil penalty of not less than $750 ~~$500~~ per day or more than $7,500 ~~$5,000~~ per day of such violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 4. Subsections (5) and (7) of section 373.129, Florida Statutes, are amended, to read:

373.129 Maintenance of actions.—The department, the

AMERICAN OVERSIGHT

governing board of any water management district, any local board, or a local government to which authority has been delegated pursuant to s. 373.103(8), is authorized to commence and maintain proper and necessary actions and proceedings in any court of competent jurisdiction for any of the following purposes:

(5) To recover a civil penalty for each offense in an amount not to exceed $15,000 ~~$10,000~~ per offense. Until a violation is resolved by order or judgment, each date during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(a) A civil penalty recovered by a water management district pursuant to this subsection shall be retained and used exclusively by the water management district that collected the money. A civil penalty recovered by the department pursuant to this subsection must be deposited into the Water Quality Assurance Trust Fund established under s. 376.307.

(b) A local government that is delegated authority pursuant to s. 373.103(8) may deposit a civil penalty recovered pursuant to this subsection into a local water pollution control program trust fund, notwithstanding ~~the provisions of~~ paragraph (a). However, civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violations of state water quality standards may be used only to restore water quality in the area that was the subject of the action, and civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violation of requirements relating to water quantity may be used only to purchase lands and make capital improvements associated

AMERICAN OVERSIGHT

with surface water management, or other purposes consistent with the requirements of this chapter for the management and storage of surface water.

(7) To enforce ~~the provisions of~~ part IV of this chapter in the same manner and to the same extent as provided in ss. 373.430, 403.121(1) and (2), 403.131, 403.141, and 403.161.

Section 5. Subsection (3) of section 373.209, Florida Statutes, is amended to read:

373.209 Artesian wells; penalties for violation.—

(3) Any person who violates ~~any provision of~~ this section is ~~shall be~~ subject to either:

(a) The remedial measures provided for in s. 373.436; or

(b) A civil penalty of $150 ~~$100~~ a day for each and every day of such violation and for each and every act of violation. The civil penalty may be recovered by the water management board of the water management district in which the well is located or by the department in a suit in a court of competent jurisdiction in the county where the defendant resides, in the county of residence of any defendant if there is more than one defendant, or in the county where the violation took place. The place of suit shall be selected by the board or department, and the suit, by direction of the board or department, shall be instituted and conducted in the name of the board or department by appropriate counsel. The payment of any such damages does not impair or abridge any cause of action which any person may have against the person violating ~~any provision of~~ this section.

Section 6. Subsections (2) through (5) of section 373.430, Florida Statutes, are amended to read:

373.430 Prohibitions, violation, penalty, intent.—

AMERICAN OVERSIGHT

(2) A person who ~~Whoever~~ commits a violation specified in subsection (1) is liable for any damage caused and for civil penalties as provided in s. 373.129.

(3) A ~~Any~~ person who willfully commits a violation specified in paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g), by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who commits a violation specified in paragraph (1)(a) or paragraph (1)(b) due to reckless indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g), by a fine of not more than $10,000 ~~$5,000~~ or 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully commits a violation specified in paragraph (1)(b) or paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not more than $10,000 or by 6 months in jail, or by both, for each offense.

Section 7. Paragraphs (a) and (e) of subsection (5) of section 376.065, Florida Statutes, are amended to read:

376.065 Operation of terminal facility without discharge prevention and response certificate prohibited; penalty.—

(5)(a) A person who violates this section or the terms and requirements of such certification commits a noncriminal

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infraction. The civil penalty for any such infraction shall be $750 ~~$500~~, except as otherwise provided in this section.

(e) A person who elects to appear before the county court or who is required to so appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $750 ~~$500~~.

Section 8. Paragraphs (a) and (e) of subsection (2) of section 376.071, Florida Statutes, are amended to read:

376.071 Discharge contingency plan for vessels.—

(2)(a) A master of a vessel that violates subsection (1) commits a noncriminal infraction and shall be cited for such infraction. The civil penalty for such an infraction shall be $7,500 ~~$5,000~~, except as otherwise provided in this subsection.

(e) A person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $7,500 ~~$5,000~~.

Section 9. Section 376.16, Florida Statutes, is amended to read:

376.16 Enforcement and penalties.—

(1) It is unlawful for any person to violate ~~any provision of~~ ss. 376.011-376.21 or any rule or order of the department made pursuant to this act. A violation is ~~shall be~~ punishable by a civil penalty of up to $75,000 ~~$50,000~~ per violation per day to be assessed by the department. Until a violation is resolved

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by order or judgment, each day during any portion of which the violation occurs or is not remediated constitutes a separate offense. The penalty provisions of this subsection do ~~shall~~ not apply to any discharge promptly reported and removed by a person responsible, in accordance with the rules and orders of the department, or to any discharge of pollutants equal to or less than 5 gallons.

(2) In addition to the penalty provisions which may apply under subsection (1), a person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel over 5 gallons, the civil penalty for the second discharge shall be $750 ~~$500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $1,500 ~~$1,000~~, except as otherwise provided in this section.

(b) For discharges of any pollutant other than gasoline or diesel, the civil penalty for a second discharge shall be $3,750 ~~$2,500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $7,500 ~~$5,000~~, except as otherwise provided in this section.

(3) A person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $75 ~~$50~~ for each

AMERICAN OVERSIGHT

discharge subsequent to the first.

(b) For discharges of pollutants other than gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $150 ~~$100~~ for each discharge subsequent to the first.

(4) A person charged with a noncriminal infraction pursuant to subsection (2) or subsection (3) may:

(a) Pay the civil penalty;

(b) Post a bond equal to the amount of the applicable civil penalty; or

(c) Sign and accept a citation indicating a promise to appear before the county court.

The department employee authorized to issue these citations may indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(5) Any person who willfully refuses to post bond or accept and sign a citation commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) After compliance with paragraph (4)(b) or paragraph (4)(c), any person charged with a noncriminal infraction under subsection (2) or subsection (3) may:

(a) Pay the civil penalty, either by mail or in person, within 30 days after the date of receiving the citation; or

(b) If the person has posted bond, forfeit the bond by not appearing at the designated time and location.

A person cited for an infraction under this section who pays the civil penalty or forfeits the bond has admitted the infraction and waives the right to a hearing on the issue of commission of

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the infraction. Such admission may not be used as evidence in any other proceeding.

(7) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $750 ~~$500~~ for the second discharge of gasoline or diesel and a civil penalty up to, but not exceeding, $1,500 ~~$1,000~~ for each subsequent discharge of gasoline or diesel within a 12-month period.

(8) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2) or subsection (3). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $7,500 ~~$5,000~~ for the second discharge of pollutants other than gasoline or diesel and a civil penalty up to, but not exceeding, $15,000 ~~$10,000~~ for each subsequent discharge of pollutants other than gasoline or diesel within a 12-month period.

(9) At a hearing under this section, the commission of a charged offense must be proved by the greater weight of the evidence.

(10) A person who is found by a hearing official to have committed an infraction may appeal that finding to the circuit court.

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(11) Any person who has not posted bond and who neither pays the applicable civil penalty, as specified in subsection (2) or subsection (3) within 30 days of receipt of the citation nor appears before the court commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(12) Any person who makes or causes to be made a false statement that which the person does not believe to be true in response to requirements of ~~the provisions of~~ ss. 376.011-376.21 commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Paragraph (a) of subsection (6) of section 376.25, Florida Statutes, is amended to read:

376.25 Gambling vessels; registration; required and prohibited releases.—

(6) PENALTIES.—

(a) A person who violates this section is subject to a civil penalty of not more than $75,000 ~~$50,000~~ for each violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 11. Paragraph (a) of subsection (1) of section 377.37, Florida Statutes, is amended to read:

377.37 Penalties.—

(1)(a) Any person who violates ~~any provision of~~ this law or any rule, regulation, or order of the division made under this chapter or who violates the terms of any permit to drill for or produce oil, gas, or other petroleum products referred to in s. 377.242(1) or to store gas in a natural gas storage facility, or any lessee, permitholder, or operator of equipment or facilities

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used in the exploration for, drilling for, or production of oil, gas, or other petroleum products, or storage of gas in a natural gas storage facility, who refuses inspection by the division as provided in this chapter, is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state. Furthermore, such person, lessee, permitholder, or operator is subject to the judicial imposition of a civil penalty in an amount of not more than $15,000 ~~$10,000~~ for each offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. This section does not ~~Nothing herein shall~~ give the department the right to bring an action on behalf of any private person.

Section 12. Subsection (2) of section 378.211, Florida Statutes, is amended to read:

378.211 Violations; damages; penalties.—

(2) The department may institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty for violation of this part or of any rule adopted or order issued pursuant to this part. The penalty may ~~shall~~ not exceed the following amounts, and the court shall consider evidence in mitigation:

(a) For violations of a minor or technical nature, $150 ~~$100~~ per violation.

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(b) For major violations by an operator on which a penalty has not been imposed under this paragraph during the previous 5 years, $1,500 ~~$1,000~~ per violation.

(c) For major violations not covered by paragraph (b), $7,500 ~~$5,000~~ per violation.

Subject to ~~the provisions of~~ subsection (4), until a violation is resolved by order or judgment, each day or any portion thereof in which the violation continues or is not remediated shall constitute a separate violation.

Section 13. Subsection (2) of section 403.086, Florida Statutes, is amended to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(2) Any facilities for sanitary sewage disposal shall provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the Department of Environmental Protection. Failure to conform shall be punishable by a civil penalty of $750 ~~$500~~ for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

Section 14. Section 403.121, Florida Statutes, is amended to read:

403.121 Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in s. 403.161(1).

(1) Judicial remedies:

(a) The department may institute a civil action in a court

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of competent jurisdiction to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, and aquatic life, of the state caused by any violation.

(b) The department may institute a civil action in a court of competent jurisdiction to impose and to recover a civil penalty for each violation in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(c) Except as provided in paragraph (2)(c), it is ~~shall~~ not ~~be~~ a defense to, or ground for dismissal of, these judicial remedies for damages and civil penalties that the department has failed to exhaust its administrative remedies, has failed to serve a notice of violation, or has failed to hold an administrative hearing prior to the institution of a civil action.

(2) Administrative remedies:

(a) The department may institute an administrative proceeding to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, or aquatic life, of the state caused by any violation. The department may order that the violator pay a specified sum as damages to the state. Judgment for the amount of damages determined by the department may be entered in any court having jurisdiction thereof and may be enforced as any other judgment.

(b) If the department has reason to believe a violation has occurred, it may institute an administrative proceeding to order

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the prevention, abatement, or control of the conditions creating the violation or other appropriate corrective action. Except for violations involving hazardous wastes, asbestos, or underground injection, the department shall proceed administratively in all cases in which the department seeks administrative penalties that do not exceed $50,000 ~~$10,000~~ per assessment as calculated in accordance with subsections (3), (4), (5), (6), and (7). Pursuant to 42 U.S.C. s. 300g-2, the administrative penalty assessed pursuant to subsection (3), subsection (4), or subsection (5) against a public water system serving a population of more than 10,000 shall be not less than $1,000 per day per violation. The department may ~~shall~~ not impose administrative penalties in excess of $50,000 ~~$10,000~~ in a notice of violation. The department may ~~shall~~ not have more than one notice of violation seeking administrative penalties pending against the same party at the same time unless the violations occurred at a different site or the violations were discovered by the department subsequent to the filing of a previous notice of violation.

(c) An administrative proceeding shall be instituted by the department's serving of a written notice of violation upon the alleged violator by certified mail. If the department is unable to effect service by certified mail, the notice of violation may be hand delivered or personally served in accordance with chapter 48. The notice shall specify the ~~provision of the~~ law, rule, regulation, permit, certification, or order of the department alleged to be violated and the facts alleged to constitute a violation thereof. An order for corrective action, penalty assessment, or damages may be included with the notice.

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When the department is seeking to impose an administrative penalty for any violation by issuing a notice of violation, any corrective action needed to correct the violation or damages caused by the violation must be pursued in the notice of violation or they are waived. However, an ~~no~~ order is not ~~shall become~~ effective until after service and an administrative hearing, if requested within 20 days after service. Failure to request an administrative hearing within this time period constitutes ~~shall constitute~~ a waiver thereof, unless the respondent files a written notice with the department within this time period opting out of the administrative process initiated by the department to impose administrative penalties. Any respondent choosing to opt out of the administrative process initiated by the department in an action that seeks the imposition of administrative penalties must file a written notice with the department within 20 days after service of the notice of violation opting out of the administrative process. A respondent's decision to opt out of the administrative process does not preclude the department from initiating a state court action seeking injunctive relief, damages, and the judicial imposition of civil penalties.

(d) If a person timely files a petition challenging a notice of violation, that person will thereafter be referred to as the respondent. The hearing requested by the respondent shall be held within 180 days after the department has referred the initial petition to the Division of Administrative Hearings unless the parties agree to a later date. The department has the burden of proving with the preponderance of the evidence that the respondent is responsible for the violation. ~~No~~

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Administrative penalties should not be imposed unless the department satisfies that burden. Following the close of the hearing, the administrative law judge shall issue a final order on all matters, including the imposition of an administrative penalty. When the department seeks to enforce that portion of a final order imposing administrative penalties pursuant to s. 120.69, the respondent may ~~shall~~ not assert as a defense the inappropriateness of the administrative remedy. The department retains its final-order authority in all administrative actions that do not request the imposition of administrative penalties.

(e) After filing a petition requesting a formal hearing in response to a notice of violation in which the department imposes an administrative penalty, a respondent may request that a private mediator be appointed to mediate the dispute by contacting the Florida Conflict Resolution Consortium within 10 days after receipt of the initial order from the administrative law judge. The Florida Conflict Resolution Consortium shall pay all of the costs of the mediator and for up to 8 hours of the mediator's time per case at $150 per hour. Upon notice from the respondent, the Florida Conflict Resolution Consortium shall provide to the respondent a panel of possible mediators from the area in which the hearing on the petition would be heard. The respondent shall select the mediator and notify the Florida Conflict Resolution Consortium of the selection within 15 days of receipt of the proposed panel of mediators. The Florida Conflict Resolution Consortium shall provide all of the administrative support for the mediation process. The mediation must be completed at least 15 days before the final hearing date set by the administrative law judge.

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(f) In any administrative proceeding brought by the department, the prevailing party shall recover all costs as provided in ss. 57.041 and 57.071. The costs must be included in the final order. The respondent is the prevailing party when an order is entered awarding no penalties to the department and such order has not been reversed on appeal or the time for seeking judicial review has expired. The respondent is ~~shall be~~ entitled to an award of attorney's fees if the administrative law judge determines that the notice of violation issued by the department seeking the imposition of administrative penalties was not substantially justified as defined in s. 57.111(3)(e). An ~~No~~ award of attorney's fees as provided by this subsection may not ~~shall~~ exceed $15,000.

(g) Nothing herein shall be construed as preventing any other legal or administrative action in accordance with law. Nothing in this subsection shall limit the department's authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief. When the department exercises its authority to judicially pursue injunctive relief, penalties in any amount up to the statutory maximum sought by the department must be pursued as part of the state court action and not by initiating a separate administrative proceeding. The department retains the authority to judicially pursue penalties in excess of $50,000 ~~$10,000~~ for violations not specifically included in the administrative penalty schedule, or for multiple or multiday violations alleged to exceed a total of $50,000 ~~$10,000~~. The department also retains the authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief and damages, if a notice of violation seeking

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the imposition of administrative penalties has not been issued. The department has the authority to enter into a settlement, either before or after initiating a notice of violation, and the settlement may include a penalty amount different from the administrative penalty schedule. Any case filed in state court because it is alleged to exceed a total of $50,000 ~~$10,000~~ in penalties may be settled in the court action for less than $50,000 ~~$10,000~~.

(h) Chapter 120 applies ~~shall apply~~ to any administrative action taken by the department or any delegated program pursuing administrative penalties in accordance with this section.

(3) Except for violations involving hazardous wastes, asbestos, or underground injection, administrative penalties must be calculated according to the following schedule:

(a) For a drinking water contamination violation, the department shall assess a penalty of $3,000 ~~$2,000~~ for a Maximum Containment Level (MCL) violation; plus $1,500 ~~$1,000~~ if the violation is for a primary inorganic, organic, or radiological Maximum Contaminant Level or it is a fecal coliform bacteria violation; plus $1,500 ~~$1,000~~ if the violation occurs at a community water system; and plus $1,500 ~~$1,000~~ if any Maximum Contaminant Level is exceeded by more than 100 percent. For failure to obtain a clearance letter prior to placing a drinking water system into service when the system would not have been eligible for clearance, the department shall assess a penalty of $4,500 ~~$3,000~~.

(b) For failure to obtain a required wastewater permit, other than a permit required for surface water discharge, the department shall assess a penalty of $1,500 ~~$1,000~~. For a

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552 domestic or industrial wastewater violation not involving a
553 surface water or groundwater quality violation, the department
554 shall assess a penalty of $3,000 ~~$2,000~~ for an unpermitted or
555 unauthorized discharge or effluent-limitation exceedance. For an
556 unpermitted or unauthorized discharge or effluent-limitation
557 exceedance that resulted in a surface water or groundwater
558 quality violation, the department shall assess a penalty of
559 $7,500 ~~$5,000~~.
560 (c) For a dredge and fill or stormwater violation, the
561 department shall assess a penalty of $1,500 ~~$1,000~~ for
562 unpermitted or unauthorized dredging or filling or unauthorized
563 construction of a stormwater management system against the
564 person or persons responsible for the illegal dredging or
565 filling, or unauthorized construction of a stormwater management
566 system plus $3,000 ~~$2,000~~ if the dredging or filling occurs in
567 an aquatic preserve, an Outstanding Florida Water, a
568 conservation easement, or a Class I or Class II surface water,
569 plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than
570 one-quarter acre but less than or equal to one-half acre, and
571 plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than
572 one-half acre but less than or equal to one acre. The
573 administrative penalty schedule does ~~shall~~ not apply to a dredge
574 and fill violation if the area dredged or filled exceeds one
575 acre. The department retains the authority to seek the judicial
576 imposition of civil penalties for all dredge and fill violations
577 involving more than one acre. The department shall assess a
578 penalty of $4,500 ~~$3,000~~ for the failure to complete required
579 mitigation, failure to record a required conservation easement,
580 or for a water quality violation resulting from dredging or

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filling activities, stormwater construction activities or failure of a stormwater treatment facility. For stormwater management systems serving less than 5 acres, the department shall assess a penalty of $3,000 ~~$2,000~~ for the failure to properly or timely construct a stormwater management system. In addition to the penalties authorized in this subsection, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts unpermitted or unauthorized dredging or filling. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(d) For mangrove trimming or alteration violations, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts mangrove trimming or alteration without a permit as required by s. 403.9328. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(e) For solid waste violations, the department shall assess a penalty of $3,000 ~~$2,000~~ for the unpermitted or unauthorized disposal or storage of solid waste; plus $1,000 if the solid waste is Class I or Class III (excluding yard trash) or if the solid waste is construction and demolition debris in excess of 20 cubic yards, plus $1,500 ~~$1,000~~ if the waste is disposed of or stored in any natural or artificial body of water or within

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500 feet of a potable water well, plus $1,500 ~~$1,000~~ if the waste contains PCB at a concentration of 50 parts per million or greater; untreated biomedical waste; friable asbestos greater than 1 cubic meter which is not wetted, bagged, and covered; used oil greater than 25 gallons; or 10 or more lead acid batteries. The department shall assess a penalty of $4,500 ~~$3,000~~ for failure to properly maintain leachate control; unauthorized burning; failure to have a trained spotter on duty at the working face when accepting waste; or failure to provide access control for three consecutive inspections. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to construct or maintain a required stormwater management system.

(f) For an air emission violation, the department shall assess a penalty of $1,500 ~~$1,000~~ for an unpermitted or unauthorized air emission or an air-emission-permit exceedance, ~~plus $1,000 if the emission results in an air quality violation,~~ plus $4,500 ~~$3,000~~ if the emission was from a major source and the source was major for the pollutant in violation; plus $1,500 ~~$1,000~~ if the emission was more than 150 percent of the allowable level.

(g) For storage tank system and petroleum contamination violations, the department shall assess a penalty of $7,500 ~~$5,000~~ for failure to empty a damaged storage system as necessary to ensure that a release does not occur until repairs to the storage system are completed; when a release has occurred from that storage tank system; for failure to timely recover free product; or for failure to conduct remediation or monitoring activities until a no-further-action or site-rehabilitation completion order has been issued. The department

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shall assess a penalty of $4,500 ~~$3,000~~ for failure to timely upgrade a storage tank system. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to conduct or maintain required release detection; failure to timely investigate a suspected release from a storage system; depositing motor fuel into an unregistered storage tank system; failure to timely assess or remediate petroleum contamination; or failure to properly install a storage tank system. The department shall assess a penalty of $1,500 ~~$1,000~~ for failure to properly operate, maintain, or close a storage tank system.

(4) In an administrative proceeding, in addition to the penalties that may be assessed under subsection (3), the department shall assess administrative penalties according to the following schedule:

(a) For failure to satisfy financial responsibility requirements or for violation of s. 377.371(1), $7,500 ~~$5,000~~.

(b) For failure to install, maintain, or use a required pollution control system or device, $6,000 ~~$4,000~~.

(c) For failure to obtain a required permit before construction or modification, $4,500 ~~$3,000~~.

(d) For failure to conduct required monitoring or testing; failure to conduct required release detection; or failure to construct in compliance with a permit, $3,000 ~~$2,000~~.

(e) For failure to maintain required staff to respond to emergencies; failure to conduct required training; failure to prepare, maintain, or update required contingency plans; failure to adequately respond to emergencies to bring an emergency situation under control; or failure to submit required notification to the department, $1,500 ~~$1,000~~.

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(f) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to prepare, submit, maintain, or use required reports or other required documentation, $750 ~~$500~~.

(5) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to comply with any other departmental regulatory statute or rule requirement not otherwise identified in this section, the department may assess a penalty of $1,000 ~~$500~~.

(6) For each additional day during which a violation occurs, the administrative penalties in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be assessed per day per violation.

(7) The history of noncompliance of the violator for any previous violation resulting in an executed consent order, but not including a consent order entered into without a finding of violation, or resulting in a final order or judgment after the effective date of this law involving the imposition of $3,000 ~~$2,000~~ or more in penalties shall be taken into consideration in the following manner:

(a) One previous such violation within 5 years prior to the filing of the notice of violation will result in a 25-percent per day increase in the scheduled administrative penalty.

(b) Two previous such violations within 5 years prior to the filing of the notice of violation will result in a 50-percent per day increase in the scheduled administrative penalty.

(c) Three or more previous such violations within 5 years prior to the filing of the notice of violation will result in a

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100-percent per day increase in the scheduled administrative penalty.

(8) The direct economic benefit gained by the violator from the violation, where consideration of economic benefit is provided by Florida law or required by federal law as part of a federally delegated or approved program, shall be added to the scheduled administrative penalty. The total administrative penalty, including any economic benefit added to the scheduled administrative penalty, may ~~shall~~ not exceed $15,000 ~~$10,000~~.

(9) The administrative penalties assessed for any particular violation may ~~shall~~ not exceed $7,500 ~~$5,000~~ against any one violator, unless the violator has a history of noncompliance, the economic benefit of the violation as described in subsection (8) exceeds $7,500 ~~$5,000~~, or there are multiday violations. The total administrative penalties may ~~shall~~ not exceed $50,000 ~~$10,000~~ per assessment for all violations attributable to a specific person in the notice of violation.

(10) The administrative law judge may receive evidence in mitigation. The penalties identified in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be reduced up to 50 percent by the administrative law judge for mitigating circumstances, including good faith efforts to comply prior to or after discovery of the violations by the department. Upon an affirmative finding that the violation was caused by circumstances beyond the reasonable control of the respondent and could not have been prevented by respondent's due diligence, the administrative law judge may further reduce the penalty.

(11) Penalties collected pursuant to this section shall be

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deposited into the Water Quality Assurance Trust Fund or other trust fund designated by statute and shall be used to fund the restoration of ecosystems, or polluted areas of the state, as defined by the department, to their condition before pollution occurred. The Florida Conflict Resolution Consortium may use a portion of the fund to administer the mediation process provided in paragraph (2)(e) and to contract with private mediators for administrative penalty cases.

(12) The purpose of the administrative penalty schedule and process is to provide a more predictable and efficient manner for individuals and businesses to resolve relatively minor environmental disputes. Subsections (3)-(7) may ~~Subsection (3), subsection (4), subsection (5), subsection (6), or subsection (7) shall~~ not be construed as limiting a state court in the assessment of damages. The administrative penalty schedule does not apply to the judicial imposition of civil penalties in state court as provided in this section.

Section 15. Subsection (1) of section 403.141, Florida Statutes, is amended to read:

403.141 Civil liability; joint and several liability.—

(1) A person who ~~Whoever~~ commits a violation specified in s. 403.161(1) is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state to their former condition, and furthermore is subject to the judicial imposition of a civil

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penalty for each offense in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Nothing herein gives ~~shall give~~ the department the right to bring an action on behalf of any private person.

Section 16. Subsections (2) through (5) of section 403.161, Florida Statutes, are amended to read:

403.161 Prohibitions, violation, penalty, intent.—

(2) A person who ~~Whoever~~ commits a violation specified in subsection (1) is liable to the state for any damage caused and for civil penalties as provided in s. 403.141.

(3) A ~~Any~~ person who willfully commits a violation specified in paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g) by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who commits a violation specified in paragraph (1)(a) or paragraph (1)(b) due to reckless indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g) by a fine of not more than $10,000 ~~$5,000~~ or by 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully commits a violation

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specified in paragraph (1)(b) or paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g) by a fine of not more than $10,000 or by 6 months in jail, or by both for each offense.

Section 17. Paragraph (a) of subsection (6) of section 403.413, Florida Statutes, is amended to read:

403.413 Florida Litter Law.—

(6) PENALTIES; ENFORCEMENT.—

(a) Any person who dumps litter in violation of subsection (4) in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume and not for commercial purposes commits ~~is guilty of~~ a noncriminal infraction, punishable by a civil penalty of $150 ~~$100~~, from which $50 shall be deposited into the Solid Waste Management Trust Fund to be used for the solid waste management grant program pursuant to s. 403.7095. In addition, the court may require the violator to pick up litter or perform other labor commensurate with the offense committed.

Section 18. Subsection (5) of section 403.7234, Florida Statutes, is amended to read:

403.7234 Small quantity generator notification and verification program.—

(5) Any small quantity generator who does not comply with the requirements of subsection (4) and who has received a notification and survey in person or through one certified letter from the county is subject to a fine of between $75 ~~$50~~ and $150 ~~$100~~ per day for a maximum of 100 days. The county may collect such fines and deposit them in its general revenue fund. Fines collected by the county shall be used to carry out the

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notification and verification procedure established in this section. If there are excess funds after the notification and verification procedures have been completed, such funds shall be used for hazardous and solid waste management purposes only.

Section 19. Subsection (3) of section 403.726, Florida Statutes, is amended to read:

403.726 Abatement of imminent hazard caused by hazardous substance.—

(3) An imminent hazard exists if any hazardous substance creates an immediate and substantial danger to human health, safety, or welfare or to the environment. The department may institute action in its own name, using the procedures and remedies of s. 403.121 or s. 403.131, to abate an imminent hazard. However, the department is authorized to recover a civil penalty of not more than $37,500 ~~$25,000~~ for each day until a ~~of continued~~ violation is resolved by order or judgment. Whenever serious harm to human health, safety, and welfare; the environment; or private or public property may occur prior to completion of an administrative hearing or other formal proceeding that which might be initiated to abate the risk of serious harm, the department may obtain, ex parte, an injunction without paying filing and service fees prior to the filing and service of process.

Section 20. Paragraph (a) of subsection (3) of section 403.727, Florida Statutes, is amended to read:

403.727 Violations; defenses, penalties, and remedies.—

(3) Violations of the provisions of this act are punishable as follows:

(a) Any person who violates ~~the provisions of~~ this act, the

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rules or orders of the department, or the conditions of a permit is liable to the state for any damages specified in s. 403.141 and for a civil penalty of not more than $75,000 ~~$50,000~~ for each day of continued violation or until a violation is resolved by order or judgment, except as otherwise provided herein. The department may revoke any permit issued to the violator. In any action by the department against a small hazardous waste generator for the improper disposal of hazardous wastes, a rebuttable presumption of improper disposal shall be created if the generator was notified pursuant to s. 403.7234; the generator shall then have the burden of proving that the disposal was proper. If the generator was not so notified, the burden of proving improper disposal shall be placed upon the department.

Section 21. Subsection (8) of section 403.93345, Florida Statutes, is amended to read:

403.93345 Coral reef protection.—

(8) In addition to the compensation described in subsection (5), the department may assess, per occurrence, civil penalties according to the following schedule:

(a) For any anchoring of a vessel on a coral reef or for any other damage to a coral reef totaling less than or equal to an area of 1 square meter, $225 ~~$150~~, provided that a responsible party who has anchored a recreational vessel as defined in s. 327.02 which is lawfully registered or exempt from registration pursuant to chapter 328 is issued, at least once, a warning letter in lieu of penalty; with aggravating circumstances, an additional $225 ~~$150~~; occurring within a state park or aquatic preserve, an additional $225 ~~$150~~.

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(b) For damage totaling more than an area of 1 square meter but less than or equal to an area of 10 square meters, $450 ~~$300~~ per square meter; with aggravating circumstances, an additional $450 ~~$300~~ per square meter; occurring within a state park or aquatic preserve, an additional $450 ~~$300~~ per square meter.

(c) For damage exceeding an area of 10 square meters, $1,500 ~~$1,000~~ per square meter; with aggravating circumstances, an additional $1,500 ~~$1,000~~ per square meter; occurring within a state park or aquatic preserve, an additional $1,500 ~~$1,000~~ per square meter.

(d) For a second violation, the total penalty may be doubled.

(e) For a third violation, the total penalty may be tripled.

(f) For any violation after a third violation, the total penalty may be quadrupled.

(g) The total of penalties levied may not exceed $375,000 ~~$250,000~~ per occurrence.

Section 22. Subsection (5) of s. 823.11, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.16, Florida Statutes, in a reference thereto.

Section 23. Subsection (5) of s. 403.077, subsection (2) of s. 403.131, paragraph (d) of subsection (3) of s. 403.4154, and subsection (5) of s. 403.860, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 403.121, Florida Statutes, in references thereto.

Section 24. Subsection (10) of s. 403.708, subsection (7) of s. 403.7191, and s. 403.811, Florida Statutes, are reenacted

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for the purpose of incorporating the amendment made by this act to s. 403.141, Florida Statutes, in references thereto.

Section 25. Subsection (2) of s. 403.7255, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 403.161, Florida Statutes, in a reference thereto.

Section 26. Subsection (8) of s. 403.7186, Florida Statutes, is reenacted for the purpose of incorporating the amendments made by this act to ss. 403.141 and 403.161, Florida Statutes, in references thereto.

Section 27. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: Baps.Administrator@laspbs.state.fl.us <Baps.Administrator@laspbs.state.fl.us>
Sent: Friday, November 15, 2019 11:13 AM EST
CC: BAPS Administrator <BAPS.Administrator@LASPBS.STATE.FL.US>
Subject: Department of Revenue Proposed Budget Amendment EOG Log# O0049

To All Legislative Members: This request is pending approval by the Executive Office of the Governor and is now in Legislative Consultation. It will be implemented at the end of the consultation period on 12/2/2019 if no formal objection is filed, pursuant to Chapter 216.177 F.S.

Budget Amendment Request #: O0049
Requested by: Department of Revenue

Problem Statement:

The Department of Revenue (Department) requests changes to its legislatively approved performance measures and standards (LRPP) pursuant to section 216.1827(3)(a), Florida Statutes, by submitting such changes to the Executive Office of the Governor for approval, subject to the review and objection procedure set forth

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in section 216.177, Florida Statutes. The Department evaluates changes in laws, economic conditions, agency responsibilities, and other factors that may require revisions to currently approved performance measures and standards.

Agency Request:

The Department requests to revise certain current year performance measures and standards as indicated in the LRPP for Fiscal Years 2020-21 through 2024-25. These changes will ensure that measures and standards are appropriately stated and consistent with the Department's current processes and methodologies. Without these changes, the currently approved performance measures and standards for Fiscal Year 2019-20 will not provide a precise means of assessing

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agency performance. The following performance measures and standards changes are needed for the Exhibit II.

1) Total collections received (in billions) - Standard change: Increase to $52.694

FY 18-19 Prior Year Actual - $52.562B, Exhibit II

FY 19-20 Approved Standard - $51.818B, Exhibit II

Explanation: This standard is comprised of taxes and fees administered by the Department as well as other receipts processed by the agency. The taxes and fees portion of the standard is subject to revision by the Revenue Estimating Conference (REC) at designated intervals throughout the year. Therefore, fluctuations in the economy can potentially impact total collections received. In FY 2018-19, the total

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collections received were $52.562 billion or 4.6% above the approved standard. Therefore, the Department is recommending an upward revision to $52.694 billion or 1.69% above the previously published standard of $51.818 billion for FY 2019/20.

2) Percent of Audits Completed within 305 days from commencement - Standard change: Increase to 90%

FY 18-19 Prior Year Actual – 93.9%, Exhibit II

FY 19-20 Approved Standard – 82%, Exhibit II

Explanation: The Department anticipates an overall increase in this standard due to the integration of Compliance Campaigns audits into the Customer Relationship Management (CRM) system. This shift allows all Notices of Proposed

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Assessments (NOPAs) issued Department-wide to follow a consistent, parallel process. The requested standard increase is commensurate with expected performance for FY 2019-20.

3) Percent of collection cases resolved with payment -New title and standard: 63.0%

FY 18-19 Prior Year Actual – N/A

FY 19-20 Approved Standard – N/A

Explanation: The successful implementation and continuation of the General Tax Administration (GTA) Program's collections strategy to focus on pre-warrant "case resolution" prevents the aging of outstanding liabilities. Pre-warrant cases may be resolved via waivers, cancellations, payments, or filed returns. A full year of data was compiled to establish a baseline for this new

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measure. Thus, the requested standard is commensurate with expected performance for FY 2019-20.

4) Number of collection cases resolved- New title and standard: 600,000

FY 18-19 Prior Year Actual – N/A

FY 19-20 Approved Standard – N/A

Explanation: The Department is requesting this change to properly align the measure with the workflow of the Receivables Management process. The shift to “case resolution” strategy continues to transform taxpayer behavior resulting in the generation of fewer notices of outstanding tax liabilities. In addition, the Receivables Management Process has instituted the following preemptive methods to minimize the creation of notices:

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- Launching Education and Compliance Outreach (ECO) Program to contact newly registered taxpayers and help them with common filing errors

- Making corrections to account registration information to prevent issuance of erroneous delinquencies.

- Working on creating a bankruptcy service center to route bankruptcy items to a specialized group

- Corporate Income Tax (CIT) project – accounts created based on extension of time requests are inactivated preventing a delinquency notice from being issued.

A full year of data was compiled to establish a baseline for this new measure. Thus, the requested standard is commensurate with expected performance for FY 2019-20.

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5) Cost Effectiveness - Standard change: Increase to $319.67

FY 18-19 Prior Year Actual - $363.85, Exhibit II

FY 19-20 Approved Standard - $314.85, Exhibit II

Explanation- “Total Collections Received” serves as the numerator for the calculation of this measure. Therefore, any revisions to the “Total Collections Received” standard will impact the calculation of the cost effectiveness measure. See the “Total Collections Received” explanation for more detail. The Department is recommending an upward revision for this standard to $319.67 from $314.85 previously published.

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Agency Contact: Tiffany Helton
(850)717-6942

If there are any questions, please contact the following committee staff:

House: Adam Keith
(850) 717-4965

Senate: Sandra Blizzard
(850) 487-5140

Email Recipients: AllLegislators@Leg.state.fl.us, Adam Keith, Alicia Trexler, Bruce Topp, Christina Smith, Cindy Kynoch, Clark Rogers, Gino Betta, J. Eric Pridgeon, Jamie DeLoach, John Shettle, Kailey Fairchild, Kim Burke, Laurie Grasel, Lee Moore, Michelle Mullins, Olivia Hagood, Sandra Blizzard

AMERICAN OVERSIGHT

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Monday, November 04, 2019 8:57 AM EST
Subject: DeSantis/ Nuñez Administrative Schedule for Monday, November 4, 2019

GOVERNOR RON DESANTIS SCHEDULE
FOR
MONDAY, NOVEMBER 4, 2019

8:00am **CALL WITH CHIEF OF STAFF SHANE STRUM**

9:30am **CALL WITH UPS LEADERSHIP**

10:00am **MAJOR ANNOUNCEMENT**
Location: Walmart Supercenter
Address: 35404 US Hwy 19 North
Palm Harbor, FL 34684

1:00pm **MEETING WITH COMMUNICATIONS DIRECTOR HELEN FERRÉ**
Location: Florida State Capitol
Address: 400 South Monroe Street
Tallahassee, FL 32399

2:00pm **MEETING WITH POLICY DIRECTOR CHRIS SPENCER**
Location: Florida State Capitol
Address: 400 South Monroe Street
Tallahassee, FL 32399

###

LT. GOVERNOR JEANETTE NUÑEZ SCHEDULE
FOR
MONDAY, NOVEMBER 4, 2019

9:00am **MIAMI GLOBAL REAL ESTATE CONGRESS**
Location: Biltmore Hotel
Address: 1200 Anastasia Avenue
Coral Gables, FL 33134

11:30am **FLORIDA CHAMBER INSURANCE SUMMIT**
Location: JW Marriott Miami
Address: 1109 Brickell Avenue
Miami, FL 33131

1:30pm **KIWI NAMING CEREMONY**
Location: Miami-Dade Zoological Park and Gardens
Address: 12400 SW 152nd Street
Miami, FL 33177

###

AMERICAN OVERSIGHT

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Thursday, December 19, 2019 10:17 AM EST
Subject: DeSantis/ Nuñez Administrative Schedule for Thursday, December 19, 2019

GOVERNOR RON DESANTIS SCHEDULE
FOR
THURSDAY, DECEMBER 19, 2019

7:45am ET **CALL WITH CHIEF OF STAFF SHANE STRUM**

10:00am ET **MAJOR ANNOUNCEMENT**
Location: Gadsden County Emergency Operations Center
Address: 339 East Jefferson Street
Quincy Historic District, FL 32351

11:00am CT **MAJOR ANNOUNCEMENT**
Location: Scott's Ferry Volunteer Fire Department
Address: 7226 G U Parker Road
Blountstown, FL 32424

1:30pm CT **MAJOR ANNOUNCEMENT**
Location: Bay High School
Address: 1200 Harrison Avenue
Panama City, FL 32401

###

LT. GOVERNOR JEANETTE NUÑEZ SCHEDULE
FOR
THURSDAY, DECEMBER 19, 2019

1:00pm **RIBBON CUTTING OF HOMESTEAD CHRISTIAN ACADEMY**
Location: Homestead Christian Academy
Address: 255 NE 2nd Drive
Homestead, FL 33030

2:30pm **BRIGHTEN THE HOLIDAYS TOY DRIVE**
Location: Chapman Partnership South Center
Address: 28205 SW 124 Court
Homestead, FL 33033

###

AMERICAN OVERSIGHT

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Tuesday, November 05, 2019 9:00 AM EST
Subject: DeSantis/ Nuñez Administrative Schedule for Tuesday, November 5, 2019

GOVERNOR RON DESANTIS SCHEDULE
FOR
TUESDAY, NOVEMBER 5, 2019

9:00am **MAJOR ANNOUNCEMENT**
Location: Florida Oceanographic Coastal Center
Address: 890 NE Ocean Blvd.
Stuart, FL 34996

12:00pm **MAJOR ANNOUNCEMENT**
Location: Lover's Key State Park
Address: 8700 Estero Blvd.
Fort Myers Beach, FL 33931

###

LT. GOVERNOR JEANETTE NUÑEZ SCHEDULE
FOR
TUESDAY, NOVEMBER 5, 2019

8:30am **MEETING WITH AMBASSADOR ROSEMARY BANKS OF NEW ZEALAND**
Location: Biltmore Hotel
Address: 1200 Anastasia Avenue
Coral Gables, FL 33134

3:30pm **MEETING WITH COMMUNICATIONS DIRECTOR HELEN FERRÉ**
Location: Florida State Capitol
Address: 400 South Monroe Street
Tallahassee, FL 32399

###

AMERICAN OVERSIGHT

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Thursday, November 21, 2019 3:17 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: DOS Proposals
Attachment(s): "Department of State Legislative Proposal-OIA.docx"

Josh,

The International affairs legislation has been submitted to bill drafting but Senator Gruters has agreed to sponsor it for us. I have it attached for your reference.

Thank yoU!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

AMERICAN OVERSIGHT

Department of State Legislative Proposal
Office of International Affairs

Create Statute in Chapter 15 Secretary of State-
State Protocol Officer-
The Secretary of State shall serve as the state protocol officer. In consultation with the Governor and other governmental officials, the Secretary of State shall develop, maintain, publish, and distribute the state protocol manual.

15.182 International travel by state-funded musical, cultural, or artistic organizations; notification to the Department of ~~Economic Opportunity~~ State.—
(1) If a musical, cultural, or artistic organization that receives state funding is traveling internationally for a presentation, performance, or other significant public viewing, including an organization associated with a college or university, such organization shall notify the Department of ~~Economic Opportunity~~ State of its intentions to travel, together with the date, time, and location of each appearance.
(2) The Department of ~~Economic Opportunity~~ State, in conjunction with the Department of Economic Opportunity and Enterprise Florida, Inc., shall act as an intermediary between performing musical, cultural, and artistic organizations and Florida businesses to encourage and coordinate joint undertakings. Such coordination may include, but is not limited to, encouraging business and industry to sponsor cultural events, assistance with travel of such organizations, and coordinating travel schedules of cultural performance groups and international trade missions.
(3) An organization shall provide the notification to the Department of State required by this section at least 30 days before the date the international travel is to commence or, when an intention to travel internationally is not formed at least 30 days in advance of the date the travel is to commence, as soon as feasible after forming such travel intention. The Department of State shall take an active role in informing such groups of the responsibility to notify the department of travel intentions.

288.012 State of Florida international offices; state protocol officer; protocol manual.—
~~(7) The Governor may designate a state protocol officer. The state protocol officer shall be housed within the Executive Office of the Governor. In consultation with the Governor and other governmental officials, the state protocol officer shall develop, maintain, publish, and distribute the state protocol manual.~~

Create Statute in Chapter 288 International Affairs-
Citizen support organizations; use of state administrative services and property; audit.—
(1) CITIZEN SUPPORT ORGANIZATIONS.—The Office of International Affairs within the Department of State may support the establishment of citizen support organizations to provide assistance, funding, and promotional support for intergovernmental programs. For the purposes of this section, a “citizen support organization” means an organization which is:
(a) A Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the Department of State.
(b) Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the Office.
(c) Determined by the Office to be consistent with the goals of the Office and in the best interests of the state.

AMERICAN OVERSIGHT

(d) Approved in writing by the Office to operate for the direct or indirect benefit of the Office. Such approval shall be given in a letter of agreement from the Office.
(2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—
(a) The Office may prescribe by rule any condition with which a citizen support organization shall comply in order to use Office administrative services, property, or facilities.
(b) The Office shall not permit the use of any administrative services, property, or facilities of the state by a citizen support organization which does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.
(3) ANNUAL AUDIT.—The citizen support organization shall provide for an annual financial audit in accordance with s. 215.981.

288.816 Intergovernmental relations.—
(1) The state protocol officer shall be responsible for consular operations and the sister city and sister state program and shall serve as liaison with foreign, federal, and other state international organizations and with county and municipal governments in Florida.
(2) The state protocol officer shall be responsible for all consular relations between the state and all foreign governments doing business in Florida. The state protocol officer shall monitor United States laws and directives to ensure that all federal treaties regarding foreign privileges and immunities are properly observed. The state protocol officer shall promulgate rules which shall:
(a) Establish a viable system of registration for foreign government officials residing or having jurisdiction in the state. Emphasis shall be placed on maintaining active communication between the state protocol officer and the United States Department of State in order to be currently informed regarding foreign governmental personnel stationed in, or with official responsibilities for, Florida. Active dialogue shall also be maintained with foreign countries which historically have had dealings with Florida in order to keep them informed of the proper procedure for registering with the state.
(b) Maintain and systematically update a current and accurate list of all such foreign governmental officials, consuls, or consulates.
~~(c) Issue certificates to such foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government.~~
~~(d) Verify entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods.~~
(e) Verify entitlement to issuance of special motor vehicle license plates by the Department of Highway Safety and Motor Vehicles to honorary consuls or such other officials representing foreign governments who are not entitled to issuance of special Consul Corps license plates by the United States Government.
(f) Establish a system of communication to provide all state and local law enforcement agencies with information regarding proper procedures relating to the arrest or incarceration of a foreign citizen.
(g) Request the Department of Law Enforcement to provide transportation and protection services when necessary pursuant to s. 943.68.
(h) Coordinate, when necessary, special activities between foreign governments and Florida state and local governments. These may include Consular Corps Day, Consular Corps conferences, and various other social, cultural, or educational activities.
(i) Notify all newly arrived foreign governmental officials of the services offered by the state protocol officer.
(3) The state protocol officer may: ~~shall operate the sister city and sister state program and~~

AMERICAN OVERSIGHT

~~establish such new programs as needed to further global understanding through the interchange of people, ideas, and culture between Florida and the world. To accomplish this purpose, the state protocol officer shall have the power and authority to:~~

(a) Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries and their subdivisions. Such activities may include a State of Florida sister cities conference.

(b) Encourage cooperation with and disseminate information pertaining to the Sister Cities International Program and any other program whose object is to promote linkages with foreign countries and their subdivisions.

(c) Maximize any aid available from all levels of government, public and private agencies, and other entities to facilitate such activities.

~~(d) Establish a viable system of registration for sister city and sister state affiliations between the state and foreign countries and their subdivisions. Such system shall include a method to determine that sufficient ties are properly established as well as a method to supervise how these ties are maintained.~~

~~(e) Maintain a current and accurate listing of all such affiliations. Sister city affiliations shall not be discouraged between the state and any country specified in s. 620(f)(1) of the federal Foreign Assistance Act of 1961, as amended, with whom the United States is currently conducting diplomatic relations unless a mandate from the United States Government expressly prohibits such affiliations.~~

(4) The state protocol officer shall serve as a contact for the state with the Florida Washington Office, the Florida Congressional Delegation, and United States Government agencies with respect to laws or policies which may affect the interests of the state in the area of international relations. All inquiries received regarding international economic trade development or reverse investment opportunities shall be referred to Enterprise Florida, Inc. In addition, the state protocol officer shall serve as liaison with other states with respect to international programs of interest to Florida. The state protocol officer shall also investigate and make suggestions regarding possible areas of joint action or regional cooperation with these states.

(5) The state protocol officer shall have the power and duty to encourage the relocation to Florida of consular offices and multilateral and international agencies and organizations.

(6) The department and Enterprise Florida, Inc., shall help to contribute an international perspective to the state’s development efforts.

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From: Woodby, Katherine <Katherine.Woodby@myfloridahouse.gov>
Sent: Friday, January 10, 2020 10:52 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: E Verify HB 1265
Attachment(s): "E VErify HB 1265__.pdf"

Vickie,

Attached is HB 1265, E Verify. Sorry did not get to you sooner as I have been swamped.

Regards,

Katherine Woodby – Legislative Assistant
State Representative Cord Byrd
Florida House of Representatives – District

DISTRICT OFFICES

308 House Office Building
402 South Monroe Street
Tallahassee, FL 32399
(850) 717-5011

Robert M. Foster Justice Center
6347 Veterans Way
Yulee, FL 32097
(904) 548-9333

421 Third Street North
Jacksonville Beach, FL 32250
(904) 242-3495

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the verification of employment eligibility; amending s. 448.09, F.S.; providing definitions; requiring public employers, contractors, and subcontractors to register with and use the E-Verify system; prohibiting such entities from entering into a contract unless each party to the contract registers with and uses the E-Verify system; requiring a subcontractor to provide a contractor with a certain affidavit; requiring a contractor to maintain a copy of such affidavit; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract; authorizing a challenge to such termination; requiring private employers to verify the employment eligibility of newly hired employees beginning on a specified date; providing an exception; providing acceptable methods for verifying employment eligibility; requiring a private employer to provide a public employer with a certain affidavit in order to bid on or otherwise contract with the public employer; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract; providing certain liability if a contract is terminated; providing specified immunity and

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001138

nonliability for private employers; creating a rebuttable presumption for private employers; providing construction; providing an effective date.

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

Section 1. Section 448.09, Florida Statutes, is amended to read:

448.09 Unauthorized aliens; employment prohibited.—

(1) EMPLOYMENT ELIGIBILITY.—It is ~~shall be~~ unlawful for any person or entity to knowingly ~~to~~ employ, hire, recruit, or refer, either for herself or himself or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States.

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

(a) "Contractor" means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

(b) "Employee" means a person filling an authorized and established position who performs labor or services for a public or private employer in exchange for salary, wages, or other remuneration.

(c) "E-Verify system" means an Internet-based system

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operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

(d) "Legal alien" means a person who is or was lawfully present or permanently residing legally in the United States and allowed to work at the time of employment and remains so throughout the duration of that employment.

(e) "Private employer" means a person or entity that employs persons to perform labor or services in exchange for salary, wages, or other remuneration. The term does not include:

1. A public employer;

2. The occupant or owner of a private residence who hires:

a. Casual labor, as defined in s. 443.036, to be performed entirely within the private residence; or

b. A licensed independent contractor, as defined in federal laws or regulations, to perform a specified portion of labor or services; or

3. An employee leasing company licensed under part XI of chapter 468 that enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company. In the absence of a written agreement or understanding, the employee leasing company is responsible for compliance with this section. Such employee leasing company shall, at all times, remain an employer as otherwise defined in federal laws or

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regulations.

(f) "Public employer" means an agency within state, regional, county, local, or municipal government, whether executive, judicial, or legislative, or any public school, community college, or state university that employs persons who perform labor or services for that employer in exchange for salary, wages, or other remuneration or that enters or attempts to enter into a contract with a contractor.

(g) "Subcontractor" means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

(h) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

(3) PUBLIC EMPLOYERS, CONTRACTORS, AND SUBCONTRACTORS.—

(a) Beginning January 1, 2021, every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.

(b)1. If a contractor enters into a contract with a

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subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.

2. The contractor shall maintain a copy of such affidavit for the duration of the contract.

(c)1. A public employer, contractor, or subcontractor who has a good faith belief that a person or entity with which it is contracting has knowingly violated subsection (1) shall terminate the contract with the person or entity.

2. A public employer that has a good faith belief that a subcontractor knowingly violated this subsection, but the contractor otherwise complied with this subsection, shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.

3. A contract terminated under subparagraph 1. or subparagraph 2. is not a breach of contract and may not be considered as such.

(d) A public employer, contractor, or subcontractor may file an action with a circuit or county court to challenge a termination under paragraph (c) no later than 20 calendar days after the date on which the contract was terminated.

(e) If a public employer terminates a contract with a contractor under paragraph (c), the contractor may not be awarded a public contract for at least 1 year after the date on

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which the contract was terminated.

(4) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide a picture identification card that complies with the Real ID Act of 2005, Pub. L. No. 109-13, and a certified copy of one of the following documents:

a. A United States birth certificate;

b. A certificate of naturalization;

c. A certificate of citizenship;

d. An alien registration receipt card; or

e. A United States immigration form I-94 stamped to indicate "employment authorized."

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The private employer must retain a copy of the documents provided under this subparagraph for at least 3 years after the person's initial date of employment.

(c) A private employer may not bid on or otherwise contract with a public employer for the performance of labor or services in this state unless the private employer provides the public employer with an affidavit stating that:

1. The private employer is registered with and uses the E-Verify system to verify that all newly hired employees are legal citizens of the United States or legal aliens.

2. The private employer will continue to use the E-Verify system to verify the employment eligibility of all newly hired employees for the duration of the contract.

3. The private employer requires all subcontractors to provide an affidavit stating compliance with subparagraphs 1. and 2.

(d)1. A private employer that violates this subsection may be subject to termination of its public contract, if applicable, and may not be awarded a public contract for at least 1 year after the date on which the contract was terminated. The termination of the contract is not a breach of contract and may not be considered as such.

2. A private employer is liable for any additional costs incurred by the public employer as a result of the termination of the contract.

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(e) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(f) For purposes of this subsection, compliance with paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of subsection (1).

(5) ~~(2)~~ PENALTIES.—

(a) The first violation of subsection (1) is ~~shall be~~ a noncriminal violation as defined in s. 775.08(3) and, upon conviction, is ~~shall be~~ punishable as provided in s. 775.082(5) by a civil fine of not more than $500, regardless of the number of unauthorized aliens with respect to whom the violation occurred.

(b) ~~(3)~~ Any person who has been previously convicted for a violation of subsection (1) and who thereafter violates subsection (1) is~~, shall be~~ guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Any such subsequent violation of this section constitutes ~~shall constitute~~ a separate offense with respect to each unauthorized alien.

(6) CONSTRUCTION.—This section shall be enforced without

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FL-SEN-20-0201-A-001145

regard to race, color, or national origin and shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001146

From: NCOIL <scb@thebeaumontgroup.com>
Sent: Monday, October 07, 2019 10:29 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Early Bird Rate for 2019 NCOIL Annual National Meeting Closes in ONE Week!

View this email in your browser

Dear NCOIL Participant:

We write today to remind you that registration for the 2019 NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th is now open here. The early bird rate closes on October 14th.

A tentative meeting schedule is posted here.

NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for 15.25 credits of Texas CLE.

The Annual Meeting will begin at the conclusion of the NAIC meeting at the same location. Please plan to arrive in time for the Welcome Reception on the evening of December 10th. There will also be an optional tour of the Texas state capitol on that afternoon.

A full day of policy committees and general sessions will start with the busy Welcome Breakfast on December 11th.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code. You can do this by calling the hotel at 512-474-4744. If you have already made your hotel reservations with NAIC, we ask that you call the hotel with your confirmation code to amend them. You will not need to physically check out of the hotel room and will receive one hotel bill at the conclusion of your stay.

The hotel block closes on November 25th. The link for legislators is here - and the link for general participants is here.

Please do not hesitate to reach out to us with any questions at the NCOIL National Office.

Paul Penna
NCOIL

AMERICAN OVERSIGHT





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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Friday, October 11, 2019 10:14 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Early Bird Rate for 2019 NCOIL Annual National Meeting Closes on MONDAY!

View this email in your browser

Dear NCOIL Participant:

We write today to remind you that registration for the 2019 NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th is now open here. The early bird rate closes on October 14th.

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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Monday, October 14, 2019 9:06 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Early Bird Rate for 2019 NCOIL Annual National Meeting Closes TODAY!

View this email in your browser

Dear NCOIL Participant:

We write today to remind you that registration for the 2019 NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th is now open here. The early bird rate closes today, October 14th.

A tentative meeting schedule is posted here.

NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for 15.25 credits of Texas CLE.

The Annual Meeting will begin at the conclusion of the NAIC meeting at the same location. Please plan to arrive in time for the Welcome Reception on the evening of December 10th. There will also be an optional tour of the Texas state capitol on that afternoon.

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The hotel block closes on November 25th. The link for legislators is here - and the link for general participants is here.

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Paul Penna
NCOIL

AMERICAN OVERSIGHT





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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, October 01, 2019 6:46 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Event Announcement: Executive Golf Outing at Innisbrook, November 13 & 14, 2019

AMERICAN OVERSIGHT

Dear Senator Joe Gruters,
You are invited to the followingevent:

Executive Golf Outing at Innisbrook

When: 13 Nov 2019 10:00 AM, EST
Where: Innisbrook Resort- 36750 U.S. HIGHWAY 19 NORTH PALM HARBOR, FL 34684

Will you be attending?

Register | Not attending

EVENT DETAILS:

Executive Golf Outing at Innisbrook

Wednesday, November 13th &

Thursday, November 14th

Golf Package Includes:

Lunch, 2 rounds of Golf, complimentary cocktail reception Wednesday evening, room for two nights (room for Nov. 12 & 13 included in pricing) and full breakfast buffet both mornings.

Single Occupancy Executive Suite: $675

Single Occupancy 1-Bedroom Suite: $710

Registration Deadline: October 11th; Limited Spaces Available

Choose your Copperhead Tee Time and the other day you will golf on their North Course, either Wednesday afternoon or Thursday morning:

November 13th, 2019

Copperhead 1st Tee: 7:30AM – 8:10AM(5 Tee Times), 8:40AM

Copperhead 10th Tee: 7:30AM, 7:40AM – 7:50AM(2 tee times), 1:40PM

November 14th, 2019

Copperhead 1st Tee: 8:00AM – 8:20AM (3 Tee Times), 12:30PM, 12:40PM, 1:40PM

November 12th, 2019

(optional to golf this day if 13th & 14th Copperhead times do not work for you)

Copperhead 1st Tee: 7:40AM – 8:20AM(5 Tee Times), 11:00AM, 1:20PM, 1:30PM, 1:40PM

Please email your Copperhead Tee Time Choice to AlbaniHogan@gcbx.org once registered.

Exclusive & Unique Sponsorship Opportunity- Cocktail Reception Sponsorships Available!

Best regards,
Gulf Coast Builders Exchange

AMERICAN OVERSIGHT

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These links will work for the next 7 days only. Please, don't forward this email to anyone!

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, December 02, 2019 3:45 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Event Announcement: GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER- February 20, 2020

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER

When: 20 Feb 2020 6:00 PM, EST
Where: Hyatt Regency Sarasota- 1000 Blvd of the Arts

This year's dinner theme will be *Preserving Our Past and Building Our Future*. We are asking members to submit local projects for consideration to be showcased at the dinner in different ways including table settings, powerpoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration! We will provide more details once you have submitted.

Will you be attending?

REGISTER

Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm
Program 7:00 - 9:00 pm

Registration opens at 5:45 PM

Keynote Speaker:
Announcing soon!

Join us in Welcoming Incoming Chairman

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:
Rich Stehle, Climatic Conditioning Company

Posthumous Lifetime Achievment Awardee:

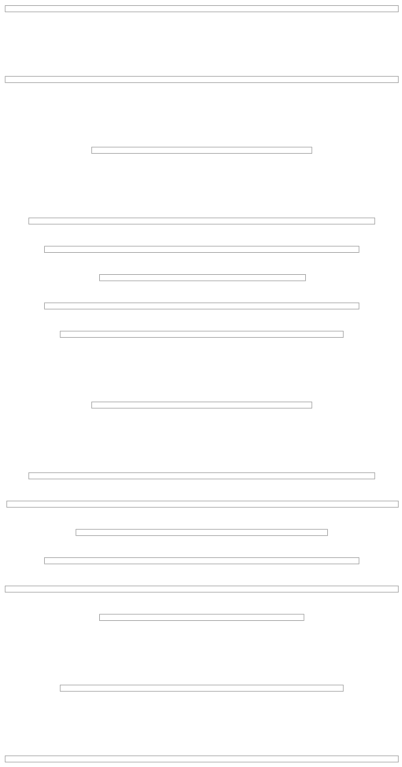
Nathan Benderson, Benderson Development

Plus a Surprise Chairman's Award and Volunteer of the Year!

AMERICAN OVERSIGHT

THANK YOU AWARDS SPONSOR!

THANK YOU KEYSTONE EVENT SPONSORS!



Best regards,
Gulf Coast Builders Exchange

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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Wednesday, December 18, 2019 10:30 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Event Announcement: GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER- February 20, 2020

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER

When: 20 Feb 2020 6:00 PM, EST
Where: Hyatt Regency Sarasota- 1000 Blvd of the Arts

This year's dinner theme will be *Preserving Our Past and Building Our Future*. We are asking members to submit local projects for consideration to be showcased at the dinner in different ways including table settings, powerpoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration! We will provide more details once you have submitted.

Will you be attending?

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Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm
Program 7:00 - 9:00 pm

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Keynote Speaker:
Announcing soon!

Join us in Welcoming Incoming Chairman

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:
Rich Stehle, Climatic Conditioning Company

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Nathan Benderson, Benderson Development

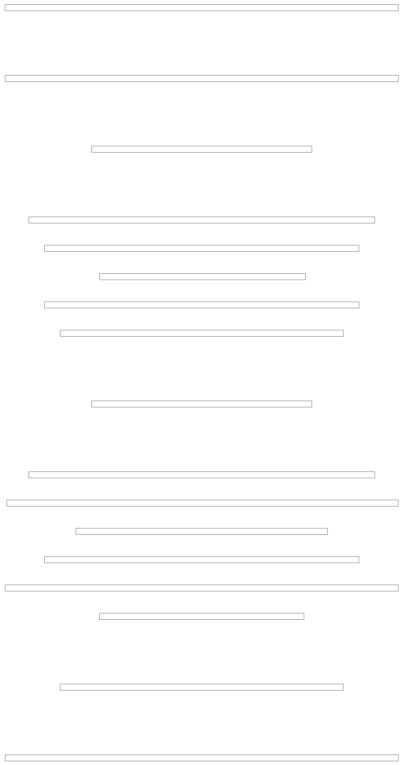
Plus a Surprise Chairman's Award and Volunteer of the Year!

AMERICAN OVERSIGHT

THANK YOU AWARDS SPONSOR!

THANK YOU PRESENTING SPONSOR!

THANK YOU KEYSTONE EVENT SPONSORS!



Best regards,
Gulf Coast Builders Exchange

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, December 23, 2019 11:30 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Event Announcement: GCBX LUNCH & LEARN: CYBERSECURITY- Wednesday, January 22nd

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX LUNCH & LEARN: CYBERSECURITY

When: 22 Jan 2020 11:30 AM, EST
Where: Grove- 10670 Boardwalk Loop, Lakewood Ranch, FL 34202

Will you be attending?

Register | Not attending

EVENT DETAILS:

GCBX Lunch & Learn: Cybersecurity

Wednesday, January 22nd
11:30 am – 1:15 pm
11:30 - Registration
12:00 - Program
Location: The Grove - Fever Tree Hall

Attendees will learn about the National Institute of Standards and Technology (NIST) Framework, a comprehensive five-step process that helps businesses prepare for the cyber-attacks threatening your data.

Presented By:
Nathan Bailey, Chief Operating Officer for SouthTech
David Karins, Karins Engineering Group
Jared Hawkins, Atlas Insurance Agency

$40 for GCBX Members

Lunch will be Included.

Click here for Flyer

*It is the policy of GCBX to charge for events if cancellations are not made at least 72 hours prior to the even .

Best regards,
Gulf Coast Builders Exchange

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, November 04, 2019 2:21 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Event Announcement: GCBX SPORTING CLAYS TOURNAMENT, November 15th

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX SPORTING CLAYS TOURNAMENT

When: 15 Nov 2019 9:00 AM, EST
Where: Knight's Trial Range - 3445 Rustic Road - Nokomis, FL 34275

Regsiter your team today!

Lunch only available for networking!

Will you be attending?

Register | Not attending

EVENT DETAILS:

at Knights Trail Park

Friday, November 15, 2019

9:00 am - 3:00 pm

9:00-11:00am ~ Registration & Practice
11:00-12:00pm ~ Lunch
12:00-2:30pm ~ Shoot
2:30-3:30pm ~ Awards

Knights Trail Park

3445 Rustic Road, Nokomis, Fl 34275
941-488-3223

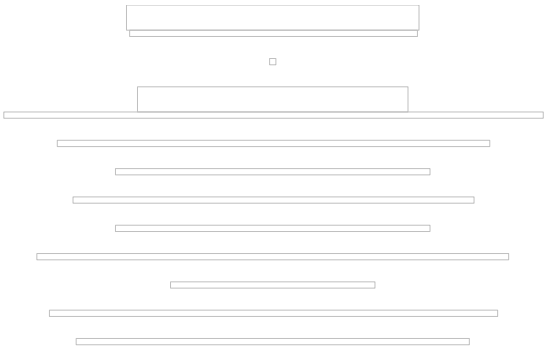
Sponsorship's Available! Become a Team Sponsor Today!

****Click here for Flyer***

Shot gun rentals available at Knight's Trail.

PAYMENT must be received in advance. DEADLINE to Register: November 5th. CANCELLATIONS after Nov. 5th WILL be invoiced as guarantees have been made on our behalf.

AMERICAN OVERSIGHT



Aqua Plumbing & Air

Badger Bob's Services, Inc.

Benderson Development

Core Construction

Creative Contractors, Inc.

Gator Grading & Paving

Gulf Coast Signs of Sarasota, Inc.

Gulfshore Insurance

High Associates

Icard Merrill

Interior Logic Group

Karins Engineering Group, Inc.

LaGasse Plumbing, Inc.

McIntyre Elwell & Strammer General Contractors, Inc.

Mullet's Aluminum Products, Inc.

NDC Construction Company

Neal Communities

One Eight Oh PR

PGT Industries, Inc.

Phillips & Jordan

Quest Design Group

Sarasota Ford

Service Contracting Solutions

Southern Structural Steel of FL

Sutter Roofing Company of FL

Tandem Construction

Waste Pro USA

Willis Smith Construction, Inc.

Best regards,
Gulf Coast Builders Exchange

AMERICAN OVERSIGHT

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From: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Sent: Friday, January 10, 2020 8:51 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: E-Verify draft
Attachment(s): "billdraft69649.docx"

Tyler C. Russell
Deputy Legislative Affairs Director
Office of the Governor
850.445.0709

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to the verification of employment eligibility; amending s. 448.09, F.S.; providing definitions; requiring public employers, contractors, and subcontractors to register with and use the E-Verify system; prohibiting such entities from entering into a contract unless each party to the contract registers with and uses the E-Verify system; requiring a subcontractor to provide a contractor with a certain affidavit; requiring a contractor to maintain a copy of such affidavit; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract; authorizing a challenge to such termination; requiring private employers to verify the employment eligibility of newly hired employees beginning on a specified date; providing an exception; providing acceptable methods for verifying employment eligibility; requiring a private employer to provide a public employer with a certain affidavit in order to bid on or otherwise contract with the public employer; authorizing the termination of a contract under certain conditions; providing that such termination is not a breach of contract; providing certain liability if a contract is terminated; providing specified immunity and

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001166

nonliability for private employers; creating a rebuttable presumption for private employers; providing construction; providing an effective date.

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

Section 1. Section 448.09, Florida Statutes, is amended to read:

448.09 Unauthorized aliens; employment prohibited.—

(1) EMPLOYMENT ELIGIBILITY.—It is ~~shall be~~ unlawful for any person or entity to knowingly ~~to~~ employ, hire, recruit, or refer, either for herself or himself or on behalf of another, for private or public employment within the state, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States.

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

(a) "Contractor" means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

(b) "Employee" means a person filling an authorized and established position who performs labor or services for a public or private employer in exchange for salary, wages, or other remuneration.

(c) "E-Verify system" means an Internet-based system

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001167

operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees.

(d) "Legal alien" means a person who is or was lawfully present or permanently residing legally in the United States and allowed to work at the time of employment and remains so throughout the duration of that employment.

(e) "Private employer" means a person or entity that employs persons to perform labor or services in exchange for salary, wages, or other remuneration. The term does not include:

1. A public employer;

2. The occupant or owner of a private residence who hires:

a. Casual labor, as defined in s. 443.036, to be performed entirely within the private residence; or

b. A licensed independent contractor, as defined in federal laws or regulations, to perform a specified portion of labor or services; or

3. An employee leasing company licensed under part XI of chapter 468 that enters into a written agreement or understanding with a client company which places the primary obligation for compliance with this section upon the client company. In the absence of a written agreement or understanding, the employee leasing company is responsible for compliance with this section. Such employee leasing company shall, at all times, remain an employer as otherwise defined in federal laws or

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001168

regulations.

(f) "Public employer" means an agency within state, county, or municipal government that employs persons who perform labor or services for that employer in exchange for salary, wages, or other remuneration or that enters or attempts to enter into a contract with a contractor.

(g) "Subcontractor" means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

(h) "Unauthorized alien" means a person who is not authorized under federal law to be employed in the United States, as described in 8 U.S.C. s. 1324a(h)(3). The term shall be interpreted consistently with that section and any applicable federal rules or regulations.

(3) PUBLIC EMPLOYERS, CONTRACTORS, AND SUBCONTRACTORS.—

(a) Beginning January 1, 2021, every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.

(b)1. If a contractor enters into a contract with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001169

employ, contract with, or subcontract with an unauthorized alien.

2. The contractor shall maintain a copy of such affidavit for the duration of the contract.

(c)1. A public employer, contractor, or subcontractor who has a good faith belief that a person or entity with which it is contracting has knowingly violated subsection (1) shall terminate the contract with the person or entity.

2. A public employer that has a good faith belief that a subcontractor knowingly violated this subsection, but the contractor otherwise complied with this subsection, shall promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.

3. A contract terminated under subparagraph 1. or subparagraph 2. is not a breach of contract and may not be considered as such.

(d) A public employer, contractor, or subcontractor may file an action with a circuit or county court to challenge a termination under paragraph (c) no later than 20 calendar days after the date on which the contract was terminated.

(e) If a public employer terminates a contract with a contractor under paragraph (c), the contractor may not be awarded a public contract for at least 1 year after the date on which the contract was terminated.

(4) PRIVATE EMPLOYERS.—

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001170

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person's employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide a picture identification card that complies with the Real ID Act of 2005, Pub. L. No. 109-13, and a certified copy of one of the following documents:

a. A United States birth certificate;

b. A certificate of naturalization;

c. A certificate of citizenship;

d. An alien registration receipt card; or

e. A United States immigration form I-94 stamped to indicate "employment authorized."

The private employer must retain a copy of the documents provided under this subparagraph for at least 3 years after the

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001171

person's initial date of employment.

(c) A private employer may not bid on or otherwise contract with a public employer for the performance of labor or services in this state unless the private employer provides the public employer with an affidavit stating that:

1. The private employer is registered with and uses the E-Verify system to verify that all newly hired employees are legal citizens of the United States or legal aliens.

2. The private employer will continue to use the E-Verify system to verify the employment eligibility of all newly hired employees for the duration of the contract.

3. The private employer requires all subcontractors to provide an affidavit stating compliance with subparagraphs 1. and 2.

(d)1. A private employer that violates this subsection may be subject to termination of its public contract, if applicable, and may not be awarded a public contract for at least 1 year after the date on which the contract was terminated. The termination of the contract is not a breach of contract and may not be considered as such.

2. A private employer is liable for any additional costs incurred by the public employer as a result of the termination of the contract.

(e) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001172

hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person's work authorization status was not that of an unauthorized alien.

(f) For purposes of this subsection, compliance with paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of subsection (1).

(5)~~(2)~~ PENALTIES.—

(a) The first violation of subsection (1) is ~~shall be~~ a noncriminal violation as defined in s. 775.08(3) and, upon conviction, is ~~shall be~~ punishable as provided in s. 775.082(5) by a civil fine of not more than $500, regardless of the number of unauthorized aliens with respect to whom the violation occurred.

(b)~~(3)~~ Any person who has been previously convicted for a violation of subsection (1) and who thereafter violates subsection (1) is~~, shall be~~ guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Any such subsequent violation of this section constitutes ~~shall constitute~~ a separate offense with respect to each unauthorized alien.

(6) CONSTRUCTION.—This section shall be enforced without regard to race, color, or national origin and shall be construed in a manner so as to be fully consistent with any applicable

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001173

federal laws or regulations.

Section 2. This act shall take effect July 1, 2020.

DRAFT

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001174

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Thursday, January 02, 2020 10:22 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: EXCLUSIVE: Your free 2020 Economic Outlook awaits!

Florida Chamber Foundation | **www.FLFoundation.org**
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Thursday, December 19, 2019 12:52 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: EXCLUSIVE: Your free 2020 Economic Outlook awaits

Florida Chamber Foundation | www.FLFoundation.org
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: FAHP <fahp@memberclicks-mail.net>
Sent: Friday, November 01, 2019 12:25 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FAHP Announces Uber Health & American Logistics Company (ALC) as the Presenting Sponsor for the 2019 Annual Conference

This email was sent togruters.joe@flsenate.gov by meetingplanner@fahp.net

Florida Association of Health Plans · 200 W. College Ave. , Tallahassee, Florida 32301 , United States

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AMERICAN OVERSIGHT

From: Florida Association of Health Plans <fahp@memberclicks-mail.net>
Sent: Thursday, October 31, 2019 12:55 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FAHP News - October

FAHP CONFERENCE RESCHEDULED for NOVEMBER 18-20

REGISTRATION OPEN

FOLLOW US ON TWITTER

@FAHPCon

NEWS

Florida's Rate Of Uninsured Children Continues To Increase
Health News Florida

The number and rate of uninsured children continued to increase in Florida and across...

Medicaid Health Plans Get Good Grades
News Service of Florida

Most people enrolled in Florida's Medicaid managed-care program give their health plans high grades...

Stable Costs But More Uninsured As 'Obamacare' Sign-Ups Open
Associated Press

More Americans are going without health insurance, and stable premiums plus greater choice...

FAHP EVENTS

FAHP HEALTH PLAN MEMBER NEWS

Community Care Plan Earned Designation As A Great Place To Work-Certified Company in 2019

Cigna Partners with Former NFL Star Surprises Single Mother And Son With New House In Florida

Molina Healthcare of Florida Announces Expansion Of Marketplace Offerings For 2020

Humana Expands Medicare Advantage Offerings In Northwest Florida

Humana To Provide Medicare Advantage Plans To Florida's State Retirees

CarePlus Expands Medicare Offerings To Beneficiaries In Clay And Volusia Counties

CarePlus Health Plans Once Again Achieves Medicare's Highest Quality Rating

Prestige Health Choice Earns NCQA's Second Highest Health Plan Accreditation Status Level

ASSOCIATE MEMBER NEWS

AMERICAN OVERSIGHT

Rescheduled to November 18-20, 2019

- Program Highlights
- Hotel Information
- Registration Fees
- Registration Form
- Golf Tourney
- Sponsorship Prospectus
- Tradeshow

Sponsors and Exhibitors

(as of 10/31/19)

3M Health Information Systems
Access2Care
AHCV
Akerman
American Logistics
American Well
Amplifon Hearing Health Care
Beacon Health Options
Capital City Consulting
CastiaRx
Celtic Global Consulting
Collective Medical
Corcoran Partners
DataLink Software
DentaQuest
Dexcom
Envolve
Genomic Health
GMS Call Center
Greenberg Traurig
healow Insights
HealthCrowd
Health Dialog Services Corporation
Health Network One
Health Management Systems
Healthy Start
HHAeXchange
Hologic
HPA, A Cognizant Company
IntelliRide by Transdev
InterSystems
J& B Medical
LogistiCare Solutions
MCG Health
Medline Industries
Melinta Therapeutics
NationsHearing
PerformRx/PerformSpecialty
Pinnacle Brokers
Pulse8
RIDE2MD, Inc
Rubin Turnbull & Associates
SafeRide Health
Tellus
The Promise Fund
Tiatros
Trividia Health
Uber Health
VARIS
Veyo

FAHP Members

Cologuard Gains FDA Approval For Use In Younger Americans, Ages 45-49

Dentaquest - America's Oral Health: An Emerging Crisis

Uber Eyes Pharma, DME And Healthy Meal Delivery

15% Of Arizona's Medicaid Rides Involved Uber, Lyft This Summer

State Transportation Was Unreliable, So Uber And Lyft Help Medical Patients Make Their Appointments

Uber Health And Kryuus Partner To Boost Appointment Follow-Through

Heathcare and Insurance Staffing Services

For your 4 free hours of staffing services click here

NTT Data Named Leader In Digital Workplace Services Everest Group

Liberty Dental Earns Full URAC Accreditation

AMERICAN OVERSIGHT

Health Plan Members

Associate Members

Florida Association of Health Plans

200 West College Ave, Suite 104; P.O. Box 10748 | Tallahassee, FL 32301

Audrey Brown Bridges, President and CEO

Wences Troncoso, Vice President and General Counsel

Paul Runk, Vice President Government Programs

Laura Pridgeon, Operations Manager

Meetingplanner@fahp.net

This email was sent togruters.joe@flsenate.gov by laura@fahp.net

Florida Association of Health Plans · 200 W. College Ave. , Tallahassee, Florida 32301 , United States

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AMERICAN OVERSIGHT

From: Josh Burkett <josh@consultanderson.com>
Sent: Tuesday, January 14, 2020 6:27 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Mark Anderson <mark@consultanderson.com>; Travis W. Moore <travis@moore-relations.com>
Subject: FAQ SB 898
Attachment(s): "FAQ SB 898 FIGA Limits.docx"

Hi Vickie,

Please attached Q and A you asked for. If we get other questions in committee I can update. Call me with any questions you have. We will be in committee tomorrow.

Josh Burkett

Cell:727-656-3316
Email:Josh@consultanderson.com
Website: www.consultanderson.com

AMERICAN OVERSIGHT

FAQ SB 898 FIGA Limits

Q. What is FIGA?

A. The Florida Insurance Guarantee Association. Established by the legislature in 1970 to protect admitted carrier policyholders should an admitted carrier become insolvent and unable to pay claims. FIGA is the safety net for Florida's admitted carrier policyholders.

Q. How long has the FIGA limit been at $100k per condominium unit?

A. It has been 50 years, since the inception of FIGA in 1970 the level of coverage has not increased. The cost to rebuild or repair has gone up significantly in the last 50 years.

Q. Has the FIGA limit for single family homes been increased since 1970?

A. Yes it has, it has been increased to $500k in the last several years.

Q. What is the impact on Florida's Condominium Associations if this limit is not increased?

A. Currently in Florida, due to the lack of an increase in the FIGA cap for Condominium Associations, condominiums in Florida are severely under insured. The current FIGA cap would not cover the cost to rebuild the condominium in the event of a major storm like we saw in the panhandle. Because of the recent storms of 2017 and 2018, the inadequacy of the current FIGA limit for condominiums has been exposed. SB 898's intention is to address this inadequacy before not after a catastrophic storm impacts Florida.

Q. How does SB 898 address the lack of coverage for condominium associations?

A. By increasing the FIGA cap on condominiums from $100k to $200k per unit. Condominium owners in Florida will be afforded needed safety net protections to be made whole.

Q. How does FIGA generate the additional revenue needed to cover the increase in coverage?

A. SB 898 affords FIGA the ability to increase its assessment points and bonding ability from 2 to 4 points to cover the increase in coverage.

Q. When can FIGA access these additional assessment points?

A. As prescribed by Florida law, FIGA can only access these additional points in cases of extreme loss and the policy holder's admitted carrier has become insolvent. To sum it up, only in the event of a major category 5 storm would these additional assessment points be accessed.

AMERICAN OVERSIGHT

Q. Dos this bill deal with surplus lines coverage in any way?

A. No, FIGA only applies to admitted carriers.

Q. How does current law affect the states effort to depopulate Citizens?

A. Currently, by not having adequate FIGA limits commercial residential policy holders are unwilling to move out of citizens to an admitted carrier for fear of not having adequate coverage. SB 898 would help to depopulate Citizens and incentive policy holders to move into the private market place.

AMERICAN OVERSIGHT

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 04, 2019 1:50 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: FIBA Southwest Florida Showcase Invitation

Hello, Josh.

Per my conversation with Emmabella a few minutes ago, I met with Sen. Gruters on August 29 in Venice to update him on the work our accelerator is doing. I mentioned that we would be having a special showcase event and panel in his district and he asked that I keep him in the loop. That event is scheduled for Thursday, November 21 at the USF Sarasota-Manatee campus. – 9:30 to 11:30 AM. The invitation and event details are below. Please contact me with any questions. If Sen. Gruters can't make it, perhaps someone from your office will join us. Thank you for your help on this and have a great day!

Mark

Please find below the event details for the Florida-Israel Business Accelerator (FIBA) Southwest Florida Showcase events in Naples (Tuesday, 11/19), Fort Myers (Wednesday, 11/20), and Sarasota/Manatee (Thursday, 11/21). You can register for the event(s) of your choice via this link: **FIBA Registration**. There is no charge to attend and, if you know of anyone who'd like to learn about investing in tech, our FIBA companies, and how FIBA can impact economic development in your community, please feel free to forward this invitation. We look forward to seeing you there!

You can also click on the invitation itself for a direct link to the RSVP site and if you have any questions about the event please respond to this message or email mark@fiba.io

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

AMERICAN OVERSIGHT

Israeli Technology: What You Need to Know About Investing

FLORIDA-ISRAEL
business accelerator

Please join the Florida-Israel Business Accelerator (FIBA) at one of the three upcoming special events in a community near you for a panel discussion plus presentations from three Israeli tech companies participating in the FIBA progam:

ECOncrete, QinFlow & UC-Care

PANELISTS:



Brian Rosenzweig
Partner
JANVEST Capital Partners



Saxon Baum
Director of Business Development
Florida Funders



Tom Wallace
Managing Partner/ Investment Committee
Florida Funders

- **Tuesday, Nov 19 - Naples:** Florida SouthWestern State College
- **Wednesday, Nov 20 - Fort Myers:**
  Florida Gulf Coast University School of Entrepreneurship
- **Thursday, Nov 21 - Sarasota/Manatee:**
  USF Sarasota-Manatee Campus

ALL EVENTS ARE SCHEDULED 9:30-11:30AM

RSVP: fibaevents.eventbrite.com | Inquiries: mark@fiba.io

In cooperation with: Tampa Jewish Community Centers & Federation; Jewish Federation of Greater Naples; Jewish Federation Lee and Charlotte Counties; The Jewish Federation of Sarasota-Manatee

FIBA is funded by: DEO Florida Department of Economic Opportunity; Hillsborough County Florida

Event sponsored by: Israel Bonds; Florida Gulf Coast University; Janvest Capital Partners; University of South Florida Sarasota-Manatee; Florida Funders

AMERICAN OVERSIGHT

From: Mark Segel <Mark@fiba.io>
Sent: Thursday, October 31, 2019 2:20 PM EDT
CC: Mark Segel <Mark@fiba.io>
Subject: FIBA Southwest Florida Showcase Invitation

Hello.

Please find below the event details for the Florida-Israel Business Accelerator (FIBA) Southwest Florida Showcase events in Naples (Tuesday, 11/19), Fort Myers (Wednesday, 11/20), and Sarasota/Manatee (Thursday, 11/21). You can register for the event(s) of your choice via this link: **FIBA Registration**. There is no charge to attend and, if you know of anyone who'd like to learn about investing in tech, our FIBA companies, and how FIBA can impact economic development in your community, please feel free to forward this invitation. We look forward to seeing you there!

You can also click on the invitation itself for a direct link to the RSVP site and if you have any questions about the event please resond to this message or email mark@fiba.io

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)



AMERICAN OVERSIGHT

Israeli Technology: What You Need to Know About Investing

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RSVP: fibaevents.eventbrite.com | Inquiries: mark@fiba.io

In cooperation with: Tampa Jewish Community Centers & Federation; Jewish Federation of Greater Naples; Jewish Federation Lee and Charlotte Counties; The Jewish Federation of Sarasota-Manatee

FIBA is funded by: DEO Florida Department of Economic Opportunity; Hillsborough County Florida

Event sponsored by: Israel Bonds; Florida Gulf Coast University; Janvest Capital Partners; University of South Florida Sarasota-Manatee; Florida Funders

AMERICAN OVERSIGHT

From: Anna Grace Lewis <alewis@flchamber.com>
Sent: Tuesday, February 11, 2020 8:29 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FI Chamber Supports SB 1828
Attachment(s): "image001.emz"

136 S. Bronough Street
Tallahassee, FL 32301
Phone: (850) 521-1200
Fax: (850) 521-1203

www.floridachamber.com

February 11, 2020

The Honorable Joe Gruters
Florida Senate
324 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: Support SB 1828: Litigation Financing Consumer Protection
When the 2020 Florida Chamber Business Agenda Wins, Florida Wins

Dear Senator Gruters:

The Florida Chamber of Commerce urges you to **support SB 1828,** related to litigation financing consumer protection. This bill, proposed by Senator Jeff Brandes, will be heard in the Senate Banking and Insurance Committee on Tuesday, February 11, 2020.

Litigation financing is a newer industry that has emerged to provide loans to consumers in exchange for a portion of the recovery or proceeds from a civil claim. These loans are up-front cash for the consumer, but often come with very high interest rates and leave the borrower with little to no recovery by the conclusion of the case. In fact, these loans sometimes force consumers to not act in their best interest and settle the case because the amount of the settlement offer does not leave the consumer with any recovery money after the litigation financier and other liens are paid.

SB 1828 is a consumer friendly bill to regulate litigation financing companies. This bill creates a registration process and requires the posting of a surety bond to do business in the state. The bill also requires a series of disclosures to the consumer, including the amount of the loan, an itemized list of all fees and charges, the interest rate, and the total amount due in 6 month intervals for 3 years. The bill also requires disclosure that the consumer owes nothing if they lose the case, or if the amount awarded is less than the loan, that the litigation financier will accept a reduced sum as full payment. Additionally, the consumer has the ability to cancel the contract within 5 days and return the loan.

This bill is important to Florida's business community because it:

- Prevents gamesmanship by litigation financing companies to take advantage of consumers;
- Provides transparency and protections to consumers that might borrow money from litigation financiers; and
- Requires notification to the other party or defense that a third party has a contingent right to receive any proceeds from the claim.

The Florida Chamber urges you to **support SB 1828**, and will consider votes on this legislation, and any substantive amendments to it in committee or on the floor, in our annual *How They Voted* report card. Because of the importance of this issue to employers across the state, our Board of Directors has determined that this bill, and any substantive amendments to it in committee or on the floor, will be counted ***twice*** on our legislative report card. The grade that you earn will be based on your voting record on the issues, such as this one. We will make every effort to notify you prior to a vote that may be included in our annual Legislative Report Card. If you have any questions about this or other issues, please do not hesitate to contact me.

Regards,



Frank C. Walker, III
Vice President of Government Affairs

CC: Charles Caulkins, Chair, Florida Chamber of Commerce
Mark Wilson, President & CEO, Florida Chamber of Commerce
David Hart, Executive Vice President, Florida Chamber of Commerce

AMERICAN OVERSIGHT

Unable to Process

AMERICAN OVERSIGHT

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Monday, October 28, 2019 2:44 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Florida Chamber Creates New Political Initiatives

2020 ELECTION

The Florida Chamber Unveils the Free Enterprise Fund and the Florida Institute for Political Leadership

At this year's Future of Florida Forum, the Florida Chamber announced the expansion of the Florida Chamber Political Institute (FCPI) and the creation of two new political initiatives.

FCPI is the research-based arm of the Florida Chamber's political operation. FCPI travels statewide and interviews hundreds of new candidates, identifying pro-jobs, pro-business candidates. These efforts are vital in ensuring the right candidates are identified, but as campaigns have changed over the years, the Chamber realizes it's time to increase the scope of the Florida Chamber's political efforts.

David Hart, Executive Vice President of the Florida Chamber of Commerce shared that in 2018, Florida saw two key races, the Governor's race and the U.S. Senate race, become the two most expensive statewide campaigns in the entire country. In an effort to ensure the business community's interests remain paramount, the Florida Chamber is announcing the creation of the Free Enterprise Fund. The fund will unite Florida's business community in support of candidates who share our belief in free enterprise.

Florida Institute for Political Leadership

During a session entitled, Better Candidates Equal a Better Future, Rick Asnani, President of Cornerstone Solutions Florida identified the reasons it is imperative for the business community to continue to recruit and support the right candidates at all levels of government. To accomplish this, the Florida Chamber is launching the Florida Institute for Political Leadership (FIPL).

FIPL is a non-partisan effort to recruit, train, and provide campaign training to business-friendly candidates for a wide array of local government offices. Anyone interested in running for an elected position can use the FIPL portal to identify what positions have upcoming elections. The heart of the Institute is the leadership and campaign training offered at no cost to the participants we are partnering with to improve Florida's economic future. The Florida Chamber will partner with local chambers to offer these trainings in communities across the state.

Get Involved Today

Visit the Florida Chamber Political Institute for more information on how you can get involved.

For more information on the Florida Chamber Free Enterprise Fund, contact David Hart at dhart@flchamber.com.

Visit the Florida Institute For Political Leadership to find out how you can get more involved in elections.

Florida Chamber Foundation l **www.FLFoundation.org** l **Unsubscribe**
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

AMERICAN OVERSIGHT

From: Staniscia, Corey <Corey.Staniscia@myfloridahouse.gov>
Sent: Thursday, November 14, 2019 7:40 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf
Attachment(s): "FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf","ATT00001.htm"

Hey Vicky didn't have josh's email and I wanted to get this to him ASAP. It's the approp we discussed yesterday. Talk soon!

AMERICAN OVERSIGHT

Corey Staniscia
Chief Legislative Assistant
Representative Chip LaMarca
Florida House of Representatives Dist. 93

"*Thanks for Chippin' In*"

Sent from my iPad

AMERICAN OVERSIGHT

Appropriations Project Request - Fiscal Year 2020-21

For projects meeting the Definition of House Rule 5.14

1. Title of Project: FLORIDA FIRST ROBOTICS TEAM GRANT
2. Date of Submission: 11/13/2019
3. House Member Sponsor: Chip LaMarca
   Members Copied:

4. DETAILS OF AMOUNT REQUESTED:

a. Has funding been provided in a previous state budget for this activity? Yes
   If answer to 4a is "No" skip 4b and 4c and proceed to 4d, Col. E
b. What is the most recent fiscal year the project was funded? 2018-19
c. Were the funds provided in the most recent fiscal year subsequently vetoed? No
d. Complete the following Project Request Worksheet to develop your request:

FY:	Input Prior Year Appropriation for this project for FY 2019-20 (If appropriated in 2019-20 enter the appropriated amount, even if vetoed.)			Develop New Funds Request for FY 2020-21 (Requests for additional RECURRING funds are prohibited.)		
Column:	A	B	C	D	E	F
Funds Description:	Prior Year Recurring Funds	Prior Year Nonrecurring Funds	Total Funds Appropriated (Recurring plus Nonrecurring: column A + column B)	Recurring Base Budget (Will equal non-vetoed amounts provided in Column A)	**Additional Nonrecurring Request**	**TOTAL Nonrecurring plus Recurring Base Funds** (Will equal the amount from the Recurring base in Column D plus the Additional Nonrecurring Request in Column E.)
Input Amounts:					900,000	900,000

5. Are funds for this issue requested in a state agency's Legislative Budget Request submitted for FY 2020-21? No
   5a. If yes, which state agency?
   5b. If no, which is the most appropriate state agency to place an appropriation for the issue being requested? Department of Education
   5c. Has the appropriate state agency for administering the funding, if the request were appropriated, been contacted? No
   5d. Describe penalties for failing to meet deliverables or performance measures which the agency should provide in its contract to administer the funding if appropriated.
   Deobligate a portion of the funds for future grants, but taking into consideration extenuating circumstances

AMERICAN OVERSIGHT
Tracking #: 17325

6. Requester:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

7. Contact for questions about specific technical or financial details about the project:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

8. Is there a registered lobbyist working to secure funding for this project?
   a. Name: None
   b. Firm: None
   c. Email:
   d. Phone #:

9. Organization or Name of entity receiving funds:
   a. Name: FIRST Robotics
   b. County (County where funds are to be expended): Orange, Palm Beach
   c. Service Area (Counties being served by the service(s) provided with funding): Statewide

10. What type of organization is the entity that will receive the funds? (Select one)
   ○ For Profit
   ◉ Non Profit 501(c) (3)
   ○ Non Profit 501(c) (4)
   ○ Local Government
   ○ University or College
   ○ Other (Please describe)

AMERICAN OVERSIGHT
Tracking #: 17325

11. What is the specific purpose or goal that will be achieved by the funds being requested?

FIRST is the world's leading youth-serving nonprofit advancing STEM. FIRST programs inspire innovation and leadership through engaging robotics challenges developed to ignite curiosity and passion in students in grade K-12.These funds will help support high school teams participating in the FIRST Robotics Competition and FIRST Tech Challenge, help fund the FRC Regional competitions: Orlando and South FL, and the FTC State Championship. It will also help other FIRST cross program initiatives.

12. Provide specific details on how funds will be spent. (Select all that apply)

Spending Category	Description	Nonrecurring (Should equal 4d, Col. E) Enter "0" if request is zero for the category
Administrative Costs:		
☐a. Executive Director/Project Head Salary and Benefits		
☐b. Other Salary and Benefits		
☐c. Expense/Equipment/Travel/Supplies/Other		
☐d. Consultants/Contracted Services/Study		
Operational Costs:		
☐e. Salaries and Benefits		
☑f. Expenses/Equipment/Travel/Supplies/Other	$3,000 to each Florida FRC team that participates in a Florida regional, funds to cover part of the regional registration fee. An additional $2,500 for Florida FRC teams that register for a 2nd Florida regional, funds to cover part of the registration fee. Each Florida FRC team that qualifies for the FIRST World Championship by winning their way there to receive $3,000 to help defray cost of travel	900,000

AMERICAN OVERSIGHT
Tracking #: 17325

	and participation at the World Competition. $200,000 for each regional competition in Florida (Sou	
☐g. Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
☐h. Construction/Renovation/Land/Planning Engineering		
TOTAL		900,000

13. For the Fixed Capital Costs requested with this issue (In Question 12, category "h. Fixed Capital Outlay" was selected), what type of ownership will the facility be under when complete? (Select one correct option)

○For Profit
○Non Profit 501(c) (3)
○Non Profit 501(c) (4)
○Local Government (e.g., police, fire or local government buildings, local roads, etc.)
○State agency owned facility (For example: college or university facility, buildings for public schools, roads in the state transportation system, etc.)
○Other (Please describe)

14. Is the project request an information technology project?

No

15. Is there any documented show of support for the requested project in the community including public hearings, letters of support, major organizational backing, or other expressions of support?

Yes

15a. Please Describe:

We have a video created by the teams: https://firstinflorida.org/ that has been accessed more than 4,190 times. In previous years, more than 210 letters were sent to Representatives and Senators from teams all across the state of Florida, thanking them for the support received and asking for their continued support.

16. Has the need for the funds been documented by a study, completed by an independent 3rd party, for the area to be served?

Yes

AMERICAN OVERSIGHT
Tracking #: 17325

16a. Please Describe:

The U.S. is ranked 20th out of 30 in high school graduation rates among industrialized nations.[1] Standardized test scores from 30 nations rank 14-year-olds in the U.S. 25th in math and 21st in science.[2] [1 & 2] National Science Board (May, 2010). Preparing the Next Generation of STEM Innovators: Identifying and Developing Our Nation's Human Capital. National Science Foundation.

17. Will the requested funds be used directly for services to citizens?

Yes

17a. What are the activities and services that will be provided to meet the purpose of the funds?

The funds will directly impact 9-12th grade students in their ability to participate and compete in the FIRST Robotics Competition and the FIRST Tech Challenge by lowering the barrier to entry by paying some competition registration costs. It will also support the competitions in which students compete with the robot designed specifically for that year's challenge.

17b. Describe the direct services to be provided to the citizens by the funding requested.

Through the participation in the FIRST Robotics Competition and FIRST Tech Challenge program, students learn many of the required skills needed not only to develop a competitive robot, but also to manage a small business. We also provide a location where registered teams can participate in the robotics competition challenge designed for that year.

17c. Describe the target population to be served (i.e., "the majority of the funds requested will serve these target populations or groups."). Select all that apply to the target population:

- ☐Elderly persons
- ☐Persons with poor mental health
- ☐Persons with poor physical health
- ☐Jobless persons
- ☑Economically disadvantaged persons
- ☑At-risk youth
- ☐Homeless
- ☐Developmentally disabled
- ☐Physically disabled
- ☐Drug users (in health services)
- ☐Preschool students
- ☐Grade school students
- ☑High school students
- ☐University/college students

AMERICAN OVERSIGHT
Tracking #: 17325

☐Currently or formerly incarcerated persons
☐Drug offenders (in criminal Justice)
☐Victims of crime
☐General (The majority of the funds will benefit no specific group)
☐Other (Please describe)

17d. How many in the target population are expected to be served?
○< 25
○25-50
○51-100
○101-200
○201-400
○401-800
⊙>800

18. What benefits or outcomes will be realized by the expenditure of funds requested? (Select each Benefit/Outcome that applies)

Benefit or Outcome	Provide a specific measure of the benefit or outcome	Describe the method for measuring level of benefit
☐Improve physical health		
☐Improve mental health		
☐Enrich cultural experience		
☐Improve agricultural production/promotion/education		
☑Improve quality of education	Number of teams that register for the 2020 FIRST Robotics Competition and FIRST Tech Challenge Season in Florida.	Registration numbers for 2020. Compare number of teams before funding to number of teams after funding.
☐Enhance/preserve/improve environmental or fish and wildlife quality		
☐Protect the general public from harm (environmental, criminal, etc.)		

AMERICAN OVERSIGHT
Tracking #: 17325

☐Improve transportation conditions		
☐Increase or improve economic activity		
☐Increase tourism		
☐Create specific immediate job opportunities		
☑Enhance specific individual's economic self sufficiency	Senior High School Students that register for a College or Technical Career	Number of Seniors who register in the FIRST Alumni database for the year 2020.
☐Reduce recidivism		
☐Reduce substance abuse		
☐Divert from Criminal/Juvenile justice system		
☐Improve wastewater management		
☐Improve stormwater management		
☐Improve groundwater quality		
☐Improve drinking water quality		
☐Improve surface water quality		
☐Other (Please describe):		

19. Provide the total cost of the project for FY 2020-21 from all sources of funding (Enter "0" if amount is zero):

Type of Funding	Amount	Percent of Total	Are the other sources of funds guaranteed in writing?
1. Amount Requested from the State in this Appropriations Project Request:	900,000	18.0%	N/A

AMERICAN OVERSIGHT
Tracking #: 17325

2. Federal:	0	0.0%	No
3. State: (Excluding the requested Total Amount in #4d, Column F)	100,000	2.0%	Yes
4. Local:	0	0.0%	No
5. Other:	4,000,000	80.0%	Yes
TOTAL	5,000,000	100%	

20. Is this a multi-year project requiring funding from the state for more than one year?
Yes

20a. How much state funding would be requested after 2020-21 over the next 5 years?
- ○<1M
- ⦿1-3M
- ○>3-10M
- ○>10M

20b. How many additional years of state support do you expect to need for this project?
- ○1 year
- ○2 years
- ○3 years
- ○4 years
- ⦿>= 5 years

20c. What is the total project cost for all years including all federal, local, state, and any other funds? Select the single answer which best describes the total project cost. If funds requested are for ongoing services or for recurring activities, select “ongoing activity”.
- ⦿ongoing activity – no total cost
- ○<1M
- ○1-3M
- ○>3-10M
- ○>10M

AMERICAN OVERSIGHT
Tracking #: 17325

From: Barnhill, Josh
Sent: Thursday, November 14, 2019 11:55 AM EST
To: scontreras@firstinspires.org <scontreras@firstinspires.org>
Subject: FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf
Attachment(s): "FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf","ATT00001.htm"

AMERICAN OVERSIGHT

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

AMERICAN OVERSIGHT

Appropriations Project Request - Fiscal Year 2020-21

For projects meeting the Definition of House Rule 5.14

1. Title of Project: FLORIDA FIRST ROBOTICS TEAM GRANT
2. Date of Submission: 11/13/2019
3. House Member Sponsor: Chip LaMarca
   Members Copied:

4. DETAILS OF AMOUNT REQUESTED:

a. Has funding been provided in a previous state budget for this activity? Yes
   If answer to 4a is "No" skip 4b and 4c and proceed to 4d, Col. E
b. What is the most recent fiscal year the project was funded? 2018-19
c. Were the funds provided in the most recent fiscal year subsequently vetoed? No
d. Complete the following Project Request Worksheet to develop your request:

FY:	Input Prior Year Appropriation for this project for FY 2019-20 (If appropriated in 2019-20 enter the appropriated amount, even if vetoed.)			Develop New Funds Request for FY 2020-21 (Requests for additional RECURRING funds are prohibited.)		
Column:	A	B	C	D	E	F
Funds Description:	Prior Year Recurring Funds	Prior Year Nonrecurring Funds	Total Funds Appropriated (Recurring plus Nonrecurring: column A + column B)	Recurring Base Budget (Will equal non-vetoed amounts provided in Column A)	**Additional Nonrecurring Request**	**TOTAL Nonrecurring plus Recurring Base Funds** (Will equal the amount from the Recurring base in Column D plus the Additional Nonrecurring Request in Column E.)
Input Amounts:					900,000	900,000

5. Are funds for this issue requested in a state agency's Legislative Budget Request submitted for FY 2020-21? No

5a. If yes, which state agency?

5b. If no, which is the most appropriate state agency to place an appropriation for the issue being requested? Department of Education

5c. Has the appropriate state agency for administering the funding, if the request were appropriated, been contacted? No

5d. Describe penalties for failing to meet deliverables or performance measures which the agency should provide in its contract to administer the funding if appropriated.

Deobligate a portion of the funds for future grants, but taking into consideration extenuating circumstances

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Tracking #: 17325

6. Requester:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

7. Contact for questions about specific technical or financial details about the project:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

8. Is there a registered lobbyist working to secure funding for this project?
   a. Name: None
   b. Firm: None
   c. Email:
   d. Phone #:

9. Organization or Name of entity receiving funds:
   a. Name: FIRST Robotics
   b. County (County where funds are to be expended): Orange, Palm Beach
   c. Service Area (Counties being served by the service(s) provided with funding): Statewide

10. What type of organization is the entity that will receive the funds? (Select one)
   ○ For Profit
   ◉ Non Profit 501(c) (3)
   ○ Non Profit 501(c) (4)
   ○ Local Government
   ○ University or College
   ○ Other (Please describe)

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11. What is the specific purpose or goal that will be achieved by the funds being requested?

FIRST is the world's leading youth-serving nonprofit advancing STEM. FIRST programs inspire innovation and leadership through engaging robotics challenges developed to ignite curiosity and passion in students in grade K-12.These funds will help support high school teams participating in the FIRST Robotics Competition and FIRST Tech Challenge, help fund the FRC Regional competitions: Orlando and South FL, and the FTC State Championship. It will also help other FIRST cross program initiatives.

12. Provide specific details on how funds will be spent. (Select all that apply)

Spending Category	Description	Nonrecurring (Should equal 4d, Col. E) Enter "0" if request is zero for the category
Administrative Costs:		
☐a. Executive Director/Project Head Salary and Benefits		
☐b. Other Salary and Benefits		
☐c. Expense/Equipment/Travel/Supplies/Other		
☐d. Consultants/Contracted Services/Study		
Operational Costs:		
☐e. Salaries and Benefits		
☑f. Expenses/Equipment/Travel/Supplies/Other	$3,000 to each Florida FRC team that participates in a Florida regional, funds to cover part of the regional registration fee. An additional $2,500 for Florida FRC teams that register for a 2nd Florida regional, funds to cover part of the registration fee. Each Florida FRC team that qualifies for the FIRST World Championship by winning their way there to receive $3,000 to help defray cost of travel	900,000

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	and participation at the World Competition. $200,000 for each regional competition in Florida (Sou	
☐g. Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
☐h. Construction/Renovation/Land/Planning Engineering		
TOTAL		900,000

13. For the Fixed Capital Costs requested with this issue (In Question 12, category "h. Fixed Capital Outlay" was selected), what type of ownership will the facility be under when complete? (Select one correct option)

○For Profit
○Non Profit 501(c) (3)
○Non Profit 501(c) (4)
○Local Government (e.g., police, fire or local government buildings, local roads, etc.)
○State agency owned facility (For example: college or university facility, buildings for public schools, roads in the state transportation system, etc.)
○Other (Please describe)

14. Is the project request an information technology project?

No

15. Is there any documented show of support for the requested project in the community including public hearings, letters of support, major organizational backing, or other expressions of support?

Yes

15a. Please Describe:

We have a video created by the teams: https://firstinflorida.org/ that has been accessed more than 4,190 times. In previous years, more than 210 letters were sent to Representatives and Senators from teams all across the state of Florida, thanking them for the support received and asking for their continued support.

16. Has the need for the funds been documented by a study, completed by an independent 3rd party, for the area to be served?

Yes

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16a. Please Describe:

The U.S. is ranked 20th out of 30 in high school graduation rates among industrialized nations.[1] Standardized test scores from 30 nations rank 14-year-olds in the U.S. 25th in math and 21st in science.[2] [1 & 2] National Science Board (May, 2010). Preparing the Next Generation of STEM Innovators: Identifying and Developing Our Nation's Human Capital. National Science Foundation.

17. Will the requested funds be used directly for services to citizens?

Yes

17a. What are the activities and services that will be provided to meet the purpose of the funds?

The funds will directly impact 9-12th grade students in their ability to participate and compete in the FIRST Robotics Competition and the FIRST Tech Challenge by lowering the barrier to entry by paying some competition registration costs. It will also support the competitions in which students compete with the robot designed specifically for that year's challenge.

17b. Describe the direct services to be provided to the citizens by the funding requested.

Through the participation in the FIRST Robotics Competition and FIRST Tech Challenge program, students learn many of the required skills needed not only to develop a competitive robot, but also to manage a small business. We also provide a location where registered teams can participate in the robotics competition challenge designed for that year.

17c. Describe the target population to be served (i.e., "the majority of the funds requested will serve these target populations or groups."). Select all that apply to the target population:

- ☐Elderly persons
- ☐Persons with poor mental health
- ☐Persons with poor physical health
- ☐Jobless persons
- ☑Economically disadvantaged persons
- ☑At-risk youth
- ☐Homeless
- ☐Developmentally disabled
- ☐Physically disabled
- ☐Drug users (in health services)
- ☐Preschool students
- ☐Grade school students
- ☑High school students
- ☐University/college students

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☐Currently or formerly incarcerated persons
☐Drug offenders (in criminal Justice)
☐Victims of crime
☐General (The majority of the funds will benefit no specific group)
☐Other (Please describe)

17d. How many in the target population are expected to be served?
○< 25
○25-50
○51-100
○101-200
○201-400
○401-800
⊙>800

18. What benefits or outcomes will be realized by the expenditure of funds requested? (Select each Benefit/Outcome that applies)

Benefit or Outcome	Provide a specific measure of the benefit or outcome	Describe the method for measuring level of benefit
☐Improve physical health		
☐Improve mental health		
☐Enrich cultural experience		
☐Improve agricultural production/promotion/education		
☑Improve quality of education	Number of teams that register for the 2020 FIRST Robotics Competition and FIRST Tech Challenge Season in Florida.	Registration numbers for 2020. Compare number of teams before funding to number of teams after funding.
☐Enhance/preserve/improve environmental or fish and wildlife quality		
☐Protect the general public from harm (environmental, criminal, etc.)		

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☐Improve transportation conditions		
☐Increase or improve economic activity		
☐Increase tourism		
☐Create specific immediate job opportunities		
☑Enhance specific individual's economic self sufficiency	Senior High School Students that register for a College or Technical Career	Number of Seniors who register in the FIRST Alumni database for the year 2020.
☐Reduce recidivism		
☐Reduce substance abuse		
☐Divert from Criminal/Juvenile justice system		
☐Improve wastewater management		
☐Improve stormwater management		
☐Improve groundwater quality		
☐Improve drinking water quality		
☐Improve surface water quality		
☐Other (Please describe):		

19. Provide the total cost of the project for FY 2020-21 from all sources of funding (Enter "0" if amount is zero):

Type of Funding	Amount	Percent of Total	Are the other sources of funds guaranteed in writing?
1. Amount Requested from the State in this Appropriations Project Request:	900,000	18.0%	N/A

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2. Federal:	0	0.0%	No
3. State: (Excluding the requested Total Amount in #4d, Column F)	100,000	2.0%	Yes
4. Local:	0	0.0%	No
5. Other:	4,000,000	80.0%	Yes
TOTAL	5,000,000	100%	

20. Is this a multi-year project requiring funding from the state for more than one year?
Yes

20a. How much state funding would be requested after 2020-21 over the next 5 years?
- ○<1M
- ⦿1-3M
- ○>3-10M
- ○>10M

20b. How many additional years of state support do you expect to need for this project?
- ○1 year
- ○2 years
- ○3 years
- ○4 years
- ⦿>= 5 years

20c. What is the total project cost for all years including all federal, local, state, and any other funds? Select the single answer which best describes the total project cost. If funds requested are for ongoing services or for recurring activities, select “ongoing activity”.
- ⦿ongoing activity – no total cost
- ○<1M
- ○1-3M
- ○>3-10M
- ○>10M

AMERICAN OVERSIGHT
Tracking #: 17325

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Monday, January 13, 2020 11:56 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FLORIDA FIRST ROBOTICS TEAM GRANT - Senator Joe Gruters
Attachment(s): "FLORIDA FIRST ROBOTICS TEAM GRANT - Senator Joe Gruters.pdf"

Confirmation of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

This email confirms receipt by the Senate Appropriations Committee of the following Local Funding Initiative Request, sponsored by **Senator Joe Gruters**, with the title:

FLORIDA FIRST ROBOTICS TEAM GRANT

Attached is a copy of the appropriations project information you submitted.

Please note that your Local Funding Initiative Request will be reviewed and assigned to the appropriations subcommittee under whose jurisdiction it falls. If additional information is needed, you will be contacted by a member of the appropriations staff.

If this request has been submitted in error or you have any questions, please contact the Appropriations Committee at 850-487-5140.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 12015

1. **Project Title** FLORIDA FIRST ROBOTICS TEAM GRANT

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 01/13/2020

4. **Project/Program Description**

FIRST is the world's leading youth-serving nonprofit advancing STEM. FIRST programs inspire innovation and leadership through engaging robotics challenges developed to ignite curiosity and passion in students in grade K-12.These funds will help support high school teams participating in the FIRST Robotics Competition and help fund the FRC Regional competitions: Orlando and South FL. It will also help other FIRST cross-program initiatives.

5. **State Agency to receive requested funds** Department of Education

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	900,000
Fixed Capital Outlay	000
Total State Funds Requested	900,000

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	900000	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	900,000	100 %

8. **Has this project previously received state funding?** ◉ Yes ○ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		
2018-19	100,000	400,000		No

9. **Is future-year funding likely to be requested?** ◉ Yes ○ No

If yes, indicate nonrecurring amount per year. 500,000

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 12015

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits		
Other Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Operational Costs: Other		
Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other	At least $2,500 to pay part of the registration fees for Florida FRC teams that participate in FL events. At least $80,000 for each Regional competition. Additional money will be allocated to support specific projects directed to increase participation of new teams, at risk students, and make FRC teams more sustainable and competitive, as well as to support other FIRST programs and initiatives.	900,000
Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		900,000

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11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

Allow more High School students to participate in FIRST Robotics Competition and support the infrastructure needed to provide the program in the State.

b. What activities and services will be provided to meet the intended purpose of these funds?

The funds will directly impact 9-12th grade students in their ability to participate and compete in the FIRST Robotics Competition by lowering the barrier to entry by paying some competition registration costs. It will also support the events in which students compete with the robot designed specifically for that year's challenge.

c. What direct services will be provided to citizens by the appropriation project?

Through the participation in the FIRST Robotics Competition program, students learn many of the required skills needed not only to develop a competitive robot, but also to manage a small business. We also provide a location where registered teams can participate in the robotics competition challenge designed for that year.
Services include supporting competition venue, defraying expenditures of teams so that students can focus on STEM and not in additional fundraising activities. In many cases these funds will be the difference between a team existing or not, so funding provides a service of constructive, hands on, educational experience for young people.

d. Who is the target population served by this project? How many individuals are expected to be served?

The target population is high school students, economically disadvantaged youth persons, at-risk youth. We expect to serve over 3,000 students next year.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

The quality of education will be improved, generating more students that when they graduate from High School, they are interested in following a STEM career. The methodology will be to survey Seniors attending the FL Regionals and count how many are following a STEM path. The first year is the base line, and the results will be compared versus following years.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

De-obligate a portion of the funds for future grants, but taking into consideration extenuating circumstances.

AMERICAN OVERSIGHT

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: Sandra Last Name: Contreras

b. Organization: For Inspiration and Recognition of Science and Technology - FIRST

c. E-mail Address: scontreras@FIRSTinspires.org

d. Phone Number: (954)281-2202 Ext.

14. **Recipient Contact Information**

a. Organization: For Inspiration and Recognition of Science and Technology - FIRST

b. Municipality and County: Statewide

c. Organization Type

- ○ For-profit Entity
- ● Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ○ University or College
- ○ Other (please specify)

d. First Name: Sandra Last Name: Contreras

e. E-mail Address: scontreras@FIRSTinspires.org

f. Phone Number: (954)281-2202

15. **Lobbyist Contact Information**

a. Name: None

b. Firm Name: None

c. E-mail Address:

d. Phone Number: Ext.

AMERICAN OVERSIGHT

From: Florida Chamber Foundation <tlowe@flfoundation.org>
Sent: Monday, October 28, 2019 4:05 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Florida Putting A Woman On The Moon By 2024

GOING BACK TO THE MOON

Florida Putting a Woman On the Moon By 2024

At the Florida Chamber Foundation's Future of Florida Forum, Frank DiBello, President & CEO of Space Florida and Mark Wiese, Gateway Logistics Element Manager from NASA's Kennedy Space Center, gave more information on the Artemis program, NASA's plan to put the first woman on the moon by 2024.

The Artemis program will also seek to put the first human on Mars and develop support systems for both endeavors.

The economic impact to Florida's Space Coast has enormous potential as NASA will team with the private sector and international partners to develop the material support needed for these missions.

"In the next decade, we expect over 10,000 satellites to be launched to support our insatiable demand for bandwidth globally and to connect all of the people in the world who are now unconnected to the internet," said Frank DiBello, President and CEO of Space Florida. "More importantly there will be companies going up into lower earth orbit to create research and manufacture value in space. Our vision is for Florida to be the economic center of that activity."

Get Involved Today

Sign the petition to strengthen Florida's leadership in space exploration.

Florida Chamber Foundation | **www.FLFoundation.org** | **Unsubscribe**
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Thursday, October 03, 2019 8:43 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Florida's Hidden Gems

Arts, Culture, and Heritage

Defining Florida's Quality of Life at 2019 Future of Florida Forum

Arts and culture are vital to the future of Florida, and play a key role in why more than 900 people are moving to Florida every day.

Florida's hidden gems will take center stage during the 2019 Future of Florida Forum as Florida Humanities Council Executive Director **Steve Seibert** shares with statewide business leaders how the humanities are helping to define Florida's quality of life.

The Florida Chamber Foundation's Future of Florida Forum is Florida's top statewide conference uniting Florida business leaders to secure Florida's future.

Register today to reserve your spot and be a part of this discussion.

2019 Future of Florida Forum

October 28-29, 2019
Hyatt Regency Grand Cypress
One Grand Cypress Boulevard
Orlando, Florida

AMERICAN OVERSIGHT

From: Florida Chamber Foundation <emartin@flchamber.com>
Sent: Tuesday, October 29, 2019 1:00 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Florida's Strategy to Diversify the Economy and Grow High Wage Jobs

ENTERPRISE FLORIDA

Florida's Strategy to Diversify the Economy and Grow High Wage Jobs

The Florida Chamber has consistently advocated for fully funding Enterprise Florida. Enterprise Florida is the principle economic development organization for the state of Florida, with a mission to diversify Florida's economy by recruiting new businesses to the state and retain and expand existing industries and businesses.
At today's Future of Florida Forum, **Jamal Sowell, Florida's Secretary of Commerce and President and CEO of Enterprise Florida** explained how Florida's economy can thrive and grow high wage jobs.
"Workforce and talent are the best incentives Florida has to offer," said Secretary Sowell. "A cohesive pipeline of skills development does not just make sense for businesses who are seeking qualified and trained workers, it is also a signal of hope to Floridians of all walks of life. A highly skilled workforce demands a cohesive statewide strategy that ignores no socio-economic class and sets up students for success."

Get Involved Today

Learn more about how you can help keep Florida's economy diversified and robust. Contact **Carolyn Johnson** at **cjohnson@flchamber.com** or 850-521-1235 for more information

Florida Chamber Foundation l **www.FLFoundation.org** l **Unsubscribe**
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

AMERICAN OVERSIGHT

From: Global-5 <enews@global-5.com>
Sent: Friday, December 06, 2019 12:39 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Free Webinar: Public Communication Aspects of Deploying Connected and Automated Vehicles

logo

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img

Global-5 is offering a free webinar for transportation officials, planners and engineers on how to communicate with the public about connected and automated vehicles. The webinar will be held Friday, December 13, from 12 p.m. to 1 p.m. Eastern Time. Advance registration is requested but not required.

OVERVIEW

Transportation pros understand the benefits of connected and automated vehicles, but communicating that knowledge to the public can be a challenge. Global-5 has been a key player in connected and automated vehicle deployments-and we've learned a lot along the way. In this webinar, we'll offer tips and tools for engaging the public for a successful deployment. Topics will include gauging your community's readiness for connected and automated vehicles; communicating the benefits; building public acceptance; and recruiting and training participants.

ABOUT US

Global-5 is a full-service public relations and marketing firm with more than 20 years of experience exceeding client expectations in government and in the transportation, construction, automotive

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and emerging technologies industries. A nationwide leader in communicating about connected and automated vehicles, Global-5 has performed outreach, knowledge transfer, participant recruitment and training services for transportation agencies at the federal, state and local levels.

AT A GLANCE

TITLE: **Public Communication Aspects of Deploying Connected and Automated Vehicles**
DATE: Friday, December 13, 2019
TIME: 12 p.m. to 1 p.m. Eastern Time
REGISTRATION: **Please register here**.

About Us

Global-5 is a full-service public relations, marketing and digital firm with more than 20 years of experience exceeding client expectations in transportation, construction, automotive and emerging technologies industries.

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Contact Us

Address :
2180 W. SR 434, Suite 1150
Longwood, FL 32779
Phone Number :
407.571.6760
Email Us

Follow us on:
Facebook, LinkedIn and YouTube

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From: Global-5 <enews@global-5.com>
Sent: Tuesday, December 10, 2019 11:20 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Free Webinar This Friday: Public Communication Aspects of Deploying Connected and Automated Vehicles

logo

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YOU'RE INVITED

Please join Global-5 this Friday, December 13, for a free webinar on how to communicate with the public about connected and automated vehicles. The webinar will be held from 12 p.m. to 1 p.m. Eastern Time.
Register today!

OVERVIEW

Transportation pros understand the benefits of connected and automated vehicles, but communicating that knowledge to the public can be a challenge. Global-5 has been a key player in connected and automated vehicle deployments-and we've learned a lot along the way. In this webinar, we'll offer tips and tools for engaging the public for a successful deployment. Topics will include gauging your community's readiness for connected and automated vehicles; communicating the benefits; building public acceptance; and recruiting and training participants.

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TITLE: **Public Communication Aspects of Deploying Connected and Automated Vehicles**
DATE: Friday, December 13, 2019
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About Us

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Longwood, FL 32779
Phone Number :
407.571.6760
Email Us

Follow us on:
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AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Monday, January 27, 2020 12:16 PM EST
To: Angel Garcia <aeg18e@my.fsu.edu>
Subject: FW: 1212
Attachment(s): "Sisters of Florida State Cities and Counties.docx"

Can you give me a count of how many there are please?

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 11:46 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: 1212

Victoria,

Please see the link below that will direct you to the Consular Corp of Florida listed by country.

Thank you!!!

http://orlando.consularcorps.info/countries/

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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Florida jurisdiction	Sister jurisdiction	Country	Year
Apalachicola	Columbus, Georgia	USA	1800[8]
Bay County	Mérida, Yucatán	Mexico	2003[9]
Bay Harbor Islands	Marechal Deodoro, Alagoas	Brazil	2003[10]
Boca Raton	Spandau Borough, Berlin[11]	Germany	1980[6]
Bonita Springs	Grünstadt, Rhineland-Palatinate[11]	Germany	1991[12]
Boynton Beach	Qufu, Shandong	China	2001[13]
	Les Cayes, Sud	Haiti	2001[14]
Bradenton	Barcarrota, Extremadura	Spain	1962[15]
	Guidonia Montecelio, Lazio	Italy	1988[16]
Cape Canaveral	Ithaca, Kefallinia	Greece	2005~[17]
	Kloten, Zurich	Switzerland	2000~[18]
	Sagres, Algarve	Portugal	2004[19]
Cape Coral	Nyeri, Nyeri	Kenya	2014[20]
	Kalamaria, Thessaloniki	Greece	2001[7]
Clearwater	Nagano, Nagano	Japan	1959[21]
	Wyong, New South Wales[11]	Australia	2001~[7]
Cocoa	Beit Shemesh, Jerusalen District	Israel	2004[14]
Cocoa Beach	Kyustendil, Kyustendil[11]	Bulgaria	2004[22]
	Santa Marta, Magdalena[11]	Colombia	1965[23]
Cooper City	Killarney, County Kerry	Ireland	2003[24]
Coral Gables	Aix-en-Provence, Provence-Alpes-Côte d'Azur	France	1997[25]
	Annapolis Royal, Nova Scotia	Canada	1984[26]
	Antigua Guatemala, Antigua	Guatemala	1993[27]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	El Puerto de Santa María, Cádiz	Spain	1987~[28]
	Granada, Granada		1988~[29]
	Provincia di Pisa, Toscana[30]	Italy	2003[31]
	Quito, Pichincha	Ecuador	1983~[32]
Coral Springs	Paraíso, Cartago	Costa Rica	2002[33]
Crestview	Noirmoutier-en-l'Île, Pays de la Loire	France	2001~[7]
Dania Beach	Fredensborg, Central Region	Denmark	2003[34]
Daytona Beach	Bayonne, Aquitaine	France	1998[35]
	Campeche, Campeche[11]	Mexico	1996~[36]
Deerfield Beach	Acre, North	Israel	1994[37]
DeLand	Belén, Guanacaste	Costa Rica	1996 [38]
	Miyazu, Kyoto	Japan	1977[39]
Delray Beach	Moshi, Arusha	Tanzania	2001 [39]
	Aquin, Sud	Haiti	2014 [40]
	Pesaro, Marche	Italy	2015 [41]
Deltona	Sanford, Florida	USA	2013[42]
Destin	Saint-Gilles-Croix-de-Vie, Pays de la Loire	France	1994[43]
Doral	Xizhi District	Taiwan	1964[44]
Dunedin	Stirling	Scotland, UK	1964[45][46]
	Summerside, Prince Edward Island	Canada	2000 [47]
Eatonville	Bamenda, Northwest Province	Cameroon	1976~[48]
	Agogo, Asante Akim North	Ghana	2001~[7]
Fort Lauderdale	Belo Horizonte, Minas Gerais	Brazil	2003[49]
	Cap-Haïtien, Nord	Haiti	2003[50]

AMERICAN OVERSIGHT

Florida jurisdiction	Sister jurisdiction	Country	Year
	Duisburg	Germany	2003[51]
	Mataró	Spain	2003[51]
	Ciudad de Panamá, Panamá	Panama	2001~[52]
	Gold Coast, Queensland	Australia	1980[53]
	Haifa, Haifa	Israel	2002[54]
	Isla Margarita, Nueva Esparta	Venezuela	1997[55]
	La Romana, La Romana	Dominican Republic	1995[56]
	Mar del Plata, Buenos Aires	Argentina	2000[57]
	Medellín, Antioquia	Colombia	1967[58]
	Muğla, Muğla	Turkey	1995~[59]
	Quepos, Puntarenas	Costa Rica	2003[50]
	Rimini, Emilia-Romagna	Italy	1985[60]
	São Sebastião, São Paulo[11]	Brazil	2001~[7][61]
	Sefton, Merseyside	England, UK	2000[62]
	Venezia, Veneto	Italy	2007[63]
Fort Walton Beach	Quezon City, Metro Manila	Philippines	2007[64]
	Dahuk, Dahuk	Iraq	2006[65]
	Jacmel, Sud-Est	Haiti	1998[66]
	Kfar Saba, Center	Israel	1998[67]
Gainesville	Novorossiysk, Krasnodar Krai	Russia	1982[68]
	Qalqilyah, West Bank	Palestinian National Authority	1998[67]
	Rzeszów, Podkarpackie Voivodeship	Poland	2001~[69]
Hialeah	Bucaramanga, Región Andina[11]	Colombia	2001~[7]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	Cartago, Cartago[11]	Costa Rica	1984[70]
	Luján de Cuyo, Mendoza[11]	Argentina	1986[71]
	Managua, Managua[11]	Nicaragua	1966[71]
	Baia Mare, Maramureş	Romania	2003[72]
	Ciudad de la Costa, Canelones	Uruguay	1996~[73]
	Guatemala, Guatemala	Guatemala	1988[74]
	Herzliya, Tel Aviv	Israel	1988[75]
Hollywood	Lechería, Anzoátegui	Venezuela	2003~[72]
	Romorantin-Lanthenay, Centre[7]	France	1989[76]
	Salvaleón de Higüey, La Altagracia	Dominican Republic	2003[77]
	San Salvador, San Salvador	El Salvador	1962[5]
	Vlorë, Vlorë[7]	Albania	1994[78]
Homestead	Liberia, Guanacaste	Costa Rica	1977[79]
	Petit Goâve, Ouest	Haiti	2007[80]
Inverness	Inverness, Highland	Scotland, UK	2001~[7]
	Bahía Blanca, Buenos Aires	Argentina	1967[81]
	Changwon Unified, South Gyeongsang	South Korea	1983[81]
	Changwon Unified, South Gyeongsang		1983[82]
	Murmansk, Murmansk	Russia	1975[81]
Jacksonville	Nantes, Pays de la Loire	France	1984[81]
	Nelson Mandela Metropolitan Municipality, Eastern Cape	South Africa	2000[81]
	San Juan	Puerto Rico	2009
	Curitiba, Paraná	Brazil	2010
	Yingkou, Liaoning		1990[83]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	Ningbo, Zhejiang	China	1990[84]
	Shaoxing, Zhejiang		1990[84]
	Suzhou, Jiangsu		1990[84]
Jensen Beach	Gregory Town, Eleuthera	The Bahamas	1989[85]
Key West	Green Turtle Cay, Abaco		2004[86]
Kissimmee	Hualien, Hualien County	Taiwan	1989[87]
	Miaoli, Miaoli County		1989[88]
Lake Placid	Lake Placid, New York	USA	1991[89]
Lake Worth	Lappeenranta, South Karelia[7]	Finland	1991~[90]
	Bălți, Bălți	Moldova	1997[81]
	Imabari, Ehime	Japan	1993[81]
	Richmond Hill, Ontario	Canada	1990[91]
Lakeland	Jiaxing, Zhejiang	China	1993
	Fengxian, Shanghai		1993
	Chongming, Shanghai		1993
	Rîbnița, Rîbnița District	Moldova (Transnistria)	1993[14]
	Portmore, Saint Catherine	Jamaica	1993[14]
Lantana	Lapua, Lansi-Suomen Laani	Finland	1979[92]
Largo	Tosayamada, Kōchi	Japan	1969[93]
Lauderdale-by-the-Sea	Henley-on-Thames, Oxfordshire	England, UK	2007 [94]
	San Isidro, Lima	Peru	2004[94]
Lauderdale Lakes	Port-de-Paix, Nord-Ouest	Haiti	2005 [95]
Lauderhill	Chaguanas	Trinidad and Tobago	2001[96]
	Gemlik, Bursa	Turkey	2002[97]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	Falmouth, Trelawny	Jamaica	2002[14]
	Pétionville, Ouest	Haiti	2002[14]
	Suzano, São Paulo	Brazil	2002[14]
Madeira Beach	Machico, Ilha da Madeira	Portugal	1974[98]
	Agadir, Souss-Massa-Draâ	Morocco	1995[99]
	Amman, Amman	Jordan	1995[100]
	Bogotá, Distrito Capital	Colombia	1971[101]
	Buenos Aires, Buenos Aires	Argentina	1979[102]
	Cochabamba, Cochabamba	Bolivia	1995[103]
	Ibiza, Balearic Islands	Spain	1986~[104]
	Kagoshima, Kagoshima	Japan	1990[105]
	Kaohsiung	Taiwan	1987[106]
	Lima, Lima[107]	Peru	1977[108]
	Madrid, Madrid[107]	Spain	1997~[109]
Miami	Managua, Managua	Nicaragua	1991[110]
	Margherita di Savoia, Puglia	Italy	2011[111]
	Montes de Oca, San José	Costa Rica	1986~[104]
	Murcia, Murcia	Spain	1993[112]
	Nice, Provence-Alpes-Côte d'Azur	France	1986~[104]
	Palermo, Sicilia	Italy	2001~[7]
	Port-au-Prince, Ouest[107]	Haiti	2001[113]
	Qingdao, Shandong[107]	China	2005[114]
	Salvador, Bahia	Brazil	2006[115]
	Santiago	Chile	1986~[104]
	Santiago de Cali, Pacific Region	Colombia	1986~[104]

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Florida jurisdiction	Sister jurisdiction	Country	Year
Miami Beach	Santo Domingo, Distrito Nacional	Dominican Republic	1987~[116]
	Varna, Varna	Bulgaria	1994~[117]
	Yeruham, Hadarom	Israel	2007[118]
	Cozumel, Quintana Roo	Mexico	1992[119]
	Fortaleza, Ceará	Brazil	2006[120]
	Fujisawa, Kanagawa	Japan	1959[121]
	Ica, Ica	Peru	1996[122]
	Pescara, Abruzzo	Italy	1997~[123]
	Nahariya, North District	Israel	1971[124]
	Almonte, Andalusia	Spain	1971[124]
	Brampton, Ontario	Canada	1971[124]
	Basel	Switzerland	1971[124]
Miami-Dade County	Santa Marta, Magdalena	Colombia	1983~[125]
	Asunción, Asunción	Paraguay	1994[126]
	Cabildo de Tenerife, Tenerife	Spain	1993~[127]
	Cape Town, Western Cape	South Africa	2007[128]
	Cayman Islands	Cayman Islands	1986~[129]
	Gdańsk, Pomeranian Voivodeship	Poland	1990[130]
	Guatemala (department)	Guatemala	2007[131]
	Iquique, Tarapacá	Chile	1996[132]
	Kingston, Surrey	Jamaica	1987~[116]
	Lamentin, Basse-Terre	Guadeloupe	2003~[133]
	Maldonado, Maldonado	Uruguay	2001~[7]
	Mendoza, Mendoza	Argentina	2001[134]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	Monagas	Venezuela	1996[135]
	Pereira, Risaralda	Colombia	2002[136]
	Petit Goâve, Ouest	Haiti	2001~[7]
	Provincia di Asti, Piemonte	Italy	1986[137]
	Pucallpa, Ucayali	Peru	2001~[7]
	Saint Kitts and Nevis	Saint Kitts and Nevis	2004[138]
	San Jose	Costa Rica	1990[130]
	Santa Cruz (department)	Bolivia	1996~[139]
	Santo Domingo, Distrito Nacional	Dominican Republic	1975[140]
	São Paulo, São Paulo	Brazil	1988[141]
	Stockholm County	Sweden	1996[142]
	New Taipei City	Taiwan	1990[130]
	The Bahamas	The Bahamas	1996[143]
	Turks and Caicos Islands	Turks and Caicos Islands	2001[144]
	Veracruz, Veracruz	Mexico	1993[127]
	Vitória, Espírito Santo	Brazil	2010[145]
Miramar	Santa Ana, Santa Ana[11]	El Salvador	2001~[7]
Miami Lakes	Desamparados, San José	Costa Rica	2006[146]
Mount Dora	Forres, Moray	Scotland, UK	1990 [147][148]
New Port Richey	Cavalaire-sur-Mer, Provence-Alpes-Côte d'Azur	France	2001~[7]
Niceville	Les Sables-d'Olonne, Pays de la Loire	France	2001~[7]
North Lauderdale	Yatağan, Muğla	Turkey	2002[149]

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Florida jurisdiction	Sister jurisdiction	Country	Year
North Miami	Delmas, Ouest	Haiti	2008[150]
	Miqdal, North	Israel	1989[151]
	San Pedro Sula, Cortés	Honduras	1989[152]
	Lucca, Tuscany	Italy	1989[152]
North Miami Beach	Sosúa, Puerto Plata	Dominican Republic	1989[152]
	Gonaives, Artibonite		1989[152]
	La Chapelle, Artibonite	Haiti	1989[152]
	Tabarre, Ouest		1989[152]
	Accra Metropolis District, Greater Accra	Ghana	1989[152]
	Pingzhen District, Taoyuan City	Taiwan	1989[152]
	Pisa, Toscana	Italy	2004 [153]
Ocala	Newbridge, County Kildare	Ireland	2008 [154]
	Sincelejo, Sucre	Colombia	1967[155]
Opa-Locka	Isla Pucu, Cordillera	Paraguay	1996[156]
	Curitiba, Paraná[11]	Brazil	1996[157]
	Guilin, Guangxi	China	1986[83]
	Monterrey, Nuevo León	Mexico	2001~[7]
	Orenburg	Russia	1997[158]
Orlando	Reykjanesbær, Gullbringusýsla	Iceland	1997~[159]
	Seine-et-Marne, Île-de-France	France	2002[7][160]
	Tainan, Tainan	Taiwan	2001~[7]
	Keelung		1982[87]
	Urayasu, Chiba	Japan	1991[161]
	Valladolid, Castilla y León	Spain	2006[162]

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Florida jurisdiction	Sister jurisdiction	Country	Year
Palatka	Palatka[11]	Russia	1991[163][164]
Palm Coast	Liberia, Guanacaste	Costa Rica	2005[165]
Pembroke Pines	Astrakhan, Astrakhan	Russia	1996[166]
	Chimbote, Santa	Peru	1964[167]
	Escazú, San José	Costa Rica	1981[167]
	Gero, Gifu[168]	Japan	1988[167]
Pensacola	Gorlivka, Donetsk	Ukraine	1981[167]
	Kaohsiung	Taiwan	1977[167]
	Miraflores, Lima	Peru	1964[167]
	Macharaviaya, Andalusia	Spain	1981[14]
Pinecrest (Dade County)	Cognac, Charente	France	1964[169]
Plant City	Portage la Prairie, Manitoba[11]	Canada	2001~[7]
Port St. Lucie	Putuo District, Zhoushan	China	2007[170]
Royal Palm Beach	Călăraşi, Călăraşi[171]	Romania	2005[172]
	Avilés, Asturias	Spain	1963[173]
	Cartagena, Bolívar	Colombia	2001~[7]
Saint Augustine	Santo Domingo, Distrito Nacional	Dominican Republic	2001~[7]
	Menorca, Baleares Islands	Spain	2001[174]
Saint Pete Beach	Sandown, Isle of Wight	England, UK	1999[175]
	Takamatsu, Kagawa	Japan	1960[176]
Saint Petersburg	Saint Petersburg, Leningrad	Russia	2003[177]
	Figueres, Catalonia	Spain	2003[14]
Sanford	Deltona, Florida	USA	2013[42]

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Florida jurisdiction	Sister jurisdiction	Country	Year
Sarasota	Dunfermline, Fife	Scotland, UK	1990[178][179]
	Hamilton, Ontario	Canada	1990[180]
	Perpignan, Languedoc-Roussillon	France	1994[181]
	Santo Domingo, Distrito Nacional	Dominican Republic	1963[182]
	Tel Mond, Center	Israel	1999[183]
	Province of Treviso	Italy	2007[184]
	Vladimir, Vladimir	Russia	1994[185]
	Xiamen, Fujian	China	2008[186]
	Mérida, Yucatán	Mexico	2010[187]
Southwest Ranches	Clifden, Connacht	Ireland	2006[188]
St. Cloud	Lynn Haven	USA	1995[189]
Sunny Isles Beach	Netanya, Center	Israel	2005[190]
	Hengchun, Pingtung County	Taiwan	2005[191]
	Taormina, Sicily	Italy	2005[191]
Sunrise	Yavne, Center	Israel	1985[192]
Stuart	Hope Town, Abaco	Bahamas	2014[193]
Sweetwater	Guitiriz, Lugo	Spain	1990[194]
	La Paz Centro, León	Nicaragua	1996[195]
	San Felipe de Puerto Plata, Puerto Plata[11]	Dominican Republic	1983[196]
	Konongo-Odumase, Asante Akim North	Ghana	2002[197]
Tallahassee	Krasnodar, Krasnodar Krai	Russia	1983[198]
	Ramat HaSharon, Tel Aviv	Israel	2006 [199]
	Sligo, Connacht	Ireland	1989[200]

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Florida jurisdiction	Sister jurisdiction	Country	Year
	St. Maarten	Netherlands	2001~[7]
	Rugao, Jiangsu	China	2001
Tamarac	Fatsa, Ordu	Turkey	2002[201]
	Agrigento, Sicilia	Italy	1987[202]
	Ashdod, South	Israel	2005[203]
	Barranquilla, Atlántico	Colombia	1966[204]
	Boca del Río, Veracruz	Mexico	2002[205]
	Camarines Sur, Bicol	Philippines	2001~[7]
	Córdoba, Córdoba	Argentina	1966[206]
Tampa	Granada, Granada	Nicaragua	2001~[7]
	İzmir, İzmir	Turkey	2001~[7]
	Jiāxīng Shì, Zhèjiāng Shěng	China	2002~[205]
	Le Havre, Haute-Normandie	France	2001~[7]
	Oviedo, Asturias	Spain	2001~[7]
	Veracruz, Veracruz	Mexico	2002[205]
	Porto Alegre, Rio Grande do Sul	Brazil	2002[14]
	Kalymnos, Dhodhekanisos	Greece	2000[207]
Tarpon Springs	Larnaca, Lamaca District	Cyprus	2000[14]
	Halki, Dhodhekanisos	Greece	2000[14]
	Symi, Dhodhekanisos		2000[14]
Tavares	Xindian District, New Taipei City	Taiwan	2000
Temple Terrace	Eastleigh, Hampshire	England, UK	1989[208]
	Ceadîr-Lunga, Gagauzia[11]	Moldova	2001~[7]
Titusville	Soest, Utrecht[11]	Netherlands	1982[209]
	Yueyang, Hunan[11]	China	1988[83]

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Florida jurisdiction	Sister jurisdiction	Country	Year
Volusia County	Bayonne, Aquitaine[11]	France	1998[210]
	Campeche State[11]	Mexico	1995[38]
West Miami	León, León	Nicaragua	1974[211]
	Santa Cruz del Quiché, Quiché	Guatemala	1987[211]
West Palm Beach	Tzahar Region, North	Israel	1996[212]
Winter Haven	Sambuca di Sicilia, Sicilia	Italy	1987[213]

AMERICAN OVERSIGHT

From: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Sent: Tuesday, December 17, 2019 2:03 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Cramer, Kim <Kim.Cramer@laspbs.state.fl.us>
Subject: FW: Bill Draft - DEP
Attachment(s): "billdraft75494.DOCX"

Hey Vickie,

Please see the below comments for the bill draft attached.

Let us know if you have any questions or concerns.

Thank you!

Tyler C. Russell
Deputy Legislative Affairs Director
Office of the Governor
850.445.0709

1. Section 252.941 (lines 64-71) should be removed from the bill altogether. This is not a statute administered by DEP. It's administered by DEM. In addition, the fine is criminal and this legislation is designed to address only civil and administrative penalties (*with the exception of the criminal fines necessary to comply with federal requirements for our delegated programs in 373.430 and 403.161).
2. Section 376.302 (lines 329-342) should also be removed from the bill altogether. There is no civil penalty amount being increased because, instead of specifying an amount, the statute cross references section 403.141 and the penalty amount in 403.141 is already being adjusted at line 787. So nothing needs to be done to section 376.302. The proposed amendments to the criminal provision is not consistent with the legislation because, again, it is designed to address only civil and administrative penalty provisions (*with the exception of the criminal fines necessary to comply with federal requirements for our delegated programs in 373.430 and 403.161).
3. There is a typo at line 96. Instead of $4750, it should be $750.
4. In lines 65, 165, 173, 179, 331, 334, 778, 797, 800, 808, 815-816, the legislation changes the phrase "commits violations specified in …" to "violates." This is technically incorrect because, you cannot "violate" the cross-referenced sections --- they all say "It is a violation to do X," not "You cannot do X." You can violate the latter, but not the former.

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Thursday, November 21, 2019 4:16:11 PM
To: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>; Spencer, Chris <Chris.Spencer@LASPBS.STATE.FL.US>
Cc: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Subject: Bill Draft - DEP

Good Afternoon!

Please find the attached draft from Bill Drafting. Please let me know if you have any edits.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

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23-01448-20

A bill to be entitled

An act relating to environmental enforcement; amending ss. 161.054, 252.941, 258.397, 258.46, 373.129, 373.209, 373.430, 376.065, 376.071, 376.16, 376.25, 376.302, 377.37, 378.211, 403.086, 403.121, 403.141, 403.161, 403.413, 403.7234, 403.726, 403.727, and 403.93345, F.S.; increasing the civil penalties for violations of certain provisions relating to beach and shore construction, the Accidental Release Prevention Program, the Biscayne Bay Aquatic Preserve, aquatic preserves, the state water resource plan, artesian wells, pollution, operating a terminal facility without discharge prevention and response certificates, discharge contingency plans for vessels, the Pollutant Discharge Prevention and Control Act, the Clean Ocean Act, the pollution of surface and ground waters, the regulation of oil and gas resources, the Phosphate Land Reclamation Act, sewage disposal facilities, pollution control, reasonable costs and expenses for pollution releases, necessary permits, dumping litter, small quantity generators, the abatement of imminent hazards caused by hazardous substances, hazardous waste generators, transporters, or facilities, and coral reef protection, respectively; providing that each day that certain violations are not remediated constitutes a separate offense; making technical changes; reenacting s. 252.940(1)(c), F.S., to incorporate the amendment made to s. 252.941, F.S., in a reference thereto;

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reenacting s. 823.11(5), F.S., to incorporate the amendment made to s. 376.16, F.S., in a reference thereto; reenacting s. 376.303(1)(d), F.S., to incorporate the amendment made to s. 376.302, F.S., in a reference thereto; reenacting ss. 403.077(5), 403.131(2), 403.4154(3)(d), and 403.860(5), F.S., to incorporate the amendment made to s. 403.121, F.S., in a reference thereto; reenacting ss. 403.708(10), 403.7191(7), and 403.811, F.S., to incorporate the amendment made to s. 403.141, F.S., in a reference thereto; reenacting s. 403.7255(2), F.S., to incorporate the amendment made to s. 403.161, F.S., in a reference thereto; reenacting s. 403.7186(8), F.S., to incorporate the amendment made to ss. 403.141 and 403.161, F.S., in references thereto; providing an effective date.

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

Section 1. Subsection (1) of section 161.054, Florida Statutes, is amended to read:

161.054 Administrative fines; liability for damage; liens.—

(1) In addition to the penalties provided for in ss. 161.052, 161.053, and 161.121, any person, firm, corporation, or governmental agency, or agent thereof, refusing to comply with or willfully violating ~~any of the provisions of~~ s. 161.041, s. 161.052, or s. 161.053, or any rule or order prescribed by the department thereunder, shall incur a fine for each offense in an amount up to $15,000 ~~$10,000~~ to be fixed, imposed, and collected

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by the department. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 2. Subsection (2) of section 252.941, Florida Statutes, is amended to read:

252.941 Prohibitions, violations, penalties, intent.—

(2) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ subsection (1) commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.083(1)(g) by a fine of not more than $15,000 ~~$10,000~~ for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 3. Subsection (7) of section 258.397, Florida Statutes, is amended to read:

258.397 Biscayne Bay Aquatic Preserve.—

(7) ENFORCEMENT.—~~The provisions of~~ This section may be enforced in accordance with ~~the provisions of~~ s. 403.412. In addition, the Department of Legal Affairs may ~~is authorized to~~ bring an action for civil penalties of $7,500 ~~$5,000~~ per day against any person, natural or corporate, who violates ~~the provisions of~~ this section or any rule or regulation issued hereunder. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Enforcement of applicable state regulations shall be supplemented by the Miami-Dade County Department of Environmental Resources Management through the creation of a full-time enforcement presence along the Miami River.

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Section 4. Section 258.46, Florida Statutes, is amended to read:

258.46 Enforcement; violations; penalty.—~~The provisions of~~ This act may be enforced by the Board of Trustees of the Internal Improvement Trust Fund or in accordance with ~~the provisions of~~ s. 403.412. However, any violation by any person, natural or corporate, of ~~the provisions of~~ this act or any rule or regulation issued hereunder is ~~shall be~~ further punishable by a civil penalty of not less than $4,750 ~~$500~~ per day or more than $7,500 ~~$5,000~~ per day of such violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 5. Subsections (5) and (7) of section 373.129, Florida Statutes, are amended, to read:

373.129 Maintenance of actions.—The department, the governing board of any water management district, any local board, or a local government to which authority has been delegated pursuant to s. 373.103(8), is authorized to commence and maintain proper and necessary actions and proceedings in any court of competent jurisdiction for any of the following purposes:

(5) To recover a civil penalty for each offense in an amount not to exceed $15,000 ~~$10,000~~ per offense. Until a violation is resolved by order or judgment, each date during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(a) A civil penalty recovered by a water management district pursuant to this subsection shall be retained and used

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exclusively by the water management district that collected the money. A civil penalty recovered by the department pursuant to this subsection must be deposited into the Water Quality Assurance Trust Fund established under s. 376.307.

(b) A local government that is delegated authority pursuant to s. 373.103(8) may deposit a civil penalty recovered pursuant to this subsection into a local water pollution control program trust fund, notwithstanding ~~the provisions of~~ paragraph (a). However, civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violations of state water quality standards may be used only to restore water quality in the area that was the subject of the action, and civil penalties that are deposited in a local water pollution control program trust fund and that are recovered for violation of requirements relating to water quantity may be used only to purchase lands and make capital improvements associated with surface water management, or other purposes consistent with the requirements of this chapter for the management and storage of surface water.

(7) To enforce ~~the provisions of~~ part IV of this chapter in the same manner and to the same extent as provided in ss. 373.430, 403.121(1) and (2), 403.131, 403.141, and 403.161.

Section 6. Subsection (3) of section 373.209, Florida Statutes, is amended to read:

373.209 Artesian wells; penalties for violation.—

(3) Any person who violates ~~any provision of~~ this section is ~~shall be~~ subject to either:

(a) The remedial measures provided for in s. 373.436; or

(b) A civil penalty of $150 ~~$100~~ a day for each and every

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day of such violation and for each and every act of violation. The civil penalty may be recovered by the water management board of the water management district in which the well is located or by the department in a suit in a court of competent jurisdiction in the county where the defendant resides, in the county of residence of any defendant if there is more than one defendant, or in the county where the violation took place. The place of suit shall be selected by the board or department, and the suit, by direction of the board or department, shall be instituted and conducted in the name of the board or department by appropriate counsel. The payment of any such damages does not impair or abridge any cause of action which any person may have against the person violating ~~any provision of~~ this section.

Section 7. Subsections (2) through (5) of section 373.430, Florida Statutes, are amended to read:

373.430 Prohibitions, violation, penalty, intent.—

(2) A person who ~~Whoever~~ commits a violation specified in subsection (1) is liable for any damage caused and for civil penalties as provided in s. 373.129.

(3) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g), by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) due to reckless

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indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g), by a fine of not more than $10,000 ~~$5,000~~ or 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(b) or who violates paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not more than $10,000 or by 6 months in jail, or by both, for each offense.

Section 8. Paragraphs (a) and (e) of subsection (5) of section 376.065, Florida Statutes, are amended to read:

376.065 Operation of terminal facility without discharge prevention and response certificate prohibited; penalty.—

(5)(a) A person who violates this section or the terms and requirements of such certification commits a noncriminal infraction. The civil penalty for any such infraction shall be $750 ~~$500~~, except as otherwise provided in this section.

(e) A person who elects to appear before the county court or who is required to so appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $750 ~~$500~~.

Section 9. Paragraphs (a) and (e) of subsection (2) of section 376.071, Florida Statutes, are amended to read:

376.071 Discharge contingency plan for vessels.—

(2)(a) A master of a vessel that violates subsection (1) commits a noncriminal infraction and shall be cited for such

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infraction. The civil penalty for such an infraction shall be $7,500 ~~$5,000~~, except as otherwise provided in this subsection.

(e) A person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of $7,500 ~~$5,000~~.

Section 10. Section 376.16, Florida Statutes, is amended to read:

376.16 Enforcement and penalties.—

(1) It is unlawful for any person to violate ~~any provision of~~ ss. 376.011-376.21 or any rule or order of the department made pursuant to this act. A violation is ~~shall be~~ punishable by a civil penalty of up to $75,000 ~~$50,000~~ per violation per day to be assessed by the department. Until a violation is resolved by order or judgment, each day during any portion of which the violation occurs or is not remediated constitutes a separate offense. The penalty provisions of this subsection do ~~shall~~ not apply to any discharge promptly reported and removed by a person responsible, in accordance with the rules and orders of the department, or to any discharge of pollutants equal to or less than 5 gallons.

(2) In addition to the penalty provisions which may apply under subsection (1), a person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

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(a) For discharges of gasoline or diesel over 5 gallons, the civil penalty for the second discharge shall be $750 ~~$500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $1,500 ~~$1,000~~, except as otherwise provided in this section.

(b) For discharges of any pollutant other than gasoline or diesel, the civil penalty for a second discharge shall be $3,750 ~~$2,500~~ and the civil penalty for each subsequent discharge within a 12-month period shall be $7,500 ~~$5,000~~, except as otherwise provided in this section.

(3) A person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $75 ~~$50~~ for each discharge subsequent to the first.

(b) For discharges of pollutants other than gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be $150 ~~$100~~ for each discharge subsequent to the first.

(4) A person charged with a noncriminal infraction pursuant to subsection (2) or subsection (3) may:

(a) Pay the civil penalty;

(b) Post a bond equal to the amount of the applicable civil penalty; or

(c) Sign and accept a citation indicating a promise to appear before the county court.

The department employee authorized to issue these citations may

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indicate on the citation the time and location of the scheduled hearing and shall indicate the applicable civil penalty.

(5) Any person who willfully refuses to post bond or accept and sign a citation commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) After compliance with paragraph (4)(b) or paragraph (4)(c), any person charged with a noncriminal infraction under subsection (2) or subsection (3) may:

(a) Pay the civil penalty, either by mail or in person, within 30 days after the date of receiving the citation; or

(b) If the person has posted bond, forfeit the bond by not appearing at the designated time and location.

A person cited for an infraction under this section who pays the civil penalty or forfeits the bond has admitted the infraction and waives the right to a hearing on the issue of commission of the infraction. Such admission may not be used as evidence in any other proceeding.

(7) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $750 ~~$500~~ for the second discharge of gasoline or diesel and a civil penalty up to, but not exceeding, $1,500 ~~$1,000~~ for each subsequent discharge of gasoline or diesel within a 12-month period.

(8) Any person who elects to appear before the county court

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or who is required to appear waives the limitations of the civil penalties specified in subsection (2) or subsection (3). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, $7,500 ~~$5,000~~ for the second discharge of pollutants other than gasoline or diesel and a civil penalty up to, but not exceeding, $15,000 ~~$10,000~~ for each subsequent discharge of pollutants other than gasoline or diesel within a 12-month period.

(9) At a hearing under this section, the commission of a charged offense must be proved by the greater weight of the evidence.

(10) A person who is found by a hearing official to have committed an infraction may appeal that finding to the circuit court.

(11) Any person who has not posted bond and who neither pays the applicable civil penalty, as specified in subsection (2) or subsection (3) within 30 days of receipt of the citation nor appears before the court commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(12) Any person who makes or causes to be made a false statement that which the person does not believe to be true in response to requirements of ~~the provisions of~~ ss. 376.011-376.21 commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Paragraph (a) of subsection (6) of section 376.25, Florida Statutes, is amended to read:

376.25 Gambling vessels; registration; required and

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prohibited releases.—

(6) PENALTIES.—

(a) A person who violates this section is subject to a civil penalty of not more than $75,000 ~~$50,000~~ for each violation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 12. Subsections (2) and (3) of section 376.302, Florida Statutes, are amended to read:

376.302 Prohibited acts; penalties.—

(2) Except as provided in s. 376.311, any person who violates ~~commits a violation specified in~~ subsection (1) is liable to the state for any damage caused and for civil penalties as provided in s. 403.141.

(3) Any person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) commits ~~shall be guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not less than $2,500 or more than $25,000, or punishable by 1 year in jail, or by both for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

Section 13. Paragraph (a) of subsection (1) of section 377.37, Florida Statutes, is amended to read:

377.37 Penalties.—

(1)(a) Any person who violates ~~any provision of~~ this law or any rule, regulation, or order of the division made under this chapter or who violates the terms of any permit to drill for or

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produce oil, gas, or other petroleum products referred to in s. 377.242(1) or to store gas in a natural gas storage facility, or any lessee, permitholder, or operator of equipment or facilities used in the exploration for, drilling for, or production of oil, gas, or other petroleum products, or storage of gas in a natural gas storage facility, who refuses inspection by the division as provided in this chapter, is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state. Furthermore, such person, lessee, permitholder, or operator is subject to the judicial imposition of a civil penalty in an amount of not more than $15,000 ~~$10,000~~ for each offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. This section does not ~~Nothing herein shall~~ give the department the right to bring an action on behalf of any private person.

Section 14. Subsection (2) of section 378.211, Florida Statutes, is amended to read:

378.211 Violations; damages; penalties.—

(2) The department may institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty for violation of this part or of any rule adopted or order issued pursuant to this part. The penalty may ~~shall~~ not exceed the following amounts, and the court shall consider evidence in

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mitigation:

(a) For violations of a minor or technical nature, $150 ~~$100~~ per violation.

(b) For major violations by an operator on which a penalty has not been imposed under this paragraph during the previous 5 years, $1,500 ~~$1,000~~ per violation.

(c) For major violations not covered by paragraph (b), $7,500 ~~$5,000~~ per violation.

Subject to ~~the provisions of~~ subsection (4), until a violation is resolved by order or judgment, each day or any portion thereof in which the violation continues or is not remediated shall constitute a separate violation.

Section 15. Subsection (2) of section 403.086, Florida Statutes, is amended to read:

403.086 Sewage disposal facilities; advanced and secondary waste treatment.—

(2) Any facilities for sanitary sewage disposal shall provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the Department of Environmental Protection. Failure to conform shall be punishable by a civil penalty of $750 ~~$500~~ for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

Section 16. Section 403.121, Florida Statutes, is amended to read:

403.121 Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in

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s. 403.161(1).

(1) Judicial remedies:

(a) The department may institute a civil action in a court of competent jurisdiction to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, and aquatic life, of the state caused by any violation.

(b) The department may institute a civil action in a court of competent jurisdiction to impose and to recover a civil penalty for each violation in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(c) Except as provided in paragraph (2)(c), it is ~~shall~~ not ~~be~~ a defense to, or ground for dismissal of, these judicial remedies for damages and civil penalties that the department has failed to exhaust its administrative remedies, has failed to serve a notice of violation, or has failed to hold an administrative hearing prior to the institution of a civil action.

(2) Administrative remedies:

(a) The department may institute an administrative proceeding to establish liability and to recover damages for any injury to the air, waters, or property, including animal, plant, or aquatic life, of the state caused by any violation. The department may order that the violator pay a specified sum as damages to the state. Judgment for the amount of damages determined by the department may be entered in any court having

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jurisdiction thereof and may be enforced as any other judgment.

(b) If the department has reason to believe a violation has occurred, it may institute an administrative proceeding to order the prevention, abatement, or control of the conditions creating the violation or other appropriate corrective action. Except for violations involving hazardous wastes, asbestos, or underground injection, the department shall proceed administratively in all cases in which the department seeks administrative penalties that do not exceed $50,000 ~~$10,000~~ per assessment as calculated in accordance with subsections (3), (4), (5), (6), and (7). Pursuant to 42 U.S.C. s. 300g-2, the administrative penalty assessed pursuant to subsection (3), subsection (4), or subsection (5) against a public water system serving a population of more than 10,000 shall be not less than $1,000 per day per violation. The department may ~~shall~~ not impose administrative penalties in excess of $50,000 ~~$10,000~~ in a notice of violation. The department may ~~shall~~ not have more than one notice of violation seeking administrative penalties pending against the same party at the same time unless the violations occurred at a different site or the violations were discovered by the department subsequent to the filing of a previous notice of violation.

(c) An administrative proceeding shall be instituted by the department's serving of a written notice of violation upon the alleged violator by certified mail. If the department is unable to effect service by certified mail, the notice of violation may be hand delivered or personally served in accordance with chapter 48. The notice shall specify the ~~provision of the~~ law, rule, regulation, permit, certification, or order of the

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department alleged to be violated and the facts alleged to constitute a violation thereof. An order for corrective action, penalty assessment, or damages may be included with the notice. When the department is seeking to impose an administrative penalty for any violation by issuing a notice of violation, any corrective action needed to correct the violation or damages caused by the violation must be pursued in the notice of violation or they are waived. However, an ~~no~~ order is not ~~shall become~~ effective until after service and an administrative hearing, if requested within 20 days after service. Failure to request an administrative hearing within this time period constitutes ~~shall constitute~~ a waiver thereof, unless the respondent files a written notice with the department within this time period opting out of the administrative process initiated by the department to impose administrative penalties. Any respondent choosing to opt out of the administrative process initiated by the department in an action that seeks the imposition of administrative penalties must file a written notice with the department within 20 days after service of the notice of violation opting out of the administrative process. A respondent's decision to opt out of the administrative process does not preclude the department from initiating a state court action seeking injunctive relief, damages, and the judicial imposition of civil penalties.

(d) If a person timely files a petition challenging a notice of violation, that person will thereafter be referred to as the respondent. The hearing requested by the respondent shall be held within 180 days after the department has referred the initial petition to the Division of Administrative Hearings

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unless the parties agree to a later date. The department has the burden of proving with the preponderance of the evidence that the respondent is responsible for the violation. ~~No~~ Administrative penalties should not be imposed unless the department satisfies that burden. Following the close of the hearing, the administrative law judge shall issue a final order on all matters, including the imposition of an administrative penalty. When the department seeks to enforce that portion of a final order imposing administrative penalties pursuant to s. 120.69, the respondent may ~~shall~~ not assert as a defense the inappropriateness of the administrative remedy. The department retains its final-order authority in all administrative actions that do not request the imposition of administrative penalties.

(e) After filing a petition requesting a formal hearing in response to a notice of violation in which the department imposes an administrative penalty, a respondent may request that a private mediator be appointed to mediate the dispute by contacting the Florida Conflict Resolution Consortium within 10 days after receipt of the initial order from the administrative law judge. The Florida Conflict Resolution Consortium shall pay all of the costs of the mediator and for up to 8 hours of the mediator's time per case at $150 per hour. Upon notice from the respondent, the Florida Conflict Resolution Consortium shall provide to the respondent a panel of possible mediators from the area in which the hearing on the petition would be heard. The respondent shall select the mediator and notify the Florida Conflict Resolution Consortium of the selection within 15 days of receipt of the proposed panel of mediators. The Florida Conflict Resolution Consortium shall provide all of the

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administrative support for the mediation process. The mediation must be completed at least 15 days before the final hearing date set by the administrative law judge.

(f) In any administrative proceeding brought by the department, the prevailing party shall recover all costs as provided in ss. 57.041 and 57.071. The costs must be included in the final order. The respondent is the prevailing party when an order is entered awarding no penalties to the department and such order has not been reversed on appeal or the time for seeking judicial review has expired. The respondent is ~~shall be~~ entitled to an award of attorney's fees if the administrative law judge determines that the notice of violation issued by the department seeking the imposition of administrative penalties was not substantially justified as defined in s. 57.111(3)(e). An ~~No~~ award of attorney's fees as provided by this subsection may not ~~shall~~ exceed $15,000.

(g) Nothing herein shall be construed as preventing any other legal or administrative action in accordance with law. Nothing in this subsection shall limit the department's authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief. When the department exercises its authority to judicially pursue injunctive relief, penalties in any amount up to the statutory maximum sought by the department must be pursued as part of the state court action and not by initiating a separate administrative proceeding. The department retains the authority to judicially pursue penalties in excess of $50,000 ~~$10,000~~ for violations not specifically included in the administrative penalty schedule, or for multiple or multiday violations alleged to exceed a total of $50,000

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~~$10,000~~. The department also retains the authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief and damages, if a notice of violation seeking the imposition of administrative penalties has not been issued. The department has the authority to enter into a settlement, either before or after initiating a notice of violation, and the settlement may include a penalty amount different from the administrative penalty schedule. Any case filed in state court because it is alleged to exceed a total of $50,000 ~~$10,000~~ in penalties may be settled in the court action for less than $50,000 ~~$10,000~~.

(h) Chapter 120 applies ~~shall apply~~ to any administrative action taken by the department or any delegated program pursuing administrative penalties in accordance with this section.

(3) Except for violations involving hazardous wastes, asbestos, or underground injection, administrative penalties must be calculated according to the following schedule:

(a) For a drinking water contamination violation, the department shall assess a penalty of $3,000 ~~$2,000~~ for a Maximum Containment Level (MCL) violation; plus $1,500 ~~$1,000~~ if the violation is for a primary inorganic, organic, or radiological Maximum Contaminant Level or it is a fecal coliform bacteria violation; plus $1,500 ~~$1,000~~ if the violation occurs at a community water system; and plus $1,500 ~~$1,000~~ if any Maximum Contaminant Level is exceeded by more than 100 percent. For failure to obtain a clearance letter prior to placing a drinking water system into service when the system would not have been eligible for clearance, the department shall assess a penalty of $4,500 ~~$3,000~~.

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(b) For failure to obtain a required wastewater permit, other than a permit required for surface water discharge, the department shall assess a penalty of $1,500 ~~$1,000~~. For a domestic or industrial wastewater violation not involving a surface water or groundwater quality violation, the department shall assess a penalty of $3,000 ~~$2,000~~ for an unpermitted or unauthorized discharge or effluent-limitation exceedance. For an unpermitted or unauthorized discharge or effluent-limitation exceedance that resulted in a surface water or groundwater quality violation, the department shall assess a penalty of $7,500 ~~$5,000~~.

(c) For a dredge and fill or stormwater violation, the department shall assess a penalty of $1,500 ~~$1,000~~ for unpermitted or unauthorized dredging or filling or unauthorized construction of a stormwater management system against the person or persons responsible for the illegal dredging or filling, or unauthorized construction of a stormwater management system plus $3,000 ~~$2,000~~ if the dredging or filling occurs in an aquatic preserve, an Outstanding Florida Water, a conservation easement, or a Class I or Class II surface water, plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than one-quarter acre but less than or equal to one-half acre, and plus $1,500 ~~$1,000~~ if the area dredged or filled is greater than one-half acre but less than or equal to one acre. The administrative penalty schedule does ~~shall~~ not apply to a dredge and fill violation if the area dredged or filled exceeds one acre. The department retains the authority to seek the judicial imposition of civil penalties for all dredge and fill violations involving more than one acre. The department shall assess a

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penalty of $4,500 ~~$3,000~~ for the failure to complete required mitigation, failure to record a required conservation easement, or for a water quality violation resulting from dredging or filling activities, stormwater construction activities or failure of a stormwater treatment facility. For stormwater management systems serving less than 5 acres, the department shall assess a penalty of $3,000 ~~$2,000~~ for the failure to properly or timely construct a stormwater management system. In addition to the penalties authorized in this subsection, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts unpermitted or unauthorized dredging or filling. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(d) For mangrove trimming or alteration violations, the department shall assess a penalty of $7,500 ~~$5,000~~ per violation against the contractor or agent of the owner or tenant that conducts mangrove trimming or alteration without a permit as required by s. 403.9328. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer does ~~shall~~ not make that person an agent of the owner or tenant.

(e) For solid waste violations, the department shall assess a penalty of $3,000 ~~$2,000~~ for the unpermitted or unauthorized disposal or storage of solid waste; plus $1,000 if the solid waste is Class I or Class III (excluding yard trash) or if the

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solid waste is construction and demolition debris in excess of 20 cubic yards, plus $1,500 ~~$1,000~~ if the waste is disposed of or stored in any natural or artificial body of water or within 500 feet of a potable water well, plus $1,500 ~~$1,000~~ if the waste contains PCB at a concentration of 50 parts per million or greater; untreated biomedical waste; friable asbestos greater than 1 cubic meter which is not wetted, bagged, and covered; used oil greater than 25 gallons; or 10 or more lead acid batteries. The department shall assess a penalty of $4,500 ~~$3,000~~ for failure to properly maintain leachate control; unauthorized burning; failure to have a trained spotter on duty at the working face when accepting waste; or failure to provide access control for three consecutive inspections. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to construct or maintain a required stormwater management system.

(f) For an air emission violation, the department shall assess a penalty of $1,500 ~~$1,000~~ for an unpermitted or unauthorized air emission or an air-emission-permit exceedance, ~~plus $1,000 if the emission results in an air quality violation,~~ plus $4,500 ~~$3,000~~ if the emission was from a major source and the source was major for the pollutant in violation; plus $1,500 ~~$1,000~~ if the emission was more than 150 percent of the allowable level.

(g) For storage tank system and petroleum contamination violations, the department shall assess a penalty of $7,500 ~~$5,000~~ for failure to empty a damaged storage system as necessary to ensure that a release does not occur until repairs to the storage system are completed; when a release has occurred from that storage tank system; for failure to timely recover

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free product; or for failure to conduct remediation or monitoring activities until a no-further-action or site-rehabilitation completion order has been issued. The department shall assess a penalty of $4,500 ~~$3,000~~ for failure to timely upgrade a storage tank system. The department shall assess a penalty of $3,000 ~~$2,000~~ for failure to conduct or maintain required release detection; failure to timely investigate a suspected release from a storage system; depositing motor fuel into an unregistered storage tank system; failure to timely assess or remediate petroleum contamination; or failure to properly install a storage tank system. The department shall assess a penalty of $1,500 ~~$1,000~~ for failure to properly operate, maintain, or close a storage tank system.

(4) In an administrative proceeding, in addition to the penalties that may be assessed under subsection (3), the department shall assess administrative penalties according to the following schedule:

(a) For failure to satisfy financial responsibility requirements or for violation of s. 377.371(1), $7,500 ~~$5,000~~.

(b) For failure to install, maintain, or use a required pollution control system or device, $6,000 ~~$4,000~~.

(c) For failure to obtain a required permit before construction or modification, $4,500 ~~$3,000~~.

(d) For failure to conduct required monitoring or testing; failure to conduct required release detection; or failure to construct in compliance with a permit, $3,000 ~~$2,000~~.

(e) For failure to maintain required staff to respond to emergencies; failure to conduct required training; failure to prepare, maintain, or update required contingency plans; failure

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to adequately respond to emergencies to bring an emergency situation under control; or failure to submit required notification to the department, $1,500 ~~$1,000~~.

(f) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to prepare, submit, maintain, or use required reports or other required documentation, $750 ~~$500~~.

(5) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to comply with any other departmental regulatory statute or rule requirement not otherwise identified in this section, the department may assess a penalty of $1,000 ~~$500~~.

(6) For each additional day during which a violation occurs, the administrative penalties in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be assessed per day per violation.

(7) The history of noncompliance of the violator for any previous violation resulting in an executed consent order, but not including a consent order entered into without a finding of violation, or resulting in a final order or judgment after the effective date of this law involving the imposition of $3,000 ~~$2,000~~ or more in penalties shall be taken into consideration in the following manner:

(a) One previous such violation within 5 years prior to the filing of the notice of violation will result in a 25-percent per day increase in the scheduled administrative penalty.

(b) Two previous such violations within 5 years prior to the filing of the notice of violation will result in a 50-percent per day increase in the scheduled administrative

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penalty.

(c) Three or more previous such violations within 5 years prior to the filing of the notice of violation will result in a 100-percent per day increase in the scheduled administrative penalty.

(8) The direct economic benefit gained by the violator from the violation, where consideration of economic benefit is provided by Florida law or required by federal law as part of a federally delegated or approved program, shall be added to the scheduled administrative penalty. The total administrative penalty, including any economic benefit added to the scheduled administrative penalty, may ~~shall~~ not exceed $15,000 ~~$10,000~~.

(9) The administrative penalties assessed for any particular violation may ~~shall~~ not exceed $7,500 ~~$5,000~~ against any one violator, unless the violator has a history of noncompliance, the economic benefit of the violation as described in subsection (8) exceeds $7,500 ~~$5,000~~, or there are multiday violations. The total administrative penalties may ~~shall~~ not exceed $50,000 ~~$10,000~~ per assessment for all violations attributable to a specific person in the notice of violation.

(10) The administrative law judge may receive evidence in mitigation. The penalties identified in subsections ~~subsection~~ (3), ~~subsection~~ (4), and ~~subsection~~ (5) may be reduced up to 50 percent by the administrative law judge for mitigating circumstances, including good faith efforts to comply prior to or after discovery of the violations by the department. Upon an affirmative finding that the violation was caused by circumstances beyond the reasonable control of the respondent

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and could not have been prevented by respondent's due diligence, the administrative law judge may further reduce the penalty.

(11) Penalties collected pursuant to this section shall be deposited into the Water Quality Assurance Trust Fund or other trust fund designated by statute and shall be used to fund the restoration of ecosystems, or polluted areas of the state, as defined by the department, to their condition before pollution occurred. The Florida Conflict Resolution Consortium may use a portion of the fund to administer the mediation process provided in paragraph (2)(e) and to contract with private mediators for administrative penalty cases.

(12) The purpose of the administrative penalty schedule and process is to provide a more predictable and efficient manner for individuals and businesses to resolve relatively minor environmental disputes. Subsections (3)-(7) may ~~Subsection (3), subsection (4), subsection (5), subsection (6), or subsection (7) shall~~ not be construed as limiting a state court in the assessment of damages. The administrative penalty schedule does not apply to the judicial imposition of civil penalties in state court as provided in this section.

Section 17. Subsection (1) of section 403.141, Florida Statutes, is amended to read:

403.141 Civil liability; joint and several liability.—

(1) Whoever violates ~~commits a violation specified in~~ s. 403.161(1) is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air,

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waters, and property, including animal, plant, and aquatic life, of the state to their former condition, and furthermore is subject to the judicial imposition of a civil penalty for each offense in an amount of not more than $15,000 ~~$10,000~~ per offense. However, the court may receive evidence in mitigation. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense. Nothing herein gives ~~shall give~~ the department the right to bring an action on behalf of any private person.

Section 18. Subsections (2) through (5) of section 403.161, Florida Statutes, are amended to read:

403.161 Prohibitions, violation, penalty, intent.—

(2) A person who violates ~~Whoever commits a violation specified in~~ subsection (1) is liable to the state for any damage caused and for civil penalties as provided in s. 403.141.

(3) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(a) commits ~~is guilty of~~ a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g) by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.

(4) A ~~Any~~ person who violates ~~commits a violation specified in~~ paragraph (1)(a) or paragraph (1)(b) due to reckless indifference or gross careless disregard commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g) by a fine of not more than

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$10,000 ~~$5,000~~ or by 60 days in jail, or by both, for each offense.

(5) A ~~Any~~ person who willfully violates ~~commits a violation specified in~~ paragraph (1)(b) or who violates paragraph (1)(c) commits ~~is guilty of~~ a misdemeanor of the first degree punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g) by a fine of not more than $10,000 or by 6 months in jail, or by both for each offense.

Section 19. Paragraph (a) of subsection (6) of section 403.413, Florida Statutes, is amended to read:

403.413 Florida Litter Law.—

(6) PENALTIES; ENFORCEMENT.—

(a) Any person who dumps litter in violation of subsection (4) in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume and not for commercial purposes commits ~~is guilty of~~ a noncriminal infraction, punishable by a civil penalty of $150 ~~$100~~, from which $50 shall be deposited into the Solid Waste Management Trust Fund to be used for the solid waste management grant program pursuant to s. 403.7095. In addition, the court may require the violator to pick up litter or perform other labor commensurate with the offense committed.

Section 20. Subsection (5) of section 403.7234, Florida Statutes, is amended to read:

403.7234 Small quantity generator notification and verification program.—

(5) Any small quantity generator who does not comply with the requirements of subsection (4) and who has received a notification and survey in person or through one certified letter from the county is subject to a fine of between $75 ~~$50~~

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and $150 ~~$100~~ per day for a maximum of 100 days. The county may collect such fines and deposit them in its general revenue fund. Fines collected by the county shall be used to carry out the notification and verification procedure established in this section. If there are excess funds after the notification and verification procedures have been completed, such funds shall be used for hazardous and solid waste management purposes only.

Section 21. Subsection (3) of section 403.726, Florida Statutes, is amended to read:

403.726 Abatement of imminent hazard caused by hazardous substance.—

(3) An imminent hazard exists if any hazardous substance creates an immediate and substantial danger to human health, safety, or welfare or to the environment. The department may institute action in its own name, using the procedures and remedies of s. 403.121 or s. 403.131, to abate an imminent hazard. However, the department is authorized to recover a civil penalty of not more than $37,500 ~~$25,000~~ for each day until a ~~of continued~~ violation is resolved by order or judgment. Whenever serious harm to human health, safety, and welfare; the environment; or private or public property may occur prior to completion of an administrative hearing or other formal proceeding that which might be initiated to abate the risk of serious harm, the department may obtain, ex parte, an injunction without paying filing and service fees prior to the filing and service of process.

Section 22. Paragraph (a) of subsection (3) of section 403.727, Florida Statutes, is amended to read:

403.727 Violations; defenses, penalties, and remedies.—

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(3) Violations of the provisions of this act are punishable as follows:

(a) Any person who violates ~~the provisions of~~ this act, the rules or orders of the department, or the conditions of a permit is liable to the state for any damages specified in s. 403.141 and for a civil penalty of not more than $75,000 ~~$50,000~~ for each day of continued violation or until a violation is resolved by order or judgment, except as otherwise provided herein. The department may revoke any permit issued to the violator. In any action by the department against a small hazardous waste generator for the improper disposal of hazardous wastes, a rebuttable presumption of improper disposal shall be created if the generator was notified pursuant to s. 403.7234; the generator shall then have the burden of proving that the disposal was proper. If the generator was not so notified, the burden of proving improper disposal shall be placed upon the department.

Section 23. Subsection (8) of section 403.93345, Florida Statutes, is amended to read:

403.93345 Coral reef protection.—

(8) In addition to the compensation described in subsection (5), the department may assess, per occurrence, civil penalties according to the following schedule:

(a) For any anchoring of a vessel on a coral reef or for any other damage to a coral reef totaling less than or equal to an area of 1 square meter, $225 ~~$150~~, provided that a responsible party who has anchored a recreational vessel as defined in s. 327.02 which is lawfully registered or exempt from registration pursuant to chapter 328 is issued, at least once, a

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warning letter in lieu of penalty; with aggravating circumstances, an additional $225 ~~$150~~; occurring within a state park or aquatic preserve, an additional $225 ~~$150~~.

(b) For damage totaling more than an area of 1 square meter but less than or equal to an area of 10 square meters, $450 ~~$300~~ per square meter; with aggravating circumstances, an additional $450 ~~$300~~ per square meter; occurring within a state park or aquatic preserve, an additional $450 ~~$300~~ per square meter.

(c) For damage exceeding an area of 10 square meters, $1,500 ~~$1,000~~ per square meter; with aggravating circumstances, an additional $1,500 ~~$1,000~~ per square meter; occurring within a state park or aquatic preserve, an additional $1,500 ~~$1,000~~ per square meter.

(d) For a second violation, the total penalty may be doubled.

(e) For a third violation, the total penalty may be tripled.

(f) For any violation after a third violation, the total penalty may be quadrupled.

(g) The total of penalties levied may not exceed $375,000 ~~$250,000~~ per occurrence.

Section 24. Paragraph (c) of subsection (1) of s. 252.940, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 252.941, Florida Statutes, in a reference thereto.

Section 25. Subsection (5) of s. 823.11, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.16, Florida Statutes, in a reference thereto.

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Section 26. Paragraph (d) of subsection (1) of s. 376.303, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 376.302, Florida Statutes, in a reference thereto.

Section 27. Subsection (5) of s. 403.077, subsection (2) of s. 403.131, paragraph (d) of subsection (3) of s. 403.4154, and subsection (5) of s. 403.860, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 403.121, Florida Statutes, in references thereto.

Section 28. Subsection (10) of s. 403.708, subsection (7) of s. 403.7191, and s. 403.811, Florida Statutes, are reenacted for the purpose of incorporating the amendment made by this act to s. 403.141, Florida Statutes, in references thereto.

Section 29. Subsection (2) of s. 403.7255, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to s. 403.161, Florida Statutes, in a reference thereto.

Section 30. Subsection (8) of s. 403.7186, Florida Statutes, is reenacted for the purpose of incorporating the amendments made by this act to ss. 403.141 and 403.161, Florida Statutes, in references thereto.

Section 31. This act shall take effect July 1, 2020.

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From: Hebel, Meagan <Meagan.Hebel@myfloridahouse.gov>
Sent: Tuesday, November 12, 2019 10:15 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: Charter Review Board Member Barcomb

Warm regards,

Meagan Hebel

Legislative Aide
Representative Will Robinson
District 71

District Office:
717 Manatee Ave W
Unit 100
Bradenton, FL 34205
(941) 708 - 4968

Tallahassee Office:
1401 The Capitol
402 S. Monroe St.
Tallahassee, FL 32399
(850) 717 - 5071

Florida has a very broad public records law. Most written communications to or from state officials and staff are considered public record and are made available to the public and the media upon request. Please note, your e-mail message may be subject to public disclosure.

From: Gabriel Hament <gabrielhament@gmail.com>
Sent: Tuesday, November 12, 2019 10:10 AM
To: Public Records <PublicRecords@scgov.net>; Drew Winchester <dwinches@scgov.net>
Cc: ncdetert@scgov.net; Shelli.FreelandEddie@sarasotafl.gov; Jen.Ahearn-Koch@sarasotafl.gov; Willie Charles Shaw <Willie.Shaw@sarasotagov.com>; Edward James <edward.james807@gmail.com>; Kurt.Spitzer@ksanet.net; mmoran@scgov.net; amaio@scgov.net; chines@scgov.net; countyadministrator@scgov.net; brad.johnson@scgov.net; Hagen.Brody@sarasotafl.gov; City Council <citycouncil@venicegov.com>; Commissioners <commissioners@cityofnorthport.com>; commissioners@sarasotafl.gov; Warren Richardson <jondaltonwr@gmail.com>; Carrie Seidman <carrie.seidman@heraldtribune.com>; Fredd Atkins <flsatkins59@gmail.com>; mike.beatty@yoursun.com; Rachel Brown Hackney <rachel@sarasotanewsleader.com>; Terrie Rizzo <terrie@floridadems.org>; Griffith Kevin <kevinmgriffith@gmail.com>; Good, Margaret <Margaret.Good@myfloridahouse.gov>; juan@floridadems.org; Glen Nickerson <glen.nickerson@yoursun.com>; Harold.Bubil@heraldtribune.com; rdupont@venicegondolier.com; barbara.smith@heraldtribune.com; liz.alpert@sarasotagov.com; Logan, Bill <blogan@wwsb.tv>; Cox, Billy <billy.cox@heraldtribune.com>; Jacob Ogles <jacob.ogles@srqme.com>; David Conway <dconway@yourobserver.com>; Tom Walker <tom@watsonwalker.com>; carol.moore@yoursun.com; daviddr@sun-herald.com; Tom Tryon <tom.tryon@heraldtribune.com>; grant.boxleitner@snntv.com; Anderson, Zac <zac.anderson@heraldtribune.com>; Kimel, Earle <earle.kimel@heraldtribune.com>; JoAnne DeVries <Jdv.devries8@gmail.com>; Lee Williams <lee.williams@heraldtribune.com>; samantha.sonner@snntv.com; galvano.bill.web@flsenate.gov; Gregory, Tommy <Tommy.Gregory@myfloridahouse.gov>; Robinson, Will <Will.Robinson@myfloridahouse.gov>; Trevor Harvey (sarasotanaacp@msn.com) <sarasotanaacp@msn.com>; Cooper Levey-Baker <levey.baker@gmail.com>; Joe Gruters <joegruters@gmail.com>; Jack Brill <johncbrill@verizon.net>; Turner, Ron <rturner@sarasotavotes.com>
Subject: Charter Review Board Member Barcomb

EXTERNAL EMAIL: This email originated from outside of the Legislature. USE CAUTION when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Good morning Public Records Team,

I am requesting all of Charter Review Board Member Donna Barcomb's emails and text messages from 10/31/18 to 4/30/19 with the Supervisor of Elections Office, Commissioner Detert, Acting Chair Jack Brill and Robert Waechter.

Thank you,

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--Gabriel Hament

On Thu, Nov 7, 2019 at 2:46 PM Gabriel Hament <gabrielhament@gmail.com> wrote:

> Close ally of Commissioner Detert, **former State Senator Carlton**, **intimidated today's audience at Tiger Bay.**
>
> In direct conflict with Tiger Bay's mission "*To promote community understanding of current political and social issues, through public discourse and the free exchange of ideas...*" which includes "*...no-holds-barred question and answer sessions by moderators and Tiger members*" former **State Senator Carlton restricted audience members from discussing Commissioner Detert's underhanded ploy to DISENFRANCHISE Sarasota's black community from the 2020 County Commission elections.**
>
> A panel focused on the 19th amendment kicked off with intimidating audience members against exercising their first amendment rights in order to prevent audience members from highlighting Commissioner Detert's effort to undermine the 15th.
>
> This is unacceptable.
>
> Also, it has come to light that the Tiger Bay Board, stacked with allies of Commissioner Detert, allowed Commissioner Detert to appear even though Detert has made clear her intentions to run for re-election.
>
> This "active campaigns" rule was designed specifically to BLOCK Sarasota's top Democrat, State Representative Margaret Good, from participating.
>
> --Gabriel Hament

On Wed, Nov 6, 2019, 2:06 PM Gabriel Hament <gabrielhament@gmail.com> wrote:

> Tomorrow's Tiger Bay panel has been marketed as a celebration of the 19th amendment to the United States Constitution which guaranteed women the right to vote.
>
> - Yet front and center will be former state Senator and now County Commissioner **Detert, who, last week, bullied and insulted Sarasota's African American community** from the County Commission dais, brazenly asking: " "Did you care enough about your "community" to draw a map to protect your "community"? (referring to Newtown) (VIDEO at the 59:00 mark at the Oct. 30th Meeting; press the "Video" hyperlink)
> - Detert's record of lashing out at constituents who challenge her ethically bankrupt behavior is now documented. In the previous email below, Detert attempted to shame the citizens of Sarasota in 2011 for questioning the 2011 decennial redistricting effort that resulted in **ILLEGAL**, **GERRYMANDERED** state legislative and US Congressional maps that **VIOLATED** the Florida Constitution.
> - **It is crystal clear Detert has no regard for the rule of law as Detert attempts to RACIALLY GERRYMANDER Sarasota.**
> - **Detert on multiple occasions has attempted to mislead the citizens of Sarasota** into thinking that the Fair Districts amendments to the Florida Constitution apply to localities, thus protecting Sarasota from Detert's attempt to rig the 2020 election through partisan (and now racial--which is federally illegal) gerrymandering designed to favor incumbents and their hand-picked successors. (VIDEO This can be found at the 47:00 mark from the Oct. 30th meeting)
> - **So, what is happening tomorrow at Tiger Bay is a celebration of the 19th amendment to the US Constitution that includes a panelist who is actively attempting to run roughshod over the 15th amendment which enfranchised black men.**
> - HYPOCRISY + INJUSTICE: Detert is attempting to advance a map that **CUTS OUT** from the 2020 election the first ever **African American person elected to the City Commission, Mayor Fredd Atkins.**
> - **Compounding the hypocritical composition of this panel** is Detert's record in the State Senate where she CUT the number of Early Voting Days from 14 to 8 and specifically **ELIMINATED Early Voting the Sunday before Election Day when predominantly black churches host "Souls to the Polls" voting drives.** This measure was designed to reduce participation of black voters in advance of the 2012 Presidential election.
> - Then-state Senator Detert's response when questioned about her vote to CUT EARLY VOTING: "Nevertheless, Detert doesn't want to go back to the full 14-day schedule, **saying those who support the extended schedule are guilty of "rounding up people who had no intention of voting" and "know nothing about any of the candidates."** (Sarasota Magazine)
> - The news media is beginning to catch on to Commissioner Detert's unacceptable behavior when she

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- The news media is beginning to catch on to Commissioner Detert's unacceptable behavior. But she crossed the line when she challenged certain speakers as “not caring enough” to have submitted a map themselves, and charged some citizens with being “vicious” and ignorant." (Herald Tribune)

- Herald Tribune: "Not only would this eliminate the campaign of the only other announced District 1 candidate — former mayor, city commissioner and longtime Newtown leader Fredd Atkins, who lost a bid for an at-large County Commission seat in 2017 — **it would effectively disenfranchise Sarasota’s historically black neighborhood for the next two years. How can anyone who knows anything of Sarasota and Newtown’s history possibly think this is a good idea?** Even if by appearance alone, it echoes historical racial injustices and black voter suppression and sends a clear message to the neighborhood that, once again, the white majority controls its fate.

Redistricting Scam Fueling Anti-Establishment Energy + GOP Losses

- The City of Venice is composed of 9,000 Republicans, 5,900 Democrats and 5,300 NPAs.
- The new Mayor-elect of Venice, Ron Feinsod (D), DEFEATED a sitting incumbent, Bob Daniels (R), who was supported by UNLIMITED political committee dollars with a mailer hitting almost daily for three weeks.
- Bob Daniels refused to speak out against redistricting. (SRQ Daily)

Thoughts on Tiger Bay

- When you ask a question to Commission Detert on the redistricting scam, do not let Detert or her close ally, moderator of the panel, former state Senator Lisa Carlton, interrupt you or bully you in their response. **Detert has a history of bullying individuals in an audience setting.** The panel has been **rigged** by Detert's allies who control Tiger Bay. Their aim is to support and elevate Detert despite her effort to racially gerrymander Sarasota through the selection of a map developed by a self-admitted criminal, Robert Waechter, using bad data that undercounts minority populations.

We will fight and we will win.

--Gabriel Hament

On Mon, Nov 4, 2019 at 12:35 PM Gabriel Hament <gabrielhament@gmail.com> wrote:

> It is important to put now-Commissioner **Nancy Detert's bullying tactics and record of illegal gerrymandering in historical context.**
>
> **Last week:** "Did you care enough about your "community" to draw a map to protect your "community"?" Detert asked. (Referring to Newtown)
>
> VIDEO: http://sarasotacounty.granicus.com/ViewPublisher.php?view_id=44 (at the 59:00 mark at the Oct. 30th Meeting; press the "Video" hyperlink)
>
> To review:
>
> - Then-Senator Nancy Detert in 2011-2012 was FRONT and CENTER in the RIGGED process that resulted in illegally gerrymandered State Senate and US Congressional maps that VIOLATED the FLORIDA CONSTITUTION.
>
> - As a Tallahassee Politician...Detert Had a Central Role in the 2011-2012 State Senate Decennial Redistricting Effort Which Resulted in Illegal, Unconstitutional Gerrymandered State Senate Maps
>   - Not only was Nancy Detert a State Senator who voted for illegal, unconstitutional gerrymandered maps, **Senator Detert WAS ON THE REAPPORTIONMENT COMMITTEE.** (Link to Committee Members)
>   - Somehow, then-State Senator Nancy Detert's "...new District 28 contains(ed) more of her previous district than any member of the Senate, Democrats say."
>   - "The Florida Democratic Party attorneys argue in court documents **that the Florida Senate went out of its way to protect State Sen. Nancy Detert, R-Venice, and her Sarasota-based district.** FDP attorneys say the new constitutional amendments aimed at stopping gerrymandering specifically told legislators not to favor incumbents. Yet Detert, under the new maps, "enjoys a district in which 89 percent of her previous constituents are placed," Democratic attorneys say." (Herald Tribune)
>
> As a Tallahassee Politician and Member of the Reapportionment Committee...**Nancy Detert Was at the Center of a Sham Public Input Process Manipulated by Partisan Operatives**
>
>   - "The shadow redistricting process that brought down the congressional map also was in full swing in the state Senate’s efforts to redraw its own districts in 2011 and 2012, depositions and email documents submitted as part of a court case revealed." (Miami Herald)
>   - "The documents, filed Wednesday in Leon County Circuit Court as part of a lawsuit over the Senate map, show that **Republican operatives faked “public” submissions, possessed draft Senate maps more than a month before senators, and submitted Republican-leaning maps that matched pieces that became the foundation of the adopted Senate redistricting plan."** (Miami Herald)
>   - "But John Guthrie, former staff director of the Senate Reapportionment Committee who retired in June, **said Gaetz intentionally met individually with senators so they could “share their**

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reactions" and avoid the public meeting requirements of Senate rules." (Miami Herald)
    - "The Republican-led Florida Senate admitted in a court filing on Tuesday**that unnamed senators had violated the state Constitution** by gerrymandering some Senate districts – and now they'll have to be redrawn in a special session later this year." (Politico)

- **Please see page 153.** (http://censusvalidator.blob.core.windows.net/mydistrictbuilderdata/Legislative%20Record/LR-917-SARASOTA-STATE.pdf)

And then in 2011--

SENATOR DETERT: It is probably not in my best interest to tell you what I think, but, frankly, I am very disappointed in our community. If you recall last year, we spent about a half a million dollars to promote civility, and for this woman in the front to stand up and say, "Stop, the child is fighting," this is our half of the table. This is my good friend, Senator Joyner, from a gerrymandered district, my good friend, the Democrat. Nobody on this side of the table is fighting. None of this group is fighting over districts or anything else. We came to listen. I thank the Representatives, look at the size of the crowd that came here today, they came early, they took a tour of the Ringling Museum. I was hoping they would be impressed with our community, because they all get to vote on our budget, things like this university, things that we want for our community. This is an opportunity to showcase the community. It is also an opportunity to participate in your government. **Now, you can either have tons of paranoia run rampant and you can protest, or you can pull up a chair and you can participate.** In the past, districts were gerrymandered. **No one at this table probably drew any of the districts, the salamander, the this, the that, the whatever.**

- (Writer's note: But guess who did draw those districts in 2001? **Former State Senator Lisa Carlton**--please see page 98 of the Senate Journal from 2001 and meeting minutes from the 2001 meeting at same location of the 2011 hearing where former **Senator Detert had the audacity to lash out at her constituents** before voting to VIOLATE the Florida Constitution and ILLEGALLY gerrymander state legislative and US Congressional districts)

The best testimony we had today was this morning in Largo at 8:00 a.m. from an 84-year-old woman who was probably the smartest woman in the room. She's seen lots of redistricting. And she referred to one map as the bug splat. Peggy Simone, you probably did that, for crying out loud. So it is not like gerrymandering is new. This is the most open, transparent situation you will ever see up until now, thanks to things like technology, the Internet. There are no maps in the back room that we are all going to run back there and arm wrestle over. In fact, I have to congratulate our Chairman, Senator Gaetz. The very first meeting we ever had -- and he told this to me, frankly, in private, he said, "I don't even want to know where anybody on the Committee lives." And you know what? I don't want to know where anybody on the Committee lives either. I think -- I did participate in redistricting in the year 2000. I personally 2 drew District 70. I think it is compact. I think it is a community of interest. You have to hit the numbers. **There are certain rules. And for you all to stand up and read us the rules, guess what, we know the rules. We have read the amendments, and we did not start out 8 this meeting by saying we have no intention of 9 keeping any of the rules.** So, frankly, I am a little disappointed in the lack of civility. I think we have been as polite on our side of the table as we can be. We intend to be fair, and, really, you probably won't know until we do produce the maps, and then you will -- and then you will be --

- Then-State Senator Detert's venomous diatribe was interrupted by her colleague, Senate President Don Gaetz.

SENATOR GAETZ: Ma'am, ma'am, ma'am

Commissioner Detert--You are a bully and now that Halloween has passed, YOU have been unmasked.

--Gabriel Hament

On Sun, Nov 3, 2019 at 6:12 PM Gabriel Hament <gabrielhament@gmail.com> wrote:

> Chair Gruters has allowed the redistricting process to CAREEN off the rails and SPILL into GOP candidates' campaigns and harm the GOP's Trump-focused message.
>
> The egregious nature of it--
>
> - **racial gerrymandering**;
> - willful indifference by **Detert**, **Moran** and **Maio** toward the application of flawed population estimates that undercount African American and Hispanic populations,
> - the manipulation of the "process" by **self-admitted criminal**, former Sarasota GOP Chair--one of Mr. Gruter's predecessors--Robert Waechter,
>
> is now ENGULFING the Sarasota County GOP, its credibility and its candidates.
>
> As Zac Anderson of the Herald Tribunewrites in today's column:
>
> "A rising tide lifts all ships," said**acting Sarasota GOP Chairman Jack Brill**.

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But some local Republicans are predicting that the GOP will experience some blowback from the Sarasota County Commission's redistricting effort, which has drawn significant criticism from both Republicans and Democrats who view it as an effort to gerrymander the districts for partisan purposes, and to protect incumbents."

- Chair Gruters has stood by idly as one of his predecessors, self-admitted criminal, Robert Waechter, hijacks and manipulates the process.
- The "Acting" Chair of the Sarasota GOP canceled his appearance on Bill Logan's ABC7 Roundtable this Wednesday because he has lost control of the redistricting situation and is in a state of panic. He instead dispatched a proxy that had no depth of knowledge on the issue and further eroded any remaining public trust in the Sarasota County GOP, Commissioners Detert/Moran/Maio. (VIDEO)
- Gruters' "Acting" Chair began constructing a flimsy house of cards when he submitted a misleading guest opinion editorial in both the Herald Tribune and SRQ Magazine asserting that pre-2020 Census redistricting must be undertaken due to an imbalance IN REGISTERED VOTERS. We all know that redistricting is done on the basis of TOTAL POPULATION. (Herald Tribune)
- Commissioner Detert back in June also attempted to mislead the citizens of Sarasota: "Commissioner Nancy Detert said she determined that redistricting was necessary **after reviewing the total number of registered voters in each district** and finding that they vary significantly." (Herald Tribune)

Under Chair Gruters' tenure, the Sarasota GOP has been thrust into a world of trouble and is seeing its power to control the conversation, diminish. He is standing by idly as Commissioners **Detert**, **Moran** and **Maio** plot to RACIALLY GERRYMANDER Sarasota County.

The credibility of a major political party--the Sarasota and Florida GOP--is quickly evaporating.

--Gabriel Hament

On Sat, Nov 2, 2019 at 5:50 PM Gabriel Hament <gabrielhament@gmail.com> wrote:

> "Did you care enough about your "community" to draw a map to protect your "community"?" Detert asked.
>
> VIDEO: http://sarasotacounty.granicus.com/ViewPublisher.php?view_id=44 (at the 59:00 mark at the Oct. 30th Meeting; press the "Video" hyperlink)
>
> This is as depraved **Detert** and **Moran** and **Maio** were preparing to vote for a map submitted by **self-admitted criminal** Robert Waechter that REMOVES 10,000 black people from the 2020 election and REMOVES Mayor Fredd Atkins, the first ever African American elected to the Sarasota City Commission, from the 2020 election. All the while exhibiting WILLFUL INDIFFERENCE toward the application of FLAWED population estimates that undercount Sarasota's African American and Hispanic populations.
>
> Detert also grossly misleads the public, for the second time, into believing that the Fair Districts amendments to the Florida Constitution, of which she violated while in the State Senate, applies to local redistricting. The amendments only apply to state legislative and US Congressional redistricting performed every ten years by the Florida Legislature. (This can be found at the 47:00 mark)
>
> Barbara Langston of Newtown is right: "redistricting is about voter suppression and it is about racism." (Herald Tribune)
>
> Detert is destroying the Sarasota community.
>
> E-mail the Commissioners: commissioners@scgov.net
>
> --Gabriel Hament
>
> On Thu, Oct 31, 2019 at 11:23 AM Gabriel Hament <gabrielhament@gmail.com> wrote:
>
> > Commissioner Fried:
> >
> > I believe either your campaign advisory staff and/or your Department staff have been contacted regarding your planned participation on the November 7th Sarasota Tiger Bay panel focused on women in politics.
> >
> > The news may have already made it up to Tallahassee, but in the case that you or your staff has not yet been brought up to speed, I will do my best to provide a quick summary. (ABC 7 Panel Discussion)
> >
> > Yesterday, the Sarasota County Commission, at the urging of former State Senator and now-Commissioner Nancy Detert,

AMERICAN OVERSIGHT

voted 3-2 to send two maps to a public hearing process, for possible adoption and implementation for the 2020 election. (Herald Tribune)

The map publicly favored by Commissioner Detert was submitted at the eleventh hour by self-admitted criminal and former Chair of the Sarasota County Republican Party, Robert Waechter. (Herald Tribune)

The proposed map would do two things:

1. Remove Sarasota's historically black neighborhood (Newtown) from the existing district (District 1 held by Commissioner Michael Moran) and slide Sarasota's black community into an adjacent district, thereby disallowing Newtown from participating in the 2020 County Commission election.
2. Remove Sarasota's first ever African American citizen elected to the Sarasota City Commission, Mayor Fredd Atkins, from his existing district, and preventing him from continuing his 2020 campaign for County Commission. Mayor Atkins is a Sarasota icon, and, as I stated, was the first ever African American elected to the Sarasota City Commission as a result of a federal lawsuit filed in the 1980's. This lawsuit resulted in the City of Sarasota moving from an at-large format of electing Commissioners to a hybrid at-large and single member district system.

Sadly, yesterday's vote by Commissioner Detert is a continuation of Commissioner Detert's **malevolent pattern of minority voter disenfranchisement** that first began during her time in the State Senate when she voted in 2011 to CUT Early Voting from 14 days to 8, specifically targeting the final Sunday of Early Voting before Election Day when predominantly black churches organize Souls to the Polls drives.

- "In 2011 Republicans, who had super majorities in both chambers of the legislature, passed HB 1355, which curtailed early voting days from 14 to eight; greatly proscribed the activities of voter registration organizations like the League of Women Voters; and made it harder for voters who had changed counties since the last election to cast ballots, a move that affected minorities proportionately more than whites. The League and others challenged the law in court, and a federal judge threw out most of the provisions related to voter registration organizations." (Palm Beach Post)
- "But a GOP consultant who asked to remain anonymous out of fear of retribution said black voters were a concern. “I know that the cutting out of the Sunday before Election Day was one of their targets only because that’s a big day when the black churches organize themselves,” he said." (Palm Beach Post)
- "... but she (Detert) remains unapologetic about one vote: her 2011 “yes” that helped cut the number of early voting days from 14 to eight. The measure eliminated voting on the final Sunday before Election Day, which had been a popular day for African-Americans to cast their ballots. One study estimated that 49,000 voters in Central Florida alone were discouraged from voting in 2012 because of long lines on Election Day. Nevertheless, Detert doesn’t want to go back to the full 14-day schedule, saying those who support the extended schedule are guilty of “rounding up people who had no intention of voting” and “know nothing about any of the candidates.” (Sarasota Magazine)
- Also while in the State Senate, Nancy Detert voted to BLOCK the passage of what is now referred to as the Competitive Workforce Act which would make illegal discrimination in the workplace and public accommodation on the basis of sexual orientation/gender identity.
- "For example one Republican legislator, Sen. Nancy Detert of Sarasota, tells the Palm Beach Post that she's worried that "cross-dressing" employees will cause disruptions, and that the bill will only be used as an opportunity not to protect people's rights but give people more reasons to suit when being fired." (Miami New Times)

If you appear on the Tiger Bay panel next week, but make no mention of the racial gerrymandering taking place in Sarasota, your presence would elevate Commissioner Detert and normalize her behavior.

Commissioner Fried, as the state's top and only statewide elected Democrat, I urge you to carefully weigh the pros and cons of appearing on a panel with Commissioner Detert.

This is a crucial time for Sarasota and the state of Florida.

I am asking you to lead on this issue.

Respectfully,

--Gabriel Hament

From: Gruters, Joe <Gruters.Joe@flsenate.gov>
Sent: Tuesday, October 15, 2019 9:53 AM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: Fl Chamber Supports Bill 126
Attachment(s): "image001.emz","image005.emz"

FYI….

From: Anna Grace Lewis <alewis@flchamber.com>
Sent: Monday, October 14, 2019 4:51 PM
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FI Chamber Supports Bill 126

136 S. Bronough Street
Tallahassee, FL 32301
Phone: (850) 521-1200
Fax: (850) 521-1203

www.floridachamber.com

FLORIDA CHAMBER of Commerce

October 14, 2019

The Honorable Joe Gruters
Florida Senate
324 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: Support SB 126: Sales and Use Tax
When the 2020 Florida Chamber Business Agenda Wins, Florida Wins

Dear Chair Gruters:

The Florida Chamber of Commerce urges you to **support SB 126**, related to the sales and use tax. This bill, proposed by Senator Joe Gruters, will be heard in the Senate Commerce & Tourism Committee on Tuesday, October 15, 2019.

Historically, brick and mortar businesses have been at a 6 percent disadvantage in Florida compared to their online counterparts because they are required to collect sales taxes. In June 2018, the United States Supreme Court issued an opinion in *South Dakota v. Wayfair* which paved the way for states to begin collecting the sales tax on internet purchases if a company has a significant economic presence in the state. Of the 45 states that collect sales tax, 43 states have adopted rules or passed legislation to implement the *Wayfair* decision and set minimum requirements to establish an economic presence. In Florida, this is a tax that has always been due. The responsibility has simply been on the taxpayer to submit the tax to the Florida Department of Revenue for online purchases.

SB 126 amends Florida's mail order sales statute to include remote sales that are made by mail, telephone or on the Internet and sets minimum requirements to establish an economic presence, per the *Wayfair* decision. Under this bill, businesses that conduct 200 or more transactions or sales of over $100,000 in Florida will be required to register with the Florida Department of Revenue and collect and remit sales tax. Alternatively, the bill allows for marketplace providers, like Ebay or Amazon, to collect and remit the sales tax.

This bill is important to Florida's business community because it:

- Puts Florida main street businesses on equal footing with out of state businesses and remote sellers;
- Streamlines the tax collection process for consumers by requiring remote businesses and marketplace providers to collect and remit the tax; and
- Creates equity in Florida's tax system for all businesses.

The Florida Chamber urges you to **support SB 126**, and will consider votes on this legislation, and any substantive amendments to it in committee or on the floor, in our annual *How They Voted* report card. The grade that you earn will be based on your voting record on the issues, such as this one. We will make every effort to notify you prior to a vote that may be included in our annual legislative report card. If you have any questions about this or other issues, please do not hesitate to contact me.

AMERICAN OVERSIGHT

Regards,



Frank C. Walker, III
Vice President of Government Affairs

CC: Bob Grammig, Chair, Florida Chamber of Commerce
Mark Wilson, President & CEO, Florida Chamber of Commerce
David Hart, Executive Vice President, Florida Chamber of Commerce

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From: Gruters, Joe <Gruters.Joe@flsenate.gov>
Sent: Tuesday, January 21, 2020 9:55 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: FI Chamber Supports SB 914
Attachment(s): "image001.emz","image005.emz"

From: Anna Grace Lewis <alewis@flchamber.com>
Sent: Tuesday, January 21, 2020 9:49 AM
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FI Chamber Supports SB 914

136 S. Bronough Street
Tallahassee, FL 32301
Phone: (850) 521-1200
Fax: (850) 521-1203

www.floridachamber.com

FLORIDA CHAMBER of Commerce

January 21, 2020

The Honorable Joe Gruters
Florida Senate
324 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: Support SB 914: Property Insurance
When the 2020 Florida Chamber Business Agenda Wins, Florida Wins

Dear Senator Gruters:

The Florida Chamber of Commerce urges you to **support SB 914,** related to property insurance. This bill, proposed by Senator Jeff Brandes, will be heard in the Senate Banking and Insurance Committee on Tuesday, January 21, 2020.

The Florida Chamber of Commerce supports reducing cost drivers in insurance claims and reducing unnecessary litigation. SB 914 specifies that attorney fees in property insurance claims shall be awarded using a loadstar fee and that a contingency risk multiplier should not be used. A loadstar fee is calculated using the number of attorney hours that were expended on the case multiplied by a reasonable hourly rate. When a contingency risk multiplier is used, not only do attorney fees increase exponentially, but attorneys are able to take on less legitimate claims. Attorneys can win fewer cases and make the same amount or more money when contingency risk multipliers are added to an outcome of a case.

The United States Supreme Court has already found that contingency risk multipliers should only be used in "rare and exceptional" circumstances and that the loadstar already reflects the difficulty of a claim either through a higher number of hours expended by the attorney or a higher hourly rate. Unfortunately, the former Florida Supreme Court opened the floodgates for a contingency risk multiplier in the case *Joyce v. Federated National Insurance Company* and made multipliers the rule, not the exception, in property insurance cases. The Florida Legislature has precedent in eliminating the contingency risk multiplier and eliminated the multiplier for PIP claims in 2012.

This bill is important to Florida's business community because it:

- Addresses rising attorney fees by eliminating the contingency fee risk multiplier in favor of a loadstar fee, which adequately considers the difficulty of a case;
- Fixes a Florida Supreme Court decision that overturned decades of precedent related to attorney fees; and
- Ensures a reasonable attorney fee through the calculation of a loadstar fee.

The Florida Chamber urges you to **support SB 914**, and will consider votes on this legislation, and any substantive amendments to it in committee or on the floor, in our annual *How They Voted* report card. Because of the importance of this issue to employers across the state, our Board of Directors has determined that this bill, and any substantive amendments to it in committee or on the floor, will be counted ***twice*** on our legislative report card. The grade that you earn will be based on your voting record on the issues,

AMERICAN OVERSIGHT

such as this one. We will make every effort to notify you prior to a vote that may be included in our annual Legislative Report Card. If you have any questions about this or other issues, please do not hesitate to contact me.

Regards,



Frank C. Walker, III
Vice President of Government Affairs

CC: Charles Caulkins, Chair, Florida Chamber of Commerce
Mark Wilson, President & CEO, Florida Chamber of Commerce
David Hart, Executive Vice President, Florida Chamber of Commerce

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From: Gruters, Joe <Gruters.Joe@flsenate.gov>
Sent: Tuesday, January 21, 2020 9:58 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: FI Chamber Supports SB 922
Attachment(s): "image001.emz","image005.emz"

From: Anna Grace Lewis <alewis@flchamber.com>
Sent: Tuesday, January 21, 2020 7:14 AM
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FI Chamber Supports SB 922

136 S. Bronough Street
Tallahassee, FL 32301
Phone: (850) 521-1200
Fax: (850) 521-1203

www.floridachamber.com

FLORIDA CHAMBER of Commerce

January 21, 2020

The Honorable Joe Gruters
Florida Senate
324 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: Support SB 922: Economic Development
When the 2020 Florida Chamber Business Agenda Wins, Florida Wins

Dear Chair Gruters:

The Florida Chamber of Commerce urges you to **support SB 922,** related to economic development. This bill, proposed by Senator Joe Gruters, will be heard in the Senate Commerce and Tourism Committee on Tuesday, January 21, 2020.

SB 922 extends the Qualified Targeted Industry (QTI) Tax Refund program, which is set to expire on June 30, 2020, without legislative action. Additionally, the bill encourages the recovery in areas impacted by Hurricane Michael by relaxing certain requirements for the QTI program in those counties. Qualified targeted industries are determined by the Florida Department of Economic Opportunity and are high-wage industries that help diversify Florida's economy. Current targeted industries include aviation & aerospace, informational technology, manufacturing and logistics & distribution. The QTI Tax Refund program is available for existing and relocating companies that are in a designated targeted industry and create new-full time jobs that pay at least 115% of the private-sector annual average wage.

This bill is important to Florida's business community because it:

- Encourages the growth of high-wage jobs by extending the QTI Tax Refund program;
- Assists in Hurricane Michael recovery by relaxing wage and local match requirements for Michael affected counties; and
- Maintains an important tool to diversify the state's economy, protecting the state and its taxpayers during a recession.

The Florida Chamber urges you to **support SB 922**, and will consider votes on this legislation, and any substantive amendments to it in committee or on the floor, in our annual *How They Voted* report card. Because of the importance of this issue to employers across the state, our Board of Directors has determined that this bill, and any substantive amendments to it in committee or on the floor, will be counted ***twice*** on our legislative report card. The grade that you earn will be based on your voting record on the issues, such as this one. We will make every effort to notify you prior to a vote that may be included in our annual Legislative Report Card. If you have any questions about this or other issues, please do not hesitate to contact me.

Regards,

Frank C. Walker III

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Frank C. Walker, III
Vice President of Government Affairs

CC: Charles Caulkins, Chair, Florida Chamber of Commerce
Mark Wilson, President & CEO, Florida Chamber of Commerce
David Hart, Executive Vice President, Florida Chamber of Commerce

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From: Tim Meenan <Tim@meenanlawfirm.com>
Sent: Tuesday, January 28, 2020 12:29 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Karl Rasmussen <Karl@meenanlawfirm.com>
Subject: FW: FLAHIGA Amendments and Talk Sheet
Attachment(s): "Generic FLAHIGA Amendments 012820.docx","FLAHIGA AMENDMENT TALK SHEET.docx"

Victoria:

Thank you for meeting with us today. Attached is the amendment and the talk sheet for SB 898. Thank you for your assistance!

Timothy J. Meenan
Meenan P.A.
300 S. Duval Street, Ste. 410
P. O. Box 11247 (32302)
Tallahassee, FL 32301
850.425.4000 – Office
850.284.9240 – Cell



MEENAN
REGULATORY AND LEGISLATIVE ATTORNEYS



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FLAHIGA AMENDMENT

Currently there are two classes of assessments that the Florida Life and Health Insurance Guaranty Association (FLAHIGA) may levy; a “Class A” assessment for expenses, capped at $250 per insurer per year; and a “Class B” assessment, to pay the claims of insolvent life and health insurers (capped at 1% of an insurers net written premium for life and health, and 0.5 percent for long term care).

The other guaranty funds, (FIGA and FWCIGA) do not make this distinction between Class A and Class B assessments, and only have a single assessment which may cover both policyholder claims and the administrative costs to pay those claims.

This amendment eliminates the distinction between Class A and Class B, and conforms FLAHIGA to FIGA and FWCIGA.

No change is made in the 1% and 0.5% assessment caps in current law.

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Amendment _____

Between lines _____ and _____ insert:

Section ____. Subsections (2) through (9) of section 631.718, Florida Statutes are amended to read:

631.718 Assessments.—

~~(2) There shall be two classes of assessments, as follows:~~

~~(a) Class A assessments shall be made by the board of directors for the purpose of meeting administrative costs and other general expenses and for examinations conducted under the authority of s. 631.723(3) which are not related to a particular impaired or insolvent insurer.~~

~~(b) Class B assessments shall be made by the board of directors for the purpose of carrying out the powers and duties of the association under s. 631.717 relating to an impaired or insolvent domestic, foreign, or alien insurer.~~

~~(3)(a) The amount of any Class A assessment shall be determined by the board and may be made on a non-pro rata basis. The assessment may not be credited against future insolvency assessments and may not exceed $250 per member insurer in any one calendar year.~~

~~1.~~(b)~~1.~~ (2)(a) The amount of any ~~Class B~~ assessment, except for assessments related to long-term care insurance, must be allocated for assessment purposes among the accounts pursuant to an allocation formula, which may be based on the premiums or reserves of the impaired or insolvent insurer.

(b)~~2.~~ The amount of the ~~Class B~~ assessment for long-term care insurance written by the impaired or insolvent insurer must be allocated according to a methodology included in the plan of operation and approved by the department. The methodology must provide for 50 percent of the assessment to be allocated to health member insurers and 50 percent to be allocated to life and annuity member insurers.

(c)~~3.~~ For the purposes of the methodology outlined in ~~subparagraph 2.~~paragraph (b) and included in the plan of operation, the health member insurers' share of the assessment must be calculated by including the assessable premiums of member health maintenance organizations of the Florida Health Maintenance Organization Consumer Assistance Plan.

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(dc) ~~Class B assessments~~Assessments against member insurers for each account must be based upon the premiums received on business in this state by each assessed member insurer on policies or contracts covered by each account for the 3 most recent calendar years for which information is available preceding the year of the assessment in proportion to premiums received on business in this state for those calendar years by all assessed member insurers. If the most recent 3 years of premium information is not available for each member insurer, the board of directors may use the premium information that is reasonably available.

(ed) Assessments for funds to meet the requirements of the association with respect to an impaired or insolvent insurer may not be made until necessary to implement the purposes of this part.

(fe) ~~Classification of assessments under subsection (2) and computation~~ Computation of assessments under this subsection must be made with a reasonable degree of accuracy, recognizing that exact determinations are not always possible.

(34) The association may abate or defer, in whole or in part, the assessment of a member insurer if, in the opinion of the board, payment of the assessment would endanger the ability of the member insurer to fulfill its contractual obligations. In the event an assessment against a member insurer is abated, or deferred in whole or in part, the amount by which such assessment is abated or deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in this section.

(45)(a)1. The total of all assessments upon a member insurer for each account may not in any one calendar year exceed 1 percent of the sum of the insurer's premiums written in this state regarding business covered by the account received during the 3 calendar years preceding the year in which the assessment is made, divided by three. If premium information for the 3-year period is not reasonably available for each member insurer, the association may use any reasonably available premium information.

2. For long-term care insurer impairments and insolvencies only, the total assessments upon a member insurer or member health maintenance organization of the Florida Health Maintenance Organization Consumer Assistance Plan may not, in any one calendar year, exceed 0.5 percent of the sum of the member insurer's or member health maintenance organization's premiums written in this state regarding business covered by the account received during the calendar year preceding the year in which

AMERICAN OVERSIGHT

the assessment is made. If premium information is not reasonably available for each member insurer or member health maintenance organization of the Florida Health Maintenance Organization Consumer Assistance Plan, the association or the Florida Health Maintenance Organization Consumer Assistance Plan may use any reasonably available premium information.

(b) The provisions of this subsection apply to any assessments made on or after October 1, 1995, without regard to the date of the impairment or insolvency.

(c) If the maximum assessment, together with the other assets of the association in its nonadministrative accounts, does not provide in any one year in any account an amount sufficient to carry out the responsibilities of the association, the necessary additional funds must be assessed as soon thereafter as permitted by this part.

(5~~6~~) The board may, by an equitable method as established in the plan of operation, refund to member insurers, in proportion to the contribution of each insurer to an account, the amount by which the assets of such account exceed the amount the board finds is necessary to carry out during the coming year the obligations of the association with regard to that account, including assets accruing from net realized gains and income from investments. A reasonable amount may be retained in any account to provide funds for the continuing expenses of the association and for future losses if refunds are impractical.

(~~7~~6) It shall be proper for any member insurer, in determining its premium rates and policyowner dividends as to any kind of insurance within the scope of this part, to consider the amount reasonably necessary to meet its assessment obligations under this part.

(~~8~~7) The association shall issue to each member insurer paying an assessment under this part, ~~other than a Class A assessment,~~ a certificate of contribution, in a form prescribed by the office, for the amount of the assessment so paid. All outstanding certificates are of equal dignity and priority without reference to amounts or dates of issue. A certificate of contribution may be shown by the insurer in its financial statement as an asset in such form and for such amount, if any, and period of time as the office approves. However, any amount offset pursuant to s. 631.72 may not be shown as an asset of the insurer on any of its financial statements.

(~~9~~8) Notwithstanding any provision to the contrary, no member insurer that is a nonprofit insurance company which issues annuity contracts or group annuity contracts pursuant to s. 121.35, or for

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the benefit of employees of educational institutions situated in this state may be assessed in any one calendar year an amount greater than the amount which it paid to this state in the previous year as premium tax and corporate tax on the business to which this part applies or 0.1 percent of written premium on such business in this state, whichever is greater.

Section _____. Subsection (2) of section 631.818, Florida Statutes is amended to read:

631.818 Powers and duties of the plan.—

(2) In the event of a long-term care insurer impairment or insolvency, pursuant to s. 631.819(2)(c), the plan shall:

(a) Collect and transmit all information requested by the Florida Life and Health Insurance Guaranty Association for the association to determine the appropriate assessment base of the health insurance account pursuant to ss. 631.715(2)(a)1. and 631.718(~~23~~)(~~ba~~)-(c).

Section _____. Subsection (2) of section 631.819, Florida Statutes is amended to read:

631.819 Assessments.—

(2) Assessments for funds to meet the requirements of the plan with respect to an insolvent HMO shall not be made until necessary to implement the purposes of this part. In order to carry out its duties and powers under this part, upon the insolvency of an HMO, the plan shall levy and collect assessments as follows:

(a) Each HMO, prior to receiving a certificate of authority after July 1, 1989, shall pay an assessment of $25,000 to the plan.

(b) If the funds provided under paragraph (a) are insufficient to carry out the powers and duties of the plan, the plan shall levy an assessment directly against all HMOs.

(c) For the purposes of long-term care insurer impairment and insolvency assessments under s. 631.718(32)(~~ba~~), member HMOs must be assessed in the same manner as member insurers of the Florida Life and Health Insurance Guaranty Association under part III of this chapter. Long-term care insurer impairment and insolvency assessments must be levied and collected by the plan pursuant to this part, deposited into the health insurance account established under s. 631.715, and used solely for long-term

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AMERICAN OVERSIGHT

care insurer impairment or insolvency obligations. Assessments collected from member HMOs are considered part of and satisfy the obligations of the health insurance account under ss. 631.715(2)(a)1. and 631.718(~~3~~2)(~~b~~a).

RENUMBER REMAINING SECTIONS.

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AMERICAN OVERSIGHT

From: Kathryn Shea <kathryn.shea@thefloridacenter.org>
Sent: Tuesday, October 08, 2019 1:40 PM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: Join us for a screening of Brain Matters
Attachment(s): "brain matters Invite all.pdf"

Oops. Wrong email first time. J

From: Kathryn Shea [mailto:kathryn.shea@thefloridacenter.org]
Sent: Tuesday, October 8, 2019 1:28 PM
To: david ballard <david.ballard@myfloridahouse.gov>; dione ramos <dione.ramos@myfloridahouse.gov>; james buchanan (james.buchanan@myfloridahouse.gov) <james.buchanan@myfloridahouse.gov>; joe gruters <gruters.joe@flsenate.gov>; kay mathers <kay.mathers@myfloridahouse.gov>; meagan hebel <meagan.hebel@myfloridahouse.gov>; michele McCloskey <michele.McCloskey@myfloridahouse.gov>; michelle grimsley <michelle.grimsley@myfloridahouse.gov>; Rep Margaret Good <margaret.good@myfloridahouse.gov>; Tommy Gregory <tommy.gregory@myfloridahouse.gov>; Victoria Brill <Victoria.brill@myfloridahouse.gov>; Wengay Newton <newt.newton@myfloridahouse.gov>; william robinson (william.robinson@myfloridahouse.gov) <william.robinson@myfloridahouse.gov>
Subject: FW: Join us for a screening of Brain Matters

Dear delegation members and legislative assistants,

Please see message below from Beth Duda, Executive Director of the Suncoast Campaign for Grade Level Reading. I hope you can join us for one of these screenings of *Brain Matters*, an international documentary on the importance of early brain development, early nurturing experiences, and the lifelong impact of high quality early childhood development. We must make a greater investment in the early years of a child's life. The science is clear and convincing and now policy decisions must match and support the science. I do hope Speaker Oliva does declare 2020 the Year of the Child and we, as a state, commit to investing in the lives of young children and their families. It is a great return on investment! Respectfully, kathryn

---

From: Beth Duda [mailto:bduda@thepattersonfoundation.org]
Sent: Tuesday, September 24, 2019 2:44 PM
To: Elizabeth Duda <bethduda10@gmail.com>
Subject: Join us for a screening of Brain Matters

Friends,

Why is it that some children thrive while other's do not? Is it a matter of genetics, IQ, socioeconomic background or education? Carlota Nelson, in her ground-breaking documentary, answers these questions in an enlightening globe-trotting journey about what truly helps make children realize their full potential…..and now is your chance to see this important film.

I hope you will participate in one of the upcoming screenings of this documentary*Brain Matters*. We have a local connection to this documentary…and we'll be hosting screenings in Charlotte, DeSoto, Manatee and Sarasota counties. Please spread the word – we want to have a full-house for each showing. I've attached a flyer with direct registration links for all the events.

Here's the background on the film. In April of 2017, The Suncoast Campaign for Grade-Level Reading worked with the international documentary film crew of *Brain Matters* and director, Carlota Nelson. As they were working on the film, funded by the Genesis Foundation, they came to the Suncoast to interview Ellen Galinsky, author of Mind in the Making, during one of her visits here. They also interviewed Kathryn Shea, CEO of The Florida Center and filmed part of a Mind in the Making workshop at Glenallen school led by Jennifer Kahler and Lora Kosten. Pamela Melton, an elementary school teacher participating in the Mind in the Making workshop and her husband Eric, allowed the crew to come to their home to film them with their two children. The final film includes footage of all of those events.

The Florida Center for Early Childhood Education is partnering with the Suncoast Campaign for Grade-Level Reading for 5 screenings of the documentary film, *Brain Matters*. We will have a screening in Charlotte County, Manatee County, Sarasota County, and two in DeSoto County. Each screening will be followed by a facilitated Q&A session. Target Audience: Early Learning Educators, K-12 Teachers, Social Services Staff, Nonprofits working with children and parents, Government agencies, Business Leaders and elected officials.

- **The following are the confirmed dates and times for the Screenings/Discussions**
    - **Sarasota County: Saturday, November 9, 2019 from 10:00am – 12:30pm at USF-SM Selby Auditorium.**
    - **Manatee County: Tuesday, November 12, 2019 from 4:00 – 6:30pm at Manatee Community Foundation.**
    - **Charlotte County: Wednesday, November 13, 2019 from 6:00 – 8:30pm at 1st United Methodist Church, Punta Gorda**
    - **DeSoto County: Friday, November 15, 2019 from 4:00 – 6:30pm AND Saturday, November 16, 2019 from 10:00am – 12:30pm at South Florida State College, DeSoto Campus**.

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English https://www.facebook.com/watch/?v=1197693800410767
Spanish https://www.youtube.com/watch?v=xxUwqw8y6xs "

I hope you will join us for one or more of these events,
Beth

Beth Duda
Director, Suncoast Campaign for Grade-Level Reading
The Patterson Foundation 2 N. Tamiami Trail, Suite 206 Sarasota, FL 34236
Phone: 941-952-1413
Fax: 941-952-1435
ThePattersonFoundation.org
Pronouns: She, Her, Hers

Join The Patterson Foundation and be a part of realizing the possibilities for Phase 1 of The Bay

AMERICAN OVERSIGHT

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Brain Matters

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GENESIS FOUNDATION PRESENTS AN LS GOODIES PRODUCTION

EDITOR NACHO RUIZ CAPILLAS DIRECTOR OF PHOTOGRAPHY NITIN UPADHYE · ABRAHAM MARTINEZ · JUAN GONZALEZ

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PRODUCED BY STEVEN J. POSNER · ENRIQUE POSNER · GABRIELA MARTI WRITTEN AND DIRECTED BY CARLOTA NELSON

This event includes the movie screening, a buffet, and a panel discussion led by The Florida Center for Early Childhood

THE FLORIDA CENTER FOR EARLY CHILDHOOD

SUNCOAST The Campaign for GRADE-LEVEL READING

{genesisfoundation}

PATTERSON OVERSIGHT

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Saturday, November 9th

from 10:00am to 12:30pm

USF-SM Selby Auditorium 8350 N. Tamiami Trail Sarasota

CLICK HERE TO REGISTER

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from 4:00pm to 6:30pm

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2820 Manatee Ave. West Bradenton, FL 34205

SOLD OUT

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This event is underwritten by

THE PATTERSON FOUNDATION

FL-SEN-20-0201-A-001298

From: Kathryn Shea <kathryn.shea@thefloridacenter.org>
Sent: Tuesday, October 08, 2019 1:28 PM EDT
To: Ballard, David <David.Ballard@myfloridahouse.gov>; Ramos, Dione <Dione.Ramos@myfloridahouse.gov>; Buchanan, James <James.Buchanan@myfloridahouse.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Mathers, Kay <Kay.Mathers@myfloridahouse.gov>; Hebel, Meagan <Meagan.Hebel@myfloridahouse.gov>; McCloskey, Michele <Michele.McCloskey@myfloridahouse.gov>; Grimsley, Michelle <Michelle.Grimsley@myfloridahouse.gov>; Good, Margaret <Margaret.Good@myfloridahouse.gov>; Gregory, Tommy <Tommy.Gregory@myfloridahouse.gov>; Victoria Brill <Victoria.brill@myfloridahouse.gov>; Newton, Newt <Newt.Newton@myfloridahouse.gov>; william robinson <william.robinson@myfloridahouse.gov>
Subject: FW: Join us for a screening of Brain Matters
Attachment(s): "brain matters Invite all.pdf"

Dear delegation members and legislative assistants,

Please see message below from Beth Duda, Executive Director of the Suncoast Campaign for Grade Level Reading. I hope you can join us for one of these screenings of *Brain Matters*, an international documentary on the importance of early brain development, early nurturing experiences, and the lifelong impact of high quality early childhood development. We must make a greater investment in the early years of a child's life. The science is clear and convincing and now policy decisions must match and support the science. I do hope Speaker Oliva does declare 2020 the Year of the Child and we, as a state, commit to investing in the lives of young children and their families. It is a great return on investment! Respectfully, kathryn

---

From: Beth Duda [mailto:bduda@thepattersonfoundation.org]
Sent: Tuesday, September 24, 2019 2:44 PM
To: Elizabeth Duda <bethduda10@gmail.com>
Subject: Join us for a screening of Brain Matters

Friends,

Why is it that some children thrive while other's do not? Is it a matter of genetics, IQ, socioeconomic background or education? Carlota Nelson, in her ground-breaking documentary, answers these questions in an enlightening globe-trotting journey about what truly helps make children realize their full potential…..and now is your chance to see this important film.

I hope you will participate in one of the upcoming screenings of this documentary*Brain Matters*. We have a local connection to this documentary…and we'll be hosting screenings in Charlotte, DeSoto, Manatee and Sarasota counties. Please spread the word – we want to have a full-house for each showing. I've attached a flyer with direct registration links for all the events.

Here's the background on the film. In April of 2017, The Suncoast Campaign for Grade-Level Reading worked with the international documentary film crew of *Brain Matters* and director, Carlota Nelson. As they were working on the film, funded by the Genesis Foundation, they came to the Suncoast to interview Ellen Galinsky, author of Mind in the Making, during one of her visits here. They also interviewed Kathryn Shea, CEO of The Florida Center and filmed part of a Mind in the Making workshop at Glenallen school led by Jennifer Kahler and Lora Kosten. Pamela Melton, an elementary school teacher participating in the Mind in the Making workshop and her husband Eric, allowed the crew to come to their home to film them with their two children. The final film includes footage of all of those events.

The Florida Center for Early Childhood Education is partnering with the Suncoast Campaign for Grade-Level Reading for 5 screenings of the documentary film, *Brain Matters*. We will have a screening in Charlotte County, Manatee County, Sarasota County, and two in DeSoto County. Each screening will be followed by a facilitated Q&A session. Target Audience: Early Learning Educators, K-12 Teachers, Social Services Staff, Nonprofits working with children and parents, Government agencies, Business Leaders and elected officials.

- **The following are the confirmed dates and times for the Screenings/Discussions**
    - **Sarasota County: Saturday, November 9, 2019 from 10:00am – 12:30pm at USF-SM Selby Auditorium.**
    - **Manatee County: Tuesday, November 12, 2019 from 4:00 – 6:30pm at Manatee Community Foundation.**
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AMERICAN OVERSIGHT

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This event is underwritten by

THE PATTERSON FOUNDATION

FL-SEN-20-0201-A-001301

From: Brill, Victoria
Sent: Wednesday, December 11, 2019 5:07 PM EST
To: Joe Gruters <joegruters@gmail.com>
Subject: FW: Please send me the 3rd DRAFT of Rep. Toledo's Bill
Attachment(s): "new billdraft70897.docx"

Senator,

Please see the attached Omnibus PBM Bill for your review today.

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Barney T. Bishop, III <barney@barneybishop.com>
Sent: Wednesday, December 11, 2019 11:00 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: Please send me the 3rd DRAFT of Rep. Toledo's Bill

Vickie (is that the correct spelling?), this is the bill that Sen. Greeters asked us to forward to you so he can review it.

This is Rep. Toledo's Omnibus PBM Bill which we call the "Kitchen Sink" bill.

Please confirm receipt of this email.

Thanks!

Sent from my iPhone

Begin forwarded message:

> **From:** "Clemens, Clayton" <Clayton.Clemens@myfloridahouse.gov>
> **Date:** December 11, 2019 at 9:31:14 AM EST
> **To:** "Barney T. Bishop, III" <barney@barneybishop.com>
> **Cc:** "Jeff Kottkamp jeffkottkamp@gmail.com" <jeffkottkamp@gmail.com>, "Dawn A. Butterfield (cocoapharmacy@gmail.com)" <cocoapharmacy@gmail.com>
> **Subject: Re: Please send me the 3rd DRAFT of Rep. Toledo's Bill**
>
> Here is the updated draft. Thank you all!
>
> Clayton Clemens
>
> Aide to Rep. Jackie Toledo
>
> House District 60
>
> ---
>
> **From:** Barney T. Bishop, III <barney@barneybishop.com>
> **Sent:** Wednesday, December 11, 2019 7:47:38 AM
> **To:** Clemens, Clayton
> **Cc:** Jeff Kottkamp jeffkottkamp@gmail.com; Dawn A. Butterfield (cocoapharmacy@gmail.com)
> **Subject:** Please send me the 3rd DRAFT of Rep. Toledo's Bill
>
> **EXTERNAL EMAIL:** This email originated from outside of the Legislature. USE CAUTION when clicking links or opening attachments unless you recognize the sender and know the content is safe.
>
> Clay, we're meeting with three (3) Senators today to see if they will sponsor Rep. Toledo's Bill: Sen. Harrell (who has already demurred somewhat), Sen. Gruters, and Sen. Wright, both per the suggestion of Rep. Toledo in our meeting yesterday…
>
> Please send the me the latest DRAFT from House Bill Drafting as they will want to see the bill for review…
>
> And BTW, Sen. Perry said yesterday he'd review the bill, but he thought it was out of his wheelhouse (from a knowledge perspective) and he recognized that it's a major push…but, I'll send the bil to hi m also…
>
> Please advise…thanks!

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A bill to be entitled

An act relating to pharmacy benefit managers; providing a short title; providing legislative findings; amending s. 465.003, F.S; providing the definitions of the terms "pharmacy benefit manager" and "pharmacy benefit management services"; creating s. 465.203, F.S.; providing definitions; providing that pharmacy benefit managers have a fiduciary duty and obligation to specified individuals and entities; providing requirements for service performance, contracts, and specified funds for pharmacy benefit managers; authorizing specified pharmacies and pharmacists to contract with pharmacy benefit managers; providing requirements for maximum allowable cost lists; requiring pharmacy benefit managers to respond to certain appeals within a specified timeframe; prohibiting pharmacy benefit managers from engaging in certain practices; requiring pharmacy benefit managers to allow payors access to specified records, data, and information; providing disclosure and reporting requirements; requiring certain income and financial benefits to be passed through to payors; requiring pharmacy benefit managers to allow the Department of Financial Services access to specified records, data, and information; requiring the

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FL-SEN-20-0201-A-001304

department to investigate certain violations; providing penalties; providing that specified violations are subject to the Florida Deceptive and Unfair Trade Practices Act; providing applicability; amending ss. 624.490, 627.64741, 627.6572, and 641.314, F.S.; conforming provisions to changes made by the act; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.016, 465.0197, 465.022, 465.023, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing severability; providing an effective date.

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

Section 1. This act may be cited as the "Prescription Drug Cost Reduction Act."

Section 2. The Legislature finds that the use of spread pricing, the practice of directing patients to pharmacies owned in whole or in part by pharmacy benefit managers, and other practices by pharmacy benefit managers such as charging drug manufacturers rebates to be included on a drug formulary and keeping the rebates for their own financial gain rather than passing the savings on to health plans, health plan sponsors and providers, health insurers, and patients contribute to the high cost of prescription drugs. In order to reduce the cost of

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FL-SEN-20-0201-A-001305

prescription drugs in this state, such practices should be prohibited.

Section 3. Section 465.003, Florida Statutes, is amended to read:

465.003 Definitions.—As used in this chapter, the term:

(1) "Administration" means the obtaining and giving of a single dose of medicinal drugs by a legally authorized person to a patient for her or his consumption.

(3) ~~(2)~~ "Board" means the Board of Pharmacy.

(9) ~~(3)~~ "Consultant pharmacist" means a pharmacist licensed by the department and certified as a consultant pharmacist pursuant to s. 465.0125.

(10) ~~(4)~~ "Data communication device" means an electronic device that receives electronic information from one source and transmits or routes it to another, including, but not limited to, any such bridge, router, switch, or gateway.

(11) ~~(5)~~ "Department" means the Department of Health.

(12) ~~(6)~~ "Dispense" means the transfer of possession of one or more doses of a medicinal drug by a pharmacist to the ultimate consumer or her or his agent. As an element of dispensing, the pharmacist shall, prior to the actual physical transfer, interpret and assess the prescription order for potential adverse reactions, interactions, and dosage regimen she or he deems appropriate in the exercise of her or his professional judgment, and the pharmacist shall certify that the

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medicinal drug called for by the prescription is ready for transfer. The pharmacist shall also provide counseling on proper drug usage, either orally or in writing, if in the exercise of her or his professional judgment counseling is necessary. The actual sales transaction and delivery of such drug shall not be considered dispensing. The administration shall not be considered dispensing.

(13) ~~(7)~~ "Institutional formulary system" means a method whereby the medical staff evaluates, appraises, and selects those medicinal drugs or proprietary preparations which in the medical staff's clinical judgment are most useful in patient care, and which are available for dispensing by a practicing pharmacist in a Class II or Class III institutional pharmacy.

(14) ~~(8)~~ "Medicinal drugs" or "drugs" means those substances or preparations commonly known as "prescription" or "legend" drugs which are required by federal or state law to be dispensed only on a prescription, but shall not include patents or proprietary preparations as hereafter defined.

(17) ~~(9)~~ "Patent or proprietary preparation" means a medicine in its unbroken, original package which is sold to the public by, or under the authority of, the manufacturer or primary distributor thereof and which is not misbranded under the provisions of the Florida Drug and Cosmetic Act.

(18) ~~(10)~~ "Pharmacist" means any person licensed pursuant to this chapter to practice the profession of pharmacy.

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FL-SEN-20-0201-A-001307

(19) ~~(11)~~ (a) "Pharmacy" includes a community pharmacy, an institutional pharmacy, a nuclear pharmacy, a special pharmacy, and an Internet pharmacy.

1. The term "community pharmacy" includes every location where medicinal drugs are compounded, dispensed, stored, or sold or where prescriptions are filled or dispensed on an outpatient basis.

2. The term "institutional pharmacy" includes every location in a hospital, clinic, nursing home, dispensary, sanitarium, extended care facility, or other facility, hereinafter referred to as "health care institutions," where medicinal drugs are compounded, dispensed, stored, or sold.

3. The term "nuclear pharmacy" includes every location where radioactive drugs and chemicals within the classification of medicinal drugs are compounded, dispensed, stored, or sold. The term "nuclear pharmacy" does not include hospitals licensed under chapter 395 or the nuclear medicine facilities of such hospitals.

4. The term "special pharmacy" includes every location where medicinal drugs are compounded, dispensed, stored, or sold if such locations are not otherwise defined in this subsection.

5. The term "Internet pharmacy" includes locations not otherwise licensed or issued a permit under this chapter, within or outside this state, which use the Internet to communicate with or obtain information from consumers in this state and use

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such communication or information to fill or refill prescriptions or to dispense, distribute, or otherwise engage in the practice of pharmacy in this state. Any act described in this definition constitutes the practice of pharmacy as defined in subsection (23) ~~(13)~~.

(b) The pharmacy department of any permittee shall be considered closed whenever a Florida licensed pharmacist is not present and on duty. The term "not present and on duty" shall not be construed to prevent a pharmacist from exiting the prescription department for the purposes of consulting or responding to inquiries or providing assistance to patients or customers, attending to personal hygiene needs, or performing any other function for which the pharmacist is responsible, provided that such activities are conducted in a manner consistent with the pharmacist's responsibility to provide pharmacy services.

(20) "Pharmacy benefit manager" means an entity that performs pharmacy benefit management services for a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(21) "Pharmacy benefit management services" means services that:

(a) Are provided, directly or through another entity, to a health plan, a health plan sponsor, a health plan provider, a

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FL-SEN-20-0201-A-001309

health insurer, or any other payor, regardless of whether the services provider and the health plan, health plan sponsor, health plan provider, health insurer, or other payor are related or associated by ownership, common ownership, organization, or otherwise.

(b) Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

1. Mail service pharmacy or specialty pharmacy.

2. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

3. Clinical or other formulary or preferred-drug-list development or management.

4. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

5. Patients' compliance, therapeutic intervention, or generic substitution programs.

6. Disease management.

7. Drug use review, step-therapy protocol, or prior authorization.

8. Adjudication of appeals or grievances related to prescription drug coverage.

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9. Contracts with network pharmacies.

10. Control of the cost of covered prescription drugs.

(22) ~~(12)~~ "Pharmacy intern" means a person who is currently registered in, and attending, a duly accredited college or school of pharmacy, or who is a graduate of such a school or college of pharmacy, and who is duly and properly registered with the department as provided for under its rules.

(23) ~~(13)~~ "Practice of the profession of pharmacy" includes compounding, dispensing, and consulting concerning contents, therapeutic values, and uses of any medicinal drug; consulting concerning therapeutic values and interactions of patent or proprietary preparations, whether pursuant to prescriptions or in the absence and entirely independent of such prescriptions or orders; and conducting other pharmaceutical services. For purposes of this subsection, "other pharmaceutical services" means the monitoring of the patient's drug therapy and assisting the patient in the management of his or her drug therapy, and includes review of the patient's drug therapy and communication with the patient's prescribing health care provider as licensed under chapter 458, chapter 459, chapter 461, or chapter 466, or similar statutory provision in another jurisdiction, or such provider's agent or such other persons as specifically authorized by the patient, regarding the drug therapy. However, nothing in this subsection may be interpreted to permit an alteration of a prescriber's directions, the diagnosis or

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treatment of any disease, the initiation of any drug therapy, the practice of medicine, or the practice of osteopathic medicine, unless otherwise permitted by law. "Practice of the profession of pharmacy" also includes any other act, service, operation, research, or transaction incidental to, or forming a part of, any of the foregoing acts, requiring, involving, or employing the science or art of any branch of the pharmaceutical profession, study, or training, and shall expressly permit a pharmacist to transmit information from persons authorized to prescribe medicinal drugs to their patients. The practice of the profession of pharmacy also includes the administration of vaccines to adults pursuant to s. 465.189 and the preparation of prepackaged drug products in facilities holding Class III institutional pharmacy permits.

(24) ~~(14)~~ "Prescription" includes any order for drugs or medicinal supplies written or transmitted by any means of communication by a duly licensed practitioner authorized by the laws of the state to prescribe such drugs or medicinal supplies and intended to be dispensed by a pharmacist. The term also includes an orally transmitted order by the lawfully designated agent of such practitioner. The term also includes an order written or transmitted by a practitioner licensed to practice in a jurisdiction other than this state, but only if the pharmacist called upon to dispense such order determines, in the exercise of her or his professional judgment, that the order is valid and

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necessary for the treatment of a chronic or recurrent illness. The term "prescription" also includes a pharmacist's order for a product selected from the formulary created pursuant to s. 465.186. Prescriptions may be retained in written form or the pharmacist may cause them to be recorded in a data processing system, provided that such order can be produced in printed form upon lawful request.

(15) "Nuclear pharmacist" means a pharmacist licensed by the department and certified as a nuclear pharmacist pursuant to s. 465.0126.

(5) ~~(16)~~ "Centralized prescription filling" means the filling of a prescription by one pharmacy upon request by another pharmacy to fill or refill the prescription. The term includes the performance by one pharmacy for another pharmacy of other pharmacy duties such as drug utilization review, therapeutic drug utilization review, claims adjudication, and the obtaining of refill authorizations.

(2) ~~(17)~~ "Automated pharmacy system" means a mechanical system that delivers prescription drugs received from a Florida licensed pharmacy and maintains related transaction information.

(8) ~~(18)~~ "Compounding" means combining, mixing, or altering the ingredients of one or more drugs or products to create another drug or product.

(16) ~~(19)~~ "Outsourcing facility" means a single physical location registered as an outsourcing facility under the federal

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Drug Quality and Security Act, Pub. L. No. 113-54, at which sterile compounding of a drug or product is conducted.

(7) ~~(20)~~ "Compounded sterile product" means a drug that is intended for parenteral administration, an ophthalmic or oral inhalation drug in aqueous format, or a drug or product that is required to be sterile under federal or state law or rule, which is produced through compounding, but is not approved by the United States Food and Drug Administration.

(4) ~~(21)~~ "Central distribution facility" means a facility under common control with a hospital holding a Class III institutional pharmacy permit that may dispense, distribute, compound, or fill prescriptions for medicinal drugs; prepare prepackaged drug products; and conduct other pharmaceutical services.

(6) ~~(22)~~ "Common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, contract, or otherwise.

Section 4. Section 465.203, Florida Statutes, is created to read:

465.203 Pharmacy benefit managers.—

(1) As used in this section, the term:

(a) "Affiliate" means a pharmacy:

1. In which a pharmacy benefit manager, directly or indirectly, has an investment, financial interest, or ownership

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interest; or

2. The ownership of which is shared, directly or indirectly, with a pharmacy benefit manager.

(b) "Covered individual" means a member, participant, enrollee, contract holder, policyholder, or beneficiary of a payor.

(c) "Make a referral" means any of the following:

1. To order, direct, or influence, orally or in writing, a covered individual to use an affiliate, including by sending messages to the covered individual through electronic mail, a cellular telephone, or a facsimile machine, or by making telephone calls.

2. To offer or implement plan designs that require a covered individual to use an affiliate.

3. To target a covered individual or a prospective patient with advertisement, marketing, or promotion of an affiliate, including by placing a specific pharmacy name on an insurance card or health plan card supplied to the covered individual.

(d) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before the application of copayments, coinsurance, and other cost-sharing charges, if any.

(e) "Maximum allowable cost list" means a listing of

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generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(f) "Payor" means a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor that uses pharmacy benefit management services in this state.

(g) "Spread pricing" means the practice by a pharmacy benefit manager of charging or claiming from a payor an amount that is more than the amount the pharmacy benefit manager paid to the pharmacy or pharmacist who filled the prescription or who provided the pharmacy services.

(2)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the covered individuals and the payor. A pharmacy benefit manager shall perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the covered individuals and the payor.

(b) Any provision in a contract between a pharmacy benefit manager and a payor which limits or prohibits the fiduciary duty or obligation of a pharmacy benefit manager to the covered individuals and the payor is void and against the public policy of the state.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall

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be received by the pharmacy benefit manager in trust for the payor. A pharmacy benefit manager shall use or distribute such funds only for the benefit of the covered individuals or the payor.

(3) A pharmacy or pharmacist licensed or registered under this chapter which has a pharmacy permit and is in good standing with the Board of Pharmacy may contract directly or indirectly with a pharmacy benefit manager within 30 days after filing an application with the pharmacy benefit manager, without a probation period, an exclusion period, or minimum inventory requirements.

(4)(a) A maximum allowable cost list must include:

1. Average acquisition cost, including national average drug acquisition cost.

2. Average manufacturer price.

3. Average wholesale price.

4. Brand effective rate or generic effective rate.

5. Discount indexing.

6. Federal upper limits.

7. Wholesale acquisition cost.

8. Any other item that a pharmacy benefit manager or a payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

(b) A pharmacy benefit manager must respond within 7 days

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after receipt of an appeal to a maximum allowable cost by a pharmacy, a pharmacist, or a pharmacy services administrative organization on behalf of a pharmacy or pharmacist. The pharmacy benefit manager's failure to respond within 7 days shall be deemed approval of the appeal.

(5) A pharmacy benefit manager may not do any of the following:

(a) Conduct or participate in spread pricing in this state.

(b) Charge a pharmacy or pharmacist a fee related to the adjudication of a claim, including, without limitation, a fee for:

1. The submission of a claim;

2. The enrollment or participation in a retail pharmacy network; or

3. The development or management of claims processing services or claims payment services related to participation in a retail pharmacy network.

(c) Deny a pharmacy or pharmacist the opportunity to participate in a pharmacy network at the preferred participation status even though the pharmacy or pharmacist is willing to accept, as a condition of the preferred participation status, the terms and conditions that the pharmacy benefit manager has established for other pharmacies that are in a pharmacy network at the preferred participation status and that are not owned in

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whole or in part by the pharmacy benefit manager.

(d) Impose registration or permit requirements for a pharmacy or accreditation standards or recertification requirements for a pharmacist which are inconsistent with, more stringent than, or in addition to federal and state requirements for licensure as a pharmacy or pharmacist in this state.

(e) Pay or reimburse a pharmacy or pharmacist an amount for a drug, product, or pharmacy service in the state which is:

1. Less than the amount the pharmacy benefit manager reimburses a pharmacy benefit manager affiliate for providing the same drug, product, or pharmacy service in this state;

2. Less than the actual cost incurred by the pharmacy or pharmacist for providing the drug, product, or pharmacy service in this state; or

3. Different from the combined maximum allowable cost and dispensing fees for a drug. The dispensing fees must be a least equal to the fees for service set by the Agency for Health Care Administration.

(f) Retroactively deny, hold back, or reduce reimbursement for a covered service claim after paying a claim, unless the original claim was submitted fraudulently.

(g) Prohibit a pharmacy or pharmacist from providing information regarding drug pricing, contract terms, or drug reimbursement rates to a member of the Legislature.

(h) Drop a pharmacy or pharmacist from a pharmacy network

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or plan or otherwise engage in any action to retaliate against a pharmacy or pharmacist for providing information regarding drug pricing, contract terms, or drug reimbursement rates to a member of the Legislature.

(i) Engage in the practice of the profession of pharmacy.

(j) Engage in the practice of medicine as defined s. 458.305 or the practice of osteopathic medicine as defined in s. 459.003.

(k) Make a referral.

(6) A payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the payor.

(7) A pharmacy benefit manager shall:

(a) Disclose in writing to the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the covered individuals and the payor.

(b) Report quarterly to the payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy

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benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the payor to reduce the cost of prescription drugs and pharmacy services to covered individuals.

(8) The Department of Financial Services shall have access to all financial and utilization records, data, and information used by pharmacy benefit managers in relation to pharmacy benefit management services provided to payors in this state. The department shall investigate any alleged violation of this section.

(9)(a) A pharmacy benefit manager that violates this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the Department of Financial Services.

(b) A violation of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(10) This section applies to contracts entered into or renewed on or after January 1, 2021.

Section 5. Subsection (1) of section 624.490, Florida Statutes, is amended to read:

624.490 Registration of pharmacy benefit managers.—

(1) As used in this section, the term "pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy

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benefit management services for a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor that uses pharmacy benefit management services ~~doing business in this state which contracts to administer prescription drug benefits on behalf of a health insurer or a health maintenance organization to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305. As used in this subsection, the term "pharmacy benefit management services" means services that:

(a) Are provided, directly or through another entity, to a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor, regardless of whether the services provider and the health plan, health plan sponsor, health plan provider, health insurer, or other payor are related or associated by ownership, common ownership, organization, or otherwise.

(b) Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

1. Mail service pharmacy or specialty pharmacy.

2. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

3. Clinical or other formulary or preferred-drug-list

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development or management.

4. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

5. Patients' compliance, therapeutic intervention, or generic substitution programs.

6. Disease management.

7. Drug use review, step-therapy protocol, or prior authorization.

8. Adjudication of appeals or grievances related to prescription drug coverage.

9. Contracts with network pharmacies.

10. Control of the cost of covered prescription drugs.

Section 6. Section 627.64741, Florida Statutes, is amended to read:

627.64741 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of

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generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health insurer or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health insurer or payor, regardless of whether the services provider and the health insurer or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

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a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health insurer or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug

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prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product availability.

(3) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring an insured to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the insureds and to the health insurer that uses pharmacy benefit management services or the payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the insureds and the health insurer or payor.

(b) A provision in a contract between a health insurer or

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payor and a pharmacy benefit manager is void and against the public policy of the state if the policy:

1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health insurer or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health insurer or payor and shall be used or distributed only for the benefit of the insureds or the health insurer or payor.

(6) A contract between a health insurer or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health insurer or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or

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providing other pharmacy services.

(7) A health insurer that uses pharmacy benefit management services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health insurer or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the health insurer that uses pharmacy benefit management services or payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the insureds and the health insurer or payor.

(b) Report quarterly to the health insurer or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health insurer or payor to reduce the cost of prescription drugs and pharmacy services to the insureds.

(9) The department shall investigate any alleged violation

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of this section.

(10)(a) A pharmacy benefit manager that violates any provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation by a pharmacy benefit manager of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11) ~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 7. Section 627.6572, Florida Statutes, is amended to read:

627.6572 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used

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directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health insurer or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health insurer or payor, regardless of whether the services provider and the health insurer or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or

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payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health insurer or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product

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availability.

(3) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring an insured to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the insureds and to the health insurer that uses pharmacy benefit management services or the payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the insureds and the health insurer or payor.

(b) A provision in a contract between a health insurer or payor and a pharmacy benefit manager is void and against the public policy of the state if the policy:

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1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health insurer or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health insurer or payor and shall be used or distributed only for the benefit of the insureds or the health insurer or payor.

(6) A contract between a health insurer or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health insurer or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

(7) A health insurer that uses pharmacy benefit management

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services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health insurer or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the health insurer that uses pharmacy benefit management services or the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the insureds and the health insurer or payor.

(b) Report quarterly to the health insurer or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health insurer or payor to reduce the cost of prescription drugs and pharmacy services to the insureds.

(9) The department shall investigate any alleged violation of this section.

(10)(a) A pharmacy benefit manager that violates any

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provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation by a pharmacy benefit manager of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11) ~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 8. Section 641.314, Florida Statutes, is amended to read:

641.314 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

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(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health maintenance organization or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health maintenance organization or payor, regardless of whether the services provider and the health maintenance organization or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list

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development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health maintenance organization or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product availability.

(3) A contract between a health maintenance organization

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or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health maintenance organization or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring a subscriber to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the subscribers and to the health maintenance organization that uses pharmacy benefit management services or a payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the subscribers and the health maintenance organization or payor.

(b) A provision in a contract between a health maintenance organization or payor and a pharmacy benefit manager is void and against the public policy of this state if the policy:

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1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health maintenance organization or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health maintenance organization or payor and shall be used or distributed only for the benefit of the insureds or the health maintenance organization or payor.

(6) A contract between a health maintenance organization or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health maintenance organization or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

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(7) A health maintenance organization that uses pharmacy benefit management services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health maintenance organization or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the maintenance organization that uses pharmacy benefit management services or the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the subscribers and the health maintenance organization or payor.

(b) Report quarterly to the health maintenance organization or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health maintenance organization or payor to reduce the cost of prescription drugs and pharmacy services to the subscribers.

(9) The department shall investigate any alleged violation

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of this section.

(10)(a) A pharmacy benefit manager that violates any provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11)~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 9. Paragraph (a) of subsection (1) of section 409.9201, Florida Statutes, is amended to read:

409.9201 Medicaid fraud.—

(1) As used in this section, the term:

(a) "Prescription drug" means any drug, including, but not limited to, finished dosage forms or active ingredients that are subject to, defined in, or described in s. 503(b) of the Federal Food, Drug, and Cosmetic Act or in s. 465.003(14) ~~465.003(8)~~, s. 499.003(17), s. 499.007(13), or s. 499.82(10).

The value of individual items of the legend drugs or goods or services involved in distinct transactions committed during a single scheme or course of conduct, whether involving a single person or several persons, may be aggregated when determining

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the punishment for the offense.

Section 10. Paragraph (pp) of subsection (1) of section 458.331, Florida Statutes, is amended to read:

458.331 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(pp) Applicable to a licensee who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137:

1. Registering a pain-management clinic through misrepresentation or fraud;

2. Procuring, or attempting to procure, the registration of a pain-management clinic for any other person by making or causing to be made, any false representation;

3. Failing to comply with any requirement of chapter 499, the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Drug Abuse Prevention and Control Act; or chapter 893, the Florida Comprehensive Drug Abuse Prevention and Control Act;

4. Being convicted or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, of any other state, or of the United States;

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5. Being convicted of, or disciplined by a regulatory agency of the Federal Government or a regulatory agency of another state for, any offense that would constitute a violation of this chapter;

6. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to the practice of, or the ability to practice, a licensed health care profession;

7. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to health care fraud;

8. Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in s. 465.003 ~~465.003(14)~~ or s. 893.02 if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship; or

9. Failing to timely notify the board of the date of his or her termination from a pain-management clinic as required by s. 458.3265(3).

Section 11. Paragraph (rr) of subsection (1) of section 459.015, Florida Statutes, is amended to read:

459.015 Grounds for disciplinary action; action by the

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board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(rr) Applicable to a licensee who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137:

1. Registering a pain-management clinic through misrepresentation or fraud;

2. Procuring, or attempting to procure, the registration of a pain-management clinic for any other person by making or causing to be made, any false representation;

3. Failing to comply with any requirement of chapter 499, the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Drug Abuse Prevention and Control Act; or chapter 893, the Florida Comprehensive Drug Abuse Prevention and Control Act;

4. Being convicted or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, of any other state, or of the United States;

5. Being convicted of, or disciplined by a regulatory agency of the Federal Government or a regulatory agency of another state for, any offense that would constitute a violation of this chapter;

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6. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to the practice of, or the ability to practice, a licensed health care profession;

7. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to health care fraud;

8. Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in s. 465.003 ~~465.003(14)~~ or s. 893.02 if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship; or

9. Failing to timely notify the board of the date of his or her termination from a pain-management clinic as required by s. 459.0137(3).

Section 12. Subsection (1) of section 465.014, Florida Statutes, is amended to read:

465.014 Pharmacy technician.—

(1) A person other than a licensed pharmacist or pharmacy intern may not engage in the practice of the profession of pharmacy, except that a licensed pharmacist may delegate to pharmacy technicians who are registered pursuant to this section

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those duties, tasks, and functions that do not fall within the purview of s. 465.003(23) ~~465.003(13)~~. All such delegated acts must be performed under the direct supervision of a licensed pharmacist who is responsible for all such acts performed by persons under his or her supervision. A registered pharmacy technician, under the supervision of a pharmacist, may initiate or receive communications with a practitioner or his or her agent, on behalf of a patient, regarding refill authorization requests. A licensed pharmacist may not supervise more than one registered pharmacy technician unless otherwise permitted by the guidelines adopted by the board. The board shall establish guidelines to be followed by licensees or permittees in determining the circumstances under which a licensed pharmacist may supervise more than one pharmacy technician.

Section 13. Paragraph (c) of subsection (2) of section 465.015, Florida Statutes, is amended to read:

465.015 Violations and penalties.—

(2) It is unlawful for any person:

(c) To sell or dispense drugs as defined in s. 465.003(14) ~~465.003(8)~~ without first being furnished with a prescription.

Section 14. Subsection (9) of section 465.0156, Florida Statutes, is amended to read:

465.0156 Registration of nonresident pharmacies.—

(9) Notwithstanding s. 465.003(18) ~~465.003(10)~~, for purposes of this section, the registered pharmacy and the

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pharmacist designated by the registered pharmacy as the prescription department manager or the equivalent must be licensed in the state of location in order to dispense into this state.

Section 15. Paragraph (s) of subsection (1) of section 465.016, Florida Statutes, is amended to read:

465.016 Disciplinary actions.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(s) Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship.

Section 16. Subsection (4) of section 465.0197, Florida Statutes, is amended to read:

465.0197 Internet pharmacy permits.—

(4) Notwithstanding s. 465.003(18) ~~465.003(10)~~, for purposes of this section, the Internet pharmacy and the pharmacist designated by the Internet pharmacy as the prescription department manager or the equivalent must be licensed in the state of location in order to dispense into this state.

Section 17. Paragraph (j) of subsection (5) of section 465.022, Florida Statutes, is amended to read:

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465.022 Pharmacies; general requirements; fees.—

(5) The department or board shall deny an application for a pharmacy permit if the applicant or an affiliated person, partner, officer, director, or prescription department manager or consultant pharmacist of record of the applicant:

(j) Has dispensed any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship that includes a documented patient evaluation, including history and a physical examination adequate to establish the diagnosis for which any drug is prescribed and any other requirement established by board rule under chapter 458, chapter 459, chapter 461, chapter 463, chapter 464, or chapter 466.

For felonies in which the defendant entered a plea of guilty or nolo contendere in an agreement with the court to enter a pretrial intervention or drug diversion program, the department shall deny the application if upon final resolution of the case the licensee has failed to successfully complete the program.

Section 18. Paragraph (h) of subsection (1) of section 465.023, Florida Statutes, is amended to read:

465.023 Pharmacy permittee; disciplinary action.—

(1) The department or the board may revoke or suspend the

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permit of any pharmacy permittee, and may fine, place on probation, or otherwise discipline any pharmacy permittee if the permittee, or any affiliated person, partner, officer, director, or agent of the permittee, including a person fingerprinted under s. 465.022(3), has:

(h) Dispensed any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship that includes a documented patient evaluation, including history and a physical examination adequate to establish the diagnosis for which any drug is prescribed and any other requirement established by board rule under chapter 458, chapter 459, chapter 461, chapter 463, chapter 464, or chapter 466.

Section 19. Section 465.1901, Florida Statutes, is amended to read:

465.1901 Practice of orthotics and pedorthics.—The provisions of chapter 468 relating to orthotics or pedorthics do not apply to any licensed pharmacist or to any person acting under the supervision of a licensed pharmacist. The practice of orthotics or pedorthics by a pharmacist or any of the pharmacist's employees acting under the supervision of a pharmacist shall be construed to be within the meaning of the term "practice of the profession of pharmacy" as defined ~~set~~

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~~forth~~ in s. 465.003 ~~465.003(13)~~, and shall be subject to regulation in the same manner as any other pharmacy practice. The Board of Pharmacy shall develop rules regarding the practice of orthotics and pedorthics by a pharmacist. Any pharmacist or person under the supervision of a pharmacist engaged in the practice of orthotics or pedorthics is not precluded from continuing that practice pending adoption of these rules.

Section 20. Subsection (40) of section 499.003, Florida Statutes, is amended to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(40) "Prescription drug" means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active pharmaceutical ingredients subject to, defined by, or described by s. 503(b) of the federal act or s. 465.003(14) ~~465.003(8)~~, s. 499.007(13), subsection (31), or subsection (47), except that an active pharmaceutical ingredient is a prescription drug only if substantially all finished dosage forms in which it may be lawfully dispensed or administered in this state are also prescription drugs.

Section 21. Paragraph (c) of subsection (24) of section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

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(24) "Prescription" includes any order for drugs or medicinal supplies which is written or transmitted by any means of communication by a licensed practitioner authorized by the laws of this state to prescribe such drugs or medicinal supplies, is issued in good faith and in the course of professional practice, is intended to be dispensed by a person authorized by the laws of this state to do so, and meets the requirements of s. 893.04.

(c) A prescription for a controlled substance may not be issued on the same prescription blank with another prescription for a controlled substance that is named or described in a different schedule or with another prescription for a medicinal drug, as defined in s. 465.003 ~~465.003(8)~~, that is not a controlled substance.

Section 22. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 23. This act shall take effect January 1, 2021.

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From: Hodge, Chris <Chris.Hodge@myfloridahouse.gov>
Sent: Friday, January 17, 2020 12:06 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: Rep. James Buchanan HB 941 Question Follow-Up
Attachment(s): "First Step LOS.pdf","HB 941 Committee Information.pdf"

Christopher Hodge, MBA
Legislative Aide
C:(850)-375-2532

REPRESENTATIVE JAMES V. BUCHANAN
Florida House of Representatives, District 74

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From: Hodge, Chris
Sent: Friday, January 17, 2020 12:03 PM
To: Brazzell, Hilary <Hilary.Brazzell@myfloridahouse.gov>
Cc: Buchanan, James <James.Buchanan@myfloridahouse.gov>; Ramos, Dione <Dione.Ramos@myfloridahouse.gov>
Subject: Rep. James Buchanan HB 941 Question Follow-Up

Good Afternoon Hilary,

I appreciate meeting with you and Jo yesterday and the opportunity to answer some of your questions.

Please find attached the information we compiled in conjunction with our office, stakeholders, and substance abuse experts.
Information provided:

- Intent
- Competitors
- Marchman Act Information
- Substance Abuse Services Efficacy
- Example of Terms of Service
- Privacy Policy
- Letter of Support for such services

Thank you,

Christopher Hodge, MBA
Legislative Aide
C:(850)-375-2532

REPRESENTATIVE JAMES V. BUCHANAN
Florida House of Representatives, District 74

Please note that Florida has a broad public records law (Chapter 119, F.S.). Most written communications to or from state employees are public records obtainable by the public upon request. Emails sent to me at this email address may be considered public and will only be withheld from disclosure if deemed confidential pursuant to the laws of the State of Florida.

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First Step
Addiction Recovery Programs

Chuck Madden, CEO
Trust but Verify
1626 Ringling Blvd.
Sarasota, FL 34236

Dear Chuck:

Since beginning as a Beta testing site for the Trust but Verify Phone Application in early 2019, First Step of Sarasota has experienced many positives as a direct result of utilization of this app beyond accountability. Clients that have used the app for tracking sober support/12 step meeting attendance have reported that they like the app and the ease of checking in and out of meetings. The paper format used prior to this app for verification of attendance not only took away the anonymous factor for many clients but, also left First Step staff questioning the verifiability. Clients also report that they like how they are able to access available meetings nearby and at convenient times with ease which has increased engagement in sober support meetings. Clients also have the ability to have a compiled list of all meetings documenting they have attended which has proven to be helpful for family or judicial court related proceedings.

The TBV app aids the counselor and client relationship. Counselors are able to check in with their clients via a messaging system between face-to-face contacts. Counselors can "nudge" clients that have not been engaging in meetings or can send a message reminding clients of upcoming appts. This allows the TBV app to become a treatment "extender" helping to ensure additional recovery support beyond the clinical setting. One of the most important indicators of potential treatment success is how engaged the individual is in 12 step recovery. This app is proving to improve treatment outcomes by reinforcing exposure to support systems outside of our clinical office.

As a result of our positive experience with the TBV app, First Step outpatient is expanding its utilization with Child Welfare parents through our Family Safety Program and plan to implement it as part of our Road to Recovery initiative with Sarasota County Jail. Our project Recovery Peer Specialist will make the app available to inmates with opiate disorders exiting jail into the community. It will be a part of an overall treatment based transition program.

In closing, First Step feels fortunate to have the opportunity to be an initial partner with TBV and are happy to share our experience further with those who might have additional questions.

Best regards,

Phillip J. "P.J." Brooks, MA, LMHC

Vice President of Outpatient and Youth Services

Outpatient Offices • Florida
1750 17th Street, Suite J-2 • Sarasota, FL 34234
6935 15th Street East, Suite 107 • Saraosta, FL 34243
166 Center Road • Venice, FL 34285
10 East Oak Street • Arcadia, FL 34266
Phone 941.366.5333 • Fax 941.922.2078 • firststepofsos.org
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A CARF-Accredited Organization
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District Office
5900 Pan American Blvd.
Building A: Unit 102
North Port, FL 34287

Tallahassee Office
1401 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

THE FLORIDA HOUSE OF REPRESENTATIVES

Representative James Buchanan
District74

HB 941 *Substance Abuse Services* Act Children, Family, Seniors Question

Follow-Up to January 16th Staff Meeting

Surgeon General: 1 in 7 in USA will face substance addiction
https://www.usatoday.com/story/news/nation-now/2016/11/17/surgeon-general-1-7-us-face-substance-addiction/93993474/

- Intent: Provide for the state a means for use of an Opt-In Application of Technology for electronic verification in conjunction with traditional verification means. This is another tool in the belt of the state to help combat addiction.
- Safe use of third-party service with protected cloud based service utility
- State of Florida already employs electronic verification of location and other biometrics in regards to ankle monitoring bracelets and urine tests for verification of use of banned or illicit substances.

Venders who provide such services

Trust but verify ("TBV") Competitors

Attached please find information regarding TBV competitors. If you have any further questions and or comments please feel free to contact Chuck or me.

1. Pear reSET https://peartherapeutics.com/
    a. Pear reSET is a medical tool for substance use disorder treatment approved by the Food and Drug Administration
2. Sobertool www.sobertool.com
    a. Sobertool was designed specifically for people in recovery from alcohol addiction.
3. Affinity eHealth www.affinityehealth.com
    a. Affinity eHealth enhances lives by improving compliance outcomes.
4. WEconnect Health Management www.weconnectrecovery.com
    a. WEconnect helps people stay connected and accountable on their recovery journey.
5. DynamiCare Health www.dynamicarehealth.com

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a. Dynamicare is an evidenced based digital platform that reinforces a person's recovery from addiction and rewards healthy behavior.

How often do people ordered to substance abuse treatment receive self-help group mandates?

- 59% of AA members received treatment / counseling prior to entering the program
- 397.334: "Treatment-based drug court programs may include pretrial intervention programs as provided in ss. 948.08, 948.16, and 985.345, treatment-based drug court programs authorized in chapter 39, postadjudicatory programs as provided in ss. 948.01, 948.06, and 948.20, and review of the status of compliance or noncompliance of sentenced offenders through a treatment-based drug court program. While enrolled in a treatment-based drug court program, the participant is subject to a coordinated strategy developed by a drug court team under subsection (4). The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but is not limited to, placement in a substance abuse treatment program offered by a licensed service provider as defined in s. 397.311"
- substance abuse services FL statutes link
  - http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0397/0397.html
- Alcohol.org
  - https://www.alcohol.org/laws/court-ordered/

If Marchman Acted (sent to licensed treatment center) is there also a self-help component?

- Submitted by person on behalf of another individual (in county where individual is located)
- Assessment (up to 5 days), stabilization and long-term treatment (up to 60 days)
- Trained medical professionals assess patient and make treatment recommendations (delivered to the court)
- No punishment for non-compliance, however petitioner can open civil case and repercussions can be put in place if patient does not comply with Marchman rules

How successful are groups like AA?

- 2014 Member Survey
  - 27% Sober < 1 Year
  - 24% 1-5 Years
- **https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2746426/**
  - Rates of abstinence are about twice as high among those who attend AA (study)
  - Higher levels of attendance are related to higher rates of abstinence (study)
  - Prior AA attendance is predictive of subsequent abstinence (study)

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Are there any mandated self-help assignments in prior statutes?

Proof of Attendance at Meetings

- Some judges require written proof that offenders have attended a certain number of meetings. Often, when the court-ordered newcomer attends an A.A. meeting, the group secretary (or other group officer) is willing to sign their first name, or to initial a slip furnished by the court saying so-and-so was at the meeting on a particular date. Hopefully, all involved recognize that neither the group nor its members are "bound" in any way by the signature, nor does this courtesy signify affiliation of the A.A. group with any other program or guarantee that the attendee was present for the entire meeting; it simply illustrates cooperation. Court professionals should understand too, that attendance at A.A. meetings doesn't guarantee sobriety.
- Placing great emphasis on A.A.'s principle of Anonymity, we understand that some A.A. members are uncomfortable when asked to sign their full name or to supply other personal information indicating that they are A.A. members. This cherished Tradition of Anonymity provides protection to all A.A.s from being publicly identified as alcoholics, a safeguard especially important to the newcomer. Since each group is autonomous, and providing proof of attendance at meetings is *not* a specific part of A.A.'s program, each group and group member has the right to choose whether or not to sign court slips.
- While some groups have elected not to sign court cards, it is our experience that most groups will try to cooperate with our professional friends. In some areas, courts furnish cooperating A.A. groups with sealed, stamped envelopes addressed to the court. In general, the secretary of the group announces that anybody needing an envelope may get it after the meeting. The newcomer takes the envelope, privately writes his or her name and/or return address on it, and mails it. In other areas, each cooperating group has a sheet, furnished by the court, that the secretary announces is available for court ordered newcomers to sign after the meeting. The secretary returns the sheets in envelopes furnished by the referring agency. In this way, it is not the A.A. group, but the prospect's own signature which affirms he or she was at the meeting.
    - https://www.aa.org/pages/en_US/alcoholics-anonymous-as-a-resource-for-drug-and-alcohol-court-professionals

- So doing violates the Establishment Clause, guaranteeing that at a minimum, "government may not coerce anyone to support or participate in religion or its exercise, or otherwise act in a way which establishes a [state] religion or religious faith, or tends to do so." (Lee v. Weisman, 1992, U.S. Supreme Court on school prayer.) In short, while not deemed an actual religion, AA – with the steps' numerous references to "God" – is considered to contain enough religious components to make coerced attendance unconstitutional, despite the fact that attendees commonly argue that the 12 steps are "spiritual," not religious.
    - https://www.rehabs.com/pro-talk-articles/you-cant-make-me-or-can-you-mandated-aa-attendance/
    - https://www.drugrehab.com/treatment/court-ordered/

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Who would be paying for the app? Users, groups or states?

- Users ($20 / Month for specific service in HB 941
- Provide to state
- Intent is to provide no mandate for exclusive electronic verification

Biometric concerns – data storage and usage?

Court Ordered use

Stakeholder Point of View & Talking Points

How often do people ordered to substance abuse treatment receive self-help group mandates?

1. Based on my experience, nearly 100% of people ordered to substance abuse treatment are either mandated or strongly encouraged to attend some form of self-help meetings in addition to any formal programming
2. Can't speak to the balance of the paragraph other than to state that ALL drug court and other addiction courts that I am familiar with strongly suggest or mandate self-help group attendance in addition to court mandates

If Marchman Acted is there a self-help component?

1. All Marchman Act holding facilities incorporate self-help meetings within the facilities.
2. Upon discharge, self-help meeting attendance is strongly encouraged along with professional substance abuse treatment for all Marchman acted individuals

How successful are groups like AA?

1. I think it is important to not focus solely on AA, but to look at all self-help groups nationally. While it remains very difficult to get actual statistics on 'self-help" success, most people in long-term recovery will reference the importance of meeting like mined people and self-help meeting attendance as important or very important in their early recovery.
2. A regularly accepted recovery anecdote is "90 meetings in 90 days 90% chance of remaining sober/clean at 1 year"
3. As a founder of TBV, I can state unequivocally that meeting attendance and the people I met in those meetings saved my life and is one of the most important factors in my sobriety

Are there any mandated self-help assignments in prior statutes?

1. Can't speak to the majority of this section however I will state that my experience across the country shows me that self-help attendance is mandated or strongly encouraged in very state and within multiple verticals within each state, not to mention nearly every outpatient treatment program and upon discharge from most inpatient programs.

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2. The current method of "honor method" reporting of attendance is ineffective and potentially damaging. The court wants you attend therefore the court should actually want to know if the person actually attended. The court would never accept a "self-reported result" for a urinalysis and should treat meeting attendance compliance the same way.
3. TBV provides BETTER anonymity for the court ordered person because they can provide proof of attendance without having to present themselves to a chairperson for a signature.
4. TBV offers self-help meetings in many genres. Some 12 step with religious undertones (AA, NA, Celebrate Recovery). Some secular (Life Ring, Smart Recovery) and a Buddhist inspired group (Refuge Recovery) and recovery yoga. Referring someone to self-help, does not equate to referring someone to a religious program.

Who would be paying for the app?

1. TBV is designed to paid for by the person attending the group meetings similar to drug testing costs, interlock devices etc. We have established a price of $20/mnth/client as a very low barrier to entry. (This is designed to help the recovery community not hurt). Additionally, TBV is in the process of issuing thousands of free licenses to assist the recovery and ultimately TBV will have a 501c3 sister group that will give away a free license for every 20 sold and as looking at sponsoring (paying for) detox and half-way house beds in markets where we operate

Example of End User License Agreement and Privacy Policy for Florida based business

TBV ME, CO.
TBV ME End-User License Agreement (Android)

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http://www.google.com/intl/en/policies/terms/) and the Google Play Terms of Service (found at https://play.google.com/intl/en-US_us/about/play-terms.html, and together with the Google Terms of Service called the "Terms"). In addition, your use of Google Play is subject to the Google Play Business and Program Policies (found at http://play.google.com/about/android-developer-policies.html). The Google Play Market Terms of Service, Google Play Business and Program Policies, and Google Terms of Service shall take precedence in that order in the event of a conflict between them, to the extent of such conflict.

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b. LICENSOR DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NONINFRINGEMENT OF THIRD PARTIES' INTELLECTUAL PROPERTY RIGHTS.

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In no event will Licensor be liable for any damages including any lost profits or other incidental, special, punitive, exemplary, direct, indirect or consequential damages, arising out of or related to the Software, documentation or the use thereof, even if Licensor has been advised, or is otherwise aware, of the possibility of such damages and even if the warranty remedy of Section 7 fails of its essential purpose. You agree that the Limited Warranty of Section 7 and the Limited Liability of Section b are reasonable in light of the licenses fees paid under the License Agreement.

Some states do not allow exclusion of implied warranties or limitation of liability for incidental, special, punitive, or other indirect or consequential damages, so the limitations or exclusions of Sections 7 and 8 of the License Agreement may not apply to You. IN SUCH STATES, THE LIABILITY OF LICENSOR SHALL BE LIMITED TO THE GREATEST EXTENT PERMITTED BY LAW.

9. Miscellaneous

This Agreement, the license granted hereunder, the Software, any modifications thereto and any Services may not be assigned or in any way transferred without the prior written consent of Licensor. This Agreement is entered into solely for the respective benefit of the parties and their successors and assigns, and nothing in this Agreement will be construed as giving any right, remedy or claim under this Agreement to any third parties. Licensor shall not be in default to the extent that

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failure to perform any obligation under this Agreement is caused solely by supervening conditions beyond its control, including acts of God, fire, natural disaster, war, terrorism, riot or other civil disturbance, outages of electrical, telecommunications or computer server hosting services, acts of government or labor strikes or lockouts ("Force Majeure"). The terms of this Agreement shall be construed in accordance with the substantive laws of the Commonwealth of Massachusetts. The original of this Agreement has been written in English. The parties hereto waive any statute, law, or regulation that might provide an alternative law or forum or to have this Agreement written in any language other than English. Licensor and You exclude the United Nations Convention on Contracts for the International Sale of Goods and the Uniform Computer Information Transactions Act from this Agreement. If any provision of this Agreement is held to be excessively broad as to scope, activity, subject or otherwise so as to be unenforceable at law, such provision shall be constructed by limiting or reducing it so as to be enforceable to the maximum extent compatible with the applicable law as it shall then appear. This Agreement represents the entire understanding between the parties with respect to its subject matter and supersedes all prior written and oral communications. This Agreement may not be modified except by a written agreement signed by authorized representatives of both parties. A waiver by either party of its rights hereunder shall not be binding unless contained in a written agreement signed by an authorized representative of the party waiving its rights. The non-enforcement or waiver of any provision on one occasion shall not constitute a waiver of such provision on any other occasions unless expressly so agreed in writing. The relationship of the parties shall be that of independent contractors. Nothing herein shall be construed to create any agency, partnership, joint venture or similar relationship or to subject the parties to any implied duties or obligations respecting the conduct of their affairs which are not expressly stated herein. Neither party shall have any right or authority to assume or create any obligation or responsibility, either express or implied, on behalf of or in the name of the other party, or to bind the other party in any matter or thing whatsoever.

TBV ME Application Privacy Policy

TBV ME, Co., ("**TBV**", "**We**", "**Us**") has created this privacy policy ("**Privacy Policy**") in order to set out how we collect, use, and disclose personal information through the TBV platform and our related personal contact management services and applications (collectively, together with the TBV platform, the "**Services**"). Any capitalized terms in this Privacy Policy shall have the same meaning as set out in our Terms of Service.

The privacy of our users is of great importance to us. By using the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy and you hereby consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

1 WHAT DOES THIS PRIVACY POLICY COVER?

This Privacy Policy covers our collection, use and disclosure of information about identifiable individuals ("**Personal Information**"), who use the Services ("**Users**").

2 COLLECTION AND USE OF PERSONAL INFORMATION

2.1 User Information

In order to use certain Services, Users must have a valid TBV App account to log into the Services ("**Account**").

When you register for an Account using email registration, TBV collects your name, cell phone number, email address, and location,. This Personal Information is used for the following purposes:

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- Verifying the User's identity;
- Allowing Users to create a profile; and
- Contacting Users about relevant information related to the Services.

2.2 Transaction History

When Users use the Services, TBV collects information about the User's activity and transaction history. In particular, TBV keeps track of the device used to log in, the time of day, the time spent on the app, location, actions completed and IP address, and you may also be asked to provide other personal data such as age, location, gender, personal history, etc. ("Personal Information"). This Personal Information is used for the following purposes:

- To allow Users to keep track of their history;
- To store and report activities tracked by the Services;
- To support research and efficacy of the Services;
- For TBV's accounting records;
- To enhance and customize User experience, including showing Users relevant contents; and
- To monitor compliance with our Terms of Service.

2.3 Marketing Communications

TBV will use the contact information provided to notify Users of important information that is relevant to the Services and for marketing communications if the User chooses to opt in. Despite your indicated e-mail preferences, we may send you relevant notices where permitted by law.

2.4 Usage Data

TBV may also collect certain information from Users of the Website and Services, such as Internet addresses, time spent logged into the Services and other usage data ("**Usage Data**"). This Usage Data is logged to help diagnose technical problems, and to administer our Website and Services in order to constantly improve the quality of the Website and Services.

2.5 Cookies

TBV uses tracking technologies, such as cookies, beacons, scripts and tags, are used by us and our third-party partners. These technologies are used in analyzing trends, administering the Services, tracking Users' movements around the Services, gathering demographic information about our User base as a whole and collecting information about your browsing activities over time and across different websites following your use of the Services. We may receive reports based on the use of these technologies by these companies on an individual and aggregated basis. Various browsers may offer their own management tools for removing these types of tracking technologies.

Standing alone, cookies do not identify you personally. They merely recognize your browser. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your

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computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer.

TBV uses session cookies containing encrypted information to allow the system to uniquely identify you while you are logged in. This information allows TBV to process online transactions and requests. Session cookies help us make sure you are who you say you are after you've logged in and are required in order to use the Service.

TBV uses persistent cookies that only TBV can read and use, to identify the fact that you are a TBV User. We are especially careful about the security and confidentiality of the information stored in persistent cookies. Users who disable their web browser's ability to accept cookies will be able to browse our Website but may not be able to use all features of our Services.

3 SECURITY AND STORAGE

3.1 Storage Location

TBV stores its data, including Personal Information, on Amazon Web Services servers located in the United States. By submitting any Personal Information or using the Services, you agree to this transfer, storing or processing of your Personal Information in the United States. You acknowledge and agree that your Personal Information may be accessible to law enforcement and governmental agencies in those countries under lawful access regimes or court order.

3.2 Security

The security of your Personal Information is important to us. We use commercially reasonable efforts to store and maintain your Personal Information in a secure environment. We take technical, contractual, administrative, and physical security steps designed to protect Personal Information that you provide to us. We have implemented procedures designed to limit the dissemination of your Personal Information to only such designated staff as are reasonably necessary to carry out the stated purposes we have communicated to you. However, no Internet or email transmission is ever fully secure or error free. In particular, email sent to or from the Services may not be secure. Therefore, you should take special care in deciding what information you send to us via email. Please keep this in mind when disclosing any Personal Information to us via the Internet.

You are also responsible for helping to protect the security of your Personal Information. For instance, never give out your email account information or password for the Services to third parties.

4 DISCLOSURE OF PERSONAL INFORMATION WITH THIRD PARTIES

4.1 Disclosure to our Service Providers

We may from time to time employ or engage other companies and people to perform tasks on our behalf and need to share Personal Information with them to provide the Services. Unless we tell you differently, we only provide such third parties with the Personal Information that they need to perform their specific function. This includes third party companies and individuals employed or engaged by us to facilitate our products and services, including the provision of maintenance services, database management, customer relationship management, web analytics and general improvement of

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the Services, and businesses who engage our Services (to the extent provided for above). In particular, TBV uses the following service providers: Google Cloud Platform, Amazon AWS, Stripe and Google Analytics.

4.2 Business Transfers

If we (or any of our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information may be made available or otherwise transferred to the new controlling entity, where permitted under applicable law.

4.3 With Your Consent

If we need to use or disclose any Personal Information in a way not identified in this Privacy Policy, we will notify you and/or obtain your express consent as required under applicable privacy laws.

4.4 Affiliates

We may also share your Personal Information with our subsidiaries or other affiliated companies for purposes consistent with this Privacy Policy.

4.5 As required by law

We may disclose your Personal Information to third parties without your consent if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other Users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities. Further, we may disclose Personal Information when we believe in good faith that such disclosure is required by and in accordance with the law. We also reserve the right to access, read, preserve, and disclose any information as we reasonably believe is necessary to:

- satisfy any applicable law, regulation, legal process or governmental request;
- enforce our contracts or user agreement (Terms of Service), including investigation of potential violations hereof; and
- detect, prevent, or otherwise address fraud, security or technical issues.

5 RETENTION

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable data, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy.

6 ACCESS, CORRECTION AND ACCURACY

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You have the right to access the Personal Information we hold about you in order to verify the Personal Information we have collected in respect to you and to have a general account of our uses of that information. Upon receipt of your written request, we will provide you with a copy of your Personal Information, although in certain limited circumstances, and as permitted under law, we may not be able to make all relevant information available to you, such as where that information also pertains to another User. In such circumstances we will provide reasons for the denial to you upon request. We will endeavor to deal with all requests for access and modifications in a timely manner.

We will make every reasonable effort to keep your Personal Information accurate and up to date, and we will provide you with mechanisms to update, correct, delete or add to your Personal Information as appropriate. As appropriate, this amended Personal Information will be transmitted to those parties to which we are permitted to disclose your information. Having accurate Personal Information about you enables us to give you the best possible service.

7 CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time. Use of Personal Information we collect is subject to the Privacy Policy in effect at the time such information is collected, used or disclosed. If we make material changes or changes in the way we use Personal Information, we will notify you by posting an announcement on our Website or sending you an email prior to the change becoming effective. You are bound by any changes to the Privacy Policy when you use the Website or Services after such changes have been first posted.

8 CHILDREN

TBV does not knowingly collect Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through or use the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children never to provide Personal Information through Services without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to TBV through the Services, please contact us, and we will endeavor to delete that information from our databases.

9 LINKS TO OTHER WEBSITES AND SERVICES

This Privacy Policy applies only to the Services. The Services may contain links to other web sites or services not operated or controlled by TBV (the "Third Party Services"). The policies and procedures we described here do not apply to the Third Party Services. The links from the Services do not imply that we endorse or have reviewed the Third Party Services. We suggest contacting those third parties directly for information on their privacy policies.

10 EXCLUSIONS

This Privacy Policy does not apply to any Personal Information collected by TBV other than Personal Information collected through the Services. This Privacy Policy shall not apply to any unsolicited information you provide to TBV through the Services or through any other means. This includes, but is not limited to, information posted to any public areas of the Services, such as forums, any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively,

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"Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and TBV shall be free to reproduce, use, disclose, and distribute such Unsolicited Information to others without limitation or attribution.

11 ADDITIONAL INFORMATION

You can help by keeping us informed of any changes such as a change of address or telephone number. If you would like to access your Personal Information, if you have any questions, comments or suggestions about our Privacy Policy or practice, or if you find any errors in our Personal Information about you, please contact us at: support@tbvme.com

Last Updated: June 4, 2019

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ACTIVE/99347676.1

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FL-SEN-20-0201-A-001367

From: Brill, Victoria
Sent: Tuesday, January 07, 2020 2:02 PM EST
To: Hebel, Meagan <Meagan.Hebel@myfloridahouse.gov>
Subject: FW: SB 1212
Attachment(s): "State Protocol Officer Talking Points.docx"

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Tuesday, January 7, 2020 9:49 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: SB 1212

Hi Victoria!

Happy New Year to you as well! Sorry for my delay I am just getting back to the office after a week out. I have attached the Talking Points for SB 1212 and we are still working on securing a House sponsor…it looks like we will probably run it as a PCB.

We are closing the details within the next day or so, I will follow up with you once our plan is in play.

Thank you so much!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, January 6, 2020 11:08 AM
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: FW: SB 1212

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Brittany,

Happy New Year! I am following up on my e-mail below. Could you please let me know about talking points as well as a House Sponsor?

Thanks!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Brill, Victoria
Sent: Monday, December 16, 2019 4:20 PM
To: 'Dover, Brittany N.' <Brittany.Dover@dos.myflorida.com>
Subject: SB 1212

Hi Brittany,

I hope this e-mail finds you well. I wanted to see if you had talking points and background for SB 1212? Also, I wrote down Rep. Jamie Grant was potentially going to sponsor the legislation in the House. Is that correct?

I look forward to the updates.

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Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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State Protocol Officer (Office of International Affairs) Talking Points:

- State protocol officer functions resided with the Secretary of State as the state protocol officer prior to 2004, when they were transferred to the Office of Tourism, Trade and Economic Development within the Office of Governor.

- In 2011, some functions were delegated to the newly created Department of Economic Opportunity while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the EOG.

- This bill returns certain state protocol officer and intergovernmental relations functions back to the Secretary of State.

- Bill requires (1) FTE at $117,896 for FY 20-21. Which has been included in the Governor's recommended budget.

- The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder such as establishing new programs as needed.

- The bill removes issuing certificates to foreign governmental officials after verification pursuant to proper investigations through the United States DOS and the appropriate foreign government.

- The bill removes verifying entitlement to sales and use tax exemptions pursuant to the United States DOS guidelines and identification methods.

- The bill removes maintaining a current and accurate listing of all such affiliations.

- Lastly, the bill removes the language prescribing certain parameters on the sister city and state affiliations.

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From: Brill, Victoria
Sent: Monday, January 06, 2020 11:08 AM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: FW: SB 1212

Hi Brittany,

Happy New Year! I am following up on my e-mail below. Could you please let me know about talking points as well as a House Sponsor?

Thanks!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Brill, Victoria
Sent: Monday, December 16, 2019 4:20 PM
To: 'Dover, Brittany N.' <Brittany.Dover@dos.myflorida.com>
Subject: SB 1212

Hi Brittany,

I hope this e-mail finds you well. I wanted to see if you had talking points and background for SB 1212? Also, I wrote down Rep. Jamie Grant was potentially going to sponsor the legislation in the House. Is that correct?

I look forward to the updates.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, November 19, 2019 1:49 PM EST
To: Joe Gruters <jg@joegruters.com>
CC: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15
Attachment(s): "Senator Gruters EcoDevWeek19 2.pdf","Senator Gruters EcoDevWeek19.pdf"

Greetings Senator Gruters.

The Florida Economic Development Council would again like to invite you to return as the host of the Capitol press event announcing Florida Economic Development Week. The press event will take place Thursday, Feb 6, preferably outside the Senate Chambers. However, this year session will have begun, whereas last year, we were in committee weeks. Our intention is to partner with the Association of Florida Colleges Council of Presidents as we did last year. It was a tremendous event that received great press coverage and launched a week of social media highlighting the impact of economic development in Florida. Photos from last year are attached.

Ideally, FEDC would like to schedule a call or a meeting with Senator Gruters to plan the press event. Would very much like to get his support in inviting a House member to join him in providing resolutions in support of Florida Economic Development Week. Another new component this year, is the interest of the Governor's office to potentially participate in the press event. This could be in the form of a resolution and/or remarks from Jamal Sowell.

Here is a link to the FEDC Feature in Expansion Solutions magazine. It is a great piece that showcases the reach and impact of FEDC in improving Florida communities and elevating Florida's global competitiveness. https://expansionsolutionsonline.advanced-pub.com/?issueID=39&pageID=80

Thanks for your consideration, and for all you are doing to prosper Florida citizens.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
http://www.edcsarasotacounty.com

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ECONOMIC DEVELOPMENT CORPORATION
SARASOTA COUNTY

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EDC Chairman's Advisors: Baltimore Orioles; Bank of Tampa; Benderson Development Company, LLC; CareerSource Suncoast; CenterState Bank; Coldwell Banker Residential Real Estate, Inc.; Comcast Business; FCCI Insurance Group; Florida Power and Light Company; Gulf Coast Community Foundation; Herald-Tribune Media Group; Lakewood Ranch Commercial Realty; Michael Saunders & Company; On Ideas; PGT Innovations; PNC Financial Services Group; Premier Community Bank; Ringling College of Art and Design; S-One Holdings Corporation; Sarasota-Bradenton International Airport; Sarasota Magazine; Sarasota Memorial Health Care System; Shumaker, Loop & Kendrick, LLP; SunTrust, TECO Energy/Peoples Gas; University of South Florida Sarasota-Manatee; Wells Fargo

EDC Founders: Buchanan Automotive Group; Casto Lifestyle Properties; Coldwell Banker Residential Real Estate, Inc.; Gulf Coast Community Foundation; Halfacre Construction Company; Kerkering, Barberio & Co.; Michael Saunders & Company; Osprey Real Estate Services; RE/MAX Alliance Group; Realtor Association of Sarasota and Manatee; Schroeder-Manatee Ranch, Inc.; SunTrust; Verizon; Wagner Realty; Williams Parker Harrison Dietz & Getzen; WilsonMiller - Stantec, Inc.

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From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 19, 2019 2:49 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15
Attachment(s): "Senator Gruters EcoDevWeek19 2.pdf","Senator Gruters EcoDevWeek19.pdf"

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, November 19, 2019 1:50 PM
To: Joe Gruters <jg@joegruters.com>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

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Thanks for your consideration, and for all you are doing to prosper Florida citizens.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
http://www.edcsarasotacounty.com

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From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Monday, December 02, 2019 2:21 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: mhuey@edcsarasotacounty.com <mhuey@edcsarasotacounty.com>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15
Attachment(s): "Senator Gruters EcoDevWeek19 2.pdf","Senator Gruters EcoDevWeek19.pdf"

Josh:
Mark Huey, the Executive Director for the Sarasota EDC, called today and was wondering about the status of this request.
I have included him in this e-mail.
It is a Tallahassee scheduling matter. He knows you do not have the calendar for that week yet, but he wanted your contact info.
GeeDee

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, November 19, 2019 1:50 PM
To: Joe Gruters <jg@joegruters.com>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

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Thanks for your consideration, and for all you are doing to prosper Florida citizens.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
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Sarasota, FL 34236
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FL-SEN-20-0201-A-001382



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From: Kerr, GeeDee
Sent: Friday, January 10, 2020 3:49 PM EST
To: Langston, Jennifer <JenniferLangston@flhsmv.gov>
Subject: FW: Senator Gruters constituent - Julia Michelle Cable

Jennifer:
You are amazing. Mrs. Cable just called. Her license is all worked out. She is thrilled and so grateful.
Me too.
Thank you!!!!
GeeDee

From: Kerr, GeeDee
Sent: Thursday, January 9, 2020 2:37 PM
To: 'Langston, Jennifer' <JenniferLangston@flhsmv.gov>
Subject: Senator Gruters constituent - Julia Michelle Cable

Hello Jennifer:
Please see below a problem re: drivers' license renewal from our constituent.
Let me know if you need anything further from us.
Many thanks.
GeeDee

Name: Julie Michelle Cable
Address: 340 Glen Oak Rd.
Venice, FL 34293

Phone 941-525-6311

email : cablejmichelle@gmail.com

From: Julie Michelle Cable <cablejmichelle@gmail.com>
Sent: Thursday, January 9, 2020 2:29 PM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: test

Dear Senator Gruters,
My name is Julie Michelle Cable. My birth name is Julie Michelle Brown.
I have been a resident here of Sarasota County living mostly in Venice for 56 years. I was born in Alabama and lived with my biological mother who then married and that man(became my step father) Wayne Freeman adopted me, changing my last name to Freeman. It appears though that my birth certificate was never amended to support the name change as expected.

I am reaching out to you on the advise of my brother who tells me that instead of approaching a constitutional attorney I should start with the Senator for my area. I hope you can help me, I am at my wits end with searching for resolution.

My driver's license expired November 2019. Upon renewal procedure the Department of Motor Vehicles has advised me that they cannot renew my driver's license due to the fact that my birth certificate is not the correct name to be in line with the paper trail of who I am. My first driver's license was issued with Freeman being my last name around 1977-78 ...they should have record of that.....I have all the papers in line to show my name changes from that point to this current day....(ie: marriage, divorce). My parents are elderly and totally uncooperative .....they are telling me that the adoption record papers were stolen.

Due to this invalid license a hardship is being created because I cannot open a bank account without a valid license. I have a company newly registered with the State of Florida for home inspecting and I cannot get the first job because I cannot open a bank account. I need your help please. This new business is so I can support my family. I have lived here in Sarasota County since I was 1 year old.....every registration of my vehicles, purchasing a home, a passport have all taken place in this county.
The following is pertinent information to who I am and how I can be reached.
Julie Michelle Cable
340 Glen Oak Rd.
Venice, FL 34293

Phone 941-525-6311

email : cablejmichelle@gmail.com

I grew up on Shamrock Dr in South Venice....spent 17 yrs there and then moved about for a few years, then I purchased a home 1821 Faun Rd. where I lived for almost 30 years.....I have been on Glen Oak rd in Venice Gardens for approx 5 years.

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I am happy to answer any questions for you.
Desperate for help,
Julie Michelle Cable

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From: Brill, Victoria
Sent: Friday, January 31, 2020 5:04 PM EST
To: Joe Gruters <joegruters@gmail.com>
CC: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FW: SJR 1216
Attachment(s): "Eight is Enough Talking Points.pdf","FL Statewide 3-2018- School Board 8yr Term-Limit X-tabs.pdf","How Term Limits Fight Big Money in Politics.pdf","Pettey-Term-Limits.pdf","REVISEDFLSB Handout.pdf","TermLimitsStateBudgets Holcombe.pdf","TPs_QA.docx","2020s01216.pre.ee.PDF"

Senator,

Here is the bill pack for SJR 1216, Term limits that is up on Monday at 4 p.m. in Ethics and Elections. This bill does have an amendment.

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Brill, Victoria
Sent: Friday, January 24, 2020 6:27 PM
To: 'Joe Gruters' <joegruters@gmail.com>
Cc: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: SJR 1216

Senator,

Here is the bill package for SJR 1216, Term Limits. I have also included a bunch of background information related to this topic.

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL:	SJR 1216
INTRODUCER:	Senator Gruters
SUBJECT:	Limitation on Terms of Office for Members of a District School Board
DATE:	January 24, 2020 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	**Pre-meeting**
2.			ED	
3.			RC	

I. Summary:

SJR 1216 proposes that district school board members be subject to a 12-year consecutive service term limitation. The restriction goes further than the current "eight-is-enough" term limit that applies to Cabinet members and State legislators. The provision would operate prospectively beginning with the 2020 general election. The likely earliest date that any currently serving school board member could be "termed-out" would be in November 2032.

The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that specific purpose.

II. Present Situation:

Term Limits

The Florida Constitution provides that a person holding any of the following offices may not have his or her name on the ballot for reelection if the person has served, or but for resignation would have served, in an office for *eight* consecutive years:

- State Senator;
- State Representative;
- Lieutenant Governor;
- Florida Cabinet member;
- U.S. Representative from Florida; or
- U.S. Senator from Florida.[1]

[1] Art. VI, s. 4(b), FLA. CONST.

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The U.S. Supreme Court has held that state-imposed limits on the terms of *federal* office holders violate the U.S. Constitution, effectively rendering unenforceable Florida's term limits on its congressional members.[2]

The term limits provision was proposed by citizen initiative and passed at the 1992 general election by a greater than 3-to-1 margin (approved by over 76% of electors voting on the measure).[3] The amendment applied *prospectively*; service prior to the 1992 election did not count toward the eight-year restriction. Thus, the term limits amendment did not begin to have a direct impact until the 2000 election cycle.

Florida School Boards

There are currently 358 school board members across the 67 districts in Florida.[4] There is no provision in the Florida Constitution or Florida Statutes that limits the term of school board members.

Section 4(a) of Article IX of the Florida Constitution provides that:

> Each county shall constitute a school district … In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

The responsibility of each school district includes operating, controlling, and supervising all free public schools within the school district and determining the rate of school district taxes within the limits of the school district.[5]

III. Effect of Proposed Changes:

SJR 1216 provides that a person may not appear on the ballot for reelection to the office of school board member if by the end of his or her current term he or she served, or but for resignation will have served, in that office for 12 consecutive years. The language goes further than the current 8-year constitutional limits that apply to Cabinet members and State legislators. The proposed amendment would operate prospectively beginning with the 2020 general election, unless the Legislature authorizes it to be voted at an earlier special election; thus, the earliest any currently serving school board member could be "termed-out" likely would be at the 2032 general election.

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[2] *See*, *U.S. Term Limits, Inc. v. Thornton*, 115 S. Ct. 1842 (1995).
[3] See Florida Division of Elections website at http://dos.elections.myflorida.com/initiatives/ (Year=1992; Ballot proposal #9) (last visited Dec. 26, 2019). For more information on the 1992 term-limit constitutional amendment, see http://dos.elections.myflorida.com/initiatives/initdetail.asp?account=1066&seqnum=1 (last visited Dec. 26, 2019).
[4] The Florida School Boards Association, *State of the Association*, *Vol. 3* at p.1 (2017-18 Annual Report), available at: http://fsba.org/wp-content/uploads/2018/11/annual-report-201718.pdf (last visited Dec. 26, 2019). For a list of all Florida school boards and a link to the corresponding school boards website see: http://fsba.org/membership/school-boards/ (last visited Dec. 26, 2019).
[5] Fla. Const. Art. IX s. 4(b).

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The joint resolution, if passed by a 3/5ths vote of each House of the Legislature, will be voted on at the general election in November 2020, unless the legislature authorizes an earlier special election for that purpose. The joint resolution would apply upon approval of the voters — at least 60% of those voting on the measure.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment shall be submitted to the electors. The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments.

The Division has not completed an agency bill analysis for this bill or for the identical House Bill. Using the Division's 2018 general election estimate of $120.31 per word, this amendment would cost just over ***$38,250***.

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VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This joint resolution substantially amends Articles IX and XII of the Florida Constitution.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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EIGHT IS ENOUGH - TALKING POINTS

- **Eight-year term limits are the most common and time-tested reform in the United States.** Of the 36 states with term limits on their governors, 35 provide for an eight-year limit. Only Virginia is different, allowing for a four-year maximum. Of the 15 states with legislative term limits, 10 provide for a limit of eight years or fewer. Nine of America's 10 most populous cities have term limits, with each of these laws allowing for eight years or less. The President has an 8-year limit, and it is absurd to suggest any local official needs more time to learn their job than the leader of the free world.

- **Eight-year term limits are the most common limit in Florida and they work.** Florida has eight-year term limits on our Governor, Cabinet, State House, State Senate and countless local positions. We rank as one of the freest and most fiscally healthy states in America and this is no outlier. On average, states with term limits rank better than states without term limits; and states with eight-year limits rank higher than those with longer limits. Why mess with success?

- **Eight-year term limits are the expressed preference of Florida citizens.** When a group of citizens collected nearly 400,000 signatures to put legislative limits on the ballot in Florida in 1992, they chose eight-year limits. The amendment passed with 77 percent support, garnering votes from 3.63 million Floridians. It is important that elected officials respect the will and preference of the voters they represent.

- **Florida voters resoundingly rejected 12 year term limits.** In 2005, Florida legislators placed onto the 2006 ballot an amendment that would have lengthened their own term limit from 8 years to 12. Public denunciation of the politicians behind the change was so intense — and opposition to the measure so deafening — that the legislature was forced to remove its own power grab from the ballot. This move was virtually unprecedented. Then-Governor Jeb Bush applauded the decision to maintain an eight-year limit, crediting this limit with much of Florida's progress during his administration.

- **Florida voters aren't changing their minds about Eight is Enough.** In 2009, lawmakers once more floated the prospect of lengthening Florida's term limits from 8 years to 12. A Quinnipiac poll at the time showed that voters opposed the change by a 79-18 margin. Since that time, no group of citizens has ever emerged to suggest making term limits longer. In fact, every petition drive for term limits in Florida — at the county and municipal level — has called for a limit of eight years or fewer. There are occasionally efforts to move from eight to 12 years in Tallahassee, but these whispers only come from politicians and capitol insiders, NEVER from ordinary people.

- **Eight-year term limits provide for fairer elections and more diversity.** America has an epidemic of unopposed and under-opposed elections at the state legislative level. Around 33% of all elections feature an incumbent running unopposed. Term limits break up this monopoly every eight years and allow a diverse array of citizens to vie for an open seat. Studies also show that state term limits — most of which are eight years — have increased the representation of women and minorities in state legislatures by a statistically significant degree.

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MCLAUGHLIN & ASSOCIATES
FL - STATEWIDE

1. BELOW IS A SERIES OF FLORIDA STATE CONSTITUTIONAL AMENDMENTS THAT MAY BE VOTED ON IN THE NOVEMBER 2018 GENERAL ELECTIONS. FOR EACH AMENDMENT, PLEASE TELL ME WHETHER YOU WOULD VOTER YES, IN FAVOR OF THE AMENDMENT; OR NO, AGAINST THE AMENDMENT.
"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	SAMPLE		MEDIA MARKET												REGION		
		LAND-LINE	CELL PHONE	Miami/Ft. Laud.	West Palm Beach	Ft. Myers/Naples	Tampa/St. Pete	Orlando-Daytona	Jacksonville	TALLA/GAINESCOMBO	Tallahassee	Gainesville	PANAMA/MOBILCOMBO	Panama City/Dothan	Mobile/Pensacola	NORTHERN	CENTRAL	SOUTHERN
Total	1000	569	431	184	105	67	247	209	87	45	28	17	56	20	36	188	456	356
YES, IN FAVOR	82.4	82.6	82.1	79.9	80.0	83.6	83.4	86.1	80.5	77.8	82.1	70.6	82.1	75.0	86.1	80.3	84.6	80.6
Definitely	62.6	63.4	61.5	62.0	57.1	68.7	65.2	63.6	58.6	51.1	53.6	47.1	67.9	65.0	69.4	59.6	64.5	61.8
Probably	16.8	16.3	17.4	13.6	20.0	13.4	17.0	20.6	13.8	17.8	21.4	11.8	14.3	10.0	16.7	14.9	18.6	15.4
Only Lean	3.0	2.8	3.2	4.3	2.9	1.5	1.2	1.9	8.0	8.9	7.1	11.8	-	-	-	5.9	1.5	3.4
NO, AGAINST	12.4	11.8	13.2	12.5	13.3	13.4	14.2	9.1	12.6	13.3	10.7	17.6	12.5	20.0	8.3	12.8	11.8	12.9
Definitely	6.5	6.5	6.5	8.2	6.7	9.0	5.7	5.3	6.9	4.4	3.6	5.9	7.1	20.0	-	6.4	5.5	7.9
Probably	5.3	4.6	6.3	3.3	6.7	4.5	7.3	3.8	4.6	8.9	7.1	11.8	5.4	-	8.3	5.9	5.7	4.5
Only Lean	0.6	0.7	0.5	1.1	-	-	1.2	-	1.1	-	-	-	-	-	-	0.5	0.7	0.6
UNDECIDED	5.2	5.6	4.6	7.6	6.7	3.0	2.4	4.8	6.9	8.9	7.1	11.8	5.4	5.0	5.6	6.9	3.5	6.5
Net Diff.	70.0	70.8	68.9	67.4	66.7	70.1	69.2	77.0	67.8	64.4	71.4	52.9	69.6	55.0	77.8	67.6	72.8	67.7
Mean	6.06	6.08	6.02	5.99	5.94	6.16	6.07	6.21	5.92	5.76	5.93	5.47	6.14	5.95	6.25	5.95	6.13	6.01

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	PROP. 44 - TERM LIMITS FOR SCHOOL BOARDS			
		YES, IN FAVOR	NO, AGAINST	UNDECIDED	Lean + Und.
Total	1000	824	124	52	88
YES, IN FAVOR	82.4	100.0	-	-	34.1
Definitely	62.6	76.0	-	-	-
Probably	16.8	20.4	-	-	-
Only Lean	3.0	3.6	-	-	34.1
NO, AGAINST	12.4	-	100.0	-	6.8
Definitely	6.5	-	52.4	-	-
Probably	5.3	-	42.7	-	-
Only Lean	0.6	-	4.8	-	6.8
UNDECIDED	5.2	-	-	100.0	59.1
Net Diff.	70.0	100.0	-100.0	-	27.3
Mean	6.06	6.72	2.48	4.00	4.14

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	EDUCATION LEVEL							MEN		WOMEN	
		LESS/ COLL. GRAD	Some H.S./ Less	High School Grad.	Some Coll./ Trade	COLL- EGE GRAD.	Coll- ege Grad.	Post- Grad./ Prof.	LESS/ COLL. GRAD.	COLL- EGE GRAD.	LESS/ COLL. GRAD.	COLL- EGE GRAD.
Total	1000	422	19	156	247	573	335	238	177	269	245	304
YES, IN FAVOR	82.4	82.5	78.9	78.8	85.0	82.2	84.2	79.4	87.0	81.0	79.2	83.2
Definitely	62.6	63.0	47.4	59.0	66.8	62.0	62.7	60.9	67.2	64.3	60.0	59.9
Probably	16.8	16.4	31.6	17.3	14.6	17.3	19.4	14.3	15.8	15.2	16.7	19.1
Only Lean	3.0	3.1	-	2.6	3.6	3.0	2.1	4.2	4.0	1.5	2.4	4.3
NO, AGAINST	12.4	13.0	10.5	16.0	11.3	12.0	10.4	14.3	9.0	13.4	15.9	10.9
Definitely	6.5	6.4	5.3	8.3	5.3	6.6	4.5	9.7	3.4	7.1	8.6	6.2
Probably	5.3	6.2	5.3	6.4	6.1	4.7	4.8	4.6	5.1	5.9	6.9	3.6
Only Lean	0.6	0.5	-	1.3	-	0.7	1.2	-	0.6	0.4	0.4	1.0
UNDECIDED	5.2	4.5	10.5	5.1	3.6	5.8	5.4	6.3	4.0	5.6	4.9	5.9
Net Diff.	70.0	69.4	68.4	62.8	73.7	70.2	73.7	65.1	78.0	67.7	63.3	72.4
Mean	6.06	6.05	5.89	5.89	6.16	6.05	6.11	5.97	6.22	6.05	5.92	6.06

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	WHITE MEN	WHITE WOMEN			RACE					MEN			WOMEN		
		LESS/ COLL. GRAD.	COLL- EGE GRAD.	LESS/ COLL. GRAD.	COLL- EGE GRAD.	WHITE	NON- WHITE	Hisp- anic	Afr. Amer./ Black	Asian	Other	WHITE	AFR. AMER./ BLACK	HISP- ANIC	WHITE	AFR. AMER./ BLACK	HISP- ANIC
Total	1000	112	185	176	221	694	269	100	125	25	19	297	52	51	397	73	49
YES, IN FAVOR	82.4	87.5	78.9	81.2	83.7	82.4	82.5	83.0	80.0	88.0	89.5	82.2	82.7	86.3	82.6	78.1	79.6
Definitely	62.6	68.8	61.6	63.1	59.7	62.5	62.1	62.0	61.6	56.0	73.7	64.3	69.2	64.7	61.2	56.2	59.2
Probably	16.8	15.2	16.2	15.9	19.0	16.9	17.1	20.0	13.6	28.0	10.5	15.8	9.6	19.6	17.6	16.4	20.4
Only Lean	3.0	3.6	1.1	2.3	5.0	3.0	3.3	1.0	4.8	4.0	5.3	2.0	3.8	2.0	3.8	5.5	-
NO, AGAINST	12.4	7.1	15.7	12.5	11.8	12.2	13.0	10.0	16.8	12.0	5.3	12.5	13.5	7.8	12.1	19.2	12.2
Definitely	6.5	0.9	8.1	5.7	6.8	5.9	7.8	4.0	12.0	8.0	-	5.4	7.7	3.9	6.3	15.1	4.1
Probably	5.3	6.2	7.0	6.8	3.6	5.8	4.8	6.0	4.0	4.0	5.3	6.7	3.8	3.9	5.0	4.1	8.2
Only Lean	0.6	-	0.5	-	1.4	0.6	0.4	-	0.8	-	-	0.3	1.9	-	0.8	-	-
UNDECIDED	5.2	5.4	5.4	6.2	4.5	5.3	4.5	7.0	3.2	-	5.3	5.4	3.8	5.9	5.3	2.7	8.2
Net Diff.	70.0	80.4	63.2	68.8	71.9	70.2	69.5	73.0	63.2	76.0	84.2	69.7	69.2	78.4	70.5	58.9	67.3
Mean	6.06	6.27	5.95	6.04	6.04	6.05	6.05	6.11	5.94	6.12	6.37	6.07	6.10	6.24	6.04	5.84	5.98

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	PARTY			WHITE			HISPANIC			MEN			WOMEN		
		REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER
Total	1000	376	400	212	306	244	135	41	33	26	191	145	108	185	255	104
YES, IN FAVOR	82.4	85.4	80.2	81.6	85.3	79.5	81.5	85.4	84.8	76.9	85.3	80.7	84.3	85.4	80.0	78.8
Definitely	62.6	69.4	57.2	60.4	69.6	55.7	57.8	65.9	60.6	57.7	70.2	61.4	63.9	68.6	54.9	56.7
Probably	16.8	14.1	19.8	16.5	13.7	20.9	17.8	19.5	21.2	19.2	13.1	17.2	16.7	15.1	21.2	16.3
Only Lean	3.0	1.9	3.2	4.7	2.0	2.9	5.9	-	3.0	-	2.1	2.1	3.7	1.6	3.9	5.8
NO, AGAINST	12.4	10.6	14.5	11.8	10.5	13.9	13.3	9.8	12.1	7.7	11.0	13.8	10.2	10.3	14.9	13.5
Definitely	6.5	5.6	9.0	3.3	5.2	8.2	3.0	4.9	6.1	-	5.8	7.6	2.8	5.4	9.8	3.8
Probably	5.3	4.5	5.0	7.5	4.6	5.3	9.6	4.9	6.1	7.7	4.7	5.5	7.4	4.3	4.7	7.7
Only Lean	0.6	0.5	0.5	0.9	0.7	0.4	0.7	-	-	-	0.5	0.7	-	0.5	0.4	1.9
UNDECIDED	5.2	4.0	5.2	6.6	4.2	6.6	5.2	4.9	3.0	15.4	3.7	5.5	5.6	4.3	5.1	7.7
Net Diff.	70.0	74.7	65.8	69.8	74.8	65.6	68.1	75.6	72.7	69.2	74.3	66.9	74.1	75.1	65.1	65.4
Mean	6.06	6.22	5.94	5.98	6.22	5.92	5.90	6.22	6.09	5.96	6.22	6.00	6.11	6.22	5.91	5.84

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	IDEOLOGY							MEN			WOMEN		
		LIB-ERAL	Very	Some-	MODE-RATE	CONS-ERVA-TIVE	Some-what	Very	LIB-ERAL	MOD-ERATE	CONSER VATIVE	LIB-ERAL	MOD-ERATE	CONSER VATIVE
Total	1000	247	108	139	349	360	187	173	90	147	196	157	202	164
YES, IN FAVOR	82.4	76.9	75.9	77.7	81.4	88.1	87.2	89.0	76.7	80.3	89.3	77.1	82.2	86.6
Definitely	62.6	51.4	51.9	51.1	60.5	73.1	69.0	77.5	52.2	60.5	75.0	51.0	60.4	70.7
Probably	16.8	20.2	20.4	20.1	18.1	13.1	15.5	10.4	18.9	18.4	12.2	21.0	17.8	14.0
Only Lean	3.0	5.3	3.7	6.5	2.9	1.9	2.7	1.2	5.6	1.4	2.0	5.1	4.0	1.8
NO, AGAINST	12.4	14.6	15.7	13.7	16.3	6.9	7.0	6.9	15.6	17.7	5.6	14.0	15.3	8.5
Definitely	6.5	7.3	11.1	4.3	8.3	4.4	3.7	5.2	7.8	8.2	3.1	7.0	8.4	6.1
Probably	5.3	6.9	4.6	8.6	7.2	2.5	3.2	1.7	7.8	8.8	2.6	6.4	5.9	2.4
Only Lean	0.6	0.4	-	0.7	0.9	-	-	-	-	0.7	-	0.6	1.0	-
UNDECIDED	5.2	8.5	8.3	8.6	2.3	5.0	5.9	4.0	7.8	2.0	5.1	8.9	2.5	4.9
Net Diff.	70.0	62.3	60.2	64.0	65.0	81.1	80.2	82.1	61.1	62.6	83.7	63.1	66.8	78.0
Mean	6.06	5.78	5.80	5.76	5.95	6.38	6.30	6.46	5.77	5.92	6.43	5.78	5.98	6.31

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	MARITAL STATUS				SINGLE		MARRIED		CHILD UNDER 18 HOUSEHOLD	
		SINGLE	MARRIED	SEP./DIV.	WIDOWED	MEN	WOMEN	MEN	WOMEN	YES	NO
Total	1000	210	540	124	115	105	105	277	263	180	812
YES, IN FAVOR	82.4	80.5	83.0	86.3	80.0	85.7	75.2	81.6	84.4	78.9	83.1
Definitely	62.6	55.2	63.5	73.4	61.7	63.8	46.7	65.3	61.6	62.2	62.8
Probably	16.8	21.9	15.6	12.1	17.4	19.0	24.8	13.4	17.9	15.0	17.0
Only Lean	3.0	3.3	3.9	0.8	0.9	2.9	3.8	2.9	4.9	1.7	3.3
NO, AGAINST	12.4	16.2	11.3	10.5	12.2	12.4	20.0	12.3	10.3	13.9	12.1
Definitely	6.5	7.1	6.1	4.8	8.7	2.9	11.4	6.5	5.7	6.1	6.7
Probably	5.3	8.1	4.6	4.8	3.5	8.6	7.6	5.4	3.8	7.2	4.8
Only Lean	0.6	1.0	0.6	0.8	-	1.0	1.0	0.4	0.8	0.6	0.6
UNDECIDED	5.2	3.3	5.7	3.2	7.8	1.9	4.8	6.1	5.3	7.2	4.8
Net Diff.	70.0	64.3	71.7	75.8	67.8	73.3	55.2	69.3	74.1	65.0	71.1
Mean	6.06	5.87	6.09	6.28	6.05	6.10	5.64	6.07	6.10	5.96	6.08

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	TOTAL	AGE						AGE						MEN					
		18-29	30-40	41-55	56-65	66-75	OVER 75	UNDER 40	OVER 40	UNDER 55	OVER 55	UNDER 65	OVER 65	UNDER 40	OVER 40	UNDER 55	OVER 55	UNDER 65	OVER 65
Total	1000	107	109	221	205	195	140	216	761	437	540	642	335	109	329	210	228	303	135
YES, IN FAVOR	82.4	82.2	83.5	81.4	81.5	86.7	78.6	82.9	82.3	82.2	82.6	81.9	83.3	83.5	83.6	81.9	85.1	83.8	83.0
Definitely	62.6	49.5	59.6	64.7	63.4	68.7	60.7	54.6	64.7	59.7	64.6	60.9	65.4	57.8	68.4	62.9	68.4	65.0	67.4
Probably	16.8	27.1	22.9	12.7	14.6	16.4	15.0	25.0	14.6	18.8	15.4	17.4	15.8	22.9	12.8	15.7	14.9	15.8	14.1
Only Lean	3.0	5.6	0.9	4.1	3.4	1.5	2.9	3.2	3.0	3.7	2.6	3.6	2.1	2.8	2.4	3.3	1.8	3.0	1.5
NO, AGAINST	12.4	15.0	11.0	13.1	13.2	11.3	11.4	13.0	12.4	13.0	12.0	13.1	11.3	12.8	11.6	14.8	9.2	12.5	10.4
Definitely	6.5	3.7	5.5	6.8	7.3	7.7	5.7	4.6	7.0	5.7	7.0	6.2	6.9	3.7	6.4	5.7	5.7	5.6	5.9
Probably	5.3	10.3	5.5	5.9	3.9	3.6	5.7	7.9	4.7	6.9	4.3	5.9	4.5	9.2	4.6	8.6	3.1	6.3	4.4
Only Lean	0.6	0.9	-	0.5	2.0	-	-	0.5	0.7	0.5	0.7	0.9	-	-	0.6	0.5	0.4	0.7	-
UNDECIDED	5.2	2.8	5.5	5.4	5.4	2.1	10.0	4.2	5.4	4.8	5.4	5.0	5.4	3.7	4.9	3.3	5.7	3.6	6.7
Net Diff.	70.0	67.3	72.5	68.3	68.3	75.4	67.1	69.9	69.9	69.1	70.6	68.8	71.9	70.6	72.0	67.1	75.9	71.3	72.6
Mean	6.06	5.81	6.09	6.04	6.02	6.26	5.98	5.95	6.08	6.00	6.09	6.00	6.14	6.00	6.16	5.99	6.24	6.10	6.17

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	TOTAL	WOMEN					GENDER		REPUBLICAN			DEMOCRAT			INDEPENDENT		
		UNDER 45	OVER 45	UNDER 55	OVER 55	UNDER 65	OVER 65	MALE	FEMALE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE
Total	1000	107	432	227	312	339	200	450	550	27	101	239	184	142	58	34	103	61
YES, IN FAVOR	82.4	82.2	81.2	82.4	80.8	80.2	83.5	83.6	81.5	81.5	79.2	89.1	76.6	81.7	86.2	73.5	82.5	86.9
Definitely	62.6	51.4	61.8	56.8	61.9	57.2	64.0	65.8	60.0	63.0	62.4	74.1	50.5	59.9	69.0	44.1	59.2	73.8
Probably	16.8	27.1	16.0	21.6	15.7	18.9	17.0	15.3	18.0	18.5	14.9	13.0	20.7	20.4	15.5	20.6	17.5	11.5
Only Lean	3.0	3.7	3.5	4.0	3.2	4.1	2.5	2.4	3.5	-	2.0	2.1	5.4	1.4	1.7	8.8	5.8	1.6
NO, AGAINST	12.4	13.1	13.0	11.5	14.1	13.6	12.0	11.6	13.1	11.1	18.8	6.3	15.2	16.2	10.3	14.7	14.6	4.9
Definitely	6.5	5.6	7.4	5.7	8.0	6.8	7.5	5.6	7.3	3.7	9.9	3.8	8.7	10.6	8.6	2.9	3.9	1.6
Probably	5.3	6.5	4.9	5.3	5.1	5.6	4.5	5.6	5.1	7.4	6.9	2.5	6.0	5.6	1.7	11.8	9.7	3.3
Only Lean	0.6	0.9	0.7	0.4	1.0	1.2	-	0.4	0.7	-	2.0	-	0.5	-	-	-	1.0	-
UNDECIDED	5.2	4.7	5.8	6.2	5.1	6.2	4.5	4.9	5.5	7.4	2.0	4.6	8.2	2.1	3.4	11.8	2.9	8.2
Net Diff.	70.0	69.2	68.3	70.9	66.7	66.7	71.5	72.0	68.4	70.4	60.4	82.8	61.4	65.5	75.9	58.8	68.0	82.0
Mean	6.06	5.91	6.02	6.00	5.99	5.92	6.12	6.12	6.00	6.07	5.89	6.41	5.76	6.00	6.28	5.56	5.92	6.38

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	VOTE HISTORY - SUMMARY					VOTE 2016	VOTE 2016	NOT 2016	NOT 2016
		1 OF 4	2 OF 4	HIGH PROP-ENSITY	3 OF 4	4 OF 4	VOTE 2014	NOT 2014	VOTE 2014	NOT 2014
Total	1000	185	152	663	202	461	650	290	24	36
YES, IN FAVOR	82.4	82.2	83.6	82.2	80.7	82.9	82.5	81.4	87.5	86.1
Definitely	62.6	58.4	61.2	64.1	62.9	64.6	63.7	58.3	75.0	69.4
Probably	16.8	21.1	19.1	15.1	14.9	15.2	15.8	20.0	12.5	11.1
Only Lean	3.0	2.7	3.3	3.0	3.0	3.0	2.9	3.1	-	5.6
NO, AGAINST	12.4	14.1	9.9	12.5	13.4	12.1	12.0	13.4	8.3	13.9
Definitely	6.5	6.5	6.6	6.5	6.9	6.3	6.3	7.2	4.2	5.6
Probably	5.3	7.0	2.6	5.4	5.9	5.2	5.1	5.5	4.2	8.3
Only Lean	0.6	0.5	0.7	0.6	0.5	0.7	0.6	0.7	-	-
UNDECIDED	5.2	3.8	6.6	5.3	5.9	5.0	5.5	5.2	4.2	-
Net Diff.	70.0	68.1	73.7	69.7	67.3	70.7	70.5	67.9	79.2	72.2
Mean	6.06	5.98	6.11	6.06	6.01	6.09	6.07	5.98	6.38	6.14

AMERICAN OVERSIGHT

How Term Limits Fight Big Money in Politics

A policy snapshot by U.S. Term Limits

Intro

According to a 2015 New York Times/CBS Poll, 84 percent of Americans believe money has too much influence on campaigns. Since fundraising is most unequal when an incumbent defends his seat, any reform that fights incumbency can make the money situation more equal. Term limits is that reform.

Incumbents Get Money

Like any smart investor, special interests spend on candidates who can provide them the best return. That's why sitting congressmen receive $6 for every dollar that goes to their challengers. The advantage makes them powerful and virtually impossible to beat. It also discourages good people from running for office.

Incumbents Win Elections

Incumbents' fundraising edge is a protective shield at election time. It guards them from their own bad votes, talented challengers and potential lost support from the party. This system works for millionaires and billionaires, but not the rest of us:

The Odds of Defeating a US House Incumbent Based on Spending by Challenger

Under $1,000,000	293:2
$1 million to $1,499,999	18:4
$1.5 million to $1,999,999	9:4
$2 million or more	1:1

Source: Center for Responsive Politics

Open Seats, Closed Wallets

The average House incumbent raises around $1.5 million for his re-election campaign. The average challenger raises around $250,000. But what happens in an open seat race? The average candidate there raises a happy medium around $600,000. So, open seat contests bring three positive effects:

1. More candidates
2. More accessibility to elected office
3. More equal fundraising

How to Get There

Term limits are a remedy for incumbency and the money that comes along with it. By guaranteeing open seat races on a regular basis, term limits deliver a more balanced and accessible system. They stop incumbents from growing too unbeatable, and keep Congress from becoming an aristocracy.

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Female Candidate Emergence and Term Limits: A State-Level Analysis

Samantha Pettey[1]

Abstract

This study examines term limits to determine the effect they have on female candidate emergence in state legislatures. Initial research finds a negative relationship between term limits and female representation. I offer a candidate-level theory and empirical approach to reevaluate how term limits affect female representation overtime. I argue term limits create an incentive structure that favors female candidates since the incumbency advantage is lessened. To test this theory, I set up a quasi-natural experiment with term limits as the treatment in a difference-in-differences test. Furthermore, I also run logistical regression analysis using candidate-level data from all fifty states from 1990 to 2000. I find women are more likely to run for office in open seats created by term limits. Last, this pattern holds for both Republican and Democratic female candidates.

Keywords

term limits, women and politics, female state legislative candidates

Introduction

Term limits are one of the most significant institutional changes to take place since the modernization of state legislatures (Kurtz, Cain, and Niemi 2007). And since the implementation of term limits, a puzzle in the literature emerges. Conventional wisdom suggests open seats help women gain descriptive representation since women fare as well as men in elections. Term limits provide more open seats, which suggests females have more opportunities to enter into office (Burrell 1994; Darcy, Welch, and Clark 1994; Fox 2000; Seltzer, Newman, and Leighton 1997). Yet studies conducted after the implementation of term limits find the greater number of open seats have negative consequences for female descriptive representation (Bernstein and Chadha 2003; Carroll and Jenkins 2001).

This article seeks to bridge the puzzling finding that more open seats, created by term limits, results in fewer women in office, but focuses on the candidate emergence stage. Theoretically speaking, term limits are only beneficial to women if women actually run for office. Normatively speaking, understanding how term limits help or hinder female candidate emergence is important to study for furthering descriptive representation. Theories on descriptive representation claim the makeup of legislative bodies should reflect the demographics of the public. Politicians better represent their constituents if they resemble the populace with regard to gender, race, social, and economic status. Scholars theorize the importance of descriptive representation and its implications for society because females bring different issues, experiences, and viewpoints to the political table. Increasing the percentage of women in political positions leads to more favorable policies for women (Osborn 2012; Schwindt-Bayer and Mishler 2005; Swers 2002).

In the United States, female descriptive representation has been, and continues to be, much lower than male descriptive representation at all levels of government. Currently, at the state level, female representation ranges from a low of 12 percent in Louisiana to a high of 41 percent in Colorado. The average percentage of females in all fifty state legislatures is only 24.2 percent (Center for American Women and Politics [CAWP] 2014; National Conference of State Legislatures [NCSL] 2014). Not only is the current percentage low, but the percentage of women in state legislative branches has become rather stagnant since the 1990s (Norrander and Wilcox 2012). Given that a large amount of policy-making is delegated to the states, the lack of female representation across all states is troublesome (Carroll and Sanbonmatsu 2013).

[1]Massachusetts College of Liberal Arts, North Adams, USA

Corresponding Author:
Samantha Pettey, Department History, Political Science and Public Policy, Massachusetts College of Liberal Arts, 375 Church St., North Adams, MA 01247, USA.
Email: s.pettey@mcla.edu

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Research providing a greater understanding of when and why women run for office, or emerge as candidates, is a critical stage in the process toward understanding the unequal representation between males and females at all levels of government.

This article proceeds as follows. First, I provide a discussion of the extant literature with regard to female candidate emergence and term limits. Next, I detail my expectations on how term limits will affect female candidate emergence. Then, I introduce the data and methods used to test my hypothesis and conclude with a short discussion of the findings and implications of this study.

Emergence

A thread of the women and politics literature focuses on how and why women run for office (Carroll and Sanbonmatsu 2013; Fox and Lawless 2004). In other words, why do some female candidates emerge and run for election while other potential candidates never run? Before there can be parity, there has to be pool of women who are willing to run for office, and ultimately win their campaigns. Below is a discussion of the four main factors scholars identify as inhibiting the emergence of female candidates: institutional barriers, socialization, ambition, and political factors.

Institutional Barriers

From an institutional perspective, the low rates of female descriptive representation in the United States are explained by two main theories: the incumbency advantage and eligibility pool. Incumbency advantage posits that incumbents' high reelection rates reduce opposition and leave little opportunity for new candidates to compete (Burrell 1994; Carroll and Jenkins 2001; Darcy, Welch, and Clark 1994). Furthermore, research finds female candidates at the congressional level to be just as likely to win elections as men, indicating that females are not at an electoral disadvantage per se, but the high incumbency rate keeps women out of office (Burrell 1994; Darcy, Welch, and Clark 1994; Fox 2000; Seltzer, Newman, and Leighton 1997). As such, women will enter office at a glacial pace because the incumbency advantage is so significant.

A second institutional constraint is that the female candidate eligibility pool is smaller than the male candidate pool. The eligibility pool, or where the majority of all candidates emerge from, consists mainly of positions in law and business.[1] Women in Congress tend to emerge from careers in teaching, social work, and health care without a background in politics rather than the typical "political" fields previously mentioned (Carroll and Sanbonmatsu 2013; Clark 1994; Dolan, Deckman, and Swers 2007). Therefore, since fewer women are potential candidates, parity is difficult because women simply do not run.

Sociological Factors

Second, extant literature suggests there are sociological, cultural norms at play which keep women from seeking office. Women are less likely to be socialized to run for political office (Fox and Lawless 2004). Yet political conditioning research suggests women who are engaged in politics are more likely to emerge and run for office at any level (Fox and Lawless 2004). Furthermore, women are more likely to be engaged in politics if issues are salient to them (Campbell and Wolbrecht 2006).

Family responsibilities also inhibit women from being in office, since women tend to have a disproportionate share of responsibilities (Fox and Lawless 2004). Not only that, women see private, family commitments as conflicting with public commitments, and this has changed little overtime (Burrell 1994; Carroll and Sanbonmatsu 2013; Sapiro 1982). Yet these cultural gender norms that seem to place time constraints on future candidates do not seem to inhibit women from participating in other areas of politics—women are just as, if not more, likely to be engaged in local, community-level politics. Therefore, sociological-based time constraint theories are not a sufficient explanation to a lack of female emergence (Burns, Schlozman, and Verba 2001).

Ambition

Third, research finds ambition levels differ by gender; specifically, women's ambition levels are inherently lower than male's. The gender differences in political ambition levels is in part due to the fact that women perceive themselves to be less qualified than men to run for office (see Fox and Lawless 2004; Fulton et al. 2006).

Political Factors

Last, there are political factors that influence whether or not a person will run for office. Research finds parties have a large and significant impact on whether a female will run for office. Most female candidates do not consider running for office until they are approached by a party leader. Without recruitment, the majority of current women office-holders had never seriously considered running for office. There are more women in office when women are actively recruited, whether by party or political organization (Carroll and Sanbonmatsu 2013; Sanbonmatsu 2006).

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Term Limits

Term limits are an important institutional attribute that may serve as a bridge between emergence and descriptive representation by creating more open seats. Term limits in state legislatures place restrictions on the number of times an official can serve in office.[2] States began enacting term limits in the early 1990s as a way to force government turnover. Many citizens were displeased with the lack of effective governance at the state level and wanted to stop incumbents from running for office (Reed and Schansberg 1995; Thompson and Moncrief 1993).

Prior to the enactment of term limits, most researchers hypothesized term limits would be beneficial for females. Term limits act as a way to combat the incumbency advantage and create more open seats. These open seats would provide women more opportunities to run for office (Carroll and Jenkins 2001; Crane 1995; Darcy, Welch, and Clark 1994; Ferry 1994; Thompson and Moncrief 1993). Yet, when term limits began to take effect, researchers found term limits did not have the intended effects on women in office (Bernstein and Chadha 2003; Carroll and Jenkins 2001). In 1998, seven states had their first round of termed-out politicians, which created 215 open seats across all seven states. The number of these 215 seats held by women actually dropped from fifty-eight to fifty-three after the 1998 election. Thus, the introduction of term limits resulted in a net loss of five seats for women (Bernstein and Chadha 2003).

In a cross-sectional analysis of the impact term limits had for the year 1998, scholars find an overall negative effect on women in office, but there was variation by state. Some states, such as Arizona and Arkansas, saw minor gains in the number or females in office but most suffered, which reflected in a declining number of females in office (Carroll and Jenkins 2001). Yet what explains these differences across states? And, more importantly, do these initial findings hold up across a longer temporal sample? Further research is needed to resolve the conflict between the expectation that term limits would allow for more female candidates and the early empirical evidence to the contrary.

Emergence and Term Limits Theory

The literature on candidate emergence and term limits offer conflicting explanations on the expectations of female emergence. The term limits literature mainly focuses on overall success of female candidates and largely ignores the impact term limits may have on candidate emergence. Perhaps women are running for office more frequently in the term limited states but are not winning elections. This theory incorporates expectations about open seats from term limits literature and eligibility pool assumptions from the emergence literature to develop a general argument regarding female candidate emergence in term-limited states.

Open Seats

Existing research regarding female descriptive representation is concerned with aggregate levels of female success. Yet as previously discussed, a critical stage of analysis is candidate emergence. The only way women will gain parity is if they run and subsequently win. All else being equal, in terms of electoral outcomes, term limits can only be effective if the number of female candidates running within the states increases. For example, if there are more open seats (created by term limits or not) and the same number, or fewer, women running for office, then open seats will not have a positive impact on the number of females in office. This idea is especially important in term-limited states since the nature of term limits creates more open seats.

Without an increase in female candidate emergence, we are unlikely to find support for the conventional wisdom that more open seats will lead to more women in office. Carroll and Jenkins (2001) show that in states with term limits, the number of female officeholders decreased when term limits were enacted. However, it is possible this finding is due to lower levels of female candidate emergence. The lack of female candidate emergence is apparent in Carroll and Jenkins' (2001) finding that females did not run in a large number of primary elections for either party.

The greater number of open seats created by term limits provide potential female candidates with more opportunities to emerge. Since an incumbent cannot continuously run, the overall likelihood of winning an election will increase for new candidates. Further, Fulton et al. (2006) find women are more likely to run in races if/where they perceive their chances of winning to be high. This rational behavior is present in all candidates as studies also find that candidates act rationally when deciding to enter a race—most only run when the likelihood of winning the seat is high (Black 1972; Jacobson and Kernell 1981; Lazarus 2008). Open seats, created by term limits or otherwise, offer a better chance at winning an election than running against an incumbent. Therefore, states with open seats created by term limits should see an overall increase in the number of female candidates emerging because the perceived opportunity to win the seat is higher.

Eligibility Pool

The greater number of open seats created by term limits will likely effect the eligibility pool. The presence of term limits may influence more women to emerge as

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candidates in state legislative elections. This is due to the fact that with term limits, the job is temporary and politics is not necessarily a career path. Therefore, anyone can theoretically have a desire to run and hold office for a short period of time. Amateur candidates, those with no previous office-holding experience, tend to run if they perceive their chance of success to be high, but this is not a necessary condition to emerge (Lazarus 2008). Term limits may create a pool of amateur candidates, specifically female candidates, who are motivated to run for factors other than being a career politician—especially if a potential candidate thinks they can win.

Support for an amateur female candidate pool already exists at the state level. A 2008 CAWP Recruitment Study by Carroll, Sanbonmatsu, and Walsh find nearly 43 percent of women in the lower chamber of the state legislatures had no previous officeholding experience. More importantly, nearly 73 percent of females in the lower house claimed their decision to run for office was not done as a stepping stone toward higher office. The study also finds that nearly 79 percent of women in the lower chamber reported having an occupation that allows for sufficient time and flexibility to hold office was important when considering their run for office. These findings suggest that many women in state legislatures do not plan on being career politicians. Therefore, term limits enhance this favorable environment and allow more opportunities for potential female candidates to run, hold office, and still avoid being career politicians.

Term limits have the potential to create a larger eligibility pool of female candidates. Term limits may add a little extra incentive to run for office since the length of time someone can spend in office is limited. Thus, term limits create a unique opportunity for noncareer politicians to serve short term in office to make policy changes[3] and then leave after they are termed out.

Furthermore, term limits can also have a positive impact on women who want to be career politicians. Given theories on rational choice candidate entry models (Black 1972; Jacobson and Kernell 1981; Lazarus 2008), politicians run when they are most likely to win. Term limited seats will not have an incumbent running, so these seats should theoretically be easier to win, given the lack of an incumbency advantage. This is good for ambitious female politicians because they are in a better situation to win office than when compared with female challengers in a state without term limits trying to win a seat against a long-term incumbent.

Term limits provide a structured timeline for how long one can legally stay in office before they move on to the next level of government. Career politicians may find this structure useful for moving up the political ladder. For example, a female may desire to move out of the lower chamber in the state legislature but no opportunities exist in the upper chamber. States with term limits in both chambers have more open seats and, therefore, greater opportunities for new candidates to run for office. Further, term limits provide an opportunity for women to gain experience and exposure quickly if they move between chambers after being term-out, especially for women who may want to progress into federal office, or governorships, after they have termed out of their state legislature.

In sum, taking into consideration the constraints and variation in the use of term limits across states, one should not expect a drastic increase of women in office in states with term limits immediately. Rather, the number of women in office will likely rise fairly steadily over time as more officials are forced to vacate the state legislature. There may be loss in the short term as research finds (Bernstein and Chadha 2003; Carroll and Jenkins 2001), but this should not be the norm. Open seats will gradually increase as incumbents are termed out, providing potential women candidates with more opportunities to run. In other words, term limits, in combination with open seats, increase the number of women in the eligibility pool. The crux of this theory relies on the fact that term limited states will only increase the number of women in office if the number of women running for office increases. Term limits create a favorable environment for noncareer and career female politicians to run for office, and this is the possibility that I will empirically evaluate in the remainder of this article.

Therefore,

Hypothesis 1 (H1): Term limits increase the likelihood of female candidate emergence.

Data

To examine the hypothesis, I utilize a candidate-level data set of each state's lower legislative chamber. The candidate data comes from the State Legislative Election Returns (SLER): 1967–2010 (Klarner et al. 2013). The dataset captures candidate-level state legislative elections and includes variables such as election results, term length, type of legislative election, incumbency status, and party identification. The large time span allows me to better test the impact of term limits on female candidate emergence. I conduct the analysis across all fifty states at the candidate level in the general election (discussed more below) using a quasi-natural experiment design. I examine the years from 1990 to 2010, both pre- and post-term limits, across all candidates meeting the standard 5 percent threshold (Canon 1978) using states without term limits as the control group.

The SLER data does not contain the candidate's gender, and therefore, I coded each candidate's gender. As a robustness check, I have also utilized the CAWP (Center

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for American Women and Politics) database as a cross-reference. CAWP provides a list of the total number of women who ran in an election for each state. After coding the SLER dataset to include gender, I looked to the CAWP dataset to examine any discrepancies. When there were discrepancies between SLER and CAWP, I cross-referenced the Secretary of State's original election results (when available) to fix or confirm the findings from my dataset. Further, in a handful of cases where the Secretary of State's election results were not readily available and discrepancies existed, I searched newspaper articles for gender candidate cues.[4]

While the SLER dataset contains a large number of election periods, I will only use the time period from 1990 to 2010. Since 1996–2000 is the time frame in which most states first experience the impact of term limits, the time frame allows a roughly equal number of election cycles pre- and post-term limits. The analysis for this time period will therefore capture a considerable amount of elections both before and after term limits took effect in states. Furthermore, the candidate-level dataset is quite large over a twenty-year time frame and produces roughly eighty thousand observations.[5]

Design

As briefly mentioned, the enactment of term limits provides the unique opportunity of an intervention point for an experimental design. Mooney (2009) addresses a major concern when treating term limits as a natural experiment: exogeneity. To model a causal relationship, there needs to be random assignment of the treatment and control group. To test for random assignment, Mooney (2009) ran a series of difference of means tests between states with term limits and states without term limits. The results find the most common and widely used state-level explanatory variables have no statistically significant differences between states with term limits and states without term limits. In other words, there is not a unique underlying factor about states that enacted term limits versus states that did not enact term limits. For example, a state's population, gross domestic product (GDP), ideology, electoral turnout rates, legislative professionalism, and so on, do not predict the adoption of term limits. Therefore, term limits can be treated as a natural experiment because the states with and without term limits have no statistically significant differences between them—that is, random assignment of term limits occurred. The treatment group for the design includes all the states that enacted term limits, and the control group includes all the states that have not enacted term limits.

The enactment of term limits happened at different points in time across the states. Term limits first took effect in a handful of states in the late 1990s and continued to be implemented through the 2000s. As such, there will be multiple intervention points that are unique to the state enacting the term limits. Using panel-level data, I am less likely to violate the assumption that an unobservable/unmeasurable variable has an impact on my main independent variable, term limits. This is important when determining a causal link between term limits and the dependent variable. Table 1 provides a list of the term limited states (which have not been repealed). The table provides the year in which the term limits were enacted and the year in which the first round of legislators were forced to leave due to term limits.

Table 1. Term-Limited States.

State	Year enacted	Year of impact
Maine	1993	1996
California	1990	1996
Colorado	1990	1998
Arkansas[a,b]	1992	1998
Michigan	1992	1998
Florida	1992	2000
Ohio	1992	2000
South Dakota[a]	1992	2000
Montana	1992	2000
Arizona[a]	1992	2000
Missouri	1992	2002
Oklahoma	1990	2004
Nebraska	2000	2006
Louisiana	1995	2007
Nevada	1996	2010

Source. NCSL (2014): "The Term-Limited States."
[a]Indicates multimember districts.
[b]Eliminated multimember districts after 2000 election.

Variables

Dependent

The dependent variable is *female candidate emergence*, which is a dichotomous variable where "1" is a female candidate and "0" is a male candidate. Table 2 reports the descriptive statistics on the number of female candidates in the sample. Between 1990 and 2010, female candidates made up about 26 percent of the total candidates running for office. Male candidates during the same time period made up roughly 73 percent of the total sample. The numbers are not surprising since the overall percentage of women in office across the states during that time averages around 20 to 25 percent.

Independent Variable

The main explanatory variable of interest is *term limits*. States with term limits are coded "1" and states without term limits are coded "0." Since, the intervention points

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Table 2. Descriptive Statistics for Female Emergence.

Variable	Number	Percentage of sample
Female Candidates	24,537	26.30%
Male Candidates	68,380	73.30%

Table 3. Descriptive Statistics for Term Limits.

Variable	Number	Percentage of sample
Non-Term Limit Seats	79,029	85.54%
Term-Limit Seats	13,888	14.46%

will be scattered due to states implementing term limits in different years, each state with term limits will be coded to reflect the year in which that state's term limits take effect. States with term limits are coded as "0" until they implement term limits (states who never implement term limits remain coded as 0 throughout). Table 3 shows the distribution for states with and without term limits. Approximately 15 percent of candidates run in term-limited seats. Whereas non-term-limited seats make up about 85 percent of the total sample (the non-term-limited seats include states with enacted term limits but elections before they were implemented). Since this is candidate-level data with a focus on candidate emergence, these numbers represent the distribution of candidates running in the term-limited and non-term-limited races (not the total number of available seats).

Table 4 below provides further descriptive statistics showing the distribution of the data for candidate emergence and term limits. At first glance, females are more prevalent in term-limited states, making up 28 percent of the total candidates versus non-term-limited seats where females are only 25.9 percent of the total candidates. Males are much more likely to emerge as candidates in term-limited and non-term-limited states when compared with their female counterparts making up roughly 71 to 74 percent of the observations within each set of states.

Table 4. Distribution of Candidates and Term Limits.

Variable	Non-term limits	Term limits
Female Candidates	20,646 (25.9%)	3,891 (28%)
Male Candidates	58,383 (73.9%)	9,997 (71.2%)

Control Variables Candidate-Level Controls

The model includes several candidate-level and state-/district-level controls. The first control is for *open seat* and is coded as "1" if a candidate runs in a district with an open seat and "0" if an incumbent is running within that district. As extant research and my theory suggests, open seats decrease institutional barriers for women to enter office so I expect open seats to have a positive impact on the likelihood a female will run for office.

Incumbents have an advantage in elections, even at the state level. Incumbents are more likely to win their elections and is an important variable to include in the model. Here, *incumbent* is coded so a "0" is a non-incumbent and "1" is an incumbent candidate. As with the extant literature, I expect incumbency to have a negative impact on female candidate emergence. Incumbents inhibit females from winning office and may keep them from running completely due to the costs associated with running a campaign, especially one where the challenger is expected to lose against an incumbent. While congressional literature finds women have an increasing tendency to run as challengers against female incumbents (see Lawless and Pearson 2008), much of the literature finds incumbents dissuade candidates from emerging.

Another important control variable is *party*. Research finds female candidates tend to emerge and hold seats in office more often as Democrats than Republicans. Republicans are coded as "0," and I expect that Democrats, coded as "1," will have a positive impact on the number of female candidates.

A measure of competitiveness is also important, especially since females are less likely to run for office if they perceive their chances of winning to be low. As a crude measure of competitiveness, I include the *number of candidates* in each election. While this is not a direct measure of whether a race is competitive or not because it does not include the types of candidates running,[6] Lawless and Pearson (2008) find females tend to be in elections where they are facing more than one opponent. While a majority of races are unopposed or have only two candidates, capturing opposition, especially if there is zero opposition, is an important control.

State-Level Controls

Research also finds women are more successful when they compete in multimember districts (MMD; Carroll 1994; Darcy, Welch, and Clark 1994). This is due to the fact that there are more opportunities to win a seat, and it is not a zero-sum game. A handful of state legislatures use MMDs in their elections rather than single-member districts (SMD). To measure MMDs, I use the *district type* variable, which differentiates between the types of districts. The variable is coded as a dummy for purposes of this study where "0" is an SMD and "1" is an MMD.

I also include a control for *term length*. Given my theory that term limits may attract females who do not wish to be career politicians, I expect there to be a negative

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relationship between the length of a term in office and female emergence. Females should be more likely to emerge in states with fewer years in a term; the longer a term, the less likely a female will emerge. Most lower chambers in states have two-year terms, but there are a small handful of states with four-year terms.

I also include a measure of *legislative professionalism*. I use the Squire index, which is a value between 0 and 1 assigned to states based on the level of professionalization within the legislature. Values closer to 0 are the least professional, and values closest to 1 are the most professional (see Squire 1992). I expect professionalization to have a negative impact on the likelihood a female candidate will emerge. This measure is capturing my theoretical argument that women are more likely to emerge when they do not want to be career politicians; therefore, when professionalism increases, female emergence will decrease.

Last, I include a measure for if a candidate emerges in a southern state. The variable *south* is coded with a "1" if the state is a southern state and "0" if otherwise. This measure tries to capture some of the known differences between female representation in the southern versus northern states. I expect southern states will have fewer women emerging as candidates. Table 5 below lists all the variables and their predicted direction for the logistical regression.

Table 5. Variables and Predicted Directions for Logistical Regression.

Variable	Predicted direction
Term Limits	(+)
Open Seat	(+)
Incumbent	(–)
Party ID	(+)
Number of Candidates	(−)
District Type	(+)
Term Length	(−)
Legislature Professionalization	(−)
South	(−)

Method

I employ two methods to test my hypothesis that term limits increase female candidate emergence. The first is a difference-in-differences method. Difference in differences allows time-invariant covariates to be factored out, while incorporating overall exogenous shocks or trends in the system. Difference in differences allows the researcher to control for many factors while "manipulating" one key variable, in this case, term limits, to provide a causal link between the independent and dependent variable.

The difference-in-differences method is shown below using states as the unit of analysis. Equation 1 represents the model for states with term limits. Term limits serve as an intervention point, and the difference in female emergence rates before and after term limits were implemented is provided. The model keeps all variables constant while the unobservable/time-invariant, *ai*, factors are already factored out. Equation 2 represents the control group: states without term limits.[7] Equation 3 represents the difference between the treatment and control groups: states with term limits and states lacking term limits. The error terms are also differenced so this better captures overall shocks to the system and can capture any general trends. If there is a difference found in Equation 3, then term limits have a causal impact on women emergence.

$$\Delta yiTL = \delta 0 + \beta + \Delta uiTL \quad (1)$$

where $\Delta yiTL$ denotes the difference in y for states with term limits

$$\Delta yiNTL = \delta 0 + \beta + \Delta uiNTL \quad (2)$$

where $\Delta yiNTL$ denotes the difference in y for states without term limits

$$\Delta yiTL - \Delta yiNTL = \beta + \left(\Delta uiTL - \Delta uiNTL\right) \quad (3)$$

where y is the mean number of women emerging.

I also run a logistical regression to examine the impact term limits have on the likelihood a female candidate will run for office. The unit of analysis for the logit model is the candidate year. Therefore, candidates will appear in the model for every election cycle they run as a new observation. Where difference in differences examines the overall difference in emergence between male and female candidates in states, the logistical regression aims to capture and predict the likelihood a candidate is a female based on the electoral environment at the individual level. Last, the standard errors are clustered around each individual legislator to control for differences across each candidate.

Results

The difference-in-differences results find term limits increase the mean number of female candidates running for office in states. Table 6 and Figure 1 provide evidence of this relationship within and across states. States with term limits, labeled with (e) for experimental group, see a small increase in the number of females emerging while states without term limits, label (c) for control, see a smaller overall increase. Figure 1 shows the positive effect term limits have on female emergence as well. Post-term limits, there is an overall increase in female

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Table 6. Difference in Differences.

Female emergence	*M*	*SE*
Pre-term limits (e)	0.243	0.004
Post-term limits (e)	0.267	0.004
$\Delta yiT\ L =$	0.024	
Pre-term limits (c)	0.240	0.003
Post-term limits (c)	0.258	0.002
$\Delta yiN\ T\ L =$	0.018	
$\Delta yiT\ L - \Delta yiN\ T\ L =$	0.006	

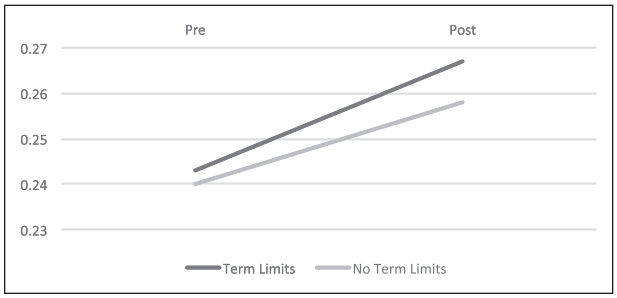


Figure 1. Women emergence in states pre- and post-term limits.

emergence for all the states, but the slope is steeper for states that enacted term limits.

The control group, states without term limits (c), saw a within-group difference in female emergence post-term limits (1996) of 1.8 percent, while the experimental group, states with term limits (e), have a within-group difference of 2.4 percent. Substantively, this shows term limits increase the overall percentage of women emerging by about 0.6 percent. While the percentage seems rather small, this 0.6 percent effect size of term limits equates to roughly ten more women emerging in term-limited states. For example, between 1994 and 2000, Ohio (a state with term limits) had a 0.06 difference in means. In 1996, forty-one females ran for office and in 2000, the first year term limits took effect, fifty-two females emerged (even if just by 0.6 percent, or ten females per election year), the better their chances are for increasing descriptive representation overall in those states. Women cannot win office and gain parity if they are not emerging. Term limits, as tested in the difference-in-differences model suggest there is a positive, causal relationship between term limits and female candidate emergence.

The difference in differences analysis provides a look at states, while the logit analysis looks at the individual level (while controlling for state-level factors). Table 7 shows the results of the logit model, which also supports the hypothesis that term limits increase the likelihood a female candidate will emerge. Logistical regressions are

Table 7. Likelihood Candidate Is a Female.

Variable	Coefficient	*SE*
Term Limit	0.085	0.033
Open Seat	0.077	0.023
Incumbent	−0.036	0.027
Party ID	0.467	0.030
Number Candidates	0.025	0.007
District Type	0.138	0.043
Term Length	−0.058	0.031
Professionalism (Squire)	−0.286	0.109
South	−0.306	0.040
Constant	−1.170	0.074
$n = 88285$		

Standard errors are clustered around candidate ID.

not directly interpretable without predicted probability models, but term limits is in the expected, positive direction and is statistically significant. Furthermore, all of the control variables are consistent with past literature, in the expected direction, and most are also statistically significant at a level. Only incumbency and term length are insignificant, but both are on the cusp of significance at the .10 level.

While the direction and impact are important, predicted probabilities for logistical regression provide substantive, interpretable results. Table 8 provides predicted probabilities for when a candidate is a Democrat, and Table 9 provides the predicted probabilities for Republican candidates. All the predicted probabilities values are set based on the most likely of cases, rather than an overall mean, which oftentimes captures unlikely cases (such as a 2.5-year term, which does not exist). Therefore, number of candidates is set at 2 (to represent one opponent), term length is set to two, south is set to zero (only looking at nonsouthern states), and professionalization is set to the mean.[8] The tables vary by open seat, district type, incumbency, and party identification.[9] The Open Seat column represents races where no incumbent runs for office. The Non-Incumbent column represents candidate emergence for non-incumbents in nonopen seat races, that is, challengers. Last, the rows represent whether the candidate is in a term-limited or non-term-limited state, and whether the candidate is in an SMD or MMD.

Table 8 shows the substantive differences between Democratic female candidate emergence in term-limited and non-term-limited states. Women are emerging about 2 percent more of the time when term limits are present. In an SMD when there is an open seat, a female candidate emerges about 32 percent of the time in states without term limits versus 34 percent of the time in states with term limits. Open seat races in MMDs also have women emerging 2 percent more in the term-limited states at

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Table 8. Predicted Probabilities for Democrats.

Female emergence	Open seat	Non-incumbent
Single-member districts		
No term limits	0.321 (0.006)	0.304 (0.006)
Term limits	0.340 (0.008)	0.323 (0.008)
Multimember districts		
No term limits	0.352 (0.010)	0.334 (0.009)
Term limits	0.371 (0.012)	0.354 (0.012)

All margins are significant at $p < .01$. Standard errors provided in parentheses.

Table 9. Predicted Probabilities for Republicans.

Female emergence	Open seat	Non-incumbent
Single-member districts		
No term limits	0.229 (0.005)	0.215 (0.005)
Term limits	0.244 (0.007)	0.230 (0.007)
Multimember districts		
No term limits	0.254 (0.008)	0.240 (0.008)
Term Limits	0.270 (0.011)	0.255 (0.010)

All margins are significant at $p < .01$. Standard error provided in parentheses.

about 37 percent of the time versus 35 percent of the time in the non-term-limited states. Women are most likely to emerge in these MMDs with term limits. And while this number is not 50 percent (meaning half the candidates are men, half are women), 37 percent is quite high given the average 24 percent descriptive representation across all the states.

Female emergence as challengers (non-incumbents) also provides evidence in support of the hypothesis that term limits increase female emergence. Women are emerging around 30 percent of the time in SMDs with no term limits versus 32 percent of the time in states with term limits. While winning a seat as a challenger is generally harder due to the incumbency advantage, term limits seem to encourage more women to run. The same pattern exists in MMDs where women emerge as challengers around 33 percent of the time in non-term-limited states and 35 percent of the time in the term-limited states.

Perhaps the most interesting finding is that women are just as likely to emerge as challengers in term-limited states as they are in open seats in states without term limits (around 32 percent in the SMDs and 35 percent in the MMDs). This comparison is important because previous literature finds open seats are one of the best chances women have to gain parity, and they emerge much more often in these seats. Given the equal likelihood of turnout between said open seats and the term-limited nonopen seats, the effect of term limits is similar to the "best case" scenario for women emergence. This suggests term limits lower the incumbency advantage (or at least the perception of how strong it is) and increase a candidate's confidence in their ability to win an election to a level similar to an open-seat election.

Table 9 reports the predicted probabilities for Republicans. The overall predicted probabilities are comparatively lower than the Democratic ones, which is expected given Democratic female candidate trends. The literature finds women are much more likely to emerge, and ultimately win office, as Democrats. For example, Democratic women emerge around 34 percent of the time in term-limited SMDs versus Republican women only emerge around 24 percent of the time. There is about a 10 percent difference between female Democratic and Republican candidate emergence.

Despite the comparatively lower emergence rates, term limits still have a positive effect on female Republicans. The difference in female Republican candidate emergence between term-limited states and non-term-limited states is about 1.5 percent. In other words, the probability a female Republican will emerge increases by about 1.5 percent in term-limited states (vs. about 2 percent for Democratic women). For example, in open seat races in SMDs, women emerge about 23 percent of the time in states without term limits and about 24 percent of the time in states with term limits. The pattern is similar in MMDs where women emerge around 25 percent of the time in states without term limits and 27 percent of the time in states with term limits.

Looking at Republican challengers in the Non-Incumbent column also supports the hypothesis that term limits increase emergence. Women are much more likely to emerge as challengers in term-limited states than non-term-limited states. In SMDs with term limits, women emerge 23 percent of the time versus 22 percent of the time in states without. And in MMDs, women emerge 26 percent of the time versus 24 percent of the time in states without. Further, the results are consistent with the Democratic female candidate emergence finding that women emerge as challengers in term-limited states as often as women emerge in open seats in states without term limits.

While term limits only increase Republican female emergence by 1.5 percent, any increase is arguably positive for women (especially Republican women) who are rather underrepresented in states. Given that term limits increase Democratic female emergence by about 2 percent, the overall increase term limits provide for both parties is evidence that term limits do not have the negative, unintended consequences on women in office. The evidence provided here supports the theory that term limits increase

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female candidate emergence and also sheds a bit more light on the conventional wisdom about how the incumbency advantage hurts women. Term limits seem to change the candidate pool, and lower the effects of the incumbency advantage. This change lowers the risk associated with running, which increases the number of women willing to emerge as candidates—in open seats, as challengers, and across both parties. Term limits increase the number of women running, and when women run, they win.

Conclusion and Implications

Currently, females make up only 24 percent of state legislators in the United States. This is concerning given a 2009 CAWP study that indicates the growth of female candidates at the state legislative level has remained fairly stagnant since 1997. Since about half of women in higher office begin their political career at lower levels of government, this stagnation in female state legislators is an important area of research to study. If the number of women in state legislatures does not increase and/or gain parity, to generally reflect the population descriptively, the implications for descriptive and substantive representation is concerning at the state and national level.

This article offers a theoretical explanation on how the institutional feature of term limits affects the number of female candidates deciding to run for office. Initial studies on term limits suggest term limits have negative effects on female descriptive representation but largely ignored emergence. Using a candidate-level dataset and experimental design, I find term limits have a positive effect on women candidate emergence. Further, the findings suggest term limits are more beneficial than open seats are for increasing emergence. Term limits boost Democratic females' emergence about 2 percent and female Republican emergence by about 1.5 percent. This suggests term limits may be creating an incentive structure that is widening the eligibility pool. Specifically, term limits make seats, both open and nonopen, more desirable to women candidates.

Overall, these findings are important because the initial findings suggesting term limits are bad for women may not be as problematic as expected. A greater number of female candidates emerging, as presented here, can lead to a greater number or females in office. Future research should focus on the success of female challengers in term-limited states. The results here suggest term limits decrease the incumbency advantage and incentivize women to emerge more as challengers in term-limited seats. The more research and data on these women candidates available, such as candidate quality, campaign financing, and so on, may add insight into how term limits increase emergence, but may not increase descriptive representation. For example, women may emerge, but research suggests competition and relative candidate quality matter, especially in open seat elections (Barnes, Branton, and Cassese 2017; Fulton 2012, 2014). As this article argues, emergence is only the first step, but increasing female challengers is a step in the right direction toward parity—especially if women are successful in their pursuit of office as challengers, rather than waiting for an open seat. Perhaps the successful women are those running in the open seats rather than as challengers. Future research should disentangle this relationship to make the connection between term limits and female descriptive representation.

Last, implications for national representation of women in office are worth considering. The impact of term limits and the type of candidate attracted to the legislatures are likely to have an impact beyond the state level. If term-limited states are attracting candidates who do not want to be career politicians, this may negatively affect female recruitment success for congressional races. Take for example the possibility of a candidate seeking office in a term-limited state with no intentions of being a career politician and leaving after their term has expired—the politician may go back to their previous career, or they may seek higher office. If this politician is female and decides not to run for higher office, overtime, descriptive representation at the national level may be negatively affected. Therefore, future research tracking where women go after they are termed out in the states would also be an important addition to the literature on descriptive representation.

Declaration of Conflicting Interests

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Notes

1. Men also receive more encouragement than females at a younger age to enter fields that are more likely to lead to political careers such as law and business (Fox and Lawless 2004).
2. Since the 1990s, twenty-one states have passed legislation for term limits, but six states have repealed them. Term limits were generally passed via citizen initiatives, and in four states (Massachusetts, Oregon, Washington and Wyoming), the state supreme courts repealed the term limits, and in two states (Idaho and Utah), the state legislature repealed the term limits (NCSL 2014)
3. Also in the 2008 CAWP recruitment study, 35 percent of women in the lower chamber report their decision to run was based on concern about one or more specific policy issues.

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4. In the cases where I could not determine the gender of a candidate, I did not include these cases in the models. Some were missing first names in the original SLER study, and I could not determine first names. The missing candidates make up <3 percent of the total observations.
5. Some states allow candidate fusion; candidates can run under multiple-party identifications in the same election. For these cases, I use the party ID, which received the most votes. For example, if Jane Smith ran as a Republican and received ten thousand votes, and as a Democrat with five thousand votes, I drop the Democratic identification, and Jane Smith is coded as a Republican for the election year.
6. That is, whether or not the candidate is a qualified candidate and is more likely to win than a nonquality candidate. Nonquality means a candidate has little to no relevant experience in politics. Usually specified as previous office-holding experience at some level of government.
7. By nature of experimental design, the control group never enacted term limits but a standard year is set as a point of comparison for the pre-/post-estimation. Therefore, the year 1996 is used as the beginning of the "post treatment" for the control group—states without term limits—since the first wave of term limits began in the same year.
8. The online appendix provides two additional tables for female candidate emergence in the South.
9. Tables 8 and 9 have the exact same parameters for determining the predicted probabilities and the only variation between the two is party identification.

Supplemental Material

Replication data for this article is available with the manuscript on the PRQ website.

References

Barnes, Tiffany, Regina P. Branton, and Erin Cassese. 2017. "A Reexamination of Women's Electoral Success in Open Seat Elections: The Conditioning Effect of Electoral Competition." *Journal of Women, Politics & Policy* 38:298–317.

Bernstein, Robert, and Anita Chadha. 2003. "The Effects of Term Limits on Representation: Why So Few Women." In *The Test of Time: Coping with Legislative Term Limits*, edited by Rick Farmer, John David Rausch, and John Clifford Green, 147–58. Lanham, MD: Lexington Books.

Black, Gordon. 1972. "A Theory of Political Ambition: Career Choices and the Role of Structural Incentives." *American Political Science Review* 66 (1): 144–59.

Burns, Nancy, Lehman Schlozman, and Sidney Verba. 2001. *The Private Roots of Public Action*. Cambridge: Harvard University Press.

Burrell, Barbara C. 1994. *A Woman's Place Is in the House: Campaigning for Congress in the Feminist Era*. Ann Arbor: University of Michigan Press.

Campbell, David and Christina Wolbrecht. 2006. "See Jane Run: Women Politicians as Role Models for Adolescents." *The Journal of Politics* 68:233–47.

Canon, Bradley. 1978. "Factionalism in the South: A Test of Theory and a Revisitation of V. O. Key." *American Journal of Political Science* 22:833–48.

Carroll, Susan. 1994. *Women as Candidates in American Politics*. 2nd ed. Bloomington: Indiana University Press.

Carroll, Susan, and Krista Jenkins. 2001. "Do Term Limits Help Women Get Elected?" *Social Science Quarterly* 82 (1): 197–201.

Carroll, Susan, and Kira Sanbonmatsu. 2013. *More Women Can Run: Gender and Pathways to the State Legislatures*. New York: Oxford University Press.

Center for American Women and Politics. 2014. "Women in State Legislatures. Fact Sheet." www.cawp.rutgers.edu.

Clark, Janet. 1994. "Getting There: Women in Political Office." In *Different Roles, Different Voice*, edited by M Githens, P. Norris, and J. Lovenduski, 63–76. New York: HarperCollins.

Crane, Edward H. 1995. "Testimony before the Subcommittee on the Constitution, Committee on the Judiciary, U.S. Senate." *US Term Limits Foundation Outlook Series* 101 (1). https://www.cato.org/publications/congressional-testimony/congressional-term-limits

Darcy, Robert, Susan Welch, and Janet Clark. 1994. *Women, Elections, and Representation*. 2nd ed. Lincoln: University of Nebraska Press.

Dolan, Kathleen, Melissa Deckman, and Michele Swers. 2007. *Women and Politics: Paths to Power and Political Influence*. Upper Saddle River: Pearson/Prentice Hall.

Ferry, Jonathan. 1994. "Women, Minorities and Term Limits: American's Path to a Representative Congress." U.S. Term Limits Foundation Outlook Series. Washington, DC: U.S. Term Limits Foundation

Fox, Richard L. 2000. "Gender and Congressional Elections." In *Gender and American Politics: Women, Men, and the Political Process*, edited by Sue Tolleson-Rinehart and Jyl J. Josephson, 227–56. Armonk: M.E. Sharpe.

Fox, Richard L., and Jennifer Lawless. 2004. "Entering the Arena? Gender and the Decision to Run for Office." *American Journal of Political Science* 48 (2): 264–80.

Fulton, Sarah. 2012. "Running Backwards and in High Heels: The Gendered Quality Gap and Incumbent Electoral Success." *Political Research Quarterly* 65 (2): 303–14.

Fulton, Sarah. 2014. "When Gender Matters: Macro-Dynamics and Micro-Mechanisms." *Political Behavior* 36 (3): 605–30.

Fulton, Sarah, Cherie D. Maestas, L. Sandy Maisel, and Walter J. Stone. 2006. "The Sense of a Women: Gender Ambition, and the Decision to Run for Congress." *Political Research Quarterly* 59 (2): 235–48.

Jacobson, Gary, and Samuel Kernell. 1981. *Strategy and Choice in Congressional Elections*. New Haven: Yale University Press.

Klarner, Carl, William Berry, Thomas Carsey, Malcolm Jewell, Richard Niemi, Lynda Powell, and James Snyder. 2013. State Legislative Election Returns (1967-2010). ICPSR34297-v1. Ann Arbor: Inter-university Consortium for Political and Social Research [distributor], 2013-01-11. doi:10.3886/ICPSR34297.v1.

Kurtz, Karl T., Bruce Cain, and Richard Niemi. 2007. "Conclusions and Implications." In *Institutional Change in American Politics: The Case of Term Limits*, edited by Karl Kurtz, Bruce Cain, and Richard Niemi, 185–98. Ann Arbor: University of Michigan Press.

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Lawless, Jennifer, and Kathryn Pearson. 2008. "The Primary Reason for Women's Underrepresentation? Reevaluating the Conventional Wisdom." *The Journal of Politics* 70 (1): 67–82.

Lazarus, Jeffrey. 2008. "Buying in: Testing the Rational Model of Candidates Entry." *The Journal of Politics* 70 (3): 837–50.

Mooney, Christopher. 2009. "Term Limits as a Boon to Legislative Scholarship: A Review." *State Politics & Policy Quarterly* 9 (2): 204–28.

National Conference of State Legislatures. 2014. "The Term Limited States." http://www.ncsl.org/.

Norrander, Barbara, and Clyde Wilcox. 2012. "Trends in the Geography of Women in the U.S. State Legislatures." In *Women and Elective Office: Past, Present, and Future*, edited by Sue Thomas and Clyde Wilcox, 273–87. Oxford: Oxford University Press.

Osborn, L. Tracy. 2012. *How Women Represent Women: Political Parties, Gender and Representation in the State Legislatures*. New York: Oxford University Press.

Reed, Robert, and Eric Shansberg. 1995. "The House under Term Limits: What would It Look Like?" *Social Science Quarterly* 76:698–719.

Sanbonmatsu, Kira. 2006. *Where Women Run*. Ann Arbor: University of Michigan Press.

Sanbonmatsu, Kira, Susan J. Carroll, and Debbie Walsh. Center for American Women Politics (CAWP) Recruitment Studies 2008. ICPSR35244-v1. Ann Arbor: Inter-university Consortium for Political and Social Research [distributor], 2015-05-13. doi:10.3886/ICPSR35244.v1.

Sapiro, Virginia. 1982. "Private Costs of Public Commitments or Public Costs of Private Commitments? Family Roles versus Political Ambition." *American Journal of Political Science* 26:265–79.

Schwindt-Bayer, Leslie A., and William Mishler. 2005. "An Integrated Model of Women's Representation." *The Journal of Politics* 67 (2): 407–28.

Seltzer, Richard A., Jody Newman, and Melissa Voorhees Leighton. 1997. *Sex as a Political Variable: Women as Candidates and Voters in U.S. Elections*. Boulder: Lynne Rienner.

Squire, Peverill. 1992. "Legislative Professionalization and Membership Diversity in State Legislatures." *Legislative Studies Quarterly* 17:69–79.

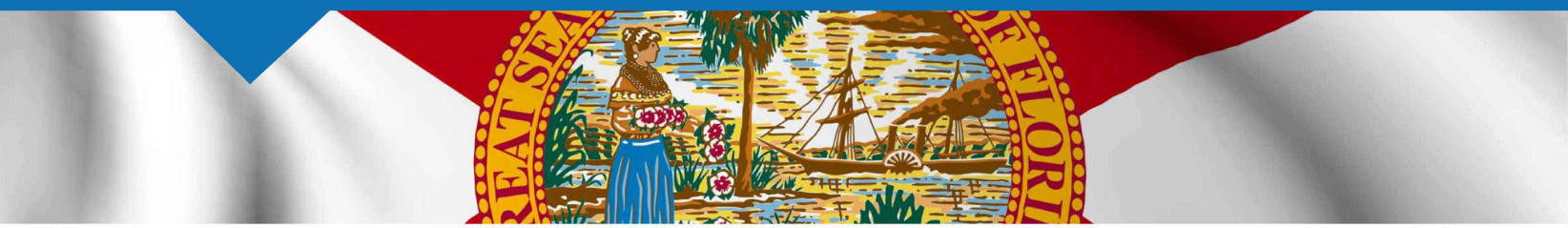
Swers, Michele. 2002. *The Difference Women Make*. Chicago: University of Chicago Press.

Thompson, Joel, and Gary Moncrief. 1993. "The Implications of Term Limits for Women and Minorities: Some Evidence from the States." *Social Science Quarterly* 74 (2): 300–309.

AMERICAN OVERSIGHT

U.S. TERM LIMITS

SJR 274/HJR 229
Please cosponsor this important legislation



This 2019 session, the Florida Legislature has introduced HJR 229 in the House and SJR 274 in the Senate for 8-year term limits on Florida school boards.

BENEFITS OF 8-YEAR TERM LIMITS ON SCHOOL BOARD MEMBERS

- ✓ Term limits foster regular, open seat elections.
- ✓ Term limits encourage independence by the school board, as term limits will regularly sever the relationships that grow between special interests and incumbent board members.
- ✓ Term limits improve citizen access to the process, encourage candidates to run for office and work on meaningful campaigns, and increase voter participation in elections.
- ✓ Term limits encourage new faces and fresh ideas. Incumbent members often have their heels dug in over past political battles or are wedded to the special interests they have relied on for reelection.
- ✓ Term limits mandate rotation in office which expands the circle of citizens with intimate knowledge of how the school board works.
- ✓ Term limits encourage transparency and discourage corruption.
- ✓ Term limits create a level playing field between the school board and Florida's other political offices, most of which have an eight-year term limit.

TELL THEM 8 IS ENOUGH!

termlimits.org

FL-SEN-20-0201-A-001415

AMERICANS FOR OVERSIGHT

Term Limits and State Budgets

Randall G. Holcombe
Robert J. Gmeiner
Florida State University

This study examines the effects of state legislative term limits on state government revenues and expenditures. It uses a panel dataset of the 50 states from 1988 to 2011 to estimate the effect of term limits on state government budgets, yielding 1200 observations. The study compares state budget growth in states that adopted term limits with budget growth in states that did not. The main findings of the study are:

o From 1992 to 2000, fifteen states enacted voter-approved term limits for their state legislators.

o In most of those states, the term limits became effective from the late 1990s into the early 2000s, so the dataset has roughly the same number of observations prior to term limits becoming effective as after in those states that adopted term limits.

o An empirical examination of the effects of legislative term limits on state budgets shows that state government budgets grew significantly more slowly after the term limits took effect.

o Prior to term limits taking effect, state government expenditures and revenues grew at about the same rate in states that enacted term limits as in those that did not.

o Different regression models looking at both expenditures and revenues estimate that after term limits took effect, state government expenditure and revenue growth was between 16% and 46% lower in term limit states than in states that did not enact legislative term limits.

o The empirical results are both statistically and economically significant. The slower growth of state budgets in term limit states means that in an eleven year period after term limits took effect, states with term limits would have budgets from 5% to 10% lower than in comparable non-term limited states.

AMERICAN OVERSIGHT

SJR 1216 – Limitation on Terms of Office for Members of a District School Board

1) Explain the bill
2) Explain the amendment barcode # 327674

Thank you Mr. Chairman.

- Senate Joint Resolution 1216 would allow Floridians to decide if term limits should be enacted for School Board members.
- School Board members have responsibilities similar to those of the State Legislature. They control, operate, and supervise monetary and policy decisions for students.
- The joint resolution would be placed on the ballot at the general election in November 2020. This new section would be created in Article IX of the Florida Constitution.
- This resolution would prohibit a person from appearing on the ballot for more than 12 **consecutive** years.

That is the bill Mr. Chairman and I do have an amendment.

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AMENDMENT BARCODE # 327674

- This amendment changes the number of consecutive years appearing on the ballot from 12 to 8. 8 years aligns with Florida's current term limits placed on the State Legislature, Cabinet members and this would provide consistency among elected office.

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Q: Why are you changing the amendment from 12 to 8 years?

A: 8 years aligns with Florida's current term limits placed on the State Legislature, Cabinet members and this would provide consistency among elected office.

History of Term Limits in Florida:
A: Term Limits were voted on by the people in 1992 with 77 percent of the vote.

Q: How many school boards members are there now?

A: There are currently 358 school board members across the 67 districts in Florida.

Q: How many charter counties are there in Florida?

A: 20 Charter Counties.

Q: Why are we doing this statewide instead of letting Charter Counties to make this decision themselves?
A: To provide consistency in years among all elected office holders.

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Q: What is the earliest anyone would be affected if passed?

A: 2028.

2019 Ethics and Elections Committee
Senator Baxley Introduction:

This is a joint resolution proposes creating new section to limit terms of office for members of a district school board.

8 year term limits are the most common in Florida and they work. Lists positions currently affected.

“Eight is enough” was private initiative people feel more control of their own government. Florida’s rationale is that you can run as many times and serve as many times as you want just not consecutively. In response to what citizens what to be citizen government.

Questions:

Q: You indicated that this is in response to what citizens want. Is there a certain group that is looking at this specifically in regards of school board members only in Florida?

A: This is an incremental change and you will see more things looked at over time. I don’t know an organization per say in Florida but there is one called U.S. term limits nationally. The biggest focus for them is Congress but anywhere they can stagger this to a sense of ownership of government. Incumbency is a powerful tool.

Q: You said there’s data to back this up. Who other than U.S. term limits have done these statistics? How do we know if these statistics (not push)/ polls were balanced when they were recorded?

A: Not sure I can reassure you completely but across the country it is growing. More and more local governments are looking to make elected officials more responsive to the electorate and it’s largely worked to be well founded.

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Q: Is this something that could be translated to the local governments/ school districts to put in place?

A: There are different ways to approach this idea that is one of them. Counties that have their own charter can already exercise this as an option that is happening. I think it is something we should address to as a state-wide policy, instead of locally.

2019 Education Committee
Sen. Baxley Introduction:

Pretty simple concept SJR creating a new section to limit the terms of school board to 8 years. 8 year term limits is the most common and they work. 8 year currently among list office. Time-tested reform nationwide and I think it is time to move forward. The year 2028 would be earliest anyone affected currently in office if this resolution passes. A vote to see what the people want to do this in 2020 and if term limits are wanted and then implemented statewide.

Q: SJR 274 provides that a person may not appear on the ballot for reelection to the office of school board member if by the end of his or her current term he or she served, or but for resignation will have served, in that office for 8 consecutive years.
A: We are giving the chance for the people of Florida to have a voice and a vote every 4 years but for a maximum of 8 consecutively. There is a power of incumbency that should be released and allow the people to vote for their citizen government.

2020 Pre-K-12 Innovation Committee
Rep. Sabatini Introduction:

This is a constitutional amendment, this is a bill to give Floridians if they wish to vote for term limits. There is no bi-partisan bill this year in the history of the legislature. Over 82% of Floridians have been polled and are in support of term limits. You can look around this room and see it now, the diversity. Fresh group of people, who come with new issues and everyone "Rotation of Leadership" as you succeed and achieve, you are moved to

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different places. If you are a public servant and they want to move you to another position. You rank up in leadership.

Questions:

Q: Why are we limiting people if we're allowed to choose?

A: We're not limiting them. We're limiting consecutive terms. Consecutive terms are so important because it creates competition with new ideas and perspectives. This will force people to pay attention to our election process. Competitive elections serve democracy well.

Q: Why JUST the constitutional officer of school boards? Why not all of the constitution officers?

A: Arguably after the President, Governor, Cabinet, all of these high-power positions being term limited, in my opinion the next problem that's not being term limited is the school board. School Boards control 20 billion dollars mandated for education in our state more than any other officer. A quarter of our budget is administered by School Board members. Personally believe that everyone should be term limited, but we should narrowly tailor a bill that focuses on one or two elected offices first.

AMERICAN OVERSIGHT

From: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Sent: Monday, January 13, 2020 5:05 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: FW: talking points & analysis
Attachment(s): "Talking Points HB 1265.docx","HB 1265 1-10-20.docx"

Hey Vickie,

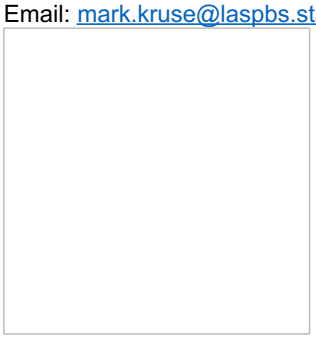
See attached.

Tyler C. Russell
Deputy Legislative Affairs Director
Office of the Governor
850.445.0709

From: Kruse, Mark <Mark.Kruse@LASPBS.STATE.FL.US>
Sent: Friday, January 10, 2020 3:22 PM
To: Russell, Tyler <Tyler.Russell@eog.myflorida.com>
Cc: Burdette,Brenda <Brenda.Burdette@eog.myflorida.com>
Subject: talking points & analysis

I'm bringing down hard copies as well

Mark Kruse, Policy Coordinator
Transportation and Economic Development Unit
Office of Policy and Budget
Governor Ron DeSantis
Suite 1802 The Capitol
Main: 850-717-9513
Direct: 850-717-9494
Email: mark.kruse@laspbs.state.fl.us



Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

HB 1265: Verification of Employment Eligibility

SPONSOR(S): Rep. Byrd
DATE:
IDENTICAL/SIMILAR BILLS & SPONSOR:

SUMMARY
HB 1265 requires all Florida public employers, contractors, and subcontractors are to use the E-Verify system to confirm eligibility for employment. It also requires private employers to verify the employment eligibility of newly hired employees, giving them the option of using E-Verify or submission of verification documents compliant under the Real ID Act and other current law.

Effective date of July 1, 2020.

Current Situation:

E-Verify and its Current Use in Florida and Other States
The E-Verify Employment Eligibility Verification Program is an Internet-based system that allows employers to verify the employment authorization status of newly hired and, in the case of federal contractors, existing employees. Jointly administered by the U.S. Citizenship and Immigration Services (USCIS) and the Social Security Administration (SSA), E-Verify compares the data provided on an employee's Form I-9, Employment Eligibility Verification Form, to government records in order to help employers determine if a new hire is eligible to work in the United States. Although the use of E-Verify is not currently mandatory nationwide, numerous states and municipalities have passed legislation requiring its use for some or all employers. Currently, the following 22 states require E-Verify use at some level:

Alabama, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia

On January 4, 2011 Governor Rick Scott signed Executive Order 11-02 requiring agencies under his direction to use E-Verify; it was superseded on May 27, 2011 by Executive Order 11-116 that brought the policy in line with standard E-Verify practices requiring verification of new employees rather than both new and existing employees. Specifically, all agencies under the direction of the Governor are directed to verify the employment eligibility of all new employees through E-Verify; agencies not under the direction of the Governor are "encouraged" to follow the same guidelines. The executive order also mandates that as a condition of all contracts for the provision of goods and services in excess of nominal value, all agencies under the direction of the Governor must require contractors and their subcontractors to use E-Verify for all new employees hired during the contract term. Agencies not under the direction of the Governor are encouraged to follow these guidelines as well.

Proposed Changes:

Florida Public Employers, Contractors, and Subcontractors
HB 1265 requires that as of January 1, 2021 all Florida public employers, contractors, and subcontractors register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.

Further, if a contractor enters into a contract with a subcontractor, the subcontractor must provide the contractor with an affidavit stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien. A public employer, contractor, or subcontractor who has a good faith belief that a person or entity with which it is contracting has knowingly violated the verification requirements shall terminate the contract with the person or entity. A public employer that has a good faith belief that a subcontractor knowingly violated verification, but the contractor otherwise complied with the requirement, shall promptly notify the contractor and order the contractor to immediately terminate the contract with the

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subcontractor. Any contract terminated under the specified conditions is not a breach of contract and may not be considered as such.

If a public employer terminates a contract with a contractor under the specified conditions, the contractor may not be awarded a public contract for at least 1 year after the date on which the contract was terminated. A public employer, contractor, or subcontractor may file an action with a circuit or county court to challenge a contract termination under the specified conditions no later than 20 calendar days after the date on which the contract was terminated.

Florida Private Employers
The bill also requires that as of January 1, 2021 all Florida private employers making an offer of employment which has been accepted by a person to verify such person's employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021; however, if a person is a contract employee retained by a private employer, the private employer must verify the employee's employment eligibility upon the renewal or extension of his or her contract.

A private employer is required to verify a person's employment eligibility by one of two methods:

1. Using the E-Verify system; or
2. Requiring the person to provide a picture identification card that complies with the Real ID Act of 2005, Pub. L. No. 109-13, and a certified copy of one of the following documents:
   a. A United States birth certificate;
   b. A certificate of naturalization;
   c. A certificate of citizenship;
   d. An alien registration receipt card; or
   e. A United States immigration form I-94 stamped to indicate "employment authorized."

Compliance with this requirement creates a rebuttable presumption that the private employer did not knowingly employ an unauthorized alien.

Further, no private employers may bid on or otherwise contract with a public employer for the performance of labor or services in Florida unless the private employer provides the public employer with an affidavit stating that:

1. The private employer is registered with and uses the E-Verify system to verify that all newly hired employees are legal citizens of the United States or legal aliens.
2. The private employer will continue to use the E-Verify system to verify the employment eligibility of all newly hired employees for the duration of the contract.
3. The private employer requires all subcontractors to provide an affidavit stating compliance with the verification requirements.

A private employer that violates these provisions may be subject to termination of its public contract, if applicable, and may not be awarded a public contract for at least 1 year after the date on which the contract was terminated. The termination of the contract is not a breach of contract and may not be considered as such. A private employer is liable for any additional costs incurred by the public employer as a result of the termination of the contract. A private employer that complies with the verification requirements may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained indicates that the person's work authorization status was not that of an unauthorized alien.

Finally, the bill states that the provisions are be enforced without regard to race, color, or national origin and shall be construed in a manner so as to be fully consistent with any applicable federal laws or regulations.

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FISCAL IMPACT

Overall indeterminate; no additional costs to Florida state agencies, contractors, and subcontractors under the purview of the Governor since they are already required to use E-Verify by the existing executive order. Depending on whether or not they currently use E-Verify, other state and local public employers, contractors, and subcontractors may incur additional costs associated with compliance. For private employers, given that the bill provides an option of using E-Verify or accepting other validated documentation costs for compliance could potentially be minimal.

PROPONENTS/OPPONENTS

COMMITTEE ACTION

01/10/20	HOUSE	Filed

AMERICAN OVERSIGHT

Talking Points: HB 1265 Verification of Employment Eligibility

Florida Public Employers

- Effective January 1, 2021, HB 1265 would require all Florida public employers, contractors, and subcontractors to use the E-Verify system to confirm the employment eligibility of newly hired employees.

- Subcontractors operating under public employer contracts must submit affidavits stating that they do not employ, contract with, or subcontract with unauthorized aliens.

- Knowing violations of the verification and employment provisions require immediate contract termination, and any such contractors may not be awarded a public contract for at least 1 year after the date on which the contract was terminated.

Florida Private Employers

- Effective January 1, 2021, all private employers would be required to confirm the employment eligibility of newly hired employees, giving them the option of using E-Verify or submission of verification documents compliant under the Real ID Act and other current law; this includes picture identification and either a certified birth certificate, certificate of naturalization, certificate of citizenship, an alien registration receipt card, or a United States immigration form I-94 stamped to indicate "employment authorized." Compliance with this requirement creates a rebuttable presumption that the private employer did not knowingly employ an unauthorized alien.

- No private employers may bid on or otherwise contract with a public employer for the performance of labor or services in Florida unless the private employer provides the public employer with an affidavit stating that the private employer is registered with and uses the E-Verify system; the private employer will continue to use the E-Verify system for the duration of the contract; and the private employer requires all subcontractors to provide an affidavit stating compliance with the verification requirements.

- A private employer that violates these provisions may be subject to termination of its public contract, if applicable, and may not be awarded a public contract for at least 1 year after the date on which the contract was terminated.

- A private employer that complies with the verification requirements may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained indicates that the person's work authorization status was not that of an unauthorized alien.

AMERICAN OVERSIGHT

From: Kerr, GeeDee on behalf of Joe Gruters (Web)
Sent: Friday, January 17, 2020 3:05 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: FW: Tuesday January 21, 2020 Appointment Requst

From: Todd J. Pokrywa <Todd.Pokrywa@Viera.com>
Sent: Friday, January 17, 2020 2:49 PM
To: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>
Subject: Tuesday January 21, 2020 Appointment Requst
Importance: High

Senator Gruters,

I am traveling to Tallahassee next Tuesday (1/21/2020) with the Brevard County Chambers. Do you have availability for a quick appointment with our group while I am there?

Todd J. Pokrywa
#exploreVIERA

Todd J. Pokrywa
President
todd.pokrywa@viera.com
t: 321.242.1200 x4573
f: 321.253.1800
www.Viera.com
7380 Murrell Road, Suite 201
Viera, FL 32940

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AMERICAN OVERSIGHT

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Friday, January 17, 2020 3:07 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: FW: Tuesday January 21, 2020 Appointment Requst

From: Todd J. Pokrywa <Todd.Pokrywa@Viera.com>
Sent: Friday, January 17, 2020 2:49 PM
To: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>
Subject: Tuesday January 21, 2020 Appointment Requst
Importance: High

Senator Gruters,

I am traveling to Tallahassee next Tuesday (1/21/2020) with the Brevard County Chambers. Do you have availability for a quick appointment with our group while I am there?

Todd J. Pokrywa
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Todd J. Pokrywa
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AMERICAN OVERSIGHT

From: Mark Wilson <mwilson@flchamber.com>
Sent: Thursday, November 21, 2019 3:38 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: FW: We're Not Willing to Tax Florida's Future Away

Dear Sen. Gruters:
Ronald Reagan used to say, if you want less of something, tax it.

With all due respect to recent news reports, the Florida Chamber of Commerce is not willing to tax Florida's future away.

That's why we're uniting Florida's business community for good, and working to grow Florida's economy from the 17th to the 10th largest in the world. A competitive and equitable tax system that encourages job growth and strengthens our economy will be essential in achieving this goal.

If you have questions about recent attempts by some in the media to obfuscate the legislature's efforts and progress on making Florida's tax code as competitive as possible, please feel free to reach out to me or Frank Walker at fwalker@flchamber.com.

My best,

Mark

PS: Thought you might be interested in the below message.

Florida Chamber of Commerce | www.FloridaChamber.com | Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: Chip Case <chip@jeffersonmonroe.com>
Sent: Friday, February 07, 2020 10:11 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: 0987C1692451.pdf
Attachment(s): "0987C1692451.pdf","ATT00001.htm"

1 of 4 amendments the boss was going to get into bill drafting for me. 3 more coming.

Chip Case
Jefferson Monroe, LLC
Capitol Advocates, LLC
(850) 544-2222

Sent from my iPhone

Begin forwarded message:

> **From:** Chip Case <chip@capadvocates.com>
> **Date:** February 7, 2020 at 10:03:02 AM EST
> **To:** Chip Case <chip@jeffersonmonroe.com>
> **Subject: 0987C1692451.pdf**
>
> Sexual offender amendment

AMERICAN OVERSIGHT

COMMITTEE/SUBCOMMITTEE ACTION

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

Committee/Subcommittee hearing bill: Commerce Committee
Representative Goff-Marcil offered the following:

Amendment (with title amendment)

Between lines 60 and 61, insert:

Section 2. Section 509.113, Florida Statutes, is created to read:

509.113 Certain registration for vacation rentals.—A sexual offender as defined in s. 944.606(1)(f) must register at the sheriff's office in the county in which the sexual offender is temporarily residing pursuant to s. 775.21 at least 48 hours before arrival at the vacation rental, regardless of the length of stay. A vacation rental owner or operator who rents a vacation rental to a sexual offender must notify all property owners within 1,000 feet of the vacation rental property at least 24 hours before the sexual offender's arrival. The

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001432

division may fine, suspend, or revoke the license of any owner or operator of a vacation rental if such owner or operator is not in compliance with the requirements of this section. Any advertisement for a vacation rental posted online must prominently display the physical address of the vacation rental and a link to a website created by the Department of Law Enforcement pursuant to s. 943.043 to notify the public of any information regarding sexual offenders. Such advertisement must prominently display a link to s. 943.0435 and include the following statement: "Every sexual offender intending to temporarily reside at a vacation rental in Florida is required by Florida law to register in accordance with section 509.113, Florida Statutes."

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

Remove line 6 and insert:
exception; creating s. 509.113, F.S.; requiring sexual offenders to register with the sheriff's office of the county in which they will be temporarily residing in a vacation rental within a certain timeframe; providing requirements for such registration; requiring an owner or operator of a vacation rental to notify specified property owners within a certain timeframe; providing penalties;

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001433

requiring advertisements for a vacation rental to include specified information; amending s. 509.241, F.S.; revising

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001434

Chip Case
Jefferson Monroe, LLC
Capitol Advocates, LLC
(850) 544-2222

Sent from my iPhone

AMERICAN OVERSIGHT

From: Amy Bisceglia <amy@rubinturnbull.com>
Sent: Friday, December 06, 2019 8:53 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Aviation Fuel Tax Language
Attachment(s): "Aviation Fuel Tax Bill_SenateVersion2[1].doc","ATT00001.htm","Aviation Fuel Tax Bill_SenateVersion.doc","ATT00002.htm"

Hey Josh!

Just wanted to check in with you on this bill. The Senator agreed to be our sponsor, but we haven't seen it go live yet. Let me know if you need any more info!

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001439

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted:

~~206.9815 Definitions.—As used in this part:~~

~~(1) "Aviation fuel" means fuel for use in aircraft, and includes aviation gasoline and aviation turbine fuels and kerosene, as determined by the American Society for Testing Materials specifications D-910 or D-1655 or current specifications.~~

~~(2) "Kerosene" means all aviation turbine fuels and any distillate known as diesel #1, K-1, or any product suitable for use as a substitute for kerosene not taxed as a diesel fuel under part II. Any kerosene meeting the definition of diesel under s. 206.86(1) shall be taxed under part II.~~

~~(3) "Aviation gasoline" means any motor fuel blended or produced specifically for use in aircraft which has been~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001440

By Senator _____

~~dyed in accordance with federal regulations. Aviation gasoline does not include any such fuel used in any manner other than being placed in the storage tank of an aircraft.~~

~~206.9825 Aviation fuel tax.—~~

~~(1)(a) Except as otherwise provided in this part, an excise tax of 4.27 cents per gallon of aviation fuel is imposed upon every gallon of aviation fuel sold in this state, or brought into this state for use, upon which such tax has not been paid or the payment thereof has not been lawfully assumed by some person handling the same in this state. Fuel taxed pursuant to this part is not subject to the taxes imposed by ss. 206.41(1)(d), (e), and (f) and 206.87(1)(b), (c), and (d).~~

~~(b)1. Sales of aviation fuel to, and exclusively used for flight training through a school of aeronautics or college of aviation by, a college based in this state which is a tax-exempt organization under s. 501(c)(3) of the Internal Revenue Code or a university based in this state are exempt from the tax imposed by this part if the college or university:~~

~~a. Is accredited by or has applied for accreditation by the Aviation Accreditation Board International; and~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001441

By Senator _____

~~b. Offers a graduate program in aeronautical or aerospace engineering or offers flight training through a school of aeronautics or college of aviation.~~

~~2. A licensed wholesaler or terminal supplier that sells aviation fuel to a college or university qualified under this paragraph and that does not collect the aviation fuel tax from the college or university on such sale may receive an ultimate vendor credit for the 4.27-cent excise tax previously paid on the aviation fuel delivered to such college or university.~~

~~3. A college or university qualified under this paragraph which purchases aviation fuel from a retail supplier, including a fixed-base operator, and pays the 4.27-cent excise tax on the purchase may apply for and receive a refund of the aviation fuel tax paid.~~

~~(2)(a) An excise tax of 4.27 cents per gallon is imposed on each gallon of kerosene in the same manner as prescribed for diesel fuel under ss. 206.87(2) and 206.872.~~

~~(b) The exemptions provided by s. 206.874 shall apply to kerosene if the dyeing and marking requirements of s. 206.8741 are met.~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001442

By Senator _____

~~(c) Kerosene prepackaged in containers of 5 gallons or less and labeled "Not for Use in a Motor Vehicle" is exempt from the taxes imposed by this part when sold for home heating and cooking. Packagers may qualify for a refund of taxes previously paid, as prescribed by the department.~~

~~(d) Sales of kerosene in quantities of 5 gallons or less by a person not licensed under this chapter who has no facilities for placing kerosene in the fuel supply system of a motor vehicle may qualify for a refund of taxes paid. Refunds of taxes paid shall be limited to sales for use in home heating or cooking and shall be documented as prescribed by the department.~~

~~(3) An excise tax of 4.27 cents per gallon is imposed on each gallon of aviation gasoline in the manner prescribed by paragraph (2)(a). However, the exemptions allowed by paragraph (2)(b) do not apply to aviation gasoline.~~

~~(4) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a residence for home heating or cooking may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid.~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001443

By Senator _____

~~(5) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a retail dealer not licensed as a wholesaler or terminal supplier for sale as a home heating or cooking fuel may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid, provided the retail dealer has no facility for fueling highway vehicles from the tank in which the kerosene is stored.~~

~~(6) Any person who fails to meet the requirements of this section is subject to a backup tax as provided by s. 206.873.~~

~~206.9826 Refund for certain air carriers.—An air carrier conducting scheduled operations or all-cargo operations that are authorized under 14 C.F.R. part 121, 14 C.F.R. part 129, or 14 C.F.R. part 135, is entitled to receive a refund of 1.42 cents per gallon of the taxes imposed by this part on aviation fuel purchased by such air carrier. The refund provided under this section plus the refund provided under s. 206.9855 may not exceed 4.27 cents per gallon of aviation fuel purchased by an air carrier.~~

~~206.9835 Administration of tax.—To the extent that they are not manifestly incompatible with the provisions of this part, the provisions of part I shall govern the~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001444

~~administration and enforcement of the tax imposed by this part.~~

~~206.9837 Disclosure of price.—Every retail dealer engaged in the sale of aviation fuel to the public shall post in a place clearly visible to the public in the fixed base operator terminal, or on the outside housing of each pump or other dispensing device, the price of the aviation fuel, including a statement disclosing whether the stated price includes tax on the fuel. All display material shall be subject to the approval of the local governing or controlling agency with jurisdiction over the airport.~~

~~206.9845 Distribution of proceeds.—Moneys collected pursuant to this part shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.9855, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund.~~

~~206.9855 Refund to carriers.—Any carrier that is in the business of transporting persons or property for~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001445

By Senator _____

~~compensation or hire by air shall be entitled to receive a refund of the taxes imposed by this part on aviation fuel purchased by such carrier. The refund shall not exceed 0.6 percent of the wages paid by the carrier to employees located or based within this state and who are covered by the provisions of chapter 443.~~

~~206.9865 Commercial air carriers; registration; reporting.—~~

~~(1) A commercial air carrier which operates in Florida must apply for and receive from the department an aviation fuel tax license.~~

~~(2) To procure an aviation fuel tax license, the carrier must file an application in such form and furnish such information as the department may require.~~

~~(3) The application must be renewed annually.~~

~~(4) Upon issuance of the aviation fuel tax license, each carrier shall file with the department a report showing inventories; all purchases of tax-paid aviation fuel; all fuels drawn from bonded supplies; imports; and disbursements, sales, and usage. The report shall be filed pursuant to part I of this chapter.~~

~~(5) The license shall be for the purpose of remitting taxes on any aviation fuel which is drawn from bond or~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001446

By Senator _____

~~imported into Florida and which is used for domestic purposes.~~

~~(6) The provisions of this chapter relating to timely filing of reports, payment of any tax that may be due, suits for collection, warrants for collection, department warrants, penalties, interest, retention of records, inspection of records, liens on property, foreclosure, and enforcement apply to this part.~~

~~206.9875 United States government exempt.—Aviation fuel purchased by the United States or any department or agency of the United States is exempt from the tax imposed by this part when used in governmental aircraft. Any dealer of aviation fuel is entitled to a refund of any tax he or she has paid upon any aviation fuel purchased under such exemption.~~

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001447

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Wednesday, November 13, 2019 2:27 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: Aviation Fuel Tax Language
Attachment(s): "Aviation Fuel Tax Bill_SenateVersion2[1].doc","ATT00001.htm","Aviation Fuel Tax Bill_SenateVersion.doc","ATT00002.htm"

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

Begin forwarded message:

> **From:** Amy Bisceglia <amy@rubinturnbull.com>
> **Date:** November 13, 2019 at 12:58:29 PM EST
> **To:** "Barnhill, Josh" <Barnhill.Josh@flsenate.gov>
> **Subject: Fwd: Aviation Fuel Tax Language**
>
> Here are both versions. Thank you!!

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001451

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted:

~~206.9815 Definitions.—As used in this part:~~

~~(1) "Aviation fuel" means fuel for use in aircraft, and includes aviation gasoline and aviation turbine fuels and kerosene, as determined by the American Society for Testing Materials specifications D-910 or D-1655 or current specifications.~~

~~(2) "Kerosene" means all aviation turbine fuels and any distillate known as diesel #1, K-1, or any product suitable for use as a substitute for kerosene not taxed as a diesel fuel under part II. Any kerosene meeting the definition of diesel under s. 206.86(1) shall be taxed under part II.~~

~~(3) "Aviation gasoline" means any motor fuel blended or produced specifically for use in aircraft which has been~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001452

By Senator _____

~~dyed in accordance with federal regulations. Aviation gasoline does not include any such fuel used in any manner other than being placed in the storage tank of an aircraft.~~

~~206.9825 Aviation fuel tax.—~~

~~(1)(a) Except as otherwise provided in this part, an excise tax of 4.27 cents per gallon of aviation fuel is imposed upon every gallon of aviation fuel sold in this state, or brought into this state for use, upon which such tax has not been paid or the payment thereof has not been lawfully assumed by some person handling the same in this state. Fuel taxed pursuant to this part is not subject to the taxes imposed by ss. 206.41(1)(d), (e), and (f) and 206.87(1)(b), (c), and (d).~~

~~(b)1. Sales of aviation fuel to, and exclusively used for flight training through a school of aeronautics or college of aviation by, a college based in this state which is a tax-exempt organization under s. 501(c)(3) of the Internal Revenue Code or a university based in this state are exempt from the tax imposed by this part if the college or university:~~

~~a. Is accredited by or has applied for accreditation by the Aviation Accreditation Board International; and~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001453

By Senator _____

~~b. Offers a graduate program in aeronautical or aerospace engineering or offers flight training through a school of aeronautics or college of aviation.~~

~~2. A licensed wholesaler or terminal supplier that sells aviation fuel to a college or university qualified under this paragraph and that does not collect the aviation fuel tax from the college or university on such sale may receive an ultimate vendor credit for the 4.27-cent excise tax previously paid on the aviation fuel delivered to such college or university.~~

~~3. A college or university qualified under this paragraph which purchases aviation fuel from a retail supplier, including a fixed-base operator, and pays the 4.27-cent excise tax on the purchase may apply for and receive a refund of the aviation fuel tax paid.~~

~~(2)(a) An excise tax of 4.27 cents per gallon is imposed on each gallon of kerosene in the same manner as prescribed for diesel fuel under ss. 206.87(2) and 206.872.~~

~~(b) The exemptions provided by s. 206.874 shall apply to kerosene if the dyeing and marking requirements of s. 206.8741 are met.~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001454

By Senator _____

~~(c) Kerosene prepackaged in containers of 5 gallons or less and labeled "Not for Use in a Motor Vehicle" is exempt from the taxes imposed by this part when sold for home heating and cooking. Packagers may qualify for a refund of taxes previously paid, as prescribed by the department.~~

~~(d) Sales of kerosene in quantities of 5 gallons or less by a person not licensed under this chapter who has no facilities for placing kerosene in the fuel supply system of a motor vehicle may qualify for a refund of taxes paid. Refunds of taxes paid shall be limited to sales for use in home heating or cooking and shall be documented as prescribed by the department.~~

~~(3) An excise tax of 4.27 cents per gallon is imposed on each gallon of aviation gasoline in the manner prescribed by paragraph (2)(a). However, the exemptions allowed by paragraph (2)(b) do not apply to aviation gasoline.~~

~~(4) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a residence for home heating or cooking may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid.~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001455

By Senator _____

~~(5) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a retail dealer not licensed as a wholesaler or terminal supplier for sale as a home heating or cooking fuel may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid, provided the retail dealer has no facility for fueling highway vehicles from the tank in which the kerosene is stored.~~

~~(6) Any person who fails to meet the requirements of this section is subject to a backup tax as provided by s. 206.873.~~

~~206.9826 Refund for certain air carriers.—An air carrier conducting scheduled operations or all-cargo operations that are authorized under 14 C.F.R. part 121, 14 C.F.R. part 129, or 14 C.F.R. part 135, is entitled to receive a refund of 1.42 cents per gallon of the taxes imposed by this part on aviation fuel purchased by such air carrier. The refund provided under this section plus the refund provided under s. 206.9855 may not exceed 4.27 cents per gallon of aviation fuel purchased by an air carrier.~~

~~206.9835 Administration of tax.—To the extent that they are not manifestly incompatible with the provisions of this part, the provisions of part I shall govern the~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001456

~~administration and enforcement of the tax imposed by this part.~~

~~206.9837 Disclosure of price.—Every retail dealer engaged in the sale of aviation fuel to the public shall post in a place clearly visible to the public in the fixed base operator terminal, or on the outside housing of each pump or other dispensing device, the price of the aviation fuel, including a statement disclosing whether the stated price includes tax on the fuel. All display material shall be subject to the approval of the local governing or controlling agency with jurisdiction over the airport.~~

~~206.9845 Distribution of proceeds.—Moneys collected pursuant to this part shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.9855, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund.~~

~~206.9855 Refund to carriers.—Any carrier that is in the business of transporting persons or property for~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001457

By Senator _____

~~compensation or hire by air shall be entitled to receive a refund of the taxes imposed by this part on aviation fuel purchased by such carrier. The refund shall not exceed 0.6 percent of the wages paid by the carrier to employees located or based within this state and who are covered by the provisions of chapter 443.~~

~~206.9865 Commercial air carriers; registration; reporting.—~~

~~(1) A commercial air carrier which operates in Florida must apply for and receive from the department an aviation fuel tax license.~~

~~(2) To procure an aviation fuel tax license, the carrier must file an application in such form and furnish such information as the department may require.~~

~~(3) The application must be renewed annually.~~

~~(4) Upon issuance of the aviation fuel tax license, each carrier shall file with the department a report showing inventories; all purchases of tax-paid aviation fuel; all fuels drawn from bonded supplies; imports; and disbursements, sales, and usage. The report shall be filed pursuant to part I of this chapter.~~

~~(5) The license shall be for the purpose of remitting taxes on any aviation fuel which is drawn from bond or~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001458

By Senator _____

~~imported into Florida and which is used for domestic purposes.~~

~~(6) The provisions of this chapter relating to timely filing of reports, payment of any tax that may be due, suits for collection, warrants for collection, department warrants, penalties, interest, retention of records, inspection of records, liens on property, foreclosure, and enforcement apply to this part.~~

~~206.9875 United States government exempt.—Aviation fuel purchased by the United States or any department or agency of the United States is exempt from the tax imposed by this part when used in governmental aircraft. Any dealer of aviation fuel is entitled to a refund of any tax he or she has paid upon any aviation fuel purchased under such exemption.~~

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001459

From: Amy Bisceglia <amy@rubinturnbull.com>
Sent: Wednesday, November 13, 2019 12:58 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Aviation Fuel Tax Language
Attachment(s): "Aviation Fuel Tax Bill_SenateVersion2[1].doc","ATT00001.htm","Aviation Fuel Tax Bill_SenateVersion.doc","ATT00002.htm"

Here are both versions. Thank you!!

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001463

By Senator _____

A bill to be entitled

An act relating to the deletion of aviation fuel tax; deleting Part III of ch. 206, F.S.; providing an effective date.

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

Section 1. Part III of ch. 206, Florida Statutes, is deleted:

~~206.9815 Definitions.—As used in this part:~~

~~(1) "Aviation fuel" means fuel for use in aircraft, and includes aviation gasoline and aviation turbine fuels and kerosene, as determined by the American Society for Testing Materials specifications D-910 or D-1655 or current specifications.~~

~~(2) "Kerosene" means all aviation turbine fuels and any distillate known as diesel #1, K-1, or any product suitable for use as a substitute for kerosene not taxed as a diesel fuel under part II. Any kerosene meeting the definition of diesel under s. 206.86(1) shall be taxed under part II.~~

~~(3) "Aviation gasoline" means any motor fuel blended or produced specifically for use in aircraft which has been~~

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001464

By Senator _____

~~dyed in accordance with federal regulations. Aviation gasoline does not include any such fuel used in any manner other than being placed in the storage tank of an aircraft.~~

~~206.9825 Aviation fuel tax.—~~

~~(1)(a) Except as otherwise provided in this part, an excise tax of 4.27 cents per gallon of aviation fuel is imposed upon every gallon of aviation fuel sold in this state, or brought into this state for use, upon which such tax has not been paid or the payment thereof has not been lawfully assumed by some person handling the same in this state. Fuel taxed pursuant to this part is not subject to the taxes imposed by ss. 206.41(1)(d), (e), and (f) and 206.87(1)(b), (c), and (d).~~

~~(b)1. Sales of aviation fuel to, and exclusively used for flight training through a school of aeronautics or college of aviation by, a college based in this state which is a tax-exempt organization under s. 501(c)(3) of the Internal Revenue Code or a university based in this state are exempt from the tax imposed by this part if the college or university:~~

~~a. Is accredited by or has applied for accreditation by the Aviation Accreditation Board International; and~~

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001465

By Senator _____

~~b. Offers a graduate program in aeronautical or aerospace engineering or offers flight training through a school of aeronautics or college of aviation.~~

~~2. A licensed wholesaler or terminal supplier that sells aviation fuel to a college or university qualified under this paragraph and that does not collect the aviation fuel tax from the college or university on such sale may receive an ultimate vendor credit for the 4.27-cent excise tax previously paid on the aviation fuel delivered to such college or university.~~

~~3. A college or university qualified under this paragraph which purchases aviation fuel from a retail supplier, including a fixed-base operator, and pays the 4.27-cent excise tax on the purchase may apply for and receive a refund of the aviation fuel tax paid.~~

~~(2)(a) An excise tax of 4.27 cents per gallon is imposed on each gallon of kerosene in the same manner as prescribed for diesel fuel under ss. 206.87(2) and 206.872.~~

~~(b) The exemptions provided by s. 206.874 shall apply to kerosene if the dyeing and marking requirements of s. 206.8741 are met.~~

AMERICAN OVERSIGHT

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By Senator _____

~~(c) Kerosene prepackaged in containers of 5 gallons or less and labeled "Not for Use in a Motor Vehicle" is exempt from the taxes imposed by this part when sold for home heating and cooking. Packagers may qualify for a refund of taxes previously paid, as prescribed by the department.~~

~~(d) Sales of kerosene in quantities of 5 gallons or less by a person not licensed under this chapter who has no facilities for placing kerosene in the fuel supply system of a motor vehicle may qualify for a refund of taxes paid. Refunds of taxes paid shall be limited to sales for use in home heating or cooking and shall be documented as prescribed by the department.~~

~~(3) An excise tax of 4.27 cents per gallon is imposed on each gallon of aviation gasoline in the manner prescribed by paragraph (2)(a). However, the exemptions allowed by paragraph (2)(b) do not apply to aviation gasoline.~~

~~(4) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a residence for home heating or cooking may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid.~~

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By Senator _____

~~(5) Any licensed wholesaler or terminal supplier that delivers undyed kerosene to a retail dealer not licensed as a wholesaler or terminal supplier for sale as a home heating or cooking fuel may receive a credit or refund as the ultimate vendor of the kerosene for the 4.27-cent excise tax previously paid, provided the retail dealer has no facility for fueling highway vehicles from the tank in which the kerosene is stored.~~

~~(6) Any person who fails to meet the requirements of this section is subject to a backup tax as provided by s. 206.873.~~

~~206.9826 Refund for certain air carriers.—An air carrier conducting scheduled operations or all-cargo operations that are authorized under 14 C.F.R. part 121, 14 C.F.R. part 129, or 14 C.F.R. part 135, is entitled to receive a refund of 1.42 cents per gallon of the taxes imposed by this part on aviation fuel purchased by such air carrier. The refund provided under this section plus the refund provided under s. 206.9855 may not exceed 4.27 cents per gallon of aviation fuel purchased by an air carrier.~~

~~206.9835 Administration of tax.—To the extent that they are not manifestly incompatible with the provisions of this part, the provisions of part I shall govern the~~

AMERICAN OVERSIGHT

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~~administration and enforcement of the tax imposed by this part.~~

~~206.9837 Disclosure of price.—Every retail dealer engaged in the sale of aviation fuel to the public shall post in a place clearly visible to the public in the fixed base operator terminal, or on the outside housing of each pump or other dispensing device, the price of the aviation fuel, including a statement disclosing whether the stated price includes tax on the fuel. All display material shall be subject to the approval of the local governing or controlling agency with jurisdiction over the airport.~~

~~206.9845 Distribution of proceeds.—Moneys collected pursuant to this part shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.9855, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund.~~

~~206.9855 Refund to carriers.—Any carrier that is in the business of transporting persons or property for~~

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~~compensation or hire by air shall be entitled to receive a refund of the taxes imposed by this part on aviation fuel purchased by such carrier. The refund shall not exceed 0.6 percent of the wages paid by the carrier to employees located or based within this state and who are covered by the provisions of chapter 443.~~

~~206.9865 Commercial air carriers; registration; reporting.—~~

~~(1) A commercial air carrier which operates in Florida must apply for and receive from the department an aviation fuel tax license.~~

~~(2) To procure an aviation fuel tax license, the carrier must file an application in such form and furnish such information as the department may require.~~

~~(3) The application must be renewed annually.~~

~~(4) Upon issuance of the aviation fuel tax license, each carrier shall file with the department a report showing inventories; all purchases of tax-paid aviation fuel; all fuels drawn from bonded supplies; imports; and disbursements, sales, and usage. The report shall be filed pursuant to part I of this chapter.~~

~~(5) The license shall be for the purpose of remitting taxes on any aviation fuel which is drawn from bond or~~

AMERICAN OVERSIGHT
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~~imported into Florida and which is used for domestic purposes.~~

~~(6) The provisions of this chapter relating to timely filing of reports, payment of any tax that may be due, suits for collection, warrants for collection, department warrants, penalties, interest, retention of records, inspection of records, liens on property, foreclosure, and enforcement apply to this part.~~

~~206.9875 United States government exempt.—Aviation fuel purchased by the United States or any department or agency of the United States is exempt from the tax imposed by this part when used in governmental aircraft. Any dealer of aviation fuel is entitled to a refund of any tax he or she has paid upon any aviation fuel purchased under such exemption.~~

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001471

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Thursday, November 21, 2019 3:56 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: DOS Proposals
Attachment(s): "Department of State Legislative Proposal-OIA.docx","ATT00001.htm"

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

Begin forwarded message:

> **From:** "Dover, Brittany N." <Brittany.Dover@dos.myflorida.com>
> **Date:** November 21, 2019 at 3:17:51 PM EST
> **To:** "Barnhill, Josh" <Barnhill.Josh@flsenate.gov>
> **Subject: DOS Proposals**
>
> Josh,
>
> The International affairs legislation has been submitted to bill drafting but Senator Gruters has agreed to sponsor it for us. I have it attached for your reference.
>
> Thank yoU!
>
> **Brittany N. Dover**
> **Legislative Affairs Director**
> **Department of State**
> **850.245.6509 (office)**
> **850.274.3105 (cell)**

AMERICAN OVERSIGHT

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Department of State Legislative Proposal
Office of International Affairs

Create Statute in Chapter 15 Secretary of State-
State Protocol Officer-
The Secretary of State shall serve as the state protocol officer. In consultation with the Governor and other governmental officials, the Secretary of State shall develop, maintain, publish, and distribute the state protocol manual.

15.182 International travel by state-funded musical, cultural, or artistic organizations; notification to the Department of ~~Economic Opportunity~~ State.—
(1) If a musical, cultural, or artistic organization that receives state funding is traveling internationally for a presentation, performance, or other significant public viewing, including an organization associated with a college or university, such organization shall notify the Department of ~~Economic Opportunity~~ State of its intentions to travel, together with the date, time, and location of each appearance.
(2) The Department of ~~Economic Opportunity~~ State, in conjunction with the Department of Economic Opportunity and Enterprise Florida, Inc., shall act as an intermediary between performing musical, cultural, and artistic organizations and Florida businesses to encourage and coordinate joint undertakings. Such coordination may include, but is not limited to, encouraging business and industry to sponsor cultural events, assistance with travel of such organizations, and coordinating travel schedules of cultural performance groups and international trade missions.
(3) An organization shall provide the notification to the Department of State required by this section at least 30 days before the date the international travel is to commence or, when an intention to travel internationally is not formed at least 30 days in advance of the date the travel is to commence, as soon as feasible after forming such travel intention. The Department of State shall take an active role in informing such groups of the responsibility to notify the department of travel intentions.

288.012 State of Florida international offices; state protocol officer; protocol manual.—
~~(7) The Governor may designate a state protocol officer. The state protocol officer shall be housed within the Executive Office of the Governor. In consultation with the Governor and other governmental officials, the state protocol officer shall develop, maintain, publish, and distribute the state protocol manual.~~

Create Statute in Chapter 288 International Affairs-
Citizen support organizations; use of state administrative services and property; audit.—
(1) CITIZEN SUPPORT ORGANIZATIONS.—The Office of International Affairs within the Department of State may support the establishment of citizen support organizations to provide assistance, funding, and promotional support for intergovernmental programs. For the purposes of this section, a “citizen support organization” means an organization which is:
(a) A Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the Department of State.
(b) Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the Office.
(c) Determined by the Office to be consistent with the goals of the Office and in the best interests of the state.

AMERICAN OVERSIGHT

(d) Approved in writing by the Office to operate for the direct or indirect benefit of the Office. Such approval shall be given in a letter of agreement from the Office.
(2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—
(a) The Office may prescribe by rule any condition with which a citizen support organization shall comply in order to use Office administrative services, property, or facilities.
(b) The Office shall not permit the use of any administrative services, property, or facilities of the state by a citizen support organization which does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.
(3) ANNUAL AUDIT.—The citizen support organization shall provide for an annual financial audit in accordance with s. 215.981.

288.816 Intergovernmental relations.—
(1) The state protocol officer shall be responsible for consular operations and the sister city and sister state program and shall serve as liaison with foreign, federal, and other state international organizations and with county and municipal governments in Florida.
(2) The state protocol officer shall be responsible for all consular relations between the state and all foreign governments doing business in Florida. The state protocol officer shall monitor United States laws and directives to ensure that all federal treaties regarding foreign privileges and immunities are properly observed. The state protocol officer shall promulgate rules which shall:
(a) Establish a viable system of registration for foreign government officials residing or having jurisdiction in the state. Emphasis shall be placed on maintaining active communication between the state protocol officer and the United States Department of State in order to be currently informed regarding foreign governmental personnel stationed in, or with official responsibilities for, Florida. Active dialogue shall also be maintained with foreign countries which historically have had dealings with Florida in order to keep them informed of the proper procedure for registering with the state.
(b) Maintain and systematically update a current and accurate list of all such foreign governmental officials, consuls, or consulates.
~~(c) Issue certificates to such foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government.~~
~~(d) Verify entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods.~~
(e) Verify entitlement to issuance of special motor vehicle license plates by the Department of Highway Safety and Motor Vehicles to honorary consuls or such other officials representing foreign governments who are not entitled to issuance of special Consul Corps license plates by the United States Government.
(f) Establish a system of communication to provide all state and local law enforcement agencies with information regarding proper procedures relating to the arrest or incarceration of a foreign citizen.
(g) Request the Department of Law Enforcement to provide transportation and protection services when necessary pursuant to s. 943.68.
(h) Coordinate, when necessary, special activities between foreign governments and Florida state and local governments. These may include Consular Corps Day, Consular Corps conferences, and various other social, cultural, or educational activities.
(i) Notify all newly arrived foreign governmental officials of the services offered by the state protocol officer.
(3) The state protocol officer may: ~~shall operate the sister city and sister state program and~~

AMERICAN OVERSIGHT

~~establish such new programs as needed to further global understanding through the interchange of people, ideas, and culture between Florida and the world. To accomplish this purpose, the state protocol officer shall have the power and authority to:~~

(a) Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries and their subdivisions. Such activities may include a State of Florida sister cities conference.

(b) Encourage cooperation with and disseminate information pertaining to the Sister Cities International Program and any other program whose object is to promote linkages with foreign countries and their subdivisions.

(c) Maximize any aid available from all levels of government, public and private agencies, and other entities to facilitate such activities.

~~(d) Establish a viable system of registration for sister city and sister state affiliations between the state and foreign countries and their subdivisions. Such system shall include a method to determine that sufficient ties are properly established as well as a method to supervise how these ties are maintained.~~

~~(e) Maintain a current and accurate listing of all such affiliations. Sister city affiliations shall not be discouraged between the state and any country specified in s. 620(f)(1) of the federal Foreign Assistance Act of 1961, as amended, with whom the United States is currently conducting diplomatic relations unless a mandate from the United States Government expressly prohibits such affiliations.~~

(4) The state protocol officer shall serve as a contact for the state with the Florida Washington Office, the Florida Congressional Delegation, and United States Government agencies with respect to laws or policies which may affect the interests of the state in the area of international relations. All inquiries received regarding international economic trade development or reverse investment opportunities shall be referred to Enterprise Florida, Inc. In addition, the state protocol officer shall serve as liaison with other states with respect to international programs of interest to Florida. The state protocol officer shall also investigate and make suggestions regarding possible areas of joint action or regional cooperation with these states.

(5) The state protocol officer shall have the power and duty to encourage the relocation to Florida of consular offices and multilateral and international agencies and organizations.

(6) The department and Enterprise Florida, Inc., shall help to contribute an international perspective to the state’s development efforts.

AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Thursday, November 14, 2019 9:01 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf
Attachment(s): "FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf","ATT00001.htm"

Sent from my iPhone

Begin forwarded message:

> **From:** "Staniscia, Corey" <Corey.Staniscia@myfloridahouse.gov>
> **Date:** November 14, 2019 at 7:40:42 AM EST
> **To:** "Brill, Victoria" <Brill.Victoria@flsenate.gov>
> **Subject: FLORIDA FIRST ROBOTICS TEAM GRANT - Representative Chip LaMarca.pdf**
>
> Hey Vicky didn't have josh's email and I wanted to get this to him ASAP. It's the approp we discussed yesterday. Talk soon!

AMERICAN OVERSIGHT

Corey Staniscia
Chief Legislative Assistant
Representative Chip LaMarca
Florida House of Representatives Dist. 93

"*Thanks for Chippin' In*"

Sent from my iPad

AMERICAN OVERSIGHT

Appropriations Project Request - Fiscal Year 2020-21

For projects meeting the Definition of House Rule 5.14

1. Title of Project: FLORIDA FIRST ROBOTICS TEAM GRANT
2. Date of Submission: 11/13/2019
3. House Member Sponsor: Chip LaMarca
   Members Copied:

4. DETAILS OF AMOUNT REQUESTED:

a. Has funding been provided in a previous state budget for this activity? Yes
   If answer to 4a is "No" skip 4b and 4c and proceed to 4d, Col. E
b. What is the most recent fiscal year the project was funded? 2018-19
c. Were the funds provided in the most recent fiscal year subsequently vetoed? No
d. Complete the following Project Request Worksheet to develop your request:

FY:	Input Prior Year Appropriation for this project for FY 2019-20 (If appropriated in 2019-20 enter the appropriated amount, even if vetoed.)			Develop New Funds Request for FY 2020-21 (Requests for additional RECURRING funds are prohibited.)		
Column:	A	B	C	D	E	F
Funds Description:	Prior Year Recurring Funds	Prior Year Nonrecurring Funds	Total Funds Appropriated (Recurring plus Nonrecurring: column A + column B)	Recurring Base Budget (Will equal non-vetoed amounts provided in Column A)	**Additional Nonrecurring Request**	**TOTAL Nonrecurring plus Recurring Base Funds** (Will equal the amount from the Recurring base in Column D plus the Additional Nonrecurring Request in Column E.)
Input Amounts:					900,000	900,000

5. Are funds for this issue requested in a state agency's Legislative Budget Request submitted for FY 2020-21? No

5a. If yes, which state agency?

5b. If no, which is the most appropriate state agency to place an appropriation for the issue being requested? Department of Education

5c. Has the appropriate state agency for administering the funding, if the request were appropriated, been contacted? No

5d. Describe penalties for failing to meet deliverables or performance measures which the agency should provide in its contract to administer the funding if appropriated.

Deobligate a portion of the funds for future grants, but taking into consideration extenuating circumstances

AMERICAN OVERSIGHT
Tracking #: 17325

6. Requester:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

7. Contact for questions about specific technical or financial details about the project:
   a. Name: Sandra Contreras
   b. Organization: FIRST Robotics (For Inspiration and Recognition of Science and Technology)
   c. Email: scontreras@firstinspires.org
   d. Phone #: (954)281-2202

8. Is there a registered lobbyist working to secure funding for this project?
   a. Name: None
   b. Firm: None
   c. Email:
   d. Phone #:

9. Organization or Name of entity receiving funds:
   a. Name: FIRST Robotics
   b. County (County where funds are to be expended): Orange, Palm Beach
   c. Service Area (Counties being served by the service(s) provided with funding): Statewide

10. What type of organization is the entity that will receive the funds? (Select one)
   ○ For Profit
   ◉ Non Profit 501(c) (3)
   ○ Non Profit 501(c) (4)
   ○ Local Government
   ○ University or College
   ○ Other (Please describe)

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11. What is the specific purpose or goal that will be achieved by the funds being requested?

FIRST is the world's leading youth-serving nonprofit advancing STEM. FIRST programs inspire innovation and leadership through engaging robotics challenges developed to ignite curiosity and passion in students in grade K-12.These funds will help support high school teams participating in the FIRST Robotics Competition and FIRST Tech Challenge, help fund the FRC Regional competitions: Orlando and South FL, and the FTC State Championship. It will also help other FIRST cross program initiatives.

12. Provide specific details on how funds will be spent. (Select all that apply)

Spending Category	Description	Nonrecurring (Should equal 4d, Col. E) Enter "0" if request is zero for the category
Administrative Costs:		
☐a. Executive Director/Project Head Salary and Benefits		
☐b. Other Salary and Benefits		
☐c. Expense/Equipment/Travel/Supplies/Other		
☐d. Consultants/Contracted Services/Study		
Operational Costs:		
☐e. Salaries and Benefits		
☑f. Expenses/Equipment/Travel/Supplies/Other	$3,000 to each Florida FRC team that participates in a Florida regional, funds to cover part of the regional registration fee. An additional $2,500 for Florida FRC teams that register for a 2nd Florida regional, funds to cover part of the registration fee. Each Florida FRC team that qualifies for the FIRST World Championship by winning their way there to receive $3,000 to help defray cost of travel	900,000

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	and participation at the World Competition. $200,000 for each regional competition in Florida (Sou	
☐g. Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
☐h. Construction/Renovation/Land/Planning Engineering		
TOTAL		900,000

13. For the Fixed Capital Costs requested with this issue (In Question 12, category "h. Fixed Capital Outlay" was selected), what type of ownership will the facility be under when complete? (Select one correct option)

○For Profit
○Non Profit 501(c) (3)
○Non Profit 501(c) (4)
○Local Government (e.g., police, fire or local government buildings, local roads, etc.)
○State agency owned facility (For example: college or university facility, buildings for public schools, roads in the state transportation system, etc.)
○Other (Please describe)

14. Is the project request an information technology project?

No

15. Is there any documented show of support for the requested project in the community including public hearings, letters of support, major organizational backing, or other expressions of support?

Yes

15a. Please Describe:

We have a video created by the teams: https://firstinflorida.org/ that has been accessed more than 4,190 times. In previous years, more than 210 letters were sent to Representatives and Senators from teams all across the state of Florida, thanking them for the support received and asking for their continued support.

16. Has the need for the funds been documented by a study, completed by an independent 3rd party, for the area to be served?

Yes

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16a. Please Describe:

The U.S. is ranked 20th out of 30 in high school graduation rates among industrialized nations.[1] Standardized test scores from 30 nations rank 14-year-olds in the U.S. 25th in math and 21st in science.[2] [1 & 2] National Science Board (May, 2010). Preparing the Next Generation of STEM Innovators: Identifying and Developing Our Nation's Human Capital. National Science Foundation.

17. Will the requested funds be used directly for services to citizens?

Yes

17a. What are the activities and services that will be provided to meet the purpose of the funds?

The funds will directly impact 9-12th grade students in their ability to participate and compete in the FIRST Robotics Competition and the FIRST Tech Challenge by lowering the barrier to entry by paying some competition registration costs. It will also support the competitions in which students compete with the robot designed specifically for that year's challenge.

17b. Describe the direct services to be provided to the citizens by the funding requested.

Through the participation in the FIRST Robotics Competition and FIRST Tech Challenge program, students learn many of the required skills needed not only to develop a competitive robot, but also to manage a small business. We also provide a location where registered teams can participate in the robotics competition challenge designed for that year.

17c. Describe the target population to be served (i.e., "the majority of the funds requested will serve these target populations or groups."). Select all that apply to the target population:

- ☐Elderly persons
- ☐Persons with poor mental health
- ☐Persons with poor physical health
- ☐Jobless persons
- ☑Economically disadvantaged persons
- ☑At-risk youth
- ☐Homeless
- ☐Developmentally disabled
- ☐Physically disabled
- ☐Drug users (in health services)
- ☐Preschool students
- ☐Grade school students
- ☑High school students
- ☐University/college students

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☐Currently or formerly incarcerated persons
☐Drug offenders (in criminal Justice)
☐Victims of crime
☐General (The majority of the funds will benefit no specific group)
☐Other (Please describe)

17d. How many in the target population are expected to be served?
○< 25
○25-50
○51-100
○101-200
○201-400
○401-800
⊙>800

18. What benefits or outcomes will be realized by the expenditure of funds requested? (Select each Benefit/Outcome that applies)

Benefit or Outcome	Provide a specific measure of the benefit or outcome	Describe the method for measuring level of benefit
☐Improve physical health		
☐Improve mental health		
☐Enrich cultural experience		
☐Improve agricultural production/promotion/education		
☑Improve quality of education	Number of teams that register for the 2020 FIRST Robotics Competition and FIRST Tech Challenge Season in Florida.	Registration numbers for 2020. Compare number of teams before funding to number of teams after funding.
☐Enhance/preserve/improve environmental or fish and wildlife quality		
☐Protect the general public from harm (environmental, criminal, etc.)		

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☐Improve transportation conditions		
☐Increase or improve economic activity		
☐Increase tourism		
☐Create specific immediate job opportunities		
☑Enhance specific individual's economic self sufficiency	Senior High School Students that register for a College or Technical Career	Number of Seniors who register in the FIRST Alumni database for the year 2020.
☐Reduce recidivism		
☐Reduce substance abuse		
☐Divert from Criminal/Juvenile justice system		
☐Improve wastewater management		
☐Improve stormwater management		
☐Improve groundwater quality		
☐Improve drinking water quality		
☐Improve surface water quality		
☐Other (Please describe):		

19. Provide the total cost of the project for FY 2020-21 from all sources of funding (Enter "0" if amount is zero):

Type of Funding	Amount	Percent of Total	Are the other sources of funds guaranteed in writing?
1. Amount Requested from the State in this Appropriations Project Request:	900,000	18.0%	N/A

AMERICAN OVERSIGHT
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2. Federal:	0	0.0%	No
3. State: (Excluding the requested Total Amount in #4d, Column F)	100,000	2.0%	Yes
4. Local:	0	0.0%	No
5. Other:	4,000,000	80.0%	Yes
TOTAL	5,000,000	100%	

20. Is this a multi-year project requiring funding from the state for more than one year?
Yes

20a. How much state funding would be requested after 2020-21 over the next 5 years?
- ○<1M
- ⊙1-3M
- ○>3-10M
- ○>10M

20b. How many additional years of state support do you expect to need for this project?
- ○1 year
- ○2 years
- ○3 years
- ○4 years
- ⊙>= 5 years

20c. What is the total project cost for all years including all federal, local, state, and any other funds? Select the single answer which best describes the total project cost. If funds requested are for ongoing services or for recurring activities, select “ongoing activity”.
- ⊙ongoing activity – no total cost
- ○<1M
- ○1-3M
- ○>3-10M
- ○>10M

AMERICAN OVERSIGHT
Tracking #: 17325

From: Nicholas Altier <nick@fdfnow.com>
Sent: Wednesday, November 06, 2019 8:36 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: Florida Patient's Bill of Rights
Attachment(s): "Florida Patient Bill of Rights v. 2.0.docx","ATT00001.htm"

Please see attached

Kind regards,

Nicholas R Altier

please excuse any typos. this message was sent via an iPhone.

Begin forwarded message:

> **From:** daltier@altierlaw.com
> **Date:** November 6, 2019 at 8:16:25 PM EST
> **To:** Nicholas Altier <nick@fdfnow.com>, Nicholas Altier <nick@firstdayfilms.biz>
> **Cc:** Abigail Altier <abigail@fdfnow.com>
> **Subject: Florida Patient's Bill of Rights**
>
> Dear Nick:
>
> I have attached my draft of the Florida Patient's Bill of Rights.
>
> Section I was drafted by me.
>
> Section II was largely taken from the New Jersey "Out-of-network Consumer Protection, Transparency, Cost Containment and Accountability Act. I removed the sections regarding mandatory arbitration.
>
> Section III was taken from the Texas Reporting of Claims Information Act Chapter 1215.
>
> I have trials in the morning, but I have some free time in the afternoon.
>
> Very truly yours,
>
> David Altier
>
> **David A. Altier, P.A.**
> 1432 First Street
> Sarasota, Florida 34236
> Phone: (941) 954-7750
> Email: daltier@altierlaw.com

AMERICAN OVERSIGHT

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FLORIDA PATIENT'S BILL OF RIGHTS

This Act shall be known and may be cited as the "Florida Patient's Bill of Rights."

The Legislature finds and declares that in recent years, the cost of health insurance for services covered by insurance has risen exponentially while costs of healthcare for non-covered services has declined in large part due to consumer awareness of the actual cost of non-covered services. In an effort to increase cost transparency and facilitate informed consumer choice this Act requires all healthcare providers, including all Florida licensed physicians and Florida Hospitals, to: (1) disclose the fee that the healthcare provider will accept for cash payment for the non-emergency services provided; (2) curtail surprise "balance-billing" for emergency treatments; and (3) require healthcare insurers to report actual claim information under group health plans.

I. DISCLOSURE OF CHARGES FOR HEALTHCARE SERVICES.

a. All healthcare providers licensed in the State of Florida shall disclose on the provider's website in a searchable format a complete list of the cash amounts in U.S. Dollars that the provider will accept to perform each of the non-emergency treatments that are rendered by the provider in any given year.

b. The healthcare provider must update this list at least once a year.

AMERICAN OVERSIGHT

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c. No healthcare provider may charge their patient for non-emergency services that exceed the amounts disclosed on the provider's website.

d. The disclosure of the cash price of treatments shall be in addition to or otherwise supplement any similar requirements in existing Florida law, Federal law, and applicable State and Federal regulations.

II. OUT-OF-NETWORK BILLING PRACTICES

a. The Legislature finds that despite existing State and federal laws and regulations to protect against certain surprise out-of-network charges, these charges continue to pose a problem for health care consumers in Florida. Many consumers find themselves with surprise bills for hospital emergency room procedures or for charges by providers that the consumer had no choice in selecting. The purpose of this bill is to increase transparency in pricing for health care and enhance consumer protections by preventing unexpected costs to the consumer.

b. As used in this act:

"Carrier" means an entity that contracts or offers to contract to provide, deliver, arrange for, pay for, or reimburse any of the costs of health care services under a health benefits plan, including: an insurance company authorized to issue health benefits plans; a health maintenance organization; a health, hospital, or medical service corporation; a multiple employer welfare

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arrangement; a state health benefits programs and school employees' health benefits programs; or any other entity providing a health benefits plan. Except as provided under the provisions of this act, "carrier" shall not include any other entity providing or administering a self-funded health benefits plan.

"Covered person" means a person on whose behalf a carrier is obligated to pay health care expense benefits or provide health care services.

"Department" means the Florida Department of Health.

"Emergency or urgent basis" means all emergency and urgent care services.

"Health benefits plan" means a benefits plan which pays or provides hospital and medical expense benefits for covered services, and is delivered or issued for delivery in this State by or through a carrier. For the purposes of this act, "health benefits plan" shall not include the following plans, policies or contracts: Medicaid, Medicare, Medicare Advantage, accident only, credit, disability, long-term care, coverage arising out of a workers' compensation or similar law, automobile medical payment insurance, personal injury protection insurance.

"Health care facility" means a general acute care hospital, satellite emergency department, hospital based off-site ambulatory care facility in which

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ambulatory surgical cases are performed, or any licensed ambulatory surgery facility.

"Health care professional" means an individual, acting within the scope of his licensure or certification, who provides a covered service defined by the health benefits plan.

"Health care provider" or "provider" means a health care professional or health care facility.

"Inadvertent out-of-network services" means health care services that are: covered under a managed care health benefits plan that provides a network; and provided by an out-of-network health care provider in the event that a covered person utilizes an in-network health care facility for covered health care services and, for any reason, in-network health care services are unavailable in that facility. "Inadvertent out-of-network services" shall include laboratory testing ordered by an in-network health care provider and performed by an out-of-network bio-analytical laboratory.

"Knowingly, voluntarily, and specifically selected an out-of-network provider" means that a covered person chose the services of a specific provider, with full knowledge that the provider is out-of-network with respect to the covered person's health benefits plan, under circumstances that indicate that covered person had the opportunity to be serviced by an in-network provider,

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but instead selected the out-of-network provider. Disclosure by a provider of network status shall not render a covered person's decision to proceed with treatment from that provider a choice made "knowingly" pursuant to this definition.

"Medicaid" means the Medicaid program administered by the State of Florida.

"Medical necessity" or "medically necessary" means or describes a health care service that a health care provider, exercising his or her prudent clinical judgment, would provide to a covered person for the purpose of evaluating, diagnosing, or treating an illness, injury, disease, or its symptoms and that is: in accordance with the generally accepted standards of medical practice; clinically appropriate, in terms of type, frequency, extent, site, and duration, and considered effective for the covered person's illness, injury, or disease; not primarily for the convenience of the covered person or the health care provider; and not more costly than an alternative service or sequence of services at least as likely to produce equivalent therapeutic or diagnostic results as to the diagnosis or treatment of that covered person's illness, injury, or disease.

"Medicare" means the federal Medicare program established pursuant to 42 U.S.C. s.1395 et seq.

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"Self-funded health benefits plan" or "self-funded plan" means a self-insured health benefits plan governed by the provisions of the federal "Employee Retirement Income Security Act of 1974," 29 U.S.C. s.1001 et seq.

c. Prior to scheduling an appointment with a covered person for a non-emergency or elective procedure and in terms the covered person typically understands, a health care facility shall:

i. disclose to the covered person whether the health care facility is in-network or out-of-network with respect to the covered person's health benefits plan;

ii. advise the covered person to check with the physician arranging the facility services to determine whether or not that physician is in-network or out-of-network with respect to the covered person's health benefits plan and provide information about how to determine the health plans participated in by any physician who is reasonably anticipated to provide services to the covered person;

iii. advise the covered person that at a health care facility that is in-network with respect to the person's health benefits plan:

1. the covered person will have a financial responsibility applicable to an in-network procedure and not in excess of the

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covered person's copayment, deductible, or coinsurance as provided in the covered person's health benefits plan;

2. unless the covered person, at the time of the disclosure required pursuant to this subsection, has knowingly, voluntarily, and specifically selected an out-of-network provider to provide services, the covered person will not incur any out-of-pocket costs in excess of the charges applicable to an in-network procedure;

3. any bills, charges or attempts to collect by the facility, or any health care professional involved in the procedure, in excess of the covered person's copayment, deductible, or coinsurance as provided in the covered person's health benefits plan in violation of subparagraph 2. of this paragraph should be reported to the covered person's carrier and the relevant regulatory entity; and

4. that if the covered person's coverage is provided through an entity providing or administering a self-funded health benefits plan that does not elect to be subject to the provisions of section bb.-ff. of this act, that:

a. certain health care services may be provided on an out-of-network basis, including those services associated with the health care facility;

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b. the covered person may have a financial responsibility applicable to health care services provided by an out-of-network provider, in excess of the covered person's copayment, deductible, or coinsurance, and the covered person may be responsible for any costs in excess of those allowed by the person's self-funded health benefits plan; and

c. the covered person should contact the covered person's self-funded health benefits plan sponsor for further consultation on those costs; and

iv. advise the covered person that at a health care facility that is out-of-network with respect to the covered person's health benefits plan:

1. certain health care services may be provided on an out-of-network basis, including those health care services associated with the health care facility;

2. the covered person may have a financial responsibility applicable to health care services provided at an out-of-network facility, in excess of the covered person's copayment, deductible, or coinsurance, and the covered person may be responsible for any costs in excess of those allowed by their health benefits plan; and

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3. that the covered person should contact the covered person's carrier for further consultation on those costs.

d. In a form that is consistent with federal guidelines, a health care facility shall make available to the public a list of the facility's standard charges for items and services provided by the facility.

e. A health care facility shall post on the facility's website:

i. the health benefits plans in which the facility is a participating provider;

ii. a statement that:

1. physician services provided in the facility are not included in the facility's charges;

2. physicians who provide services in the facility may or may not participate with the same health benefits plans as the facility;

3. the covered person should check with the physician arranging for the facility services to determine the health benefits plans in which the physician participates; and

4. the covered person should contact their carrier for further consultation on those costs;

iii. as applicable, the name, mailing address, and telephone number of the hospital-based physician groups that the facility has

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contracted with to provide services including, but not limited to, anesthesiology, pathology, and radiology; and

iv. as applicable, the name, mailing address, and telephone number of physicians employed by the facility and whose services may be provided at the facility, and the health benefits plans in which they participate.

f. If, between the time the notice required pursuant to subsection a. of this section is provided to the covered person and the time the procedure takes place, the network status of the facility changes as it relates to the covered person's health benefits plan, the facility shall notify the covered person promptly.

g. The Department of Health shall specify in further detail the content and design of the disclosure form and the manner in which the form shall be provided.

h. Except as provided in subsection m. of this section, a health care professional shall disclose to a covered person in writing or through an internet website the health benefits plans in which the health care professional is a participating provider and the facilities with which the health care professional is affiliated prior to the provision of non-emergency services, and verbally or in writing, at the time of an appointment. If a health care professional does not

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participate in the network of the covered person's health benefits plan, the health care professional shall, in terms the covered person typically understands:

i. Prior to scheduling a non-emergency procedure inform the covered person that the professional is out-of-network and that the amount or estimated amount the health care professional will bill the covered person for the services is available upon request;

ii. Upon receipt of a request from a covered person for the service and the Current Procedural Terminology (CPT) codes associated with that service, disclose to the covered person in writing the amount or estimated amount that the health care professional will bill the covered person for the service, and the CPT codes associated with that service, absent unforeseen medical circumstances that may arise when the health care service is provided;

iii. Inform the covered person that the covered person will have a financial responsibility applicable to health care services provided by an out-of-network professional, in excess of the covered person's copayment, deductible, or coinsurance, and the covered person may be responsible for any costs in excess of those allowed by their health benefits plan; and

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iv. Advise the covered person to contact the covered person's carrier for further consultation on those costs.

i. A health care professional who is a physician shall provide the covered person, to the extent the information is available, with the name, practice name, mailing address, and telephone number of any health care provider scheduled to perform anesthesiology, laboratory, pathology, radiology, or assistant surgeon services in connection with care to be provided in the physician's office for the covered person or coordinated or referred by the physician for the covered person at the time of referral to, or coordination of, services with that provider. The physician shall provide instructions as to how to determine the health benefits plans in which the health care provider participates and recommend that the covered person should contact the covered person's carrier for further consultation on costs associated with these services.

j. A physician shall, for a covered person's scheduled facility admission or scheduled outpatient facility services, provide the covered person and the facility with the name, practice name, mailing address, and telephone number of any other physician whose services will be arranged by the physician and are scheduled at the time of the pre-admission, testing, registration, or admission at the time the non-emergency services are scheduled, and information as to how to determine the health benefits plans in which the

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physician participates, and recommend that the covered person should contact the covered person's carrier for further consultation on costs associated with these services.

k. The receipt or acknowledgement by any covered person of any disclosure required pursuant to this section shall not waive or otherwise affect any protection under existing statutes or regulations regarding in-network health benefits plan coverage available to the covered person or created under this act.

l. If, between the time the notice required pursuant to subsection a. of this section is provided to the covered person and the time the procedure takes place, the network status of the professional changes as it relates to the covered person's health benefits plan, the professional shall notify the covered person promptly.

m. In the case of a primary care physician or internist performing an unscheduled procedure in that provider's office, the notice required pursuant this section may be made verbally at the time of the service.

n. The appropriate professional or occupational licensing board within the Division of Consumer Affairs in the Department of Law and Public Safety shall specify in further detail the content and design of the disclosure form and the manner in which the form shall be provided.

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o. A carrier shall update the carrier's website within 20 days of the addition or termination of a provider from the carrier's network or a change in a physician's affiliation with a facility, provided that in the case of a change in affiliation the carrier has had notice of such change.

p. With respect to out-of-network services, for each health benefits plan offered, a carrier shall, consistent with State and federal law, provide a covered person with:

i. a clear and understandable description of the plan's out-of-network health care benefits, including the methodology used by the entity to determine the allowed amount for out-of-network services;

ii. the allowed amount the plan will reimburse under that methodology and, in situations in which a covered person requests allowed amounts associated with a specific Current Procedural Terminology code, the portion of the allowed amount the plan will reimburse and the portion of the allowed amount that the covered person will pay, including an explanation that the covered person will be required to pay the difference between the allowed amount as defined by the carrier's plan and the charges billed by an out-of-network provider;

iii. examples of anticipated out-of-pocket costs for frequently billed out-of-network services;

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iv. information in writing and through an internet website that reasonably permits a covered person or prospective covered person to calculate the anticipated out-of-pocket cost for out-of-network services in a geographical region or zip code based upon the difference between the amount the carrier will reimburse for out-of-network services and the usual and customary cost of out-of-network services;

v. information in response to a covered person's request, concerning whether a health care provider is an in-network provider;

vi. such other information as the commissioner determines appropriate and necessary to ensure that a covered person receives sufficient information necessary to estimate their out-of-pocket cost for an out-of-network service and make a well-informed health care decision; and

vii. access to a telephone hotline that shall be operated no less than 16 hours per day for consumers to call with questions about network status and out-of-pocket costs.

q. If a carrier authorizes a covered health care service to be performed by an in-network health care provider with respect to any health benefits plan, and the provider or facility status changes to out-of-network before the authorized service is performed, the carrier shall notify the covered person that

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the provider or facility is no longer in-network as soon as practicable. If the carrier fails to provide the notice at least 30 days prior to the authorized service being performed, the covered person's financial responsibility shall be limited to the financial responsibility the covered person would have incurred had the provider been in-network with respect to the covered person's health benefits plan.

r. A carrier shall incorporate into the Explanation of Benefits and all reimbursement correspondence to the consumer and the provider clear and concise notification that inadvertent and involuntary out-of-network charges are not subject to balance billing above and beyond the financial responsibility incurred under the terms of the contract for in-network service. Any attempt by the provider to collect, bill, or invoice funds should be promptly reported to the carrier's customer service department at the phone number that the carrier shall provide on the Explanation of Benefits and all reimbursement correspondence to the consumer.

s. A carrier, and any other entity providing or administering a self-funded health benefits plan that elects to be subject to section bb.-ff. of this act, shall issue a health insurance identification card to the primary insured under a health benefits plan. In a form and manner to be prescribed by the department, the card shall indicate whether the plan is insured or, in the case of self-funded

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plans that elect to be subject of section bb.-ff. of this act, whether the plan is self-funded and whether the plan elected to be subject to this act.

t. If a covered person receives medically necessary services at any health care facility on an emergency or urgent basis as defined by the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. s.1395dd et seq., the facility shall not bill the covered person in excess of any deductible, copayment, or coinsurance amount applicable to in-network services pursuant to the covered person's health benefits plan.

u. If a covered person receives medically necessary services at an out-of-network health care facility on an emergency or urgent basis as defined by the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. s.1395dd et seq., and the carrier and facility cannot agree on the final offer as a reimbursement rate for these services pursuant to bb.-ff. of this act, the carrier, health care facility, or covered person, as applicable, may seek redress pursuant to section gg. of this act.

v. If a health care facility is in-network with respect to any health benefits plan, the facility shall ensure that all providers providing services in the facility on an emergency or inadvertent basis are provided notification of the provisions of this act and information as to each health benefits plan with which the facility has a contract to be in-network.

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w. A health care facility that contracts with a carrier to be in-network with respect to any health benefits plan shall annually report to the Department of Health the health benefits plans with which the facility has an agreement to be in-network.

x. Subsections t. and u. shall only apply to providers providing services to members of entities providing or administering a self-funded health benefits plan and its plan members if the entity elects to be subject to bb.-ff. of that section.

y. If a covered person receives inadvertent out-of-network services or medically necessary services at an in-network or out-of-network health care facility on an emergency or urgent basis as defined by the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. s.1395dd et seq., the health care professional performing those services shall:

i. in the case of inadvertent out-of-network services, not bill the covered person in excess of any deductible, copayment, or coinsurance amount; and

ii. in the case of emergency and urgent services, not bill the covered person in excess of any deductible, copayment, or coinsurance amount, applicable to in-network services pursuant to the covered person's health benefits plan.

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z. If the carrier and the professional cannot agree on a reimbursement rate for the services provided pursuant to subsection a. of this section, pursuant to bb.-ff. of this act the carrier, professional, or covered person, as applicable, may seek redress pursuan to section gg. of this act.

aa. This section shall only apply to providers providing services to members of entities providing or administering a self-funded health benefits plan and its plan members if the entity elects to be subject to bb.-ff. of this act.

bb. With respect to a carrier, if a covered person receives inadvertent out-of-network services, or services at an in-network or out-of-network health care facility on an emergency or urgent basis, the carrier shall ensure that the covered person incurs no greater out-of-pocket costs than the covered person would have incurred with an in-network health care provider for covered services. Pursuant to sections t.-aa. of this act, the out-of-network provider shall not bill the covered person, except for applicable deductible, copayment, or coinsurance amounts that would apply if the covered person utilized an in-network health care provider for the covered services. In the case of services provided to a member of a self-funded plan that does not elect to be subject to the provisions of this section, the provider shall be permitted to bill the covered person in excess of the applicable deductible, copayment, or coinsurance amounts.

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cc. With respect to inadvertent out-of-network services, or services at an in-network or out-of-network health care facility on an emergency or urgent basis, benefits provided by a carrier that the covered person receives for health care services shall be assigned to the out-of-network health care provider, which shall require no action on the part of the covered person. Once the benefit is assigned as provided in this subsection:

i. any reimbursement paid by the carrier shall be paid directly to the out-of-network provider; and

ii. the carrier shall provide the out-of-network provider with a written remittance of payment that specifies the proposed reimbursement and the applicable deductible, copayment, or coinsurance amounts owed by the covered person.

dd. An entity providing or administering a self-funded health benefits plan that elects to participate in this section pursuant to ff. of this act, shall comply with the provisions of cc. of this act.

ee. If inadvertent out-of-network services or services provided at an in-network or out-of-network health care facility on an emergency or urgent basis are performed in accordance with bb. of this section, the out-of-network provider may bill the carrier for the services rendered. The carrier may pay the billed amount or the carrier shall determine within 30 days from the date of the

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receipt of the claim for the services whether the carrier considers the claim to be excessive, and if so, the carrier shall notify the provider of this determination within 30 days of the receipt of the claim. If the carrier provides this notification, the carrier and the provider shall have 30 days from the date of this notification to negotiate a settlement. The carrier may attempt to negotiate a final reimbursement amount with the out-of-network health care provider which differs from the amount paid by the carrier pursuant to this subsection. If there is no settlement reached after the 30 days, the carrier shall pay the provider their final offer for the services. If the carrier and provider cannot agree on the final offer as a reimbursement rate for these services, the carrier, provider, or covered person, as applicable, may seek redress pursuant to section gg. of this act.

ff. With respect to an entity providing or administering a self-funded health benefits plan and its plan members, this section shall only apply if the plan elects to be subject to the provisions of this section. To elect to be subject to the provisions of this section, the self-funded plan shall provide notice, on an annual basis, to the department, on a form and in a manner prescribed by the department, attesting to the plan's participation and agreeing to be bound by the provisions of this section. The self-funded plan shall amend the employee benefit plan, coverage policies, contracts and any other plan documents to reflect that the benefits of this section shall apply to the plan's members.

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gg. If attempts to negotiate reimbursement for services provided by an out-of-network health care provider, pursuant to subsection ee. of this act, do not result in a resolution of the payment dispute, any party may initiate non-binding mediation, arbitration or seek redress in a court of competent jurisdiction. The prevailing party in any such action will be entitled to recover its reasonable attorneys' fees and court costs.

hh. If attempts to negotiate reimbursement for services between an out-of-network health care provider and a member of a self-funded plan does not result in a resolution of the payment dispute within 30 days after the plan member is sent a bill for the services, the plan member or out-of-network health care provider may seek redress pursuant to section gg. of this act.

ii. In addition to the provisions of section gg., a person or entity that violates any provision of this act, or the rules and regulations adopted pursuant hereto, shall be liable to a penalty as provided for in Department of Health regulations.

III. DISCLOSURE OF CLAIMS HISTORY

a. As used in this section:

i. "Employer" has the meaning assigned by 29 U.S.C. Section 1002(5).

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ii. "Governmental entity" means a state agency or political subdivision of this state.

iii. "Group health plan" has the meaning assigned by 45 C.F.R. Section 160.103, except that the term does not include disability income or long-term care insurance.

iv. "Health insurance issuer" has the meaning assigned by 45 C.F.R. Section 160.103.

v. "Plan" means an employee welfare benefit plan as defined by 29 U.S.C. Section 1002(1).

vi. "Plan administrator" means an administrator as defined by 29 U.S.C. Section 1002(16)(A).

vii. "Plan sponsor" has the meaning assigned by 29 U.S.C. Section 1002(16)(B).

viii. "Political subdivision" means a county, municipality, school district, special-purpose district, or other subdivision of state government that has jurisdiction limited to a geographic portion of the state.

ix. "Protected health information" has the meaning assigned by 45 C.F.R. Section 160.103.

b. A reference to a federal statute or regulation under section a. means that statute or regulation as it existed on the effective date of this act, except that

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the commissioner, by rule, may adopt a definition based on a later amended, enacted, or adopted federal statute or regulation if the commissioner determines that use of the later amended, enacted, or adopted statute or regulation is consistent with the purposes of this chapter and promotes regulatory consistency.

c. This act applies to all health insurance issuers licensed in the State of Florida.

d. Not later than the 30th day after the date a health insurance issuer receives a written request for a written report of claim information from a plan, plan sponsor, plan administrator, or licensed health insurance broker, the health insurance issuer shall provide the requesting party the report, subject to sections g., h. and i. The health insurance issuer is not obligated to provide a report under this subsection regarding a particular employer or group health plan more than twice in any 12-month period.

e. A health insurance issuer shall provide the report of claim information under section d:

i. in a written report;

ii. through an electronic file transmitted by secure electronic mail or a file transfer protocol site; or

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iii. by making the required information available through a secure website or web portal accessible by the requesting plan, plan sponsor, or plan administrator.

f. A report of claim information provided under section d. must contain all information available to the health insurance issuer that is responsive to the request made under section d., including, subject sections g., h. and i. protected health information, for the 36-month period preceding the date of the report or the period specified by section iv., v., and vi., if applicable, or for the entire period of coverage, whichever period is shorter. Subject to section g., h., and i., a report provided under section d. must include:

i. aggregate paid claims experience by month, including claims experience for medical, dental, and pharmacy benefits, as applicable;

ii. total premium paid by month;

iii. total number of covered employees on a monthly basis by coverage tier, including whether coverage was for:

1. an employee only;

2. an employee with dependents only;

3. an employee with a spouse only; or

4. an employee with a spouse and dependents;

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iv. the total dollar amount of claims pending as of the date of the report;

v. a separate description and individual claims report for any individual whose total paid claims exceed $15,000 during the 12-month period preceding the date of the report, including the following information related to the claims for that individual:

1. a unique identifying number, characteristic, or code for the individual;

2. the amounts paid;

3. dates of service; and

4. applicable procedure codes and diagnosis codes; and

vi. for claims that are not part of the report described by sections f.i through f.v. , a statement describing precertification requests for hospital stays of five days or longer that were made during the 30-day period preceding the date of the report.

g. A health insurance issuer may not disclose protected health information in a report of claim information provided under this section if the health insurance issuer is prohibited from disclosing that information under another state or federal law that imposes more stringent privacy restrictions than those

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imposed under federal law. To withhold information in accordance with this subsection, the health insurance issuer must:

i. notify the plan, plan sponsor, plan administrator, or licensed health insurance broker requesting the report that information is being withheld; and

ii. provide to the plan, plan sponsor, plan administrator, or licensed health insurance broker a list of categories of claim information that the health insurance issuer has determined are subject to the more stringent privacy restrictions under another state or federal law.

h. A plan sponsor is entitled to receive protected health information under sections f.v. and f.vi. and sections l-o. only after an appropriately authorized representative of the plan sponsor makes to the health insurance issuer a certification substantially similar to the following certification:

"I hereby certify that the plan documents comply with the requirements of 45 C.F.R. Section 164.504(f)(2) and that the plan sponsor will safeguard and limit the use and disclosure of protected health information that the plan sponsor may receive from the group health plan to perform the plan administration functions."

i. A plan sponsor that does not provide the certification required by section h. is not entitled to receive the protected health information described by

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f.v. and f.vi. and sections l-o, but is entitled to receive a report of claim information that includes the information described by sections f.i-f.iv.

j. In the case of a request made under section d. after the date of termination of coverage, the report must contain all information available to the health insurance issuer as of the date of the report that is responsive to the request, including protected health information, and including the information described by f.i-f.vi. for the period described by section f. preceding the date of termination of coverage or for the entire policy period, whichever period is shorter. Notwithstanding this subsection, the report may not include the protected health information described by sections f.v. and f.vi. unless a certification has been provided in accordance with section h.

k. A plan, plan sponsor, plan administrator, or licensed health insurance broker must request a report under section d. before or on the second anniversary of the date of termination of coverage under a group health plan issued by the health benefit plan issuer.

l. On receipt of the report required by section d., the plan, plan sponsor, plan administrator, or licensed health insurance broker may review the report and, not later than the 10th day after the date the report is received, may make a written request to the health insurance issuer for additional information in accordance with this section for specified individuals.

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m. With respect to a request for additional information concerning specified individuals for whom claims information has been provided under section f.v. the health insurance issuer shall provide additional information on the prognosis or recovery if available and, for individuals in active case management, the most recent case management information, including any future expected costs and treatment plan, that relate to the claims for that individual.

n. The health insurance issuer must respond to the request for additional information under this section not later than the 15th day after the date of the request under this section unless the requesting plan, plan sponsor, or plan administrator agrees to a request for additional time.

o. The health insurance issuer is not required to produce the report described by this section unless a certification has been provided in accordance with section h.

p. health insurance issuer that releases information, including protected health information, in accordance with this chapter has not violated a standard of care and is not liable for civil damages resulting from, and is not subject to criminal prosecution for, releasing that information.

q. a health insurance issuer that does not comply with this Chapter III is subject to administrative penalties pursuant to Department of Health regulations.

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From: Brill, Victoria
Sent: Monday, November 18, 2019 10:28 AM EST
To: Till, Jonathan <Jonathan.Till@myfloridahouse.gov>; Medley, Lara <Lara.Medley@myfloridahouse.gov>; Hebel, Meagan <Meagan.Hebel@myfloridahouse.gov>
Subject: Fwd: Governor Ron DeSantis Announces His Bolder, Brighter, Better Future Budget for FY 2020-2021

Sent from my iPhone

Begin forwarded message:

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Date: November 18, 2019 at 10:25:53 AM EST
Subject: Governor Ron DeSantis Announces His Bolder, Brighter, Better Future Budget for FY 2020-2021



For Immediate Release
November 18, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis Announces His Bolder, Brighter, Better Future Budget for FY 2020-2021

www.BolderBrighterBetterFuture.com

Tallahassee, Fla. — Today, Governor Ron DeSantis released his budget proposal for FY 2020-2021, a Bolder, Brighter, Better Future.

"My budget proposal for Fiscal Year 2020-2021 builds on our successes of the past year, placing emphasis where it is needed while remaining fiscally responsible to Florida taxpayers," **said Governor DeSantis.** "The budget includes key investments in our K-12 education system, our environment and the well-being of our residents, while recommending over $480 million in savings and over $300 million in tax relief. Although there is still more we can do to improve our state, which we hope to accomplish through this budget, Florida's future has never been bolder, brighter or better than it is today."

Savings and Tax Relief

The total recommendation for the FY 2020-2021 budget is $91.4 billion. The budget recommends $480.5 million in savings – such as administrative efficiencies and elimination of earmarks.

The budget places $5.6 billion in total reserves, including $1.4 billion of General Revenue, which is more than 6 percent of the total budget and more than $200 million more than the current year budget.

The budget also includes more than $300 million in tax relief, including a $56 million 8-day Back to School Sales Tax Holiday, a 10-day Disaster Preparedness Sales Tax Holiday and property tax relief of over $247 million.

Education

The Bolder, Brighter, Better Future budget makes historic investments in the state's education system, including $22.9 billion for the Florida Education Finance Program (FEDP), an increase of over $1 billion.

This includes over $900 million to recruit and retain the best classroom teachers and principals in Florida. Over $600 million is included to raise the minimum salary for full-time classroom teachers to $47,500, which would provide more than 101,000 teachers with a pay raise. Additionally, $300 million is recommended for the Florida Classroom Teacher and Principal Bonus programs.

The budget invests $25 million in key workforce development initiatives: $10 million for the Pathways to Careers Opportunities Grant Program, $10 million for the Work Florida Student Success Incentive Fund at State Colleges

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and $5 million for the Work Florida Student Success Incentive Fund at District Postsecondary Programs.

The budget recommends an increase of funding of more than $22 million for Florida college and nearly $24 million for Florida universities, all while maintaining no increase in tuition.

Environment

The budget continues Governor DeSantis' focus on Florida's environment and builds on the success of last year. The budget includes more than $625 million in recurring funding for Everglades restoration and the protection of vital water resources, positioning Florida to be able to reach the Governor's goal of investing $2.5 billion over four years.

Included in the more than $625 million investment is more than $322 million for Everglades restoration projects, $150 million for water quality improvements, $50 million for springs restoration and more than $22 million to combat the harmful effects of algal blooms and red tide.

The budget also invests $50 million in beach nourishment to address Florida's critically eroded shorelines, nearly $9 million in coral reef protection funding, as well as $154 million to protect Florida's prized properties and water: $100 million for the Florida Forever Program and $54 million in new funding for state parks.

Health and Human Services

The budget makes significant investments in the well-being of Floridians and protecting the most vulnerable. Over $54 million is recommended to continue fighting the opioid epidemic, and $17 million is provided in new mental health and substance abuse funding.

In an effort to increase accountability, the Bolder, Brighter, Better Future budget invests over $97 million to provide funding for services to children and families through Florida's child welfare system.

The budget provides $6.4 million in new funding to support the Office of Public and Professional Guardianship, as well as $10 million in funding to enrich the needs of seniors in Florida's communities and enhance the quality of life for individuals with Alzheimer's disease and related dementia and ending abuse, neglect and exploitation of seniors.

To ensure Florida's veterans are receiving the care they deserve, the budget invests $18.2 million for the completion of the Ardie R. Copas State Veterans' Nursing Home in St. Lucie County and the Lake Baldwin State Veterans' Nursing Home in Orange County, as well as $6.7 million for capital improvements, equipment updates and additional nursing staff for Florida's existing state veteran nursing homes.

Transportation and Economic Development

While Florida's economy remains strong, finding affordable housing can still be a challenge. The budget provides $387 million to fully fund Workforce and Affordable Housing Programs: $119.8 million for the State Apartment Incentive Loan (SAIL) Program and $267.2 million for the State Housing Initiative Partnership (SHIP) Program.

As Florida's population continues to increase, key investments must be made to handle this growth and ensure continued efficiency. The budget provides $8.8 billion for the State Transportation Work Program, including $2.8 billion for highway construction, $865.7 million in lane resurfacing and $436.2 million in scheduled repairs and replacement of bridges.

The Bolder, Brighter, Better Future budget includes $50 million for the Florida Job Growth Grant Fund to provide funding for job training and public infrastructure projects that support growth and employment in Florida.

Hurricane Recovery

For the two most recent hurricanes to strike Florida, Irma and Michael, the State of Florida is projected to spend over $1.9 billion on hurricane-related expenses - $627.8 million for Hurricane Irma and $1.3 billion so far for Hurricane Michael.

The Bolder, Brighter, Better Future budget includes $25 million through the Hurricane Michael Recovery Grant Program for the repair and replacement of critical infrastructure and to improve the capacity of emergency services.

Public Safety

Early in his term, Governor DeSantis directed Florida Department of Law Enforcement (FDLE) Commissioner Rick Swearingen to develop a threat assessment strategy to identify and prevent threats of mass violence. Building on this, the budget includes over $4.5 million to implement the first Statewide Behavior Threat

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Assessment strategy in the country.

The budget also invests more than $14.5 million to expand and enhance FDLE's crime databases that the department uses daily to investigate crimes and apprehend criminals.

Governor DeSantis is recommending over $89.7 million and additional staffing at the Florida Department of Corrections for needed improvements, including retention bonuses and a pilot program to transition correctional officers from a 12-hour shift to an 8.5-hour shift.

Elections Security

With the 2020 elections getting closer, the Bolder, Brighter, Better Future budget recommends $6.6 million for state-level election oversight activities, with a focus on cybersecurity enhancements to Florida's election system.

Includes in this funding is $1.3 million for ten positions dedicated to cyber security who will provide local Supervisors of Elections with support and recommendations to combat cyber threats. Also included is $1.4 million for voter registration list maintenance services and voter outreach through the Electronic Registration Information Center (ERIC).

For more details on Governor DeSantis' Bolder, Brighter, Better Future budget, please visit www.BolderBrighterBetterFuture.com.

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From: Barney T. Bishop, III <barney@barneybishop.com>
Sent: Wednesday, December 11, 2019 10:59 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: Please send me the 3rd DRAFT of Rep. Toledo's Bill
Attachment(s): "image001.jpg","ATT00001.htm","new billdraft70897.docx","ATT00002.htm"

Vickie (is that the correct spelling?), this is the bill that Sen. Greeters asked us to forward to you so he can review it.

This is Rep. Toledo's Omnibus PBM Bill which we call the "Kitchen Sink" bill.

Please confirm receipt of this email.

Thanks!

Sent from my iPhone

Begin forwarded message:

> **From:** "Clemens, Clayton" <Clayton.Clemens@myfloridahouse.gov>
> **Date:** December 11, 2019 at 9:31:14 AM EST
> **To:** "Barney T. Bishop, III" <barney@barneybishop.com>
> **Cc:** "Jeff Kottkamp jeffkottkamp@gmail.com" <jeffkottkamp@gmail.com>, "Dawn A. Butterfield (cocoapharmacy@gmail.com)" <cocoapharmacy@gmail.com>
> **Subject: Re: Please send me the 3rd DRAFT of Rep. Toledo's Bill**
>
> Here is the updated draft. Thank you all!
>
> Clayton Clemens
>
> Aide to Rep. Jackie Toledo
>
> House District 60
>
> ---
>
> **From:** Barney T. Bishop, III <barney@barneybishop.com>
> **Sent:** Wednesday, December 11, 2019 7:47:38 AM
> **To:** Clemens, Clayton
> **Cc:** Jeff Kottkamp jeffkottkamp@gmail.com; Dawn A. Butterfield (cocoapharmacy@gmail.com)
> **Subject:** Please send me the 3rd DRAFT of Rep. Toledo's Bill
>
> **EXTERNAL EMAIL:** This email originated from outside of the Legislature. USE CAUTION when clicking links or opening attachments unless you recognize the sender and know the content is safe.
>
> Clay, we're meeting with three (3) Senators today to see if they will sponsor Rep. Toledo's Bill: Sen. Harrell (who has already demurred somewhat), Sen. Gruters, and Sen. Wright, both per the suggestion of Rep. Toledo in our meeting yesterday…
>
> Please send the me the latest DRAFT from House Bill Drafting as they will want to see the bill for review…
>
> And BTW, Sen. Perry said yesterday he'd review the bill, but he thought it was out of his wheelhouse (from a knowledge perspective) and he recognized that it's a major push…but, I'll send the bil to hi m also…
>
> Please advise…thanks!

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Barney T. Bishop III

Barney Bishop Consulting, LLC

2215 Thomasville Road

Tallahassee, FL 32308-0737

Cell: 850-510-9922

www.BarneyBishop.com

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A bill to be entitled

An act relating to pharmacy benefit managers; providing a short title; providing legislative findings; amending s. 465.003, F.S; providing the definitions of the terms "pharmacy benefit manager" and "pharmacy benefit management services"; creating s. 465.203, F.S.; providing definitions; providing that pharmacy benefit managers have a fiduciary duty and obligation to specified individuals and entities; providing requirements for service performance, contracts, and specified funds for pharmacy benefit managers; authorizing specified pharmacies and pharmacists to contract with pharmacy benefit managers; providing requirements for maximum allowable cost lists; requiring pharmacy benefit managers to respond to certain appeals within a specified timeframe; prohibiting pharmacy benefit managers from engaging in certain practices; requiring pharmacy benefit managers to allow payors access to specified records, data, and information; providing disclosure and reporting requirements; requiring certain income and financial benefits to be passed through to payors; requiring pharmacy benefit managers to allow the Department of Financial Services access to specified records, data, and information; requiring the

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department to investigate certain violations; providing penalties; providing that specified violations are subject to the Florida Deceptive and Unfair Trade Practices Act; providing applicability; amending ss. 624.490, 627.64741, 627.6572, and 641.314, F.S.; conforming provisions to changes made by the act; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.016, 465.0197, 465.022, 465.023, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing severability; providing an effective date.

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

Section 1. This act may be cited as the "Prescription Drug Cost Reduction Act."

Section 2. The Legislature finds that the use of spread pricing, the practice of directing patients to pharmacies owned in whole or in part by pharmacy benefit managers, and other practices by pharmacy benefit managers such as charging drug manufacturers rebates to be included on a drug formulary and keeping the rebates for their own financial gain rather than passing the savings on to health plans, health plan sponsors and providers, health insurers, and patients contribute to the high cost of prescription drugs. In order to reduce the cost of

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prescription drugs in this state, such practices should be prohibited.

Section 3. Section 465.003, Florida Statutes, is amended to read:

465.003 Definitions.—As used in this chapter, the term:

(1) "Administration" means the obtaining and giving of a single dose of medicinal drugs by a legally authorized person to a patient for her or his consumption.

(3) ~~(2)~~ "Board" means the Board of Pharmacy.

(9) ~~(3)~~ "Consultant pharmacist" means a pharmacist licensed by the department and certified as a consultant pharmacist pursuant to s. 465.0125.

(10) ~~(4)~~ "Data communication device" means an electronic device that receives electronic information from one source and transmits or routes it to another, including, but not limited to, any such bridge, router, switch, or gateway.

(11) ~~(5)~~ "Department" means the Department of Health.

(12) ~~(6)~~ "Dispense" means the transfer of possession of one or more doses of a medicinal drug by a pharmacist to the ultimate consumer or her or his agent. As an element of dispensing, the pharmacist shall, prior to the actual physical transfer, interpret and assess the prescription order for potential adverse reactions, interactions, and dosage regimen she or he deems appropriate in the exercise of her or his professional judgment, and the pharmacist shall certify that the

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medicinal drug called for by the prescription is ready for transfer. The pharmacist shall also provide counseling on proper drug usage, either orally or in writing, if in the exercise of her or his professional judgment counseling is necessary. The actual sales transaction and delivery of such drug shall not be considered dispensing. The administration shall not be considered dispensing.

(13) ~~(7)~~ "Institutional formulary system" means a method whereby the medical staff evaluates, appraises, and selects those medicinal drugs or proprietary preparations which in the medical staff's clinical judgment are most useful in patient care, and which are available for dispensing by a practicing pharmacist in a Class II or Class III institutional pharmacy.

(14) ~~(8)~~ "Medicinal drugs" or "drugs" means those substances or preparations commonly known as "prescription" or "legend" drugs which are required by federal or state law to be dispensed only on a prescription, but shall not include patents or proprietary preparations as hereafter defined.

(17) ~~(9)~~ "Patent or proprietary preparation" means a medicine in its unbroken, original package which is sold to the public by, or under the authority of, the manufacturer or primary distributor thereof and which is not misbranded under the provisions of the Florida Drug and Cosmetic Act.

(18) ~~(10)~~ "Pharmacist" means any person licensed pursuant to this chapter to practice the profession of pharmacy.

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(19) ~~(11)~~ (a) "Pharmacy" includes a community pharmacy, an institutional pharmacy, a nuclear pharmacy, a special pharmacy, and an Internet pharmacy.

1. The term "community pharmacy" includes every location where medicinal drugs are compounded, dispensed, stored, or sold or where prescriptions are filled or dispensed on an outpatient basis.

2. The term "institutional pharmacy" includes every location in a hospital, clinic, nursing home, dispensary, sanitarium, extended care facility, or other facility, hereinafter referred to as "health care institutions," where medicinal drugs are compounded, dispensed, stored, or sold.

3. The term "nuclear pharmacy" includes every location where radioactive drugs and chemicals within the classification of medicinal drugs are compounded, dispensed, stored, or sold. The term "nuclear pharmacy" does not include hospitals licensed under chapter 395 or the nuclear medicine facilities of such hospitals.

4. The term "special pharmacy" includes every location where medicinal drugs are compounded, dispensed, stored, or sold if such locations are not otherwise defined in this subsection.

5. The term "Internet pharmacy" includes locations not otherwise licensed or issued a permit under this chapter, within or outside this state, which use the Internet to communicate with or obtain information from consumers in this state and use

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such communication or information to fill or refill prescriptions or to dispense, distribute, or otherwise engage in the practice of pharmacy in this state. Any act described in this definition constitutes the practice of pharmacy as defined in subsection (23) ~~(13)~~.

(b) The pharmacy department of any permittee shall be considered closed whenever a Florida licensed pharmacist is not present and on duty. The term "not present and on duty" shall not be construed to prevent a pharmacist from exiting the prescription department for the purposes of consulting or responding to inquiries or providing assistance to patients or customers, attending to personal hygiene needs, or performing any other function for which the pharmacist is responsible, provided that such activities are conducted in a manner consistent with the pharmacist's responsibility to provide pharmacy services.

(20) "Pharmacy benefit manager" means an entity that performs pharmacy benefit management services for a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(21) "Pharmacy benefit management services" means services that:

(a) Are provided, directly or through another entity, to a health plan, a health plan sponsor, a health plan provider, a

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health insurer, or any other payor, regardless of whether the services provider and the health plan, health plan sponsor, health plan provider, health insurer, or other payor are related or associated by ownership, common ownership, organization, or otherwise.

(b) Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

1. Mail service pharmacy or specialty pharmacy.

2. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

3. Clinical or other formulary or preferred-drug-list development or management.

4. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

5. Patients' compliance, therapeutic intervention, or generic substitution programs.

6. Disease management.

7. Drug use review, step-therapy protocol, or prior authorization.

8. Adjudication of appeals or grievances related to prescription drug coverage.

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9. Contracts with network pharmacies.

10. Control of the cost of covered prescription drugs.

(22) ~~(12)~~ "Pharmacy intern" means a person who is currently registered in, and attending, a duly accredited college or school of pharmacy, or who is a graduate of such a school or college of pharmacy, and who is duly and properly registered with the department as provided for under its rules.

(23) ~~(13)~~ "Practice of the profession of pharmacy" includes compounding, dispensing, and consulting concerning contents, therapeutic values, and uses of any medicinal drug; consulting concerning therapeutic values and interactions of patent or proprietary preparations, whether pursuant to prescriptions or in the absence and entirely independent of such prescriptions or orders; and conducting other pharmaceutical services. For purposes of this subsection, "other pharmaceutical services" means the monitoring of the patient's drug therapy and assisting the patient in the management of his or her drug therapy, and includes review of the patient's drug therapy and communication with the patient's prescribing health care provider as licensed under chapter 458, chapter 459, chapter 461, or chapter 466, or similar statutory provision in another jurisdiction, or such provider's agent or such other persons as specifically authorized by the patient, regarding the drug therapy. However, nothing in this subsection may be interpreted to permit an alteration of a prescriber's directions, the diagnosis or

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treatment of any disease, the initiation of any drug therapy, the practice of medicine, or the practice of osteopathic medicine, unless otherwise permitted by law. "Practice of the profession of pharmacy" also includes any other act, service, operation, research, or transaction incidental to, or forming a part of, any of the foregoing acts, requiring, involving, or employing the science or art of any branch of the pharmaceutical profession, study, or training, and shall expressly permit a pharmacist to transmit information from persons authorized to prescribe medicinal drugs to their patients. The practice of the profession of pharmacy also includes the administration of vaccines to adults pursuant to s. 465.189 and the preparation of prepackaged drug products in facilities holding Class III institutional pharmacy permits.

(24) ~~(14)~~ "Prescription" includes any order for drugs or medicinal supplies written or transmitted by any means of communication by a duly licensed practitioner authorized by the laws of the state to prescribe such drugs or medicinal supplies and intended to be dispensed by a pharmacist. The term also includes an orally transmitted order by the lawfully designated agent of such practitioner. The term also includes an order written or transmitted by a practitioner licensed to practice in a jurisdiction other than this state, but only if the pharmacist called upon to dispense such order determines, in the exercise of her or his professional judgment, that the order is valid and

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necessary for the treatment of a chronic or recurrent illness. The term "prescription" also includes a pharmacist's order for a product selected from the formulary created pursuant to s. 465.186. Prescriptions may be retained in written form or the pharmacist may cause them to be recorded in a data processing system, provided that such order can be produced in printed form upon lawful request.

(15) "Nuclear pharmacist" means a pharmacist licensed by the department and certified as a nuclear pharmacist pursuant to s. 465.0126.

(5) ~~(16)~~ "Centralized prescription filling" means the filling of a prescription by one pharmacy upon request by another pharmacy to fill or refill the prescription. The term includes the performance by one pharmacy for another pharmacy of other pharmacy duties such as drug utilization review, therapeutic drug utilization review, claims adjudication, and the obtaining of refill authorizations.

(2) ~~(17)~~ "Automated pharmacy system" means a mechanical system that delivers prescription drugs received from a Florida licensed pharmacy and maintains related transaction information.

(8) ~~(18)~~ "Compounding" means combining, mixing, or altering the ingredients of one or more drugs or products to create another drug or product.

(16) ~~(19)~~ "Outsourcing facility" means a single physical location registered as an outsourcing facility under the federal

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Drug Quality and Security Act, Pub. L. No. 113-54, at which sterile compounding of a drug or product is conducted.

(7) ~~(20)~~ "Compounded sterile product" means a drug that is intended for parenteral administration, an ophthalmic or oral inhalation drug in aqueous format, or a drug or product that is required to be sterile under federal or state law or rule, which is produced through compounding, but is not approved by the United States Food and Drug Administration.

(4) ~~(21)~~ "Central distribution facility" means a facility under common control with a hospital holding a Class III institutional pharmacy permit that may dispense, distribute, compound, or fill prescriptions for medicinal drugs; prepare prepackaged drug products; and conduct other pharmaceutical services.

(6) ~~(22)~~ "Common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, contract, or otherwise.

Section 4. Section 465.203, Florida Statutes, is created to read:

465.203 Pharmacy benefit managers.—

(1) As used in this section, the term:

(a) "Affiliate" means a pharmacy:

1. In which a pharmacy benefit manager, directly or indirectly, has an investment, financial interest, or ownership

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interest; or

2. The ownership of which is shared, directly or indirectly, with a pharmacy benefit manager.

(b) "Covered individual" means a member, participant, enrollee, contract holder, policyholder, or beneficiary of a payor.

(c) "Make a referral" means any of the following:

1. To order, direct, or influence, orally or in writing, a covered individual to use an affiliate, including by sending messages to the covered individual through electronic mail, a cellular telephone, or a facsimile machine, or by making telephone calls.

2. To offer or implement plan designs that require a covered individual to use an affiliate.

3. To target a covered individual or a prospective patient with advertisement, marketing, or promotion of an affiliate, including by placing a specific pharmacy name on an insurance card or health plan card supplied to the covered individual.

(d) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before the application of copayments, coinsurance, and other cost-sharing charges, if any.

(e) "Maximum allowable cost list" means a listing of

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generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(f) "Payor" means a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor that uses pharmacy benefit management services in this state.

(g) "Spread pricing" means the practice by a pharmacy benefit manager of charging or claiming from a payor an amount that is more than the amount the pharmacy benefit manager paid to the pharmacy or pharmacist who filled the prescription or who provided the pharmacy services.

(2)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the covered individuals and the payor. A pharmacy benefit manager shall perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the covered individuals and the payor.

(b) Any provision in a contract between a pharmacy benefit manager and a payor which limits or prohibits the fiduciary duty or obligation of a pharmacy benefit manager to the covered individuals and the payor is void and against the public policy of the state.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall

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be received by the pharmacy benefit manager in trust for the payor. A pharmacy benefit manager shall use or distribute such funds only for the benefit of the covered individuals or the payor.

(3) A pharmacy or pharmacist licensed or registered under this chapter which has a pharmacy permit and is in good standing with the Board of Pharmacy may contract directly or indirectly with a pharmacy benefit manager within 30 days after filing an application with the pharmacy benefit manager, without a probation period, an exclusion period, or minimum inventory requirements.

(4)(a) A maximum allowable cost list must include:

1. Average acquisition cost, including national average drug acquisition cost.

2. Average manufacturer price.

3. Average wholesale price.

4. Brand effective rate or generic effective rate.

5. Discount indexing.

6. Federal upper limits.

7. Wholesale acquisition cost.

8. Any other item that a pharmacy benefit manager or a payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

(b) A pharmacy benefit manager must respond within 7 days

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after receipt of an appeal to a maximum allowable cost by a pharmacy, a pharmacist, or a pharmacy services administrative organization on behalf of a pharmacy or pharmacist. The pharmacy benefit manager's failure to respond within 7 days shall be deemed approval of the appeal.

(5) A pharmacy benefit manager may not do any of the following:

(a) Conduct or participate in spread pricing in this state.

(b) Charge a pharmacy or pharmacist a fee related to the adjudication of a claim, including, without limitation, a fee for:

1. The submission of a claim;

2. The enrollment or participation in a retail pharmacy network; or

3. The development or management of claims processing services or claims payment services related to participation in a retail pharmacy network.

(c) Deny a pharmacy or pharmacist the opportunity to participate in a pharmacy network at the preferred participation status even though the pharmacy or pharmacist is willing to accept, as a condition of the preferred participation status, the terms and conditions that the pharmacy benefit manager has established for other pharmacies that are in a pharmacy network at the preferred participation status and that are not owned in

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whole or in part by the pharmacy benefit manager.

(d) Impose registration or permit requirements for a pharmacy or accreditation standards or recertification requirements for a pharmacist which are inconsistent with, more stringent than, or in addition to federal and state requirements for licensure as a pharmacy or pharmacist in this state.

(e) Pay or reimburse a pharmacy or pharmacist an amount for a drug, product, or pharmacy service in the state which is:

1. Less than the amount the pharmacy benefit manager reimburses a pharmacy benefit manager affiliate for providing the same drug, product, or pharmacy service in this state;

2. Less than the actual cost incurred by the pharmacy or pharmacist for providing the drug, product, or pharmacy service in this state; or

3. Different from the combined maximum allowable cost and dispensing fees for a drug. The dispensing fees must be a least equal to the fees for service set by the Agency for Health Care Administration.

(f) Retroactively deny, hold back, or reduce reimbursement for a covered service claim after paying a claim, unless the original claim was submitted fraudulently.

(g) Prohibit a pharmacy or pharmacist from providing information regarding drug pricing, contract terms, or drug reimbursement rates to a member of the Legislature.

(h) Drop a pharmacy or pharmacist from a pharmacy network

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or plan or otherwise engage in any action to retaliate against a pharmacy or pharmacist for providing information regarding drug pricing, contract terms, or drug reimbursement rates to a member of the Legislature.

(i) Engage in the practice of the profession of pharmacy.

(j) Engage in the practice of medicine as defined s. 458.305 or the practice of osteopathic medicine as defined in s. 459.003.

(k) Make a referral.

(6) A payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the payor.

(7) A pharmacy benefit manager shall:

(a) Disclose in writing to the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the covered individuals and the payor.

(b) Report quarterly to the payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy

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benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the payor to reduce the cost of prescription drugs and pharmacy services to covered individuals.

(8) The Department of Financial Services shall have access to all financial and utilization records, data, and information used by pharmacy benefit managers in relation to pharmacy benefit management services provided to payors in this state. The department shall investigate any alleged violation of this section.

(9)(a) A pharmacy benefit manager that violates this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the Department of Financial Services.

(b) A violation of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(10) This section applies to contracts entered into or renewed on or after January 1, 2021.

Section 5. Subsection (1) of section 624.490, Florida Statutes, is amended to read:

624.490 Registration of pharmacy benefit managers.—

(1) As used in this section, the term "pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy

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benefit management services for a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor that uses pharmacy benefit management services ~~doing business in this state which contracts to administer prescription drug benefits on behalf of a health insurer or a health maintenance organization to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305. As used in this subsection, the term "pharmacy benefit management services" means services that:

(a) Are provided, directly or through another entity, to a health plan, a health plan sponsor, a health plan provider, a health insurer, or any other payor, regardless of whether the services provider and the health plan, health plan sponsor, health plan provider, health insurer, or other payor are related or associated by ownership, common ownership, organization, or otherwise.

(b) Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

1. Mail service pharmacy or specialty pharmacy.

2. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

3. Clinical or other formulary or preferred-drug-list

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development or management.

4. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

5. Patients' compliance, therapeutic intervention, or generic substitution programs.

6. Disease management.

7. Drug use review, step-therapy protocol, or prior authorization.

8. Adjudication of appeals or grievances related to prescription drug coverage.

9. Contracts with network pharmacies.

10. Control of the cost of covered prescription drugs.

Section 6. Section 627.64741, Florida Statutes, is amended to read:

627.64741 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of

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generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health insurer or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health insurer or payor, regardless of whether the services provider and the health insurer or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

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a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health insurer or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug

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prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product availability.

(3) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring an insured to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the insureds and to the health insurer that uses pharmacy benefit management services or the payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the insureds and the health insurer or payor.

(b) A provision in a contract between a health insurer or

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payor and a pharmacy benefit manager is void and against the public policy of the state if the policy:

1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health insurer or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health insurer or payor and shall be used or distributed only for the benefit of the insureds or the health insurer or payor.

(6) A contract between a health insurer or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health insurer or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or

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providing other pharmacy services.

(7) A health insurer that uses pharmacy benefit management services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health insurer or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the health insurer that uses pharmacy benefit management services or payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the insureds and the health insurer or payor.

(b) Report quarterly to the health insurer or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health insurer or payor to reduce the cost of prescription drugs and pharmacy services to the insureds.

(9) The department shall investigate any alleged violation

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of this section.

(10)(a) A pharmacy benefit manager that violates any provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation by a pharmacy benefit manager of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11)~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 7. Section 627.6572, Florida Statutes, is amended to read:

627.6572 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used

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directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health insurer or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health insurer or payor, regardless of whether the services provider and the health insurer or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or

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payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health insurer or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product

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availability.

(3) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health insurer or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring an insured to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the insureds and to the health insurer that uses pharmacy benefit management services or the payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the insureds and the health insurer or payor.

(b) A provision in a contract between a health insurer or payor and a pharmacy benefit manager is void and against the public policy of the state if the policy:

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1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health insurer or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health insurer or payor and shall be used or distributed only for the benefit of the insureds or the health insurer or payor.

(6) A contract between a health insurer or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health insurer or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

(7) A health insurer that uses pharmacy benefit management

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services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health insurer or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the health insurer that uses pharmacy benefit management services or the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the insureds and the health insurer or payor.

(b) Report quarterly to the health insurer or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health insurer or payor to reduce the cost of prescription drugs and pharmacy services to the insureds.

(9) The department shall investigate any alleged violation of this section.

(10)(a) A pharmacy benefit manager that violates any

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provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation by a pharmacy benefit manager of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11) ~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 8. Section 641.314, Florida Statutes, is amended to read:

641.314 Pharmacy benefit manager contracts.—

(1) As used in this section, the term:

(a) "Maximum allowable cost" means the per-unit amount that a pharmacy benefit manager reimburses a pharmacy or pharmacist for a generic drug, brand name drug, specialty drug, biological product, or other prescription drug, excluding dispensing fees, before ~~prior to~~ the application of copayments, coinsurance, and other cost-sharing charges, if any.

(b) "Maximum allowable cost list" means a listing of generic drugs, brand name drugs, specialty drugs, biological products, or other prescription drugs or other methodology used directly or indirectly by a pharmacy benefit manager to set the maximum allowable costs for the drugs.

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(c) "Payor" means a health plan, a health plan sponsor, a health plan provider, or any other payor that uses pharmacy benefit management services in this state.

(d) ~~(b)~~ "Pharmacy benefit manager" means an ~~a person or~~ entity that performs pharmacy benefit management services for ~~doing business in this state which contracts to administer or manage prescription drug benefits on behalf of~~ a health maintenance organization or payor ~~to residents of this state~~. The term does not include a provider as defined in s. 641.19 or a physician as defined in s. 458.305.

(e) "Pharmacy benefit management services" means services that:

1. Are provided, directly or through another entity, to a health maintenance organization or payor, regardless of whether the services provider and the health maintenance organization or payor are related or associated by ownership, common ownership, organization, or otherwise.

2. Include the procurement of prescription drugs to be dispensed to patients and the administration or management of prescription drug benefits, including, but not limited to, any of the following:

a. Mail service pharmacy or specialty pharmacy.

b. Claims processing, retail network management, or payment of claims to pharmacies for dispensing drugs.

c. Clinical or other formulary or preferred-drug-list

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development or management.

d. Negotiation, administration, or receipt of rebates, discounts, payment differentials, or other incentives, to include particular drugs in a particular category or to promote the purchase of particular drugs.

e. Patients' compliance, therapeutic intervention, or generic substitution programs.

f. Disease management.

g. Drug use review, step-therapy protocol, or prior authorization.

h. Adjudication of appeals or grievances related to prescription drug coverage.

i. Contracts with network pharmacies.

j. Control of the cost of covered prescription drugs.

(2) A contract between a health maintenance organization or payor and a pharmacy benefit manager must require that the pharmacy benefit manager:

(a) Update maximum allowable cost pricing information at least every 7 calendar days.

(b) Maintain a process that will, in a timely manner, eliminate drugs from maximum allowable cost lists or modify drug prices to remain consistent with changes in pricing data used in formulating maximum allowable cost prices and product availability.

(3) A contract between a health maintenance organization

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or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from limiting a pharmacy's or pharmacist's ability to disclose whether the cost-sharing obligation exceeds the retail price for a covered prescription drug, and the availability of a more affordable alternative drug, pursuant to s. 465.0244.

(4) A contract between a health maintenance organization or payor and a pharmacy benefit manager must prohibit the pharmacy benefit manager from requiring a subscriber to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) The applicable cost-sharing amount; or

(b) The retail price of the drug in the absence of prescription drug coverage.

(5)(a) A pharmacy benefit manager has a fiduciary duty and obligation to the subscribers and to the health maintenance organization that uses pharmacy benefit management services or a payor. The pharmacy benefit manager must meet all the requirements of s. 465.203 and must perform pharmacy benefit management services with care, skill, prudence, diligence, and professionalism and for the best interests of the subscribers and the health maintenance organization or payor.

(b) A provision in a contract between a health maintenance organization or payor and a pharmacy benefit manager is void and against the public policy of this state if the policy:

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1. Limits or prohibits the fiduciary duty or obligation of the pharmacy benefit manager to the insureds and the health maintenance organization or payor; or

2. Violates any provision of s. 465.203.

(c) All funds received by a pharmacy benefit manager in relation to providing pharmacy benefit management services shall be received by the pharmacy benefit manager in trust for the health maintenance organization or payor and shall be used or distributed only for the benefit of the insureds or the health maintenance organization or payor.

(6) A contract between a health maintenance organization or payor and a pharmacy benefit manager must require the maximum allowable cost list to include:

(a) Average acquisition cost, including national average drug acquisition cost.

(b) Average manufacturer price.

(c) Average wholesale price.

(d) Brand effective rate or generic effective rate.

(e) Discount indexing.

(f) Federal upper limits.

(g) Wholesale acquisition cost.

(h) Any other item that a pharmacy benefit manager or a health maintenance organization or payor may use to establish reimbursement rates to a pharmacist or pharmacy for filling prescriptions or providing other pharmacy services.

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(7) A health maintenance organization that uses pharmacy benefit management services or a payor shall have access to all financial and utilization records, data, and information used by the pharmacy benefit manager in relation to the pharmacy benefit management services provided to the health maintenance organization or payor.

(8) A pharmacy benefit manager shall:

(a) Disclose in writing to the maintenance organization that uses pharmacy benefit management services or the payor any activity, policy, practice, contract, or arrangement of the pharmacy benefit manager which directly or indirectly presents conflicts of interest with the pharmacy benefit manager's relationship with, or fiduciary duty or obligation to, the subscribers and the health maintenance organization or payor.

(b) Report quarterly to the health maintenance organization or payor any income resulting from pricing discounts, rebates of any kind, inflationary payments, credits, clawbacks, fees, grants, chargebacks, reimbursements, or other financial benefits received by the pharmacy benefit manager from any person or entity. The pharmacy benefit manager shall ensure that such income and financial benefits are passed through in full, at least quarterly, to the health maintenance organization or payor to reduce the cost of prescription drugs and pharmacy services to the subscribers.

(9) The department shall investigate any alleged violation

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of this section.

(10)(a) A pharmacy benefit manager that violates any provision of this section is liable for a civil fine of $10,000 for each violation and may have its registration revoked by the department.

(b) A violation of any provision of this section which is committed or performed with such frequency as to indicate a general business practice is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501.

(11)~~(5)~~ This section applies to contracts entered into or renewed on or after January 1, 2021 ~~July 1, 2018~~.

Section 9. Paragraph (a) of subsection (1) of section 409.9201, Florida Statutes, is amended to read:

409.9201 Medicaid fraud.—

(1) As used in this section, the term:

(a) "Prescription drug" means any drug, including, but not limited to, finished dosage forms or active ingredients that are subject to, defined in, or described in s. 503(b) of the Federal Food, Drug, and Cosmetic Act or in s. 465.003(14) ~~465.003(8)~~, s. 499.003(17), s. 499.007(13), or s. 499.82(10).

The value of individual items of the legend drugs or goods or services involved in distinct transactions committed during a single scheme or course of conduct, whether involving a single person or several persons, may be aggregated when determining

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the punishment for the offense.

Section 10. Paragraph (pp) of subsection (1) of section 458.331, Florida Statutes, is amended to read:

458.331 Grounds for disciplinary action; action by the board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(pp) Applicable to a licensee who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137:

1. Registering a pain-management clinic through misrepresentation or fraud;

2. Procuring, or attempting to procure, the registration of a pain-management clinic for any other person by making or causing to be made, any false representation;

3. Failing to comply with any requirement of chapter 499, the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Drug Abuse Prevention and Control Act; or chapter 893, the Florida Comprehensive Drug Abuse Prevention and Control Act;

4. Being convicted or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, of any other state, or of the United States;

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5. Being convicted of, or disciplined by a regulatory agency of the Federal Government or a regulatory agency of another state for, any offense that would constitute a violation of this chapter;

6. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to the practice of, or the ability to practice, a licensed health care profession;

7. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to health care fraud;

8. Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in s. 465.003 ~~465.003(14)~~ or s. 893.02 if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship; or

9. Failing to timely notify the board of the date of his or her termination from a pain-management clinic as required by s. 458.3265(3).

Section 11. Paragraph (rr) of subsection (1) of section 459.015, Florida Statutes, is amended to read:

459.015 Grounds for disciplinary action; action by the

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board and department.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(rr) Applicable to a licensee who serves as the designated physician of a pain-management clinic as defined in s. 458.3265 or s. 459.0137:

1. Registering a pain-management clinic through misrepresentation or fraud;

2. Procuring, or attempting to procure, the registration of a pain-management clinic for any other person by making or causing to be made, any false representation;

3. Failing to comply with any requirement of chapter 499, the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Drug Abuse Prevention and Control Act; or chapter 893, the Florida Comprehensive Drug Abuse Prevention and Control Act;

4. Being convicted or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, of any other state, or of the United States;

5. Being convicted of, or disciplined by a regulatory agency of the Federal Government or a regulatory agency of another state for, any offense that would constitute a violation of this chapter;

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6. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to the practice of, or the ability to practice, a licensed health care profession;

7. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction of the courts of this state, of any other state, or of the United States which relates to health care fraud;

8. Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in s. 465.003 ~~465.003(14)~~ or s. 893.02 if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship; or

9. Failing to timely notify the board of the date of his or her termination from a pain-management clinic as required by s. 459.0137(3).

Section 12. Subsection (1) of section 465.014, Florida Statutes, is amended to read:

465.014 Pharmacy technician.—

(1) A person other than a licensed pharmacist or pharmacy intern may not engage in the practice of the profession of pharmacy, except that a licensed pharmacist may delegate to pharmacy technicians who are registered pursuant to this section

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those duties, tasks, and functions that do not fall within the purview of s. 465.003(23) ~~465.003(13)~~. All such delegated acts must be performed under the direct supervision of a licensed pharmacist who is responsible for all such acts performed by persons under his or her supervision. A registered pharmacy technician, under the supervision of a pharmacist, may initiate or receive communications with a practitioner or his or her agent, on behalf of a patient, regarding refill authorization requests. A licensed pharmacist may not supervise more than one registered pharmacy technician unless otherwise permitted by the guidelines adopted by the board. The board shall establish guidelines to be followed by licensees or permittees in determining the circumstances under which a licensed pharmacist may supervise more than one pharmacy technician.

Section 13. Paragraph (c) of subsection (2) of section 465.015, Florida Statutes, is amended to read:

465.015 Violations and penalties.—

(2) It is unlawful for any person:

(c) To sell or dispense drugs as defined in s. 465.003(14) ~~465.003(8)~~ without first being furnished with a prescription.

Section 14. Subsection (9) of section 465.0156, Florida Statutes, is amended to read:

465.0156 Registration of nonresident pharmacies.—

(9) Notwithstanding s. 465.003(18) ~~465.003(10)~~, for purposes of this section, the registered pharmacy and the

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pharmacist designated by the registered pharmacy as the prescription department manager or the equivalent must be licensed in the state of location in order to dispense into this state.

Section 15. Paragraph (s) of subsection (1) of section 465.016, Florida Statutes, is amended to read:

465.016 Disciplinary actions.—

(1) The following acts constitute grounds for denial of a license or disciplinary action, as specified in s. 456.072(2):

(s) Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship.

Section 16. Subsection (4) of section 465.0197, Florida Statutes, is amended to read:

465.0197 Internet pharmacy permits.—

(4) Notwithstanding s. 465.003(18) ~~465.003(10)~~, for purposes of this section, the Internet pharmacy and the pharmacist designated by the Internet pharmacy as the prescription department manager or the equivalent must be licensed in the state of location in order to dispense into this state.

Section 17. Paragraph (j) of subsection (5) of section 465.022, Florida Statutes, is amended to read:

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465.022 Pharmacies; general requirements; fees.—

(5) The department or board shall deny an application for a pharmacy permit if the applicant or an affiliated person, partner, officer, director, or prescription department manager or consultant pharmacist of record of the applicant:

(j) Has dispensed any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship that includes a documented patient evaluation, including history and a physical examination adequate to establish the diagnosis for which any drug is prescribed and any other requirement established by board rule under chapter 458, chapter 459, chapter 461, chapter 463, chapter 464, or chapter 466.

For felonies in which the defendant entered a plea of guilty or nolo contendere in an agreement with the court to enter a pretrial intervention or drug diversion program, the department shall deny the application if upon final resolution of the case the licensee has failed to successfully complete the program.

Section 18. Paragraph (h) of subsection (1) of section 465.023, Florida Statutes, is amended to read:

465.023 Pharmacy permittee; disciplinary action.—

(1) The department or the board may revoke or suspend the

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permit of any pharmacy permittee, and may fine, place on probation, or otherwise discipline any pharmacy permittee if the permittee, or any affiliated person, partner, officer, director, or agent of the permittee, including a person fingerprinted under s. 465.022(3), has:

(h) Dispensed any medicinal drug based upon a communication that purports to be a prescription as defined in ~~by~~ s. 465.003 ~~465.003(14)~~ or s. 893.02 when the pharmacist knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship that includes a documented patient evaluation, including history and a physical examination adequate to establish the diagnosis for which any drug is prescribed and any other requirement established by board rule under chapter 458, chapter 459, chapter 461, chapter 463, chapter 464, or chapter 466.

Section 19. Section 465.1901, Florida Statutes, is amended to read:

465.1901 Practice of orthotics and pedorthics.—The provisions of chapter 468 relating to orthotics or pedorthics do not apply to any licensed pharmacist or to any person acting under the supervision of a licensed pharmacist. The practice of orthotics or pedorthics by a pharmacist or any of the pharmacist's employees acting under the supervision of a pharmacist shall be construed to be within the meaning of the term "practice of the profession of pharmacy" as defined ~~set~~

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FL-SEN-20-0201-A-001570

~~forth~~ in s. 465.003 ~~465.003(13)~~, and shall be subject to regulation in the same manner as any other pharmacy practice. The Board of Pharmacy shall develop rules regarding the practice of orthotics and pedorthics by a pharmacist. Any pharmacist or person under the supervision of a pharmacist engaged in the practice of orthotics or pedorthics is not precluded from continuing that practice pending adoption of these rules.

Section 20. Subsection (40) of section 499.003, Florida Statutes, is amended to read:

499.003 Definitions of terms used in this part.—As used in this part, the term:

(40) "Prescription drug" means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active pharmaceutical ingredients subject to, defined by, or described by s. 503(b) of the federal act or s. 465.003(14) ~~465.003(8)~~, s. 499.007(13), subsection (31), or subsection (47), except that an active pharmaceutical ingredient is a prescription drug only if substantially all finished dosage forms in which it may be lawfully dispensed or administered in this state are also prescription drugs.

Section 21. Paragraph (c) of subsection (24) of section 893.02, Florida Statutes, is amended to read:

893.02 Definitions.—The following words and phrases as used in this chapter shall have the following meanings, unless the context otherwise requires:

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FL-SEN-20-0201-A-001571

(24) "Prescription" includes any order for drugs or medicinal supplies which is written or transmitted by any means of communication by a licensed practitioner authorized by the laws of this state to prescribe such drugs or medicinal supplies, is issued in good faith and in the course of professional practice, is intended to be dispensed by a person authorized by the laws of this state to do so, and meets the requirements of s. 893.04.

(c) A prescription for a controlled substance may not be issued on the same prescription blank with another prescription for a controlled substance that is named or described in a different schedule or with another prescription for a medicinal drug, as defined in s. 465.003 ~~465.003(8)~~, that is not a controlled substance.

Section 22. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 23. This act shall take effect January 1, 2021.

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FL-SEN-20-0201-A-001572

From: Barnhill, Josh
Sent: Tuesday, December 03, 2019 9:59 AM EST
To: Joe Gruters <Joegruters@gmail.com>
Subject: Fwd: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Would you like to do this again? It will be during session.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

Begin forwarded message:

From: "Beth Cicchetti, CEcD" <Bkirkland@fedconline.org>
Date: December 3, 2019 at 9:54:47 AM EST
To: Mark Huey <mhuey@edcsarasotacounty.com>, "Barnhill, Josh" <Barnhill.Josh@flsenate.gov>
Cc: Jill Blackman <jblackman@fedconline.org>
Subject: RE: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Thank you, Mark. Josh, we are looking at Thursday Feb 6 for the Capitol Press Event to launch Florida Economic Development Week, which is planned for Feb 9-15. How does this date look for Senator Gruters? Once we have confirmation from your office, we can work with the Sergeant at Arms to schedule the appropriate Capitol location. I can supply a copy of the 2019 resolution presented by Senator Gruters if need be.

Thank you,

Beth

Beth Cicchetti, CEcD
Executive Director
Florida Economic Development Council
3551 Blairstone Rd., Ste. 105-138
Tallahassee, FL 32301
850.212.1056
www.FEDConline.org
FEDC
Educate. Advocate. Connect.

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, December 3, 2019 9:34 AM
To: Beth Cicchetti, CEcD <Bkirkland@fedconline.org>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Hi Beth. Meet Josh below. He will assist in working with you/ FEDC in coordinating Sen. Gruters participation in Economic Development Week.

Thanks Josh!

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
http://www.edcsarasotacounty.com
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EDC
ECONOMIC DEVELOPMENT CORPORATION
SARASOTA COUNTY

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From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Monday, December 2, 2019 9:51 PM
To: Mark Huey <mhuey@edcsarasotacounty.com>
Subject: Re: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Yes, please do.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Dec 2, 2019, at 6:58 PM, Mark Huey <mhuey@edcsarasotacounty.com> wrote:
>
> I doubt it. But FEDC - the organizing entity- will. Can I connect you to them?
>
> Sent from my iPhone
>
> > On Dec 2, 2019, at 6:18 PM, Barnhill, Josh <barnhill.josh@flsenate.gov> wrote:
> >
> > Good evening, Mark.
> >
> > I'm sure the Senator would love to participate. Will you be up in Tallahassee anytime before that week in February?
> >
> > Josh Barnhill
> > Legislative Aide
> > Senator Joe Gruters, District 23
> > Cell: (850) 933-9792
> >
> > > On Dec 2, 2019, at 6:04 PM, Mark Huey <mhuey@edcsarasotacounty.com> wrote:
> > >
> > > Thanks for the introduction GeeDee.
> > >
> > > Josh, let me know if you have any questions.

AMERICAN OVERSIGHT

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
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<image004.jpg>

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Monday, December 2, 2019 2:22 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Cc: Mark Huey <mhuey@edcsarasotacounty.com>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Josh:
Mark Huey, the Executive Director for the Sarasota EDC, called today and was wondering about the status of this request.
I have included him in this e-mail.
It is a Tallahassee scheduling matter. He knows you do not have the calendar for that week yet, but he wanted your contact info.
GeeDee

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, November 19, 2019 1:50 PM
To: Joe Gruters <jg@joegruters.com>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Greetings Senator Gruters.

The Florida Economic Development Council would again like to invite you to return as the host of the Capitol press event announcing Florida Economic Development Week. The press event will take place Thursday, Feb 6, preferably outside the Senate Chambers. However, this year session will have begun, whereas last year, we were in committee weeks. Our intention is to partner with the Association of Florida Colleges Council of Presidents as we did last year. It was a tremendous event that received great press coverage and launched a week of social media

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highlighting the impact of economic development in Florida. Photos from last year are attached.

Ideally, FEDC would like to schedule a call or a meeting with Senator Gruters to plan the press event. Would very much like to get his support in inviting a House member to join him in providing resolutions in support of Florida Economic Development Week. Another new component this year, is the interest of the Governor's office to potentially participate in the press event. This could be in the form of a resolution and/or remarks from Jamal Sowell.

Here is a link to the FEDC Feature in Expansion Solutions magazine. It is a great piece that showcases the reach and impact of FEDC in improving Florida communities and elevating Florida's global competitiveness.
https://expansionsolutionsonline.advanced-pub.com/?issueID=39&pageID=80

Thanks for your consideration, and for all you are doing to prosper Florida citizens.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
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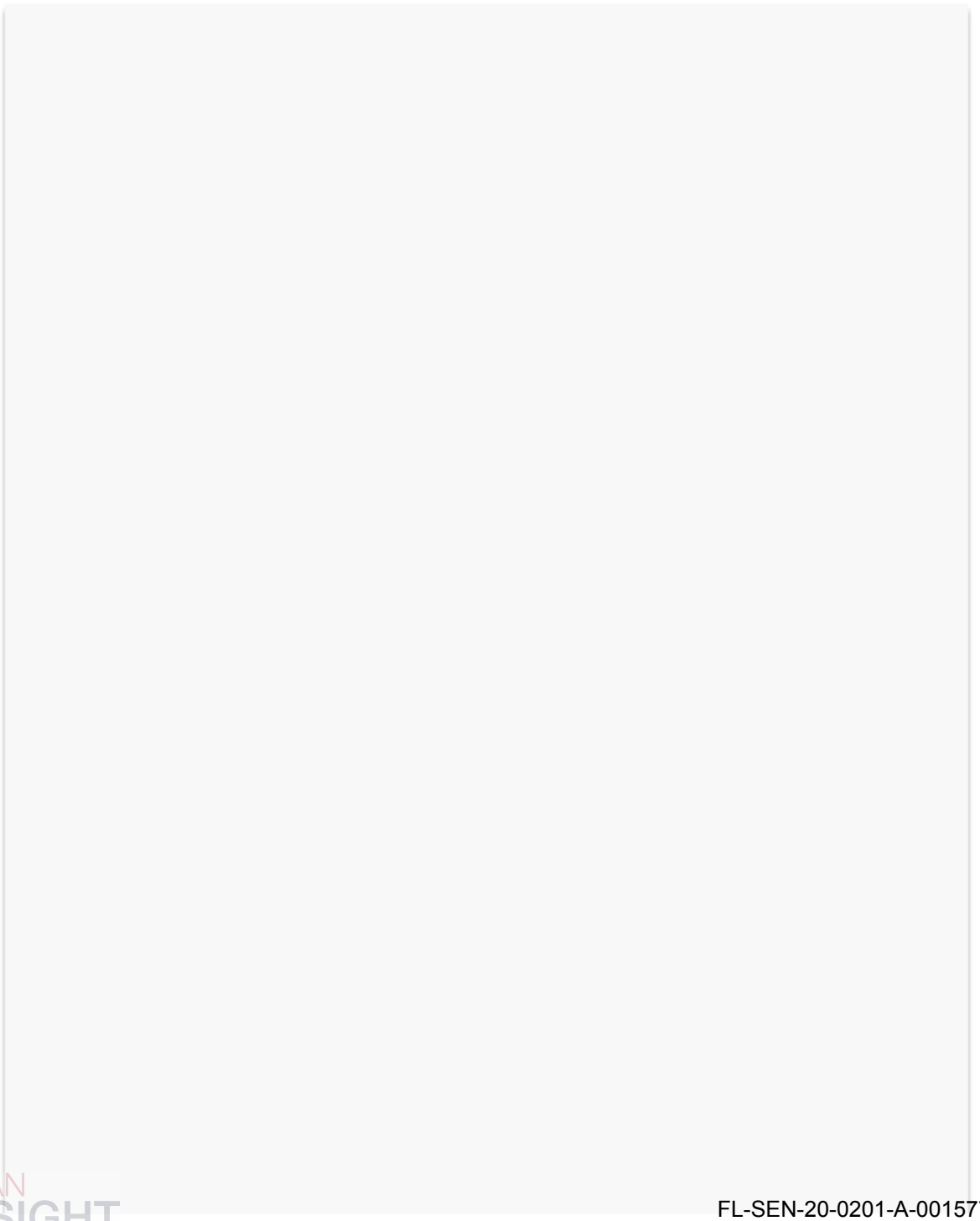
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From: Kernan.Austin <Kernan.Austin@flsenate.gov>
Sent: Monday, February 10, 2020 9:10 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Fwd: Sunburn — The morning ⁞ read of what's hot ⁞ ⁞ in Florida politics — 2.10.20 — Burnin' today: Pizzo, Bloomberg, Fried, DeSantis, Diaz, Buttigieg

Begin forwarded message:

> **From:** Peter Schorsch <peterschorsch@floridapolitics.com>
> **Date:** February 10, 2020 at 5:05:58 AM EST
> **To:** "austinkkernan@gmail.com" <austinkkernan@gmail.com>
> **Subject: Sunburn — The morning ⁞ read of what's hot ⁞ ⁞ in Florida politics — 2.10.20 — Burnin' today: Pizzo, Bloomberg, Fried, DeSantis, Diaz, Buttigieg**
> **Reply-To:** peterschorsch@floridapolitics.com



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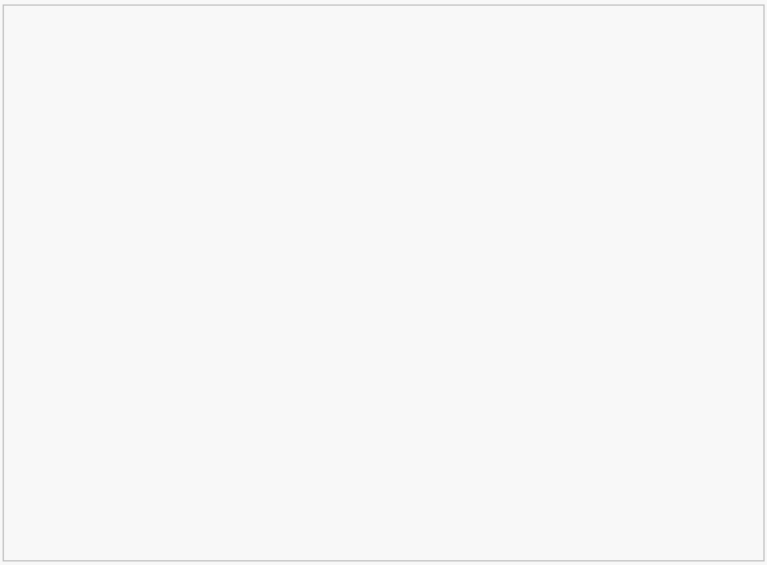
First in Sunburn: State Sen. Jason Pizzo switches endorsement to Mike Bloomberg — After previously endorsing former Vice President **Joe Biden**, the Miami Democrat is now throwing his support to presidential candidate **Bloomberg**. **Pizzo** said he based his switch on the former New York Mayor's investment to build a winning campaign in Florida. "I ran for office to curb gun violence, pass criminal justice reform, push for repairing infrastructure, and promote affordable housing, I've waited patiently to see that from Biden and others — Mike Bloomberg has a plan and a path to get there," Pizzo said. "This election is more than just defeating Trump, it is the tipping point for issues which are critical to my family, my constituents and all Floridians. Mike has a plan that I am proud to get behind."

—

A year ago, Florida Realtors commissioned a report on the economic impact of vacation rentals in the Sunshine State. Today, the University of Central Florida is releasing the results.

The top line shows the vacation rental industry provides 115,000 jobs and boosts the state economy by more than $27 billion — $16.6 billion in direct spending and $10.8 billion in indirect spending,

"Floridians have long-known that the state's vacation home rental industry has a significant impact on our economy, but the numbers in this report are simply staggering," said Florida Realtors President **Barry Grooms**, a Realtor and co-owner of Sarabay Suncoast Realty Inc. in Bradenton.



Florida Realtors President Barry Grooms says the economic impact of the state's vacation home rental industry is 'staggering.'

"More than $27 billion a year is a substantial contribution to our economy, and the 115,000 jobs it supports are critical to the well-being of many of our communities."

To put those numbers in perspective, the industry generates 312 jobs statewide every day, 13 jobs every hour, and one job every 5 minutes. As far as direct spending, that's nearly $46 million a day and approximately $1.9 million every hour reverberating through the state's economy.

Grooms adds, "Given the vital importance of vacation home rentals to our economy, I truly hope policymakers and stakeholders consider this information as they deliberate on measures that could impact the industry."

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Today's Sunrise

Wednesday marks the half-way point: Day 30 of the 60-day Session. It's the moment when the political roller coaster kicks into high gear — and also the day of the annual Capitol Press Corps Skits.

Also, on today's Sunrise:

— There's been a newfound acceptance of drones in the state Legislature. At first, lawmakers had imposed limits on uncrewed aircraft over fears about surveillance from above by the police state. But now they're considering exemptions for everything from law enforcement to python hunting.

— It's budget time in The Capitol. The House and Senate will approve two different versions of the new spending plan, then spending the final month of Session playing a behind-the-scenes version of Let's Make a Deal. Agriculture Commissioner **Nikki Fried** hopes she's not traded away in the process.

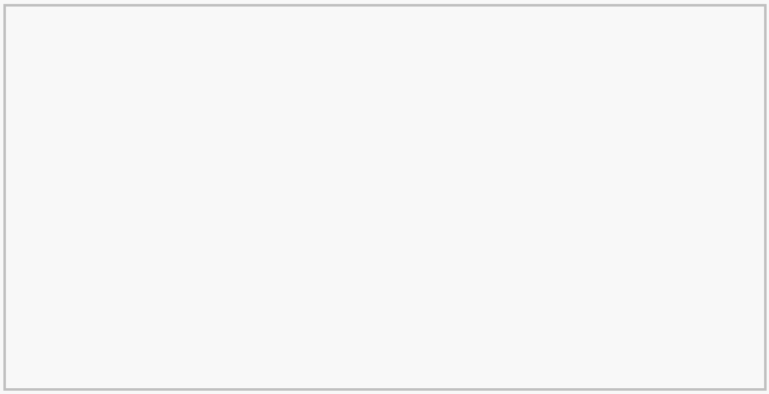
— Police in Jacksonville arrested a man accused of running a van through a volunteer tent at a GOP voter registration event. Fortunately, no one was hurt.

— Fed up with standard cable news stations? There's something new on the lineup. BNC — the Black News Channel — launches today from their studios in Tallahassee, covering community issues often ignored by the mainstream media.

— Republican political consultant **Anthony Pedicini** talks about life, the universe and Florida politics.

— The latest on Florida Men, featuring a voodoo death and first-grade meth.

To listen, **click on the image below**:



Situational awareness

@RealDonaldTrump: Fake News @CNN & MSDNC keep talking

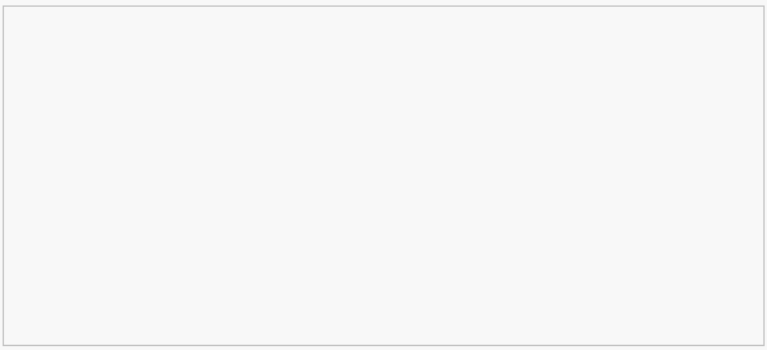
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—**@RealDonaldTrump**: Fake News @CNN & MSDNC keep talking about Lt. Col. **[Alexander] Vindman** as though I should think only how wonderful he was. Actually, I don't know him, never spoke to him, or met him (I don't believe!) but, he was very insubordinate, reported contents of my "perfect" calls incorrectly, & was given a horrendous report by his superior, the man he reported to, who publicly stated that Vindman had problems with judgement, adhering to the chain of command and leaking information. In other words, "OUT."

—**@MarcoRubio**: Col. Vindman wasn't "fired" he's still an Army officer. He was assigned to NSC to serve the President who has a right to have people he trusts on his staff **[Gordon] Sondland** was a political appointee. No point in having a political appointee who no longer has the Presidents confidence

—**@DonaldJTrumpJr**: Allow me a moment to thank — and this may be a bit of a surprise — **Adam Schiff**. Were it not for his crack investigation skills,@real**DonaldTrump** might have had a tougher time unearthing who all needed to be fired. Thanks, Adam!

Tweet, tweet:



—**@sahilkapur**: UMass Lowell poll: 62% of New Hampshire Democrats would rather see a giant meteor strike the earth and extinguish all human life than see President Trump get reelected.

—**@KevinCate**: Watching some old **@AndrewGillum** footage & there is no question, he's one of — if not the most — talented & inspiring political leaders in our country. He should be at the top of everyone's Veep list.

—**@GovRonDeSantis**: The tax credit scholarship program provides educational opportunities to more than 100,000 low-income families in Florida. I support these families and am glad to see **@FifthThird** continue to do so as well. Thanks for empowering parents and students!

—**@SamanthaGross**: There is a ton happening in Tallahassee, across Florida and beyond. Despite attending events statewide, it's been about a month since the governor took questions from the press. **@anaceballos** speaks for us all: **[Ron] DeSantis** has been sidestepping reporters, and we are taking notice.

—**@TowsonFraser**: Mandating Florida businesses use an error-ridden federal system was a bad idea then and still is.

—**@Scott_Tobias**: Netflix: Good morning. Here are 12 new shows. Disney Plus: Did you enjoy The Mandalorian? Hold onto that feeling for another nine months or so.

Tweet, tweet:

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Days until

New Hampshire primaries — 1; Pitchers and catchers begin reporting for MLB Spring Training — 1; South Beach Wine and Food Festival — 9; Ninth Democratic presidential debate in Las Vegas — 9; **Roger Stone**'s sentencing — 10; Nevada caucuses — 12; "Better Call Saul" Season 5 premiers — 13; 10th Democratic presidential debate in Charleston — 15; South Carolina Primaries — 19; Super Tuesday — 22; Last day of 2020 Session (maybe) — 32; Florida's presidential primary — 36; "No Time to Die" premiers — 56; Florida TaxWatch Spring Board Meeting begins — 65; TaxWatch Principal Leadership Awards — 66; Florida Chamber Summit on Prosperity and Economic Opportunity — 95; "Top Gun: Maverick" premiers — 137; Democratic National Convention in Milwaukee begins — 154; **Christopher Nolan**'s "Tenet" premiers — 158; 2020 Summer Olympics in Tokyo start — 165; Florida primaries for 2020 state legislative/congressional races — 190; First Presidential Debate in Indiana — 232; Republican National Convention begins in Charlotte — 196; First Vice Presidential debate at the University of Utah — 240; Second Presidential Debate scheduled at the University of Michigan — 248; Third presidential debate at Belmont — 255; 2020 General Election — 267.

Top story

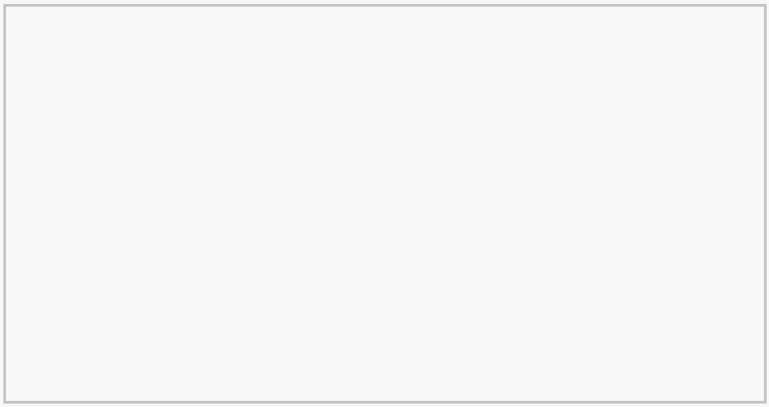
"**Florida voted to give 1.4 million felons the right to vote. It hasn't gone smoothly**" via Arian Campo-Flores and Jon Kamp of The Wall Street Journal — "It is a confusing, Byzantine morass," said **Myrna Pérez**, director of the Voting Rights and Elections Program at the Brennan Center for Justice, which sued the state. The 2018 amendment ended the state's permanent disenfranchisement of felons. The measure restored voting rights to those who completed their prison terms as well as parole or probation, except people with murder or felony sexual-assault convictions. After it took effect, the Republican-led legislature last year passed a bill that supporters said was needed to clarify its language. Among the bill's provisions was a requirement that felons pay any fees, fines or restitution they owe to fulfill all terms of their sentences. Opponents of the bill said the measure undercut the amendment.

Dateline: Tally

"**Without consequences': Dozens of ethics cases are languishing on Capitol Hill**"

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DeSantis' desk" via Jeff Schweers of the Tallahassee Democrat — A backlog of nearly 30 recommended orders from the state's ethics board — imposing penalties on an array of public officials, several of which were high-profile cases — is languishing on the desk of DeSantis. All require final action from him, and all but seven of them arrived from the Florida Commission on Ethics since he took office. The Governor's failure to act also means people who should have been removed from their positions are still in office, including a St. Cloud Community Redevelopment Agency board member whose term is up for renewal next week. Even a $5,000 fine against DeSantis' Democratic rival for governor, former Tallahassee Mayor Gillum, has gone unaddressed.

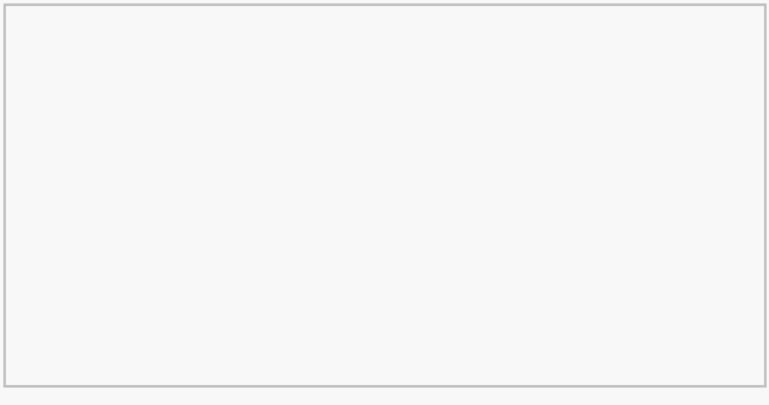


Ron DeSantis has nearly 30 ethics orders on his desk, waiting for attention.

"**Election year politics? GOP pushing pay raises for teachers and state workers**" via John Kennedy of the GateHouse Capital Bureau — Democrats and union officials say the GOP's motives may be to deflect campaign criticism this fall, or even sow dissent among labor groups jostling over the size of a rare pay hike. But many welcome being central to state budget talks as the Legislature nears its midpoint. It's an unfamiliar place for both. "Republican leaders think this will take away a page from our playbook — that we can't say they haven't done enough for teachers or state workers," said Rep. **Evan Jenne**. "But I'm happy they are finally seeing value in our hardworking public workers." House budget chair **Travis Cummings** dismissed any political shadings to the pay raises.

"**Why is Florida suddenly bullish on teacher pay? Big business is on board**" via Jeffrey Solochek and Emily Mahoney of the Tampa Bay Times — Teachers have been lobbying lawmakers for better pay — not bonuses — for years. Democrats have proposed boosting the minimum salary to $50,000 since 2015. Most often, their voices have stood alone. In 2020, though, some of the most powerful lobbying groups in the state are joining the chorus: those representing the business community. "If we want the best, most dedicated teachers for our children, we need to pay them enough to want to enter and stay in the classroom," North Florida developer **Chris Corr**, also chairman of the Council of 100, wrote in a recent column that circulated across the state. That issue of talent is another key argument. And it's not brand-new.

"**Appeal court sustains House's subpoena of visit Florida's 'Emeril' contract**" via Michael Moline Florida Phoenix — A state appellate court has handed a victory to the Florida House in a dispute over financial records kept by the company that produced the "**Emeril**'s Florida" cooking show under contract with VISIT FLORIDA, the state's tourism promotion arm. The outcome could strengthen the House's hand in the continuing drama over VISIT FLORIDA. That chamber keeps trying to kill the agency while DeSantis and the Senate see it as crucial to promoting Florida's tourism industry. At the least, the ruling vindicates the Legislature's broad authority to investigate suspected corruption, inefficiency, or waste.



AMERICAN OVERSIGHT

One of Emeril Lagasse's cooking shows is embroiled in the battle between the House and VISIT FLORIDA.

"**Will APD changes happen this Session?**" via Christine Sexton of the News Service of Florida — Despite both chambers identifying the Agency for Persons with Disabilities as a priority issue that needed to be addressed during Session, the House has been strangely quiet on how to improve the Medicaid waiver program for people with intellectual and developmental disabilities, dubbed the "iBudget." But the Agency for Persons with Disabilities has spent more money providing services to the 34,000 people in the iBudget program than what the state has agreed to spend, which has spurred lawmakers to take a closer look at how the program operates. The Senate has offered its proposal (SB 82), by Sen. **Aaron Bean**. The bill maintains the iBudget program but makes some changes to how it operates.

"**Al Jacquet hard to find as state imposes fines**" via Joel Englehardt of the Palm Beach Post — The state can't always find him. They're slapping fines on him and routinely seeking corrections in his campaign filings. One recent notice was returned unopened. A friend said **Jacquet** told him last year that he resorted to living in his car for a time while in Tallahassee for the 2019 session. For about six months, Jacquet had no district office. The Florida Elections Commission fined Jacquet $2,000 in September for waiting a year to correct other campaign finance violations. He still hasn't paid the fine, which could lead to the state filing suit against him. A $50 fine went to a collection agency in December 2018 and state records indicate it remains unpaid.

Legislation

"**Florida's tourism industry is behind a bill to block local laws that could create more benefits for workers**" via Chabeli Carrazana of the Orlando Sentinel — Florida's top tourism and business interests are putting their combined political might behind a bill moving through the Legislature that would prevent cities and counties from forcing companies to provide their workers with better benefits or more predictable schedules. Proponents say the bill fosters a pro-business environment and will set a single standard across the state, rather than allow local governments to create a patchwork of different rules. Opponents worry the bill could cancel out local laws such as an Orange County ban on discrimination based on sexual orientation and gender identity in the private sector or a wage recovery ordinance in Osceola County that helps workers when an employer doesn't pay what the worker is due.

"**Sponsors still hopeful puppy mill legislation passes**" via Sarah Mueller of Florida Politics — Sen. **Manny Diaz** is still holding out hope his bill to regulate pet stores will pass this Session. However, the Hialeah Gardens Republican's proposal (SB 1698) has not yet been heard by a committee. The legislation, along with the House companion bill (HB 1237), sponsored by Rep. **Bryan Avila**, aims to rid the state of so-called puppy mills. Both bills seek to set a uniform standard throughout the state, allowing stores that play by the rules to keep their doors open and freeing them of the stigma brought on by shady operations.

Manny Diaz hopes his puppy mill bill will make it through this Session.

AMERICAN OVERSIGHT

Today in Capitol

The Senate Education Committee meets to consider a proposed constitutional amendment SJR 1216 from Sen. **Joe Gruters**, which seeks to set up eight-year term limits for school board members across the state, 1:30 p.m., Room 412, Knott Building.

The Senate Governmental Oversight and Accountability Committee meets to consider several bills, including SB 966 from Sen. **George Gainer**, which seeks to create a public-records exemption for information submitted to government agencies for disaster-recovery housing assistance programs, 1:30 p.m., Room 301, Senate Office Building.

The Senate Innovation, Industry and Technology Committee meets to consider SB 1352 from Sen. **Jeff Brandes**, which seeks to permit vehicles in ride-sharing services such as Uber and Lyft to show digital advertising, 1:30 p.m., Room 110, Senate Office Building.

The House PreK-12 Appropriations Subcommittee meets to consider HB 737 from Rep. **Kimberly Daniels**, which seeks to require a moment of silence at public schools every day, 1:30 p.m., Reed Hall, House Office Building.

The House Transportation & Tourism Appropriations Subcommittee meets to consider HB 1371 from Reps. **Randy Fine** and Rep. **Mike Caruso**, which seeks to improve safety at pedestrian crosswalks, 1:30 p.m., Room 404, House Office Building.

The House Select Committee on the Integrity of Research Institutions meets to hear a presentation on the "risk of foreign interference in research." House Speaker **José Oliva**, called for the committee after the resignation of officials at Moffitt Cancer Center who had ties to China, 4 p.m., Room 404, House Office Building.

The Senate Community Affairs Committee meets to consider SB 1148 from Brandes, which seeks to set up regulations on electric bicycles, 4 p.m., Room 301, Senate Office Building.

The Senate Environment and Natural Resources Committee meets to consider SB 1706 from Chairman **Bill Montford**, which seeks to address pollution in distinct types of public and private water systems, 4 p.m., Room 37, Senate Office Building.

The Senate Ethics and Elections Committee meets to consider the confirmation of several appointees to state and local agencies and boards — such as the state university system's Board of Governors, the Florida Fish and Wildlife Conservation Commission and water management districts, 4 p.m., Room 412, Knott Building.

The Senate Infrastructure and Security Committee meets to consider SPB 7054, which seeks to make changes in several transportation laws, 4 p.m., Room 110, Senate Office Building.

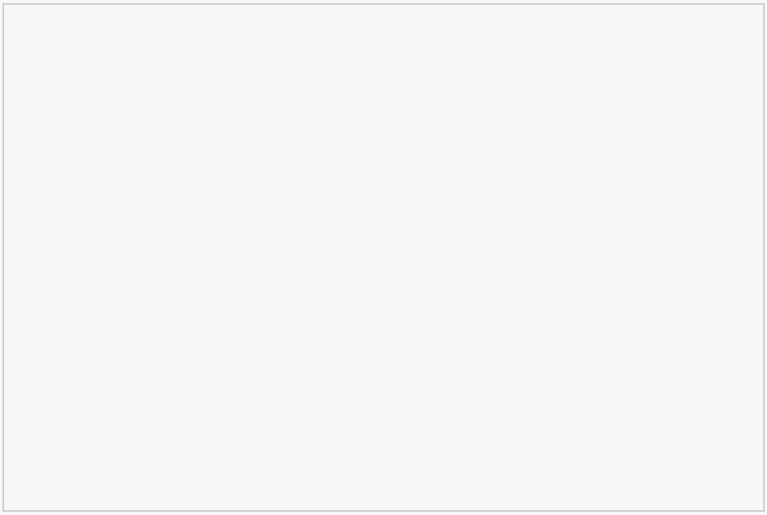
The Senate Special Order Calendar Group will meet to finalize the special-order calendar, which lists bills that will move to the Senate floor, 15 minutes after committee hearings end.

Statewide

"**Florida's unpopular Common Core standards are 'eradicated'**" via The Associated Press — The state Department of Education in a statement said the controversial set of academic standards "has been officially eradicated from Florida classrooms." Education Commissioner **Richard Corcoran** said he is recommending that the state Board of Education next week

AMERICAN OVERSIGHT

adapts Common Core's successor, Benchmarks for Excellent Student Thinking, also known as BEST. The Common Core standards were first proposed a decade ago by associations of governors and state education chiefs, and they were embraced in Florida by former Gov. **Jeb Bush**. A broad coalition of conservatives, liberals, parents and teachers found fault with Common Core for different reasons.



Education Commissioner Richard Corcoran put the final nail in the Common Core coffin.

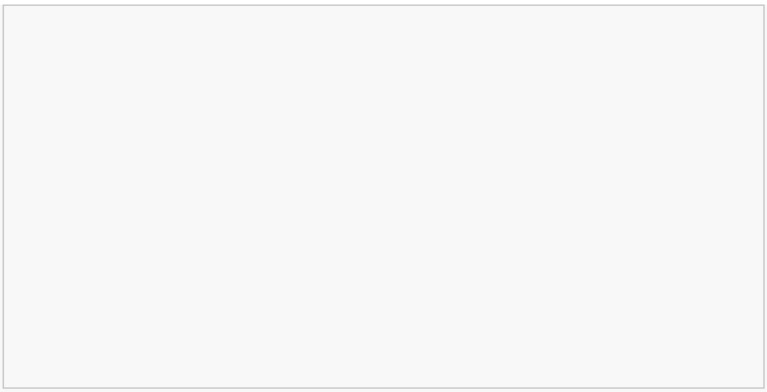
"**Florida may start grading pre-K schools A through F. Here's why some think that idea is wrong**" via Leslie Postal of the Orlando Sentinel — State lawmakers this year have proposed a new system, one that has generated widespread support — in part because so many dislike the current one — but also has prompted criticism for suggesting pre-K programs be graded A-to-F. The pre-K program, dubbed VPK, served more than 174,000 students last year and cost more than $400 million. Many early-childhood and education advocates are in favor of the new assessments but don't want an A-to-F grade given to pre-K programs. "The VPK accountability system is broken," said **David Daniel** of the Florida Association for Child Care Management, which represents private child care centers. "It doesn't serve private providers, it doesn't serve the policymakers, and it doesn't serve these families."

"**Moffitt returns $1 million to state. Money was linked to scientist with China ties**," via Justine Griffin of the Tampa Bay Times — The funds originally were used to provide a salary and staff for **Howard McLeod**, medical director of the DeBartolo Family Personalized Medicine Institute at Moffitt and a senior member in Moffitt's department of cancer epidemiology. McLeod was forced to resign in December, along with former Moffitt CEO **Alan List** and four other scientists, after an internal investigation found they did not disclose ties to Chinese recruitment programs. "Out of an abundance of caution, Moffitt is refunding $1,093,890 that it could not confirm was spent as it should have been," said **Yvette Tremonti**, Moffitt's chief financial and administrative officer.

"**From smaller asbestos payouts to limiting lawsuit damages: Florida high court's conservative makeover raises stakes in Capitol tort reform battles**" via Gray Rohrer of the Orlando Sentinel — Unlike tax cuts, regulation reductions and other business-friendly measures passed by the GOP-led Legislature, tort reform bills have often failed to get through amid massive opposition from another influential group — the trial attorney lobby. DeSantis' conservative makeover of the Florida Supreme Court means new such laws are more likely to be upheld. Under the old liberal majority, the state's high court knocked down or chipped away at laws capping fees in medical malpractice and workers' compensation cases, upsetting insurers and large corporations. DeSantis has also taken an interest in the tort reform push.

"**Ocala to host Ashley Moody at cybercrime workshop**" via Carlos Medina of the Ocala StarBanner — The workshop will be presented Tuesday by Cyber Florida and the Marion County Clerk of Courts and Comptroller in the wake of several cybercrimes targeting government offices in Florida. A spear-phishing scam hit the city of Ocala in October to the tune of about $740,000. The episode demonstrated how governments could be vulnerable to such attacks. "These attacks on our cities are expensive and diverts the government's focus away from serving its citizens. These workshops and training sessions will help local leaders across Florida implement procedures to prevent, respond to and recover from cyberattacks," **Moody** said in a prepared statement. The workshop is scheduled for 11 a.m. at Southeastern Livestock Pavilion and Extension Auditorium.

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AG Ashley Moody will be heading a cybercrime workshop in Ocala.

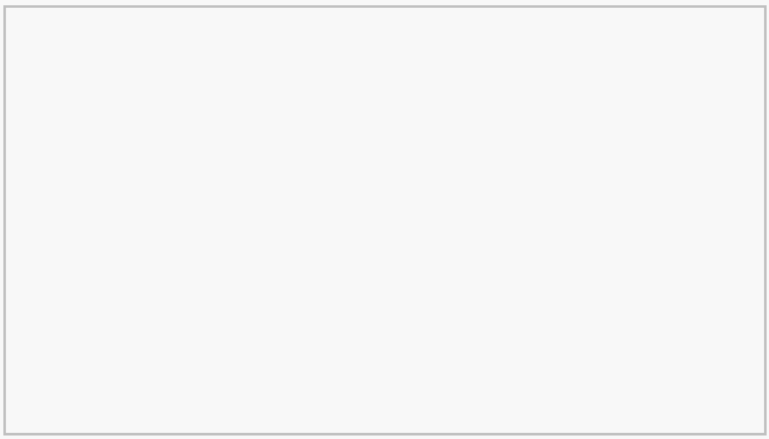
"**Federal red tape hamstrings Florida's commercial space growth**" via Jacqueline Feldscher of POLITICO Florida — The arm of the Florida state government tasked with revitalizing its space economy is facing years of delays in acquiring excess federal land and facilities to attract new commercial customers, says **Frank DiBello**, CEO of Space Florida. Significant delays in Washington are slowing things down, asserts DiBello, who has led Space Florida since 2009 and previously managed the aerospace business at consulting firm KPMG. "Right now, when there is federal property that is excess or could be turned over to the state for purposes of meeting the market need, we have to go through a federal process that is long and cumbersome," DiBello said. "I would love to see that streamlined. We're pretty far down on the pecking order."

"**Free orange juice could make a comeback at Florida welcome centers**" via the News Service of Florida — Helping the Department of Citrus bring back free orange juice could hinge on a more significant debate, as the operations of state welcome centers remain locked in a legislative battle about the fate of the tourism-marketing agency VISIT FLORIDA. The Department of Citrus last July eliminated free juice offerings at welcome centers along Interstate 10 west of Pensacola, Interstate 75 near Lake City, and Interstate 95 near Jacksonville, as a $4.1 million cut in state promotional funding went into effect. **Shelley Rossetter**, the department's assistant director of global marketing, said that stopping the flow of free juice "was hard to let go of. The department and growers are very clear that our visitors miss their juice."

Coronavirus

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"Coronavirus has Florida couple quarantined on Diamond Princess cruise ship: 'It's a little bit prisonlike'" Naseem Miller of the Orlando Sentinel — Florida couple**Philip** and **Gay Courter** are trying to make the best of being quarantined on the Diamond Princess in Japan, where dozens of passengers, including 12 Americans, have been diagnosed with the coronavirus. "I'm out on the balcony looking at at least 16 ambulances lined up here on the pier, and they've got the quarantine tunnel set up at the door, so I'm sorry to say it looks like they're going to be offloading more sick passengers today," said Philip Courter, 77, in a phone call from the cruise ship docked at Yokohama, Japan. Meanwhile, the numbers of infections continue to rise, especially in China.



A Florida couple are under coronavirus quarantine on the Princess Diamond cruise ship.

"Rick Scott urges coronavirus transparency. Was he all that transparent on Zika?" via Anthony Man of the South Florida Sun-Sentinel — This week, **Scott** depicted himself as a proponent of transparency. His office issued a news released headlined, "Scott Requests Transparency in Combating Coronavirus in United States." While Gov., Scott's administration was the subject of complaints at the time about a lack of transparency about Zika. "It's rich in irony that Sen. Scott talks about transparency given his record of running from it. In 2016, he literally avoided coordination with Miami Beach Mayor **Philip Levine** and county Mayor **[Carlos] Giménez** around the Zika virus outbreak. He withheld information from local leaders and even his fellow Republican, Gimenez ripped him for his lack of transparency and withholding sensitive information," **Christian Ulvert**, who was a political adviser to Levine, said.

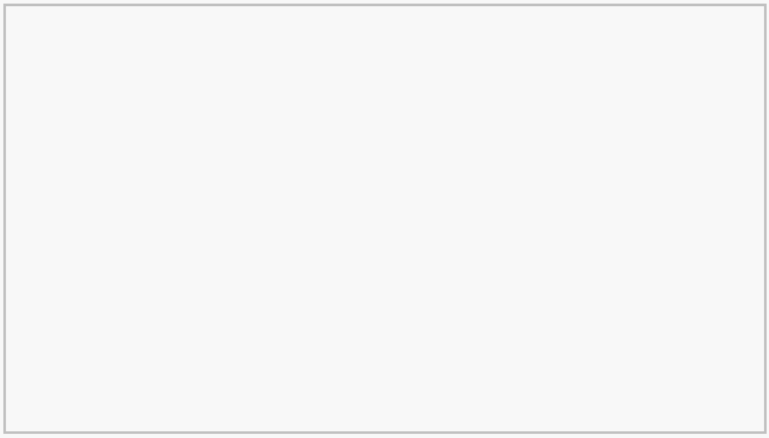
Charlie Crist calls for transparency and action on coronavirus" via Janelle Irwin Taylor of Florida Politics — In a letter to CDC Director **Robert Redfield**, **Crist** asked for transparency in the agencies planning as well as additional action on how individuals and families can take preventative action. Trump does not plan to request emergency funding to respond to the outbreak, which has left many lawmakers frustrated, according to The Hill. While only 12 cases have been reported in the U.S., officials are concerned action is needed to stave off a more widespread problem. Coronavirus first began in China at the end of 2019. So far more than 28,000 cases have been confirmed in Asia, Europe and North America, including in the U.S.

Happening today — Crist will tour a health clinic to highlight flu season and preparations for any possible coronavirus outbreak, 11 a.m., Community Health Center of Pinellas Lealman Clinic, 4950 34th St. North, St. Petersburg.

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Mother Nature

"**Florida should help remove shark fin soup from the world's menu**" via David Whitley of the Orlando Sentinel — The shark is yanked out of the ocean, its fins and tail are chopped off, then it's tossed back into the water. Unable to move, the shark drowns or is eaten. Shark finning has been banned in the U.S. since 2000. Fins can still be imported from countries without bans, however. Florida's become a major hub in this trade, so the legislature is considering bills that would prohibit the import, export and sale of shark fins. The issue is not as cut-and-dried as it seems. There's fear such laws would make it harder to track and combat illegal trade, and they could punish responsible fisheries. But many scientists and shark lovers say there's no time to waste.



The U.S. Fish and Wildlife Service confiscated nearly $1 million in shark fins at the Port of Miami.

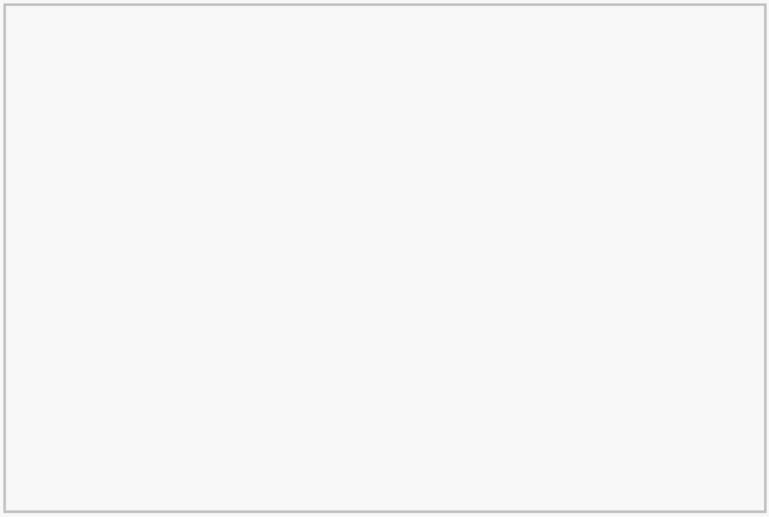
"**Sierra Club sues to block Pasco road project that cuts through nature preserve**" via CT Bowen of the Tampa Bay Times — The suit was not unexpected. The environmental group had pledged a legal challenge to the U.S. Army Corps of Engineers permit, and Pasco County already had retained outside legal counsel for the court fight. The suit, filed in U.S. District Court in Tampa, names U.S. Army Corps Commander Lt. Gen. **Todd Semonite** and Col. **Andrew Kelly**, of the Corps' Jacksonville district as defendants.**Dan Rametta** of Land O' Lakes, a longtime opponent of the road project, joined the Sierra Club as a plaintiff. The 59-page suit contends the corps issued the environmental permit Dec. 20 without requiring sufficient wildlife studies, a public hearing and inclusion of public comments before 2011.

"**Indialantic motel finally falls to the wrecking ball, 2+ years after Hurricane Irma struck**" via Rick Neale of FLORIDA TODAY — A pyramid-shaped heap of jagged rubble, discolored mattresses and dented water heaters are all that's left of the three-story Beach House Motel that got its roof scalped by Hurricane Irma in September 2017. JCG Demolition & Construction of Melbourne used an excavator to finally raze the dilapidated, dangerous shuttered structure bordering popular James H. Nance Park. "It's been an eyesore for (nearly) three years. I'm happy that it's being resolved moving forward. And, hopefully, they keep the place safe and clear," Indialantic Town Manager **Michael Casey** said. "There was broken glass and windows all over the place."

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FITN

"Democrats clash on electability and policy in blistering presidential debate" via Matt Viser, Michael Scherer, Chelsea Janes and Cleve Wootson of The Washington Post — With no clear front-runner and four days to go before the New Hampshire primary, seven of the party's leading candidates abandoned the wonky policy contrasts and opaque tonal critiques that had filled the race before Iowa. The debate stage became a free-fire zone instead, the candidates seizing the moment to call each other out. In a sign of the reordering of the Democratic primary race, it was **Bernie Sanders** and **Pete Buttigieg** who often took control of the stage, engaging in impassioned monologues — and seeing their records scrutinized — while rivals raised their hands in the hopes of being called on next. They harped on age and political records, flashed anger, indignation and warned their rivals' policy prescriptions would fail.



The leading Democratic contenders are clashing over electability, policy in a 'free-fire zone.'

"New Hampshire pollsters on high alert after Iowa flop" via Steven Shepard of POLITICO — The University of New Hampshire Survey Center assured CNN — which, along with WMUR-TV, sponsors its pre-primary polling — that everything would work as it should. Unlike the Des Moines Register/CNN/Mediacom poll, which is captained by Iowa pollster **J. Ann Selzer** and contracts with an outside call center to conduct interviews — UNH conducts its polling in-house and closely monitors its procedures. Between the crowded field of candidates, the compressed timeline after an ambiguous Iowa result and Granite Staters' historical penchant for last-minute commitments, the performance of this year's New Hampshire polls could exceed its notorious reputation for volatility. Even UNH pollster Andrew Smith said it's "a fool's errand" to try to nail the results with the final poll.

"NH officials on the primary: We got this" via Kevin Landrigan of the New Hampshire Union Leader — Gov. **Chris Sununu**, Secretary of State **Bill Gardner** and top state and federal prosecutors vow the first-in-the-nation primary will go off without a hitch, though they're prepared for contingencies. During a nearly hourlong news conference, Sununu said the state's "100-year tradition" of fair and transparent elections would continue, and the debacle with the count and reporting of results in Iowa will not happen here. "We have a great record of being right, reliable, and on time, and this time will be no different," Sununu said.

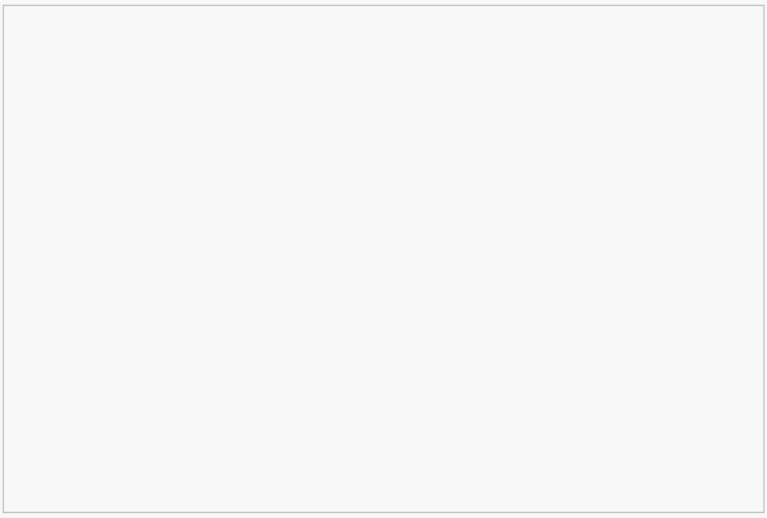
2020

"Joe Biden is collapsing" via Walter Shapiro of The New Republic — In his first words of the debate — the moment when candidates are usually the most scripted — **Biden** confessed, "I took a hit in Iowa, and I'll probably take a hit here." If his comments were a brief misstep in an otherwise smooth debate, it would have been one thing. Biden adopted a combative tone that undercuts one of his most substantial assets as a candidate — his avuncular persona. Biden may merely have been frustrated; the 77-year-old can see himself losing New Hampshire to the dewy Buttigieg (who was born during Biden's second term in the Senate) and to the perpetual left-wing Senate gadfly Bernie Sanders. But he ought to know better.

"Biden shakes up campaign leadership, elevating Anita Dunn" via Katie Glueck and

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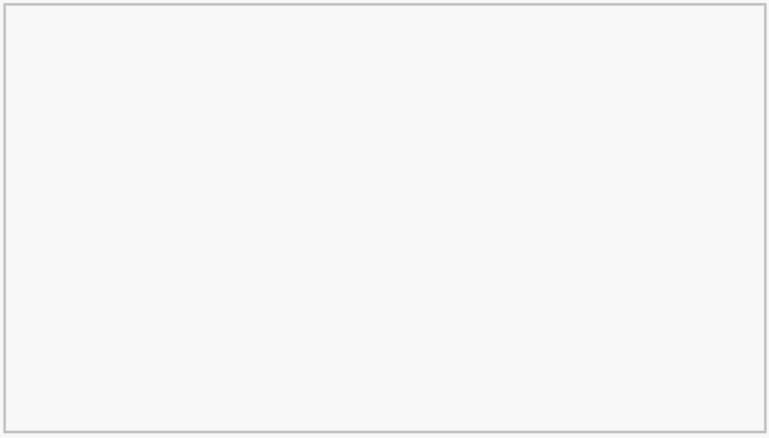
Jonathan Martin of The New York Times — Biden is giving effective control of the campaign to **Dunn**, a veteran Democratic operative and top adviser to him. "She will be working closely with us on campaign strategy and overall coordination on budget and personnel as we build a bigger campaign for the next phase," according to a campaign email obtained by The New York Times. But two senior Biden officials said Dunn is doing more than that — and that she will have final decision-making authority, a decision that came at the behest of the former vice president.



Joe Biden's campaign makes a major shake-up, elevates Anita Dunn to the top adviser.

"**Biden on Pete Buttigieg: 'This guy's not a Barack Obama'**" via Sarah Mucha and Eric Bradner of CNN — Biden mocks Buttigieg's experience as a small-city Mayor in a new digital ad the former vice president's campaign is using on YouTube and Facebook in New Hampshire. The ad opened a bitter new chapter in the Democratic race, with Biden belittling Buttigieg on the campaign trail Saturday and the former Mayor's supporters responding by calling Biden dismissive of those in small cities and towns. Biden, who is attempting to turn around his flagging campaign after a fourth-place finish in Iowa, dismissed comparisons between his attacks on Buttigieg and **Hillary Clinton**'s criticism of then-Sen. **Barack Obama**'s limited experience when the two were primary rivals in 2008. "Oh, come on, man," Biden told reporters in Manchester. "This guy's not a Barack Obama."

To view the ad, **click on the image below**:



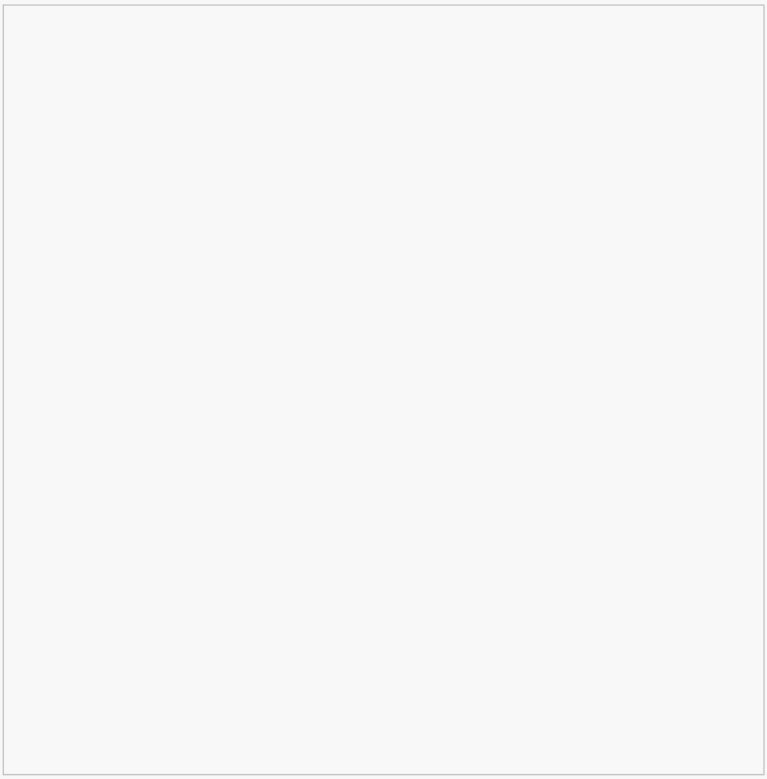
"**Buttigieg reluctantly embraces his barrier-breaking candidacy**" via Ryan Lizza of POLITICO — For the most part, the historical impact of a gay man winning Iowa has been something that has been thrust upon Buttigieg — by the media, by proud gay activists — rather than something that he has boasted about. In recent years there have been vastly different approaches to identity politics in the Democratic Party. The pattern has been that the first to have a realistic shot at breaking a barrier is more circumspect. Buttigieg is in the complicated space of being a barrier breaker: He's willing to celebrate and ruminate on the history when pressed, but being defined as a gay candidate is not part of his strategy to win.

"**Iowa debacle could make Florida primary more important**" via Zac Anderson of the Sarasota Herald-Tribune — Florida Democrats will see 16 names on their presidential primary ballot, including candidates who already have dropped out, such as **Cory Booker** and **Julian Castro**. More candidates likely will drop out before Florida's March 17 primary date, but the ballot had to be finalized back in December to allow time for printing. If the race remains

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muddled deep into the primary calendar, Florida could play a key role in the nomination. That scenario looks more likely now, with Iowa's vote-counting problems resulting in the state failing to give the type of big lift or devastating defeat that can help winnow the field.

Tweet, tweet:



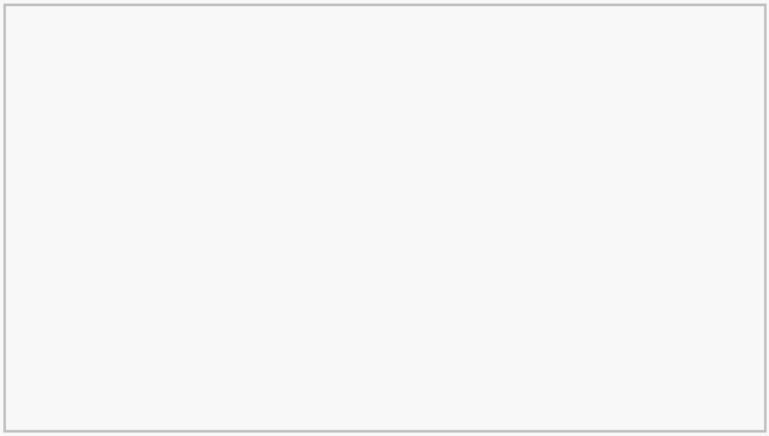
"**A Democratic race among mostly white men leaves many women, minorities feeling abandoned**" via Dan Balz of The Washington Post — Despite having two women and an Asian American sharing the stage at the debate in New Hampshire, right now the Democratic race appears to be a contest among two white men in their late 70s, Sanders and former Vice President Biden, and another in his late 30s,Buttigieg. Another septuagenarian, former New York mayor **Mike Bloomberg**, is waiting to pounce, depending on the results of the first four primaries and caucuses. This represents an unexpected turn for a party whose success in the 2018 midterms depended heavily on an outpouring of support and activism by women and whose failure in 2016 was the result, in part at least, of a falloff in turnout among voters of color.

NH horse race

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Tomorrow is the New Hampshire primaries, the first actual votes — notwithstanding the Iowa kerfuffle — cast in the 2020 primary season. Here's a rundown of the latest polling leading into the primaries.

Buttigieg is moving slightly ahead of Sanders in New Hampshire, according to a new **Boston Globe/WBZ-TV/Suffolk University poll**. The former South Bend, Indiana, Mayor is leading the Vermont independent Sen. by one percentage point among likely Democratic presidential primary voters. Buttigieg, increased his support in New Hampshire to 25%, versus 24% for Sanders, in the Paul that has a margin of error of plus or minus 4.4 percentage points. Sen. **Elizabeth Warren** saw a small increase to 14% for third place, while former Vice President Biden held steady at 11%.



Polls are showing Pete Buttigieg and Bernie Sanders in a statistical tie in New Hampshire, within the margin of error.

In a February 8 poll from the **Suffolk University Political Research Center**, Sanders takes the lead with 24%, with Buttigieg second with 22%. Warren receives slightly more than 13%, for third place, with Biden at a little over 10%. All other candidates are in the single digits, with about 12% undecided. This poll also has a margin of error of plus or minus 4.4 percentage points.

A **recent NBC News/Marist poll** taken four days before the primary finds Sanders with 25% of likely voters, while Buttigieg gets support from 21%. This puts the two leaders within the poll's 4.7% margin of error. Warren receives 14% (slightly up from the 13% last month), and Biden is fourth with 13% (he had been at 15%).

CNN polling conducted by the University of New Hampshire Survey Center gives Buttigieg a more significant boost in Sanders. However, the Vermont Senator still leads with 28% of likely Democratic primary voters, slightly more than the 25% backing him in mid-January. Buttigieg has risen six points to 21%, while Biden slides five points to 11% and Warren dips to single digits with 9%. Buttigieg's gains come almost entirely at Biden's expense, CNN notes.

AMERICAN OVERSIGHT

The neuroscience of presidential preferences

During the 2016 presidential primaries, SPARK Neuro, a company examines brain waves and other physiological signals to understand the subliminal mind, decided to evaluate people's reactions to the Democratic candidates.

As **Sue Halpern writes in The New Yorker**, the company designed a test to learn how people actually felt, as opposed to what they say.

Traditional political polls, a small section of the three-billion-dollar public-opinion-research industry, are often widely conflicting and somewhat unreliable. One reason for this, according to SPARK Neuro CEO **Spencer Gerrol**, is that people tend to say what they think others want to hear — referred to as a "social desirability bias, the innate desire to be liked"— are vulnerable to "groupthink," or they say nothing because they don't want to be judged.

"This is especially problematic in politics," **Gerrol told The New Yorker**, "hence all the errors in polling and all of the mistakes in campaign decisions."

Subconscious feelings are seen as more reliable, because they can't be easily gamed or swayed by outside forces.

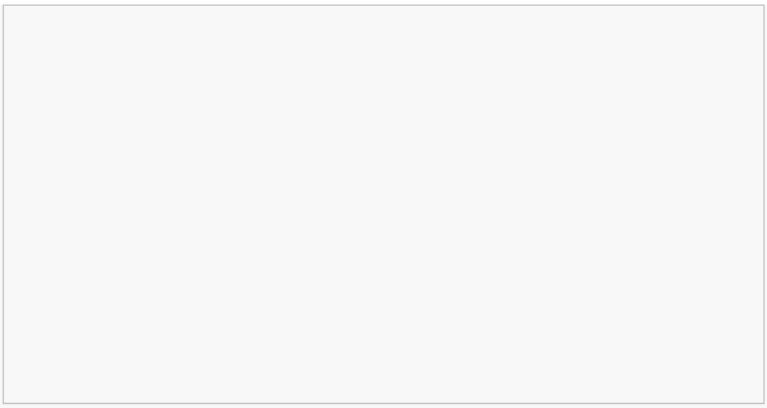
"We're not really conscious of our emotions in real-time," Gerrol said. "Our algorithm is not reading minds. It understands if you are paying more attention or less attention and if you have stronger or weaker emotions, and to some degree, what the nature of those emotions are."

"The firm might take on issues, like gun control or climate change, to help advocates craft more effective advertisements, he told me, and has chosen not to take on tobacco companies as clients," **Halpern writes**. "It is currently working with the Department of Defense to understand the specific appeal embedded in terrorists' recruitment materials in order to make equally powerful counter-propaganda."

D.C. matters

"**Donald Trump's post-virus, preelection boom**" via Dion Rabouin of Axios — The Wuhan coronavirus outbreak is already scuttling supply chains and wreaking havoc on companies around the world that do business in China, but if analysts' projections are correct, the rebound from the virus could help propel the U.S. economy to new heights right around the time of the 2020 presidential election. With Trump touting the stock market's performance and job growth as critical accomplishments, that bounceback could play a major role in the election's outcome. S&P Global expects the outbreak to "stabilize globally in April 2020, with virtually no new transmissions in May.

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Donald Trump is enjoying a post-virus bump.

"**Trump's Mar-a-Lago: Strikes, tweets and major decisions are made, away from public scrutiny**" via Christine Stapleton of the Palm Beach Post — Presidents dating back to the Founding Fathers have conducted White House business from afar while visiting their hometowns or foreign countries. But Trump has amped up that tradition, conducting domestic and foreign policy actions that have defined his presidency at Mar-a-Lago, Trump's private residence and oceanfront club. Unlike other presidents on holiday from Washington, Trump makes himself accessible to those rich enough to pay his club's $250,000 membership fee, donate large sums to his campaign, attend society fundraisers or stand for hours along a road in rain or heat, hoping to be among the few adoring fans occasionally invited back to Mar-a-Lago for snacks and photos with the president.

"**Trump impeachment aides leave White House post-acquittal**" via Alayna Treene of Axios — Trump's impeachment gurus, **Tony Sayegh** and **Pam Bondi** are leaving the White House after his acquittal in the Senate. Sayegh and Bondi were hired to run an anti-impeachment war room amid the House impeachment investigation, but now that the president has been acquitted, the two plan to return to their former jobs. Bondi, the former two-term Florida AG, will continue at Ballard Partners, where she chairs the firm's Corporate Regulatory Compliance Practice. **Sayegh**, who had served in a public affairs role for Trump's Treasury Department and has a close relationship with **Ivanka Trump**, **Jared Kushner** and **Donald Trump Jr.**, will return to Teneo as a managing director in New York City.

"**Trump appoints admiral with Miami ties as recovery czar for Puerto Rico**" via Jim Wyss of the Miami Herald — As Puerto Rico is struggling to recover from hurricanes and earthquakes, the White House confirmed that it's appointing U.S. Coast Guard Rear Adm. **Peter Brown** as its liaison for the island. In a statement, the White House said Brown "will coordinate United States Government efforts to build the infrastructure and resiliency of Puerto Rico." The U.S. territory of 3.2 million people has been hit by a series of natural and political disasters in recent years that are strangling its economy. To complicate matters, island authorities have only had access to a fraction of the $48.5 billion in recovery funds that Congress has approved since.

Happening today — Gillum will join representatives of civil-rights groups for a conference call to oppose Trump's nomination of Alabama federal Judge **Andrew Brasher** to the 11th U.S. Circuit Court of Appeals, 11 a.m. Call-in number: 1-877-615-4339. Code: 8967765.

"**Florida Bar passes on Miami-Dade Democratic Party complaint against Matt Gaetz, says separate inquiry already underway**" via Ryan Nicol of Florida Politics — The Florida Bar has confirmed it has a file open regarding **Gaetz**'s conduct during the House impeachment investigation into Trump. The news comes one day after the Miami-Dade Democratic Party announced they had filed a complaint of their own. The complaint alleged Gaetz violated Florida Bar rules by attempting to barge into closed hearings during the House investigation. A Florida Bar spokesperson said they had not yet received the complaint from the Miami-Dade Democrats. Party Chair **Steve Simeonidis** initiated that complaint. But because a separate file has already been opened, the spokesperson explained the body would not be acting on Simeonidis' complaint either way.

"**Val Demings blasts firing of Lt. Col. Alexander Vindman**" via Antonio Fins of the Palm Beach Post — "The president might fire Lt. Colonel **Vindman**, but he cannot damage the power of truth," **Demings** said in a statement. "He might smear the public servants who stood up to his corruption, but he cannot debase their honor. He might attack the families of those who oppose him, but he cannot weaken their bonds of love and loyalty. With every corrupt act, this president only accentuates the integrity of those who stand against him." Vindman, a key witness in the impeachment inquiry last fall, served as an aide on the National Security Council. He was fired in apparent retaliation by the White House and administration for his

AMERICAN OVERSIGHT

closed-door and public testimony in the Ukraine hearings on Capitol Hill.

The trail

"**There are 62,000 pending citizenship applications in Florida. Here's what that means for 2020**" via Lautaro Grinspan of the Miami Herald — In 2020, bureaucratic delays in processing naturalization applications and an enduring backlog of tens of thousands of pending cases at U.S. Citizenship and Immigration Services (USCIS) could keep scores of would-be Florida voters from the ballot box. For local advocates, that's cause for alarm: "In Florida, we know that elections are won by razor-thin margins," said **Andrea Mercado**, executive director of the New Florida Majority. "So, every vote matters, and every vote from a naturalized citizen matters." As of last September, the national naturalization backlog stood at nearly 650,000 pending applications. In Florida, that number was 62,079 — a more than 75% increase compared to the number of backlogged cases in the state at the same time five years ago.

"**Room for one more: Chelle DiAngelus seeks path in CD 7 Republican field**" via Scott Powers of Florida Politics — The evolving field of Republicans seeking a shot at taking down Democratic Rep. **Stephanie Murphy** in Florida's 7th Congressional District now includes **DiAngelus** who sees a path for someone with experience in the complexities of health care. The Longwood Republican became the seventh active candidate in the CD 7 field after she joined the race last month, a race from which three others already have dropped. She spent most of her professional career as an executive at Florida Hospital, now AdventHealth, including several years as vice president for strategic planning, navigating the hospital company's numerous hospitals, stand-alone emergency rooms, affiliated medical practices, and health care providers through the complexities of the health care market.

Stephanie Murphy draws yet another challenger.

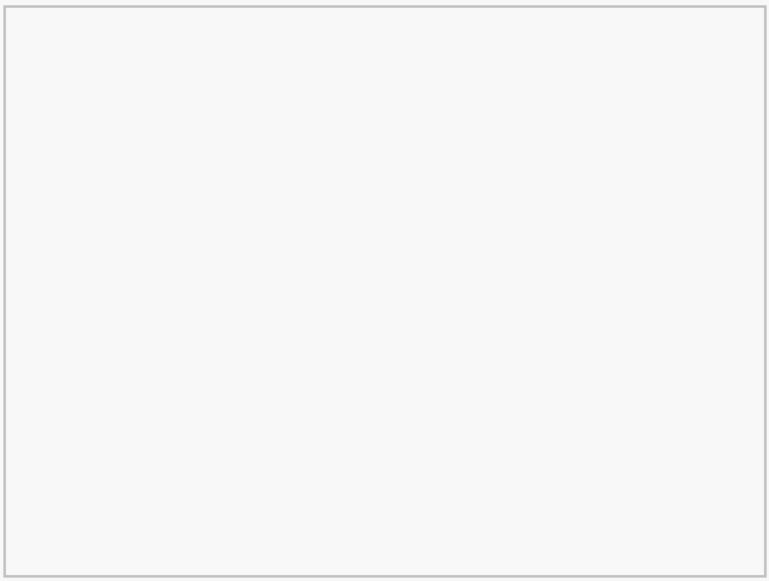
Personnel note: Trey Stapleton joins Amanda Makki's congressional campaign — **Stapleton** has led statewide and national media efforts for political leaders and government administrations across the nation. In Florida, he helped secure victories for Scott's 2010 gubernatorial campaign, Attorney General Bondi's 2014 reelection campaign, and served as communications director for the Republican Party of Florida. "Amanda has made the American dream her reality, served our country after 9/11, and fought for others throughout her career," Stapleton said. "Her passion to serve and ability to lead are what will make her a great representative for the people of CD 13, and I am honored to be a part of her team." **Makki** praised Stapleton's experience in GOP politics and his service in the United States Air Force.

"**Daughter of football coach Bobby Bowden runs for State Attorney in Okaloosa**" via Jim Little of the Tallahassee Democrat — **Ginger Bowden Madden**, a longtime prosecutor and daughter of famed football coach **Bowden**, has filed to run as State Attorney for the First Judicial Circuit. Madden is currently a prosecutor in Okaloosa County. Madden said: "Our police, sheriffs' offices, and other first responders do a magnificent job as our first line of defense. It is the State Attorney's responsibility to see that work through to its proper conclusion, to put dangerous criminals behind bars and keep our neighborhoods safe." Madden will be running as a Republican against her current boss, Chief Assistant State Attorney **Greg Marcille**, for the top prosecutor job in Escambia, Santa Rosa, Okaloosa and Walton counties.

AMERICAN OVERSIGHT

Local

"**JSO: Van deliberately crashed into Republican registration tent**" via Teresa Stepzinski of the Florida Times-Union — Jacksonville police say a driver intentionally crashed a van through a tent where Duval County GOP volunteers were registering voters Saturday afternoon. Nobody was injured in the incident at the Walmart Supercenter in the Sandalwood neighborhood, Lt. **Larry Gayle** of the Jacksonville Sheriff's Office told reporters. Several Duval County GOP volunteers were working at the registration tent when a white man in his early 20s driving an older brown van pulled up toward the tent. He then drove through the tent, endangering the lives of the workers and damaging the tent and tables, Gayle said. The driver then stopped, got out of the van, and took a video of the scene before he "flipped off" the victims and fled.



A Jacksonville man drove into a GOP voter registration booth.

"**Brandon man arrested after threatening to assassinate Donald Trump**" via News Channel 8 — The Metropolitan Police Department arrested 25-year-old **Roger Hedgpeth** outside the White House. Hedgpeth reportedly approached a U.S. Secret Service police officer on patrol and said, "I am here to assassinate President Donald Trump." He then told the officer he planned to do it with a knife, which the Secret Service officer confiscated after a pat-down search. Hedgpeth was moved to a hospital for a mental health evaluation, where he will be held until further notice. He was arrested for threats to do bodily harm and the possession of a prohibited weapon.

"**'Project Freebird' used meetings at Orange Park resort to craft JEA sales process**" via David Bauerlein of the Florida Times-Union — Newly released documents and interviews with key players in JEA's attempt to potentially sell the utility show how utility executives worked with bankers and attorneys last summer to lay the groundwork for putting the utility up for sale. JEA executives met with outside attorneys and investment bankers who flew into town for three days of sessions last July at The Club Continental, a resort hotel in Orange Park. They even had a code name for the privatization process — Project Freebird — and a timeline that anticipated a referendum in August 2020 for voters to decide if they approved a sale of JEA. All that activity unfolded while the JEA board was saying nothing in public about the possibility of selling JEA.

"**Regrets? On eve of JEA investigation, Council President has a few**" via Mark Woods of the Florida Times-Union — **Scott Wilson** stood on the steps of City Hall and pledged to get to the bottom of all things JEA. Then, even before the committee started meeting, another rock was turned over, a Fan Cam photo unearthed — with the image of Wilson sitting between Mayor **Lenny Curry** and then-JEA CEO **Aaron Zahn**, beverage in hand, at a baseball playoff game in Atlanta. Wilson didn't realize what he was getting into when the Mayor invited him. When he showed up at the airport, he didn't know who else was going — and that once he found out, he should've decided not to go. Yet he still got on the plane. "It was a dumb decision," he said.

"**Another city hit by ransomware attack. This time the police department is the target**" via C. Isaiah Smalls of the Miami Herald — The North Miami Beach Police Department is the latest agency to suffer a cyberattack. City officials confirmed the breach, saying they

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discovered the ransomware. The affected computer systems were immediately shut down, but public safety services haven't been interrupted, the city said. "Our Police Department continues to conduct all operations to keep our residents and streets safe," a statement from the city says, "and citizen calls for assistance will continue to be responded to promptly." An ongoing investigation has yet to conclude whether other departments or services were hacked.

"**Pulse survivor research could offer first-ever look at how victims and families move on after tragedy**" via Scott Powers of Florida Politics — The Orlando United Assistance Center, established in the aftermath of the Pulse tragedy, is hoping to reach out to those who survived, immediate family members of those who were slain, and the first responders who were there the morning of June 12, 2016. The results could not only help evolve services but could provide first-ever research on how such populations get on years after tragedy strikes. The center has been the focal point of social and psychological services offered to those three groups. The study, which will include a survey and focus groups, is expected to expand research and responses beyond what has been studied in communities devastated by mass shootings in cities like Aurora, Colorado, and Connecticut.

"**'Pro-life sanctuary' bill blocked from Santa Rosa Commission agenda. Here's why**" via Annie Blanks of the Pensacola News Journal — Santa Rosa County Commissioner Board Chairman **Don Salter** is refusing to put a resolution on the meeting agenda that would declare Santa Rosa County a "pro-life sanctuary," saying the item is too controversial and is above the county's purview. The resolution, which is only symbolic and would proclaim the county as being officially anti-abortion, was proposed by District 2 Commissioner **Bob Cole**. "I think it's too controversial," said Salter, who describes himself as a pro-life Republican. "I think it's above the Board of County Commissioners' purview. Talking with our legal counsel, I think we all feel the same way. We'd be happy to take it up at public forum."

"**Greyhound racing at Sanford Orlando Kennel Club nears end of an era**" via Tobie Nell Perkins of the Orlando Sentinel — The greyhounds still sprint around the track twice as fast as Usain Bolt. They make money for owners, gamblers and track employees for whom dog racing is a way of life. But decades after **Earhart** and **Elvis** came and watched, the sport is fading. The death knell came in November 2018, when Floridians overwhelmingly voted to end greyhound racing. Amendment 13 not only banned the sport but made it constitutionally illegal. That meant all 11 of the Sunshine State's greyhound tracks would have to close their doors by the end of this year. Both racing fanatics and animal welfare activists say the greyhounds will find safe homes. Adoption groups say the waiting lists for dogs are long.

Top Opinion

"**Less taxes, less government and more freedom? Not by passing E-Verify mandate**" via Al Cardenas for the South Florida Sun-Sentinel — The mantra of the Republican Party, led by icons like U.S. Sen. **Connie Mack** and Gov. **Jeb Bush**, used to be "less taxes, less government and more personal freedom." The effort to mandate that Florida employers use the federal E-Verify employment eligibility verification system fails in all three of those goals. The E-Verify mandate does not lower the tax burden on Floridians. In fact, while it may not technically be a "tax," it will increase the cost of doing business in Florida and, ultimately, the cost of almost everything we buy. It is a stealth tax for which Florida businesses and consumers will be forced to pay.

AMERICAN OVERSIGHT

Opinions

"**We can't afford a voting rights foe on the 11th circuit**" via Andrew Gillum for the Tampa Bay Times — Senate Majority Leader **Mitch McConnell** moved immediately to resume processing federal judicial nominations. One of those is **Andrew Brasher** for the 11th Circuit, which includes Florida, Alabama and Georgia. Brasher has devoted himself to opposing voting rights. And that makes him an especially bad fit for a circuit in which those rights are under serious attack. For Republicans determined to snuff out voting rights, Brasher is an ace in the hole: As Deputy Alabama Solicitor General, Brasher filed an amicus brief in the Shelby County case in favor of gutting the VRA. As reported by the Alliance for Justice, "Brasher also defended the state's felon anti-voter law that disenfranchised over 286,000 Alabamians, more than half of whom were black."

"**Keep higher-Ed president searches open**" via the South Florida Sun-Sentinel editorial board — The Florida Legislature wants to throw a blanket of secrecy over the searches for the presidents of all 12 state universities and 28 state colleges. The proposal has been around for years, but it's gaining steam this Session and that's not a good sign. The bill is based on a flawed assumption. As Speaker Oliva said secrecy is necessary because "we don't get the best pool of candidates" to run our universities. It is poor public policy to hide the names of people who seek to lead our public universities, control their multibillion-dollar budgets and make decisions that affect the lives of people and communities. As taxpayers, we deserve to know.

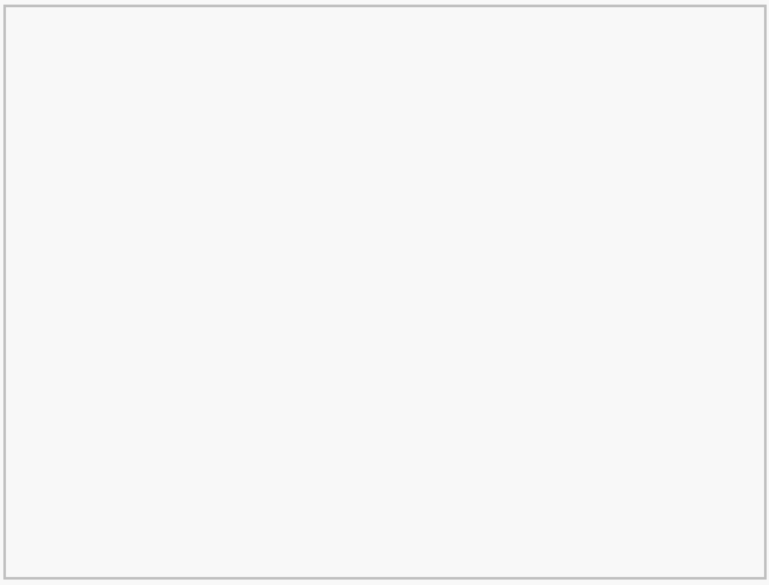
"**How tuition vouchers for poor kids became a middle-class entitlement**" via Mac Stipanovich for the Tampa Bay Times — You would expect the Family Empowerment Scholarship Program created last year by the Legislature would have three threshold requirements: the voucher applicant attends a failing public school; the voucher applicant moves to a better private school; and while the families of the voucher applicant need not be as poor as church mice, they at least are not middle class. And you would be wrong. Not one of these things is a requirement for receiving a private school voucher. The many defects in the private school voucher program are vexing from a public policy perspective, but none more so than the purposeful lack of transparency and accountability.

"**Manny Diaz, Jason Fischer: vacation rentals need predictability, uniformity**" via Florida Politics — Vacation rental owners and tourists have been in a state of flux due to rules and regulations that differ from one city or county to the other. That is why we have filed Senate Bill 1128 and House Bill 1011 to create predictable and uniform regulations related to vacation rentals in Florida. The bills will protect homeowners and consumers by clarifying the rules for everyone with a single, statewide system handling vacation rental licensing, inspections and the verification of state tax registrations. This legislation would help all jurisdictions — even those that currently do not have ordinances regulating vacation rentals. The proper place for the regulation of vacation rentals is the DBPR — just like the rest of the hospitality industry.

"**Your independent access to important information threatened by bill in Florida Senate, House**" via Don Coble of Calais Today Online — If Sen.Gruters has his way, you will lose independent access to legal notices. Senate Bill 1340 will be heard at the Judiciary Committee's meeting. Meanwhile, the House's companion bill, HB 7, already has passed through committees and will be heard on the House floor. State law requires each county to post its legal notices with a local publication with paid subscriptions. If SB 1340 and HB 7 are passed, counties no longer would be required to post legal notices, or they could hide them on their own website. That means no oversight to the issues that affect all of us.

AMERICAN OVERSIGHT

"If lawmakers-turned-lobbyists break rules, Legislature should punish" via Steve Bousquet of the South Florida Sun-Sentinel — **Frank Artiles**' career as a member of the Legislature ended very quickly. Still, he dusted himself off and soon returned the way many ex-lawmakers do. He became a lobbyist. But now there are new questions about whether Artiles has run afoul of a rule the House adopted shortly before he left town. Artiles is registered to represent five clients, including Freytech, a Miami company that wants $8 million in the next state budget to remove toxic blue-green algae from Florida waters. The House project request, which directs state money to a specific vendor, lists Artiles as its only lobbyist. If a six-year ban on lobbying by former legislators rings a bell, it should. You probably voted for it.



Frank Artiles is already lobbying the Legislature. Should he be punished?

Personnel note: Foley & Lardner adds on Katie Kelly— **Kelly** has joined Foley & Lardner's State and Local Government Solutions Practice as a public affairs adviser; she will be based in the firm's Tallahassee office. Most recently, Kelly served as Legislative and Governmental Affairs Chief for the Suwannee River Water Management District, where she was responsible for directing the Office of Legislative and Governmental Affairs. In this capacity, Katie served as the liaison to federal and state officials, community leaders to advocate the District's legislative priorities effectively and efficiently. "We welcome Katie Kelly. She will strengthen our ability to serve clients in the Capitol and across Florida," said **Jim McKee**, managing partner of Foley's Tallahassee office.

New and renewed lobbying registrations:

Joshua Aubuchon, Holland & Knight: Dave & Buster's

Albert Balido, Anfield Consulting: Florida Coalition Against Domestic Violence

Taylor Biehl, Capitol Alliance Group: Fraternal & Charitables United

Ronald Brise, Gunster Yoakley & Stewart: Frontier Communications Corporation

Matt Bryan, **David Daniel**, **Thomas Griffin**, **Jeff Hartley**, **Lisa Hurley**, **Jim Naff**, **Teye Reeves**, Smith Bryan & Myers: Florida Urban Medical and Educational Services, Millennia Management Group

Robert Burleson, Ballard Partners: Continental Heavy Civil Corp

Brecht Heuchan, The Labrador Company: Florida Academy of Anesthesiologist Assistants

James McFaddin, The Southern Group: Non-Secure Programs

David Ramba, Ramba Consulting Group: Kendall Investors 172

Daniel Sibol: PACE Center for Girls

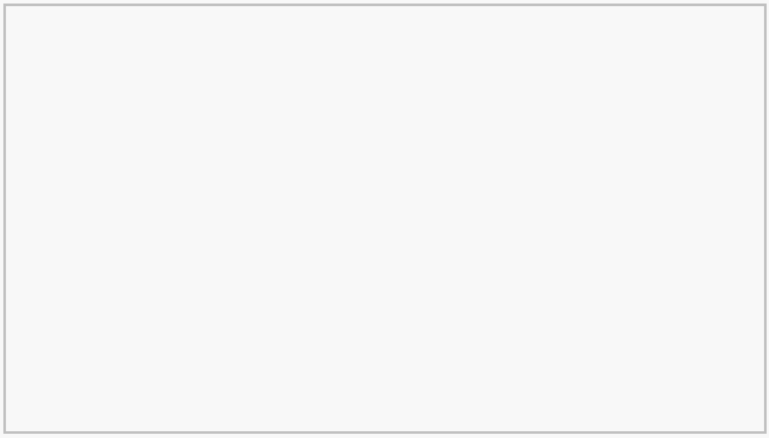
Matthew Ubben, Confianza Consulting: 3MB Construction

AMERICAN OVERSIGHT

Aloe

"**Florida rolling out red carpet for Indies**" via Kristin Fiore of the Villages Daily Sun — In a movie industry dictated by sequels and remakes, independent films are filling a gap that just keeps getting wider. "Audiences are demonstrating that they will support a well-crafted, character-driven independent film, voting with their ticket purchases at the box office," said **Margo Lange**, CEO of ArtAffects Entertainment, a motion picture distribution company. Audiences in The Villages are no exception. More than 50% of the movies shown at Rialto Theatre, Old Mill Playhouse and Barnstorm Theater are indie movies, according to **Deborah Mills**, operations director at The Villages Movie Theaters. "Most independent films that open here end up being No. 1 in the country," added Craig Wolf, manager at Rialto Theatre. "We've gained a reputation. They call us up."

"**PETA claims victory after SeaWorld says no to trainers riding atop dolphins**" via Lori Weisberg of the Los Angeles Times — The decision to move away from such showy theatrics in the dolphin shows was disclosed in a letter sent by a SeaWorld attorney to the Securities and Exchange Commission. The letter was addressing a shareholder proposal made last December by People for the Ethical Treatment of Animals, which asked that SeaWorld prohibit trainers from riding on dolphins' backs and standing on their faces. As of last December, PETA held 163 shares of SeaWorld stock and has owned at least $2,000 worth of common stock for some time.



There will be no more trainers riding dolphins in SeaWorld.

"**Spring training: Time for pitchers, catchers and cheaters**" via Ronald Blum of The Associated Press — This year the players bring along dark clouds of scandal — the 2017 World Series champion Houston Astros have been tainted by their sign-stealing scam and the 2018 champion Boston Red Sox have been accused of similar subversion. Teams hope once workouts start, the stain will fade. "I think those stories lines will weave in and out, but that spring training is that juncture for individual fan bases to be optimistic about what the season ahead holds and it shifts back to that," Toronto Blue Jays President **Mark Shapiro** said. "There's a natural kind of rhythm to spring training that diverts to the positive stories."

Happy birthday

Best wishes to our good friend, **Franco Ripple**, communications director in Fried's office. Also celebrating today are **Carrie Henriquez**, **Celeste Lewis-Hemanes**, and **Jamie Wilson.** Belated wishes to Pinellas GOP Chairman **Todd Jennings** and **Brian Swensen**.

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St. Petersburg, FL 33704

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From: Carlos Cruz <cruz@convergegov.com>
Sent: Wednesday, October 09, 2019 10:24 AM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Swimming pool contractors
Attachment(s): "Swimming pool contracting bill.docx","ATT00001.htm"

Josh

Pls call me on this when u have a chance

-C

Begin forwarded message:

> **From:** Cesar Fernandez <cesar@convergegov.com>
> **Date:** October 7, 2019 at 3:29:34 PM EDT
> **To:** kyle.langan@myfloridahouse.gov
> **Cc:** Carlos Cruz <cruz@convergegov.com>
>
> Attached is the document we discussed on the phone.
>
> Thank you,
> --
> **Cesar Fernandez**
> Converge Government Affairs
> C: (786) 262-6092

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

A bill to be entitled

An act relating to swimming pool contractors; amending s. 489.117, F.S.; providing for the performance of contracting services by a person under supervision of specified contractors; providing an effective date.

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

Section 1. Paragraph (e) is added to subsection (4) of section 489.117, Florida Statutes, to read:

489.117 Registration; specialty contractors.—

(4)(e) Any person who is not required to obtain registration or certification pursuant to s. 489.105(3)(d)-(i) or s. 489.105(3)(m)-(o) may perform contracting services for the construction, remodeling, repair, or improvement of commercial or residential swimming pools, spas, or interactive water features, as defined in the Florida Building Code, without obtaining a local professional license or specialty swimming pool subcontractor license if such person is under supervision by, and performing contracting services within the scope of, a person certified or registered under s. 489.105(3)(j)-(l). As used in this paragraph, supervision shall not be deemed to require the existence of a direct contract between a person certified or registered under s. 489.105(3)(j)-(l) and the person performing specialty contracting services.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: Carlos Cruz <cruz@convergegov.com>
Sent: Wednesday, October 09, 2019 2:43 PM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Cesar Fernandez <cesar@convergegov.com>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Swimming pool contractors
Attachment(s): "attachment 1.pdf","ATT00001.htm","Swimming pool contracting bill.docx","ATT00002.htm"

Victoria,

Attached is a bill and talking points that we discussed with the Senator when he met with our swimming pool folks. Kyle in McClure's office has placed it into bill drafting on his end. Below are the talking points and attached bill language for you. Please call me should you have any questions prior to filing.

-C

AMERICAN OVERSIGHT

Begin forwarded message:

From: Cesar Fernandez <cesar@convergegov.com>
Date: October 7, 2019 at 3:29:24 PM EDT
To: kyle.langan@myfloridahouse.gov
Cc: Carlos Cruz <cruz@convergegov.com>
Subject: Swimming pool contractors

Kyle -

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Thank you,
--
Cesar Fernandez
Converge Government Affairs
C: (786) 262-6092

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Swimming Pool Contracting

- Any person who is not required to be licensed as a contractor under state law may perform residential contracting services without a local license under the supervision of a general, building, or residential contractor. This law is known as the Jim Walters exemption.

- The Jim Walters exemption ensures Florida's construction industry is able to safely and economically complete projects without being stifled by unnecessary government regulations.

- Swimming pool contractors are similar to general, building, and residential contractors because they are generally responsible for the entire project, from the first turn of dirt to final completion of the project.

- Unlike general, building, and residential contractors, however, swimming pool contractors are not covered by the Jim Walters exemption. Instead, they are restricted in their use of subcontractors to specialty contractors. Licenses for these specialty contractors were created by agency rule and include areas such as decking, excavation, piping, and trim.

- While specialty licenses were created to allow swimming pool contractors to subcontract their work, specialty licenses have become an unnecessary chokehold restricting job and wage growth because of significant shortage of specialty contractors statewide. There are only 351 specialty contractor licensees for nearly 4,000 swimming pool contractors, and growth has been anemic with just 75 new licensees in the last four years.

- The proposed bill will generate growth in jobs and wages by allowing swimming pool contractors to use individuals who are not required to be licensed as a contractor under state law. Similar to the Jim Walters exemption, safety and quality will be ensured by requiring oversight of these individuals by a licensed swimming pool contractor.

AMERICAN OVERSIGHT

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Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: Joe Gruters <joegruters@gmail.com>
Sent: Wednesday, November 06, 2019 11:53 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Talking Points for your consideration

---------- Forwarded message ---------
From: **Ryan Tyson** <RyanTyson@lptad.com>
Date: Wed, Nov 6, 2019 at 11:52 AM
Subject: Talking Points for your consideration
To: joegruters@gmail.com <joegruters@gmail.com>

Chair-

It was great chatting with you this morning. Below are some thoughts my team put together for you to consider tonight. Happy to add more if you'd like.

Talking Points for Tampa Bay Times Interview

- Amendment 4 implementation
  - The supporters of Amendment 4 got tongue tied before the Supreme Court this morning and didn't appear to have a good day explaining why they were for including fees & fines, before they were against it.
  - The question the legislature had to answer when implementing this amendment was simple: Should court fees & fines be required prior to restoration. To us, the plain reading of the amendment suggested it should because "all terms of the sentence" means "all terms."
  - This issue is the media's version of the Puerto Rican influx story back in 2017 due to devasting impacts of Hurricane Maria on the island. Former felon voters aren't their key to success when they remain out of touch with a right of center state.
- Voter Reg
  - Republicans were down -538k registrants to the Democrats in 2012. That also happens to be the last time the Democrats won a top-ticket state wide election in Florida.
  - Since 2012, we've managed to cut that margin in half (today we're -241k), and we're doing a better job of turning our voters out.
  - Furthermore we've defeated the Democrats in 20 of the 35 months since the books closed on voter registration for the 2016 election. And the Democrats and their allies have been utilizing paid voter registration efforts during that time, while our growth has been organic.
  - I would also point out that nearly 2-1 more Democrats have become Republicans, than Republicans have become Democrats in that same time period. (107k D's - R's as compared to 65k R's become D).
- What do the Virginia & Kentucky results mean for Florida
  - In short, nothing.
  - Virginia has been trending blue since President Bush won it in 2004. The beltway is growing and the higher educated white voter in Virginia looks more like their counterpart in New York or California than in Florida.
  - In Kentucky, candidates still matter and unfortunately for Governor Bevin, his job approval seems to have caught up with him.

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- If you look down ballot, we defeated the Democrats in every cabinet level race by an average of 15%.
    - Governor Bevin lost by .4% or ~5k votes
    - AG: +15%
    - AG Commissioner +20%
    - Auditor +15%
    - Secretary of State +5%
    - Treasurer +21%

- In essence the results last night suggest we can move Kentucky from Safe Trump to Safe Trump, as Leader McConnell will win reelection in Kentucky and the President will win Kentucky.

- Trump in Florida
    - It is with a great honor that we can now call President Trump both a resident of the state of Florida and a constituent of Governor DeSantis.

    - Florida is doing extremely well, and our low tax state has become a desirable destination for the rest of the country. Even Joe Scarborough and Mika Brzenski have taken residency here in Florida (and even voted here in 2018,) fleeing highly taxed states such as New York. They understand all the wonderful benefits that our great state has to offer.

    - Our private polling data continues suggest the President's coalition of voters remains intact in Florida, and we're actually doing better with Hispanics than we did back in 2016.

    - The impeachment mess in Washington is the best turnout motivator we could have asked for.

- Governor DeSantis
    - Today marks one year after Governor DeSantis' historic election victory. But instead of taking a victory lap, we took no time off in getting straight to work.

    - His hard work is being recognized by the voters as evidenced by such impressive job approval numbers that transcend party lines.

Call me if you have any questions.

AMERICAN OVERSIGHT

From: Joe Gruters <joegruters@gmail.com>
Sent: Friday, January 17, 2020 3:57 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Tuesday

---------- Forwarded message ---------
From: **Todd J. Pokrywa** <Todd.Pokrywa@viera.com>
Date: Fri, Jan 17, 2020 at 2:51 PM
Subject: Tuesday
To: joegruters@gmail.com <joegruters@gmail.com>

Joe,

Happy New Year! Hope you are doing well.

I sent a message through the Senate website and to your Senate email address requesting an appointment for next Tuesday (1/21/2020). I am traveling with the Brevard County Chambers to Tallahassee and wondering if you have availability for a short appointment with our group?

Thanks,

Todd J. Pokrywa
#exploreVIERA

Todd J. Pokrywa
President

todd.pokrywa@viera.com
t: 321.242.1200 x4573
f: 321.253.1800

www.Viera.com

7380 Murrell Road, Suite 201
Viera, FL 32940

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From: Kynoch, Cindy <Cindy.Kynoch@LASPBS.STATE.FL.US>
Sent: Thursday, January 30, 2020 1:36 PM EST
To: Senate - All <Senate-All@flsenate.gov>
Subject: FY 2020-2021 General Appropriations and Implementing Bills
Attachment(s): "Budget Summary - SPB 2500 FY 20-21.pdf"

Senators:

The Fiscal Year 2020-2021 General Appropriations Bill (SPB 2500) and Implementing Bill (SPB 2502) are now available electronically on the Senate's website, www.flsenate.gov , including the Appropriations webpage, www.flsenate.gov/Session/Appropriations.

A budget summary prepared by Appropriations committee staff is attached.

Cynthia Sauls Kynoch, Staff Director
Senate Appropriations Committee

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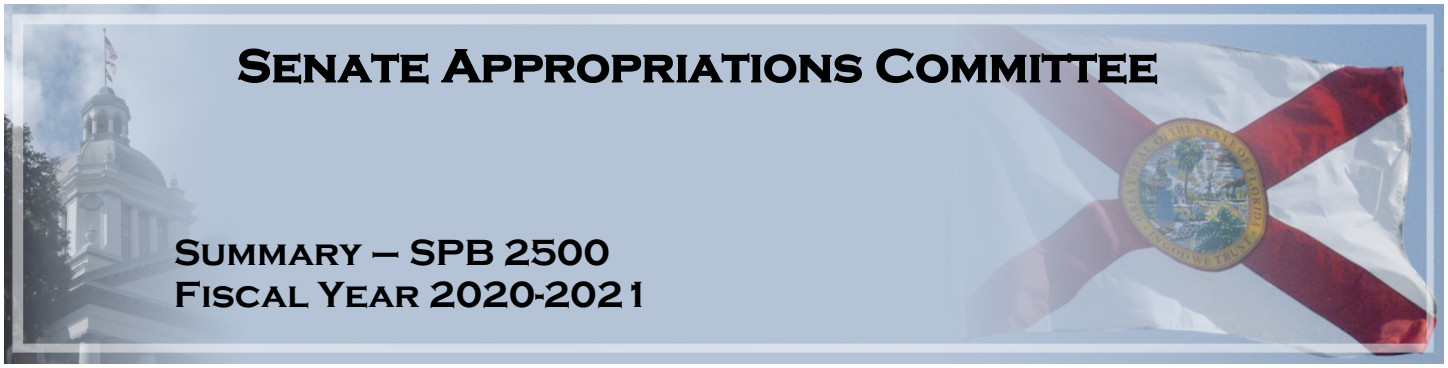


Budget Summary

SPB 2500
Fiscal Year 2020-2021

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SUMMARY

Total Budget: $92.83 billion [$35.06 billion GR; $57.77 billion TF]

Reserves: $3.5 billion Total Aggregate:

- $1.0 billion - Working Capital
- $1.7 billion - Budget Stabilization Fund
- $858 million - Lawton Chiles Endowment Fund

MAJOR ISSUES

Education Capital Outlay

Total: $353.6 million [PECO TF]

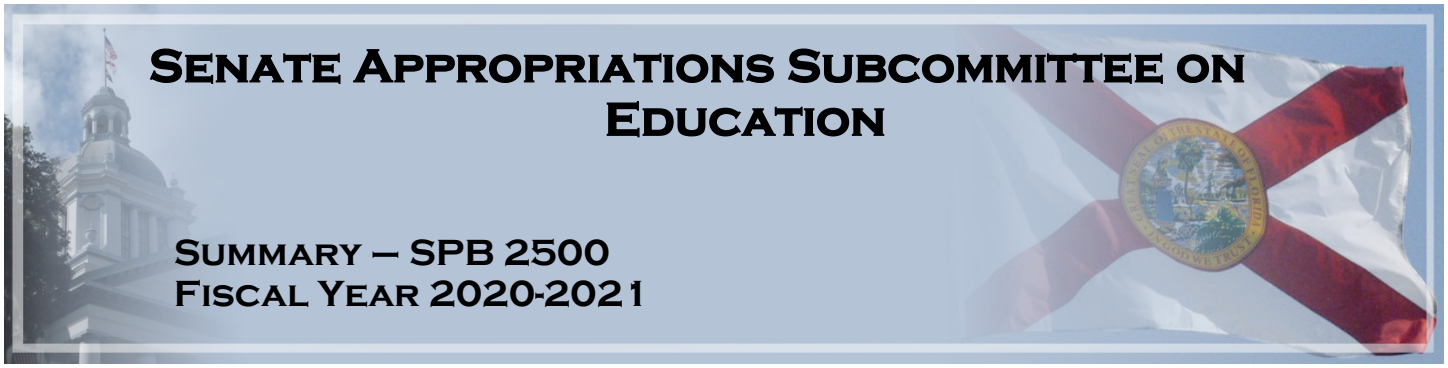
- Charter School Repairs and Maintenance - $169.6 million
- Developmental Research School Repairs and Maintenance - $7 million
- Public School Special Facilities - $41.3 million
- Other Public School Projects - $9.4 million
- Florida College System Projects - $23 million
- State University System Projects - $90.9 million
- School for the Deaf and Blind Repairs and Maintenance - $5.3 million
- Public Broadcasting - Health and Safety Issues - $4.9 million
- Technical School Projects - $2 million
- Division of Blind Services Repairs and Maintenance - $100,000

In addition: $48 million in authorization for State University System (SUS) Capital Improvement Student Fee Projects

Compensation and Benefits

- Pay Issues - Total $249.4 million [$151.4 million GR; $98 million TF]
  - All State employees – a 3 percent increase, effective July 1, 2020.
  - Corrections Officers, Correctional Probation Officers, and Institutional Security Specialists – increases effective July 1, 2020, in addition to the 3% pay increase, based on longevity, of:
    - $500, for employees with less than 2 years of service;
    - $1,500, for employees with 2 or more but less than 5 years of service; and
    - $2,500, for employees with 5 or more years of service.
- Improved FRS Retirement Benefits – Total $5.6 million [$3 million GR; $2.6 million TF]
  - Juvenile Justice Detention Officers – FRS Special Risk Class benefits.
  - Regional Conflict Counsels & senior staff– FRS Senior Management Class benefits.
- State Group Health Insurance - Total $94.9 million [$58.6 million GR; $36.3 million TF]
  - 7% increase to total premiums (State Employee portion unchanged)
- Florida Retirement System (State Agencies) - Total $53.3 million [$17.4 million GR; $35.9 million TF]

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Senate Appropriations Subcommittee on Education

Summary – SPB 2500
Fiscal Year 2020-2021

Summary

Total Appropriations: $23.2 billion [$17.9 billion GR; $5.3 billion TF, excludes tuition]

Total Funding - Including Local Revenues: $35.6 billion [$23.2 billion state funds; $12.4 billion local funds][1]

Major Issues

Early Learning Services

Total: $1.2 billion [$560.6 million GR; $663.9 million TF]

- Voluntary Prekindergarten Program - $404 million GR; including $1.75 million increase for 659 additional students
- School Readiness Program - $820.4 million [$156.5 million GR; $663.9 million TF]

Public Schools/K12 FEFP

Total Funding: $22.6 billion [$13 billion state funds; $9.6 billion local funds]

- FEFP Total Funds increase is $762.8 million or 3.49%
- FEFP increase in Total Funds per Student is $181.29, a 2.37% increase [from $7,656 to $7,837]
- Base Student Allocation (BSA) increase of $40.17
- FEFP Base Funds (flexible $) increase of $325 million (2.4%)
- Required Local Effort (RLE) increase of $159.4 million for New Construction only; RLE Millage reduced from 3.888 to 3.733 mills
- Teacher Salary Increase Allocation - $500 million – additional funds that school districts must use to increase the minimum salaries of classroom teachers (80%) and to increase salaries for other instructional personnel (20%)
- Eliminates the Best and Brightest Teacher and Principal Allocation – ($284.5 million)
- Safe Schools Allocation - $180 million for School Safety Officers
- Mental Health Assistance Allocation – $25 million increase for a total of $100 million to help school districts and charter schools address youth mental health issues
- Turnaround School Supplemental Services Allocation – $51 million – additional funds for services designed to improve the overall academic and community welfare of students and their families at designated lower performing schools
- Funding Compression Allocation – $52.1 million additional funds for school districts that receive lower than the statewide average total funds per student

Public Schools/K12 Non-FEFP

- Community School Grant Program - $10 million GR

[1] Local revenues include required and discretionary local effort for the public schools and tuition and fees for workforce, colleges, and universities.

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- Mentoring Programs - $15 million GR
- Gardiner Scholarships –$42 million additional funds for a total of $189.9 million GR
- Schools of Hope – ($40) million GR
- School District Foundation Matching Grants - $5 million GR
- School Hardening Grants program for capital purchases - $42 million GR
- School and Instructional Enhancement Grants - $17.9 million GR
- Exceptional Education Grants - $7.7 million [$5.4 million GR; $2.3 million TF]
- Florida School for the Deaf & Blind - $54.3 million [$49.6 million GR; $4.7 million TF]
- Computer Science Certification Grants - $10 million GR
- Reading Scholarships – $7.6 million GR
- Capital Projects - $3.7 million

State Board of Education

Total: $271.5 million [$119.3 million GR; $152.2 million TF]

- Assessment and Evaluation - $125.1 million [$68.8 million GR; $56.3 million TF]
- Safe and Secure Campus Initiatives - $8 million GR

School District Workforce

Total: $551.3 million [$297.4 million GR; $209.2 million TF; $44.7 million tuition/fees]

- Workforce Development for career and technical education and adult education - $370.3 million [$279.2 million GR, $91.1 million TF]
- Perkins Career and Technical Education grants and Adult Education and Literacy funds – $118.1 million TF
- CAPE Incentive Funds for students who earn Industry Certifications - $6.5 million
- School and Instructional Enhancement Grants - $1.7 million GR
- Pathways to Career Opportunities Grant Program for apprenticeships - $10 million GR
- No tuition increase

Florida College System

Total: $2.07 billion [$1.12 billion GR; $168.3 million TF; $778.7 million tuition/fees]

- Increased Operating Funds - $30 million New Tier-Based Funding Model
- CAPE Incentive Funds - $14 million GR
- Student Success Incentive Funds - $30 million
  - 2+2 Student Success Incentive Funds - $20 million GR
  - Work Florida Incentive Funds - $10 million GR
- No tuition increase

State University System

Total: $5.2 billion [$2.8 billion GR; $435 million TF; $2 billion tuition/fees]

- Performance Based Funding - $560 million
  - $265 million State Investment [GR]
  - $295 million Institutional Investment
    - Reprioritized from the base of each institution
- National Ranking Enhancement - $65 million GR increase
- Universities of Distinction - $15 million GR
- No tuition increase

Private Colleges

Total: $149.6 million GR

- EASE and ABLE funded at $2,841 per award

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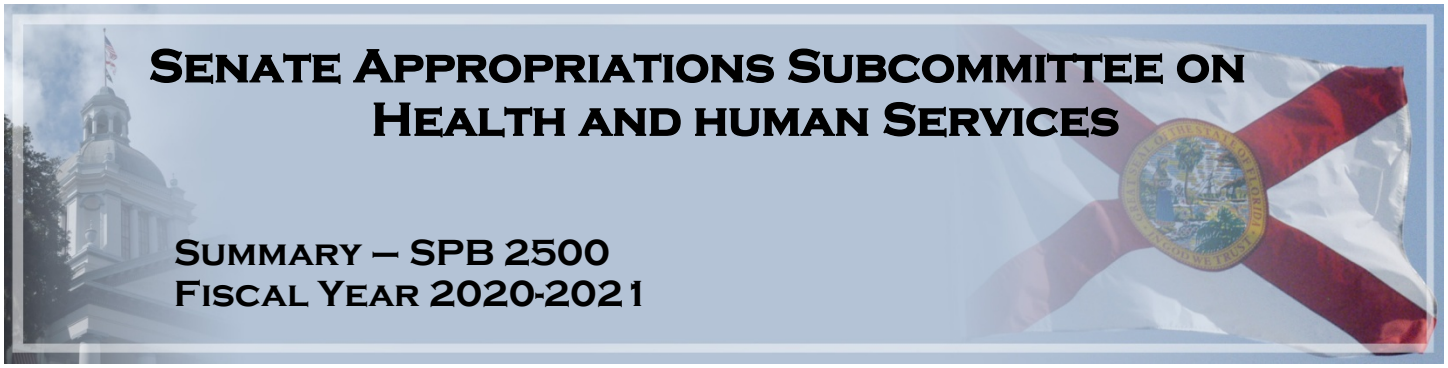
- Historically Black Colleges and Universities - $3 million GR increase

Student Financial Aid

Total: $984.5 million [$259 million GR, $725.5 million TF]

- Bright Futures – $651.8 million TF
- Benacquisto Scholarship Program – $26.6 million GR
  - $5.2 million workload increase
- Children/Spouses of Deceased or Disabled Veterans Workload Increase – $8.4 million GR
  - $757,042 workload increase

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SUMMARY

Total Budget: $39,385.8 million [$10,634.1 million GR; $28,751.7 million TF]; 30,915.76 positions

MAJOR ISSUES

Agency for Health Care Administration

Total: $30,811.8 million [$7,361.3 million GR; $23,450.5 million TF]; 1,532.50 positions

- Medicaid Price Level and Workload – $900.7 million [$144.5 million GR; $756.2 million TF]
- KidCare Workload – $31.5 million [$74.7 million GR; ($43.2 million) TF]
- Florida Healthy Kids Lifetime Benefit Maximum Repeal – $1.17 million [$0.28 million GR; $0.89 million TF]
- Canadian Prescription Drug Importation Program – $15.0 million GR
- New Reimbursement Rate Level for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) – $38.3 million [$14.6 million GR; $23.7 million TF]
- Redirect Hospital Supplemental Payments – $69.2 [$26.4 million GR; $42.8 million TF]
- Increase Hospital Inpatient DRG Base Rate – $47.4 million [$18.1 million GR; $29.3 million TF]
- Increase Hospital Outpatient EAPG Base Rate – $11.8 million [$4.5 million GR; $7.3 million TF]
- Directed Payment Program for Hospitals (Authorization Subject to Federal Approval)
- Hospital Quality Incentive Program – $10.0 million [$3.8 million GR; $6.2 million TF]
- Graduate Medical Education Program Increase – $33.7 million [$12.9 million IGTs, $20.8 million TF]
- Medical School Faculty Physician Supplemental Payments – $4.6 million [$1.8 million IGTs, $2.8 million TF]
- Florida Cancer Hospital Restoration – $141.5 million TF [$54.0 million IGTs, $87.5 million TF]
- Nursing Home Rate Enhancement – $104.8 million [$40.0 million GR; $64.8 million TF]
- Florida Medicaid Management Information System (FMMIS) – $60.0 million TF
- Electronic Visit Verification for Behavior Analysis Services – $3.15 million TF

Agency for Persons with Disabilities

Total: $1,640.4 million [$667.2 million GR; $973.2 million TF]; 2,700.5 positions

- Resources for Persons with Unique Abilities – $134.3 million [$51.3 million GR; $83.0 million TF]
- Serve Additional Clients on the HCBS Waiver Waitlist – $30.2 million [$11.5 million GR; $18.7 million TF]
- Increase Adult Day Training Provider Rates – $2.6 million [$1.0 million GR; $1.6 million TF]

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- Increase Personal Supports/Companion Provider Rates - $28.6 million [$10.9 million GR; $17.7 million TF]
- Increase Residential Habilitation Provider Rates - $20.4 million [$7.8 million GR; $12.6 million TF]
- Employment and Internship Supports – $1.0 million GR
- iConnect System – $1.5 million [$0.3 million GR; $1.2 million TF]
- Fixed Capital Outlay for Developmental Disability Facilities – $5.7 million [$3.0 million GR; $2.7 million TF]

Department of Children and Families

Total: $3,312.2 million [$1,875.3 million GR; $1,436.9 million TF]; 12,050.75 positions

- Child Welfare Services:
  - Maintenance Adoption Subsidies – $20.0 million [$9.4 million GR; $10.6 million TF]
  - Increase Foster Parent Room & Board Rate – $0.8 million [$0.5 million GR, $0.3 million TF]
  - Transitional Funding to Assist with Implementation of the federal Family First Prevention Services Act – $10.0 million TF
  - Safety Management Services Restoration – $8.1 million [$5.2 million GR, $2.9 million TF]
  - Maintain Risk Pool Funding – 3.1 million GR
  - Increase Adoption Incentive Benefits for State Employees - $1.6 million GR
  - Increase Juvenile Incompetent to Receive Funding - $1.3 million GR
- State Opioid Funding – $69.6 million TF
- Community Mental Health Treatment Services:
  - Increased School Access to Mental Health Services through Telehealth – $4 million GR
  - Restore Two (2) Children's Community Action Teams (CATs) – $1.5 million GR
  - Additional Community Mental Health Transitional Beds (24 beds) – $2.1 million GR
  - Expand Community Mental Health Services by Realigning Department Funding – $5.8 million GR
  - Employment Assistance/Individuals with Mental Health Disorders – $1.7 million GR
- State Mental Health Hospitals:
  - Contracted Mental Health Hospitals Rates Cost of Living Adjustment – $3.6 million GR
  - Anti-Ligature Improvements – $1.7 million GR
  - Fixed Capital Outlay Repairs and Maintenance – $3.2 million GR

Department of Elder Affairs

Total: $363.6 million [$178.2 million GR; $185.4 million TF]; 404 positions

- Community Care for the Elderly (CCE) Program (381 slots) – $3.2 million GR
- Aging Resource Centers - $2 million [$1 million GR; $1 million TF]
- Alzheimer's Disease Initiative (167 slots) – $1.8 million GR
- Home Care for the Elderly (HCE) Program (139 slots) – $0.6 million GR
- Public Guardianship Program – $10.5 million GR
- Client Information and Registration Tracking System (eCIRTS) Project Implementation – $1.7 million [$0.2 million GR; $1.5 million TF]
- Program of All-Inclusive Care for the Elderly (PACE) – $2.6 million [$1 million GR; $1.6m TF]
- Adult Care Food Program – $1 million TF

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Department of Health

Total: $3,095.9 million [$528.9 million GR; $2,567 million TF]; 12,766.51 positions

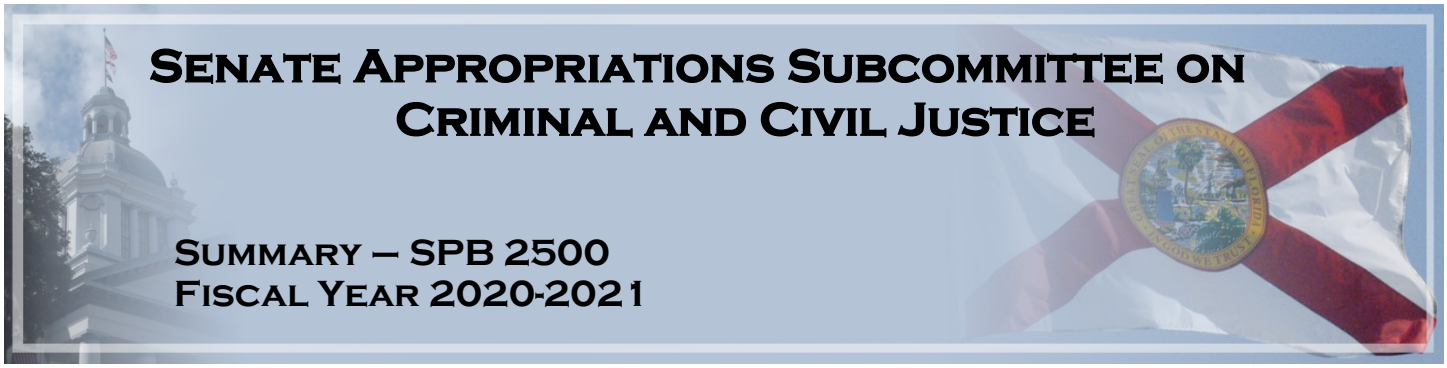
- Office of Medical Marijuana Use – $8.1 million TF
- Emerging Disease Threat Response (Hepatitis A) – $10 million GR (for 2019-2020 fiscal year)
- Transfer Correctional Medical Authority from EOG to DOH – $0.7 million GR; 4 FTE
- Children Medical Services workforce reduction – ($7.4 million) TF, (79 FTE)
- Children's Medical Services Managed Care Plan Administrative Savings – ($12.7 million) [$10.3 million GR; $2.4 million TF]
- Child Protection Teams – $1.5 million GR
- Housing Opportunities for Persons with Aids (HOPWA) – $9.1 million TF
- Early Steps Program – $8.0 million GR
- Early Steps Program State Match – $5.4 million GR
- Healthy Floridians Healthy Future Racial and Ethnic Disparities Closing the Gap – $1.7 million GR
- Poison Information Control Network – $0.7 million GR
- Expansion of Genetic Services – $1.2 million TF
- Center for Disease Control Federal Opioid Grant – $6.5 million TF
- Capital Improvement Projects for Public Health Laboratories and County Health Departments – $8.8 million TF

Department of Veterans Affairs

Total: $161.8 million [$23.2 million GR; $138.6 million TF]; 1,411.5 positions

- Staffing and Start-up of State Veterans' Nursing Home in St. Lucie County (Ardie Copas) – $4.6 million TF; 17 FTE
- Staffing and Start-up of State Veterans' Nursing Home in Orange County (Lake Baldwin) – $2.9 million TF; 17 FTE
- State Veterans' Nursing Home Nurse Staffing Increase – $1.5 million TF; 16 FTE
- Health Information Systems Technology Systems Upgrade – $0.4 million TF
- Nursing Home Equipment Needs – $1.2 million TF
- Florida is For Veterans Training Grants – $2.5 million GR
- Fixed Capital Outlay for State Veterans' Nursing Homes – $2.0 million TF

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SUMMARY

Total Budget: $5,564.3 million [$4,742.4 million GR; $821.9 million TF]; 46,952.25 positions

MAJOR ISSUES

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one third of the institutions $29.1 million GR and 292 FTE
- Continued funding of contracted inmate health services - $421 million
- Funds the Hepatitis C class action lawsuit in the Department of Corrections, contingent upon the court's final ruling on all appeals related to the treatment of inmates identified as testing positive for level F0-F1 Hepatitis C - $28 million GR
- Mental Health Facilities, including provision for the financing of a new mental health facility at Lake Correctional Institution - $17.9 million GR
- Fixed Capital Outlay for DJJ's residential program facilities - $6.3 million TF
- Funds workload issues for the Justice Administrative Commission (Public Defenders, State Attorney, Capital Collateral Regional Counsel and the Offices of Criminal Conflict and Civil Regional Counsel) - $12.9 million [$8.2 million GR, $4.7 million TF]
- Funds Year 3 of the Department of Legal Affairs IT Modernization Initiative - $6.6 million [$5.6 million GR, $1 million TF]
- Funds FDLE's trust fund deficits within the Operating and Criminal Justice Standards and Training Trust Fund - $5.9 million GR

Attorney General/ Legal Affairs

Total: $295 million [$70.1 million GR; $224.9 million TF]; 1,365.5 positions

- Agency-wide Information Technology Infrastructure Improvements - $6.6 million [$5.6 million GR, $1 million TF]
- Crime Victims Compensation Payments - $2 million GR
- Statewide Prosecution - $0.4 million GR
- Increased Operating Costs $2.2 million [$1.2 million GR; $1 million TF]

Department of Corrections

Total: $2.8 billion [$2.75 billion GR; $50 million TF]; 25,253 positions

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one third of the institutions $29.1 million GR and 292 FTE
- Private Leases - $3.0 million GR
- Security Enhancement Equipment - $1.5 million GR
- Replacement of Motor Vehicles - $2.6 million GR
- Inspector General Inspectors - $1.5 million and 20 FTE
- Electronic Health Records - $2.3 million GR
- Security Threat Group - $2.2 million GR and 34 FTE

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- Wellness Specialists - $1.9 million and 34 FTE
- Academic and Technical Education Expansion - $5.4 million and 17 FTE
- Development of a University Medical School Inmate Health Care Plan - $.5 million
- Hepatitis C Direct Acting Antivirals - $28 million GR
- Critical Facility Renovations, Repairs and Maintenance - $8.1 million GR
- Mental Health Facilities - $17.9 million GR

Florida Department of Law Enforcement (FDLE)

Total: $288.4 million [$132 million GR; $156.4 million TF]; 1,944 positions

- Increase Capitol Complex Security - $0.9 million TF; 5 FTE
- Computerized Criminal History (CCH) Record System Maintenance - $1.9 million GR
- Florida Incident Based Reporting System (FIBRS) - $2.6 million GR
- Operating Trust Fund Deficit - $2 million GR
- Criminal Justice Standards and Training Trust Fund Deficit - $3.9 million GR
- Increase Federal Grants Trust Fund Authority for Project Safe Neighborhood Grants - $1.5 million TF
- Genetic Genealogy Program - $0.8 million GR; 6 FTE
- Statewide Behavioral Threat Assessment and Modernize to Counter 21st Century Threats - $1.1 million GR
- Repair and Maintenance for the Tampa Bay Regional Operations Center - $2.7 million GR

Department of Juvenile Justice

Total: $581.5 million [$441.3 million GR; $140.2 million TF]; 3,285.5 positions

- Additional Evidence Based Residential Services - $4.2 million GR
- Prevention and Early Intervention Programs and Services - $2.3 million GR
- Critical Repairs and Maintenance to DJJ Facilities - $6.3 million GR
- Enhanced Oversight of Medical Services in Residential Programs - $.6 million and 6 FTE
- Fixed Capital Outlay for DJJ's residential program facilities - $6.3 million TF

State Court System

Total: $602.4 million [$504.9 million GR; $97.5 million TF]; 4,434.5 positions

- Problem Solving Courts - $.3 million GR, $7,880 TF and 2 FTE
- Family Court Operational Support - $.3 million, 7,880 TF and 2 FTE
- Certification of Additional Judgeships - $2.1 million GR, $.03 million TF and 15 FTE (includes the certification of 5 new judges)
- Judicial Data Management System - $.4 million TF
- Appellate Judiciary Travel - $125,000 GR
- Timely Resolution of Cases - $5.0 million GR and 64 FTE
- Court Interpreting Resources - $5.0 million GR and 37.5 FTE

Justice Administrative Commission (JAC)

Total: $984.5 million [$831.9 million GR; $152.6 million TF]; 10,537.75 positions

- JAC HQ Staffing Needs - $264,935 GR; 3 FTE
- JAC HQ Critical Information Technology (IT) Needs - $317,000 GR
- State Attorney Workload - $1 million GR
- State Attorney Trust Fund Needs (Various) - $4.1 million TF; 3 FTE
- Public Defender Various Mental Health, Substance Abuse Related Funding Issues - $3.7 million GR; 32.5 FTE
- Public Defender Workload - $1 million GR
- Capital Collateral Regional Counsels (various issues - IT, Rent, Workload) - $208,920 GR

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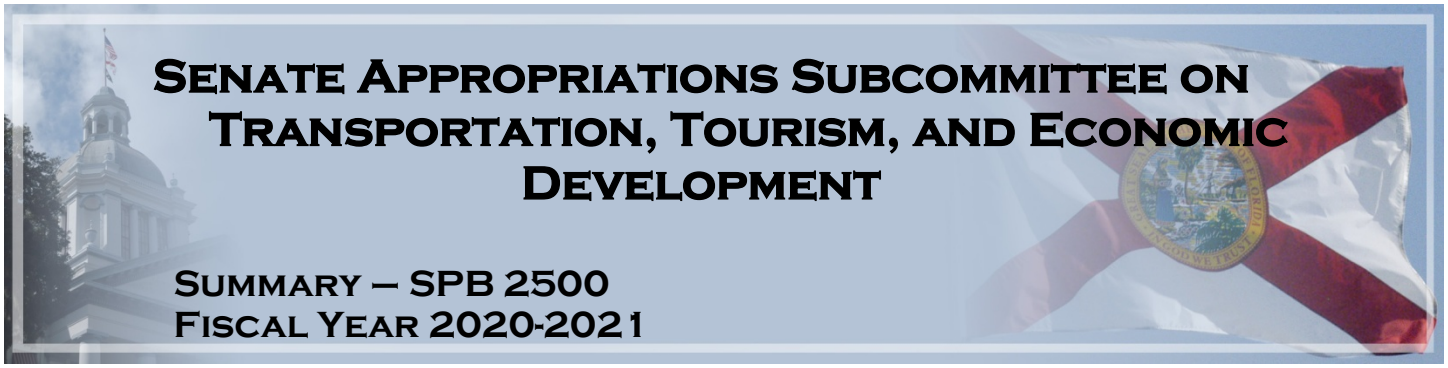
- Criminal Conflict & Civil Regional Counsel Workload, Rent, Forensic Social Workers, Bar Dues - $638,803 GR; 3 FTE
- RC02 Cross Jurisdictional Death Penalty Pilot Program - $1 million GR; 7 FTE

Florida Commission on Offender Review

Total: $11.9 million [$11.8 million GR; $0.1 million TF]; 132 positions

- Replacement of Motor Vehicles - $25,000 GR
- Information Technology (IT) Services Provided by Department of Corrections - $376,000

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Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development

Summary – SPB 2500
Fiscal Year 2020-2021

Summary

Total Budget: $13.7 billion [$213.9 million GR; $13.5 billion TF]; 13,058 positions

Major Issues

- Transportation Work Program - $9.2 billion TF
- Affordable Housing Programs - $387 million TF
- Job Growth Grant Fund - $20 million GR
- Library Grants and Initiatives - $25.8 million GR
- Cultural, Museum, and Historic Preservation Grants and Initiatives - $43.4 million GR and TF
- Motorist Modernization Project - $9.2 million TF
- National Guard Tuition Assistance - $3.2 million GR

Department of Economic Opportunity

Total: $1.25 billion [$85.1 million GR; $1.2 billion TF]; 1,469 positions

- Economic Development Toolkit Payments (existing contracts) - $28.1 million GR and TF
- Florida Job Growth Grant Fund - $20 million GR
- Revolving Loan Fund Program - $40 million [$8 million GR and $32 million Federal TF] (for small businesses in the region impacted by Hurricane Michael)
- Space Florida - $12.5 million TF; $6 million GR
- Visit Florida - $50 million *recurring* TF
- Enterprise Florida - $16 million TF
- Affordable Housing Programs - $387 million TF
  - State Housing Initiatives Partnership (SHIP) - $267.2 million TF (allocated to local governments)
  - State Apartment Incentive Loan (SAIL) Programs - $119.8 million TF
- Rural Communities:
  - Rural Infrastructure Fund - $8.6 million GR
  - Rural Community Development Revolving Loan Fund - $6.2 milllion GR
- Economic Development Projects - $2.9 million GR
- Housing and Community Development Projects - $13.5 million GR
- Workforce Projects - $8.7 million GR

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Department of Highway Safety and Motor Vehicles

Total: $500.0 million TF; 4,347 positions

- Florida Highway Patrol Troopers - $2.6 million TF, 16 positions
  - First Coast Expressway - $1.3 million TF, 8 positions
  - Central Florida Expressway - $1.3 million TF, 8 positions
- Motorist Modernization Project - Phase II - $9.9 million TF
- Application Cloud Environment - $2.5 million TF
- Renovations to the Neil Kirkman Building - $2.6 million TF
- Florida Highway Patrol Troop D Headquarters, Orlando - $6.0 million TF

Department of Military Affairs

Total: $70.0 million [$29.3 million GR; $40.7 million TF]; 453 positions

- Tuition Assistance for Florida National Guard - $3.2 million GR
- Facility Maintenance and Repair - $3.4 million GR (matched by $3.4 million federal funds)
- Panama City Readiness Center Replacement - $6.3 million GR (matched by $18.75 million federal funds)

Department of State

Total: $126.8 million [$94.6 million GR; $32.2 million TF]; 420 positions

- Maintenance of Effort for Libraries - $23.2 million GR
- Libraries Construction Grant Ranked List - $2.0 million GR
- Grants to Library Cooperatives - $2.0 million GR
- Cultural and Museum Program Support and Facilities Grants and Initiatives - $28.0 million GR
  - Cultural & Museum Program Support Grants - $23.3 million GR
    - Cultural and Museum Ranked List - $14.6 million (funds distributed proportionally to all 489 projects)
    - Culture Builds Florida Ranked List - $2.9 million (funds all 125 projects)
    - Cultural Facilities Ranked List - $5.8 million (funds 17 of the 29 projects)
  - Cultural and Museum Projects - $4.7 million GR
- Historical Resources Preservation - $17.0 million GR and TF
  - Historic Preservation Grants - $6.2 million [$4.7 million GR; $1.5 million TF]
    - Historic Preservation Small Matching Grants Ranked List - $1.5 million TF (funds all 45 projects)
    - Historic Preservation Special Category Grants Ranked List - $4.7 million GR (funds 15 of 38 projects)
  - Historic Preservation Projects - $540,000 GR
  - Federal Hurricane Relief Funding for Historic Preservation – Hurricane Michael - $10.2 million TF
- Cyber Security Bureau - $1.3 million GR; 10 positions
- Elections - $7.4 million GR
  - Recurring funding for the Division of Elections - $1.8 million
  - Cyber Security and Election Activity Grants to Supervisors of Elections - $1.4 million
  - Electronic Registration Information System Center (ERIC) - $1.4 million
  - Reimbursements to Counties for Special Elections - $1.5 million
  - Advertising Proposed Constitutional Amendments - $1.3 million

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Department of Transportation

Total: $10.3 billion TF; 6,194 positions

- Transportation Work Program - $9.2 billion TF
  - County Transportation Programs:
    - Small County Road Resurface Assistance Program (SCRAP) - $37.6 million
    - Small County Outreach Program (SCOP) - $85.1 million
    - Other County Transportation Programs - $56.4 million
  - Local Transportation Initiatives (Road Fund) Projects - $60 million
- Transportation Disadvantaged Program - $70.4 million TF

Division of Emergency Management

Total: $1.5 billion [$4.8 million GR; $1.5 billion TF]; 175 positions

- Federally Declared Disaster Funding - $1.4 billion
  - Communities - $1.27 billion TF
  - State Operations - $115.7 million TF
- Statewide Regional Evacuation Study - $1.2 million GR
- Community Flood Resiliency - $491,576 GR

AMERICAN OVERSIGHT

Senate Appropriations Subcommittee on Agriculture, Environment, and General Government

Summary – SPB 2500
Fiscal Year 2020-2021

Summary

Total Budget: $6.5 billion [$876.3 million GR; $993.3 million LATF; $4.6 billion Other TF]; 20,050 positions

Major Issues

Department of Agriculture & Consumer Services

Total: $1.8 billion [$139.2 million GR; $113.8 million LATF; $1.5 billion TF]; 3,744 positions

- Wildfire Suppression Equipment/Aircraft Acquisition - $7.3 million TF [$0.7 million GR; $3.6 million LATF; $3 million TF]
- Florida Forest Service Road/Bridge and Facility Maintenance - $8.9 million LATF
- Citrus Protection and Research - $21.8 million [$1.5 million GR; $20.3 million TF]
- Water Supply Planning - $1.5 million GR
- Lake Okeechobee Agriculture Projects - $4 million LATF
- Office of Water Policy - $1.0 million LATF; 8 positions
- Rural and Family Lands Conservation Easements - $8.7 million GR
- State Industrial Hemp Program - $4.5 million [$1.8 million GR; $2.7 million TF]; 43 positions
- African Snail Eradication Program - $1.3 million TF
- Office of Energy Grants - $0.9 million TF
- USDA Hurricane Block Grant and Disaster Recovery - $9.6 million TF
- Agriculture Education and Promotion Facilities - $8.0 million GR

Department of Business & Professional Regulation

Total: $159.9 million [$1.4 million GR; $158.5 million TF]; 1,659 positions

- Additional Resources Division of Hotels and Restaurants/Human Trafficking - $0.3 million TF; 4 positions
- Staffing Necessary To Meet Statutorily-Required Food And Lodging Inspections - $1.3 million TF; 21 positions

Department of Citrus

Total: $27.1 million [$5.7 million GR, $21.4 million TF]; 38 positions

- Citrus Advertising/Promotion - $4.1 million GR

Department of Environmental Protection

Total: $2.2 billion [$359.8 million GR; $774.2 million LATF; $1.1 billion TF]; 2,917 positions

- DEP Everglades Restoration- $318.6 million [$299.9 million LATF; $13..0 million GR; $0.7 million TF]
- Water Quality Improvements - $198.0 million GR
  - Septic-to-Sewer/Wastewater Treatment - $25 million GR
  - Total Maximum Daily Loads - $25 million GR

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    - Water Quality Improvements Everglades - $50 million GR
    - Indian River Lagoon Water Quality Improvements - $25 million GR
    - St. Johns, Suwannee, & Apalachicola Rivers Water Quality Improvements - $25 million GR
    - Water Projects - $38.0 million GR
    - Coral Reef Protection and Restoration - $10.0 million GR
- Water Quality Improvements – Blue Green Algae Task Force - $10.8 million GR
- Florida Resilient Coastline Initiative - $10 million GR
- Innovative Technology Grants for Harmful Algal Blooms - $5.0 million GR
- Springs Restoration - $50 million LATF
- Alternative Water Supply - $40 million TF
- Florida Forever – $125 million [$25 million GR; $100 million TF]
    - Division of State Lands - $92 million TF
    - Florida Communities Trust - $10.0 million TF
    - Florida Recreational Development Assistance Grants - $12.3 million [$6.3 million GR; $6.0 million TF]
    - Working Waterfronts - $2.0 million TF
    - DACS Rural and Family Lands - $8.7 million GR
- Petroleum Tanks Cleanup Program - $125 million TF
- Volkswagen Settlement - $67.5 million TF
- Hazardous Waste/Site Cleanup - $8.5 million TF
- Beach Management Funding Assistance - $50.0 million LATF
- Drinking Water Revolving Loan Program - $130.7 million [$10.3 million GR; $120.4 million TF]
- Wastewater Revolving Loan Program – $228.6 million [$11.9 million GR; $216.7 million TF]
- Additional Hurricane Recovery Related Drinking & Wastewater Revolving Loan Programs - $152.4 million [$25.4 million GR; $127 million TF]
- Small County Solid Waste Management Grants - $3 million TF
- Small County Wastewater Treatment Grants - $13 million TF
- Local Parks - $1.5 million GR
- State Parks Maintenance and Repairs - $27.0 million TF

Department of Financial Services

Total: $396.9 million [$21.8 million GR; $375.1 million TF]; 2,570 positions

- Florida Planning, Accounting & Ledger Management (PALM) Project - $26.4 million TF
- Transfer to DEP for Cleanup of State Fire College - $10 million TF
- Fire and Arson Equipment and Repairs and Maintenance - $1.1 million TF
- Local Government Fire Services - $6.4 million TF
- Law Enforcement Training, Equipment, Upgrades and Vehicles - $0.6 million TF
- Information Technology Upgrades to Software, Hardware, and Equipment - $1 million TF

Fish & Wildlife Conservation Commission

Total: $405.2 million [$51.8 million GR; $105.3 million LATF; $248.2 million TF]; 2,114 positions

- Marine Fisheries Infrastructure Recovery Grant Program - $10.8 million TF
- Law Enforcement Vehicle Replacement - $3.0 million LATF
- Hurricane Irma Marine Fisheries Disaster Recovery - $9.4 million TF
- Invasive Species Response - $2.0 million GR
- Red Tide Research - $2.8 million [$2.2 million GR; $0.6 million TF]
- Center for Red Tide Research – 2 FTE, $2.0 million GR
- FWRI Building Repairs - $1.0 million GR
- Boating Infrastructure and Improvement Program - $6.9 million TF
- Derelict Vessel Removal - $4.7 million [$1.0 million GR; $3.7 million TF]

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- State Reef Fish Survey - $3.0 million GR

Department of the Lottery

Total: $187 million TF; 419 positions

- Information Technology Upgrades to Software, Hardware, and Equipment - $0.6 million TF
- Operational Support - $0.3 million TF
- Increase to Gaming System Contract - $3.1 million TF

Department of Management Services

Total Budget: $695.6 million [$72.8 million GR; $622.8 million TF]; 1,049 positions

- Florida Facilities Pool (FFP) Fixed Capital Outlay - $49.5 million [$30 million GR; $19.5 million TF]
- FFP Service and Security Guard Contracts - $0.4 million TF
- Private Prison Monitoring Facility Maintenance and Repairs (Gadsden and Lake City Correction Facilities) - $4.8 million GR; $1.5 million TF
- Florida Holocaust Memorial - $0.4 million GR
- Florida Slavery Memorial - $0.4 million GR
- Florida Interoperability Network and Mutual Aid - $1.7 million GR
- Statewide Law Enforcement Radio System (SLERS) Contract, Staff Augmentation and Independent Verification and Validation Services - $0.8 million TF
- Non-FRS Pension Benefits - $0.1 million GR
- E911 Next Generation Grant - $3.2 million TF
- Emergency 911 Call Routing System - $6.0 million TF

Division of Administrative Hearings

Total Budget: $27.2 million TF; 240 positions

Public Service Commission

Total: $25.9 million TF; 271 positions

Department of Revenue

Total: $602.9 million [$222.8 million GR; $380.1 million TF]; 5,029 positions

- Aerial Photography - $0.2 million GR
- Fiscally Constrained Counties - $31.1 million GR

AMERICAN OVERSIGHT

From: Kynoch, Cindy <Cindy.Kynoch@LASPBS.STATE.FL.US>
Sent: Thursday, February 06, 2020 10:52 AM EST
To: Senate - All <Senate-All@flsenate.gov>
Subject: FY 2020-2021 General Appropriations and Implementing Bills
Attachment(s): "Budget Summary - SB 2500 as Introduced.pdf"

Senators:

The Fiscal Year 2020-2021 General Appropriations Bill (SB 2500) and Implementing Bill (SB 2502), as Introduced, are now available electronically on the Senate's website, www.flsenate.gov , including the Appropriations webpage, www.flsenate.gov/Session/Appropriations.

A budget summary prepared by Appropriations committee staff is attached.

Cynthia Sauls Kynoch, Staff Director
Senate Appropriations Committee

AMERICAN OVERSIGHT



Budget Summary

SB 2500, as Introduced
Fiscal Year 2020-2021

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Senate Appropriations Committee

Summary – SB 2500, as Introduced
Fiscal Year 2020-2021

Summary

Total Budget: $92.83 billion [$35.06 billion GR; $57.77 billion TF]

Reserves: $3.5 billion Total Aggregate:

- $1.0 billion - Working Capital
- $1.7 billion - Budget Stabilization Fund
- $858 million - Lawton Chiles Endowment Fund

Major Issues

Education Capital Outlay

Total: $353.6 million [PECO TF]

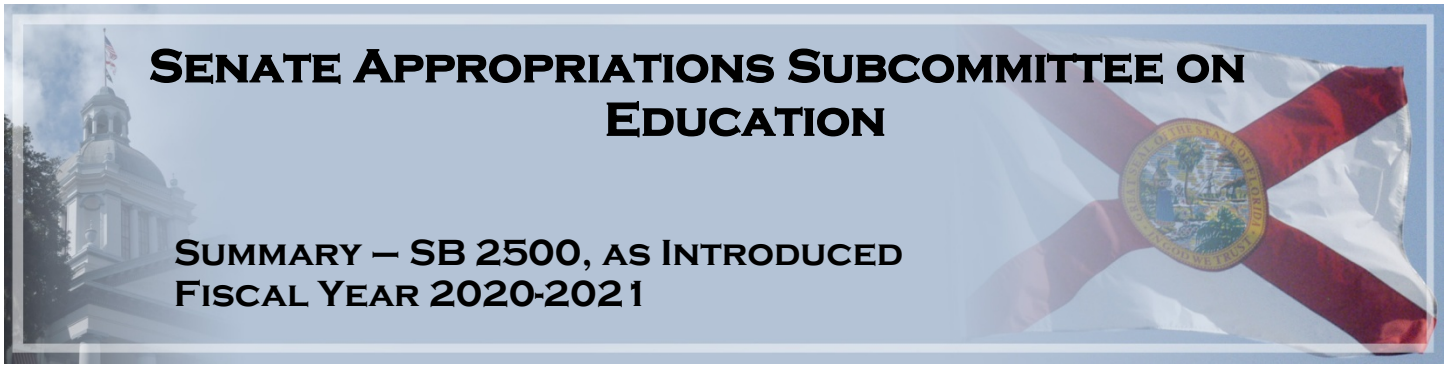
- Charter School Repairs and Maintenance - $169.6 million
- Developmental Research School Repairs and Maintenance - $7 million
- Public School Special Facilities - $41.3 million
- Other Public School Projects - $9.4 million
- Florida College System Projects - $23 million
- State University System Projects - $90.9 million
- School for the Deaf and Blind Repairs and Maintenance - $5.3 million
- Public Broadcasting - Health and Safety Issues - $4.9 million
- Technical School Projects - $2 million
- Division of Blind Services Repairs and Maintenance - $100,000

In addition: $48 million in authorization for State University System (SUS) Capital Improvement Student Fee Projects

Compensation and Benefits

- Pay Issues - Total $249.4 million [$151.4 million GR; $98 million TF]
  - All State employees – a 3 percent increase, effective July 1, 2020.
  - Corrections Officers, Correctional Probation Officers, and Institutional Security Specialists – increases effective July 1, 2020, in addition to the 3% pay increase, based on longevity, of:
    - $500, for employees with less than 2 years of service;
    - $1,500, for employees with 2 or more but less than 5 years of service; and
    - $2,500, for employees with 5 or more years of service.
- Improved FRS Retirement Benefits – Total $5.6 million [$3 million GR; $2.6 million TF]
  - Juvenile Justice Detention Officers – FRS Special Risk Class benefits.
  - Regional Conflict Counsels & senior staff– FRS Senior Management Class benefits.
- State Group Health Insurance - Total $94.9 million [$58.6 million GR; $36.3 million TF]
  - 7% increase to total premiums (State Employee portion unchanged)
- Florida Retirement System (State Agencies) - Total $53.3 million [$17.4 million GR; $35.9 million TF]

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SUMMARY

Total Appropriations: $23.2 billion [$17.9 billion GR; $5.3 billion TF, excludes tuition]

Total Funding - Including Local Revenues: $35.6 billion [$23.2 billion state funds; $12.4 billion local funds][1]

MAJOR ISSUES

Early Learning Services

Total: $1.2 billion [$560.6 million GR; $663.9 million TF]

- Voluntary Prekindergarten Program - $404 million GR; including $1.75 million increase for 659 additional students
- School Readiness Program - $820.4 million [$156.5 million GR; $663.9 million TF]

Public Schools/K12 FEFP

Total Funding: $22.6 billion [$13 billion state funds; $9.6 billion local funds]

- FEFP Total Funds increase is $762.8 million or 3.49%
- FEFP increase in Total Funds per Student is $181.29, a 2.37% increase [from $7,656 to $7,837]
- Base Student Allocation (BSA) increase of $40.17
- FEFP Base Funds (flexible $) increase of $325 million (2.4%)
- Required Local Effort (RLE) increase of $159.4 million for New Construction only; RLE Millage reduced from 3.888 to 3.733 mills
- Teacher Salary Increase Allocation - $500 million – additional funds that school districts must use to increase the minimum salaries of classroom teachers (80%) and to increase salaries for other instructional personnel (20%)
- Eliminates the Best and Brightest Teacher and Principal Allocation – ($284.5 million)
- Safe Schools Allocation - $180 million for School Safety Officers
- Mental Health Assistance Allocation – $25 million increase for a total of $100 million to help school districts and charter schools address youth mental health issues
- Turnaround School Supplemental Services Allocation – $51 million – additional funds for services designed to improve the overall academic and community welfare of students and their families at designated lower performing schools
- Funding Compression Allocation – $52.1 million additional funds for school districts that receive lower than the statewide average total funds per student

Public Schools/K12 Non-FEFP

- Community School Grant Program - $10 million GR

[1] Local revenues include required and discretionary local effort for the public schools and tuition and fees for workforce, colleges, and universities.

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- Mentoring Programs - $15 million GR
- Gardiner Scholarships –$42 million additional funds for a total of $189.9 million GR
- Schools of Hope – ($40) million GR
- School District Foundation Matching Grants - $5 million GR
- School Hardening Grants program for capital purchases - $42 million GR
- School and Instructional Enhancement Grants - $17.9 million GR
- Exceptional Education Grants - $7.7 million [$5.4 million GR; $2.3 million TF]
- Florida School for the Deaf & Blind - $54.3 million [$49.6 million GR; $4.7 million TF]
- Computer Science Certification Grants - $10 million GR
- Reading Scholarships – $7.6 million GR
- Capital Projects - $3.9 million

State Board of Education

Total: $270.7 million [$118.5 million GR; $152.2 million TF]

- Assessment and Evaluation - $125.1 million [$68.8 million GR; $56.3 million TF]
- Safe and Secure Campus Initiatives - $8 million GR

School District Workforce

Total: $551.3 million [$297.4 million GR; $209.2 million TF; $44.7 million tuition/fees]

- Workforce Development for career and technical education and adult education - $370.3 million [$279.2 million GR, $91.1 million TF]
- Perkins Career and Technical Education grants and Adult Education and Literacy funds – $118.1 million TF
- CAPE Incentive Funds for students who earn Industry Certifications - $6.5 million
- School and Instructional Enhancement Grants - $1.7 million GR
- Pathways to Career Opportunities Grant Program for apprenticeships - $10 million GR
- No tuition increase

Florida College System

Total: $2.07 billion [$1.12 billion GR; $168.3 million TF; $778.7 million tuition/fees]

- Increased Operating Funds - $30 million New Tier-Based Funding Model
- CAPE Incentive Funds - $14 million GR
- Student Success Incentive Funds - $30 million
  - 2+2 Student Success Incentive Funds - $20 million GR
  - Work Florida Incentive Funds - $10 million GR
- No tuition increase

State University System

Total: $5.2 billion [$2.8 billion GR; $435 million TF; $2 billion tuition/fees]

- Performance Based Funding - $560 million
  - $265 million State Investment [GR]
  - $295 million Institutional Investment
    - Reprioritized from the base of each institution
- National Ranking Enhancement - $65 million GR increase
- Universities of Distinction - $15 million GR
- No tuition increase

Private Colleges

Total: $149.8 million GR

- EASE and ABLE funded at $2,841 per award

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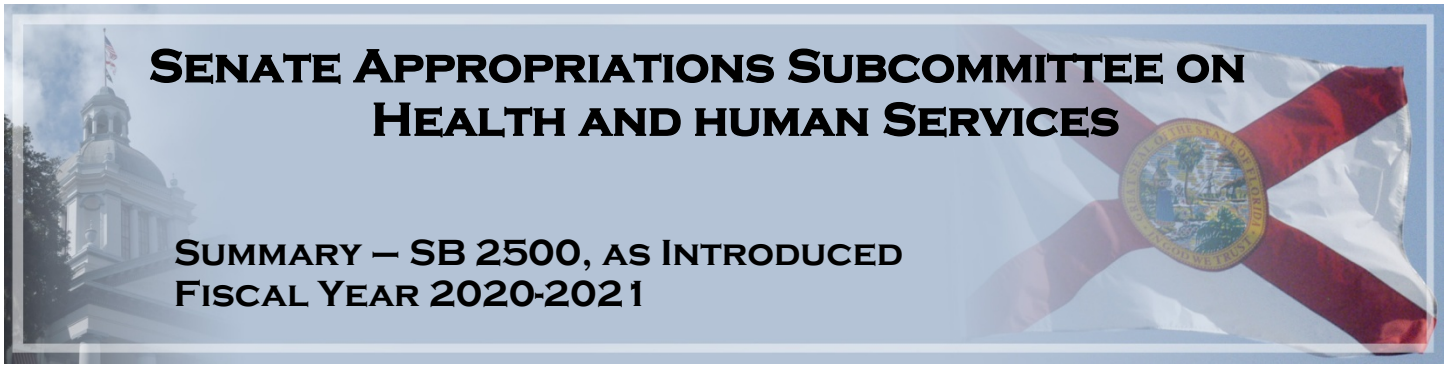
- Historically Black Colleges and Universities - $3 million GR increase

Student Financial Aid

Total: $984.5 million [$259 million GR, $725.5 million TF]

- Bright Futures – $651.8 million TF
- Benacquisto Scholarship Program – $26.6 million GR
  - $5.2 million workload increase
- Children/Spouses of Deceased or Disabled Veterans Workload Increase – $8.4 million GR
  - $757,042 workload increase

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SUMMARY

Total Budget: $39.4 billion [$10,634.1 million GR; $28,751.7 million TF]; 30,915.76 positions

MAJOR ISSUES

Agency for Health Care Administration

Total: $30,812.3 million [$7,361.8 million GR; $23,450.5 million TF]; 1,532.50 positions

- Medicaid Price Level and Workload – $900.7 million [$144.5 million GR; $756.2 million TF]
- KidCare Workload – $31.5 million [$74.7 million GR; ($43.2 million) TF]
- Florida Healthy Kids Lifetime Benefit Maximum Repeal – $1.17 million [$0.28 million GR; $0.89 million TF]
- Canadian Prescription Drug Importation Program – $15.0 million GR
- New Reimbursement Rate Level for Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) – $38.3 million [$14.6 million GR; $23.7 million TF]
- Redirect Hospital Supplemental Payments – $69.2 [$26.4 million GR; $42.8 million TF]
- Increase Hospital Inpatient DRG Base Rate – $47.4 million [$18.1 million GR; $29.3 million TF]
- Increase Hospital Outpatient EAPG Base Rate – $11.8 million [$4.5 million GR; $7.3 million TF]
- Directed Payment Program for Hospitals (Authorization Subject to Federal Approval)
- Hospital Quality Incentive Program – $10.0 million [$3.8 million GR; $6.2 million TF]
- Graduate Medical Education Program Increase – $33.7 million [$12.9 million IGTs, $20.8 million TF]
- Medical School Faculty Physician Supplemental Payments – $4.6 million [$1.8 million IGTs, $2.8 million TF]
- Florida Cancer Hospital Restoration – $141.5 million TF [$54.0 million IGTs, $87.5 million TF]
- Nursing Home Rate Enhancement – $104.8 million [$40.0 million GR; $64.8 million TF]
- Florida Medicaid Management Information System (FMMIS) – $60.0 million TF
- Electronic Visit Verification for Behavior Analysis Services – $3.15 million TF

Agency for Persons with Disabilities

Total: $1,638.8 million [$665.5 million GR; $973.3 million TF]; 2,700.5 positions

- Resources for Persons with Unique Abilities – $134.3 million [$51.3 million GR; $83.0 million TF]
- Serve Additional Clients on the HCBS Waiver Waitlist – $30.2 million [$11.5 million GR; $18.7 million TF]
- Increase Adult Day Training Provider Rates – $2.6 million [$1.0 million GR; $1.6 million TF]

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- Increase Personal Supports/Companion Provider Rates - $28.6 million [$10.9 million GR; $17.7 million TF]
- Increase Residential Habilitation Provider Rates - $20.4 million [$7.8 million GR; $12.6 million TF]
- Employment and Internship Supports – $1.0 million GR
- iConnect System – $1.5 million [$0.3 million GR; $1.2 million TF]
- Fixed Capital Outlay for Developmental Disability Facilities – $2.9 million [$0.2 million GR; $2.7 million TF]

Department of Children and Families

Total: $3,312.4 million [$1,875.5 million GR; $1,436.9 million TF]; 12,050.75 positions

- Child Welfare Services:
  - Maintenance Adoption Subsidies – $20.0 million [$9.4 million GR; $10.6 million TF]
  - Increase Foster Parent Room & Board Rate – $0.8 million [$0.5 million GR, $0.3 million TF]
  - Evidence-Based Practices and Service Intervention – $10.0 million TF
  - Safety Management Services Restoration – $8.1 million [$5.2 million GR, $2.9 million TF]
  - Maintain Risk Pool Funding – 3.1 million GR
  - Increase Adoption Incentive Benefits for State Employees Funding - $1.6 million GR
- State Opioid Funding – $69.6 million TF
- Community Mental Health Treatment Services:
  - Increased School Access to Mental Health Services through Telehealth – $4 million GR
  - Restore Two (2) Children's Community Action Teams (CATs) – $1.5 million GR
  - Increase Forensic Community Transitional Beds (24 beds) – $2.1 million GR
  - Expand Community Mental Health Services by Realigning Department Funding – $5.8 million GR
  - Employment Assistance/Individuals with Mental Health Disorders – $1.7 million GR
  - Increase Juvenile Incompetent to Proceed Funding - $1.3 million GR
- State Mental Health Hospitals:
  - Contracted Mental Health Hospital Cost of Living Rate Adjustment – $3.6 million GR
  - Anti-Ligature Improvements – $1.7 million GR
  - Fixed Capital Outlay Repairs and Maintenance – $1.5 million GR

Department of Elder Affairs

Total: $363.8 million [$178.4 million GR; $185.4 million TF]; 404 positions

- Community Care for the Elderly (CCE) Program (381 slots) – $3.2 million GR
- Aging Resource Centers - $2 million [$1 million GR; $1 million TF]
- Alzheimer's Disease Initiative (167 slots) – $1.8 million GR
- Home Care for the Elderly (HCE) Program (139 slots) – $0.6 million GR
- Public Guardianship Program – $10.5 million GR
- Client Information and Registration Tracking System (eCIRTS) Project Implementation – $1.7 million [$0.2 million GR; $1.5 million TF]
- Program of All-Inclusive Care for the Elderly (PACE) – $2.6 million [$1 million GR; $1.6m TF]
- Adult Care Food Program – $1 million TF

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Department of Health

Total: $3,096.4 million [$529.4 million GR; $2,567.0 million TF]; 12,766.51 positions

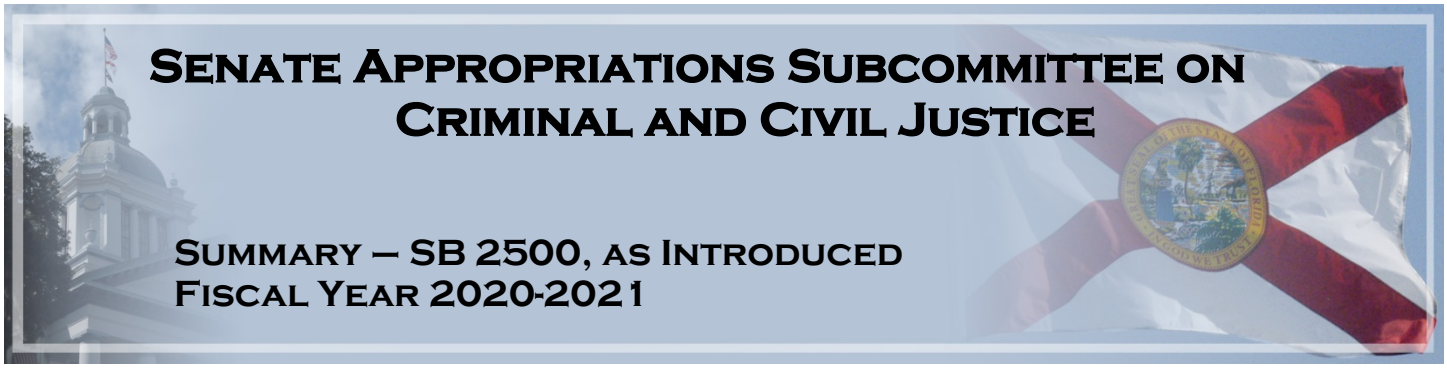
- Office of Medical Marijuana Use – $8.1 million TF
- Emerging Disease Threat Response (Hepatitis A) – $10 million GR (for 2019-2020 fiscal year)
- Transfer Correctional Medical Authority from EOG to DOH – $0.7 million GR; 4 FTE
- Children Medical Services workforce reduction – ($7.4 million) TF, (79 FTE)
- Children's Medical Services Managed Care Plan Administrative Savings – ($12.7 million) [$10.3 million GR; $2.4 million TF]
- Child Protection Teams – $1.5 million GR
- Housing Opportunities for Persons with Aids (HOPWA) – $9.1 million TF
- Early Steps Program – $8.0 million GR
- Early Steps Program State Match – $5.4 million GR
- Healthy Floridians Healthy Future Racial and Ethnic Disparities Closing the Gap – $1.7 million GR
- Poison Information Control Network – $0.7 million GR
- Expansion of Genetic Services – $1.2 million TF
- Center for Disease Control Federal Opioid Grant – $6.5 million TF
- Capital Improvement Projects for Public Health Laboratories and County Health Departments – $8.8 million TF

Department of Veterans Affairs

Total: $162.0 million [$23.4 million GR; $138.6 million TF]; 1,461.5 positions

- Staffing and Start-up of State Veterans' Nursing Home in St. Lucie County (Ardie Copas) – $4.6 million TF; 17 FTE
- Staffing and Start-up of State Veterans' Nursing Home in Orange County (Lake Baldwin) – $2.9 million TF; 17 FTE
- Increased FCO Funding for State Veterans' Nursing Home in Orange County (Lake Baldwin) – $6.1 million TF
- State Veterans' Nursing Home Nurse Staffing Increase – $1.5 million TF; 16 FTE
- Health Information Systems Technology Systems Upgrade – $0.4 million TF
- Nursing Home Equipment Needs – $1.2 million TF
- Florida is For Veterans Training Grants – $2.5 million GR
- Fixed Capital Outlay for State Veterans' Nursing Homes – $2.0 million TF

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SUMMARY

Total Budget: $5.6 billion [$4,742.4 million GR; $821.9 million TF]; 46,952.25 positions

MAJOR ISSUES

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one third of the institutions $29.1 million GR and 292 FTE
- Continued funding of contracted inmate health services - $421 million
- Funds the Hepatitis C class action lawsuit in the Department of Corrections, contingent upon the court's final ruling on all appeals related to the treatment of inmates identified as testing positive for level F0-F1 Hepatitis C - $28 million GR
- Mental Health Facilities, including provision for the financing of a new mental health facility at Lake Correctional Institution - $17.9 million GR
- Fixed Capital Outlay for DJJ's residential program facilities - $6.3 million TF
- Funds workload issues for the Justice Administrative Commission (Public Defenders, State Attorney, Capital Collateral Regional Counsel and the Offices of Criminal Conflict and Civil Regional Counsel) - $12.9 million [$8.2 million GR, $4.7 million TF]
- Funds Year 3 of the Department of Legal Affairs IT Modernization Initiative - $6.6 million [$5.6 million GR, $1 million TF]
- Funds FDLE's trust fund deficits within the Operating and Criminal Justice Standards and Training Trust Fund - $5.9 million GR

Attorney General/ Legal Affairs

Total: $295 million [$70.1 million GR; $224.9 million TF]; 1,365.5 positions

- Agency-wide Information Technology Infrastructure Improvements - $6.6 million [$5.6 million GR, $1 million TF]
- Crime Victims Compensation Payments - $2 million GR
- Statewide Prosecution - $0.4 million GR
- Increased Operating Costs $2.2 million [$1.2 million GR; $1 million TF]

Department of Corrections

Total: $2.8 billion [$2.75 billion GR; $50 million TF]; 25,253 positions

- Funds the Department of Corrections pilot program to convert work shifts from 12 to 8.5 hours for one third of the institutions $29.1 million GR and 292 FTE
- Private Leases - $3.0 million GR
- Security Enhancement Equipment - $1.5 million GR
- Replacement of Motor Vehicles - $2.6 million GR
- Inspector General Inspectors - $1.5 million and 20 FTE
- Electronic Health Records - $2.3 million GR
- Security Threat Group - $2.2 million GR and 34 FTE

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- Wellness Specialists - $1.9 million and 34 FTE
- Academic and Technical Education Expansion - $5.4 million and 17 FTE
- Development of a University Medical School Inmate Health Care Plan - $.5 million
- Hepatitis C Direct Acting Antivirals - $28 million GR
- Critical Facility Renovations, Repairs and Maintenance - $6.8 million GR
- Mental Health Facilities - $17.9 million GR

Florida Department of Law Enforcement (FDLE)

Total: $284.0 million [$132.3 million GR; $151.7 million TF]; 1,944 positions

- Increase Capitol Complex Security - $0.9 million TF; 5 FTE
- Computerized Criminal History (CCH) Record System Maintenance - $1.9 million GR
- Florida Incident Based Reporting System (FIBRS) - $2.6 million GR
- Operating Trust Fund Deficit - $2 million GR
- Criminal Justice Standards and Training Trust Fund Deficit - $3.9 million GR
- Increase Federal Grants Trust Fund Authority for Project Safe Neighborhood Grants - $1.5 million TF
- Genetic Genealogy Program - $0.8 million GR; 6 FTE
- Statewide Behavioral Threat Assessment and Modernize to Counter 21st Century Threats - $1.1 million GR
- Repair and Maintenance for the Tampa Bay Regional Operations Center - $2.7 million GR

Department of Juvenile Justice

Total: $587 million [$442 million GR; $145 million TF]; 3,285.5 positions

- Additional Evidence Based Residential Services - $4.2 million GR
- Prevention and Early Intervention Programs and Services - $2.3 million GR
- Critical Repairs and Maintenance to DJJ Facilities - $6.3 million GR
- Enhanced Oversight of Medical Services in Residential Programs - $.6 million and 6 FTE
- Fixed Capital Outlay for DJJ's residential program facilities - $6.3 million TF

State Court System

Total: $602.4 million [$504.9 million GR; $97.5 million TF]; 4,434.5 positions

- Problem Solving Courts - $.3 million GR, $7,880 TF and 2 FTE
- Family Court Operational Support - $.3 million, 7,880 TF and 2 FTE
- Additional Judgeships - $2.1 million GR, $.03 million TF and 15 FTE (includes the certification of 5 new circuit judges)
- Judicial Data Management System - $.4 million TF
- Appellate Judiciary Travel - $125,000 GR
- Timely Resolution of Cases - $5.0 million GR and 64 FTE
- Court Interpreting Resources - $5.0 million GR and 37.5 FTE
- Begin the work for a new courthouse in the 2nd District Court of Appeal - $20 million GR

Justice Administrative Commission (JAC)

Total: $984.5 million [$831.9 million GR; $152.6 million TF]; 10,537.75 positions

- JAC HQ Staffing Needs - $264,935 GR; 3 FTE
- JAC HQ Critical Information Technology (IT) Needs - $317,000 GR
- State Attorney Workload - $1 million GR
- State Attorney Trust Fund Needs (Various) - $4.1 million TF; 3 FTE
- Public Defender Various Mental Health, Substance Abuse Related Funding Issues - $3.7 million GR; 32.5 FTE
- Public Defender Workload - $1 million GR

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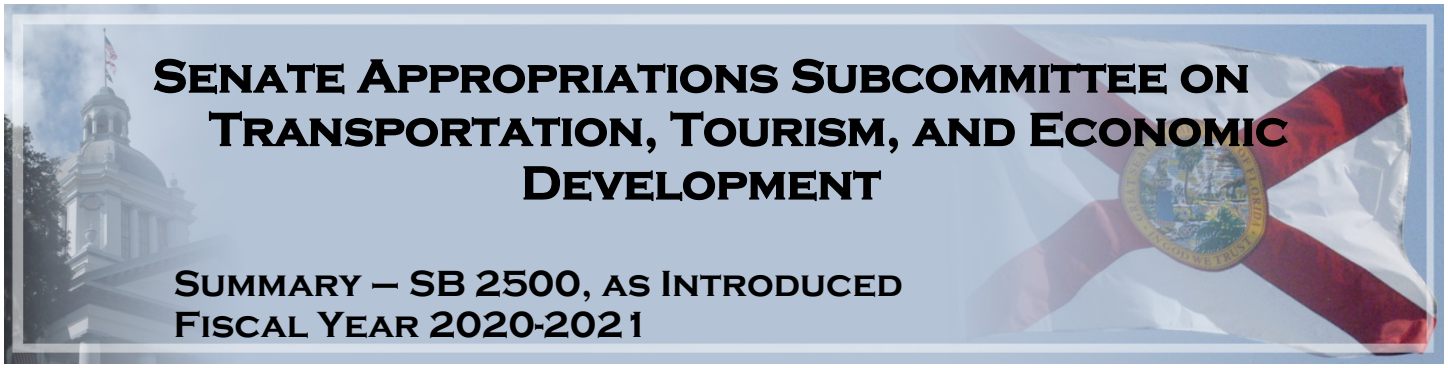
- Capital Collateral Regional Counsels (various issues - IT, Rent, Workload) - $208,920 GR
- Criminal Conflict & Civil Regional Counsel Workload, Rent, Forensic Social Workers, Bar Dues - $638,803 GR; 3 FTE
- RC02 Cross Jurisdictional Death Penalty Pilot Program - $1 million GR; 7 FTE

Florida Commission on Offender Review

Total: $11.9 million [$11.8 million GR; $0.1 million TF]; 132 positions

- Replacement of Motor Vehicles - $25,000 GR
- Information Technology (IT) Services Provided by Department of Corrections - $376,000

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Summary

Total Budget: $13.7 billion [$213.9 million GR; $13.5 billion TF]; 13,058 positions

Major Issues

- Transportation Work Program - $9.2 billion TF
- Affordable Housing Programs - $387 million TF
- Job Growth Grant Fund - $20 million GR
- Library Grants and Initiatives - $25.8 million GR
- Cultural, Museum, and Historic Preservation Grants and Initiatives - $43.7 million GR and TF
- Motorist Modernization Project - $9.2 million TF
- National Guard Tuition Assistance - $3.2 million GR

Department of Economic Opportunity

Total: $1.25 billion [$86.4 million GR; $1.2 billion TF]; 1,469 positions

- Economic Development Toolkit Payments (existing contracts) - $28.1 million GR and TF
- Florida Job Growth Grant Fund - $20 million GR
- Revolving Loan Fund Program - $40 million [$8 million GR and $32 million Federal TF] (for small businesses in the region impacted by Hurricane Michael)
- Space Florida - $12.5 million TF; $6 million GR
- Visit Florida - $50 million *recurring* TF
- Enterprise Florida - $16 million TF
- Affordable Housing Programs - $387 million TF
  - State Housing Initiatives Partnership (SHIP) - $267.2 million TF (allocated to local governments)
  - State Apartment Incentive Loan (SAIL) Programs - $119.8 million TF
- Rural Communities:
  - Rural Infrastructure Fund - $8.6 million GR
  - Rural Community Development Revolving Loan Fund - $6.2 million GR
- Economic Development Projects - $2.8 million GR
- Housing and Community Development Projects - $14.6 million GR
- Workforce Projects - $8.7 million GR

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Department of Highway Safety and Motor Vehicles

Total: $500.0 million TF; 4,347 positions

- Florida Highway Patrol Troopers - $2.6 million TF, 16 positions
  - First Coast Expressway - $1.3 million TF, 8 positions
  - Central Florida Expressway - $1.3 million TF, 8 positions
- Motorist Modernization Project - Phase II - $9.9 million TF
- Application Cloud Environment - $2.5 million TF
- Renovations to the Neil Kirkman Building - $2.6 million TF
- Florida Highway Patrol Troop D Headquarters, Orlando - $6.0 million TF

Department of Military Affairs

Total: $70.0 million [$29.3 million GR; $40.7 million TF]; 453 positions

- Tuition Assistance for Florida National Guard - $3.2 million GR
- Facility Maintenance and Repair - $3.4 million GR (matched by $3.4 million federal funds)
- Panama City Readiness Center Replacement - $6.3 million GR (matched by $18.75 million federal funds)

Department of State

Total: $125.6 million [$93.4 million GR; $32.2 million TF]; 420 positions

- Maintenance of Effort for Libraries - $23.2 million GR
- Libraries Construction Grant Ranked List - $2.0 million GR
- Grants to Library Cooperatives - $2.0 million GR
- Cultural and Museum Program Support and Facilities Grants and Initiatives - $26.0 million GR
  - Cultural & Museum Program Support Grants - $21.3 million GR
    - Cultural and Museum Ranked List - $12.6 million (funds distributed proportionally to all 489 projects)
    - Culture Builds Florida Ranked List - $2.9 million (funds all 125 projects)
    - Cultural Facilities Ranked List - $5.8 million (funds 17 of the 29 projects)
  - Cultural and Museum Projects - $4.7 million GR
- Historical Resources Preservation - $17.7 million GR and TF
  - Historic Preservation Grants - $6.2 million [$4.7 million GR; $1.5 million TF]
    - Historic Preservation Small Matching Grants Ranked List - $1.5 million TF (funds all 45 projects)
    - Historic Preservation Special Category Grants Ranked List - $4.7 million GR (funds 15 of 38 projects)
  - Historic Preservation Projects - $1.0 million GR
  - Artifact Curation Facility - $250,000 GR
  - Federal Hurricane Relief Funding for Historic Preservation – Hurricane Michael - $10.2 million TF
- Cyber Security Bureau - $1.3 million GR; 10 positions
- Elections - $7.4 million GR
  - Recurring funding for the Division of Elections - $1.8 million
  - Cyber Security and Election Activity Grants to Supervisors of Elections - $1.4 million
  - Electronic Registration Information System Center (ERIC) - $1.4 million
  - Reimbursements to Counties for Special Elections - $1.5 million
  - Advertising Proposed Constitutional Amendments - $1.3 million

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Department of Transportation

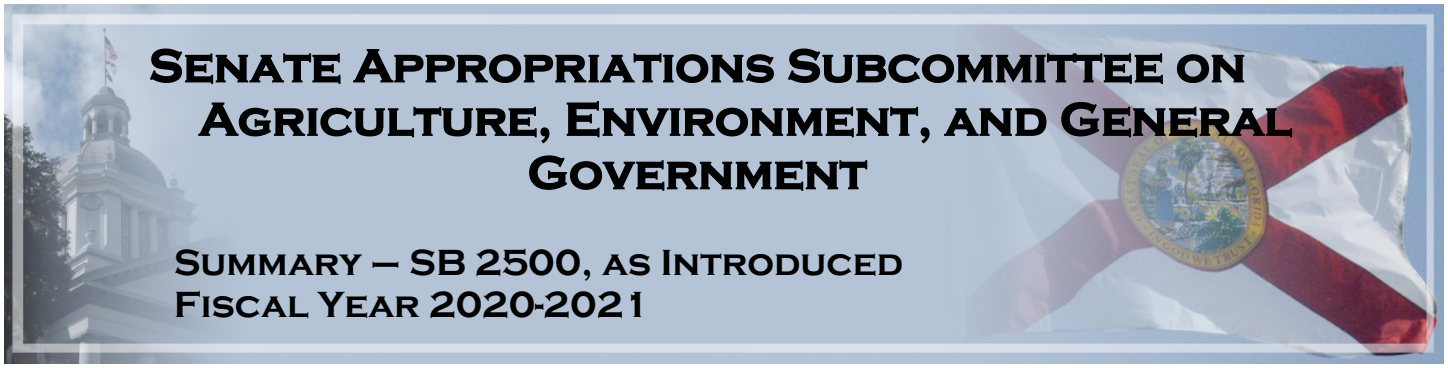
Total: $10.3 billion TF; 6,194 positions

- Transportation Work Program - $9.2 billion TF
  - County Transportation Programs:
    - Small County Road Resurface Assistance Program (SCRAP) - $37.6 million
    - Small County Outreach Program (SCOP) - $85.1 million
    - Other County Transportation Programs - $56.4 million
  - Local Transportation Initiatives (Road Fund) Projects - $60.3 million
- Transportation Disadvantaged Program - $70.4 million TF

Division of Emergency Management

Total: $1.5 billion [$4.8 million GR; $1.5 billion TF]; 175 positions

- Federally Declared Disaster Funding - $1.4 billion
  - Communities - $1.27 billion TF
  - State Operations - $115.7 million TF
- Statewide Regional Evacuation Study - $1.2 million GR
- Community Flood Resiliency - $491,576 GR



Senate Appropriations Subcommittee on Agriculture, Environment, and General Government

Summary – SB 2500, as Introduced
Fiscal Year 2020-2021

Summary

Total Budget: $6.5 billion [$876.3 million GR; $993.3 million LATF; $4.6 billion Other TF]; 20,050 positions

Major Issues

Department of Agriculture & Consumer Services

Total: $1.8 billion [$139.4 million GR; $113.8 million LATF; $1.5 billion TF]; 3,744 positions

- Wildfire Suppression Equipment/Aircraft Acquisition - $7.3 million TF [$0.7 million GR; $3.6 million LATF; $3 million TF]
- Florida Forest Service Road/Bridge and Facility Maintenance - $8.9 million LATF
- Citrus Protection and Research - $21.8 million [$1.5 million GR; $20.3 million TF]
- Water Supply Planning - $1.5 million GR
- Lake Okeechobee Agriculture Projects - $4 million LATF
- Office of Water Policy - $1.0 million LATF; 8 positions
- Rural and Family Lands Conservation Easements - $8.7 million GR
- State Industrial Hemp Program - $4.5 million [$1.8 million GR; $2.7 million TF]; 43 positions
- African Snail Eradication Program - $1.3 million TF
- Office of Energy Grants - $0.9 million TF
- USDA Hurricane Block Grant and Disaster Recovery - $9.6 million TF
- Agriculture Education and Promotion Facilities - $8.0 million GR

Department of Business & Professional Regulation

Total: $159.9 million [$1.4 million GR; $158.5 million TF]; 1,659 positions

- Additional Resources Division of Hotels and Restaurants/Human Trafficking - $0.3 million TF; 4 positions
- Staffing Necessary To Meet Statutorily-Required Food And Lodging Inspections - $1.3 million TF; 21 positions

Department of Citrus

Total: $27.1 million [$5.7 million GR, $21.4 million TF]; 38 positions

- Citrus Advertising/Promotion - $4.1 million GR

Department of Environmental Protection

Total: $2.2 billion [$364.1 million GR; $774.2 million LATF; $1.1 billion TF]; 2,917 positions

- DEP Everglades Restoration- $318.6 million [$299.9 million LATF; $13..0 million GR; $0.7 million TF]
- Water Quality Improvements - $200.7 million GR
  - Septic-to-Sewer/Wastewater Treatment - $25 million GR
  - Total Maximum Daily Loads - $25 million GR

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    - Water Quality Improvements Everglades - $50 million GR
    - Indian River Lagoon Water Quality Improvements - $25 million GR
    - St. Johns, Suwannee, Apalachicola Rivers and Springs Coast Watershed Water Quality Improvements - $25 million GR
    - Water Projects - $40.7 million GR
    - Coral Reef Protection and Restoration - $10.0 million GR
- Water Quality Improvements – Blue Green Algae Task Force - $10.8 million GR
- Florida Resilient Coastline Initiative - $10 million GR
- Innovative Technology Grants for Harmful Algal Blooms - $5.0 million GR
- Springs Restoration - $50 million LATF
- Alternative Water Supply - $40 million TF
- Florida Forever – $125 million [$25 million GR; $100 million TF]
    - Division of State Lands - $92 million TF
    - Florida Communities Trust - $10.0 million TF
    - Florida Recreational Development Assistance Grants - $12.3 million [$6.3 million GR; $6.0 million TF]
    - Working Waterfronts - $2.0 million TF
    - DACS Rural and Family Lands - $8.7 million GR
- Petroleum Tanks Cleanup Program - $125 million TF
- Volkswagen Settlement - $67.5 million TF
- Hazardous Waste/Site Cleanup - $8.5 million TF
- Beach Management Funding Assistance - $50.0 million LATF
- Drinking Water Revolving Loan Program - $130.7 million [$10.3 million GR; $120.4 million TF]
- Wastewater Revolving Loan Program – $228.6 million [$11.9 million GR; $216.7 million TF]
- Additional Hurricane Recovery Related Drinking & Wastewater Revolving Loan Programs - $152.4 million [$25.4 million GR; $127 million TF]
- Small County Solid Waste Management Grants - $3 million TF
- Small County Wastewater Treatment Grants - $13 million TF
- Local Parks - $1.7 million GR
- State Parks Maintenance and Repairs - $27.0 million TF

Department of Financial Services

Total: $387.6 million [$22.3 million GR; $365.3 million TF]; 2,570 positions

- Florida Planning, Accounting & Ledger Management (PALM) Project - $26.4 million TF
- Transfer to DEP for Cleanup of State Fire College - $10 million TF
- Fire and Arson Equipment and Repairs and Maintenance - $1.1 million TF
- Local Government Fire Services - $7.1 million [$.5M GR and $6.6 TF]
- Law Enforcement Training, Equipment, Upgrades and Vehicles - $0.6 million TF
- Information Technology Upgrades to Software, Hardware, and Equipment - $1 million TF

Fish & Wildlife Conservation Commission

Total: $405.5 million [$52.0 million GR; $105.3 million LATF; $248.2 million TF]; 2,114 positions

- Marine Fisheries Infrastructure Recovery Grant Program - $10.8 million TF
- Law Enforcement Vehicle Replacement - $3.0 million LATF
- Hurricane Irma Marine Fisheries Disaster Recovery - $9.4 million TF
- Invasive Species Response - $2.3 million GR
- Red Tide Research - $2.8 million [$2.2 million GR; $0.6 million TF]
- Center for Red Tide Research – 2 FTE, $2.0 million GR
- FWRI Building Repairs - $1.0 million GR
- Boating Infrastructure and Improvement Program - $6.9 million TF

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- Derelict Vessel Removal - $4.7 million [$1.0 million GR; $3.7 million TF]
- State Reef Fish Survey - $3.0 million GR

Department of the Lottery

Total: $187 million TF; 419 positions

- Information Technology Upgrades to Software, Hardware, and Equipment - $0.6 million TF
- Operational Support - $0.3 million TF
- Increase to Gaming System Contract - $3.1 million TF

Department of Management Services

Total Budget: $691.1 million [$68.5 million GR; $622.5 million TF]; 1,048 positions

- Florida Facilities Pool (FFP) Fixed Capital Outlay - $49.5 million [$30 million GR; $19.5 million TF]
- FFP Service and Security Guard Contracts - $0.4 million TF
- Private Prison Monitoring Facility Maintenance and Repairs (Gadsden and Lake City Correction Facilities) - $4.8 million GR; $1.5 million TF
- Florida Holocaust Memorial - $0.4 million GR
- Florida Slavery Memorial - $0.4 million GR
- Florida Interoperability Network and Mutual Aid - $1.7 million GR
- Statewide Law Enforcement Radio System (SLERS) Contract, Staff Augmentation and Independent Verification and Validation Services - $0.8 million TF
- Non-FRS Pension Benefits - $0.1 million GR
- E911 Next Generation Grant - $3.2 million TF
- Emergency 911 Call Routing System - $6.0 million TF

Division of Administrative Hearings

Total Budget: $27.2 million TF; 240 positions

Public Service Commission

Total: $25.9 million TF; 271 positions

Department of Revenue

Total: $602.9 million [$222.8 million GR; $380.1 million TF]; 5,029 positions

- Aerial Photography - $0.2 million GR
- Fiscally Constrained Counties - $31.1 million GR

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, February 03, 2020 9:59 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Annual Dinner Table Reservations are Filling Up! Get Registered Today!

Dear Senator Joe Gruters,

Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm

Program 7:00 - 9:00 pm

Registration opens at 5:45 PM

Keynote Speaker:

Attorney General Ashley Moody

Join us in Welcoming Incoming Chairman:

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:

Rich Stehle, Climatic Conditioning Company

Posthumous Lifetime Achievement Awardee:

Nathan Benderson, Benderson Development

Chairman's Awardee:

C.J. Dupre, Manatee County Building Official

Plus a Surprise Volunteer of the Year!

This year's dinner theme will be *Preserving Our Past and Building Our Future*
We are asking members to submit local projects for consideration to be

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showcased at the dinner in different ways including table settings, PowerPoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration!

Click Here for Flyer

Click Here to Register

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Monday, October 14, 2019 3:54 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX CURRENT EVENTS - Register Today!

WEEKLY CURRENT EVENTS, October 14, 2019

The Gulf Coast Builders Exchange (GCBX), represents a broad cross section of the building industry, including contractors, subcontractors, suppliers and others from affiliated industries

---

EVENTS

GCBX LUNCH & LEARN - Navigating The Prime Contract: Advice for Contractors and Subcontractors

SOLD OUT!

Wednesday, October 16th

The Grove LWR

11:30 AM - 1:15 PM

GCBX Fall Golf Tournament

SOLD OUT!

Friday, October 25th

Founders Club

11:30 AM Shotgun start

GCBX 7th Annual Chili Cook Off

Wedesday, October 30th

Dolphin Aviation

5:00 - 7:30 PM

Register your Chili Team Today!

GCBX New Member Orientation

Wednesday, November 6th

GCBX Office

12:00 - 1:00 PM

GCBX Executive Golf Outing

November 13 & 14th

Innisbrook Resort

See event for further details. Limited space available.

Registration deadline- 10/18

GCBX Sporting Clays Tournament

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Friday, November 15th

Knight's Trail

9:00 AM - 3:00 PM

Become a Team Sponsor Today!

GCBX Holiday Social

Thursday, December 5th

The Ritz Carlton Sarasota

5:30 - 7:30 PM

Exclusive Sponsorships Available!

GCBX CARES Health & Wellness Events

GCBX Tranformation Challenge 2.0- Rescheduled until January 2020!

Yoga with Tigers

Wednesday, October 23rd

5:30 - 6:30 yoga class; Check in starts at 5:00 pm

Big Cat Habitat

Reserve your spot today! A few spaces left!

GCBX Heart Score Testing Event

Wednesday, November 20th

5:30 - 7:30 PM

Manatee Diagnostic Center

CLICK ON THE LINKS TO REGISTER AND FOR MORE INFORMATION

8433 Enterprise Circle, Suite 120 • Lakewood Ranch, FL 34202 • Telephone (941) 907-7745

Facebook • GCBX.ORG

Unsubscribe

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, November 12, 2019 11:02 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX CURRENT EVENTS - Register Today!

WEEKLY CURRENT EVENTS, November 12, 2019

The Gulf Coast Builders Exchange (GCBX), represents a broad cross section of the building industry, including contractors, subcontractors, suppliers and others from affiliated industries

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EVENTS

GCBX Sporting Clays Tournament

Friday, November 15th

Knight's Trail

9:00 AM - 3:00 PM

Registration Closed! Lunch Only Tickets Available!

GCBX Holiday Social

Thursday, December 5th

The Ritz Carlton Sarasota

5:30 - 7:30 PM

Exclusive Sponsorships Available!

GCBX CARES Health & Wellness Events

GCBX Heart Score Testing Event

Wednesday, November 20th

5:30 - 7:30 PM

Manatee Diagnostic Center

Don't Miss This Great Opportunity to Take Care of Yourself! GCBX Cares About Your Business and You!

CLICK ON THE LINKS TO REGISTER AND FOR MORE INFORMATION

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, October 08, 2019 10:27 AM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX EXECUTIVE GOLF OUTING AT INNISBROOK, November 13 & 14, 2019- Last Chance to Register, this Friday

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX EXECUTIVE GOLF OUTING AT INNISBROOK

When: 13 Nov 2019 10:00 AM, EST
Where: Innisbrook Resort- 36750 U.S. HIGHWAY 19 NORTH PALM HARBOR, FL 34684

Will you be attending?

Register | Not attending

Last Chance to Register- Friday, October 11th!

EVENT DETAILS:

GCBX Executive Golf Outing
at Innisbrook

Wednesday, November 13th &
Thursday, November 14th

Golf Package Includes:

Lunch, 2 rounds of Golf, complimentary cocktail reception Wednesday evening, room for two nights (room for Nov. 12 & 13 included in pricing) and full breakfast buffet both mornings.

Single Occupancy Executive Suite: $675

Double Occupancy Executive Suite: $550 pp

Single Occupancy 1-Bedroom Suite: $710

Registration Deadline: October 11th; Limited Spaces Available

November 13th, 2019 - Guarateed Tee Time options

Copperhead 1st Tee: 7:30, 7:40, 7:50, 8:00, 8:10 AM

Copperhead 10th Tee: 7:40, 7:50 AM

If these times *do not* work for you there is an option to golf the North course the afternoon of the 13th and Copperhead the morning of the 14th (limited space).

November 14th, 2019- Guaranteed Tee Time options

North Course: 7:55, 8:04, 8:12, 8:21, 8:38, 8:46, 8:55 AM (7 Tee Times)

Please email your Tee Time choice to AlbaniHogan@gcbx.org ASAP once registered. If interested in the Copperhead times on Thursday morning please let us know.

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Exclusive & Unique Sponsorship Opportunity- Cocktail Reception Sponsorships Available!

Click for Flyer

Best regards,
Gulf Coast Builders Exchange

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Wednesday, October 09, 2019 9:37 AM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX FALL GOLF TOURNAMENT! FRIDAY, OCTOBER 25TH! ONLY ONE BEVERAGE HOLE SPONSOR AND ONE FOURSOME AVAILABLE!

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX FALL GOLF TOURNAMENT

When: 25 Oct 2019 10:00 AM, EDT
Where: Founder's Club - 3800 Golf Hall Drive, Sarasota, FL 34240

Will you be attending?

Register | Not attending

ONLY ONE FOURSOME AND ONE BEVERAGE SPONSORSHIP AVAILABLE! 3 INDIVIDUAL SPOTS LEFT! BE SURE TO SECURE YOUR SPOT TODAY!

EVENT DETAILS:

GCBX Fall Golf Tournament

Friday, October 25, 2019

at Founder's Club

3800 Golf Hall Drive, Sarasota, FL 34240

Image result for founders club sarasota golf course

Registration: 10:00 am

Shotgun Start: 11:30 am

Awards & Raffle: 4:30 pm

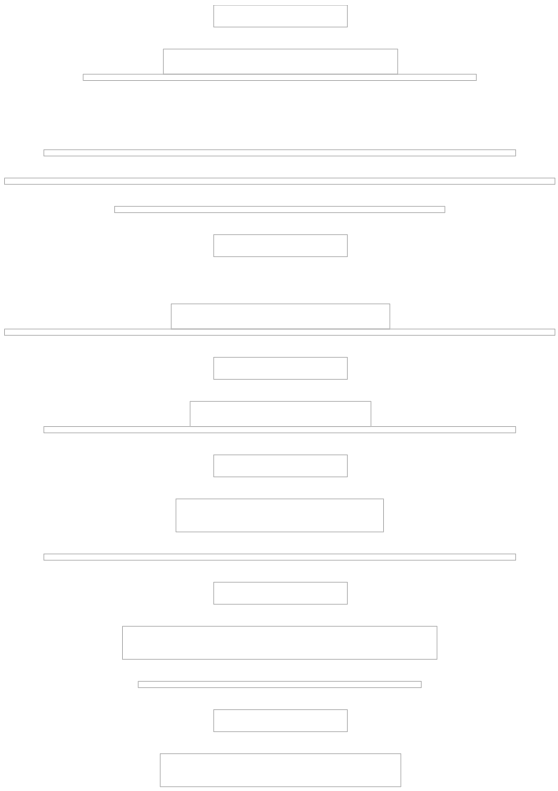
Boxed lunch on carts. Dinner Buffet after Tournament.

SPONSORSHIP OPPORTUNITIES AVAILABLE:

Beverage Sponsor- 1 Available!
Raffle Prize Sponsors
Tee Sign Sponsors

***Click here for Flyer**

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Kellogg & Kimsey, Inc.

Total Air Solutions

Gurley Herbert

Universal Engineering Sciences

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Gulf Coast Signs of Sarasota, Inc.

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NDC Construction Company

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PGT Industries, Inc.

Phillips & Jordan

Quest Design Group

Sarasota Ford

Service Contracting Solutions

Southern Structural Steel of FL

Sutter Roofing Company of FL

Tandem Construction

Waste Pro USA

Willis Smith Construction, Inc.

*** Cancellations made after 3 days prior to the event will be invoiced since guarantees have been made on your behalf**

Best regards,
Gulf Coast Builders Exchange

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This email contains links that will automatically log you into the Gulf Coast Builders Exchange site.
These links will work for the next 7 days only. Please, don't forward this email to anyone!

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, December 13, 2019 8:05 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, December 13, 2019

Helping You Build

The Gulf Coast Builders Exchange (GCBX), represents a broad cross section of the commercial building industry, including contractors, subcontractors, suppliers and others from affiliated industries

GCBX's advocacy efforts on behalf of the building industry are conducted in Manatee, Sarasota and Charlotte Counties. Wholly owned by the membership, the Builders Exchange is a not-for-profit corporation operating as a trade organization under the guidance of a volunteer board of directors as representatives of the industry.

News

Manatee County's food banks are being shorted

At GCBX we support local and what better time to come together as a community than the holidays! Let's show them what local is all about and be the leading force in filling our local food banks this holiday season. We know how generous our members are year round and we wanted to come together to support eachother, our local businesses and the local community.

Help us fill the GCBX Office by next Friday, December 20th at Noon.The Food Bank of Manatee County is asking for nonperishable, nutritious food options that they can provide to the community for the holiday season and beyond.

Critically needed items include: canned vegetables, baby cereal & formula, canned fruits, peanut butter, jelly, boxed rice, boxed pasta, canned soups, canned meat, 100% fruit juices, breakfast bars, oatmeal, powdered milk, apple sauce, dried beans, trail mix, and healthy cereals. Please avoid glass containers. 100% of the food collected stays in Manatee County.

Article Link

GCBX Events

GCBX New Year Networking Social

Thursday, January 23, 2020

at Marie Selby Botanical Gardens

5:30 - 7:30 pm

Register Here

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GCBX Sporting Clays Tournament

RESCHEDULED

Thursday, January, 30th

9:00 AM - 3:00 PM

Register Here

GCBX Annual Dinner

Thursday, February 20th

The Hyatt Regency Sarasota

Registration is now Open!

Register Here

GCBX 500- Race Event

Thursday, February 6th

5:00-8:00pm

at Andersen Race Park

Register Here

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Save the Dates:

GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

Are You Doing Business with these GCBX Members?

Marketing

Banner Season

CORE Marketing Group

Grapevine Communications

One Eight Oh PR

The Blue Book Building & Construction Network

Thank you to our 2019 Keystone Sponsors:

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, December 20, 2019 7:45 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, December 20, 2019

Helping You Build

The Gulf Coast Builders Exchange (GCBX), represents a broad cross section of the commercial building industry, including contractors, subcontractors, suppliers and others from affiliated industries

GCBX's advocacy efforts on behalf of the building industry are conducted in Manatee, Sarasota and Charlotte Counties. Wholly owned by the membership, the Builders Exchange is a not-for-profit corporation operating as a trade organization under the guidance of a volunteer board of directors as representatives of the industry.

News

LAST CHANCE to bring your items to the GCBX Office-

Today at Noon!

At GCBX we support local and what better time to come together as a community than the holidays! Let's show them what local is all about and be the leading force in filling our local food banks this holiday season. We know how generous our members are year round and we wanted to come together to support eachother, our local businesses and the local community.

Help us fill the GCBX Office by Noon today.**The Food Bank of Manatee County** is asking for nonperishable, nutritious food options that they can provide to the community for the holiday season and beyond.

Critically needed items include: canned vegetables, baby cereal & formula, canned fruits, peanut butter, jelly, boxed rice, boxed pasta, canned soups, canned meat, 100% fruit juices, breakfast bars, oatmeal, powdered milk, apple sauce, dried beans, trail mix, and healthy cereals. Please avoid glass containers. 100% of the food collected stays in Manatee County.

Article Link

Florida owes its growth and development to the trades

Article Link

Handwashing 101

Hep A General Info

GCBX Events

AMERICAN OVERSIGHT

GCBX Lunch & Learn: Cybersecurity

Wednesday, January 22, 2020

at The Grove

11:30 AM - 1:15 PM

Register Here

GCBX New Year Networking Social

Thursday, January 23, 2020

at Marie Selby Botanical Gardens

5:30 - 7:30 PM

Register Here

GCBX Sporting Clays Tournament

RESCHEDULED

Thursday, January, 30th

9:00 AM - 3:00 PM

Register Here

GCBX Annual Dinner

Thursday, February 20th

The Hyatt Regency Sarasota

Registration is now Open!

Register Here

AMERICAN OVERSIGHT

GCBX 500- Race Event

Thursday, February 6th

5:00-8:00 PM

at Andersen Race Park

Register Here

GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

Register Here

GCBX Construction Career Rodeo

Friday, March 6

9:00 AM - 1:00 PM

at Suncoast Technical College

Register Here

AMERICAN OVERSIGHT

Are You Doing Business with these GCBX Members?

Roofing

Sutter Roofing Company of FL

Len's Roofing, Inc.

Eagle Roofing Products

Florida Southern Roofing

Jim Fralin Construction, Inc.

Crown Roofing, LLC

L&W Supply

Avery Roof Services

Crowther Roofing & Sheet Metal of FL

Trident Building Systems, Inc.

Sunshine Metal Supply, Inc.

SP Rankin, Inc.

CRM South, Inc.

Thank you to our 2019 Keystone Sponsors:

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, December 27, 2019 7:30 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, December 27, 2019

Helping You Build

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Handwashing 101

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GCBX Lunch & Learn: Cybersecurity

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AMERICAN OVERSIGHT

GCBX Sporting Clays Tournament

RESCHEDULED

Thursday, January, 30th

9:00 AM - 3:00 PM

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Thursday, February 20th

The Hyatt Regency Sarasota

Registration is now Open!

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at Andersen Race Park

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GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

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AMERICAN OVERSIGHT

GCBX Construction Career Rodeo

Friday, March 6

9:00 AM - 1:00 PM

at Suncoast Technical College

Register Here

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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, December 06, 2019 8:04 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, December 6, 2019

Helping You Build

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News

The Sarasota County Sheriff's Office arrested 16 people on multiple charges during an undercover operation to protect citizens from unlicensed contractors.

Link

GCBX Events

[GCBX New Year Networking Social]

Thursday, January 23, 2020

at Marie Selby Botanical Gardens

5:30 - 7:30 pm

AMERICAN OVERSIGHT

GCBX Sporting Clays Tournament

RESCHEDULED

Thursday, January, 30th

9:00 AM - 3:00 PM

GCBX Annual Dinner

Thursday, February 20th

The Hyatt Regency Sarasota

Registration is now Open!

Save the Dates:

GCBX 500- Race Event

Thursday, February 6th

at Andersen Race Park

GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

Are You Doing Business with these GCBX Members?

Bonds

Atlas Insurance

Attorney's Title Fund Services LLC

BKS Partners

Brown & Brown of Florida, Inc.

Guignard Copmpany

InSource Partners, LLC

Inverso Law Group

Nielson, Wojtowicz, Neu & Associates

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Nicolson, Wojtowicz, Neu & Associates

Nationwide Surety

The ProSure Group, Inc

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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, February 07, 2020 7:45 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, February 7, 2020

Helping You Build

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Local News & Events

Construction payrolls ramp up in Sarasota-Manatee

Click here for full article

Save The Date - Fundraising Reception Honoring Ron Turner Supervisor of Elections

Wednesday, February 19, 2020

5PM - 6:30PM

Owen's Fish Camp
516 Burns Lane
Sarasota, FL 34236

Click here for Flyer

Save The Date - Fundraising Reception Honoring Mike Moran

Tuesday, March 3, 2020

5:30 PM - 7:00PM

Signature Events & Catering at The Landings
4870 S Tamiami Trail, Sarasota

Click here for Flyer

AMERICAN OVERSIGHT

Save the Date: Fundraising Reception Honoring Betsy Benac for Manatee County Commission

Wednesday, March 18, 2020

5:30PM - 7PM

Pier 22
1200 1st Ave W
Bradenton, FL 34205

Click here for Flyer

PLEASE JOIN US for the 2020 Luncheon Lecture Series that explores the impact of prisoner reentry upon the community.

CELEBRATING SECOND CHANCE EMPLOYERS: The Rewards, Challenges, and Incentives

March 6th, 2020

April 3rd, 2020

May 8th, 2020

At Michael's On East

GCBX has tickets to these luncheons so please email us if you would like to attend at the GCBX table.

Click here for more info.

GCBX Events

GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14th

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

Join us for lunch and lots of raffle prizes!

Register Here

AMERICAN OVERSIGHT

GCBX 68th Annual Installation & Awards Dinner

Thursday, February 20th

The Hyatt Regency Sarasota

Last Chance to Sponsor the Biggest Event of the Year!

Register Here

GCBX 500- Race Event

RESCHEDULED: Thursday, February 27th

5:00- 8:00 PM

at Andersen Race Park

Register Here

GCBX Data Dump Event

Free Electronics Recycling

Friday, February 28th

9:00 AM - 1:00 PM

at GCBX Parking Lot

SouthTech invites you to bring your old electronics to be securely salvaged.

Click for Flyer

AMERICAN OVERSIGHT

GCBX Construction Career Rodeo

Friday, March 6

9:00 AM - 1:00 PM

at Suncoast Technical College

Join us to support our efforts in introducing students to opportunities in the Trades!

Safety Glasses Sponsorship Available!

Register Here

GCBX Spring Networking Social

Thursday, March 12

5:00 PM - 7:00 PM

at Raffurty's Bar & Grill

1888 Main Street Sarasota

All Keystones receive 2 free registrations to this event!

Register Here

Keystone Benefit Baseball Game at CoolToday Park

Atlanta Braves vs. Minnesota Twins

Thursday, March 17

Lunch @ 11:30, Game at 1:00 PM

at CoolToday Park - Right Field Patio

Deeply discounted ticket prices for Keystone Members!

Register Here

Are you using these GCBX Members?

Law Firms

AMERICAN OVERSIGHT

Adams and Reese, LLP

Berlin Patten Ebling, PLLC

Blalock Walters, PA

Cotney Construction Law

Gurley & Associates

Icard Merrill

Inverso Law Group

Ramba Consulting Group

Shumaker Loop & Kendrick, LLC

Shutts & Bowen LLP

Vitale Law, P.A.

Williams Parker

GCBX Non Renewals

Centennial Bank

Dominion Payroll

Stantec

DMK Associates

Business Observer

Interior Logic Group

Hampton Inn & Suites

Mid Florida Credit Union

A to Z Concrete Construction

AROX Underground Utilites

CORE Marketing Solutions

Crosscreek Environmental

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Adams and Reese LLP • All American Truck Accessories • Andersen Race Park • APG Electric • Aqua Plumbing and Air • Bright Future Electric • Climatic Conditioning Company, Inc. • Colonial Precast Concrete, LLC • Conley Buick GMC • Cor-

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Company, Inc. • Colonial Precast Concrete, LLC • Conley Buick GMC (Business Elite) • Distinctive Surfaces of FL, Inc. • Fawley Bryant Architecture • Forristall Enterprises, Inc. • Gilbane Building Company • Grapevine Communications • Guignard Company • HBK CPAs & Consultants • J2 Solutions • McGriff Insurance Services • Purmort & Martin Insurance Agency, LLC • Shumaker, Loop & Kendrick, LLP • Suncoast Metals Recycling, LLC • Superior Asphalt, Inc. • Vitale Law, P.A. • Wilson Structural Consultants

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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, January 17, 2020 7:48 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, January 17, 2020

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Industry News

GATES Construction Completes Downtown Sarasota Luxury Condominium

GATES Construction has completed 7 One One Palm, a boutique condominium of 16 residences. Located in Sarasota's vibrant and most desirable downtown neighborhood at 711 S. Palm Avenue in Sarasota, the address offers convenient access to Burns Square, South Palm Avenue, State and Main Streets, Island Park and the Bayfront Marina. The 5-story building features 3 bedroom, 3 bath luxury residences with semi-private elevator foyers gourmet kitchens, and spacious terraces. Amenities include a covered parking garage and private storage lockers, over sized pool, spa, private cabanas, fitness center, and a Paw Park. Residents can relax in the resort-style hideaway enjoying the gas grills and fireside tables. Architectural and design services were provided by DSDG Architects.

Bring Your Company To The Next Level With Leadership, Recruiting & Branding Help Fight Unfair Competition Come Participate in this Wide Breadth of Business Training for You & Your Team

Thursday, January 30, 2020 8:00 a.m.—12:00 p.m. (registration opens at 7:30 a.m.)

Holiday Inn Sarasota-Airport

8009 15th Street East Sarasota, FL 34243

Price is $135 for 1st person from your company and $99 for every additional person.

Must Register Online www.macca.us / Limited Seating / Continental Breakfast Provided

Click here for Flyer

AMERICAN OVERSIGHT

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RESCHEDULED

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9:00 AM - 3:00 PM

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Thursday, February 20th

The Hyatt Regency Sarasota

Keynote Speaker Announced! Reserve your table today!

Register Here

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Friday, March 6

9:00 AM - 1:00 PM

at Suncoast Technical College

Register Here

AMERICAN OVERSIGHT

Welcome New GCBX Members!

3D Mapping Solutions

Bayside Sod Inc.

KCI Technologies, Inc.

Paychex

SERVPRO of South Sarasota

Tectus Communications

Wisdom Group Inc.

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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, January 24, 2020 8:55 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: GCBX Newsletter- Friday, January 24, 2020

Helping You Build

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Industry News

Bring Your Company To The Next Level With Leadership, Recruiting & Branding Help Fight Unfair Competition Come Participate in this Wide Breadth of Business Training for You & Your Team

Thursday, January 30, 2020 8:00 a.m.—12:00 p.m. (registration opens at 7:30 a.m.)

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Sutter Roofing secures contracts for high-profile West Coast Projects

Sutter Roofing Company has secured contracts on several large projects in our region. The firm will be performing the roofing and sheet metal work on the new Sarasota Memorial Hospital Venice facility as well as the new Oncology Center Tower on the hospital's main campus. The firm also recently completed the new USF Morsani College of Medicine Tower in downtown Tampa. "We are very honored to be selected as the roofing contractor for these great healthcare projects for our region" remarked company President Doug Sutter. "Our relationship with the General Contractors, USF, and Sarasota Memorial is long-standing and we will excel on these projects for these great clients."

For the full article click here

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GCBX Events

GCBX Sporting Clays Tournament

Thursday, January, 30th

9:00 AM - 3:00 PM

Register Here

GCBX 500- Race Event

Thursday, February 6th

5:00-8:00 PM

at Andersen Race Park

Register Here

GCBX "We Love Our Members" Appreciation Lunch

Friday, February 14

11:30 - 1:00 PM

at Gold Coast Eagle Distributing

Register Here

GCBX 68th Annual Installation & Awards Dinner

Thursday, February 20th

The Hyatt Regency Sarasota

Keynote Speaker Announced! Reserve your table today!

Register Here

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GCBX Construction Career Rodeo

Friday, March 6

9:00 AM - 1:00 PM

at Suncoast Technical College

Register Here

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From: NCSL TODAY <enews@ncsl.org>
Sent: Thursday, October 17, 2019 11:46 AM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Glitches in California embolden automatic voter registration foes

NCSL Today | Manage your subscription

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TOP NEWS Oct. 17, 2019

Glitches in California embolden automatic voter registration foes

Stateline

At a time when momentum around automatic voter registration is building, the latest struggles in California have emboldened critics who have long held that the system could allow noncitizens to vote, even as officials and experts point out that's happened only a handful of times. **NCSL research cited.**

NCSL resources on automatic voter registration.

Record-breaking fundraising in Virginia's legislative races

Associated Press

The battle for control of Virginia's legislature is leading to record-breaking political fundraising as special interest groups spend big in the final weeks of the contest.

Rising number of older Americans burdened by housing costs

Route Fifty

New research finds this trend is happening as gaps in wealth are becoming more stark between high and low income baby boomers and others approaching retirement age.

Michigan legislature OKs raising age for adult prosecution

Associated Press

State lawmakers gave final approval Wednesday to bills that would end Michigan's status as one of just a handful of states where 17-year-old offenders are prosecuted as adults. Starting in October 2021, 17-year-olds would be handled in the juvenile system. Prosecutors could still try 14- to 17-year-olds as adults for violent offenses such as murder.

NCSL resources on juvenile justice.

New Florida bill would require public schools to offer Bible courses

The Hill

Under the bill, each public school district in the state would be required to offer elective courses relating to religion, Hebrew Scriptures and the Bible to students in grades nine through 12.

No more tater tots? California schools put healthier lunches to the test

Kaiser Health News

From a multipronged attempt to reshape student lunches in Oakland to the addition of vegan options in the sprawling Los Angeles Unified School District, K-12 schools across California are rethinking and reformulating student meals.

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FEATURED

Risk-limiting audits

A postelection audit checks that the voting equipment and procedures used to count votes worked properly, and that an election yielded the correct outcome.

NEW@NCSL

NCSL's early learning resources

Register NOW for NCSL Capitol Forum Dec. 10-12 in Phoenix

School bus stop-arm camera laws

BLOG

States would gain significant authority in new drone bill

U.S. Senator Mike Lee (R-Utah) introduced the Drone integration and Zoning Act of 2019 on Wednesday, restarting a multi-year conversation on the exact role states should play in the deployment of unmanned aircraft, commonly called drones.

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From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Wednesday, December 11, 2019 2:19 PM EST
Subject: Governor Ron DeSantis Announces Florida's Membership in the Electronic Registration Information Center to Enhance Election Security & Ensure Accurate Voter Rolls



For Immediate Release
December 11, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis Announces Florida's Membership in the Electronic Registration Information Center to Enhance Election Security & Ensure Accurate Voter Rolls

Information-Sharing Agreement Will Reduce Voter Fraud, Improve Customer Service, and Reduce Administrative Costs for Supervisors of Elections

Tallahassee, Fla. – Today, Governor Ron DeSantis and Secretary of State Laurel Lee announced that Florida has been accepted for membership, along with 29 other members, into the Electronic Registration Information Center (ERIC), a multi-state partnership that uses a sophisticated data-matching tool to enhance the accuracy of voter registration systems.

"My administration is committed to protecting the integrity of Florida's voter rolls and preventing election fraud,"**said Governor DeSantis.** "As a member of ERIC, Florida is now equipped with more tools to further ensure accurate voter rolls, make voting easier and reduce costs to taxpayers."

Through ERIC, member states can share information from voter registration systems, motor vehicle databases, social security death records, and U.S. Post Office records. This data-sharing agreement will help identify voters who have moved to another state, passed away, or changed their name in Florida.

In addition to enhancing the accuracy of voter rolls, ERIC also improves voter registration by providing information for member states to contact potentially eligible but unregistered voters with instructions on how to register to vote. Prior to the 2020 general election, Florida will spend $1.3 million to contact potentially eligible voter who are not registered to vote. This outreach is conducted every two years ahead of federal general elections.

"I have heard strong support for joining ERIC from supervisors of elections all over Florida, and I am excited to provide them with one more tool to serve voters in Florida,"
said Florida Secretary of State Laurel M. Lee."Joining ERIC keeps Florida at the forefront of election security and will help us ensure fair and accurate election in 2020 and beyond."

Governor DeSantis included in his 2020-2021 recommended budget to the Florida Legislature the necessary funding to move forward with joining ERIC, which includes annual dues estimated at $75,000 and an estimated $1.3 million to conduct outreach to potentially eligible but unregistered voters through a direct mailer. Florida's full participation in ERIC prior to the 2020 elections will be contingent upon receiving funding from the Legislature.

Since taking office, Governor DeSantis has made securing Florida's elections and protecting voter information a top priority. Through his leadership this year, Florida has made significant investments in election security and has enhanced collaboration between the Florida Department of State and Florida's 67 local Supervisors of Elections.

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From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Monday, November 18, 2019 10:25 AM EST
Subject: Governor Ron DeSantis Announces His Bolder, Brighter, Better Future Budget for FY 2020-2021



For Immediate Release
November 18, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis Announces His Bolder, Brighter, Better Future Budget for FY 2020-2021

www.BolderBrighterBetterFuture.com

Tallahassee, Fla. — Today, Governor Ron DeSantis released his budget proposal for FY 2020-2021, a Bolder, Brighter, Better Future.

"My budget proposal for Fiscal Year 2020-2021 builds on our successes of the past year, placing emphasis where it is needed while remaining fiscally responsible to Florida taxpayers," **said Governor DeSantis.** "The budget includes key investments in our K-12 education system, our environment and the well-being of our residents, while recommending over $480 million in savings and over $300 million in tax relief. Although there is still more we can do to improve our state, which we hope to accomplish through this budget, Florida's future has never been bolder, brighter or better than it is today."

Savings and Tax Relief

The total recommendation for the FY 2020-2021 budget is $91.4 billion. The budget recommends $480.5 million in savings – such as administrative efficiencies and elimination of earmarks.

The budget places $5.6 billion in total reserves, including $1.4 billion of General Revenue, which is more than 6 percent of the total budget and more than $200 million more than the current year budget.

The budget also includes more than $300 million in tax relief, including a $56 million 8-day Back to School Sales Tax Holiday, a 10-day Disaster Preparedness Sales Tax Holiday and property tax relief of over $247 million.

Education

The Bolder, Brighter, Better Future budget makes historic investments in the state's education system, including $22.9 billion for the Florida Education Finance Program (FEDP), an increase of over $1 billion.

This includes over $900 million to recruit and retain the best classroom teachers and principals in Florida. Over $600 million is included to raise the minimum salary for full-time classroom teachers to $47,500, which would provide more than 101,000 teachers with a pay raise. Additionally, $300 million is recommended for the Florida Classroom Teacher and Principal Bonus programs.

The budget invests $25 million in key workforce development initiatives: $10 million for the Pathways to Careers Opportunities Grant Program, $10 million for the Work Florida Student Success Incentive Fund at State Colleges and $5 million for the Work Florida Student Success Incentive Fund at District Postsecondary Programs.

The budget recommends an increase of funding of more than $22 million for Florida college and nearly $24 million for Florida universities, all while maintaining no increase in tuition.

Environment

The budget continues Governor DeSantis' focus on Florida's environment and builds on the success of last year. The budget includes more than $625 million in recurring funding for Everglades restoration and the protection of vital water resources, positioning Florida to be able to reach the Governor's goal of investing $2.5 billion over four years.

Included in the more than $625 million investment is more than $322 million for Everglades restoration projects, $150 million for water quality improvements, $50 million for springs restoration and more than $22 million to combat the harmful effects of algal blooms and red tide.

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The budget also invests $50 million in beach nourishment to address Florida's critically eroded shorelines, nearly $9 million in coral reef protection funding, as well as $154 million to protect Florida's prized properties and water: $100 million for the Florida Forever Program and $54 million in new funding for state parks.

Health and Human Services

The budget makes significant investments in the well-being of Floridians and protecting the most vulnerable. Over $54 million is recommended to continue fighting the opioid epidemic, and $17 million is provided in new mental health and substance abuse funding.

In an effort to increase accountability, the Bolder, Brighter, Better Future budget invests over $97 million to provide funding for services to children and families through Florida's child welfare system.

The budget provides $6.4 million in new funding to support the Office of Public and Professional Guardianship, as well as $10 million in funding to enrich the needs of seniors in Florida's communities and enhance the quality of life for individuals with Alzheimer's disease and related dementia and ending abuse, neglect and exploitation of seniors.

To ensure Florida's veterans are receiving the care they deserve, the budget invests $18.2 million for the completion of the Ardie R. Copas State Veterans' Nursing Home in St. Lucie County and the Lake Baldwin State Veterans' Nursing Home in Orange County, as well as $6.7 million for capital improvements, equipment updates and additional nursing staff for Florida's existing state veteran nursing homes.

Transportation and Economic Development

While Florida's economy remains strong, finding affordable housing can still be a challenge. The budget provides $387 million to fully fund Workforce and Affordable Housing Programs: $119.8 million for the State Apartment Incentive Loan (SAIL) Program and $267.2 million for the State Housing Initiative Partnership (SHIP) Program.

As Florida's population continues to increase, key investments must be made to handle this growth and ensure continued efficiency. The budget provides $8.8 billion for the State Transportation Work Program, including $2.8 billion for highway construction, $865.7 million in lane resurfacing and $436.2 million in scheduled repairs and replacement of bridges.

The Bolder, Brighter, Better Future budget includes $50 million for the Florida Job Growth Grant Fund to provide funding for job training and public infrastructure projects that support growth and employment in Florida.

Hurricane Recovery

For the two most recent hurricanes to strike Florida, Irma and Michael, the State of Florida is projected to spend over $1.9 billion on hurricane-related expenses - $627.8 million for Hurricane Irma and $1.3 billion so far for Hurricane Michael.

The Bolder, Brighter, Better Future budget includes $25 million through the Hurricane Michael Recovery Grant Program for the repair and replacement of critical infrastructure and to improve the capacity of emergency services.

Public Safety

Early in his term, Governor DeSantis directed Florida Department of Law Enforcement (FDLE) Commissioner Rick Swearingen to develop a threat assessment strategy to identify and prevent threats of mass violence. Building on this, the budget includes over $4.5 million to implement the first Statewide Behavior Threat Assessment strategy in the country.

The budget also invests more than $14.5 million to expand and enhance FDLE's crime databases that the department uses daily to investigate crimes and apprehend criminals.

Governor DeSantis is recommending over $89.7 million and additional staffing at the Florida Department of Corrections for needed improvements, including retention bonuses and a pilot program to transition correctional officers from a 12-hour shift to an 8.5-hour shift.

Elections Security

With the 2020 elections getting closer, the Bolder, Brighter, Better Future budget recommends $6.6 million for state-level election oversight activities, with a focus on cybersecurity enhancements to Florida's election system.

Includes in this funding is $1.3 million for ten positions dedicated to cyber security who will provide local Supervisors of Elections with support and recommendations to combat cyber threats. Also included is $1.4 million for voter registration list maintenance services and voter outreach through the Electronic Registration Information Center (ERIC).

For more details on Governor DeSantis' Bolder, Brighter, Better Future budget, please visit www.BolderBrighterBetterFuture.com.

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From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Thursday, December 05, 2019 11:56 AM EST
Subject: Governor Ron DeSantis Announces the Opening of Registration for the 2020 Python Challenge™ Python Bowl
Attachment(s): "Python Bowl.jpg"

FROM THE OFFICE OF
GOVERNOR
RON DESANTIS
@GOVRONDESANTIS | WWW.FLGOV.COM | 850-717-9282 | MEDIA@EOG.MYFLORIDA.COM

For Immediate Release
December 5, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis Announces the Opening of Registration for the 2020 Python Challenge™ Python Bowl

Miami, Fla. — Today, Governor Ron DeSantis announced the opening of registration for the 2020 Python Challenge™ Python Bowl. The State of Florida has teamed up with the Miami Super Bowl Host Committee and other partners to support the Committee's Ocean to Everglades (O2E) initiative. The Python Bowl will begin January 10th and members of the public will sign up for training, then compete to remove as many snakes as possible from the wild.

The Governor also announced that python contractors will now have access to over 150 miles of secondary trails within Big Cypress National Park. This will begin immediately and positively impact the scope of the Python Challenge™ competition.

"The protection of our environment and natural resources is critical,"**said Governor DeSantis.** "Invasive Burmese pythons have decimated local wildlife and pose a massive threat to natural food chains and flora and fauna. The 2020 Python Bowl is sure to be a great success, and I look forward to the positive effects it will have on preserving and protecting the Everglades ecosystem."



Photo Credit: Governor's Press Office

"This is not a case of many different agencies doing their own thing, this is one mission supported by a diverse portfolio of assets of different partners, including the sportsmen and women that dedicate so much of their time and effort for conservation," **said Florida Fish and Wildlife Conservation Commission (FWC) Executive Director Eric Sutton.**"As a conservation biologist, it is exciting to be completely aligned with our policy-makers including FWC Commissioners and the governor to combat this important conservation issue."

"We know Governor DeSantis and many partners have long been committed to environmental initiatives like this,"**said FWC Commissioner Rodney Barreto.** "With the support of the Miami Super Bowl Committee, we now have a broader audience ready to learn more about the unique ecosystem of South Florida and how they can help conserve it."

"Governor Ron DeSantis is making a difference in restoring the Everglades and tackling Florida's python problem,"**said South Florida Water Management District (SFWMD) Executive Director Drew Bartlett.**"Along with record-setting recommendations for Everglades restoration funding, the Governor is directing more resources and putting new energy into removing these harmful pythons from the Greater Everglades Ecosystem."

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“Governor DeSantis’ strong commitment to Everglades restoration is remarkable,”**said SFWMD Governing Board Member “Alligator Ron” Bergeron.** “Harmful pythons disrupt the natural food chain and prey on native wildlife that depend on the Everglades. With his leadership, Florida is doing more than it ever has to remove pythons from the Everglades and protect this ecosystem for generations to come.”

About the Python Challenge Python Bowl
To register for the Florida Python Challenge™, members of the public must first complete an online training. There are also opportunities for optional in-person trainings that include a hands-on component where the public can learn to identify pythons and practice safe handling and capturing techniques.

Anyone can sign up for in-person trainings even if they are not participating in Python Challenge™. Click here to register for the competition, sign up for training, learn more about Burmese pythons and the unique Everglades ecosystem, and find resources for planning your trip to south Florida to participate in the Python Challenge™.

About invasive Burmese pythons
Burmese pythons are not native to Florida and negatively impact native species. They are found primarily in and around the Everglades ecosystem in south Florida where they prey on birds, mammals and other reptiles. A female Burmese python may lay 50 to 100 eggs at a time. As of Nov.14, 2019, there have been a total of 9,305 Burmese pythons removed from the state of Florida.

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From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Monday, December 23, 2019 9:05 AM EST
Subject: Governor Ron DeSantis Highlights Major Accomplishments of 2019



For Immediate Release
December 23, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis Highlights Major Accomplishments of 2019

Tallahassee, Fla. – Today, Governor Ron DeSantis reflected on his administration's major accomplishments during his first year in office. The Governor has delivered on the promise that he made to Floridians upon taking office in January, tackling issues that are important to Floridians and the well-being of our state, now and well into the future.

Governor Ron DeSantis said, "2019 was an incredible year for Florida. We have achieved historic accomplishments that are of the utmost importance to Floridians and will bring our state to the next level. In conjunction with the Florida Legislature and our federal, state and local partners, we were able to secure major successes for the environment, education, hurricane recovery, economic development, public safety, military, health care and much more.

"The First Lady and I appreciate the support we have received over the past year. Every day, I wake up grateful for the opportunity to go to work on behalf of Floridians. While we can reflect and be proud of these accomplishments, there is always more that can be done. Looking ahead as we enter the new year, I am excited for our next chapter, as Florida's future has never been brighter."

Major accomplishments of Governor DeSantis' Administration include the following:

EDUCATION

- Record investments in our state's education system, including:
  - The highest ever per-pupil spending at $7,672 per student. This includes an increase of over $242 per student – the largest increase since FY 2013-14.
  - The highest ever K-12 public school funding with $21.8 billion in state and local funding.

- Historic expansion in school choice options for Florida families:
  - Created the Family Empowerment Scholarship Program, which expands educational opportunities for children of families with limited financial resources.
  - Invested over $147 million in funding for the Gardiner Scholarship, which enabled students on the waitlist to be served and created a pathway to clear the waiting list for the Florida Tax Credit Scholarship.

- Issued Executive Order 19-31, which charts a course to make Florida number one in workforce education by 2030 by requiring an annual review of Career and Technical Education courses and the development of best practices to ensure that course offerings are aligned with market demands.

- Issued Executive Order 19-32, which outlines a path for Florida to improve its education system by eliminating Common Core and by strengthening civics education. Standards revisions are currently underway as the Department of Education has recently embarked on a statewide listening tour to hear stakeholder input.

- Invested $10 million in funding for the newly created Florida Pathways to Career Opportunities Grant Program to establish or expand pre-apprenticeship and apprenticeship programs for high school and college students.

- Invested $10 million in funding to support teacher professional development in computer science and reward those teachers for earning credentials to teach high-quality computer science courses.

- Created the Last Mile College Completion Program, which helps students who left college with 12 or fewer credit hours remaining, to complete their first associate or baccalaureate degree.

- Called on state colleges and universities to adopt a free speech resolution to ensure that a free and open exchange of ideas and robust civil discourse is encouraged and protected.

- First Lady Casey DeSantis successfully advocated for the State Board of Education to require every Florida public school

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to provide students in grades 6-12 at least five hours of mental health instruction.

- Maintained Florida's higher education system standing in national rankings:
  - This year, Florida was ranked by *U.S. News and World Report* as the top state in the nation for higher education for the third consecutive year. The University of Florida and Florida State University were ranked the #7 and #18 public university in the country, respectively.

ENVIRONMENT

- Secured over $625 million for Everglades Restoration and protection of our vital water resources, putting us well on the way to reaching our goal of $2.5 billion over four years. This year's funding includes:
  - Over $400 million for Everglades restoration – the highest amount of Everglades funding ever;
  - $40 million for the Florida Department of Transportation to expedite the completion of the Tamiami Trail and restore the flow of clean water south;
  - $100 million for springs restoration;
  - $50 million for targeted water quality improvements;
  - $40 million for alternative water supply; and
  - $25 million to combat blue-green algae and red tide.

- Received $60 million in federal support for the Tamiami Trail raising and began the process of removing the old roadbed.

- Created the Blue-Green Algae Task Force consisting of five expert researchers and leading scientists, which released its first report this fall.

- Appointed the state's first Chief Science Officer and first Chief Resilience Officer.

- Established the Office of Environmental Accountability and Transparency and the Office of Resilience and Coastal Protection.

- Submitted the state's plan for the $166 million in Volkswagen Settlement, focusing on reducing diesel emissions for school and transit buses and expanding our electric vehicle charging infrastructure.

- Restored the Red Tide Task Force, which had been dormant for over 15 years.

- Moved the Environmental crimes unit from the Florida Fish and Wildlife Conservation Commission to the Department of Environmental Protection to strengthen enforcement actions.

- Expedited the Everglades Agricultural Area Reservoir, broke ground on the C-43 Reservoir and activated the C-44 Stormwater Treatment Area.

- Successfully lobbied President Trump to increase his request from $67 million to $200 million for South Florida Ecosystem Restoration, which Congress agreed to fund.

- Approved acquisition of ten Florida Forever parcels totaling more than 15,000 acres in conservation lands.

- Received an unprecedented fourth National Gold Medal Award for Excellence in Park and Recreation Management.

- Increased efforts to remove invasive Burmese pythons from the Everglades.

- Added Canal Restoration as priority for the Florida Keys Area of Critical State Concern program and directed the Department of Economic Opportunity to begin developing a Canal Restoration Work Program that will set forth a definitive timeline for canal restoration with essential milestones for the completion of the project.

HEALTHCARE

- Protected the will of voters by calling for and signing into law legislation to allow for the smoking of medical marijuana.

- Worked with President Trump, the U.S. Department of Health and Human Services and the Florida Legislature to develop a plan for the safe and affordable importation of prescription drugs from Canada.

- Signed into law the Patient Savings Act, which allows consumers to receive rewards for choosing low-cost, high-quality medical services.

- Directed the implementation of Shared Savings Program for the State Group Health Insurance Program, rewarding employees and their dependents enrolled in a State Group Insurance plan for selecting more affordable health services.

- Directed the Agency for Health Care Administration to expedite the health care transparency portal to make healthcare pricing available to Floridians sooner.

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· Created the Opioid Task Force and secured over $120 million to fight the opioid epidemic.

· First Lady Casey DeSantis established the Hope for Healing Florida Initiative
  o The *Hope for Healing Florida* initiative is a multi-agency mental health and substance abuse campaign designed to bring stakeholders together to find real solutions to mental health problems in our state.

· Signed legislation to repeal the state's Certificate of Need law, encouraging competition to reduce healthcare costs and improve quality.

· Signed legislation that establishes a framework for Floridians to receive telehealth services in Florida, expanding access to healthcare through the use of innovative technologies.

· Prioritized the support of Floridians living with Alzheimer's Disease, including directing the Department of Health to add Alzheimer's and related dementias as a priority within the state health improvement plan.

ECONOMIC AND BUSINESS DEVELOPMENT

- Led an unprecedented business development trade mission to Israel and hosted a historic meeting of Cabinet members in Jerusalem. The trade mission included the signing of over 20 strategic partnerships and Memorandums of Understanding.

- Advocated for full funding of the Sadowski housing trust fund— and secured $115 million specifically for Hurricane Michael housing recovery needs.

- Announced an initiative to develop "Fintech" academies at our state colleges and technical centers and awarded the first grant for such an academy through the Florida Job Growth Grant Fund.

- Announced a job growth grant fund award of $2.86 million for two roads in Panama City to help promote development, support job creation and workforce retention

- Announced nearly $4 million to the Melbourne Airport Authority for infrastructure improvements at the Orlando Melbourne International Airport through the Florida Job Growth Grant Fund.

- Made numerous announcements for Florida's aviation and aerospace industries:
  - Firefly Aerospace Inc.
    - § This is part of a multi-year $52 million project that is expected to generate over 200 jobs.
  - Boeing Space and Launch Headquarters
    - § Boeing announced that it is moving its Space and Launch Headquarters from Arlington, Va. to Titusville on Florida's Space Coast.
  - Lockheed Martin Fleet Ballistic Missile Program Headquarters
    - § Establishing this new site is one milestone in the larger move of more than 300 jobs to the Space Coast area, expanding Lockheed Martin's already significant presence.
  - One Web Satellites new production facility
    - § The 105,500 square foot production facility, which has two production lines capable of producing two satellites a day, is helping to revitalize Florida's Space Coast with 250 new high-tech jobs and 3,000 indirect jobs through the supply chain.
  - United Airlines selected Tampa for a new aircraft maintenance facility
    - § This Tampa project is expected to have an economic impact of more than $30 million and create 40 new high-wage jobs as Florida continues to lead in the aviation industry.
  - Spirit Airlines Headquarters
    - § Announced its intention to build a new state-of-the-art global headquarters complex in Dania Beach, creating 225 jobs for Floridians.
  - CAE USA Headquarters
    - § The new 290,000 square-foot facility will be located on Tampa International Airport property. It is expected to open in 2022.
  - JetBlue Travel Products Subsidiary, "Inspiration Center"
    - § The new Inspiration Center is an open and collaborative environment with a live experimental space where JetBlue Travel Products will test new travel concepts.

· Announced groundbreaking for the state's first Buc-ee's.
  o The Buc-ee's will be a 53,000-square foot travel plaza coming to the interchange of Interstate 95 and LPGA Boulevard in Daytona Beach.

· Announced Opening of CareComm at Tampa General.
  o The center features 20 artificial intelligence apps, 38 large screens with some being touch screens, 32 workstations and a conference room.

· Directed Enterprise Florida, Inc. to include opportunity zone information in their materials and strategy for business

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recruitment.

- Created the Talent Development Council to develop a coordinated, data-driven, statewide approach to meeting Florida's needs for a 21st-century workforce that employers and educators use as part of Florida's talent supply system.

HURRICANE RECOVERY

- Directed the Florida Division of Emergency Management to expedite hurricane recovery reimbursements, of which the Division has now paid out over $1 billion since January 2019.
  - $672 million for Hurricane Irma;
  - $422 million for Hurricane Michael;
  - More than $44 million for Hurricanes Hermine and Matthew.

- Hurricane Michael
  - Requested and received 45 days of 100 percent federal cost share for Hurricane Michael debris removal and emergency protective measures.
  - Requested and received 90 percent federal cost share for Hurricane Michael.
  - Secured and delivered 100 FEMA Trailers to Bay County for residents impacted by Hurricane Michael.
  - Directed the Florida Housing Finance Corporation to utilize their resources to assist families affected by Hurricane Michael and they responded with $5 million in housing assistance for Northwest Florida.
  - Awarded nearly $13 million through the Florida Small Business Emergency Bridge Loan for agricultural producers in counties affected by Hurricane Michael.
  - Secured $380 million in grant funding from the U.S. Department of Agriculture for Florida's timber industry following the impacts of Hurricane Michael.
  - Secured $63 million in grant funding from the U.S. Department of Education to restore educational programs in counties affected by Hurricane Michael.

- Hurricane Irma
  - Activated the Rebuild Florida Business Loan Program to help small businesses recovering from Hurricane Irma.
  - Opened the Small Business Emergency Bridge Loan Program for Agricultural Producers.
  - Directed the Florida Division of Emergency Management to expedite reimbursements under the Citrus Block Grant Recovery Program.
  - Announced Florida Housing Finance Corporation is providing $140 million for the construction of new affordable workforce housing to help address housing shortages worsened by Hurricane Irma.

- Hurricane Dorian
  - Secured Major Disaster Declaration for 14 counties affected by Hurricane Dorian.
  - Delivered 590,000 bottles of water to the Bahamas after Hurricane Dorian.

- Announced $8 million available through Volunteer Florida's disaster fund long term recovery grants ($5 million for Irma and $3 million for Michael).

- Appointed Florida's first Disaster Recovery Mental Health Coordinator within the Florida Division of Emergency Management.

LEGAL REFORM AND ELECTIONS SECURITY

- Secured meaningful assignment of benefits reform to fight insurance fraud and its impact on rising insurance costs for Floridians.

- Directed the Department of State to review the security and cybersecurity of our statewide elections systems through a Joint Elections Security Initiative.

- Joined the Electronic Registration Information Center (ERIC) as part of ongoing efforts to enhance the security and integrity of Florida elections.

- Appointed three new Supreme Court Justices who understand that the proper role of the courts is to apply the law and Constitution as written.
  - Pending confirmation of President Trump's 11th Circuit recommendations, two additional appointments will be made.

- Appointed 56 judges across the state, of which 50% are female and 39% are minorities.

PUBLIC SAFETY

- Directed the Florida Department of Law Enforcement to develop a comprehensive, statewide threat assessment strategy to ensure that every government entity coordinates and cooperates in identifying and stopping persons on the pathway toward violence from committing such acts.

AMERICAN OVERSIGHT

- Signed an Executive Order on school safety to expedite the implementation of many of the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission.

- Secured $2.5 million for security funding for Jewish Day Schools to ensure students and staff are safe throughout the state. This funding represents the highest ever total appropriated for Jewish Day School security funding.

- Impaneled a Statewide Grand Jury on School Safety to examine and review school safety measures, as well as the responses of public entities to laws designed to protect schools.

- Secured passage of legislation prohibiting sanctuary cities and upholding the rule of law.

- The crime rate in Florida fell by 9 percent, marking the 48th consecutive year that Florida has seen a drop in its crime rate.

- Juvenile arrests declined 8 percent in Fiscal Year 2018-19, and are down 27 percent in the last five years, marking the lowest juvenile arrest level in Florida in 44 years.

VETERANS AND MILITARY

- Created the *Forward March* Initiative which aims to unite the combined energy and resources of Florida's state agencies, veterans' service organizations, private partners and local communities.

- Created the Governor's Initiative on Lawyers Assisting Warriors (G.I. LAW) to offer pro bono legal services to military members on a variety of civil matters.
  - The initiative now includes participation by 7 statewide law firms, providing free legal representation to over 60 service members.

FISCAL RESPONSIBILITY AND GOOD GOVERNANCE

- Secured over $300 million in tax relief for Florida families, including a 5-day back-to-school sales tax holiday and a 7-day disaster preparedness holiday, as well as a reduction in the business rent tax.

- Issued a full pardon of the Groveland Four, four African-American men wrongfully accused and tried for crimes they did not commit.
  - The four men were Ernest Thomas, Samuel Shepherd, Walter Irvin and Charles Greenlee.

- Requested placement of a statue of Dr. Mary McLeod Bethune in National Statuary Hall.
  - Dr. Mary McLeod Bethune will represent the first African American to have a state-commissioned statue in National Statuary Hall. The statue of Dr. Mary McLeod Bethune is slated to be completed and moved to National Statuary Hall in 2020.

- Signed anti-Semitism legislation affirming Florida's condemnation of discrimination and affirming that anti-Semitism has no place in Florida.

- Held the state's first-ever "Deregathon" where we invited every licensing board under the Department of Business and Professional Regulation's jurisdiction to sit in a room to target for removal unnecessary occupational licensing requirements.
  - Since Deregathon, the boards have eliminated or are in the process of eliminating over 50 unnecessary rules and requirements.
  - Examples include the following:
    - The real estate board cut their license renewal fees in half (from $250 to $125).
    - The barbers' board is in the process of cutting the training hour requirement to become a restricted barber from 1200 hours to 600 hours.
    - The electrical contracting board eliminated the personal financial statement in the application for electrical contractor licensure, changed requirements to allow for certain certifications in lieu of job lists as proof of experience, and eliminated the 21-day waiting period and 7-hour continuing education requirements for examination retakes.

###

AMERICAN OVERSIGHT

From: NCOIL <scb@thebeaumontgroup.com>
Sent: Monday, November 18, 2019 9:00 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Group Hotel Rate for 2019 NCOIL Annual National Meeting Closes IN ONE WEEK!

View this email in your browser

Dear NCOIL Participant:

Next Monday, the group rate for the NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th will close. Don't hesitate in booking your room:

The link for legislators is here - and the link for general participants is here.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code. You can do this by calling the hotel at 512-474-4744.

If you have not registered for the meeting please do so here.

The Annual Meeting will begin at the conclusion of the NAIC meeting at the same location. Please plan to arrive in time for the Welcome Reception on the evening of December 10th. There will also be an optional tour of the Texas state capitol on that afternoon.

A full day of policy committees and general sessions that will start with the busy Welcome Breakfast on December 11th and conclude on December 13th. .

NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for approved for 15.25 credits of Texas CLE.

The tentative meeting agenda and 30 day materials can be viewed here.

Please do not hesitate to reach out to us with any questions at the NCOIL National Office.

Paul Penna
NCOIL

AMERICAN OVERSIGHT





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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Friday, November 22, 2019 9:43 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Group Hotel Rate for 2019 NCOIL Annual National Meeting Closes THIS MONDAY!

View this email in your browser

Dear NCOIL Participant:

This Monday, the group rate for the NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th will close. Don't hesitate in booking your room:

The link for legislators is here - and the link for general participants is here.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code.

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NCOIL

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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Monday, November 25, 2019 9:14 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Group Hotel Rate for 2019 NCOIL Annual National Meeting Closes TODAY!

View this email in your browser

Dear NCOIL Participant:

Today, the group rate for the NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th will close. Don't hesitate in booking your room:

The link for legislators is here - and the link for general participants is here.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code.

If you have not registered for the meeting please do so here.

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NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for approved for 15.25 credits of Texas CLE.

The tentative meeting agenda and 30 day materials can be viewed here.

Please do not hesitate to reach out to us with any questions at the NCOIL National Office.

Paul Penna
NCOIL

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AMERICAN OVERSIGHT

From: Frank Walker <fwalker@flchamber.com>
Sent: Sunday, October 27, 2019 4:20 PM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Gruters' speech tomm
Attachment(s): "FutureOfFloridaForum Timed Agenda.docx","ATT00001.htm"

Hey gang - happy Sunday! Couple quick things for the boss' folder, assuming he has one, for tomm's (MONDAY) remarks:

He goes on 12:55 but would be great if he was there at least half an hour early to get mic'd up, to the staging area, etc.

He should just call or text me once on-site and I can get him queued up from there.

10 MINS would be plenty but really can't go more than 12 - we've got a tight program tomm due to a lot of speakers not being able to do Tues.

DEBBIE HARVEY, President and COO of Ron Jon Surf Shops will be introducing the Senator.

Would be great for him to hit on importance of leveling playing field between mega online retailers and Main Street brick and mortars here in FL, how this is a competitiveness issue for FL job creators, how the revenue collected could be used to further enhance our competitiveness (re pay down biz rent tax) and, of course, how this is not a new tax.

Bonus points if he says nice things about the Chamber being a trusted partner in his efforts to secure FL's future :)

As always, thanks for getting this on the calendar and call if any questions.

Frank

PS Full schedule and a link to the event (street address, phone number, etc) are attached/below:

https://www.flchamber.com/event_post/future-of-florida-forum/

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Sent from my iPhone

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NOTE: All Sessions in RED are Invitation Only

MONDAY, OCTOBER 28, 2019

8am-8pm	Registration Open	
7:30-11:30am	Florida SBDC Network Statewide Advisory Board Meeting	*Orchid*
8-10:45am	FEDC Board of Directors Meeting	*Regency 1*
9-11am	Florida 2030 Innovation Leadership Caucus Meeting	*Regency 3*
11am-5pm	Opening Session & Luncheon	*Grand Cypress DEF*

11:00-11:10 **Welcome & Opening Remarks**
Todd Powell, Vice President for Real Estate Development, Weyerhaeuser;
Chair, Florida Chamber Foundation

11:10-11:28 **State of the State**
Mark Wilson, President & CEO, Florida Chamber of Commerce

11:28- 11:34 **Florida Economic Snapshot and Outlook**
Jerry D. Parrish, Chief Economist, Florida Chamber Foundation

12:25-12:37 **The Presidential Road to the 2020 White House Goes Through Florida**
Joe Clements, Co-Founder, Strategic Digital Services
David Hart, Executive Vice President, Florida Chamber of Commerce
Andrew Wiggins, Senior Director of Campaigns & Elections, Florida Chamber of Commerce

12:40-12:52 **Online Sales Tax: It's Not a New Tax**
Joe Gruters, Florida Senate, District 23

12:55-1:20 **$4,442 Reasons to Fix Florida's Broken Legal Climate**
Moderator: William Large, President, Florida Justice Reform Institute
Harold Kim, COO, U.S. Chamber Institute for Legal Reform
Tom Leek, Florida House of Representatives, District 25
Wilton Simpson, Senate President-Designate, Florida Senate, District 10

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1:25-1:45 **Planes, Trains, and Automobiles…Oh My!**
Kevin J. Thibault, P.E., Secretary, Florida Department of Transportation

1:50-2:00 **Better Candidates Equal a Better Future**
Rick Asnani, President, Cornerstone Solutions Florida

2:10-2:45 **Giving Back for Florida's Future**
Moderator: David Odahowski, President, Edyth Bush Charitable Foundation
Clay Ingram, CEO, Volunteer Florida
Sabeen Perwaiz, President & CEO, Florida Nonprofit Alliance
Kay Rawlins, Founder & Sr. VP of Community Relations, President, Orlando City Foundation

2:50-3:15 **Putting a Woman on the Moon by 2024: Launching Artemis**
Frank DiBello, President & CEO, Space Florida
Mark Wiese, Gateway Logistics Element Manager, NASA Kennedy Space Center

3:20-3:40 **Creating the Workforce of the Future at the Intersection of People and Technology**
Joe Quaglia, President, Americas, Tech Data

3:40-4:10 **Going From Learners to Earners**
Moderator: Madeline Pumariega, VP & Provost, Tallahassee Community College
Dr. Michelle Horton, Complete Florida
Rene "Coach P" Plasencia, Florida House of Representatives, District 50
Roland Selby, Jr., Executive Director, Year Up Baltimore

4:15-4:30 **Digital Cyber Fraud: Its Impact on the Economy**
Jimmy Patronis, Chief Financial Officer, Florida

4:30-4:42 **$30 Billion Reasons Hemp May Be in Florida's Future**
Nikki Fried, Commissioner of Agriculture and Consumer Services

5:00-5:12 **Is Florida's Constitution Under Siege?**
Ashley Moody, Florida Attorney General

5:30-7pm Welcome Reception *PreFunction Area*

7-9pm Women's Hall of Fame Induction Dinner *Grand Cypress DEF*

TUESDAY, OCTOBER 29, 2019

7am-7pm Registration Open

7:30am-2pm Breakfast, General Session, Florida Chamber of Commerce Board of Governors Annual Meeting & Lunch *Grand Cypress DEF*

7:40-7:45 **Welcome & Opening Remarks**
Todd Powell, Vice President for Real Estate Development, Weyerhaeuser; Chair, Florida Chamber Foundation

7:45-8:15 **Three Former Speakers of the House on Why Leadership Matters**
Moderator: Peter Schorsch, Extensive Enterprises
Dean Cannon, President & CEO, GrayRobinson, P.A., Former Speaker, Florida House of Representatives

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Steve Crisafulli, Crisafulli Consulting, Former Speaker, Florida House of Representatives
Will Weatherford, Managing Partner, Weatherford Capital, Former Speaker, Florida House of Representatives

8:15-8:27 **Championing $50,000 Careers vs. $9 Hourly Jobs**
Paul Renner, Florida House of Representatives, District 24

8:30-8:55 **The Importance of Second Chances in Florida's Justice System**
Jeff Brandes, Florida Senate, District 24
Shon Hopwood, Associate Professor of Law, Georgetown University Law Center

9:00-9:12 **Early Learning Creates Lifelong Opportunities**
Vance Aloupis, CEO, The Children's Movement of Florida, Florida House of Representatives, District 115

9:15-9:40 **Preparing, Attracting, and Retaining World Class Talent**
Moderator: Charles Hokanson, Senior Vice President - Florida Community Engagement, Helios Education Foundation
Eric Hall, Ed.D., Chancellor of Innovation, Florida Department of Education
Kathy Hebda, Chancellor, Division of Florida Colleges, Florida Department of Education
Jacob Oliva, Chancellor, Division of Public Schools, Florida Department of Education

9:55-10:20 **What Mayors are Doing to Advance Economic Development**
Moderator: Glenda Hood, Former Mayor, Orlando, Founding Partner, Hood Partners, LLC
John Dailey, Mayor, City of Tallahassee
Buddy Dyer, Mayor, City of Orlando
Matt Surrency, Mayor, City of Hawthorne

10:25-11:00 **Strategies for Rural Economic Development**
Moderator: Todd Powell, Vice President for Real Estate Development, Weyerhaeuser; Chair, Florida Chamber Foundation
Michelle Dennard, President & CEO, CareerSource Florida
Jeff Hendry, Executive Director, North Florida Economic Development Partnership
Gray Swoope, President & CEO, VisionFirst Advisors

11:05-11:17 **Florida's Strategy to Diversify the Economy and Grow High Wage Jobs**
Jamal Sowell, Florida Secretary of Commerce and President & CEO, Enterprise Florida Inc.

11:20-11:35 **Readiness, Response and Resiliency: Lessons Learned**
Jason Cutliffe, Storm Incident Commander, Duke Energy
Ken Lawson, Executive Director, Florida Department of Economic Opportunity

11:55-12:05 **Putting Florida on the Stage for Manufacturing**
Kevin Carr, CEO, FloridaMakes

12:05-12:15 **$88.6 Billion Reasons to Love VISIT FLORIDA**
Dana Young, President & CEO, VISIT FLORIDA

12:15-12:25 **Florida's Hidden Gems**
Steve Seibert, Executive Director, Florida Humanities Council

12:25-12:45 **Better Health Outcomes and Lower Costs**
Patrick "Pat" Geraghty, President & CEO, Florida Blue

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12:50-1:30	**Ten Trends Shaping Florida's Future** Ted Abernathy, Managing Partner, Economic Leadership LLC	
1:30-2:00	Florida Chamber Annual Meeting	
2-3pm	Florida Chamber Foundation Board of Trustees Orientation	*Hydrangea*
2-6pm	FloridaMakes Board Meeting	*Orchid*
3-5pm	Florida Chamber Political Institute Meeting	*Grand Cypress ABC*
3-5:30pm	Florida Chamber Foundation Board of Trustees Meeting	*Regency 1&2*
6:30-9pm	Joint Board of Directors & Board of Trustees Reception & Dinner	*Grand Cypress D*

WEDNESDAY, OCTOBER 30, 2019

7:45-8:45am	Joint Board of Directors & Board of Trustees Breakfast	*Grand Cypress D*
8am-4pm	FloridaMakes Board Meeting	*Orchid*
9am-12pm	Florida Chamber of Commerce Board of Directors Meeting	*Grand Cypress ABC*

AMERICAN OVERSIGHT

From: Jefferson Sweet <JSweet@Panhandle.rr.com>
Sent: Wednesday, January 15, 2020 5:03 PM EST
To: Albritton, Ben <Albritton.Ben@flsenate.gov>; Baxley <BaxleyDennis@flsenate.gov>; Bean, Aaron <Bean.Aaron@flsenate.gov>; Benacquisto, Lizbeth <Benacquisto.Lizbeth@flsenate.gov>; Berman, Lori <Berman.Lori@flsenate.gov>; Book, Lauren <Book.Lauren@flsenate.gov>; Bracy, Randolph <Bracy.Randolph@flsenate.gov>; Bradley, Rob <Bradley.Rob@flsenate.gov>; Brandes, Jeff <Brandes.Jeff@flsenate.gov>; Braynon, Oscar <Braynon.Oscar@flsenate.gov>; Broxson.Doug <Broxson.Doug@flsenate.gov>; Cruz, Janet <Cruz.Janet@flsenate.gov>; Diaz, Manny <Diaz.Manny@flsenate.gov>; Farmer, Gary <Farmer.Gary@flsenate.gov>; Flores, Anitere <Flores.Anitere@flsenate.gov>; Gainer, George <Gainer.George@flsenate.gov>; Galvano, Bill <Galvano.Bill@flsenate.gov>; Gibson, Audrey <Gibson.Audrey@flsenate.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Harrell, Gayle <Harrell.Gayle@flsenate.gov>; Hooper, Ed <Hooper.Ed@flsenate.gov>; Hutson, Travis <Hutson.Travis@flsenate.gov>; Lee, Tom <Lee.Tom@flsenate.gov>; Mayfield, Debbie <Mayfield.Debbie@flsenate.gov>; Montford, Bill <Montford.Bill@flsenate.gov>; Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>; Perry, Keith <Perry.Keith@flsenate.gov>; Pizzo, Jason <Pizzo.Jason@flsenate.gov>; Powell, Bobby <Powell.Bobby@flsenate.gov>; Rader, Kevin <Rader.Kevin@flsenate.gov>; Rodriguez, Jose <Rodriguez.Jose@flsenate.gov>; Rouson, Darryl <Rouson.Darryl@flsenate.gov>; Simmons, David <SIMMONS.DAVID@flsenate.gov>; Simpson, Wilton <Simpson.Wilton@flsenate.gov>; Stargel, Kelli <Stargel.Kelli@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Taddeo, Annette <Taddeo.Annette@flsenate.gov>; Thurston, Perry <Thurston.Perry@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
Subject: Gun Control legislation pending in 2020 session

Senators:

On Monday, January 6th more than 500 people packed the house for another well attended 2nd Amendment Gun Rights Preservation Forum, this one in Brevard County.

As with other of these forums across the state it was maxed out above capacity and had to close the doors turning even more folks away.

The purpose of this forum, and others like it being held around the state, was to educate citizens on the threats coming against their 2nd Amendment Rights from the Florida Senate and also from BAWN (Ban Assault Weapons Now) and their efforts to put an amendment to the Constitution on the ballot banning many semi automatic weapons from purchase and requiring registration of existing weapons.

If you think the law abiding gun owners of Florida are not paying attention to what you are contemplating this session as it relates to their right to keep and bear arms you are mistaken.

I can assure you the Silent Majority is wide awake and paying close attention.

I join all law abiding Florida gun owners and respectfully encourage you to vote NO on all gun control legislation introduced this session from whatever source and YES to any repeals of any gun control legislation or regulation which already exists.

--

Thank you,

Rev Jefferson A. Sweet,

Concerned citizen and voter of the State of Florida

AMERICAN OVERSIGHT

From: Florida Chamber Foundation <tlowe@flfoundation.org>
Sent: Tuesday, October 29, 2019 11:30 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Harnessing the Free Market To Lift Floridians Out Of Poverty

THE FLORIDA PROSPERITY INITIATIVE

Harnessing the Free Market To Lift Floridians Out Of Poverty

At the Florida Chamber Foundation's Future of Florida Forum, former House Speaker Steve Crisafulli announced the launching of the Florida Chamber Foundation's Prosperity Project, whose goal is to find pathways out of generational poverty and increase prosperity for all Floridians.

Today, more than 3 million Floridians live in poverty—900,000 of whom are children under 18. The Florida Prosperity Initiative's goal is to reduce the number of children living in poverty by 50 percent by 2030. We will unite the business community to find ways to harness the free market to attack the ten root causes of poverty in the state.

Speaking to one of the biggest policy barriers, Representative Paul Renner addressed the consequences of increasing the minimum wage for Floridians, and how even modest increases can cause Floridians to turn down promotions and pay raises due to the loss of benefits that accompany higher wages.

"Government has often been a barrier to opportunity, a barrier to work and a barrier to the American Dream," said Representative Renner. "If we could reduce just 10 percent of the poverty roles in Florida, we would see a benefit to the state coffers of between $500 million and $1 billion per year. We've spent trillions in the war on poverty, we don't need to spend trillions more, we need to spend it more appropriately."

Senator Jeff Brandes and Associate Professor of Law at Georgetown, Shon Hopwood, discussed the importance of offering second chances to Florida's non-violent offenders and ensuring they have the tools to attain meaningful employment.

"When people get out of prison, we don't do a great job of preparing people for success or giving them a second chance, particularly in the Google age," said Mr. Hopwood. "We think when someone's served their time, they get a second chance, but rarely is that the case. The stigma of their conviction follows them the rest of their lives, especially in the internet age. The business community can play a huge role in criminal justice reform by considering second chance hiring; it will strengthen communities and change lives."

Get Involved Today

The Florida Prosperity Initiative break the cycle of generational poverty by addressing issues ranging from housing to food security to workforce issues. To learn more about the prosperity project please visit the Florida Prosperity Project website.

Registration will open soon for the Florida Chamber Foundation Prosperity Summit, May 18-19, 2020 in Sarasota. Click here and complete the online form to be notified when Summit registration opens up.

Contact Michael Williams at mwilliams@flfoundation.org for more information on how you can become more involved.

Florida Chamber Foundation| www.FLFoundation.org | Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: Equality Initiative for Florida Families <timpanogospinnacle2@gmail.com>
Sent: Sunday, February 09, 2020 4:33 PM EST
To: Alexander, Ramon <Ramon.Alexander@myfloridahouse.gov>; Antone, Bruce <Bruce.Antone@myfloridahouse.gov>; Ausley, Loranne <Loranne.Ausley@myfloridahouse.gov>; Brown, Kamia <Kamia.Brown@myfloridahouse.gov>; Bush, James <James.Bush@myfloridahouse.gov>; Casello, Joseph <Joseph.Casello@myfloridahouse.gov>; Cortes, John <John.Cortes@myfloridahouse.gov>; Daley, Dan <Dan.Daley@myfloridahouse.gov>; Daniels, Kimberly <Kimberly.Daniels@myfloridahouse.gov>; Davis, Tracie <Tracie.Davis@myfloridahouse.gov>; Diamond, Ben <Ben.Diamond@myfloridahouse.gov>; Driskell, Fentrice <Fentrice.Driskell@myfloridahouse.gov>; DuBose, Bobby <Bobby.DuBose@myfloridahouse.gov>; Duran, Nicholas <Nicholas.Duran@myfloridahouse.gov>; Eskamani, Anna <Anna.Eskamani@myfloridahouse.gov>; Fernandez, Javier <Javier.Fernandez@myfloridahouse.gov>; Geller, Joseph <Joseph.Geller@myfloridahouse.gov>; Goff-Marcil, Joy <Joy.Goff-Marcil@myfloridahouse.gov>; Good, Margaret <Margaret.Good@myfloridahouse.gov>; Gottlieb, Michael <Michael.Gottlieb@myfloridahouse.gov>; Grieco, Michael <Michael.Grieco@myfloridahouse.gov>; Hart, Dianne <Dianne.Hart@myfloridahouse.gov>; Hattersley, Adam <Adam.Hattersley@myfloridahouse.gov>; HoganJohnson, Delores <Delores.HoganJohnson@myfloridahouse.gov>; Jacobs, Kristin <Kristin.Jacobs@myfloridahouse.gov>; Jacquet, Al <Al.Jacquet@myfloridahouse.gov>; Jenne, Evan <Evan.Jenne@myfloridahouse.gov>; Jones, Shevrin <Shevrin.Jones@myfloridahouse.gov>; Joseph, Dotie <Dotie.Joseph@myfloridahouse.gov>; McGhee, Kionne <Kionne.McGhee@myfloridahouse.gov>; Mercado, Amy <Amy.Mercado@myfloridahouse.gov>; Newton, Newt <Newt.Newton@myfloridahouse.gov>; Omphroy, Anika <Anika.Omphroy@myfloridahouse.gov>; Polo, Cindy <Cindy.Polo@myfloridahouse.gov>; Polsky, Tina <Tina.Polsky@myfloridahouse.gov>; Pritchett, Sharon <Sharon.Pritchett@myfloridahouse.gov>; Silvers, David <David.Silvers@myfloridahouse.gov>; Slosberg, Emily <Emily.Slosberg@myfloridahouse.gov>; Smith, Carlos <Carlos.Smith@myfloridahouse.gov>; Stark, Richard <Richard.Stark@myfloridahouse.gov>; Thompson, Geraldine <Geraldine.Thompson@myfloridahouse.gov>; Valdes, Susan <Susan.Valdes@myfloridahouse.gov>; Watson, Barbara <Barbara.Watson@myfloridahouse.gov>; Watson, Clovis <Clovis.Watson@myfloridahouse.gov>; Webb, Jennifer <Jennifer.Webb@myfloridahouse.gov>; Willhite, Matt <Matt.Willhite@myfloridahouse.gov>; Williams, Pat <Pat.Williams@myfloridahouse.gov>; Aloupis, Vance <Vance.Aloupis@myfloridahouse.gov>; Altman, Thad <Thad.Altman@myfloridahouse.gov>; Andrade, Alex <Alex.Andrade@myfloridahouse.gov>; Avila, Bryan <Bryan.Avila@myfloridahouse.gov>; Bell, Melony <Melony.Bell@myfloridahouse.gov>; Beltran, Mike <Mike.Beltran@myfloridahouse.gov>; Brannan, Chuck <Chuck.Brannan@myfloridahouse.gov>; Buchanan, James <James.Buchanan@myfloridahouse.gov>; Burton, Colleen <Colleen.Burton@myfloridahouse.gov>; Byrd, Cord <Cord.Byrd@myfloridahouse.gov>; Caruso, Mike <Mike.Caruso@myfloridahouse.gov>; Clemons, Chuck <Chuck.Clemons@myfloridahouse.gov>; Cummings, Travis <Travis.Cummings@myfloridahouse.gov>; DiCeglie, Nick <Nick.DiCeglie@myfloridahouse.gov>; Donalds, Byron <Byron.Donalds@myfloridahouse.gov>; Drake, Brad <Brad.Drake@myfloridahouse.gov>; Duggan, Wyman <Wyman.Duggan@myfloridahouse.gov>; Eagle, Dane <Dane.Eagle@myfloridahouse.gov>; Barquin, JuanF <JuanF.Barquin@myfloridahouse.gov>; Fetterhoff, Elizabeth <Elizabeth.Fetterhoff@myfloridahouse.gov>; Fine, Randy <Randy.Fine@myfloridahouse.gov>; Fischer, Jason <Jason.Fischer@myfloridahouse.gov>; Fitzenhagen, Heather <Heather.Fitzenhagen@myfloridahouse.gov>; Grall, Erin <Erin.Grall@myfloridahouse.gov>; Grant, James <James.Grant@myfloridahouse.gov>; Grant, Michael <Michael.Grant@myfloridahouse.gov>; Gregory, Tommy <Tommy.Gregory@myfloridahouse.gov>; Hage, Brett <Brett.Hage@myfloridahouse.gov>; Hill, Mike <Mike.Hill@myfloridahouse.gov>; Ingoglia, Blaise <Blaise.Ingoglia@myfloridahouse.gov>; Killebrew, Sam <Sam.Killebrew@myfloridahouse.gov>; La Rosa, Mike <Mike.LaRosa@myfloridahouse.gov>; LaMarca, Chip <Chip.LaMarca@myfloridahouse.gov>; Latvala, Chris <Chris.Latvala@myfloridahouse.gov>; Leek, Tom <Tom.Leek@myfloridahouse.gov>; Magar, MaryLynn <MaryLynn.Magar@myfloridahouse.gov>; Maggard, Randy <Randy.Maggard@myfloridahouse.gov>; Mariano, Amber <Amber.Mariano@myfloridahouse.gov>; Massullo, Ralph <Ralph.Massullo@myfloridahouse.gov>; McClain, Stan <Stan.McClain@myfloridahouse.gov>; McClure, Lawrence <Lawrence.McClure@myfloridahouse.gov>; Oliva, Jose <Jose.Oliva@myfloridahouse.gov>; Overdorf, Toby <Toby.Overdorf@myfloridahouse.gov>; Payne, Bobby <Bobby.Payne@myfloridahouse.gov>; Perez, Daniel <Daniel.Perez@myfloridahouse.gov>; Pigman, Cary <Cary.Pigman@myfloridahouse.gov>; Plakon, Scott <Scott.Plakon@myfloridahouse.gov>; Plasencia, Rene <Rene.Plasencia@myfloridahouse.gov>; Ponder, Mel <Mel.Ponder@myfloridahouse.gov>; Raschein, Holly <Holly.Raschein@myfloridahouse.gov>; Renner, Paul <Paul.Renner@myfloridahouse.gov>; Roach, Spencer <Spencer.Roach@myfloridahouse.gov>; Robinson, Will <Will.Robinson@myfloridahouse.gov>; Rodrigues, Ray <Ray.Rodrigues@myfloridahouse.gov>; Rodriguez, AnaMaria <AnaMaria.Rodriguez@myfloridahouse.gov>; Rodriguez, Anthony <Anthony.Rodriguez@myfloridahouse.gov>; Rommel, Bob <Bob.Rommel@myfloridahouse.gov>; Roth, Rick <Rick.Roth@myfloridahouse.gov>; Sabatini, Anthony <Anthony.Sabatini@myfloridahouse.gov>; Santiago, David <David.Santiago@myfloridahouse.gov>; Shoaf, Jason <Jason.Shoaf@myfloridahouse.gov>; Sirois, Tyler <Tyler.Sirois@myfloridahouse.gov>; Smith, David <David.Smith@myfloridahouse.gov>; Sprowls, Chris <Chris.Sprowls@myfloridahouse.gov>; Stevenson, Cyndi <Cyndi.Stevenson@myfloridahouse.gov>; Stone, Charlie <Charlie.Stone@myfloridahouse.gov>; Sullivan, Jennifer <Jennifer.Sullivan@myfloridahouse.gov>; Toledo, Jackie <Jackie.Toledo@myfloridahouse.gov>; Tomkow, Josie <Josie.Tomkow@myfloridahouse.gov>; Trumbull, Jay <Jay.Trumbull@myfloridahouse.gov>; Williamson, Jayer <Jayer.Williamson@myfloridahouse.gov>; Yarborough, Clay <Clay.Yarborough@myfloridahouse.gov>; Zika, Ardian <Ardian.Zika@myfloridahouse.gov>; Berman, Lori <Berman.Lori@flsenate.gov>; Book, Lauren <Book.Lauren@flsenate.gov>; Bracy, Randolph <Bracy.Randolph@flsenate.gov>; Braynon, Oscar <BRAYNON.OSCAR@flsenate.gov>; Cruz, Janet <Cruz.Janet@flsenate.gov>; Farmer, Gary <Farmer.Gary@flsenate.gov>; Gibson, Audrey <GIBSON.AUDREY@flsenate.gov>; Montford, Bill <MONTFORD.BILL@flsenate.gov>; Pizzo, Jason <Pizzo.Jason@flsenate.gov>; Powell, Bobby <Powell.Bobby@flsenate.gov>; Rader, Kevin <Rader.Kevin@flsenate.gov>; Rodriguez, Jose <Rodriguez.Jose@flsenate.gov>; Rouson, Darryl <Rouson.Darryl@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Taddeo, Annette <Taddeo.Annette@flsenate.gov>; Thurston, Perry <Thurston.Perry@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Albritton, Ben <Albritton.Ben@flsenate.gov>; Baxley, Dennis <Baxley.Dennis@flsenate.gov>; Bean, Aaron <BEAN.AARON@flsenate.gov>; Benacquisto, Lizbeth <BENACQUISTO.LIZBETH@flsenate.gov>; Bradley, Rob <BRADLEY.ROB@flsenate.gov>; Brandes, Jeff

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<BRANDES.JEFF@flsenate.gov>; Broxson.Doug <Broxson.Doug@flsenate.gov>; Diaz, Manny <Diaz.Manny@flsenate.gov>; Flores, Anitere <FLORES.ANITERE@flsenate.gov>; Gainer, George <Gainer.George@flsenate.gov>; Galvano, Bill <GALVANO.BILL@flsenate.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Harrell, Gayle <Harrell.Gayle@flsenate.gov>; Hooper, Ed <Hooper.Ed@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Lee, Tom <LEE.TOM@flsenate.gov>; Mayfield, Debbie <Mayfield.Debbie@flsenate.gov>; Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>; Perry, Keith <Perry.Keith@flsenate.gov>; Simmons, David <SIMMONS.DAVID@flsenate.gov>; Simpson, Wilton <SIMPSON.WILTON@flsenate.gov>; Stargel, Kelli (Web) <STARGEL.KELLI.WEB@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
Subject: HB843 and SB1832
Attachment(s): "Ending Permanent Alimony.pdf"

To All Members of the Florida Legislature,

HB843 and SB1832 are both a direct violation of Section 1 of the 14th Amendment. They will both be appealed, for certain, as they allow for absolutely no judicial discretion, meaning any party needing to seek refuge through the courts have no rights. Both sides need to have rights.

In addition, if these two alimony reform bills pass as they are written, equitable distribution laws will need to be rewritten simultaneously. Please see the attached file for an explanation of this relationship.

For the sake of all, please read the attached article.

Thank you for your time and consideration.

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by Jerry Reiss and Marc H. Brawer

Ending Permanent Periodic Alimony: A Crisis for Enforcing Equitable Distribution Waiting to Happen

The Florida Legislature has taken steps in recent years to end permanent periodic alimony. If they are successful, this will have a major impact on enforcing equitable distribution on a wide array of assets. These include assets controlled by one spouse before the final judgment is entered and are subsequently "stolen" by that spouse after it is entered. They also include assets intentionally dissipated before filing the petition for divorce, which then cannot be dealt with by unequally distributing other assets, has been cured in the past by awarding permanently periodic alimony.[1]

The assets affected include a plethora of things awaiting distribution under the deferred distribution method. They include most retirement plans, executive compensation payments and perks, unvested nonretirement benefits, and compensation enriched by future work effort designed to pay bonuses, including but not limited to employer stock and stock options. Assets affected also include forgivable loans repaid with a bonus schedule that is automatically repaid in full at death or disability, equalization payments, and intellectual properties. In most instances these assets, when present in equitable distribution, represent the lion's share of assets divided. Because they include most retirement benefits, few economic classes will be immune from the impact.

This article addresses appellate rulings that are part of the reason for the harmful effect and possible corrective measures that the legislature might consider passing into law that cannot work under our current state constitution. It will show that some of these matters are long overdue for our Supreme Court to address.

Problems of Enforcement

The enforcement problems can begin when the final judgment is entered. Property awarded is considered distributed and is enforceable only with respect to individual rights arising from the final judgment.[2] This means if that asset or its proceeds *are no longer available*, the court no longer retains jurisdiction to enforce that award against other marital property.[3] Thus, one issue ripe for consideration by the Florida Supreme Court is whether certain appellate rulings conflicting with the majority of sister state rulings that came to an opposite conclusion on whether the proceeds of the assets are no longer available are correct as matter of law. This will be dealt with when we address the faulty reasoning the First DCA employed in its ruling in *Board of Trustees v. Vizcaino*, 635 So. 2d 1012 (Fla. 1st DCA 1994), the refusal of other DCAs to rule otherwise,[4] and the issues the Fifth DCA raised in *Langford v. Langford*, 833 So. 2d 230 (Fla. 5th DCA 2002), certifying its ruling as a matter of great public importance to the Florida Supreme Court. The holding in *Vizcaino* cannot be cured simply by the Florida Legislature drafting a state statute for a qualified domestic relations order because that statute cannot do more than require municipal and other state retirement benefits to be enforced as property with an income deduction order. Anything else increases plan cost not presently funded, and the bill cannot require municipalities to increase plan cost not previously approved by city council. This would violate Fla. Const. art. X, §14, by increasing costs that have not been funded. Such a statute will do nothing to cure the underlying cause where it traces back to whether the proceeds are available as cash (to be discussed later in the article).

• *Fraudulent Conveyance to Jointly Titled Real Estate* — If the proceeds of any affected awarded asset are deposited to joint or tenants by the entireties property after the final judgment is entered, the only way it can be secured is by civilly piercing through that protected status by invalidating it. This requires proving fraud by showing the other spouse committed a willful fraudulent conveyance of property. After that is done, the property must be partitioned, and unless it can be shown that the other spouse had knowledge of and actively participated in the fraud, partitioning will release only half of the asset because the new spouse owns the other half once joint titling takes place. If the value of the "stolen" property exceeds that half, recovery is limited by half the proceeds on the sale. In addition, a successful outcome often requires litigating in more than one court. Then, as oftentimes is the case, the property is outside Florida, this requires litigating the matter in two separate states, which involves registration of that judgment and adjudication of the fraud. This can be done, but is an expensive undertaking.[5] A foreign court may need to be called upon to construe Florida law.

• *Enforcement in a Foreign Country* — A spouse who liquidates some assets and relocates with the remaining assets to a foreign country may be subject to enforcement if that country is part of the Hague Convention.[6] That involves a great deal of expense because a lawyer knowledgeable about Hague

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located locally must be employed along with a lawyer in the country where the property is located for a coordinated effort. If the person resides in a country not subject to Hague, alimony can be used to get access to pension benefits not awarded with a qualified domestic relations order (QDRO) or an income deduction order (IDO), as applicable.[7] If none, there are always Social Security benefits that can be garnished, but only for need.[8] But they are only available as a source to pay support.[9] If permanent alimony ends, recovery is limited to the term limit on alimony.

• *Role Permanent Alimony Plays* — Permanent alimony affords some relief because temporary awards can be made permanent when this occurs.[10] Likewise, a court may refuse to consider a petition to modify a final judgment on support at retirement or when there is less income by finding that the substantial change of circumstances was self-inflicted,[11] ruling that the payor spouse voluntary divested himself or herself of assets, which if not fraudulently conveyed outside the reach of the court could have been used to demonstrate an ability to pay alimony.[12] Alimony awards are enforceable out-of-state making enforcement more realistic.[13] The roadblocks to enforcing equitable distribution described here would not be limited to tenants by the entireties property if permanent alimony were to end. They include any property over which the guilty spouse lacks control, such as many trust instruments in which he or she has a beneficiary interest. It also includes all property not spent or otherwise destroyed requiring enforcement by ordering the spouse to retitle the asset when the only means of enforcement is with contempt and that spouse resides outside Florida's reach. Alimony can be enforced out-of-state under the Uniform Reciprocal Enforcement of Support Act (URESA) replaced by UIFSA[14] of 1992 adopted by all 50 states.[15] More importantly, it can be enforced against Social Security payments and all retirement plans (including the spouse's awarded interest as property) overcoming *DeSantis v. DeSantis*, 714 So. 2d 637 (Fla. 4th DCA 1998), and any other rulings addressing enforcing a property interest using a retirement plan.

• *Enforcing Most Retirement Plans* — Retirement plans fall into a number of different categories, and each must be separately addressed in order to understand the different enforcement problems associated with each classification. They include ERISA-defined benefit plans, which have different challenges depending on whether they meet I.R.C. §401(a) conditions and are, therefore, qualified plans. They affect local government plans seeking plan qualification status a bit differently, because not all of the requirements need be followed by governmental plans seeking qualification, including exemption from offering QDRO enforcement.

Separate categories exist and breakdown almost identically for all defined contribution plans, with the exception of many governmental defined contribution plans, because they require certain IRS protection on asset accumulations, which is the reason why they sought qualification in the first place. That means that while they are exempt from offering a 29 U.S.C. §1056(d)(3) QDRO under an ERISA requirement, if they require a trust that relies on 29 U.S.C. §1056(d)(1) protection to individual account balances, they must, nonetheless, provide an I.R.C. §401(a) trust that requires QDRO access as part of the requirement for qualification. Therefore, different enforcement problems exist for local government defined contribution plans than local government defined benefit plans, apart from the basic problems for enforcing all retirement benefit awards. Each will be identified.

Exemption from statutory QDRO access does not mean that the non-assignment clause found in all retirement plans prevents assignment to spouses in matrimonial actions as the *Vizcaino* line of cases concluded.[16] They can be assigned because the purpose of such benefits was established before divorce became so commonplace an occurrence, and it was added to the retirement plan to protect retirement for the intact family unit, which included women and children.[17] The courts and most experts generally do not understand the distinction between QDRO enforcement that grants rights not covered by the basic plan, and involves substantial extra cost by adding underwriting risk the basic plan doesn't face, and a simple assignment. A simple assignment only provides access to payments as made. Nor do they understand that the nonassignment clause only prevents actual creditors from seizing the proceeds inside the trust, but after that payment is made, that protection is lost (unless it finds its way inside another protected asset, such as a qualified IRA).[18]

Enforcement and Valuations

The problem of enforcement with any retirement plan begins when attorneys fail to do valuations determining basic things, such as the dollar amount of the award, before the final judgment is entered. Even if perfectly bifurcated in the final judgment by fully retaining jurisdiction to determine said amounts, the information to do this won't always be available, and when it is, often requires subpoena power. The valuation can be complex depending on a host of factors that haven't yet come into play, and there may be no appetite for the client to engage in legal and discovery expense years later. The other spouse is forced to revisit how much that spouse didn't want to share his or her retirement plan benefits in the first place and is eager to defend against what has to be shared. This easily becomes a disputed contest making enforcement of the final judgment both expensive and very difficult to accomplish.

Traditional Pensions and Other Defined Benefit Plans

• *Ancillary Benefits* — Ancillary benefits include subsidies that exist in many different forms (some marital property and some not), survivor benefits payable to one beneficiary and others like a period certain or refund premium feature, which may or may not be payable to only one spouse, DROP[19] payments, and minimum guarantees, such as a floor benefit feature. These are not divisible with a QDRO but represent value to either the participant or beneficiary spouse depending on the feature. Therefore, the QDRO *cannot* divide all benefits and requires adjustments outside of it, and few lawyers appreciate this. A reservation of jurisdiction will not cure a 50% division that does not make allowances for a benefit feature that is marital property, but by design is paid only to one spouse. If there are cash benefits that accumulate, as in

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DROP, failure to account for those allowances exacerbates the unequal division halving the payments that a QDRO provides. This is because the DROP payment is directly related to the amount of pension payment that the other spouse is entitled to share, and if unadjusted because no valuation was done, only skews the unequal division that much more because DROP is involved.

• *When the Employee Outlives the Spouse* — When survivor benefits are not in play and pension payments are divided with a QDRO and the payment is shared over the employee's lifetime, half the payments cannot be achieved because all plan administrators require that the assigned share revert to the plan participant upon the death of the beneficiary spouse. The courts seldom care because the spouse is not alive and doesn't need it. Property divisions are not based on need but rights. When health issues arise, division by QDRO often results in one spouse receiving nearly all of the benefit, and which spouse receives the windfall depends on facts yet to be determined.

Other Retirement Plans

These issues apply equally to defined contribution plans because family law brings with it so many operating principals that can apply to retirement plans. As one example, because the trust owns the assets, loans distribute property that involve marital and non-marital contributions, the percentage of split property depending on the extent of marital contribution when the loan is made. They are almost always repaid with automatic employee deductions, which are marital wages and, therefore, marital property. The process of repayment involves transmutation principles changing nonmarital property into marital property that occurs outside the trust. Thus, while the assets are exempt from transmutation while they sit inside the trust, that doesn't apply once the assets commingle outside the trust. Attorneys understand this when nonmarital funds are deposited to a marital account. But they give no thought to this when loan proceeds outside the trust instrument are repaid with marital funds.

A few loans can easily change a one-third marital classification based on contributions into a two-thirds marital classification based on the nonmarital portion of the loan property transmuting into marital property when it is repaid. When such benefits involving a nonmarital portion are divided it is absolutely mind boggling when that half hasn't been determined and is left for the plan administrator to do, which will never happen with defined contribution plans, even when loans are not in issue. In many instances, leaving valuation issues as post-dissolution tasks creates an environment in which assets are liquidated or for theft or dissipation to occur.

If permanent periodic alimony ends, retirement plans will have many enforcement issues that occur after the final judgment is entered. As previously mentioned, this is the result when valuations weren't performed, identifying which benefits can be divided inside a QDRO, which benefits cannot, and when offsets need be enforced at the same time the QDRO pays the benefit. It also occurs because attorneys do not understand that they divide the benefits when the final judgment is entered, not when the QDRO enforcing the final judgment is entered. Thus, when attorneys who do understand benefits enter final judgments without professional assistance from true benefit professionals, they can unknowingly create a host of enforcement problems, including unclear divisions that are contested later when enforcement is sought. The authors also believe that the faulty *Vizcaino* reasoning of the First DCA bled into other enforcement caselaw involving other assets, compounding the problem.

• *The Vizcaino Problem* — The *Board of Pension Trustees v. Vizcaino*, 635 So. 2d 1012 (Fla. 1st DCA 1994), dealt with the city of Jacksonville retirement plan, sponsored by a government entity, exempted from a QDRO under 29 U.S.C. §1056(d)(1). The former wife sought to enforce her interest with a QDRO covered by ERISA 206(d)(3) and in the alternative, if she could not, under an assignment with an IDO under Florida's income deduction statute. The court first concluded correctly that government entities were exempt under the ERISA nonassignment clause, and only those subject to it could avail themselves of a 29 U.S.C. §1056(d)(3) QDRO. Then it ruled that an IDO cannot be used to enforce the property awarded, finding the spouse was now a creditor prevented from getting an assignment, because the state statute requiring nonassignment to creditors prevented it. The court came to that conclusion because the Florida Supreme Court concluded in *Alvarez v. Board of Trustees*, 580 So. 2d 151 (Fla. 1991), that the IDO statute authorizes its use to collect alimony with an IDO and may be used to collect alimony from the city of Tampa pension plan. *Vizcaino* concluded that its failure to mention that it equally applied to a property division yielded the result that the city nonassignment clause applied to spouses awarded a property interest, and not because that was the narrow issue decided by *Alvarez*.

It has already been discussed that the nonassignment clause was added to retirement plans to protect women and children from creditors and not for the purpose of depriving a spouse from sharing benefits, especially after state law made that spouse an owner in one-half the benefit. In addition, the nonassignment clause in the city pension plan was established in 1937, 51 years before Florida's equitable distribution was created, and, therefore, had nothing to do with spouses enforcing a property right given to them under F.S. §61.075(5). How could the beneficiary spouse be a creditor when that spouse is an owner of property to which he or she seeks enforcement once the final judgment is entered?

How the *Vizcaino* Reasoning Affects Enforcement of Other Assets

The key point missed by the line of cases that rely on *Vizcaino* is that the employee does not own a retirement plan asset unless the asset is an individually titled insured annuity. The trust owns all retirement plan assets, and the plan sponsor(s) own(s) the trust. The plan sponsor is the employer providing benefits, or with union plans, the plan sponsors are the class of employers (referred to as multiple-employer plans) paying benefits. The employee doesn't own the asset but only has rights to benefits from the trust, which are always paid in cash. That makes all plan benefits cash benefits. This cannot be over emphasized because only the owner of the trust has the capacity to change or terminate the trust.

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As money is fungible, all cash benefits are indistinguishable from each other. After the final judgment is entered and a pension award or other property right passes to individual property rights, this does not magically transform the property owner into a debt collector because they already own the cash payments under the same state law under which they seek to enforce it.

The other thing the caselaw does not consider is that these cash payments, once made, can be assigned by creditors seeking to collect a debt, because the nonassignment clause only attaches to the payment while it sits in the trust owned by the employer.[20] Therefore, there is nothing that distinguishes the cash payment from other cash, making the cash proceeds the actual asset the employee owns. A court can enforce equitable distribution by entering an order forcing payment of the cash proceeds. Therefore, all cash-based property should be enforceable with a QDRO, which only accesses cash, because the only time the concept of a creditor comes up is with the faulty reasoning employed by *Vizcaino,* and the overwhelming majority of sister state rulings determined the reasoning employed by *Vizcaino* is wrong.[21] This is why we believe rulings like *Vizcaino*, involving a municipal retirement plan and *DeSantis*, refusing to enforce an equalization payment with a QDRO distributing and assigning a like amount of cash, are incorrect. But until the *Vizcaino* and the *DeSantis* line of cases are reversed by our Supreme Court by recognizing that spouses awarded property are not creditors, the appellate rulings tie the hands of trial courts enforcing in-kind cash payments, and the only way to enforce in-kind cash and other assets is with permanent periodic alimony.

Conclusion

As equitable distribution cannot be enforced with contempt, and alimony can, it is plain to see that it will be nearly impossible to enforce a stream of payments produced by intellectual properties, or any other property that is distributed over years, because each separate payment or distribution must be enforced with contempt as it occurs.[22] This is further complicated by the caselaw that creates distinct different asset classifications for different cash and in-kind cash payments, making it easy for the spouse who does not want to share what was promised or awarded. Alimony is pliable because it is subject to modification. A term award of alimony can be converted to permanent alimony when need is increased because the spouse in need has not been paid the property awarded in equitable distribution. But this will not be possible when permanent alimony is no longer available.❑

[1] *See Buoniconti v. Buoniconti*, 36 So. 3d 154 (Fla. 2d DCA 2010).

[2] *McAvoy v. McAvoy*, 662 So. 2d 744, 745 (Fla. 5th DCA 1995).

[3] *Id.*

[4] *Langford v. Langford*, 833 So. 2d 230 (Fla. 5th DCA 2002); *Motil v. Motil*, 771 So. 2d 1251 (Fla. 2d DCA 2000); *Silversmith v. Silversmith*, 797 So. 2d 653 (Fla. 3d DCA 2001).

[5] The court has subject-matter jurisdiction and personal jurisdiction over the spouse that engaged in the fraudulent conveyance of property. It can order him to convey back that one-half interest to the former wife. That order can be enforced out-of-state, requiring the property be partitioned. Once that is done, the court has the ability to rule that the proceeds of that spouse's half can be used to establish ability to pay more alimony under *Bowen v. Bowen*, 471 So. 2d 1274 (Fla. 1985), if the court finds that the conveyance to divest himself or herself of assets was willful.

[6] *Eos Transport Inc. v. Agri-Source Fuels*, LLC, Case No. 1D09-4300 (Fla. 1st DCA 2010).

[7] 29 U.S.C. §1056(d)(3)(B)(ii)(I).

[8] 42 U.S.C. §659.

[9] *Id.*

[10] *Pullo v. Pullo*, 926 So. 2d 428 (Fla. 1st DCA 2006) (en banc); *see also Perry v. Perry*, 448 So. 2d 588 (Fla. 1st DCA 1984), and *Barlow v. Barlow*, 562 So. 2d 425, 426 (Fla. 2d DCA 1990).

[11] *Hammesfahr v. Hammesfahr*, 104 So. 3d 1129, 1130 (Fla. 2d DCA 2012), *citing Thomas v. Thomas*, 589 So. 2d 944, 947 (Fla. 1st DCA 1991).

[12] *Id.*

[13] *See the Uniform Reciprocal Enforcement of Support Act* replaced by the *Uniform Interstate Support Act of 1992*; *Beck v. Winegeart*, 471 SW 422 (Tx. App. Ct. 1972); *Smith v. Smith*, 281 P.2d 274 (Cal. 4th DCA 1955); *Dansby v. Dansby*, 149 S.E.2d 252 (Ga. 1966).

[14] Refers to the Uniform Interstate Family Support Act.

[15] *See* Joseph W. Booth, *A Practical Guide to UIFSA*, Family Advocate Magazine 39:4 (American Bar Association, Spring 2017).

[16] *See Majauskas v. Majauskas*, 463 N.E.2d 15, 21-22 (N.Y. 1984) (citing *Monck v. Monck,* 184 App. Div. 656; *Zwingmann v. Zwingmann,* 150 App. Div. 358; *Matter of Spadaro v. New York City Police Dept. Pension Serv.,* 115 Misc. 2d 494; *American Tel. & Tel. Co. v. Merry*, 592 F.2d 118).

[17] *Id.*

[18] *See Guidry v. Sheet Metal Workers Nat. Pen. Fund*, 39 F.3d 1078, 1080 (10th Cir. (Colo.) 1994).

[19] This refers to the deferred retirement option program, a feature common to municipal pension plans. To be eligible, the employee must reach an age and/or service requirement where that person could retire immediately with an unreduced pension. Eligibility also requires making an irrevocable election to retire within a period of years, such as three or more years, and the worker must make an irrevocable election on the form of benefit under which it's paid. The employee enters the program and receives the payment that would be made with an actual retirement, but while in DROP, it is paid to a DROP account that accumulates with interest. The employee pulls down a full salary while in DROP.

[20] *Guidry,* 39 F.3d at 1078.

[21] *See Majauskas,* 463 N.E.2d at 15; *In re: the Marriage of Koelsch*, 713 P.2d 1245 (Ariz. App. 1984); *Cleveland v. Board of Trustees,* 550 A.2d 1287 (N.J. App. 1988); *Irving Firemen Relief v. Sears*, 803 S.W. 2d 747 (Tx. 5th Dist. 1990); *Early v. Early*, 604 N.E. 2d 17 (Mass. 1992); *Smithberg v. The Illinois Municipal Retirement Fund*, 735 So. 2d 560 (Ill. 2000); *Foley v. Foley*, 1997 Conn. Super Lexis 2948 (Conn. Sup. Ct. 1997); *Prince George's County Police Pension Plan v. Harmen*, 584 A.2d 702 (Md. App. Ct. 1991); *Furia v. Furia*, 638 A.2d 548 (R.I. 1994); *Lindner v. Lindner*, 358 N.W. 2d 376 (Mich. App. Ct. 1984); *Barbee v. Barbee*, 1991 Va. Cir. Lexis 128 (Va. Cir. 1991); *Oler v. Oler*, 451 N.W. 9 (Iowa App. Ct. 1991); *Faus v. Faus*, 319 N.W.2d 408 (Minn. 1982); *Young v. Young*, 488 A.2d 264 (Pa. 1985); *Fowler v. Fowler*, 362 A.2d 204 (N.H. 1976); *Chatelain v. Chatelain*, 518 So. 2d 505 (La. 1988); *Rice v. Rice*, 762 P.2d 925 (OK 1988); *Custer v. Custer*, 776 S.W. 2d 92 (Tenn. App. Ct. 1988); and *Sedbrook v. Sedbrook*, 827 P.2d 1222 (Kan. App. Ct. 1992).

[22] *Langford,* 833 So. 2d at 230.

AUTHORS



JERRY REISS
is a federally licensed pension actuary. He has written over 40 articles dealing with multiple disciplines, 13 published in The Florida Bar Journal.



MARC H. BRAWER
was a fellow of the American Academy of Matrimonial Lawyers for 37 years and board certified in marital and family law for 25 years. A Florida Bar member for more than 40 years, and a New York Bar member for more than 49 years, he currently concentrates on strategic consulting.

This column is submitted on behalf of the Family Law Section, Amy C. Hamlin, chair, and Anastasia Garcia, editor.

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-001726

From: Colleen Thayer <colleen@namisarasotacounty.org>
Sent: Wednesday, October 30, 2019 1:46 PM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: HOPE approps form
Attachment(s): "LocalFundingInitiativeRequestForm-2020-2021HOPE.pdf","2020 Legislative Issue Form HOPE.doc","HOPE Coalition tlking points.docx"

Hi there -

Here is the Senate form for the proposal we have been working on. I believe Rep. Good filed on House side (or was in process of doing so). I'm also attaching the form through the Alliance that we completed - and talking points. Let me know what else you might need at this point.

Thanks!!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

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COMMUNITY ALLIANCE OF SARASOTA COUNTY
LEGISLATIVE ADVOCACY COMMITTEE

RECOMMENDED LEGISLATIVE ISSUE FOR 2020

***System*:** Behavioral Health

Subject: **HOPE Coalition – Health, Opportunity, Prevention, Early Intervention**

Submitted by: Heidi Brown, JFCS Suncoast & Colleen Thayer, NAMI – on behalf of the Community Alliance of Sarasota County - Behavioral Health Stakeholders Consortium

1. **Please indicate #1 for Primary System and #2 for Secondary System that ared most appropriate for this issue:**

- ☐ **Aging**
- X **Behavioral Health (Mental Health and Substance Abuse)**
- ☐ **Child Welfare**
  Children and Youth
- ☐ **Criminal Justice (including Juvenile Justice)**
- ☐ **Developmental Disabilities**
- ☐ **Early Learning (Infant/Toddler/Pre-/VPK) & Education (K-12)**
- ☐ **Health Care**
- ☐ **Homelessness**

2. **Please indicate which is the most appropriate category for this issue:**

- ☒ **Budgetary: A new issue with known fiscal impact or a change in existing Legislation that will have fiscal impact.**
- ☐ **Substantive: Modification of existing Legislation.**
  (check one below)
  - ☐ **With possible fiscal impact**
  - ☐ **With no fiscal impact**
- ☐ **New Legislation with no fiscal impact.**

Please type and submit electronically to kathryn.shea@thefloridacenter.org

If your form is submitted electronically and you do not receive a confirmation email within 24 hours, please contact Kathryn Shea @ 941-371-8820

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3. **Please describe your legislative proposal. If applicable, please cite which statute(s) the proposal affects.**

HOPE is a community-wide coordinated approach to mental health and substance abuse intervention, education and care for individuals (0-25) and their families and caregivers.

This proposal creates a pilot, aligned with the Department of Children and Families directive to provide a statewide system of care for the prevention, treatment, and recovery of children and young adults with mental illnesses *as soon as symptoms are detected*. HOPE will utilize the peer & family navigator model to promote early access, engagement, and coordination of services for children, adolescents, and young adults (ages 0-25). The target population are those with emotional or behavioral challenges, or who are believed to be at-risk for out-of-home placement, or in need of referral to higher-level mental health or substance use treatment, special education, child-welfare, or juvenile justice services.

Studies suggest that emotional and behavioral symptoms, if left untreated, are likely to develop into psychological disorders with long-lasting effects well into adulthood. Traditional mental health services and coordinated care for young people have historically been provided at later points in time, often after problem behaviors have caused significant impairment and trauma for the youth and family members.

The pilot proposes early intervention by HOPE Navigators (peer and family member peer) within the following targeted systems:

- Education/School-Based System (pre-k, elementary, middle, high school, post-secondary – public and private)
- Healthcare System (mental health and substance use treatment providers, primary care, recovery support services)
- Juvenile Justice/Criminal Justice System
- Child Welfare System
- Faith-based

The request for the pilot is $600,000 and includes administrative oversight/supervision through an identified local behavioral health provider and eight individual and family navigators (one peer and one family member). Successful implementation of this pilot has the potential for program replication on a state-wide basis.

4. **Describe the specific problem or challenge that will be addressed by this legislative proposal. Be specific about the impact on Sarasota County/statewide. Include local and state data that supports the problem or challenge. Quantify any fiscal impact, if possible. (Reasonable estimates are fine.)**

Mental health services for youth and young adults (0-25) is often fragmented in Florida. A comprehensive focus on access to prevention and early intervention in a seamless, coordinated way is critical to success. In Sarasota County, 52 percent of babies are born into families living in poverty and 215 women delivered babies in Sarasota last year without receiving any prenatal care (First 1000 Days Sarasota County). More than half the mothers in Florida report experiencing postpartum depression after childbirth yet less than 10% sought or received help.

The onset of mental illnesses frequently occurs during childhood, adolescence, or young adulthood. One in 5 youth experience a severe mental disorder during their life and half of all chronic mental illness begins by the age of 14; three-quarters by the age of 24.

The cost of prevention and early intervention is traditionally less than the long-term costs of treating severe and persistent mental illness. Economic analyses of interventions that target the prevention of specific mental, emotional or behavioral disorders or substance use among young

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people document the efficacy and effectiveness. The economic impact of untreated mental illness in children and young adults is significant. It costs our economy an estimated $155.7 billion a year in direct health care costs, unemployment and lost productivity for caregivers. Locally, economic impact to Sarasota County is more than $86 million annually.

The U.S. lags far behind the rest of the world related to financing of medical care and mental health care. For every dollar that the federal government spends on medical research through the National Institutes of Health, 16 cents goes to HIV/AIDS, 11 cents goes to cancer, and less than four cents go to all mental illnesses combined. (https://highline.huffingtonpost.com/articles/en/stop-the-madness/)

There is also a correlation between trauma and psychosis. Research suggests that people with psychosis are at high risk for traumatization, both through victimization and because psychotic symptoms and some forms of treatment may be traumatizing (Trauma, PTSD and First Episode Psychosis, Fact Sheet, 2018).

By placing HOPE Coalition Navigators in the identified systems of care, Sarasota County can increase the opportunity for early identification, prevention and appropriate treatment and support for youth, adolescents and young adults. HOPE Coalition intervention can avoid more restrictive, long-term and costly treatment.

5. **Identify the interested/impacted parties and whether they would likely support or oppose your proposal. For instance, are other Sarasota County agencies affected? Are counties, regional agencies, professional associations, interest groups, and/or state agencies affected?**

Likely support includes, but may not be limited to, Sarasota County, Sarasota County School Board, private and public behavioral and primary healthcare providers, Sarasota's faith-based community, the criminal and juvenile justice system, and others to be identified.

6. **Are there Legislators currently supporting or willing to support this issue?**

Sarasota County Legislative Delegation, Rep. Good, Sen. Gruters, Casey DeSantis, First Lady

7. **Has this issue been proposed before? If so, what was the outcome? If it did not succeed, why?** No

8. **Is this a collaborative Issue involving more than one agency? If so, indicate which agency is the Lead Agency.** This is a multi-agency proposal including JFCS of the Suncoast; NAMI Sarasota County; The Florida Center for Early Childhood; The Thinking Center; and others to be identified.

9. **Contact Information: (Representative of Agency or Group. This person, or a designated individual very familiar with the Issue, must attend and present the Issue at the Legislative Summit)**

Name: Heidi Brown & Colleen Thayer
Title/Agency: JFCS of the Suncoast & NAMI Sarasota-Manatee
Phone: 941-366-2224/941-376-9361
Email: hbrown@jfcs-cares.org/colleen@namisarasotacounty.org

Please type and submit electronically to kathryn.shea@thefloridacenter.org

If your form is submitted electronically and you do not receive a confirmation email within 24 hours, please contact Kathryn Shea @ 941-371-8820

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Address: 2688 Fruitville Rd., Sarasota, FL 34237

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Talking Points
HOPE Coalition – Health, Opportunity, Prevention, Early Intervention

- HOPE is a community-wide coordinated approach to mental health and substance abuse intervention, education and care for individuals (0-25) and their families and caregivers;

- The onset of mental illnesses frequently occurs during childhood, adolescence, or young adulthood. One in 5 youth experience a severe mental disorder during their life and half of all chronic mental illness begins by the age of 14; three-quarters by the age of 24;

- Studies suggest that emotional and behavioral symptoms, if left untreated, are likely to develop into psychological disorders with long-lasting effects well into adulthood;

- The cost of prevention and early intervention are traditionally less than the long-term costs of treating severe and persistent mental illness. It costs our economy an estimated $155.7 billion a year in direct health care costs, unemployment and lost productivity for caregivers. Locally, Sarasota County alone is more than $86 million annually.

- HOPE will utilize the peer and family navigator model to promote early access, engagement, and coordination of services for children, adolescents, and young adults (ages 0-25);

- Navigators will be charged with 1) knowing the available resources within their system; 2) providing education on mental health and substance use concerns and interventions; 3) overcoming systemic barriers to care through individualized advocacy; 4) offering assistance and support in accessing and coordinating needed services as individuals and families move through one or more of the systems; and 5) developing and delivering mental health information and information on community resources;

- HOPE Navigators will intervene early within 4 targeted systems: 1) Education/School-Based System (pre-k, elementary, middle, high, post-secondary); 2) Healthcare System (mental health and substance use treatment providers, primary care, recovery support services); 3) Juvenile Justice/Criminal Justice System; 4) Child Welfare/System;

- The pilot requests $600,000 that includes a professional partner and eight individual and family navigators (one peer and one family member per identified system).

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Partners in the Process
There have been several local initiatives reviewing these issues with a goal of addressing this challenge, including:

- The First 1000 Days initiative is designed to help families better access medical, emotional and wellness services pre-pregnancy through the developmental years including an integrated system designed to address the need for early identification of developmental and/or behavioral concerns and links for children and their families to community-based developmental and behavioral services and supports.

- The Charles & Marjery Barancik Foundation and Gulf Coast Community Foundation recently completed a Child and Youth Mental Health Environmental Scan. The findings support the need for transformation of care in our community including strengthening the system of care, providing support for families, and education and advocacy.

- There is also a strong link between trauma and mental illness. Trauma affects the developing brain and the impact of trauma is different during stages of development (early childhood, later childhood, adolescents, and early adulthood). The principles of trauma-informed approaches are consistent with recovery and in our community two initiatives are underway (Sarasota Strong & Peace4Manasota) that are focusing on these issues.

- Coordinated Specialty Care (CSC) for first episode psychosis (FEP) focuses on early treatment of psychosis, which affects about 3 out of 100 people at some point in their lives, typically when a youth or young adult is in their late teens/early 20's. With early treatment, some people never have another psychotic episode. For others, psychosis may be a recurring symptom of schizophrenia or another mental illness. However, even if they continue to experience symptoms, early treatment provides a foundation for recovery and a full life. Without CSC-FEP, treatment for psychosis often starts only after crises—frequently, long after the first episode and after disability has taken hold. At that stage, treatment is often limited to managing symptoms rather than promoting full recovery. Currently, only 7 CSC-FEP programs/pilots exist in Florida including two in development (Orlando & Tampa); none in our community.

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The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

1. **Project Title** HOPE - Health, Opportunity, Prevention, Early Intervention

2. **Senate Sponsor** Gruters

3. **Date of Request** 10/30/19

4. **Project/Program Description**

HOPE provides a comprehensive focus on access to prevention and early intervention for individuals in the behavioral healthcare system in a seamless, coordinated way, utilizing the peer & family navigator model to promote early access, engagement, and coordination of services for children, adolescents, and young adults (ages 0-25). The target population are those with emotional or behavioral challenges, or who are believed to be at-risk for out-of-home placement, or in need of referral to higher-level mental health or substance use treatment, special education, child-welfare, or juvenile justice services. HOPE includes intervention by HOPE Navigators (peer and family peer) in targeted systems: Education/School-based; Healthcare (mental health and substance abuse); Juvenile Justice/Criminal Justice; Child Welfare; Faith-based and administrative oversight/supervision through an identified local behavioral health provider.

5. **State Agency to receive requested funds** Department of Children and Families

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	600,000
Fixed Capital Outlay	
Total State Funds Requested	0

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	0	%
Matching Funds		
Federal	0	%
State (excluding the amount of this request)	0	%
Local	0	%
Other	0	%
Total Project Costs for Fiscal Year 2020-2021	0	%

8. **Has this project previously received state funding?** ○ Yes ◉ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** ◉ Yes ○ No

If yes, indicate nonrecurring amount per year. 600,000

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The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits	Supervision for peer and family peer navigators	24,000
Other Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Operational Costs: Other		
Salary and Benefits	Family and peer navigators	506,000
Expense/Equipment/ Travel/Supplies/Other	Office equipment, office supplies, travel expenses	70,000
Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		0

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The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

The goal of HOPE is to provide a comprehensive focus on access to prevention and early intervention for individuals in the behavioral healthcare system in a seamless, coordinated way. HOPE includes intervention by HOPE Navigators (peer and family peer) in targeted systems: Education/School-based; Healthcare (mental health and substance abuse); Juvenile Justice/ Criminal Justice; Child Welfare; Faith-based.

b. What activities and services will be provided to meet the intended purpose of these funds?

Connections and follow up (ongoing support) for individuals and families in the behavioral healthcare system to services including but not limited to mental health, job training, education, primary health care

c. What direct services will be provided to citizens by the appropriation project?

Navigation through the behavioral healthcare system and specific connections and support to services that are needed within the system of care (health, education, support, criminal justice, etc.)

d. Who is the target population served by this project? How many individuals are expected to be served?

Any individual living with a mental health condition (children, adolescents, young adults, adults) who are in the behavioral health system that need navigation within their system of care or for community services (job training, education, health care, support). 100-200 individuals and their families.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

Avoidance of more costly, restrictive and long-term behavioral health treatment through early identification, prevention, treatment and support. Administrative oversight and performance measures developed for each system of care.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Return of funds

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The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: Colleen Last Name: Thayer

b. Organization: NAMI Sarasota County

c. E-mail Address: colleen@namisarasotacounty.org

d. Phone Number: 9413769361 Ext.:

14. **Recipient Contact Information**

a. Organization: JFCS of the Suncoast

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ◉ Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ○ University or College
- ○ Other (please specify)

d. First Name: Heidi Last Name: Brown

e. E-mail Address: hbrown@jfcs-cares.org

f. Phone Number: 0413662224

15. **Lobbyist Contact Information**

a. Name:

b. Firm Name:

c. E-mail Address:

d. Phone Number: Ext.:

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The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Please complete the questions below for Water Projects only.

16. **Have you applied for alternative state funding?**

- ☐ Waste Water Revolving Loan
- ☐ Drinking Water Revolving Loan
- ☐ Small Community Wastewater Treatment Grant
- ☐ Other (please specify)
- ☐ N/A

17. **What is the population economic status?**

- ☐ Financially Disadvantaged Community (ch. 62-552, F.A.C.)
- ☐ Financially Disadvantaged Municipality (ch. 62-552, F.A.C.)
- ☐ Rural Area of Economic Concern
- ☐ Rural Area of Opportunity (s. 288.0656, Florida Statutes)
- ☐ N/A

18. **What is the status of construction?**

19. **What percentage of the construction has been completed?**

20. **What is the estimated completion date of construction?**

The information provided will be posted to the Florida Senate website for public viewing if sponsored by a Senator.

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From: Colleen Thayer <colleen@namisarasotacounty.org>
Sent: Monday, October 07, 2019 12:11 PM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: HOPE proposal
Attachment(s): "2020 Legislative Issue Form HOPE.doc","JFCS - NAMI HOPE Coalition.xlsx"

Hi there -

Hope all is well! Vicki I know I had spoken to you about this appropriations request but wanted to update you all and see if Senator Gruters would be willing to file it! Rep. Good is doing on House side. I'm in the process of filling out the form - but here is the proposal again, along w/ some budget info. This is the proposal that comes out of the Community Alliance re: behavioral health. So it's not directly a NAMI proposal.

Let me know and thanks much!!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

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COMMUNITY ALLIANCE OF SARASOTA COUNTY
LEGISLATIVE ADVOCACY COMMITTEE

RECOMMENDED LEGISLATIVE ISSUE FOR 2020

***System*:** Behavioral Health

Subject: **HOPE Coalition – Health, Opportunity, Prevention, Early Intervention**

Submitted by: Heidi Brown, JFCS Suncoast & Colleen Thayer, NAMI – on behalf of the Community Alliance of Sarasota County - Behavioral Health Stakeholders Consortium

1. **Please indicate #1 for Primary System and #2 for Secondary System that ared most appropriate for this issue:**

☐	**Aging**
1	**Behavioral Health (Mental Health and Substance Abuse)**
☐	**Child Welfare**
2	**Children and Youth**
☐	**Criminal Justice (including Juvenile Justice)**
☐	**Developmental Disabilities**
☐	**Early Learning (Infant/Toddler/Pre-/VPK) & Education (K-12)**
☐	**Health Care**
☐	**Homelessness**

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☐ **Substantive: Modification of existing Legislation.**
(check one below)
- ☐ **With possible fiscal impact**
- ☐ **With no fiscal impact**

☐ **New Legislation with no fiscal impact.**

Please type and submit electronically to kathryn.shea@thefloridacenter.org

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3. **Please describe your legislative proposal. If applicable, please cite which statute(s) the proposal affects.**

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Studies suggest that emotional and behavioral symptoms, if left untreated, are likely to develop into psychological disorders with long-lasting effects well into adulthood. Traditional mental health services and coordinated care for young people have historically been provided at later points in time, often after problem behaviors have caused significant impairment and trauma for the youth and family members.

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The request for the pilot is $600,000 and includes administrative oversight/supervision through an identified local behavioral health provider and eight individual and family navigators (one peer and one family member). Successful implementation of this pilot has the potential for program replication on a state-wide basis.

4. **Describe the specific problem or challenge that will be addressed by this legislative proposal. Be specific about the impact on Sarasota County/statewide. Include local and state data that supports the problem or challenge. Quantify any fiscal impact, if possible. (Reasonable estimates are fine.)**

Mental health services for youth and young adults (0-25) is often fragmented in Florida. A comprehensive focus on access to prevention and early intervention in a seamless, coordinated way is critical to success. In Sarasota County, 52 percent of babies are born into families living in poverty and 215 women delivered babies in Sarasota last year without receiving any prenatal care (First 1000 Days Sarasota County). More than half the mothers in Florida report experiencing postpartum depression after childbirth yet less than 10% sought or received help.

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people document the efficacy and effectiveness. The economic impact of untreated mental illness in children and young adults is significant. It costs our economy an estimated $155.7 billion a year in direct health care costs, unemployment and lost productivity for caregivers. Locally, economic impact to Sarasota County is more than $86 million annually.

The U.S. lags far behind the rest of the world related to financing of medical care and mental health care. For every dollar that the federal government spends on medical research through the National Institutes of Health, 16 cents goes to HIV/AIDS, 11 cents goes to cancer, and less than four cents go to all mental illnesses combined. (https://highline.huffingtonpost.com/articles/en/stop-the-madness/)

There is also a correlation between trauma and psychosis. Research suggests that people with psychosis are at high risk for traumatization, both through victimization and because psychotic symptoms and some forms of treatment may be traumatizing (Trauma, PTSD and First Episode Psychosis, Fact Sheet, 2018).

By placing HOPE Coalition Navigators in the identified systems of care, Sarasota County can increase the opportunity for early identification, prevention and appropriate treatment and support for youth, adolescents and young adults. HOPE Coalition intervention can avoid more restrictive, long-term and costly treatment.

5. **Identify the interested/impacted parties and whether they would likely support or oppose your proposal. For instance, are other Sarasota County agencies affected? Are counties, regional agencies, professional associations, interest groups, and/or state agencies affected?**

Likely support includes, but may not be limited to, Sarasota County, Sarasota County School Board, private and public behavioral and primary healthcare providers, Sarasota's faith-based community, the criminal and juvenile justice system, and others to be identified.

6. **Are there Legislators currently supporting or willing to support this issue?**

TBD – Sarasota County Legislative Delegation, Casey DeSantis, First Lady of Florida

7. **Has this issue been proposed before? If so, what was the outcome? If it did not succeed, why?** No

8. **Is this a collaborative Issue involving more than one agency? If so, indicate which agency is the Lead Agency.** This is a multi-agency proposal including JFCS of the Suncoast; NAMI Sarasota County; The Florida Center for Early Childhood; The Thinking Center; and others to be identified.

9. **Contact Information: (Representative of Agency or Group. This person, or a designated individual very familiar with the Issue, must attend and present the Issue at the Legislative Summit)**

Name: Heidi Brown & Colleen Thayer
Title/Agency: JFCS of the Suncoast & NAMI Sarasota-Manatee
Phone: 941-366-2224/941-376-9361
Email: hbrown@jfcs-cares.org/colleen@namisarasotacounty.org

Please type and submit electronically to kathryn.shea@thefloridacenter.org

If your form is submitted electronically and you do not receive a confirmation email within 24 hours, please contact Kathryn Shea @ 941-371-8820

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Address: 2688 Fruitville Rd., Sarasota, FL 34237

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	A	B	C	D	E	F
1					JFCS-NAMI	
2					HOPE Coalition	
3					Line Item Budget Year	
4					2020-2021	
5						
6						
7	Object Class	Funds				Calculations
8	Category					
9	Personnel	$416,000		Position Titles	Staff #	Months
10				Family naivgators	4.00	12.00
11				Peer navigators	4.00	12.00
12					8.00	
13						
14	Fringes/Taxes	$90,525		Fringes/Taxes:		Rate
15				Health Insurance		8.73%
16				Dental Insurance		0.49%
17				Retirement Plan		2.27%
18				Life Insurance & Long Term Disability		0.44%
19				FICA		7.65%
20				Workers' Compensation		1.35%
21				Unemployment Insurance		0.83%
22						21.76%
23						
24						
25	Supplies	$2,550		Supplies Description:		Unit Type
26				Consumable Office Supplies		Monthly Cost
27				Postage		Monthly Cost
28				Printer Toner		Each
29						
30						
31						
32	Other	$66,980	Users	Other:		Unit Type
33			8	Cell Phone Usage		Months
34			8	Cell Phone Rental		Monthly
35			8	Tablets - WiFi enabled		
36				Printing		Monthly
37			8	Staff Travel - weekly mileage	50 weeks	Miles
38				Office space rental plus utilities		Square feet
39						
40						
41						
42	Indirect Charges	$23,964	Oversight		Staff #	Months
43				Salary - Licensed supervisor	1	12
44				Taxes and benefits - Licensed supervisor		24.34%
45				Insurance		
46						
47						
48	TOTAL	$600,019				

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	G	H	I	J	K	L
1						
2						
3						
4						
5						
6						
7						
8						
9	FTEs		Annual Salary		Budget	
10	4.00		$52,000		$208,000	
11	4.00		$52,000		$208,000	
12	8.00				$416,000	
13						
14		Base				
15		$416,000			$36,317	
16		$416,000			$2,038	
17		$416,000			$9,443	
18		$416,000			$1,830	
19		$416,000			$31,824	
20		$416,000			$5,616	
21		$416,000			$3,456	
22					$90,525	
23						
24						
25	Units		Unit Cost			
26	12		$150		$1,800	
27	12		$25		$300	
28	15		$30		$450	
29					$2,550	
30						
31						
32	Units/Months of Service	Total	Unit Cost			
33	12		$45		$4,320	
34	12		$25		$2,400	
35			$400		$3,200	
36	12		$25		$300	
37	180	72,000	$0.58		$41,760	
38	750		$20		$15,000	
39					$66,980	
40						
41						
42	FTEs		Annual Salary		Budget	
43	0.25		$53,930		$13,483	
44					$3,282	
45					$7,200	
46						
47						
48					$23,964	

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From: OVERCASH, COLTON <colton.overcash@hq.dhs.gov>
Sent: Tuesday, November 26, 2019 8:12 PM EST
To: OVERCASH, COLTON <colton.overcash@hq.dhs.gov>
Subject: ICYMI: DHS Secretary and ICE Director Visit Raleigh, NC to Discuss Sanctuary Policies

Good afternoon,

Acting Department of Homeland Security (DHS) Secretary Chad F. Wolf and Acting Immigration and Customs Enforcement (ICE) Director Matthew Albence met with federal, state and local officials and angel families yesterday afternoon in Raleigh, North Carolina to discuss several sheriffs who represent counties that refuse to adhere to U.S. immigration law and are failing to cooperate with ICE on detainers for dangerous and violent criminal aliens.

During his remarks, Acting DHS Secretary Wolf cited several examples where sanctuary policies have threatened public safety in North Carolina. Of those, he mentioned Jose Bryan Guzman, an illegal alien charged with murder, who was released from jail in December 2018 after being arrested for felony aggravated robbery. ICE notified the Durham County Sheriff's Office at that time about taking him into custody and issued a detainer for him. However, the sheriff's office refused to honor the detainer and released him back into the community where he allegedly killed his 19-year old girlfriend.

At the conclusion of the meeting, Acting DHS Secretary Wolf and Acting ICE Director Albence called upon the sheriffs of Buncombe, Durham, Forsyth, Guilford, Mecklenburg, and Wake counties to abandon their sanctuary policies and work with ICE to strengthen their partnerships and keep communities safe from dangerous criminal aliens.

Below are some key takeaways for you to consider as you publish content or prepare for future media engagements.

Key Takeaways

- 563 criminal aliens have been released from jail in North Carolina in FY2019 after ICE issued a detainer for them. This follows a report from August which stated that 489 criminal aliens had been released from jail between October 2018 and September 2019, representing a 15 percent increase in declined detainers (or 74 criminals) in just two months.
- Over 90% of ICE arrests are convicted criminals and roughly 70% of the arrests are made at local jails and state prisons.
- Each victim or lost family member of illegal alien crime represents a preventable tragedy.
- Sanctuary policies are an affront to the rule of law and to the U.S. Constitution.
- Sanctuary policies extend beyond geographical and political boundaries.
- Sanctuary policies do not protect communities, they endanger them. All too often, criminal aliens are released into communities only to reoffend, requiring the men and women of ICE to needlessly risk their lives to track down these fugitives in neighborhoods or at workplaces instead of the security of a local jail.
- Sanctuary jurisdictions that choose to not cooperate with ICE are likely to see an increase in at-large arrests in communities.
- It is safer for everyone if ICE takes custody of an alien in the controlled environment of another law enforcement agency as opposed to visiting an alien's residence, place of work, or other public area. Arresting a criminal in the safety, security, and privacy of a jail is always the best option.
- When law enforcement agencies fail to honor detainers and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission;
- ICE prioritizes its limited resources first and foremost by targeting those who pose the greatest threat to public safety and national security.
- Judicial warrants are not necessary for local law enforcement to hold criminal aliens up to 48 hours for ICE to take into custody.

Please share the information on social media and tag @ **DHSgov** and **@ICE** in your posts. Tweets are hyperlinked below. If I can help provide you with any more details, please let me know.



V/R

Colton R. Overcash

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From: Denis Hanks <denis@fvrma.org>
Sent: Friday, February 07, 2020 6:05 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: inability of local govt to handle vacation rentals

Dear Senator Gruters,

I am emailing to express my support for SB 1128 because of the local governments inability to fairly enforce simple noise, parking and trash ordinances in FL. Local governments have gone too far above and beyond, just noise, parking and trash control though.

As you know, this legislative session vacation rental bills again consume the Statehouse agenda, yet again. The argument is fierce on both sides of the debate. As vacation rental bills advance through the House and Senate local governments recite how important it is to have local control of vacation rentals. As you know, in 2014 the legislature gave back 70% of the control of vacation rentals to local governments to regulate them based upon local concerns. Predominantly those are noise, parking and trash, all items already enforced under local ordinances by local government.

But each city has taken that from 1 – 10 steps further with overreaching ordinances. Registration and inspection fees that sometimes exceed $1000 annually, $20,000 fines and months of red tape, applications and inspections.

So let's see how local governments have successfully handled all the power over the past 6 years:

- Hundreds of Bert Harris claims have been filed to a tune of over $60 Million and that grows every day. Expectations are that this will rise to $350 million.
- Dozens of ordinances have been established in city and county governments, some later repealed, some never to see the light of day and some with the sole intent to prohibit vacation rentals from operating, not regulate.
- Dozens of individual filings of litigation to overturn local ordinances.
- The average city compliance rate statewide after enacting an ordinance is a dismal 15% or so.
- Local governments are unable to properly manage the very ordinances they enacted and spend hundreds of thousands if not millions of taxpayer dollars on 3rd party compliance vendors that reside outside of Florida.
- Some local governments have up to a 4-month backlogs of inspections to get vacation rental homes into the system they created.
- State associations have created a sense of urgency around creating local vacation rental ordinances to regulate vacation rentals locally, even when just a handful of short term rental homes exist in a city. This has been divisive and inflammatory at the least.

So who are the real winners and losers here? No winners for sure.

ALL TAXPAYERS LOSE UNDER THE CURRENT RULES. Because whichever side of the issue that you are on, be it a tax paying resident who doesn't like vacation rentals or the vacation rental owner/manager that generates an enormous amount of tax revenues for the city, county and state, both constituent groups have footed the bill for local governments inability to handle what should have been a simple enforcement of existing noise, parking and trash ordinances. Instead, local governments have created a regulatory monster which they can't handle and have cost the taxpayers millions of dollars through all of the above mentioned failures. It's time for one comprehensive approach with SB 1128.

Thank you and please support SB 1128.

Denis Hanks – Executive Director
Florida VRMA
The Largest Vacation Rental Association In The USA
Over 850 Members and 40,000 vacation rentals strong!
407-201-0120

May 11th & 12th 2020 – The Annual Vacation Rental Conference Orlando
www.vrmxtravaganza.com



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transmission and its attachments without reading or saving in any manner.

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From: Brill, Victoria
Sent: Monday, February 10, 2020 12:15 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Info - SB 1054
Attachment(s): "HB 941 Commitee Information Request.pdf","HB 941 Summary.docx","dui-brochure.pdf","SarasotaDUICourtInfo.pdf","TBVME App Privacy Policy - JL - 6-4-2019 - CLEAN.docx"

Thank you!

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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SARASOTA COUNTY
DUI COURT

1751 Mound Street
Sarasota, Florida 34236.
Ph: 941-861-8120 Fax: 941-316-1637

R.L. Anderson Administration Building,
4000 South Tamiami Trail,
Venice, FL. 34293.
Ph: 941-861-3717 Fax: 941-861-3723
www.jud12.flcourts.org

David Denkin
Presiding Judge

Nicole Durston
Program Director

Mollie Cool
Assistant Program Director

Tanaya Shepperd
Professional Probation Services

Robyn LaPorta / Zjohnae Milton
Counselors - First Step of Sarasota

Assistant Public Defender
Twelfth Judicial Circuit

State Attorney's Office
Twelfth Judicial Circuit

Sarasota County Sheriff's Office

Law Enforcement

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SARASOTA COUNTY DUI COURT PROGRAM

NEVER A WRONG TIME
TO DO THE RIGHT THING

For additional information and to view the program contract please visit our website at www.jud12.flcourts.org

DUI Court Mission Statement

To reduce the number of repeat DUI offenders by providing alternative community-based treatment, thereby increasing both offender productivity and public safety.



The Sarasota DUI Court is dedicated to changing behavior, targeting offenders who are alcohol dependent currently charged with driving under the influence having one or more prior drug and/or alcohol related arrest(s). Specialized DUI Courts are a proven method to effectively address community struggles with habitual DUI offenders. It's modeled after the highly successful Drug Court concept, having a graduated sanction / reward structure and following specific *Guiding Principles*. Furthermore, it adds elements within the Court such as mandatory counseling, case management, drug and alcohol testing, and community supervision.

The requirements of the DUI Court are as follows:

How do people find their way into DUI Court?

- Referral from First Appearance
- Pretrial screening
- Post arrest- conditional release terms
- Opportunity presented at Arraignment
- Attorney referral

DUI Court Application

Referrals can be made directly to the Judge, Public Defender's office, Probation and Program Director.

◊ *Individual Interviews / assessments*

The clinical screening and assessment are conducted by the Counselor, Case Manager and Probation. Additional screenings may be required at anytime by the court.

Upon acceptance of the offender's plea to the DUI charge the offender is placed on supervised probation for a minimum of one year. During this time, the DUI offender is required to comply with the mandatory requirements of Florida Statutes 316.193 and 322.28 and complete all phases of DUI Court.

Financial Requirements

Participants are required to provide a portion of costs towards their individualized DUI program. An initial $100.00 application/ assessment fee and $200.00 monthly program fees are required. Participants are also required to pay their mandatory minimum fines and supervision costs as ordered. Mandatory contributions from participants has therapeutic benefits, allowing participants to be empowered having a sense of ownership through their steps of sobriety and recovery.

Phase I
Orientation
Duration - up to 45 days

Phase II
Early Recovery
Duration - approximately 90 days

Phase III
Maintenance & Relapse Prevention
Duration - approximately 115 days

Phase IV
Continuance of Care &
Commencement
Duration - approximately 115 days

Alumni Support Group Network

Participants must follow all rules and regulations of treatment. Program length is a minimum of 12 months. There are four distinct phases of the DUI Court program. Each phase must be fully completed in order for participants to reach commencement.

Supervision is a crucial link between participants and the DUI Court. Random home visits are conducted in the community by local law enforcement, Probation and case management services throughout every phase of DUI Court. Participants are also monitored through other ways such as ongoing random drug and alcohol tests, electronic monitoring, comprehensive case management and medication maintenance.

Eligibility Criteria

◊ Defendant currently charged with Driving Under the Influence.

◊ Defendant has 1 or more prior alcohol and/ or drug related arrest(s).

◊ Defendant is alcohol and/or drug dependent and desires to change behavior, participate in a treatment program and participate in recovery.

◊ No serious violent criminal history.

◊ No evidence of drug dealing

◊ 18 years of age or older.

◊ Must reside in Sarasota County.

◊ Willing to...Show Up, Be Honest & Try

Staffing and Participants Progress

Each participant's progress is reported to the entire DUI Court through weekly team staffings held prior to the status conference. A review of their treatment and overall program status is discussed, along with any program violations and recommendations. All rewards and sanctions are finalized by the judge.

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District Office
5900 Pan American Blvd.
Building A: Unit 102
North Port, FL 34287

Tallahassee Office
1401 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

THE FLORIDA HOUSE OF REPRESENTATIVES

Representative James Buchanan
District74

HB 941 *Substance Abuse Services* Act Children, Family, Seniors Question

Follow-Up to January 16th Staff Meeting

How often do people ordered to substance abuse treatment receive self-help group mandates?

- 59% of AA members received treatment / counseling prior to entering the program
- 397.334: "Treatment-based drug court programs may include pretrial intervention programs as provided in ss. 948.08, 948.16, and 985.345, treatment-based drug court programs authorized in chapter 39, postadjudicatory programs as provided in ss. 948.01, 948.06, and 948.20, and review of the status of compliance or noncompliance of sentenced offenders through a treatment-based drug court program. While enrolled in a treatment-based drug court program, the participant is subject to a coordinated strategy developed by a drug court team under subsection (4). The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but is not limited to, placement in a substance abuse treatment program offered by a licensed service provider as defined in s. 397.311"
- substance abuse services FL statutes link
  - http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0397/0397.html
- Alcohol.org
  - https://www.alcohol.org/laws/court-ordered/
-

If Marchman Acted (sent to licensed treatment center) is there also a self-help component?

- Submitted by person on behalf of another individual (in county where individual is located)
- Assessment (up to 5 days), stabilization and long-term treatment (up to 60 days)
- Trained medical professionals assess patient and make treatment recommendations (delivered to the court)
- No punishment for non-compliance, however petitioner can open civil case and repercussions can be put in place if patient does not comply with Marchman rules

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How successful are groups like AA?

- 2014 Member Survey
  - 27% Sober < 1 Year
  - 24% 1-5 Years
- **https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2746426/**
  - Rates of abstinence are about twice as high among those who attend AA (study)
  - Higher levels of attendance are related to higher rates of abstinence (study)
  - Prior AA attendance is predictive of subsequent abstinence (study)

Are there any mandated self-help assignments in prior statutes?

- **Proof of Attendance at Meetings**
- Some judges require written proof that offenders have attended a certain number of meetings. Often, when the court-ordered newcomer attends an A.A. meeting, the group secretary (or other group officer) is willing to sign their first name, or to initial a slip furnished by the court saying so-and-so was at the meeting on a particular date. Hopefully, all involved recognize that neither the group nor its members are "bound" in any way by the signature, nor does this courtesy signify affiliation of the A.A. group with any other program or guarantee that the attendee was present for the entire meeting; it simply illustrates cooperation. Court professionals should understand too, that attendance at A.A. meetings doesn't guarantee sobriety.
- Placing great emphasis on A.A.'s principle of Anonymity, we understand that some A.A. members are uncomfortable when asked to sign their full name or to supply other personal information indicating that they are A.A. members. This cherished Tradition of Anonymity provides protection to all A.A.s from being publicly identified as alcoholics, a safeguard especially important to the newcomer. Since each group is autonomous, and providing proof of attendance at meetings is *not* a specific part of A.A.'s program, each group and group member has the right to choose whether or not to sign court slips.
- While some groups have elected not to sign court cards, it is our experience that most groups will try to cooperate with our professional friends. In some areas, courts furnish cooperating A.A. groups with sealed, stamped envelopes addressed to the court. In general, the secretary of the group announces that anybody needing an envelope may get it after the meeting. The newcomer takes the envelope, privately writes his or her name and/or return address on it, and mails it. In other areas, each cooperating group has a sheet, furnished by the court, that the secretary announces is available for court ordered newcomers to sign after the meeting. The secretary returns the sheets in envelopes furnished by the referring agency. In this way, it is not the A.A. group, but the prospect's own signature which affirms he or she was at the meeting.
  - https://www.aa.org/pages/en_US/alcoholics-anonymous-as-a-resource-for-drug-and-alcohol-court-professionals

- So doing violates the Establishment Clause, guaranteeing that at a minimum, "government may not coerce anyone to support or participate in religion or its exercise, or otherwise act in a way which establishes a [state] religion or religious faith, or tends to

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do so." (Lee v. Weisman, 1992, U.S. Supreme Court on school prayer.) In short, while not deemed an actual religion, AA – with the steps' numerous references to "God" – is considered to contain enough religious components to make coerced attendance unconstitutional, despite the fact that attendees commonly argue that the 12 steps are "spiritual," not religious.

- https://www.rehabs.com/pro-talk-articles/you-cant-make-me-or-can-you-mandated-aa-attendance/
- https://www.drugrehab.com/treatment/court-ordered/

Who would be paying for the app? Users, groups or states?

- Users ($20 / Month for specific service in HB 941
- Provide to state
- Intent is to provide no mandate for exclusive electronic verification

Biometric concerns – data storage and usage?

1. Pear reSET https://peartherapeutics.com/
   a. Pear reSET is a medical tool for substance use disorder treatment approved by the Food and Drug Administration
   b. Privacy Policy- https://peartherapeutics.com/privacy-policy/
      1. Pear Therapeutics uses secure server software (SSL), firewalls, and end-to-end encryption to protect your PII from unauthorized access, disclosure, alteration, or destruction. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.
      2. We will retain PII for as long as necessary to provide our services, but no later than 6 years following termination of Services. We will retain and use PII as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.
2. Sobertool www.sobertool.com
   a. Sobertool was designed specifically for people in recovery from alcohol addiction.
3. Affinity eHealth www.affinityehealth.com
   a. Affinity eHealth enhances lives by improving compliance outcomes.
4. WEconnect Health Management www.weconnectrecovery.com
   a. WEconnect helps people stay connected and accountable on their recovery journey.
5. DynamiCare Health www.dynamicarehealth.com
   a. Dynamicare is an evidenced based digital platform that reinforces a person's recovery from addiction and rewards healthy behavior.

Example of End User License Agreement and Privacy Policy for Florida based business

TBV ME, CO.
TBV ME End-User License Agreement (Android)

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i. If you have any questions, complaints or claims with respect to the Software, they should be directed to Licensor.

7. Limited Warranty

a. You acknowledge and agree that the Software is provided "AS IS" without warranty of any kind. This is Licensor's entire liability and Your sole and exclusive remedy in connection with any breach of this Agreement, including, but not limited to, any breach of warranty. By accepting this Agreement, You acknowledge and agree that Licensor cannot and does not guarantee or warrant that files available for downloading through the

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In no event will Licensor be liable for any damages including any lost profits or other incidental, special, punitive, exemplary, direct, indirect or consequential damages, arising out of or related to the Software, documentation or the use thereof, even if Licensor has been advised, or is otherwise aware, of the possibility of such damages and even if the warranty remedy of Section 7 fails of its essential purpose. You agree that the Limited Warranty of Section 7 and the Limited Liability of Section b are reasonable in light of the licenses fees paid under the License Agreement.

Some states do not allow exclusion of implied warranties or limitation of liability for incidental, special, punitive, or other indirect or consequential damages, so the limitations or exclusions of Sections 7 and 8 of the License Agreement may not apply to You. IN SUCH STATES, THE LIABILITY OF LICENSOR SHALL BE LIMITED TO THE GREATEST EXTENT PERMITTED BY LAW.

9. Miscellaneous

This Agreement, the license granted hereunder, the Software, any modifications thereto and any Services may not be assigned or in any way transferred without the prior written consent of Licensor. This Agreement is entered into solely for the respective benefit of the parties and their successors and assigns, and nothing in this Agreement will be construed as giving any right, remedy or claim under this Agreement to any third parties. Licensor shall not be in default to the extent that failure to perform any obligation under this Agreement is caused solely by supervening conditions beyond its control, including acts of God, fire, natural disaster, war, terrorism, riot or other civil disturbance, outages of electrical, telecommunications or computer server hosting services, acts of government or labor strikes or lockouts ("Force Majeure"). The terms of this Agreement shall be construed in accordance with the substantive laws of the Commonwealth of Massachusetts. The original of this Agreement has been written in English. The parties hereto waive any statute, law, or regulation that might provide an alternative law or forum or to have this Agreement written in any language other than English. Licensor and You exclude the United Nations Convention on Contracts for the International Sale of Goods and the Uniform Computer Information Transactions Act from this Agreement. If any provision of this Agreement is held to be excessively broad as to scope, activity, subject or otherwise so as to be unenforceable at law, such provision shall be constructed by limiting or reducing it so as to be enforceable to the maximum extent compatible with the applicable law as it shall then appear. This Agreement represents the entire understanding between the parties with respect to its subject matter and supersedes all prior written and oral communications. This Agreement may not be modified except by a written agreement signed by authorized representatives of both parties. A waiver by either party of its rights hereunder shall not be binding unless contained in a written agreement signed by an authorized representative of the party waiving its rights. The non-enforcement or waiver of any provision on one occasion shall not constitute a waiver of such provision on any other occasions unless expressly so agreed in writing. The relationship of the parties shall be that of independent contractors. Nothing herein shall be construed to create any agency, partnership, joint venture or similar relationship or to subject the parties to any implied duties or obligations respecting the conduct of their affairs which are not expressly stated herein. Neither party shall have any right or authority to assume or create any obligation or responsibility, either express or implied, on behalf of or in the name of the other party, or to bind the other party in any matter or thing whatsoever.

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TBV ME Application Privacy Policy

TBV ME, Co., ("**TBV**", "**We**", "**Us**") has created this privacy policy ("**Privacy Policy**") in order to set out how we collect, use, and disclose personal information through the TBV platform and our related personal contact management services and applications (collectively, together with the TBV platform, the "**Services**"). Any capitalized terms in this Privacy Policy shall have the same meaning as set out in our Terms of Service.

The privacy of our users is of great importance to us. By using the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy and you hereby consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

1 WHAT DOES THIS PRIVACY POLICY COVER?

This Privacy Policy covers our collection, use and disclosure of information about identifiable individuals ("**Personal Information**"), who use the Services ("**Users**").

2 COLLECTION AND USE OF PERSONAL INFORMATION

2.1 User Information

In order to use certain Services, Users must have a valid TBV App account to log into the Services ("**Account**").

When you register for an Account using email registration, TBV collects your name, cell phone number, email address, and location,. This Personal Information is used for the following purposes:

- Verifying the User's identity;
- Allowing Users to create a profile; and
- Contacting Users about relevant information related to the Services.

2.2 Transaction History

When Users use the Services, TBV collects information about the User's activity and transaction history. In particular, TBV keeps track of the device used to log in, the time of day, the time spent on the app, location, actions completed and IP address, and you may also be asked to provide other personal data such as age, location, gender, personal history, etc. ("Personal Information"). This Personal Information is used for the following purposes:

- To allow Users to keep track of their history;
- To store and report activities tracked by the Services;
- To support research and efficacy of the Services;

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- For TBV's accounting records;
- To enhance and customize User experience, including showing Users relevant contents; and
- To monitor compliance with our Terms of Service.

2.3 Marketing Communications

TBV will use the contact information provided to notify Users of important information that is relevant to the Services and for marketing communications if the User chooses to opt in. Despite your indicated e-mail preferences, we may send you relevant notices where permitted by law.

2.4 Usage Data

TBV may also collect certain information from Users of the Website and Services, such as Internet addresses, time spent logged into the Services and other usage data ("**Usage Data**"). This Usage Data is logged to help diagnose technical problems, and to administer our Website and Services in order to constantly improve the quality of the Website and Services.

2.5 Cookies

TBV uses tracking technologies, such as cookies, beacons, scripts and tags, are used by us and our third-party partners. These technologies are used in analyzing trends, administering the Services, tracking Users' movements around the Services, gathering demographic information about our User base as a whole and collecting information about your browsing activities over time and across different websites following your use of the Services. We may receive reports based on the use of these technologies by these companies on an individual and aggregated basis. Various browsers may offer their own management tools for removing these types of tracking technologies.

Standing alone, cookies do not identify you personally. They merely recognize your browser. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer.

TBV uses session cookies containing encrypted information to allow the system to uniquely identify you while you are logged in. This information allows TBV to process online transactions and requests. Session cookies help us make sure you are who you say you are after you've logged in and are required in order to use the Service.

TBV uses persistent cookies that only TBV can read and use, to identify the fact that you are a TBV User. We are especially careful about the security and confidentiality of the information stored in persistent cookies. Users who disable their web browser's ability to

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accept cookies will be able to browse our Website but may not be able to use all features of our Services.

3 SECURITY AND STORAGE

3.1 Storage Location

TBV stores its data, including Personal Information, on Amazon Web Services servers located in the United States. By submitting any Personal Information or using the Services, you agree to this transfer, storing or processing of your Personal Information in the United States. You acknowledge and agree that your Personal Information may be accessible to law enforcement and governmental agencies in those countries under lawful access regimes or court order.

3.2 Security

The security of your Personal Information is important to us. We use commercially reasonable efforts to store and maintain your Personal Information in a secure environment. We take technical, contractual, administrative, and physical security steps designed to protect Personal Information that you provide to us. We have implemented procedures designed to limit the dissemination of your Personal Information to only such designated staff as are reasonably necessary to carry out the stated purposes we have communicated to you. However, no Internet or email transmission is ever fully secure or error free. In particular, email sent to or from the Services may not be secure. Therefore, you should take special care in deciding what information you send to us via email. Please keep this in mind when disclosing any Personal Information to us via the Internet.

You are also responsible for helping to protect the security of your Personal Information. For instance, never give out your email account information or password for the Services to third parties.

4 DISCLOSURE OF PERSONAL INFORMATION WITH THIRD PARTIES

4.1 Disclosure to our Service Providers

We may from time to time employ or engage other companies and people to perform tasks on our behalf and need to share Personal Information with them to provide the Services. Unless we tell you differently, we only provide such third parties with the Personal Information that they need to perform their specific function. This includes third party companies and individuals employed or engaged by us to facilitate our products and services, including the provision of maintenance services, database management, customer relationship management, web analytics and general improvement of the Services, and businesses who engage our Services (to the extent provided for above). In particular, TBV uses the following service providers: Google Cloud Platform, Amazon AWS, Stripe and Google Analytics.

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4.2 Business Transfers

If we (or any of our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information may be made available or otherwise transferred to the new controlling entity, where permitted under applicable law.

4.3 With Your Consent

If we need to use or disclose any Personal Information in a way not identified in this Privacy Policy, we will notify you and/or obtain your express consent as required under applicable privacy laws.

4.4 Affiliates

We may also share your Personal Information with our subsidiaries or other affiliated companies for purposes consistent with this Privacy Policy.

4.5 As required by law

We may disclose your Personal Information to third parties without your consent if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other Users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities. Further, we may disclose Personal Information when we believe in good faith that such disclosure is required by and in accordance with the law. We also reserve the right to access, read, preserve, and disclose any information as we reasonably believe is necessary to:

- satisfy any applicable law, regulation, legal process or governmental request;
- enforce our contracts or user agreement (Terms of Service), including investigation of potential violations hereof; and
- detect, prevent, or otherwise address fraud, security or technical issues.

5 RETENTION

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable data, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy.

6 ACCESS, CORRECTION AND ACCURACY

You have the right to access the Personal Information we hold about you in order to verify the Personal Information we have collected in respect to you and to have a general account of

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FL-SEN-20-0201-A-001762

our uses of that information. Upon receipt of your written request, we will provide you with a copy of your Personal Information, although in certain limited circumstances, and as permitted under law, we may not be able to make all relevant information available to you, such as where that information also pertains to another User. In such circumstances we will provide reasons for the denial to you upon request. We will endeavor to deal with all requests for access and modifications in a timely manner.

We will make every reasonable effort to keep your Personal Information accurate and up to date, and we will provide you with mechanisms to update, correct, delete or add to your Personal Information as appropriate. As appropriate, this amended Personal Information will be transmitted to those parties to which we are permitted to disclose your information. Having accurate Personal Information about you enables us to give you the best possible service.

7 CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time. Use of Personal Information we collect is subject to the Privacy Policy in effect at the time such information is collected, used or disclosed. If we make material changes or changes in the way we use Personal Information, we will notify you by posting an announcement on our Website or sending you an email prior to the change becoming effective. You are bound by any changes to the Privacy Policy when you use the Website or Services after such changes have been first posted.

8 CHILDREN

TBV does not knowingly collect Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through or use the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children never to provide Personal Information through Services without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to TBV through the Services, please contact us, and we will endeavor to delete that information from our databases.

9 LINKS TO OTHER WEBSITES AND SERVICES

This Privacy Policy applies only to the Services. The Services may contain links to other web sites or services not operated or controlled by TBV (the "Third Party Services"). The policies and procedures we described here do not apply to the Third Party Services. The links from the Services do not imply that we endorse or have reviewed the Third Party Services. We suggest contacting those third parties directly for information on their privacy policies.

10 EXCLUSIONS

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This Privacy Policy does not apply to any Personal Information collected by TBV other than Personal Information collected through the Services. This Privacy Policy shall not apply to any unsolicited information you provide to TBV through the Services or through any other means. This includes, but is not limited to, information posted to any public areas of the Services, such as forums, any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively, "Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and TBV shall be free to reproduce, use, disclose, and distribute such Unsolicited Information to others without limitation or attribution.

11 ADDITIONAL INFORMATION

You can help by keeping us informed of any changes such as a change of address or telephone number. If you would like to access your Personal Information, if you have any questions, comments or suggestions about our Privacy Policy or practice, or if you find any errors in our Personal Information about you, please contact us at: support@tbvme.com

Last Updated: June 4, 2019

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Thank You Chair Ponder,

This bill allows for the option for Drug Courts to use electronic verification methods to ensure attendance at court ordered attendance to pre-trial treatment based programs.

There is an Amendment on the Bill-
The amendment is a product of working closely with staff to clarify the language from the Senate version. It changes the Thank You Mr. Chair and Thank You Staff for working with us on this good bill.

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“Shall” to “may” and provides for he focus on drug court programs.

Thank You Mr. Chair and Thank You Staff for working with us on this good bill.

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DUI Court

Sarasota **DUI Court** Program

The mission of DUI Court is to reduce the number of repeat DUI offenders by providing alternative community-based treatment, thereby increasing both offender productivity and public safety.

Target Population, Model & Structure

The Sarasota County DUI Court began June of 2008 within the 12th Judicial Circuit. This specialized court is very unique, there being only four other such courts in the state of Florida. The Sarasota DUI Court has received full support from the Sarasota County Board of County Commissioners and the Criminal Justice Commission. The program was started with the support of grant funds petitioned and awarded through the Highway Traffic Safety Administration of the Florida Department of Transportation.

The Sarasota DUI Court is dedicated to changing behavior by targeting offenders who are alcohol/drug dependent and are currently charged with a DUI and have 1 or more prior arrest(s) for alcohol and/or drug related offenses.

It has been noted that Florida is the third highest - ranking state in the country in alcohol related traffic fatalities. This specialty court has been designed to address this problem. Specialized DUI Courts are modeled after the highly successful Drug Court concept, having a graduated sanction/reward structure and following specific guiding principles. Furthermore, it adds elements within the court such as immediate accountability, mandatory counseling, case management, drug and alcohol testing, and community supervision. Statistics from operational DUI Courts show that recidivism decreases substantially after completion.

Upon acceptance of the offender's plea to the pending DUI charge the offender is placed on supervised probation for a period of at least one year. During this time, the DUI offender is required to comply with the mandatory statutory requirements of Florida Statutes 316.193 and 322.28 andcomplete all phases of DUI Court.

Staffing and Participants Progress

Each participant's progress is reported to the DUI Court through weekly team staffings held prior to court with the participants. Detailed status reports are prepared and copied for the Judge and all team members to review as a part of the staffing process. A review of their treatment and overall program status is discussed, along with any program violations and recommendations. The judge makes the final decision on all rewards and sanctioning.

Financial Requirements

Participants are required to provide a portion of costs towards their individualized DUI program. An initial $100.00 administrative fee and $200.00 monthly program fees are required. Mandatory financial contribution from participants has therapeutic benefits, allowing participants to be empowered having a sense of ownership through their steps of sobriety and recovery. Participants are also required to pay their mandatory minimum fines and supervision costs as ordered. In appropriate cases, participants deemed qualified by the judge may work off all or part of their fines and court costs by doing community service work. *Section 938.30, Florida Statutes (2016).*

Eligibility Requirements for **DUI Court**

- ✔ Defendant currently charged with Driving Under the Influence.
- ✔ Defendant has 1 or more prior arrest(s) for alcohol and/or drug related offenses.

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- ✓ Defendant is alcohol dependent and desires to change behavior having a willingness to complete a treatment program and participate in recovery.
- ✓ No serious violent criminal history.
- ✓ No evidence of drug dealing.
- ✓ 18 years of age or older.
- ✓ Must reside in the 12th Judicial Circuit.
- ✓ Defendant acknowledges they will be able to attend all required court appearances, treatment sessions and support meetings.
- ✓ Defendant willing to... Show Up, Be Honest & Try

PHASE I: Orientation, Duration - (Approx. 45 days)

- ✓ Mandatory jail time.
- ✓ Weekly court appearances.
- ✓ Clinical assessment
- ✓ Mental Health assessment
- ✓ Attend weekly scheduled case management meetings.
- ✓ Probation orientation and assessment
- ✓ Minimum of one home visit by probation, case manager or law enforcement.
- ✓ Submit to a minimum of three random alcohol/drug screens per week.
- ✓ Attend a minimum of three support/sober network meetings per week.
- ✓ Attend a minimum of three "in house" group meetings per week.
- ✓ Weekly individual counseling sessions.
- ✓ Comply with any additional requirements recommended by the treatment provider

To advance to Phase II:
Completed jail time, completed all assessments, minimum 14 consecutive days clean and sober, pay no less than $100 assessment fee, signed Phase II contract.

PHASE II: Early Recovery, Duration - (Approx. 90 days)

- ✓ Follow all rules and regulations of treatment.
- ✓ Weekly court appearances
- ✓ Attend weekly scheduled case management meetings.
- ✓ Attend scheduled monthly meetings with Probation Officer.
- ✓ Attend a minimum of three support/sober network meetings per week.
- ✓ Attend scheduled meetings with counselor as recommended.
- ✓ Submit to a minimum of three random alcohol/drug screens per week.
- ✓ Attend a minimum of two "in house" group meetings per week
- ✓ Enroll in DUI School and Victim Impact Panel.
- ✓ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by judge
- ✓ Minimum of one home visit by probation, case manager or law enforcement.
- ✓ Pay DUI Court Program fees.
- ✓ Obtain verified sponsor.

To advance to Phase III:
Completed all phase requirements; current on program fees, enroll in DUI School and Victim Impact Panel, minimum of 30 consecutive days clean and sober, signed Phase III contract.

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PHASE III - Maintenance & Relapse Prevention, Duration - (Approx. 115 days)

- ✔ Follow all rules and regulations of treatment.
- ✔ Bi-weekly court appearances
- ✔ Attend scheduled monthly meetings with Probation Officer.
- ✔ Attend scheduled case management meetings as recommended.
- ✔ Minimum of one home visit by probation, case management or law enforcement.
- ✔ Attend scheduled meetings with counselor as recommended.
- ✔ Attend a minimum of three support/sober network meetings per week.
- ✔ Attend a minimum of two "in house" group meetings per week.
- ✔ Submit to a minimum of three random alcohol/drug screens per week.
- ✔ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by the judge.
- ✔ Pay DUI Court program fees
- ✔ Begin and attend financial counseling as determined by the court.

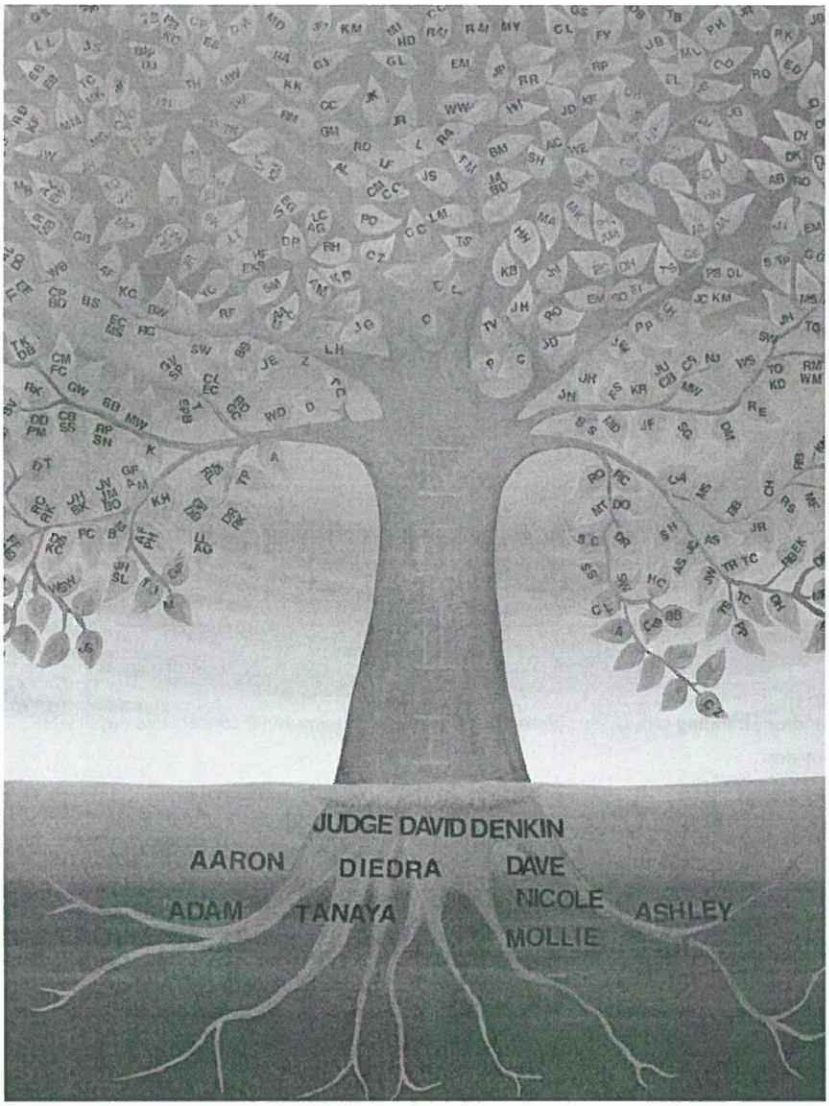
To advance to Phase IV:
Completed all phase requirements, must be employed and/or attending school, completed DUI School/VIP, minimum 90 consecutive days clean and sober, current on program fees, signed Phase IV contract.

PHASE IV - Continuance of Care & Commencement, Duration - (Approx. 115 days)

- ✔ Follow all rules and regulations of treatment.
- ✔ Monthly court appearances.
- ✔ Attend scheduled monthly meetings with Probation Officer.
- ✔ Attend case management meetings as recommended.
- ✔ Minimum of one home visit by probation, case management or law enforcement.
- ✔ Attend scheduled meetings with counselor as recommended.
- ✔ Submit to a minimum of three random alcohol/drug screens per week.
- ✔ Attend a minimum of three support/sober network meetings per week.
- ✔ Attend a minimum of two "in house" group meetings per week
- ✔ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by the judge.
- ✔ Pay DUI Court program fees, court costs and fines.
- ✔ Develop Relapse prevention plan
- ✔ Continue to address medical and mental health issues.
- ✔ Complete program exit interview
- ✔ DUI Court Commencement

DUI Court Graduation Tree

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Policy & Procedure

Brochure

Related Links

- Sarasota DUI Court Admission Application
- Sarasota DUI Court Adopt a Road

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- ✔ Sarasota DUI Court Agreement
- ✔ Drug Court Program
- ✔ Veterans Treatment Court

Information Links

- Accessibility Information
- Career Opportunities
- Contact information
- Frequently Asked Questions
- Subscription Service
- courtweb@jud12.flcourts.org

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About the Courts

The courts are an independent branch of government constitutionally entrusted with the fair and just resolution of disputes to protect the rights and liberties guaranteed by the Constitution and laws of the United States and the State of Florida.

Read More About the Court ...

Courthouse Locations

DESOTO COUNTY
- DeSoto County Courthouse

MANATEE COUNTY
- Manatee County Judicial Center

SARASOTA COUNTY
- Judge Lynn N. Silvertooth Judicial Center (Main Courthouse)
- R. L. Anderson Administration Building (Venice/South County)
- Sarasota County Justice Center

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Standing alone, cookies do not identify you personally. They merely recognize your browser. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer.

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4 DISCLOSURE OF PERSONAL INFORMATION WITH THIRD PARTIES

4.1 Disclosure to our Service Providers

We may from time to time employ or engage other companies and people to perform tasks on our behalf and need to share Personal Information with them to provide the Services. Unless we tell you differently, we only provide such third parties with the Personal Information that they need to perform their specific function. This includes third party companies and individuals employed or engaged by us to facilitate our products and services, including the provision of maintenance services, database management, customer relationship management, web analytics and general improvement of the Services, and businesses who engage our Services (to the extent provided for above). In particular, TBV uses the following service providers: Google Cloud Platform, Amazon AWS, Stripe and Google Analytics.

4.2 Business Transfers

If we (or any of our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information may be made available or otherwise transferred to the new controlling entity, where permitted under applicable law.

4.3 With Your Consent

If we need to use or disclose any Personal Information in a way not identified in this Privacy Policy, we will notify you and/or obtain your express consent as required under applicable privacy laws.

4.4 Affiliates

We may also share your Personal Information with our subsidiaries or other affiliated companies for purposes consistent with this Privacy Policy.

4.5 As required by law

We may disclose your Personal Information to third parties without your consent if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against

AMERICAN OVERSIGHT

someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other Users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities. Further, we may disclose Personal Information when we believe in good faith that such disclosure is required by and in accordance with the law. We also reserve the right to access, read, preserve, and disclose any information as we reasonably believe is necessary to:

- satisfy any applicable law, regulation, legal process or governmental request;
- enforce our contracts or user agreement (Terms of Service), including investigation of potential violations hereof; and
- detect, prevent, or otherwise address fraud, security or technical issues.

5 RETENTION

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable data, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy.

6 ACCESS, CORRECTION AND ACCURACY

You have the right to access the Personal Information we hold about you in order to verify the Personal Information we have collected in respect to you and to have a general account of our uses of that information. Upon receipt of your written request, we will provide you with a copy of your Personal Information, although in certain limited circumstances, and as permitted under law, we may not be able to make all relevant information available to you, such as where that information also pertains to another User. In such circumstances we will provide reasons for the denial to you upon request. We will endeavor to deal with all requests for access and modifications in a timely manner.

We will make every reasonable effort to keep your Personal Information accurate and up to date, and we will provide you with mechanisms to update, correct, delete or add to your Personal Information as appropriate. As appropriate, this amended Personal Information will be transmitted to those parties to which we are permitted to disclose your information. Having accurate Personal Information about you enables us to give you the best possible service.

7 CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time. Use of Personal Information we collect is subject to the Privacy Policy in effect at the time such information is collected, used or disclosed. If we make material changes or changes in the way we use Personal Information, we will notify you by posting an announcement on our Website or sending you an email prior to the change becoming effective. You are bound by any changes to the Privacy Policy when you use the Website or Services after such changes have been first posted.

8 CHILDREN

TBV does not knowingly collect Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through or use the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce

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our Privacy Policy by instructing their children never to provide Personal Information through Services without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to TBV through the Services, please contact us, and we will endeavor to delete that information from our databases.

9 LINKS TO OTHER WEBSITES AND SERVICES

This Privacy Policy applies only to the Services. The Services may contain links to other web sites or services not operated or controlled by TBV (the "Third Party Services"). The policies and procedures we described here do not apply to the Third Party Services. The links from the Services do not imply that we endorse or have reviewed the Third Party Services. We suggest contacting those third parties directly for information on their privacy policies.

10 EXCLUSIONS

This Privacy Policy does not apply to any Personal Information collected by TBV other than Personal Information collected through the Services. This Privacy Policy shall not apply to any unsolicited information you provide to TBV through the Services or through any other means. This includes, but is not limited to, information posted to any public areas of the Services, such as forums, any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively, "Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and TBV shall be free to reproduce, use, disclose, and distribute such Unsolicited Information to others without limitation or attribution.

11 ADDITIONAL INFORMATION

You can help by keeping us informed of any changes such as a change of address or telephone number. If you would like to access your Personal Information, if you have any questions, comments or suggestions about our Privacy Policy or practice, or if you find any errors in our Personal Information about you, please contact us at: support@tbvme.com

Last Updated: June 4, 2019

AMERICAN OVERSIGHT

From: Katie Richardson <krichardson@enterpriseflorida.com>
Sent: Friday, January 17, 2020 2:00 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Invitation to the Enterprise Florida January 2020 Board of Directors & Stakeholders Meeting

Enterprise Florida January 2020 Board of Directors & Stakeholders Meetings

When

January 21, 2020 & January 22, 2020

Where

Augustus B Turnbull Conference Center

555 W Pensacola St, Tallahassee, FL 32306

Registration Deadline

January 6, 2020

Please respond by clicking Yes or No.

We look forward to your response.

AMERICAN OVERSIGHT

From: Mark Pinvidic <mpinvidic@noblefcm.com>
Sent: Wednesday, January 29, 2020 10:23 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Jeb Bush & Ari Fleischer to deliver keynotes - Presidents Day in South Florida - your invitation to attend

Hello,

We are extremely pleased to present the 43rd Governor of Florida (1999-2007) as our keynote speaker on Presidents Day (February 17, 2020), and Ari Fleischer, the 21st White House Press Secretary, for President George W. Bush on February 18, 2020, at our sixteenth annual small & microcap investor conference to be held at the all-new, flagship Hard Rock "Guitar" Hotel in Hollywood, Florida. Both featured speakers will open each day of conference in the Seminole Grand Ballroom at 8:30am. Both Governor Bush and Mr. Fleischer's keynote address will be followed by a moderated question and answer period.

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By way of background, NobleCon brings together c-suite executives of emerging growth companies (125 public companies represented) and the broad investment community (institutional investors, investment advisors, family offices, self-directed investors, independent brokers and equity analysts). These are the companies that may represent the next breakthrough in science, technology and medicine. NobleCon helps build awareness for these companies so they can attract investment support in order to complete their missions. As sponsors of NobleCon, with our roots in Florida since 1984, Noble Capital Markets is intrinsically interested in promoting companies domiciled in our state or those (we think) should be. We have offered Governor DeSantis an opportunity to promote the advantages of having a Florida corporate address, unfortunately his schedule cannot accommodate our invitation.

We would like to invite you to attend our keynote addresses or, if you have a passion for sitting in on the presentations of these corporate leaders and the other events the conference features, you are welcome to attend the entire conference at a significantly reduced attendance fee: Jeb Bush / Ari Fleischer Keynotes: $49 for one or $79 for both; full access to NobleCon16 is $149.

Here is the conference website so you can get all of the detailswww.nobleconference.com. Here is a link to register for the event(s): registration

In closing, we wish to thank you for your public service and doing your part in making Florida the greatest state in the union!

Mark Pinvidic
Managing Partner
Noble Capital Markets, Inc.
225 NE Mizner Blvd, Suite 150
Boca Raton, FL 33432
Direct Line (561) 994-5742
Email mpinvidic@noblecapitalmarkets.com
www.noblecapitalmarkets.com



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From: Mark Pinvidic <mpinvidic@noblefcm.com>
Sent: Wednesday, January 29, 2020 11:01 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Jeb Bush & Ari Fleischer to deliver keynotes - Presidents Day in South Florida - your invitation to attend

Hello,

We are extremely pleased to present the 43rd Governor of Florida (1999-2007) as our keynote speaker on Presidents Day (February 17, 2020), and Ari Fleischer, the 21st White House Press Secretary, for President George W. Bush on February 18, 2020, at our sixteenth annual small & microcap investor conference to be held at the all-new, flagship Hard Rock "Guitar" Hotel in Hollywood, Florida. Both featured speakers will open each day of conference in the Seminole Grand Ballroom at 8:30am. Both Governor Bush and Mr. Fleischer's keynote address will be followed by a moderated question and answer period.

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Here is the conference website so you can get all of the detailswww.nobleconference.com. Here is a link to register for the event(s): registration

In closing, we wish to thank you for your public service and doing your part in making Florida the greatest state in the union!

Mark Pinvidic
Managing Partner
Noble Capital Markets, Inc.
225 NE Mizner Blvd, Suite 150
Boca Raton, FL 33432
Direct Line (561) 994-5742
Email mpinvidic@noblecapitalmarkets.com
www.noblecapitalmarkets.com



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From: Mark Pinvidic <mpinvidic@noblefcm.com>
Sent: Wednesday, January 29, 2020 10:43 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Jeb Bush & Ari Fleischer to deliver keynotes - Presidents Day in South Florida - your invitation to attend

Hello,

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Mark Pinvidic
Managing Partner
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Boca Raton, FL 33432
Direct Line (561) 994-5742
Email mpinvidic@noblecapitalmarkets.com
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From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, January 07, 2020 11:22 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Keynote Speaker Announcement! GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER- February 20, 2020

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER

When: 20 Feb 2020 6:00 PM, EST
Where: Hyatt Regency Sarasota- 1000 Blvd of the Arts

Will you be attending?

REGISTER

Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm
Program 7:00 - 9:00 pm

Registration opens at 5:45 PM

Keynote Speaker: Attorney General Ashley Moody

Join us in Welcoming Incoming Chairman

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:
Rich Stehle, Climatic Conditioning Company

Posthumous Lifetime Achievment Awardee:

Nathan Benderson, Benderson Development

Plus a Surprise Chairman's Award and Volunteer of the Year!

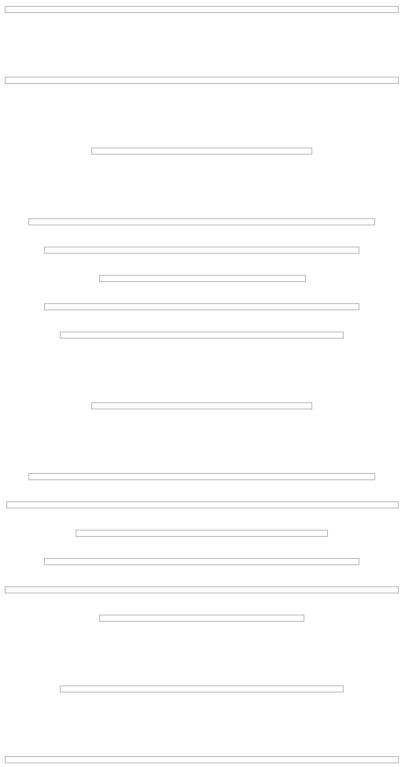
This year's dinner theme will be *Preserving Our Past and Building Our Future*e We are asking members to submit local projects for consideration to be showcased at the dinner in different ways including table settings, PowerPoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration!

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THANK YOU AWARDS SPONSOR!

THANK YOU KEYSTONE EVENT SPONSORS!



Best regards,
Gulf Coast Builders Exchange

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From: Kopelousos, Stephanie <Stephanie.Kopelousos@eog.myflorida.com>
Sent: Wednesday, November 13, 2019 12:17 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Language for DEP bill
Attachment(s): "DEP PENALTY PROVISIONS 9_2019.docx"

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.

AMERICAN OVERSIGHT

161.054

Administrative fines; liability for damage; liens.—
(1) In addition to the penalties provided for in ss. 161.052, 161.053, and 161.121, any person, firm, corporation, or governmental agency, or agent thereof, refusing to comply with or willfully violating any of the provisions of s. 161.041, s. 161.052, or s. 161.053, or any rule or order prescribed by the department thereunder, shall incur a fine for each offense in an amount up to ~~**$10,000**~~ **$15,000** to be fixed, imposed, and collected by the department. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

AMERICAN OVERSIGHT

252.941

Prohibitions, violations, penalties, intent.—

(2) Any person who willfully commits a violation specified in subsection (1) is guilty of a misdemeanor of the first degree punishable as provided in s. 775.083(1)(g) by a fine of not more than ~~**$10,000**~~ **$15,000** for each offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

AMERICAN OVERSIGHT

258.397

Biscayne Bay Aquatic Preserve.—

(7) ENFORCEMENT.—The provisions of this section may be enforced in accordance with the provisions of s. 403.412. In addition, the Department of Legal Affairs is authorized to bring an action for civil penalties of ~~**$5,000**~~ **$7,500** per day against any person, natural or corporate, who violates the provisions of this section or any rule or regulation issued hereunder **and until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense. Enforcement of applicable state regulations shall be supplemented by the Miami-Dade County Department of Environmental Resources Management through the creation of a full-time enforcement presence along the Miami River.

AMERICAN OVERSIGHT

258.46

Enforcement; violations; penalty.—The provisions of this act may be enforced by the Board of Trustees of the Internal Improvement Trust Fund or in accordance with the provisions of s. 403.412. However, any violation by any person, natural or corporate, of the provisions of this act or any rule or regulation issued hereunder shall be further punishable by a civil penalty of not less than **~~$500~~ $750** per day or more than **~~$5,000~~ $7,500** per day of such violation **and until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

AMERICAN OVERSIGHT

373.129

Maintenance of actions.—The department, the governing board of any water management district, any local board, or a local government to which authority has been delegated pursuant to s. 373.103(8), is authorized to commence and maintain proper and necessary actions and proceedings in any court of competent jurisdiction for any of the following purposes:

(5) To recover a civil penalty for each offense in an amount not to exceed ~~**$10,000**~~ **$15,000** per offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

AMERICAN OVERSIGHT

373.209

Artesian wells; penalties for violation.—

(3) Any person who violates any provision of this section shall be subject to either:

(a) The remedial measures provided for in s. 373.436; or

(b) A civil penalty of ~~**$100**~~ **$150** a day for each and every day of such violation and for each and every act of violation. The civil penalty may be recovered by the water management board of the water management district in which the well is located or by the department in a suit in a court of competent jurisdiction in the county where the defendant resides, in the county of residence of any defendant if there is more than one defendant, or in the county where the violation took place. The place of suit shall be selected by the board or department, and the suit, by direction of the board or department, shall be instituted and conducted in the name of the board or department by appropriate counsel. The payment of any such damages does not impair or abridge any cause of action which any person may have against the person violating any provision of this section.

AMERICAN OVERSIGHT

373.430

Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree, punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g), by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

(4) Any person who commits a violation specified in paragraph (1)(a) **or paragraph (1)(b)** due to reckless indifference or gross careless disregard is guilty of a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g), by a fine of not more than ~~**$5,000**~~ **$10,000** or 60 days in jail, or by both, for each offense.

(5) Any person who willfully commits a violation specified in paragraph (1)(b) or **commits a violation specified in** paragraph (1)(c) is guilty of a misdemeanor of the first degree, punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not more than $10,000 or by 6 months in jail, or by both, for each offense.

AMERICAN OVERSIGHT

(5)(a) A person who violates this section or the terms and requirements of such certification commits a noncriminal infraction. The civil penalty for any such infraction shall be ~~**$500**~~ **$750**, except as otherwise provided in this section.

(e) A person who elects to appear before the county court or who is required to so appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of ~~**$500**~~ **$750**.

AMERICAN OVERSIGHT

376.071

Discharge contingency plan for vessels.—

(2)(a) A master of a vessel that violates subsection (1) commits a noncriminal infraction and shall be cited for such infraction. The civil penalty for such an infraction shall be ~~**$5,000**~~ **$7,500**, except as otherwise provided in this subsection.

(e) A person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalty specified in paragraph (a). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of the infraction is proved, the court shall impose a civil penalty of ~~**$5,000**~~ **$7,500**.

AMERICAN OVERSIGHT

376.16

Enforcement and penalties.—

(1) It is unlawful for any person to violate any provision of ss. 376.011-376.21 or any rule or order of the department made pursuant to this act. Violation shall be punishable by a civil penalty of up to ~~**$50,000**~~ **$75,000** per violation per day to be assessed by the department. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense. The penalty provisions of this subsection shall not apply to any discharge promptly reported and removed by a person responsible, in accordance with the rules and orders of the department, or to any discharge of pollutants equal to or less than 5 gallons.

(2) In addition to the penalty provisions which may apply under subsection (1), a person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel over 5 gallons, the civil penalty for the second discharge shall be ~~**$500**~~ **$750** and the civil penalty for each subsequent discharge within a 12-month period shall be ~~**$1,000**~~ **$1,500**, except as otherwise provided in this section.

(b) For discharges of any pollutant other than gasoline or diesel, the civil penalty for a second discharge shall be ~~**$2,500**~~ **$3,750** and the civil penalty for each subsequent discharge within a 12-month period shall be ~~**$5,000**~~ **$7,500**, except as otherwise provided in this section.

AMERICAN OVERSIGHT

(3) A person responsible for two or more discharges of any pollutant reported pursuant to s. 376.12 within a 12-month period at the same facility commits a noncriminal infraction and shall be cited by the department for such infraction.

(a) For discharges of gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be ~~$50~~ **$75** for each discharge subsequent to the first.

(b) For discharges of pollutants other than gasoline or diesel equal to or less than 5 gallons, the civil penalty shall be ~~$100~~ **$150** for each discharge subsequent to the first.

(7) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, ~~$500~~ **$750** for the second discharge of gasoline or diesel and a civil penalty up to, but not exceeding, ~~$1,000~~ **$1,500** for each subsequent discharge of gasoline or diesel within a 12-month period.

(8) Any person who elects to appear before the county court or who is required to appear waives the limitations of the civil penalties specified in subsection (2) or subsection (3). The court, after a hearing, shall make a determination as to whether an infraction has been committed. If the commission of an infraction is proved, the court may impose a civil penalty up to, but not exceeding, ~~$5,000~~ **$7,500** for the second discharge of pollutants other than gasoline or diesel and a civil penalty up to, but not exceeding, ~~$10,000~~ **$15,000** for each subsequent discharge of pollutants other than gasoline or diesel within a 12-month period.

AMERICAN OVERSIGHT

376.25

Gambling vessels; registration; required and prohibited releases.—

(6) PENALTIES.—

(a) A person who violates this section is subject to a civil penalty of not more than ~~**$50,000**~~ **$75,000** for each violation. **Until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.**

AMERICAN OVERSIGHT

376.302

Prohibited acts; penalties.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) or paragraph (1)(b) shall be guilty of a misdemeanor of the first degree punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g), by a fine of not less than $2,500 or more than $25,000, or punishable by 1 year in jail, or by both for each offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

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377.37

Penalties.—

(1)(a) Any person who violates any provision of this law or any rule, regulation, or order of the division made under this chapter or who violates the terms of any permit to drill for or produce oil, gas, or other petroleum products referred to in s. 377.242(1) or to store gas in a natural gas storage facility, or any lessee, permitholder, or operator of equipment or facilities used in the exploration for, drilling for, or production of oil, gas, or other petroleum products, or storage of gas in a natural gas storage facility, who refuses inspection by the division as provided in this chapter, is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state. Furthermore, such person, lessee, permitholder, or operator is subject to the judicial imposition of a civil penalty in an amount of not more than ~~**$10,000**~~ **$15,000** for each offense. However, the court may receive evidence in mitigation. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense. Nothing herein shall give the department the right to bring an action on behalf of any private person.

AMERICAN OVERSIGHT

378.211

Violations; damages; penalties.—

(2) The department may institute a civil action in a court of competent jurisdiction to impose and recover a civil penalty for violation of this part or of any rule adopted or order issued pursuant to this part. The penalty shall not exceed the following amounts, and the court shall consider evidence in mitigation:

(a) For violations of a minor or technical nature, ~~**$100**~~ **$150** per violation.

(b) For major violations by an operator on which a penalty has not been imposed under this paragraph during the previous 5 years, ~~**$1,000**~~ **$1,500** per violation.

(c) For major violations not covered by paragraph (b), ~~**$5,000**~~ **$7,500** per violation.

Subject to the provisions of subsection (4), **until a violation is resolved by order or judgment, each day during any portion of which such violation occurs or is not remediated constitutes a separate offense.**

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403.086

Sewage disposal facilities; advanced and secondary waste treatment.—

(2) Any facilities for sanitary sewage disposal shall provide for secondary waste treatment and, in addition thereto, advanced waste treatment as deemed necessary and ordered by the Department of Environmental Protection. Failure to conform shall be punishable by a civil penalty of ~~**$500**~~ **$750** for each 24-hour day or fraction thereof that such failure is allowed to continue thereafter.

AMERICAN OVERSIGHT

403.121

Enforcement; procedure; remedies.—The department shall have the following judicial and administrative remedies available to it for violations of this chapter, as specified in s. 403.161(1).

(1) Judicial remedies:

(b) The department may institute a civil action in a court of competent jurisdiction to impose and to recover a civil penalty for each violation in an amount of not more than ~~**$10,000**~~ **$15,000** per offense. However, the court may receive evidence in mitigation. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

(2) Administrative remedies:

(b) If the department has reason to believe a violation has occurred, it may institute an administrative proceeding to order the prevention, abatement, or control of the conditions creating the violation or other appropriate corrective action. Except for violations involving hazardous wastes, $asbestos, or underground injection, the department shall proceed administratively in all cases in which the department seeks administrative penalties that do not exceed of ~~**$10,000**~~ **$50,000** per assessment as calculated in accordance with subsections (3), (4), (5), (6), and (7). Pursuant to 42 U.S.C. s. 300g-2, the administrative penalty assessed pursuant to subsection (3), subsection (4), or subsection (5) against a public water system serving a population of more than 10,000 shall be not less than $1000 per day per violation. The department shall not impose administrative penalties in excess of ~~**$10,000**~~ **$50,000** in a notice of violation. The department shall not have more than one notice of violation seeking administrative penalties pending against the same party at the same time unless the violations occurred at a different site or the violations were discovered

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by the department subsequent to the filing of a previous notice of violation.

(g) Nothing herein shall be construed as preventing any other legal or administrative action in accordance with law. Nothing in this subsection shall limit the department's authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief. When the department exercises its authority to judicially pursue injunctive relief, penalties in any amount up to the statutory maximum sought by the department must be pursued as part of the state court action and not by initiating a separate administrative proceeding. The department retains the authority to judicially pursue penalties in excess of ~~**$10,000**~~ **$50,000** for violations not specifically included in the administrative penalty schedule, or for multiple or multiday violations alleged to exceed a total of ~~**$10,000**~~ **$50,000**. The department also retains the authority provided in ss. 403.131, 403.141, and this section to judicially pursue injunctive relief and damages, if a notice of violation seeking the imposition of administrative penalties has not been issued. The department has the authority to enter into a settlement, either before or after initiating a notice of violation, and the settlement may include a penalty amount different from the administrative penalty schedule. Any case filed in state court because it is alleged to exceed a total of ~~**$10,000**~~ **$50,000** in penalties may be settled in the court action for less than ~~**$10,000**~~ **$50,000**.

(3) Except for violations involving hazardous wastes, asbestos, or underground injection, administrative penalties must be calculated according to the following schedule:

(a) For a drinking water contamination violation, the department shall assess a penalty of ~~**$2,000**~~ **$3,000** for a Maximum Containment Level (MCL) violation; plus ~~**$1,000**~~ **$1,500** if the violation is for a primary inorganic, organic, or radiological

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Maximum Contaminant Level or it is a fecal coliform bacteria violation; plus ~~$1,000~~ $1,500 if the violation occurs at a community water system; and plus ~~$1,000~~ $1,500 if any Maximum Contaminant Level is exceeded by more than 100 percent. For failure to obtain a clearance letter prior to placing a drinking water system into service when the system would not have been eligible for clearance, the department shall assess a penalty of ~~$3,000~~ $4,500.

(b) For failure to obtain a required wastewater permit, other than a permit required for surface water discharge, the department shall assess a penalty of ~~$1,000~~ $1,500. For a domestic or industrial wastewater violation not involving a surface water or groundwater quality violation, the department shall assess a penalty of ~~$2,000~~ $3,000 for an unpermitted or unauthorized discharge or effluent-limitation exceedance. For an unpermitted or unauthorized discharge or effluent-limitation exceedance that resulted in a surface water or groundwater quality violation, the department shall assess a penalty of ~~$5,000~~ $7,500.

(c) For a dredge and fill or stormwater violation, the department shall assess a penalty of ~~$1,000~~ $1,500 for unpermitted or unauthorized dredging or filling or unauthorized construction of a stormwater management system against the person or persons responsible for the illegal dredging or filling, or unauthorized construction of a stormwater management system plus ~~$2,000~~ $3,000 if the dredging or filling occurs in an aquatic preserve, Outstanding Florida Water, conservation easement, or Class I or Class II surface water, plus ~~$1,000~~ $1,500 if the area dredged or filled is greater than one-quarter acre but less than or equal to one-half acre, and plus ~~$1,000~~ $1,500 if the area dredged or filled is greater than one-half acre but less than or equal to one acre. The administrative

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penalty schedule shall not apply to a dredge and fill violation if the area dredged or filled exceeds one acre. The department retains the authority to seek the judicial imposition of civil penalties for all dredge and fill violations involving more than one acre. The department shall assess a penalty of ~~$3,000~~ **$4,500** for the failure to complete required mitigation, failure to record a required conservation easement, or for a water quality violation resulting from dredging or filling activities, stormwater construction activities or failure of a stormwater treatment facility. For stormwater management systems serving less than 5 acres, the department shall assess a penalty of ~~$2,000~~ **$3,000** for the failure to properly or timely construct a stormwater management system. In addition to the penalties authorized in this subsection, the department shall assess a penalty of ~~$5,000~~ **$7,500** per violation against the contractor or agent of the owner or tenant that conducts unpermitted or unauthorized dredging or filling. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer shall not make that person an agent of the owner or tenant.

(d) For mangrove trimming or alteration violations, the department shall assess a penalty of ~~$5,000~~ **$7,500** per violation against the contractor or agent of the owner or tenant that conducts mangrove trimming or alteration without a permit as required by s. 403.9328. For purposes of this paragraph, the preparation or signing of a permit application by a person currently licensed under chapter 471 to practice as a professional engineer shall not make that person an agent of the owner or tenant.

(e) For solid waste violations, the department shall assess a penalty of ~~$2,000~~ **$3,000** for the unpermitted or unauthorized

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disposal or storage of solid waste; plus $1,000 if the solid waste is Class I or Class III (excluding yard trash) or if the solid waste is construction and demolition debris in excess of 20 cubic yards, plus ~~**$1,000**~~ **$1,500** if the waste is disposed of or stored in any natural or artificial body of water or within 500 feet of a potable water well, plus ~~**$1,000**~~ **$1,500** if the waste contains PCB at a concentration of 50 parts per million or greater; untreated biomedical waste; friable asbestos greater than 1 cubic meter which is not wetted, bagged, and covered; used oil greater than 25 gallons; or 10 or more lead acid batteries. The department shall assess a penalty of ~~**$3,000**~~ **$4,500** for failure to properly maintain leachate control; unauthorized burning; failure to have a trained spotter on duty at the working face when accepting waste; failure to provide access control for three consecutive inspections. The department shall assess a penalty of ~~**$2,000**~~ **$3,000** for failure to construct or maintain a required stormwater management system.

(f) For an air emission violation, the department shall assess a penalty of ~~**$1,000**~~ **$1,500** for an unpermitted or unauthorized air emission or an air-emission-permit exceedance, ~~plus $1,000 if the emission results in an air quality violation,~~ plus ~~**$3,000**~~ **$4,500** if the emission was from a major source and the source was major for the pollutant in violation; plus ~~**$1,000**~~ **$1,500** if the emission was more than 150 percent of the allowable level.

(g) For storage tank system and petroleum contamination violations, the department shall assess a penalty of ~~**$5,000**~~ **$7,500** for failure to empty a damaged storage system as necessary to ensure that a release does not occur until repairs to the storage system are completed; when a release has occurred from that storage tank system; for failure to timely recover free product; or for failure to conduct remediation or monitoring activities until a no-further-action or site-

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rehabilitation completion order has been issued. The department shall assess a penalty of ~~$3,000~~ **$4,500** for failure to timely upgrade a storage tank system. The department shall assess a penalty of ~~$2,000~~ **$3,000** for failure to conduct or maintain required release detection; failure to timely investigate a suspected release from a storage system; depositing motor fuel into an unregistered storage tank system; failure to timely assess or remediate petroleum contamination; or failure to properly install a storage tank system. The department shall assess a penalty of $~~$1,000~~ **$1,500** for failure to properly operate, maintain, or close a storage tank system.

(4) In an administrative proceeding, in addition to the penalties that may be assessed under subsection (3), the department shall assess administrative penalties according to the following schedule:

(a) For failure to satisfy financial responsibility requirements or for violation of s. 377.371(1), ~~$5,000~~ **$7,500**.

(b) For failure to install, maintain, or use a required pollution control system or device, ~~$4,000~~ **$6,000**.

(c) For failure to obtain a required permit before construction or modification, ~~$3,000~~ **$4,500**.

(d) For failure to conduct required monitoring or testing; failure to conduct required release detection; or failure to construct in compliance with a permit, ~~$2,000~~ **$3,000**.

(e) For failure to maintain required staff to respond to emergencies; failure to conduct required training; failure to prepare, maintain, or update required contingency plans; failure to adequately respond to emergencies to bring an emergency situation under control; or failure to submit required notification to the department, ~~$1,000~~ **$1,500**.

(f) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for

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failure to prepare, submit, maintain, or use required reports or other required documentation, ~~$500~~ **$750**.

(5) Except as provided in subsection (2) with respect to public water systems serving a population of more than 10,000, for failure to comply with any other departmental regulatory statute or rule requirement not otherwise identified in this section, the department may assess a penalty of ~~$500~~ **$1000**.

(6) For each additional day during which a violation occurs, the administrative penalties in subsection (3), subsection (4), and subsection (5) may be assessed per day per violation.

(7) The history of noncompliance of the violator for any previous violation resulting in an executed consent order, but not including a consent order entered into without a finding of violation, or resulting in a final order or judgment after the effective date of this law involving the imposition of ~~$2,000~~ **$3,000** or more in penalties shall be taken into consideration in the following manner:

(a) One previous such violation within 5 years prior to the filing of the notice of violation will result in a 25-percent per day increase in the scheduled administrative penalty.

(b) Two previous such violations within 5 years prior to the filing of the notice of violation will result in a 50-percent per day increase in the scheduled administrative penalty.

(c) Three or more previous such violations within 5 years prior to the filing of the notice of violation will result in a 100-percent per day increase in the scheduled administrative penalty.

(8) The direct economic benefit gained by the violator from the violation, where consideration of economic benefit is provided by Florida law or required by federal law as part of a federally delegated or approved program, shall be added to the scheduled administrative penalty. The total administrative penalty,

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including any economic benefit added to the scheduled administrative penalty, shall not exceed ~~**$10,000**~~ **$15,000**.

(9) The administrative penalties assessed for any particular violation shall not exceed ~~**$5,000**~~ **$7,500** against any one violator, unless the violator has a history of noncompliance, the economic benefit of the violation as described in subsection (8) exceeds ~~**$5,000**~~ **$7,500**, or there are multiday violations. The total administrative penalties shall not exceed ~~**$10,000**~~ **$50,000** per assessment for all violations attributable to a specific person in the notice of violation.

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403.141

Civil liability; joint and several liability.—

(1) Whoever commits a violation specified in s. 403.161(1) is liable to the state for any damage caused to the air, waters, or property, including animal, plant, or aquatic life, of the state and for reasonable costs and expenses of the state in tracing the source of the discharge, in controlling and abating the source and the pollutants, and in restoring the air, waters, and property, including animal, plant, and aquatic life, of the state to their former condition, and furthermore is subject to the judicial imposition of a civil penalty for each offense in an amount of not more than ~~**$10,000**~~ **$15,000** per offense. However, the court may receive evidence in mitigation. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense. Nothing herein shall give the department the right to bring an action on behalf of any private person.

AMERICAN OVERSIGHT

403.161

Prohibitions, violation, penalty, intent.—

(3) Any person who willfully commits a violation specified in paragraph (1)(a) is guilty of a felony of the third degree punishable as provided in ss. 775.082(3)(e) and 775.083(1)(g) by a fine of not more than $50,000 or by imprisonment for 5 years, or by both, for each offense. **Until a violation is resolved by order or judgment**, each day during any portion of which such violation occurs **or is not remediated** constitutes a separate offense.

(4) Any person who commits a violation specified in paragraph (1)(a) **or paragraph (1)(b)** due to reckless indifference or gross careless disregard is guilty of a misdemeanor of the second degree, punishable as provided in ss. 775.082(4)(b) and 775.083(1)(g) by a fine of not more than ~~**$5,000**~~ **$10,000** or by 60 days in jail, or by both, for each offense.

(5) Any person who willfully commits a violation specified in paragraph (1)(b) or **commits a violation specified in** paragraph (1)(c) is guilty of a misdemeanor of the first degree punishable as provided in ss. 775.082(4)(a) and 775.083(1)(g) by a fine of not more than $10,000 or by 6 months in jail, or by both for each offense.

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403.413

Florida Litter Law.—

(6) PENALTIES; ENFORCEMENT.—

(a) Any person who dumps litter in violation of subsection (4) in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume and not for commercial purposes is guilty of a noncriminal infraction, punishable by a civil penalty of ~~$100~~ **$150**, from which $50 shall be deposited into the Solid Waste Management Trust Fund to be used for the solid waste management grant program pursuant to s. 403.7095. In addition, the court may require the violator to pick up litter or perform other labor commensurate with the offense committed.

AMERICAN OVERSIGHT

403.7234

Small quantity generator notification and verification program.—

(5) Any small quantity generator who does not comply with the requirements of subsection (4) and who has received a notification and survey in person or through one certified letter from the county is subject to a fine of between ~~$50~~ **$75** and ~~$100~~ **$150** per day for a maximum of 100 days. The county may collect such fines and deposit them in its general revenue fund. Fines collected by the county shall be used to carry out the notification and verification procedure established in this section. If there are excess funds after the notification and verification procedures have been completed, such funds shall be used for hazardous and solid waste management purposes only.

AMERICAN OVERSIGHT

403.726

Abatement of imminent hazard caused by hazardous substance.—

(3) An imminent hazard exists if any hazardous substance creates an immediate and substantial danger to human health, safety, or welfare or to the environment. The department may institute action in its own name, using the procedures and remedies of s. 403.121 or s. 403.131, to abate an imminent hazard. However, the department is authorized to recover a civil penalty of not more than ~~$25,000~~ **$37,500** **for each day until a violation is resolved by order or judgment**. Whenever serious harm to human health, safety, and welfare; the environment; or private or public property may occur prior to completion of an administrative hearing or other formal proceeding which might be initiated to abate the risk of serious harm, the department may obtain, ex parte, an injunction without paying filing and service fees prior to the filing and service of process.

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403.727

Violations; defenses, penalties, and remedies.—

(3) Violations of the provisions of this act are punishable as follows:

(a) Any person who violates the provisions of this act, the rules or orders of the department, or the conditions of a permit is liable to the state for any damages specified in s. 403.141 and for a civil penalty of not more than ~~$50,000~~ **$75,000** for each day of continued violation **or until a violation is resolved by order or judgment**, except as otherwise provided herein. The department may revoke any permit issued to the violator. In any action by the department against a small hazardous waste generator for the improper disposal of hazardous wastes, a rebuttable presumption of improper disposal shall be created if the generator was notified pursuant to s. 403.7234; the generator shall then have the burden of proving that the disposal was proper. If the generator was not so notified, the burden of proving improper disposal shall be placed upon the department.

AMERICAN OVERSIGHT

403.93345

Coral reef protection.—

(8) In addition to the compensation described in subsection (5), the department may assess, per occurrence, civil penalties according to the following schedule:

(a) For any anchoring of a vessel on a coral reef or for any other damage to a coral reef totaling less than or equal to an area of 1 square meter, $~~150~~ **$225**, provided that a responsible party who has anchored a recreational vessel as defined in s. 327.02 which is lawfully registered or exempt from registration pursuant to chapter 328 is issued, at least once, a warning letter in lieu of penalty; with aggravating circumstances, an additional $~~150~~ **$225**; occurring within a state park or aquatic preserve, an additional $~~150~~ **$225**.

(b) For damage totaling more than an area of 1 square meter but less than or equal to an area of 10 square meters, $~~300~~ **$450** per square meter; with aggravating circumstances, an additional $~~300~~ **$450** per square meter; occurring within a state park or aquatic preserve, an additional $~~300~~ **$450** per square meter.

(c) For damage exceeding an area of 10 square meters, $~~1,000~~ **$1,500** per square meter; with aggravating circumstances, an additional $~~1,000~~ **$1,500** per square meter; occurring within a state park or aquatic preserve, an additional $~~1,000~~ **$1,500** per square meter.

(d) For a second violation, the total penalty may be doubled.

(e) For a third violation, the total penalty may be tripled.

(f) For any violation after a third violation, the total penalty may be quadrupled.

(g) The total of penalties levied may not exceed $~~250,000~~ **$375,000** per occurrence.

AMERICAN OVERSIGHT

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Tuesday, January 07, 2020 9:19 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Last Chance for Free 2020 Economic Outlook

Florida Chamber Foundation | **www.FLFoundation.org**
136 S. Bronough Street, Tallahassee, Florida 32301 | (850) 521-1200

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Thursday, February 06, 2020 10:21 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: LAST CHANCE TO SPONSOR! GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER- February 20, 2020

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER

When: 20 Feb 2020 6:00 PM, EST
Where: Hyatt Regency Sarasota- 1000 Blvd of the Arts

LAST CHANCE to become an Annual Dinner Sponsor with an Advertisement in our Program to showcase your business to over 500 GCBX Members! Become a sponsor for the BIGGEST event of the year!

Will you be attending?

REGISTER

Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm
Program 7:00 - 9:00 pm

Registration opens at 5:45 PM

Keynote Speaker:
Attorney General Ashley Moody

Join us in Welcoming Incoming Chairman:

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:
Rich Stehle, Climatic Conditioning Company

Posthumous Lifetime Achievement Awardee:
Nathan Benderson, Benderson Development

Chairman's Awardee:
C.J. Dupre, Manatee County Building Official

Plus a Surprise Volunteer of the Year!

This year's dinner theme will be *Preserving Our Past and Building Our Future* We are asking members to

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FL-SEN-20-0201-A-001820

submit local projects for consideration to be showcased at the dinner in different ways including table settings, PowerPoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration!

Click here for Flyer

THANK YOU PRESENTING SPONSOR!

THANK YOU AWARDS SPONSOR!

THANK YOU ANNUAL DINNER EVENT SPONSORS!

THANK YOU KEYSTONE EVENT SPONSORS!

Best regards,
Gulf Coast Builders Exchange

If you no longer wish to receive these emails you canunsubscribe at any time.

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From: Brill, Victoria
Sent: Monday, November 25, 2019 5:32 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Legislation
Attachment(s): "billdraft75417 (2).DOCX"

Good Evening Brittany,

Please see the attached bill draft. Please let me know if any changes need to be made.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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23-01371-20

A bill to be entitled

An act relating to international affairs; amending s. 15.01, F.S.; requiring the Secretary of State to serve as the state protocol officer; requiring the Secretary of State to take certain actions relating to the state protocol manual; amending s. 15.182, F.S.; requiring that certain organizations provide notice of international travel to the Department of State, rather than the Department of Economic Opportunity; requiring the Department of State, The Department of Economic Opportunity, and Enterprise Florida, Inc., to work in conjunction for a certain purpose; amending s. 288.816, F.S.; revising the duties of the state protocol officer; authorizing, rather than requiring, the state protocol officer to take certain actions; creating s. 288.8165, F.S.; authorizing the Office of International Affairs within the Department of State to support the establishment of citizen support organizations for certain purposes; defining the term "citizen support organization"; authorizing the office to adopt rules; prohibiting the office from allowing a citizen support organization to use certain services, property, or facilities if the organization does not provide equal membership and employment opportunities; requiring citizen support organizations to provide for a certain financial audit; providing a scheduled repeal; amending s. 288.012, F.S.; conforming provisions to changes made by the act; providing an effective date.

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FL-SEN-20-0201A-001823

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

Section 1. Section 15.01, Florida Statutes, is amended to read:

15.01 Duties.—

(1) The Secretary of State shall serve as the state protocol officer. In consultation with the Governor and other governmental officials, the Secretary of State shall develop, maintain, publish, and distribute the state protocol manual.

(2) The Department of State shall have the custody of the constitution and Great Seal of this state, and of the original statutes thereof, and of the resolutions of the Legislature, and of all the official correspondence of the Governor. The department shall keep in its office a register and an index of all official letters, orders, communications, messages, documents, and other official acts issued or received by the Governor or the Secretary of State, and record these in a book numbered in chronological order. The Governor, before issuing any order or transmission of any official letter, communication, or document from the executive office or promulgation of any official act or proceeding, except military orders, shall deliver the same or a copy thereof to the Department of State to be recorded.

Section 2. Section 15.182, Florida Statutes, is amended to read:

15.182 International travel by state-funded musical, cultural, or artistic organizations; notification to the Department of State ~~Economic Opportunity~~.—

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(1) If a musical, cultural, or artistic organization that receives state funding is traveling internationally for a presentation, performance, or other significant public viewing, including an organization associated with a college or university, such organization shall notify the Department of State ~~Economic Opportunity~~ of its intentions to travel, together with the date, time, and location of each appearance.

(2) The Department of State ~~Economic Opportunity~~, in conjunction with the Department of Economic Opportunity and Enterprise Florida, Inc., shall act as an intermediary between performing musical, cultural, and artistic organizations and Florida businesses to encourage and coordinate joint undertakings. Such coordination may include, but is not limited to, encouraging business and industry to sponsor cultural events, assistance with travel of such organizations, and coordinating travel schedules of cultural performance groups and international trade missions.

(3) An organization shall provide the notification to the Department of State required by this section at least 30 days before the date the international travel is to commence or, when an intention to travel internationally is not formed at least 30 days in advance of the date the travel is to commence, as soon as feasible after forming such travel intention. The Department of State shall take an active role in informing such groups of the responsibility to notify the department of travel intentions.

Section 3. Paragraphs (c) and (d) of subsection (2) and subsection (3) of section 288.816, Florida Statutes, are amended to read:

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288.816 Intergovernmental relations.—

(2) The state protocol officer shall be responsible for all consular relations between the state and all foreign governments doing business in Florida. The state protocol officer shall monitor United States laws and directives to ensure that all federal treaties regarding foreign privileges and immunities are properly observed. The state protocol officer shall:

~~(c) Issue certificates to such foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government.~~

~~(d) Verify entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods.~~

(3) The state protocol officer may ~~shall operate the sister city and sister state program and establish such new programs as needed to further global understanding through the interchange of people, ideas, and culture between Florida and the world. To accomplish this purpose, the state protocol officer shall have the power and authority to~~:

(a) Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries and their subdivisions. Such activities may include a State of Florida sister cities conference.

(b) Encourage cooperation with and disseminate information pertaining to the Sister Cities International Program and any other program whose object is to promote linkages with foreign countries and their subdivisions.

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(c) Maximize any aid available from all levels of government, public and private agencies, and other entities to facilitate such activities.

~~(d) Establish a viable system of registration for sister city and sister state affiliations between the state and foreign countries and their subdivisions. Such system shall include a method to determine that sufficient ties are properly established as well as a method to supervise how these ties are maintained.~~

~~(e) Maintain a current and accurate listing of all such affiliations. Sister city affiliations shall not be discouraged between the state and any country specified in s. 620(f)(1) of the federal Foreign Assistance Act of 1961, as amended, with whom the United States is currently conducting diplomatic relations unless a mandate from the United States Government expressly prohibits such affiliations.~~

Section 4. Section 288.8165, Florida Statutes, is created to read:

288.8165 Citizen support organizations.—

(1) CITIZEN SUPPORT ORGANIZATIONS.—The Office of International Affairs within the Department of State may support the establishment of citizen support organizations to provide assistance, funding, and promotional support for intergovernmental programs. For the purposes of this section, a "citizen support organization" means an organization which is:

(a) A Florida corporation not for profit incorporated under chapter 617 and approved by the Department of State;

(b) Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and

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bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the Office of International Affairs;

(c) Determined by the Office of International Affairs to be consistent with the goals of the office and in the best interests of the state; and

(d) Approved in writing by the Office of International Affairs to operate for the direct or indirect benefit of the office. Such approval must be given in a letter of agreement from the office.

(2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—

(a) The Office of International Affairs may adopt rules requiring citizen support organizations to meet certain requirements in order to use the office's administrative services, property, or facilities.

(b) The Office of International Affairs may not allow a citizen support organization to use any administrative services, property, or facilities of the state if the citizen support organization does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(3) ANNUAL AUDIT.—Each citizen support organization shall provide for an annual financial audit in accordance with s. 215.981.

(4) FUTURE REPEAL.—This section is repealed October 1, 2025, unless reviewed and saved from repeal by the Legislature.

Section 5. Section 288.012, Florida Statutes, is amended to

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read:

288.012 State of Florida international offices~~; state protocol officer; protocol manual~~.—The Legislature finds that the expansion of international trade and tourism is vital to the overall health and growth of the economy of this state. This expansion is hampered by the lack of technical and business assistance, financial assistance, and information services for businesses in this state. The Legislature finds that these businesses could be assisted by providing these services at State of Florida international offices. The Legislature further finds that the accessibility and provision of services at these offices can be enhanced through cooperative agreements or strategic alliances between private businesses and state, local, and international governmental entities.

(1) The department is authorized to:

(a) Establish and operate offices in other countries for the purpose of promoting trade and economic development opportunities of the state, and promoting the gathering of trade data information and research on trade opportunities in specific countries.

(b) Enter into agreements with governmental and private sector entities to establish and operate offices in other countries which contain provisions that may conflict with the general laws of the state pertaining to the purchase of office space, employment of personnel, and contracts for services. When agreements pursuant to this section are made which set compensation in another country's currency, such agreements shall be subject to the requirements of s. 215.425, but the purchase of another country's currency by the department to meet

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such obligations shall be subject only to s. 216.311.

(2) Each international office shall have in place an operational plan approved by the participating boards or other governing authority, a copy of which shall be provided to the department. These operating plans shall be reviewed and updated each fiscal year and shall include, at a minimum, the following:

(a) Specific policies and procedures encompassing the entire scope of the operation and management of each office.

(b) A comprehensive, commercial strategic plan identifying marketing opportunities and industry sector priorities for the country in which an international office is located.

(c) Provisions for access to information for Florida businesses related to trade leads and inquiries.

(d) Identification of new and emerging market opportunities for Florida businesses. This information shall be provided either free of charge or on a fee basis with fees set only to recover the costs of providing the information.

(e) Provision of access for Florida businesses to international trade assistance services provided by state and local entities, seaport and airport information, and other services identified by the department.

(f) Qualitative and quantitative performance measures for each office, including, but not limited to, the number of businesses assisted, the number of trade leads and inquiries generated, the number of international buyers and importers contacted, and the amount and type of marketing conducted.

(3) Each international office shall annually submit to Enterprise Florida, Inc., a complete and detailed report on its activities and accomplishments during the previous fiscal year

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for inclusion in the annual report required under s. 288.906. In the format and by the annual date prescribed by Enterprise Florida, Inc., the report must set forth information on:

(a) The number of Florida companies assisted.

(b) The number of inquiries received about investment opportunities in this state.

(c) The number of trade leads generated.

(d) The number of investment projects announced.

(e) The estimated U.S. dollar value of sales confirmations.

(f) The number of representation agreements.

(g) The number of company consultations.

(h) Barriers or other issues affecting the effective operation of the office.

(i) Changes in office operations which are planned for the current fiscal year.

(j) Marketing activities conducted.

(k) Strategic alliances formed with organizations in the country in which the office is located.

(l) Activities conducted with Florida's other international offices.

(m) Any other information that the office believes would contribute to an understanding of its activities.

(4) The Department of Economic Opportunity, in connection with the establishment, operation, and management of any of its offices located in another country, is exempt from the provisions of ss. 255.21, 255.25, and 255.254 relating to leasing of buildings; ss. 283.33 and 283.35 relating to bids for printing; ss. 287.001-287.20 relating to purchasing and motor vehicles; and ss. 282.003-282.00515 and 282.702-282.7101

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relating to communications, and from all statutory provisions relating to state employment.

(a) The department may exercise such exemptions only upon prior approval of the Governor.

(b) If approval for an exemption under this section is granted as an integral part of a plan of operation for a specified international office, such action shall constitute continuing authority for the department to exercise the exemption, but only in the context and upon the terms originally granted. Any modification of the approved plan of operation with respect to an exemption contained therein must be resubmitted to the Governor for his or her approval. An approval granted to exercise an exemption in any other context shall be restricted to the specific instance for which the exemption is to be exercised.

(c) As used in this subsection, the term "plan of operation" means the plan developed pursuant to subsection (2).

(d) Upon final action by the Governor with respect to a request to exercise the exemption authorized in this subsection, the department shall report such action, along with the original request and any modifications thereto, to the President of the Senate and the Speaker of the House of Representatives within 30 days.

(5) Where feasible and appropriate, international offices established and operated under this section may provide one-stop access to the economic development, trade, and tourism information, services, and programs of the state. Where feasible and appropriate, such offices may also be collocated with other international offices of the state.

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(6) The department is authorized to make and to enter into contracts with Enterprise Florida, Inc., to carry out the provisions of this section. The authority, duties, and exemptions provided in this section apply to Enterprise Florida, Inc., to the same degree and subject to the same conditions as applied to the department. To the greatest extent possible, such contracts shall include provisions for cooperative agreements or strategic alliances between private businesses and state, international, and local governmental entities to operate international offices.

~~(7) The Governor may designate a state protocol officer. The state protocol officer shall be housed within the Executive Office of the Governor. In consultation with the Governor and other governmental officials, the state protocol officer shall develop, maintain, publish, and distribute the state protocol manual.~~

Section 6. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: Governor's Press Office <Governor'sPressOffice@eog.myflorida.com>
Sent: Wednesday, December 18, 2019 5:22 PM EST
Subject: MEDIA ADVISORY: Governor Ron DeSantis to Make a Major Announcement in Bay County



MEDIA ADVISORY

For Immediate Release
December 18, 2019

Contact: Governor's Press Office
(850) 717-9282
Media@eog.myflorida.com

Governor Ron DeSantis to Make a Major Announcement in Bay County

Panama City, Fla. – Governor Ron DeSantis will make a major announcement at Bay High School on Thursday, December 19th.

All credentialed media are welcome to attend.

Event Details:

WHAT: Major Announcement
WHO: Governor Ron DeSantis and First Lady Casey DeSantis
WHEN: Thursday, December 19th, 2019 at 1:30 PM CT
Media Arrival Time: 1:00 PM CT
WHERE: Bay High School
1200 Harrison Avenue
Panama City, FL 32401
ON-SITE CONTACT: Olivia Boney, (850) 294-8815

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AMERICAN OVERSIGHT

From: Laura.Rego <laura.alvarez@crueltyfreeinternational.org>
Sent: Friday, November 08, 2019 1:42 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Meeting request: bill idea

Dear Senator Gruters,

My name is Laura Alvarez and I am the Science Advisor for Cruelty Free International, the leading non-profit organization working globally to end animal testing worldwide.

According to a recent poll conducted on behalf of Cruelty Free International, 79% of American adults support a federal law to end animal testing for cosmetics. This shows that people across all age groups and all political views are concerned about and united against cruel and outdated cosmetics tests on animals.

I would therefore like to talk to you about the possibility of introducing a bill to end the sale of animal tested cosmetics in Florida or at the very least, a resolution supporting an end to animal testing for cosmetics in the US.

Our work in other states has resulted in successful passage of laws in California, Illinois and Nevada which all go into effect on January 1 2020. We have worked closely with the cosmetics industry and now have an agreed model language for state bills that I can share with you as well as plenty of background information if you are interested.

I was hoping to arrange a convenient time to meet with you, or appropriate staff, to further discuss this issue. I am currently based in Palm Coast, Florida and would be happy to meet at your district office.

I look forward to hearing from you.

Kind regards,
Laura Alvarez
(working out of Florida, USA)
Science Advisor



Cruelty Free International (previously known as the BUAV).

www.CrueltyFreeInternational.org

16a Crane Grove
London N7 8NN
UK
UK Office Phone: +44 (0) 20 7700 4888
US Mobile: +1 (386) 225 8855

Cruelty Free INTERNATIONAL
Ending animal experiments worldwide

Our vision: To create a world where nobody wants or believes we need to experiment on animals.

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From: Frank Walker <fwalker@flchamber.com>
Sent: Thursday, November 07, 2019 3:10 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: meeting request - FL Chamber Board Chair

Vicki/Josh –

The Florida Chamber of Commerce's newly elected Chairman of the Board of Directors, Charley Caulkins, will be in town Tuesday, **November 12** and Wednesday, **November 13**, for meetings with executive branch and legislative leaders. He requested that we try and schedule him a brief meeting with Senator Gruters on either day he is town to introduce himself and briefly discuss the 2020 legislative session.

I know this is relatively last minute, but after all the good things he's heard about Joe, he's anxious to meet him. Let me know if you can squeeze him in.

Thank you!
Frank

Frank C. Walker, III
Vice President of Governmental Affairs
Florida Chamber of Commerce
136 S. Bronough Street, Tallahassee, FL 32301
P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com

Register Today: Transportation, Growth and Infrastructure Summit
December 5, 2019
Hollywood, FL

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From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Thursday, November 07, 2019 10:38 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Meeting Request

Good Morning!

The Secretary of State and myself would like to schedule a meeting with the Senator at his convenience to discuss legislation that we are looking at proposing from the Department of State. Do you mind looking at his calendar and letting me know when would be a good time for him to meet with us (next week is good) for 15 min.?

Thank you much!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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From: Gordon Waldo <gwaldo@fsu.edu>
Sent: Wednesday, January 29, 2020 11:44 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Meeting Request

Hello Mr. Barnhill,

This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal Justice at Florida State University.

I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.

If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu

Thank you for your consideration

Gordon Waldo

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From: Joshua Funderburke <jfunderburke@cotneycl.com>
Sent: Friday, January 17, 2020 9:44 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: Clayton Osteen <costeen@cotneycl.com>; Roscoe Green <rgreen@cotneycl.com>; Sharon Ansley <sansley@cotneycl.com>; Joshua Funderburke <jfunderburke@cotneycl.com>
Subject: Meeting with Senator Gruters
Attachment(s): "0948.pdf","1422.pdf"

Good morning Mr. Barnhill,

This is Josh Funderburke from Cotney Construction Lobbying. It was a pleasure meeting you yesterday. As I previously mentioned, we'd like to set up a meeting with Senator Gruters sometime next week, or soon thereafter, to discuss some issues pertinent to the construction industry. Specifically, we would like to discuss SB 948 and SB 1422 (see attached) which relates to construction defect claims and construction liens, respectively.

At your convenience, please let me know what times are available. I look forward to hearing from you.

Regards,

Josh Funderburke
Lobbyist

COTNEY
CONSTRUCTION LOBBYING
Ph. 850.296.7999 ext. 466 | Fx. 813.902.7612
150 S. Monroe Street, Ste 405, Tallahassee, FL 32301

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By Senator Baxley

12-01011-20 2020948__

A bill to be entitled

An act relating to construction defects; amending s. 553.84, F.S.; defining the term "material violation"; revising when a person has a cause of action for a violation relating to the Florida Building Code; providing requirements for such cause of action; amending s. 558.004, F.S.; revising requirements relating to notices of claim; requiring a claimant to allow persons served with a notice of claim to inspect certain records; providing that the claimant, under certain circumstances, does not have a claim for damages that could have been avoided or mitigated; reenacting s. 558.002(5), F.S., relating to definitions for ch. 558, F.S.; providing an effective date.

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

Section 1. Section 553.84, Florida Statutes, is amended to read:

553.84 Statutory civil action.—

(1) For purposes of this section, the term "material violation" means a violation that exists within a completed building, structure, or facility which may reasonably result, or has resulted, in physical harm to a person or significant damage to the performance of a building or its systems.

(2) Notwithstanding any other remedies available, any person or party, in an individual capacity or on behalf of a class of persons or parties, damaged as a result of a material

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FL-SEN-20-0201-A-001840

violation of this part or the Florida Building Code, has a cause of action in any court of competent jurisdiction against the person or party who committed the violation; however, if the person or party obtains the required building permits and any local government or public agency with authority to enforce the Florida Building Code approves the plans, and if the construction project passes all required inspections under the Florida Building Code, ~~and if there is no personal injury or damage to property other than the property that is the subject of the permits, plans, and inspections,~~ this section does not apply.

(3) A cause of action pled under this section must cite to the specific provisions of this part or the Florida Building Code allegedly violated, must explain how each provision was allegedly violated, and is subject to dismissal for failing to do so ~~unless the person or party knew or should have known that the violation existed~~.

Section 2. Paragraph (b) of subsection (1) and subsections (2) and (7) of section 558.004, Florida Statutes, are amended to read:

558.004 Notice and opportunity to repair.—

(1)

(b) The notice of claim must be made under oath by the claimant and must describe in specific ~~reasonable~~ detail the nature of each alleged construction defect, the name and contact information of any consultants retained by the claimant or on the claimant's behalf to inspect the defect, and, if known, the damage or loss resulting from the defect, including the alleged cost of repairing the defect and any other damages alleged to

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have been suffered as a result of the defect. The notice of claim must specifically identify, as applicable, the allegedly defective materials, products, or components and the applicable code provisions, professional standards of care for design, or accepted trade standards for the construction or remodeling allegedly violated and must explain how each cited code provision or standard was violated. Based upon at least a visual inspection by the claimant or its agents, the notice of claim must identify the specific location of each alleged construction defect sufficiently to enable the responding parties to locate the alleged defect without undue burden. If requested, the claimant must allow the person served with the notice of claim under this subsection the opportunity to inspect all maintenance records for the subject property. The claimant has no obligation to perform destructive or other testing for purposes of this notice.

(2) Within 30 days after service of the notice of claim, or within 50 days after service of the notice of claim involving an association representing more than 20 parcels, the person served with the notice of claim under subsection (1) is entitled to perform a reasonable inspection of the property or of each unit subject to the claim to assess each alleged construction defect. An association's right to access property for either maintenance or repair includes the authority to grant access for the inspection. The claimant shall provide the person served with notice under subsection (1) and such person's contractors or agents reasonable access to the property during normal working hours to inspect the property to determine the nature and cause of each alleged construction defect and the nature and extent of

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any repairs or replacements necessary to remedy each defect. The person served with notice under subsection (1) shall reasonably coordinate the timing and manner of any and all inspections with the claimant to minimize the number of inspections. If the claimant fails to grant the person served with the notice under subsection (1) the opportunity to conduct a reasonable inspection of the property with the alleged defect during the timeframe established in this section, the claimant does not have a claim for damages that could have been avoided or mitigated had an inspection taken place. The inspection may include destructive testing by mutual agreement under the following reasonable terms and conditions:

(a) If the person served with notice under subsection (1) determines that destructive testing is necessary to determine the nature and cause of the alleged defects, such person shall notify the claimant in writing.

(b) The notice shall describe the destructive testing to be performed, the person selected to do the testing, the estimated anticipated damage and repairs to or restoration of the property resulting from the testing, the estimated amount of time necessary for the testing and to complete the repairs or restoration, and the financial responsibility offered for covering the costs of repairs or restoration.

(c) If the claimant promptly objects to the person selected to perform the destructive testing, the person served with notice under subsection (1) shall provide the claimant with a list of three qualified persons from which the claimant may select one such person to perform the testing. The person selected to perform the testing shall operate as an agent or

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subcontractor of the person served with notice under subsection (1) and shall communicate with, submit any reports to, and be solely responsible to the person served with notice.

(d) The testing shall be done at a mutually agreeable time.

(e) The claimant or a representative of the claimant may be present to observe the destructive testing.

(f) The destructive testing shall not render the property uninhabitable.

(g) There shall be no construction lien rights under part I of chapter 713 for the destructive testing caused by a person served with notice under subsection (1) or for restoring the area destructively tested to the condition existing prior to testing, except to the extent the owner contracts for the destructive testing or restoration.

If the claimant refuses to agree and thereafter permit reasonable destructive testing, the claimant shall have no claim for damages which could have been avoided or mitigated had destructive testing been allowed when requested and had a feasible remedy been promptly implemented.

(7) A claimant who receives a timely settlement offer must accept or reject the offer by serving written notice of such acceptance or rejection, signed by the claimant, on the person making the offer within 45 days after receiving the settlement offer. If a claimant initiates an action without first accepting or rejecting the offer, the court shall stay the action upon timely motion until the claimant complies with this subsection.

Section 3. For the purpose of incorporating the amendment made by this act to section 553.84, Florida Statutes, in a

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reference thereto, subsection (5) of section 558.002, Florida Statutes, is reenacted to read:

558.002 Definitions.—As used in this chapter, the term:

(5) "Construction defect" means a deficiency in, or a deficiency arising out of, the design, specifications, surveying, planning, supervision, observation of construction, or construction, repair, alteration, or remodeling of real property resulting from:

(a) Defective material, products, or components used in the construction or remodeling;

(b) A violation of the applicable codes in effect at the time of construction or remodeling which gives rise to a cause of action pursuant to s. 553.84;

(c) A failure of the design of real property to meet the applicable professional standards of care at the time of governmental approval; or

(d) A failure to construct or remodel real property in accordance with accepted trade standards for good and workmanlike construction at the time of construction.

Section 4. This act shall take effect July 1, 2020.

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By Senator Flores

39-01484-20 20201422__

A bill to be entitled

An act relating to construction liens; amending s. 713.01, F.S.; revising and deleting definitions; amending s. 713.015, F.S.; revising the notice to owner in certain direct contracts; revising construction; amending s. 713.02, F.S.; deleting a provision establishing the right of certain persons who are not in privity with an owner to have a lien on certain real property; deleting provisions authorizing an owner and a contractor to agree upon the contractor furnishing a payment bond; conforming provisions to changes made by the act; amending s. 713.06, F.S.; deleting provisions establishing the right of persons who are not in privity with the owner to have a lien on the owner's real property; revising provisions relating to payments due under a direct contract; revising the form of the required final payment affidavit; revising provisions relating to the order in which liens must be paid under a direct contract; conforming provisions to changes made by the act; repealing s. 713.23, F.S., relating to payment bonds; repealing s. 713.235, F.S., relating to waivers of the right to claim against payment bonds; repealing s. 713.245, F.S., relating to conditional payment bonds; amending ss. 713.03, 713.04, 713.05, 713.07, 713.08, 713.10, 713.12, 713.13, 713.132, 713.135, 713.16, 713.165, 713.18, 713.20, 713.24, 713.29, 713.31, 713.345, 713.346, 713.3471, and 713.35, F.S.; conforming provisions to changes made by the act and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

making technical changes; amending ss. 713.22 and 95.11, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Present subsections (22) through (29) of section 713.01, Florida Statutes, are redesignated as subsections (20) through (27), respectively, and subsections (8), (18), and (19) and present subsections (20) and (21) of that section are amended, to read:

713.01 Definitions.—As used in this part, the term:

(8) "Contractor" means a person other than a materialman or laborer who enters into a direct contract with the owner of real property for improving it, or who takes over from a contractor as so defined the entire remaining work under such direct contract. The term "contractor" includes an architect, landscape architect, or engineer who improves real property under ~~pursuant to~~ a design-build contract authorized by s. 489.103(16).

(18) "Lienor" means a person who is:

(a) A contractor;

(b) A subcontractor;

(c) A sub-subcontractor;

(d) A laborer;

(e) A materialman ~~who contracts with the owner, a contractor, a subcontractor, or a sub-subcontractor~~; or

(f) A professional lienor under s. 713.03,~~;~~

~~and~~ who has a direct contract with the owner and who has a lien

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or prospective lien upon real property under this part, and includes his or her successor in interest. No other person may have a lien under this part.

~~(19) "Lienor giving notice" means any lienor, except a contractor, who has duly and timely served a notice to the owner and, if required, to the contractor and subcontractor, as provided in s. 713.06(2).~~

(19)~~(20)~~ "Materialman" means any person who furnishes materials to the owner under a direct contract or to the ~~owner,~~ contractor, subcontractor, or sub-subcontractor under contract on the site of the improvement or for direct delivery to the site of the improvement or, for specially fabricated materials, off the site of the improvement for the particular improvement, and who performs no labor in the installation thereof.

~~(21) "Notice by lienor" means the notice to owner served as provided in s. 713.06(2).~~

Section 2. Section 713.015, Florida Statutes, is amended to read:

713.015 Mandatory provisions for direct contracts.—

(1) Any direct contract greater than $2,500 ~~between an owner and a contractor~~, related to improvements to real property consisting of single or multiple family dwellings up to and including four units, must contain the following notice provision printed in no less than 12-point, capitalized, boldfaced type on the front page of the contract or on a separate page, signed by the owner and dated:

ACCORDING TO FLORIDA'S CONSTRUCTION LIEN LAW (SECTIONS 713.001-713.37, FLORIDA STATUTES), THOSE WHO WORK ON YOUR PROPERTY OR

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PROVIDE MATERIALS AND SERVICES, HAVE A DIRECT CONTRACT WITH YOU, AND ARE NOT PAID IN FULL HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR PAYMENT AGAINST YOUR PROPERTY. THIS CLAIM IS KNOWN AS A CONSTRUCTION LIEN. ~~IF YOUR CONTRACTOR OR A SUBCONTRACTOR FAILS TO PAY SUBCONTRACTORS, SUB-SUBCONTRACTORS, OR MATERIAL SUPPLIERS, THOSE PEOPLE WHO ARE OWED MONEY MAY LOOK TO YOUR PROPERTY FOR PAYMENT, EVEN IF YOU HAVE ALREADY PAID YOUR CONTRACTOR IN FULL.~~ IF YOU FAIL TO PAY YOUR CONTRACTOR, YOUR CONTRACTOR MAY ALSO HAVE A LIEN ON YOUR PROPERTY. THIS MEANS IF A LIEN IS FILED YOUR PROPERTY COULD BE SOLD AGAINST YOUR WILL TO PAY FOR LABOR, MATERIALS, OR OTHER SERVICES THAT YOU ~~YOUR CONTRACTOR OR A SUBCONTRACTOR~~ MAY HAVE FAILED TO PAY. ~~TO PROTECT YOURSELF, YOU SHOULD STIPULATE IN THIS CONTRACT THAT BEFORE ANY PAYMENT IS MADE, YOUR CONTRACTOR IS REQUIRED TO PROVIDE YOU WITH A WRITTEN RELEASE OF LIEN FROM ANY PERSON OR COMPANY THAT HAS PROVIDED TO YOU A "NOTICE TO OWNER."~~ FLORIDA'S CONSTRUCTION LIEN LAW IS COMPLEX, AND IT IS RECOMMENDED THAT YOU CONSULT AN ATTORNEY.

(2)(a) If the contract is written, the notice must be in the contract document. If the contract is oral or implied, the notice must be provided in a document referencing the contract.

(b) The failure to provide such written notice does not bar the enforcement of a lien against a person who has not been adversely affected.

(c) ~~This section may not be construed to adversely affect the lien and bond rights of lienors who are not in privity with the owner.~~ This section does not apply when the owner is a contractor licensed under chapter 489 or is a person who created parcels or offers parcels for sale or lease in the ordinary

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course of business.

Section 3. Subsections (4) through (7) of section 713.02, Florida Statutes, are amended to read:

713.02 Types of lienors and exemptions.—

~~(4) Persons who are not in privity with an owner and who perform labor or services or furnish materials constituting a part of an improvement under the direct contract of another person shall have rights to a lien on real property as provided in s. 713.06.~~

(4)~~(5)~~ Any improvement for which the direct contract price is $2,500 or less shall be exempt from all other provisions of this part except the provisions of s. 713.05.

~~(6) The owner and contractor may agree that the contractor shall furnish a payment bond as provided in s. 713.23, and upon receipt of the bond the owner is exempt from the other provisions of this part as to that direct contract, but this does not exempt the owner from the lien of the contractor who furnishes the bond. If the bond is provided, it shall secure all liens subsequently accruing under this part as provided in s. 713.23.~~

(5)~~(7)~~ Notwithstanding any other provision of this part, a ~~no~~ lien may not ~~shall~~ exist in favor of any contractor, subcontractor, or sub-subcontractor who is unlicensed as provided in s. 489.128 or s. 489.532. Notwithstanding any other provision of this part, if a contract is rendered unenforceable by an unlicensed contractor, subcontractor, or sub-subcontractor under ~~pursuant to~~ s. 489.128 or s. 489.532, such unenforceability does ~~shall~~ not affect the rights of any other persons in privity with the owner to enforce the contract or~~,~~

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lien~~, or bond~~ remedies ~~and shall not affect the obligations of a surety that has provided a bond on behalf of the unlicensed contractor, subcontractor, or sub-subcontractor~~. ~~It shall not be a defense to any claim on a bond or indemnity agreement that the principal or indemnitor is unlicensed as provided in s. 489.128 or s. 489.532.~~

Section 4. Section 713.06, Florida Statutes, is amended to read:

713.06 ~~Liens of persons not in privity;~~ Proper payments.—

~~(1) A materialman or laborer, either of whom is not in privity with the owner, or a subcontractor or sub-subcontractor who complies with the provisions of this part and is subject to the limitations thereof, has a lien on the real property improved for any money that is owed to him or her for labor, services, or materials furnished in accordance with his or her contract and with the direct contract and for any unpaid finance charges due under the lienor's contract. A materialman or laborer, either of whom is not in privity with the owner, or a subcontractor or sub-subcontractor who complies with the provisions of this part and is subject to the limitations thereof, also has a lien on the owner's real property for labor, services, or materials furnished to improve public property if the improvement of the public property is furnished in accordance with his or her contract and with the direct contract. The total amount of all liens allowed under this part for furnishing labor, services, or material covered by any certain direct contract must not exceed the amount of the contract price fixed by the direct contract except as provided in subsection (3). No person may have a lien under this section~~

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~~except those lienors specified in it, as their designations are defined in s. 713.01.~~

~~(2)(a) All lienors under this section, except laborers, as a prerequisite to perfecting a lien under this chapter and recording a claim of lien, must serve a notice on the owner setting forth the lienor's name and address, a description sufficient for identification of the real property, and the nature of the services or materials furnished or to be furnished. A sub-subcontractor or a materialman to a subcontractor must serve a copy of the notice on the contractor as a prerequisite to perfecting a lien under this chapter and recording a claim of lien. A materialman to a sub-subcontractor must serve a copy of the notice to owner on the contractor as a prerequisite to perfecting a lien under this chapter and recording a claim of lien. A materialman to a sub-subcontractor shall serve the notice to owner on the subcontractor if the materialman knows the name and address of the subcontractor. The notice must be served before commencing, or not later than 45 days after commencing, to furnish his or her labor, services, or materials, but, in any event, before the date of the owner's disbursement of the final payment after the contractor has furnished the affidavit under subparagraph (3)(d)1. The notice must be served regardless of the method of payments by the owner, whether proper or improper, and does not give to the lienor serving the notice any priority over other lienors in the same category; and the failure to serve the notice, or to timely serve it, is a complete defense to enforcement of a lien by any person. The serving of the notice does not dispense with recording the claim of lien. The notice is not a lien, cloud, or~~

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~~encumbrance on the real property nor actual or constructive notice of any of them.~~

~~(b) If the owner, in his or her notice of commencement, has designated a person in addition to himself or herself to receive a copy of such lienor's notice, as provided in s. 713.13(1)(b), the lienor shall serve a copy of his or her notice on the person so designated. The failure by the lienor to serve such copy, however, does not invalidate an otherwise valid lien.~~

~~(c) The notice may be in substantially the following form and must include the information and the warning contained in the following form:~~

~~WARNING! FLORIDA'S CONSTRUCTION LIEN LAW ALLOWS SOME UNPAID CONTRACTORS, SUBCONTRACTORS, AND MATERIAL SUPPLIERS TO FILE LIENS AGAINST YOUR PROPERTY EVEN IF YOU HAVE MADE PAYMENT IN FULL.~~

~~UNDER FLORIDA LAW, YOUR FAILURE TO MAKE SURE THAT WE ARE PAID MAY RESULT IN A LIEN AGAINST YOUR PROPERTY AND YOUR PAYING TWICE.~~

~~TO AVOID A LIEN AND PAYING TWICE, YOU MUST OBTAIN A WRITTEN RELEASE FROM US EVERY TIME YOU PAY YOUR CONTRACTOR.~~

~~NOTICE TO OWNER~~

~~To ...(Owner's name and address)...~~

~~The undersigned hereby informs you that he or she has furnished~~

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~~or is furnishing services or materials as follows:~~
~~...(General description of services or materials)... for the improvement of the real property identified as ...(property description)... under an order given by.....~~

~~Florida law prescribes the serving of this notice and restricts your right to make payments under your contract in accordance with Section 713.06, Florida Statutes.~~

~~IMPORTANT INFORMATION FOR YOUR PROTECTION~~

~~Under Florida's laws, those who work on your property or provide materials and are not paid have a right to enforce their claim for payment against your property. This claim is known as a construction lien.~~

~~If your contractor fails to pay subcontractors or material suppliers or neglects to make other legally required payments, the people who are owed money may look to your property for payment, EVEN IF YOU HAVE PAID YOUR CONTRACTOR IN FULL.~~

~~PROTECT YOURSELF:~~

~~-RECOGNIZE that this Notice to Owner may result in a lien against your property unless all those supplying a Notice to Owner have been paid.~~

~~-LEARN more about the Construction Lien Law, Chapter 713, Part I, Florida Statutes, and the meaning of this notice by contacting an attorney or the Florida Department of Business and Professional Regulation.~~

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~~...(Lienor's Signature)...~~

~~...(Lienor's Name)...~~

~~...(Lienor's Address)...~~

~~Copies to: ...(Those persons listed in Section 713.06(2)(a) and (b), Florida Statutes)...~~

~~The form may be combined with a notice to contractor given under s. 255.05 or s. 713.23 and, if so, may be entitled "NOTICE TO OWNER/NOTICE TO CONTRACTOR."~~

~~(d) A notice to an owner served on a lender must be in writing, must be served in accordance with s. 713.18, and shall be addressed to the persons designated, if any, and to the place and address designated in the notice of commencement. Any lender who, after receiving a notice provided under this subsection, pays a contractor on behalf of the owner for an improvement shall make proper payments as provided in paragraph (3)(c) as to each such notice received by the lender. The failure of a lender to comply with this paragraph renders the lender liable to the owner for all damages sustained by the owner as a result of that failure. This paragraph does not give any person other than an owner a claim or right of action against a lender for the failure of the lender to comply with this paragraph. Further, this paragraph does not prohibit a lender from disbursing construction funds at any time directly to the owner, in which event the lender has no obligation to make proper payments under this paragraph.~~

~~(e) A lienor, in the absence of a recorded notice of commencement, may rely on the information contained in the building permit application to serve the notice prescribed in~~

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~~paragraphs (a), (b), and (c).~~

~~(f) If a lienor has substantially complied with the provisions of paragraphs (a), (b), and (c), errors or omissions do not prevent the enforcement of a claim against a person who has not been adversely affected by such omission or error. However, a lienor must strictly comply with the time requirements of paragraph (a).~~

(1)~~(3)~~ The owner may make proper payments on the direct contract as to lienors under this chapter ~~section,~~ in the following manner:

(a) If the description of the property in the notice prescribed by s. 713.13 is incorrect and the error adversely affects any lienor, payments made on the direct contract shall be held improperly paid to that lienor; but this does not apply to clerical errors when the description listed covers the property where the improvements are.

(b) The owner may pay to any laborers the whole or any part of the amounts that are ~~shall then be~~ due and payable to them respectively for labor or services performed by them and covered by the direct contract, and shall deduct the same from the balance due the contractor under a direct contract.

(c) When any payment becomes due to the lienor ~~contractor~~ on the direct contract, except the final payment:

1. The owner shall pay or cause to be paid, within the specifications of the direct contract ~~limitations imposed by subparagraph 2.~~, the sum then due to each subcontractor, sub-subcontractor, materialman, or laborer ~~lienor giving notice prior to the time of the payment~~. The owner may require, and, in such event, the lienor ~~contractor~~ shall furnish as a

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prerequisite to requiring payment to himself or herself, an affidavit as prescribed in subparagraph (d)1.~~,~~ on any payment made, or to be made, on a direct contract~~, but the furnishing of the affidavit shall not relieve the owner of his or her responsibility to pay or cause to be paid all lienors giving notice~~. ~~The owner shall be under no obligation to any lienor, except laborers, from whom he or she has not received a notice to owner at the time of making a payment.~~

~~2. When the payment due is insufficient to pay all bills of lienors giving notice, the owner shall prorate the amount then due under the direct contract among the lienors giving notice pro rata in the manner prescribed in subsection (4). Lienors receiving money shall execute partial releases, as provided in s. 713.20(2), to the extent of the payment received.~~

2.~~3.~~ If any affidavit permitted hereunder recites any outstanding bills for labor, services, or materials, the owner may pay the bills in full direct to the person or firm to which they are due if the balance due on the direct contract at the time the affidavit is given is sufficient to pay the bills and shall deduct the amounts so paid from the balance of payment due the lienor ~~contractor~~. ~~This subparagraph shall not create any obligation of the owner to pay any person who is not a lienor giving notice.~~

~~4. No person furnishing labor or material, or both, who is required to serve a notice under paragraph (2)(a) and who did not serve the notice and whose time for service has expired shall be entitled to be paid by the owner because he or she is listed in an affidavit furnished by the contractor under subparagraph (c)1.~~

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3.~~5.~~ If the contract is terminated before completion, the lienor ~~contractor~~ shall comply with subparagraph (d)1.

(d) When the final payment under a direct contract becomes due ~~the contractor~~:

1. The lienor ~~contractor~~ shall give to the owner a final payment affidavit ~~stating, if that be the fact, that all lienors under his or her direct contract who have timely served a notice to owner on the owner and the contractor have been paid in full or, if the fact be otherwise, showing the name of each such lienor who has not been paid in full and the amount due or to become due each for labor, services, or materials furnished. The affidavit must be~~ in substantially the following form:

LIENOR'S ~~CONTRACTOR'S~~ FINAL PAYMENT AFFIDAVIT

State of Florida

County of ....

Before me, the undersigned authority, personally appeared ...(name of affiant)..., who, after being first duly sworn, deposes and says of his or her personal knowledge the following:

1. He or she is the ...(title of affiant)..., of ...(name of lienor's ~~contractor's~~ business)..., which does business in the State of Florida, hereinafter referred to as the "Lienor ~~"Contractor~~."

2. Lienor, under ~~Contractor, pursuant to~~ a contract with ...(name of owner)..., hereinafter referred to as the "Owner," has furnished or caused to be furnished labor, materials, and services for the construction of certain improvements to real property as more particularly set forth in said contract.

3. This affidavit is executed by the Lienor ~~Contractor~~ in

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accordance with section 713.06 of the Florida Statutes for the purposes of obtaining final payment from the Owner in the amount of $.....

4. All work to be performed under the direct contract has been fully completed, and all bills for labor, services, or materials ~~lienors~~ under the direct contract have been paid in full, except the following ~~listed lienors~~:

BILL OR INVOICE NUMBER ~~NAME OF LIENOR~~.....AMOUNT DUE

Signed, sealed, and delivered this .... day of ...., ...,

By ...(name of affiant)...

...(title of affiant)...

...(name of lienor's ~~contractor's~~ business)...

Sworn to and subscribed before me this .... day of .... by ...(name of affiant)..., who is personally known to me or produced .... as identification, and did take an oath.

...(name of notary public)...

Notary Public

My Commission Expires:

...(date of expiration of commission)...

The lienor may not ~~contractor shall~~ have a ~~no~~ lien or right of action against the owner for labor, services, or materials furnished under the direct contract while in default for not giving the owner the affidavit; however, the negligent inclusion or omission of any information in the affidavit which has not

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prejudiced the owner does not constitute a default that operates to defeat an otherwise valid lien. The lienor ~~contractor~~ shall execute the affidavit and deliver it to the owner at least 5 days before instituting an action as a prerequisite to the institution of any action to enforce his or her lien under this chapter, even if the final payment has not become due because the direct contract is terminated for a reason other than completion ~~and regardless of whether the contractor has any lienors working under him or her or not~~.

2. If the lienor's ~~contractor's~~ affidavit required in this subsection recites any outstanding bills for labor, services, or materials, the owner may, after giving the lienor ~~contractor~~ at least 10 days' written notice, pay such bills in full direct to the person or firm to which they are due, if the balance due on a direct contract at the time the affidavit is given is sufficient to pay them ~~and lienors giving notice~~, and shall deduct the amounts so paid from the balance due the lienor ~~contractor~~. ~~Lienors listed in said affidavit not giving notice, whose 45-day notice time has not expired, shall be paid in full or pro rata, as appropriate, from any balance then remaining due the contractor; but no lienor whose notice time has expired shall be paid by the owner or by any other person except the person with whom that lienor has a contract.~~

~~3. If the balance due is not sufficient to pay in full all lienors listed in the affidavit and entitled to payment from the owner under this part and other lienors giving notice, the owner shall pay no money to anyone until such time as the contractor has furnished him or her with the difference; however, if the contractor fails to furnish the difference within 10 days from~~

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~~delivery of the affidavit or notice from the owner to the contractor to furnish the affidavit, the owner shall determine the amount due each lienor and shall disburse to them the amounts due from him or her on a direct contract in accordance with the procedure established by subsection (4).~~

3.~~4.~~ The owner shall have the right to rely on the lienor's ~~contractor's~~ affidavit given under this paragraph in making the final payment~~, unless there are lienors giving notice who are not listed in the affidavit. If there are lienors giving notice who are not so listed, the owner may pay such lienors and any persons listed in the affidavit that are entitled to be paid by the owner under subparagraph 2. and shall thereupon be discharged of any further responsibility under the direct contract, except for any balance that may be due to the contractor~~.

4.~~5.~~ The owner shall retain and not disburse the final payment due under the direct contract ~~that shall not be disbursed~~ until the lienor's ~~contractor's~~ affidavit under subparagraph 1. has been furnished to the owner.

5.~~6.~~ If ~~When final payment has become due to the contractor and~~ the owner fails to withhold final payment when it becomes due, as required by subparagraph 4.~~5.~~, the property improved is ~~shall be~~ subject to the full amount of all valid liens ~~of which the owner has notice~~ at the time the lienor ~~contractor~~ furnishes his or her affidavit.

(e) If the improvement is abandoned before completion, the owner shall determine the amount due each lienor ~~giving notice~~ and shall pay the same in full or prorate in the same manner as provided in subsection (2)~~(4)~~.

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(f) A lienor does not ~~No contractor shall~~ have any right to require the owner to pay any money to him or her under a direct contract if such money cannot be properly paid by the owner to the lienor ~~contractor~~ in accordance with this section.

(g) Except with written consent of the lienor ~~contractor~~, before paying any money directly to any person or firm under contract with the lienor ~~except the contractor or any laborer~~, the owner shall give the lienor ~~contractor~~ at least 10 days' written notice of his or her intention to do so~~,~~ and the amount he or she proposes to pay each person or firm ~~lienor~~.

(h) When the owner has properly retained all sums required in this section to be retained but has otherwise made improper payments, the owner's real property is ~~shall be~~ liable to all lienors ~~laborers, subcontractors, sub-subcontractors, and materialmen~~ complying with this chapter only to the extent of the retentions and the improper payments, notwithstanding the other provisions of this subsection. Any money paid by the owner on a direct contract, the payment of which is proved to have caused no detriment to any certain lienor, is considered ~~shall be held~~ properly paid as to the lienor.~~, and~~ If any of the money is considered ~~shall be held~~ not properly paid as to any other lienors, the presumption that the money is not properly paid goes ~~entire benefit of its being held not properly paid as to them shall go~~ to the lienors.

(2)(a) ~~(4)(a) In determining the amounts for which~~ Liens ~~between lienors claiming~~ under a direct contract ~~shall be paid by the owner or allowed by the court within the total amount fixed by the direct contract and under the provisions of this section, the owner or court~~ shall be paid ~~pay or allow such~~

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~~liens~~ in the following order:

1. Liens of all laborers.

2. Liens of all persons other than the contractor.

3. Lien of the contractor.

(b) ~~Should the total amount for which liens under such direct contract may be allowed be less than the total amount of liens under such contract in all classes above mentioned, all liens in a class shall be allowed for their full amounts before any liens shall be allowed to any subsequent class. Should the amount applicable to the liens of any single class be insufficient to permit all liens within that class to be allowed for their full amounts, each lien shall be allowed for its pro rata share of the total amount applicable to liens of that class; but if the same labor, services, or materials shall be covered by liens of more than one class, such labor, services, or materials shall be allowed only in the earliest class by which they shall be covered; and also if the same labor, services, or materials shall be covered by liens of two or more lienors of the same class, such labor, services, or materials shall be allowed only in the lien of the lienor farthest removed from the contractor.~~ This section does ~~shall~~ not ~~be construed to~~ affect the priority of liens derived under separate direct contracts.

Section 5. Section 713.23, Florida Statutes, is repealed.

Section 6. Section 713.235, Florida Statutes, is repealed.

Section 7. Section 713.245, Florida Statutes, is repealed.

Section 8. Subsections (1) and (3) of section 713.03, Florida Statutes, are amended to read:

713.03 Liens for professional services.—

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(1) Any person who performs services as architect, landscape architect, interior designer, engineer, or surveyor and mapper, subject to compliance with and the limitations imposed by this part, has a lien on the real property improved for any money that is owing to him or her for his or her services used in connection with improving the real property or for his or her services in supervising any portion of the work of improving the real property, rendered in accordance with his or her ~~contract and with the~~ direct contract.

(3) A lien ~~No liens~~ under this section may not ~~shall~~ be acquired until a claim of lien is recorded. A ~~No~~ lienor under this section is not ~~shall be~~ required to serve ~~a notice to owner as provided in s. 713.06(2) or~~ an affidavit concerning unpaid lienors as provided in s. 713.06(1) ~~s. 713.06(3)~~.

Section 9. Section 713.04, Florida Statutes, is amended to read:

713.04 Subdivision improvements.—

(1) Any lienor who~~, regardless of privity,~~ performs services or furnishes material to real property for the purpose of making it suitable as the site for the construction of an improvement or improvements is ~~shall be~~ entitled to a lien on the real property for any money that is owed to her or him for her or his services or materials furnished in accordance with her or his ~~contract and the~~ direct contract. The total amount of liens allowed under this section may ~~shall~~ not exceed the amount of the direct contract under which the lienor furnishes labor, materials, or services. The work of making real property suitable as the site of an improvement includes, ~~shall include~~ but is not ~~shall not be~~ limited to, the grading, leveling,

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excavating, and filling of land, including the furnishing of fill soil; the grading and paving of streets, curbs, and sidewalks; the construction of ditches and other area drainage facilities; the laying of pipes and conduits for water, gas, electric, sewage, and drainage purposes; and the construction of canals and shall also include the altering, repairing, and redoing of all these things. When the services or materials are placed on land dedicated to public use and are furnished under contract with the owner of the abutting land, the cost of the services and materials, if unpaid, may be the basis for a lien upon the abutting land. When the services or materials are placed upon land under contract with the owner of the land who subsequently dedicates parts of the land to public use, the person furnishing the services or materials placed upon the dedicated land is ~~shall be~~ entitled to a lien upon the land abutting the dedicated land for the unpaid cost of the services and materials placed upon the dedicated land, or in the case of improvements that serve or benefit real property that is divided by the improvements, to a lien upon each abutting part for the equitable part of the full amount due and owing. If the part of the cost to be borne by each parcel of the land subject to the same lien is not specified in the contract, it shall be prorated equitably among the parcels served or benefited. A ~~No~~ lien under this section may not ~~shall~~ be acquired until a claim of lien is recorded. A ~~No~~ notice of commencement is not required ~~shall be filed~~ for liens under this section. ~~No lienor shall be required to serve a notice to owner for liens under this section.~~

~~(2) If a lienor under this section who is not in privity with the owner serves a notice on the owner in accordance with~~

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~~the provisions of s. 713.06(2), payment of lienors by the owner under this section shall be governed by s. 713.06(3)(c), (d), (e), (f), (g), (h), and (4).~~

(2)~~(3)~~ The owner may ~~shall~~ not pay any money on account of a direct contract before actual furnishing of labor and services or materials for subdivision improvements. Any payment not complying with such requirement does ~~shall~~ not qualify as a proper payment under this chapter.

(3)~~(4)~~ The owner shall make final payment on account of a direct contract only after the lienor ~~contractor~~ complies with s. 713.06(1)(d) ~~s. 713.06(3)(d)~~. Any payment not complying with such requirement does ~~shall~~ not qualify as a proper payment under this chapter.

Section 10. Section 713.05, Florida Statutes, is amended to read:

713.05 Liens of persons in privity.—A lienor with a direct contract and who is therefore ~~materialman or laborer, either of whom is~~ in privity with the owner~~, or a contractor~~ who complies with ~~the provisions of~~ this part shall, subject to the limitations thereof, have a lien on the real property improved for any money that is owed to him or her for labor, services, materials, or other items required by, or furnished in accordance with, the direct contract and for unpaid finance charges due under the direct ~~lienor's~~ contract, if any. A lienor ~~materialman or laborer,~~ in privity with the owner~~, or a contractor~~ shall also have a lien on the owner's real property for any money that is owed to him or her for labor, services, or materials furnished to improve public property if the improvements to the public property are a condition of the

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permit to improve the owner's real property. A ~~No~~ lien under this section may not ~~shall~~ be acquired until a claim of lien is recorded. A lienor who is~~, as a subcontractor, sub-subcontractor, laborer, or materialman~~ not in privity with the owner who~~,~~ commences to furnish labor, services, or materials ~~material~~ to an improvement and who thereafter becomes in privity with the owner has ~~shall have~~ a lien for any money that is owed to him or her for the labor, services, or materials furnished after he or she becomes in privity with the owner. ~~A lienor may record one claim of lien to cover both his or her work done in privity with the owner and not in privity with the owner. No lienor under this section shall be required to serve a notice to owner as provided in s. 713.06(2).~~ A lienor~~, except a laborer or materialman,~~ who is in privity with the owner and claims a lien under this section shall furnish the lienor's ~~contractor's~~ affidavit required in s. 713.06(1)(d) ~~s. 713.06(3)(d)~~. ~~A contractor may claim a lien for any labor, services, or materials furnished by another lienor for which he or she is obligated to pay the lienor, regardless of the right of the lienor to claim a lien; but, if the lienor claims a valid lien, the contractor shall not recover the amount of the lien recovered by the lienor, and the amount of the contractor's claim of lien may be reduced accordingly by court order. No person shall have a lien under this section except those lienors specified in it, as their designations are defined in s. 713.01.~~

Section 11. Section 713.07, Florida Statutes, is amended to read:

713.07 Priority of liens.—

(1) Liens under ss. 713.03 and 713.04 ~~shall~~ attach at the

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time of recordation of the claim of lien and ~~shall~~ take priority as of that time.

(2) Liens under s. 713.05 ~~ss. 713.05 and 713.06 shall~~ attach and take priority as of the time of recordation of the notice of commencement, but in the event a notice of commencement is not filed, ~~then~~ such liens ~~shall~~ attach and take priority as of the time the claim of lien is recorded.

(3) All such liens ~~shall~~ have priority over any conveyance, encumbrance, or demand not recorded against the real property before ~~prior to~~ the time such lien attached as provided herein, but any conveyance, encumbrance, or demand recorded before ~~prior to~~ the time such lien attaches and any proceeds thereof, regardless of when disbursed, ~~shall~~ have priority over such liens.

(4) If construction ceases or the direct contract is terminated before completion and the owner desires to recommence construction, he or she may pay all lienors in full or pro rata in accordance with s. 713.06(2) before ~~s. 713.06(4) prior to~~ recommencement, in which event all liens for the recommenced construction ~~shall~~ take priority from such recommencement; or the owner may record an affidavit in the clerk's office stating his or her intention to recommence construction and that all lienors ~~giving notice~~ have been paid in full except those listed therein as not having been so paid, in which event 30 days after such recording~~,~~ the rights of any person acquiring any interest, lien, or encumbrance on said property or of any lienor on the recommenced construction is ~~shall be~~ paramount to any lien on the prior construction unless such prior lienor records a claim of lien within said 30-day period. A copy of said affidavit

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shall be served on each lienor named therein. Before recommencing, the owner shall record and post a notice of commencement for the recommenced construction, as provided in s. 713.13.

Section 12. Subsections (1) and (3) of section 713.08, Florida Statutes, are amended to read:

713.08 Claim of lien.—

(1) For the purpose of perfecting her or his lien under this part, every lienor~~, including laborers and persons in privity,~~ shall record a claim of lien which shall state:

(a) The name of the lienor and the address where notices or process under this part may be served on the lienor.

~~(b) The name of the person with whom the lienor contracted or by whom she or he was employed.~~

(b)~~(c)~~ The labor, services, or materials furnished and the contract price or value thereof. Materials specially fabricated at a place other than the site of the improvement for incorporation in the improvement but not so incorporated and the contract price or value thereof shall be separately stated in the claim of lien.

(c)~~(d)~~ A description of the real property sufficient for identification.

(d)~~(e)~~ The name of the owner.

(e)~~(f)~~ The time when the first and the last item of labor, services, ~~or service~~ or materials was furnished.

(f)~~(g)~~ The amount unpaid the lienor for such labor, ~~or~~ services, or materials and for unpaid finance charges due under the lienor's direct contract.

~~(h) If the lien is claimed by a person not in privity with~~

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~~the owner, the date and method of service of the notice to owner. If the lien is claimed by a person not in privity with the contractor or subcontractor, the date and method of service of the copy of the notice on the contractor or subcontractor.~~

(3) The claim of lien shall be sufficient if it is in substantially the following form, and includes the following warning:

WARNING!

THIS LEGAL DOCUMENT REFLECTS THAT A CONSTRUCTION LIEN HAS BEEN PLACED ON THE REAL PROPERTY LISTED HEREIN. UNLESS THE OWNER OF SUCH PROPERTY TAKES ACTION TO SHORTEN THE TIME PERIOD, THIS LIEN MAY REMAIN VALID FOR ONE YEAR FROM THE DATE OF RECORDING, AND SHALL EXPIRE AND BECOME NULL AND VOID THEREAFTER UNLESS LEGAL PROCEEDINGS HAVE BEEN COMMENCED TO FORECLOSE OR TO DISCHARGE THIS LIEN.

CLAIM OF LIEN

State of ....

County of ....

Before me, the undersigned notary public, personally appeared ...., who was duly sworn and says that she or he is (the lienor herein) (the agent of the lienor herein ....), whose address is ....; and that in accordance with a contract with ...., lienor furnished labor, services, or materials consisting of .... on the following described real property in .... County, Florida:

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(Legal description of real property)

owned by .... of a total value of $...., of which there remains unpaid $...., and furnished the first of the items on ...., ...(year)..., and the last of the items on ...., ...(year)...~~;~~ ~~and (if the lien is claimed by one not in privity with the owner) that the lienor served her or his notice to owner on ...., ...(year)..., by ....; and (if required) that the lienor served copies of the notice on the contractor on ...., ...(year)..., by .... and on the subcontractor, ..., on ...., ...(year)..., by ....~~.

...(Signature)...

Sworn to (or affirmed) and subscribed before me this .... day of ...., ...(year)..., by ...(name of person making statement)....

...(Signature of Notary Public - State of Florida)...

...(Print, Type, or Stamp Commissioned Name of Notary Public)...

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

However, the negligent inclusion or omission of any information in the claim of lien which has not prejudiced the owner does not constitute a default that operates to defeat an otherwise valid lien.

Section 13. Paragraph (a) of subsection (2) and subsection (3) of section 713.10, Florida Statutes, are amended to read:

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713.10 Extent of liens.—

(2)(a) When the lease expressly provides that the interest of the lessor shall not be subject to liens for improvements made by the lessee, the lessee shall notify the lienor ~~contractor~~ making any such improvements of such provision or provisions in the lease, and the knowing or willful failure of the lessee to provide such notice to the lienor ~~contractor~~ shall render the contract between the lessee and the lienor ~~contractor~~ voidable at the option of the lienor ~~contractor~~.

(3) Any ~~contractor or~~ lienor under contract to furnish labor, services, or materials for improvements being made by a lessee may serve written demand on the lessor for a copy of the provision in the lease prohibiting liability for improvements made by the lessee, which copy shall be verified under s. 92.525. The demand must identify the lessee and the premises being improved ~~and must be in a document that is separate from the notice to the owner as provided in s. 713.06(2)~~. The interest of any lessor who does not serve a verified copy of the lease provision within 30 days after demand, or who serves a false or fraudulent copy, is subject to a lien under this part by the ~~contractor or~~ lienor who made the demand if the ~~contractor or~~ lienor has otherwise complied with this part and did not have actual notice that the interest of the lessor was not subject to a lien for improvements made by the lessee. The written demand must include a warning in conspicuous type in substantially the following form:

WARNING

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YOUR FAILURE TO SERVE THE REQUESTED VERIFIED COPY WITHIN 30 DAYS OR THE SERVICE OF A FALSE COPY MAY RESULT IN YOUR PROPERTY BEING SUBJECT TO THE CLAIM OF LIEN OF THE PERSON REQUESTING THE VERIFIED COPY.

Section 14. Section 713.12, Florida Statutes, is amended to read:

713.12 Liens for improving real property under contract with husband or wife on property of the other or of both.—When the direct contract for improving real property is made with a husband or wife who is not separated and living apart from his or her spouse and the property is owned by the other or by both, the spouse who contracts is considered ~~shall be deemed to be~~ the agent of the other to the extent of subjecting the right, title, or interest of the other in said property to liens under this part unless such other gives ~~shall~~, within 10 days after learning of such contract, ~~give~~ the lienor, ~~contractor~~ and records ~~record~~ in the clerk's office, notice of his or her objection thereto.

Section 15. Subsection (1) and paragraph (b) of subsection (5) of section 713.13, Florida Statutes, are amended to read:

713.13 Notice of commencement.—

(1)(a) Except for an improvement that is exempt under s. 713.02(4) ~~pursuant to s. 713.02(5)~~, an owner or the owner's authorized agent before actually commencing to improve any real property, or recommencing completion of any improvement after default or abandonment, ~~whether or not a project has a payment bond complying with s. 713.23,~~ shall record a notice of commencement in the clerk's office and ~~forthwith~~ post either a certified copy thereof or a notarized statement that the notice

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of commencement has been filed for recording along with a copy thereof. The notice of commencement shall contain the following information:

1. A description sufficient for identification of the real property to be improved. The description should include the legal description of the property and also should include the street address and tax folio number of the property, if available, or, if a ~~there is no~~ street address is not available, such additional information as will describe the physical location of the real property to be improved.

2. A general description of the improvement.

3. The name and address of the owner, the owner's interest in the site of the improvement, and the name and address of the fee simple titleholder, if other than such owner. A lessee who contracts for the improvements is an owner as defined in s. 713.01 ~~under s. 713.01(23)~~ and must be listed as the owner together with a statement that the ownership interest is a leasehold interest.

4. The name and address of any potential lienors ~~the contractor~~.

~~5. The name and address of the surety on the payment bond under s. 713.23, if any, and the amount of such bond.~~

5.~~6.~~ The name and address of any person making a loan for the construction of the improvements.

6.~~7.~~ The name and address within the state of a person other than himself or herself who may be designated by the owner as the person upon whom notices or other documents may be served under this part.~~; and~~ Service upon the person so designated constitutes service upon the owner.

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~~(b) The owner, at his or her option, may designate a person in addition to himself or herself to receive a copy of the lienor's notice as provided in s. 713.06(2)(b), and if he or she does so, the name and address of such person must be included in the notice of commencement.~~

(b)~~(c)~~ If the contract between the owner and a lienor ~~contractor~~ named in the notice of commencement expresses a period of time for completion ~~for the construction~~ of the improvement that is greater than 1 year, the notice of commencement must state that it is effective for a period of 1 year plus any such additional period of time. Any payments made by the owner after the expiration of the notice of commencement are considered improper payments.

(c)~~(d)~~ A notice of commencement must be in substantially the following form:

Permit No..... Tax Folio No.....

NOTICE OF COMMENCEMENT

State of....

County of....

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of property: ...(legal description ~~of the property~~, and street address of the property, if available)....

2. General description of improvement:.....

3. Owner information or Lessee information if the Lessee

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contracted for the improvement:

a. Name and address:.....

b. Interest in property:.....

c. Name and address of fee simple titleholder (if different from Owner listed above):.....

4.a. Lienors ~~Contractor~~: ...(name and address)....

b. Lienors' ~~Contractor's~~ phone number:.....

~~5. Surety (if applicable, a copy of the payment bond is attached):~~

~~a. Name and address:.....~~

~~b. Phone number:.....~~

~~c. Amount of bond: $.....~~

5.a.~~6.a.~~ Lender: ...(name and address)....

b. Lender's phone number:.....

6.~~7.~~ Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)6. ~~713.13(1)(a)7.~~, Florida Statutes:

a. Names and addresses of designated persons ~~Name and address~~:.....

b. Phone numbers of designated persons:.....

~~8.a. In addition to himself or herself, Owner designates ..... of ..... to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.~~

~~b. Phone number of person or entity designated by owner:.....~~

7.~~9.~~ Expiration date of notice of commencement (the expiration date will be 1 year after ~~from~~ the date of recording, unless a different date is specified).....

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WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

...(Signature of Owner or Lessee, or Owner's or Lessee's Authorized Officer/Director/Partner/Manager)...

...(Signatory's Title/Office)...

The foregoing instrument was acknowledged before me this .... day of ...., ...(year)..., by ...(name of person)... as ...(type of authority, ... e.g. officer, trustee, attorney in fact)... for ...(name of party on behalf of whom instrument was executed)....

...(Signature of Notary Public - State of Florida)...

...(Print, Type, or Stamp Commissioned Name of Notary Public)...

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

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~~(e) A copy of any payment bond must be attached at the time of recordation of the notice of commencement. The failure to attach a copy of the bond to the notice of commencement when the notice is recorded negates the exemption provided in s. 713.02(6). However, if a payment bond under s. 713.23 exists but was not attached at the time of recordation of the notice of commencement, the bond may be used to transfer any recorded lien of a lienor except that of the contractor by the recordation and service of a notice of bond pursuant to s. 713.23(2). The notice requirements of s. 713.23 apply to any claim against the bond; however, the time limits for serving any required notices shall, at the option of the lienor, be calculated from the dates specified in s. 713.23 or the date the notice of bond is served on the lienor.~~

(d) ~~(f)~~ The giving of a notice of commencement is effective upon the filing of the notice in the clerk's office.

(e) ~~(g)~~ The owner must sign the notice of commencement and no one else may be permitted to sign in his or her stead.

(5)

(b) The amended notice must identify the official records book and page where the original notice of commencement is recorded, and a copy of the amended notice must be served by the owner upon ~~the contractor and~~ each lienor ~~who serves notice~~ before or within 30 days after the date on which the amended notice is recorded.

Section 16. Paragraph (f) of subsection (1) and subsections (2), (3), and (4) of section 713.132, Florida Statutes, are amended to read:

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713.132 Notice of termination.—

(1) An owner may terminate the period of effectiveness of a notice of commencement by executing, swearing to, and recording a notice of termination that contains:

(f) A statement that the owner has, before recording the notice of termination, served a copy of the notice of termination on ~~the contractor and on~~ each lienor who has a direct contract with the owner ~~or who has served a notice to owner~~. The owner is not required to serve a copy of the notice of termination on any lienor who has executed a waiver and release of lien upon final payment in accordance with s. 713.20.

(2) An owner has the right to rely on a lienor's ~~contractor's~~ affidavit given under s. 713.06(1)(d) ~~s. 713.06(3)(d), except with respect to lienors who have already given notice,~~ in connection with the execution, swearing to, and recording of a notice of termination. However, the notice of termination must be accompanied by the contractor's affidavit.

(3) An owner may not record a notice of termination except after completion of construction~~,~~ or after construction ceases before completion and all lienors have been paid in full or pro rata in accordance with s. 713.06(2) ~~s. 713.06(4)~~. If an owner or a contractor, by fraud or collusion, knowingly makes any fraudulent statement or affidavit in a notice of termination or any accompanying affidavit, the owner and the contractor, or either of them, as the case may be, is liable to any lienor who suffers damages as a result of the filing of the fraudulent notice of termination,~~;~~ and any such lienor has a right of action for damages occasioned thereby.

(4) A notice of termination is effective to terminate the

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notice of commencement at the later of 30 days after recording of the notice of termination or the date stated in the notice of termination as the date on which the notice of commencement is terminated, if the notice of termination has been served pursuant to paragraph (1)(f) on ~~the contractor and on~~ each lienor who has a direct contract with the owner ~~or who has served a notice to owner~~.

Section 17. Paragraphs (b) and (d) of subsection (1) and paragraph (a) of subsection (6) of section 713.135, Florida Statutes, are amended to read:

713.135 Notice of commencement and applicability of lien.—

(1) When any person applies for a building permit, the authority issuing such permit shall:

(b) Provide the applicant and the owner of the real property upon which improvements are to be constructed with a printed statement stating that the right, title, and interest of the person who has contracted for the improvement may be subject to attachment under the Construction Lien Law. The Department of Business and Professional Regulation shall furnish, for distribution, the statement described in this paragraph, and the statement must be a summary of the Construction Lien Law and must include an explanation of the provisions of the Construction Lien Law relating to the recording, and the posting of copies, of notices of commencement and a statement encouraging the owner to record a notice of commencement and post a copy of the notice of commencement in accordance with s. 713.13. The statement must also contain an explanation of the owner's rights ~~if a lienor fails to furnish the owner with a notice as provided in s. 713.06(2) and an explanation of the~~

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~~owner's rights~~ as provided in s. 713.22. The authority that issues the building permit must obtain from the Department of Business and Professional Regulation the statement required by this paragraph and must mail, deliver by electronic mail or other electronic format or facsimile, or personally deliver that statement to the owner or, in a case in which the owner is required to personally appear to obtain the permit, provide that statement to any owner making improvements to real property consisting of a single or multiple family dwelling up to and including four units. However, the failure by the authorities to provide the summary does not subject the issuing authority to liability.

(d) Furnish to the applicant two or more copies of a form of notice of commencement conforming with s. 713.13. If the direct contract is greater than $2,500, the applicant shall file with the issuing authority before ~~prior to~~ the first inspection either a certified copy of the recorded notice of commencement or a notarized statement that the notice of commencement has been filed for recording, along with a copy thereof. In the absence of the filing of a certified copy of the recorded notice of commencement, the issuing authority or a private provider performing inspection services may not perform or approve subsequent inspections until the applicant files by mail, facsimile, hand delivery, or any other means such certified copy with the issuing authority. The certified copy of the notice of commencement must contain the name and address of the owner, the name and address of any lienors ~~the contractor~~, and the location or address of the property being improved. The issuing authority shall verify that the name and address of the owner, the name of

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any lienors ~~the contractor~~, and the location or address of the property being improved which is contained in the certified copy of the notice of commencement is consistent with the information in the building permit application. The issuing authority shall provide the recording information on the certified copy of the recorded notice of commencement to any person upon request. This subsection does not require the recording of a notice of commencement before ~~prior to~~ the issuance of a building permit. If a local government requires a separate permit or inspection for installation of temporary electrical service or other temporary utility service, land clearing, or other preliminary site work, such permits may be issued and such inspections may be conducted without providing the issuing authority with a certified copy of a recorded notice of commencement or a notarized statement regarding a recorded notice of commencement. This subsection does not apply to a direct contract to repair or replace an existing heating or air-conditioning system in an amount less than $7,500.

(6)(a) In addition to any other information required by the authority issuing the permit, the building permit application must be in substantially the following form:

Tax Folio No.....

BUILDING PERMIT APPLICATION

Owner’s Name.....

Owner’s Address.....

Fee Simple Titleholder’s Name (If other than owner).....

Fee Simple Titleholder’s Address (If other than owner).....

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City.....

State..... Zip.....

Lienors' Names ~~Contractor's Name~~.....

Lienors' Addresses ~~Contractor's Address~~.....

City.....

State..... Zip.....

Job Name.....

Job Address.....

City..... County.....

Legal Description.....

~~Bonding Company.....~~

~~Bonding Company Address.....~~

~~City..... State.....~~

Architect/Engineer's Name.....

Architect/Engineer's Address.....

Mortgage Lender's Name.....

Mortgage Lender's Address.....

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that ~~no~~ work or installation has not commenced before ~~prior to~~ the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, and AIR CONDITIONERS, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with

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all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

...(Signature of Owner or Agent)...

...(including <u>any lienors</u> ~~contractor~~)...

STATE OF FLORIDA
COUNTY OF ....

Sworn to (or affirmed) and subscribed before me this .... day of ...., ...(year)..., by ...(name of person making statement)....

...(Signature of Notary Public - State of Florida)...
...(Print, Type, or Stamp Commissioned Name of Notary Public)...

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

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...(Signature of any lienors ~~Contractor~~)...

STATE OF FLORIDA
COUNTY OF ....

Sworn to (or affirmed) and subscribed before me this .... day of ...., ...(year)..., by ...(name of person making statement)....

...(Signature of Notary Public - State of Florida)...

...(Print, Type, or Stamp Commissioned Name of Notary Public)...

Personally Known .... OR Produced Identification ....

Type of Identification Produced.....

(Certificate of Competency Holder)

Lienor's ~~Contractor's~~ State Certification or Registration No.....

Lienor's ~~Contractor's~~ Certificate of Competency No.....

APPLICATION APPROVED BY
.....Permit Officer

Section 18. Section 713.16, Florida Statutes, is amended to read:

713.16 Demand for copy of direct contract and statement ~~statements~~ of account; form.—

(1) A copy of the direct contract of a lienor or owner and

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a statement of the amount due or to become due if fixed or ascertainable thereon must be furnished by any party thereto, upon written demand of an owner or a lienor contracting with or employed by the other party to such direct contract. If the owner or lienor refuses or neglects to furnish such copy of the direct contract or such statement, or willfully and falsely states the amount due or to become due if fixed or ascertainable under such direct contract, any person who suffers any detriment thereby has a cause of action against the person refusing or neglecting to furnish the same or willfully and falsely stating the amount due or to become due for his or her damages sustained thereby. The information contained in such copy or statement furnished pursuant to such written demand is binding upon the owner or lienor furnishing it unless actual notice of any modification is given to the person demanding the copy or statement before such person acts in good faith in reliance on it. The person demanding such documents must pay for the reproduction thereof, ~~,~~ and, if such person fails or refuses to do so, he or she is entitled only to inspect such documents at reasonable times and places.

(2) The owner may serve in writing a demand of any lienor for a written statement under oath of his or her account showing the nature of the labor or services performed and to be performed, if any, the materials furnished, the materials to be furnished, if known, the amount paid on account to date, the amount due, and the amount to become due, if known, as of the date of the statement by the lienor. Any such demand to a lienor must be served on the lienor at the address and to the attention of any person who is designated to receive the demand ~~in the~~

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~~notice to owner served by such lienor~~ and must include a description of the property and the names of the owner~~, the contractor,~~ and the lienor's customer~~, as set forth in the lienor's notice to owner~~. The failure or refusal to furnish the statement does not deprive the lienor of his or her lien if the demand is not served at the address of the lienor or directed to the attention of the person designated to receive the demand ~~in the notice to owner~~. The failure or refusal to furnish the statement under oath within 30 days after the demand, or the furnishing of a false or fraudulent statement, deprives the person so failing or refusing to furnish such statement of his or her lien. If the owner serves more than one demand for statement of account on a lienor and none of the information regarding the account has changed since the lienor's last response to a demand, the failure or refusal to furnish such statement does not deprive the lienor of his or her lien. The negligent inclusion or omission of any information deprives the person of his or her lien to the extent the owner can demonstrate prejudice from such act or omission by the lienor. The failure to furnish a response to a demand for statement of account does not affect the validity of any claim of lien being enforced through a foreclosure case filed before the date on which the demand for statement is received by the lienor.

(3) A request for sworn statement of account must be in substantially the following form:

REQUEST FOR SWORN STATEMENT OF ACCOUNT

WARNING: YOUR FAILURE TO FURNISH THE REQUESTED STATEMENT, SIGNED

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UNDER OATH, WITHIN 30 DAYS OR THE FURNISHING OF A FALSE STATEMENT WILL RESULT IN THE LOSS OF YOUR LIEN.

To: ...(Lienor's name and address)...

The undersigned hereby demands a written statement under oath of his or her account showing the nature of the labor or services performed and to be performed, if any, the materials furnished, the materials to be furnished, if known, the amount paid on account to date, the amount due, and the amount to become due, if known, as of the date on which ~~of~~ the statement for the improvement of real property identified as ...(property description)....

~~...(name of contractor)...~~

...(name of the lienor's customer~~, as set forth in the lienor's Notice to Owner, if such notice has been served~~)...

...(signature and address of owner)...

...(date of request for sworn statement of account)...

~~(4) When a contractor has furnished a payment bond pursuant to s. 713.23, he or she may, when an owner makes any payment to the contractor or directly to a lienor, serve a written demand on any other lienor for a written statement under oath of his or her account showing the nature of the labor or services performed and to be performed, if any, the materials furnished, the materials to be furnished, if known, the amount paid on~~

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~~account to date, the amount due, and the amount to become due, if known, as of the date of the statement by the lienor. Any such demand to a lienor must be served on the lienor at the address and to the attention of any person who is designated to receive the demand in the notice to contractor served by such lienor. The demand must include a description of the property and the names of the owner, the contractor, and the lienor's customer, as set forth in the lienor's notice to contractor. The failure or refusal to furnish the statement does not deprive the lienor of his or her rights under the bond if the demand is not served at the address of the lienor or directed to the attention of the person designated to receive the demand in the notice to contractor. The failure to furnish the statement within 30 days after the demand, or the furnishing of a false or fraudulent statement, deprives the person who fails to furnish the statement, or who furnishes the false or fraudulent statement, of his or her rights under the bond. If the contractor serves more than one demand for statement of account on a lienor and none of the information regarding the account has changed since the lienor's last response to a demand, the failure or refusal to furnish such statement does not deprive the lienor of his or her rights under the bond. The negligent inclusion or omission of any information deprives the person of his or her rights under the bond to the extent the contractor can demonstrate prejudice from such act or omission by the lienor. The failure to furnish a response to a demand for statement of account does not affect the validity of any claim on the bond being enforced in a lawsuit filed prior to the date the demand for statement of account is received by the lienor.~~

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(4)(a)~~(5)(a)~~ Any lienor who is perfecting a claim of lien may serve with the claim of lien or thereafter a written demand on the owner for a written statement under oath showing:

1. The amount of the direct contract under which the lien was recorded;

2. The dates and amounts paid or to be paid by or on behalf of the owner for all improvements described in the direct contract;

3. The reasonable estimated costs of completing the direct contract under which the lien was claimed pursuant to the scope of the direct contract; and

4. If known, the actual cost of completion.

(b) Any owner who does not provide the statement within 30 days after demand, or who provides a false or fraudulent statement, is not a prevailing party for purposes of an award of attorney fees under s. 713.29. The written demand must include the following warning in conspicuous type in substantially the following form:

WARNING: YOUR FAILURE TO FURNISH THE REQUESTED STATEMENT WITHIN 30 DAYS OR THE FURNISHING OF A FALSE STATEMENT WILL RESULT IN THE LOSS OF YOUR RIGHT TO RECOVER ATTORNEY FEES IN ANY ACTION TO ENFORCE THE CLAIM OF LIEN OF THE PERSON REQUESTING THIS STATEMENT.

(5)~~(6)~~ Any written demand served on the owner must include a description of the property and the name ~~names~~ of the ~~contractor and the~~ lienor's customer~~, as set forth in the lienor's notice to owner~~.

(6)~~(7)~~ For purposes of this section, the term "information"

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means the nature and quantity of the labor, services, and materials furnished or to be furnished by a lienor and the amount paid, the amount due, and the amount to become due on the lienor's account.

Section 19. Subsection (3) of section 713.165, Florida Statutes, is amended to read:

713.165 Request for list of subcontractors and suppliers.—

~~(3) A list furnished under this section shall not constitute a notice to owner.~~

Section 20. Subsection (2) of section 713.18, Florida Statutes, is amended to read:

713.18 Manner of serving notices and other instruments.—

(2) Notwithstanding subsection (1), service of a ~~notice to owner or a~~ preliminary notice to contractor under s. 255.05 or~~,~~ s. 337.18~~, or s. 713.23~~ is effective as of the date of mailing if:

(a) The notice is mailed by registered, Global Express Guaranteed, or certified mail, with postage prepaid, to the person to be served at any of the addresses set forth in subsection (3);

(b) The notice is mailed within 40 days after the date on which the lienor first furnishes labor, services, or materials; and

(c)1. The person who served the notice maintains a registered or certified mail log that shows the registered or certified mail number issued by the United States Postal Service, the name and address of the person served, and the date stamp of the United States Postal Service confirming the date of mailing; or

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2. The person who served the notice maintains electronic tracking records generated by the United States Postal Service containing the postal tracking number, the name and address of the person served, and verification of the date of receipt by the United States Postal Service.

Section 21. Subsections (1) and (7) of section 713.20, Florida Statutes, are amended to read:

713.20 Waiver or release of liens.—

(1) The acceptance by the lienor of an unsecured note for all or any part of the amount of his or her demand does ~~shall~~ not constitute a waiver of his or her lien therefor unless expressly so agreed in writing, nor shall it in any way affect the ~~period for filing the notice under s. 713.06(2), or the~~ claim of lien under s. 713.08.

(7) A lienor who executes a lien waiver and release in exchange for a check may condition the waiver and release upon ~~on~~ payment of the check. ~~However, in the absence of a payment bond protecting the owner, the owner may withhold from any payment to the contractor the amount of any such unpaid check until any such condition is satisfied.~~

Section 22. Subsections (1), (3), and (4) of section 713.24, Florida Statutes, are amended to read:

713.24 Transfer of liens to security.—

(1) Any lien claimed under this part may be transferred~~,~~ by any person having an interest in the real property upon which the lien is imposed or the direct contract under which the lien is claimed~~,~~ from such real property to other security by either:

(a) Depositing in the clerk's office a sum of money~~;~~ ~~,~~ or

(b) Filing in the clerk's office a bond executed as surety

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by a surety insurer licensed to do business in this state,

either ~~to be~~ in an amount equal to the amount demanded in such claim of lien, plus interest thereon at the legal rate for 3 years, plus $1,000 or 25 percent of the amount demanded in the claim of lien, whichever is greater, to apply on any attorney ~~attorney's~~ fees and court costs that may be taxed in any proceeding to enforce said lien. Such deposit or bond shall be conditioned to pay any judgment or decree which may be rendered for the satisfaction of the lien for which such claim of lien was recorded. Upon making such deposit or filing such bond, the clerk shall make and record a certificate showing the transfer of the lien from the real property to the security and shall mail a copy thereof by registered or certified mail to the lienor named in the claim of lien so transferred~~,~~ at the address stated therein. Upon filing the certificate of transfer, the real property shall thereupon be released from the lien claimed, and such lien shall be transferred to said security. ~~In the absence of allegations of privity between the lienor and the owner, and~~ Subject to any order of the court increasing the amount required for the lien transfer deposit or bond, no other judgment or decree to pay money may be entered by the court against the owner. The clerk is ~~shall be~~ entitled to a service charge for making and serving the certificate, in the amount of up to $20, from which the clerk shall remit $5 to the Department of Revenue for deposit into the General Revenue Fund. If the transaction involves the transfer of multiple liens, an additional charge of up to $10 for each additional lien shall be charged, from which the clerk shall remit $2.50 to the

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Department of Revenue for deposit into the General Revenue Fund. For recording the certificate and approving the bond, the clerk shall receive her or his usual statutory service charges as prescribed in s. 28.24. Any number of liens may be transferred to one such security.

(3) Any party having an interest in such security or the property from which the lien was transferred may at any time, and any number of times, file a complaint in chancery in the circuit court of the county where such security is deposited, or file a motion in a pending action to enforce a lien, for an order to require additional security, reduction of security, change or substitution of sureties, payment of discharge thereof, or any other matter affecting said security. If the court finds that the amount of the deposit or bond in excess of the amount claimed in the claim of lien is insufficient to pay the lienor's attorney ~~attorney's~~ fees and court costs incurred in the action to enforce the lien, the court must increase the amount of the cash deposit or lien transfer bond. Nothing in this section shall be construed to vest exclusive jurisdiction in the circuit courts over transfer bond claims for nonpayment of an amount within the monetary jurisdiction of the county courts.

(4) If a proceeding to enforce a transferred lien is not commenced within the time specified in s. 713.22 or if it appears that the transferred lien has been satisfied of record, the clerk shall return said security upon request of the person depositing or filing the same~~,~~ or the insurer. If a proceeding to enforce a lien is commenced in a court of competent jurisdiction within the time specified in s. 713.22 and, during

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such proceeding, the lien is transferred pursuant to this section ~~or s. 713.13(1)(c)~~, an action commenced within 1 year after the transfer, unless otherwise shortened by operation of law, in the same county or circuit court to recover against the security shall be deemed to have been brought as of the date of filing the action to enforce the lien, and the court shall have jurisdiction over the action.

Section 23. Section 713.29, Florida Statutes, is amended to read:

713.29 Attorney ~~Attorney's~~ fees.—In any action brought to enforce a lien ~~or to enforce a claim against a bond~~ under this part, the prevailing party is entitled to recover a reasonable fee for the services of her or his attorney for trial and appeal or for arbitration, in an amount to be determined by the court, which fee must be taxed as part of the prevailing party's costs, as allowed in equitable actions.

Section 24. Paragraph (c) of subsection (2) and subsection (3) of section 713.31, Florida Statutes, are amended to read:

713.31 Remedies in case of fraud or collusion.—

(2)

(c) An owner against whose interest in real property a fraudulent lien is filed, or any other lienor ~~contractor, subcontractor, or sub-subcontractor~~ who suffers damages as a result of the filing of the fraudulent lien, has ~~shall have~~ a right of action for damages occasioned thereby. The action may be instituted independently of any other action, or in connection with a summons to show cause under s. 713.21, or as a counterclaim or cross-claim to any action to enforce or to determine the validity of the lien. The prevailing party in an

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action under this paragraph may recover reasonable attorney ~~attorney's~~ fees and costs. If the lienor who files a fraudulent lien is not the prevailing party, the lienor is ~~shall be~~ liable to the owner or the defrauded party who prevails in an action under this subsection in damages, which shall include court costs, clerk's fees, a reasonable attorney ~~attorney's~~ fee and costs for services in securing the discharge of the lien, the amount of any premium for a bond given to obtain the discharge of the lien, interest on any money deposited for the purpose of discharging the lien, and punitive damages in an amount not exceeding the difference between the amount claimed by the lienor to be due or to become due and the amount actually due or to become due.

(3) Any person who willfully files a fraudulent lien, as defined in this section, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A state attorney or the statewide prosecutor, upon the filing of an indictment or information against a lienor ~~contractor, subcontractor, or sub-subcontractor~~ which charges such person with a violation of this subsection, shall forward a copy of the indictment or information to the Department of Business and Professional Regulation. The Department of Business and Professional Regulation shall promptly open an investigation into the matter~~,~~ and, if probable cause is found, shall furnish a copy of any investigative report to the state attorney or statewide prosecutor who furnished a copy of the indictment or information and to the owner of the property which is the subject of the investigation.

Section 25. Paragraph (d) of subsection (1) of section

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713.345, Florida Statutes, is amended to read:

713.345 Moneys received for real property improvements; penalty for misapplication.—

(1)

(d) A state attorney or the statewide prosecutor, upon the filing of an indictment or information against a lienor ~~contractor, subcontractor, or sub-subcontractor~~ which charges such person with a violation of paragraph (b), shall forward a copy of the indictment or information to the Department of Business and Professional Regulation. The Department of Business and Professional Regulation shall promptly open an investigation into the matter and, if probable cause is found, shall furnish a copy of any investigative report to the state attorney or statewide prosecutor who furnished a copy of the indictment or information and to the owner of the property which is the subject of the investigation.

Section 26. Subsection (7) of section 713.346, Florida Statutes, is amended to read:

713.346 Payment on construction contracts.—

(7) The prevailing party in any proceeding under this section is entitled to recover costs, including a reasonable attorney ~~attorney's~~ fee, at trial and on appeal.

Section 27. Section 713.3471, Florida Statutes, is amended to read:

713.3471 Lender responsibilities with construction loans.—

(1) Before ~~Prior to~~ a lender making any loan disbursement on any construction loan secured by residential real property directly to the owner, which, for purposes of this subsection, means only a natural person, into the owner's account or

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accounts, or jointly to the owner and any other party, the lender shall mail, deliver by electronic mail or other electronic format or facsimile, or personally deliver the following written notice to the borrowers in bold type larger than any other type on the page:

WARNING!

YOUR LENDER IS MAKING A LOAN DISBURSEMENT DIRECTLY TO YOU AS THE BORROWER, OR JOINTLY TO YOU AND ANOTHER PARTY. TO PROTECT YOURSELF FROM HAVING TO PAY TWICE FOR THE SAME LABOR, SERVICES, OR MATERIALS USED IN MAKING THE IMPROVEMENTS TO YOUR PROPERTY, BE SURE THAT YOU REQUIRE ALL LIENORS ~~YOUR CONTRACTOR~~ TO GIVE YOU LIEN RELEASES ~~FROM EACH LIENOR WHO HAS SENT YOU A NOTICE TO OWNER~~ EACH TIME YOU MAKE A PAYMENT TO THE LIENOR ~~YOUR CONTRACTOR~~.

This subsection does not apply when the owner is a contractor licensed under chapter 489 or is a person who creates parcels or offers parcels for sale or lease in the ordinary course of business.

(2)(a) Within 5 business days after a lender makes a final determination, before ~~prior to~~ the distribution of all funds available under a construction loan, that the lender will cease further advances under ~~pursuant to~~ the loan, the lender shall serve written notice of that decision on ~~the contractor and on~~ any ~~other~~ lienor who has given the lender notice. The lender is ~~shall~~ not ~~be~~ liable to a lienor ~~the contractor~~ based upon the

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decision of the lender to cease further advances if the lender gives the lienor ~~contractor~~ notice of such decision in accordance with this subsection and the decision is otherwise permitted under the loan documents.

(b) The failure to give notice to the lienor ~~contractor~~ under paragraph (a) renders the lender liable to the lienor ~~contractor~~ to the extent of the actual value of the materials and direct labor costs furnished by the lienor ~~contractor~~ plus 15 percent for overhead, profit, and all other costs from the date on which notice of the lender's decision should have been served on the lienor ~~contractor~~ and the date on which notice of the lender's decision is served on the lienor ~~contractor~~. The lender and the lienor ~~contractor~~ may agree in writing to any other reasonable method for determining the value of the labor, services, and materials furnished by the lienor ~~contractor~~.

(c) The liability of the lender may not ~~shall in no event~~ be greater than the amount of undisbursed funds at the time the notice should have been given unless the failure to give notice was done for the purpose of defrauding the lienor ~~contractor~~. The lender is not liable to the lienor ~~contractor~~ for consequential or punitive damages for failure to give timely notice under this subsection. The lienor has ~~contractor shall have~~ a separate cause of action against the lender for damages sustained as the result of the lender's failure to give timely notice under this subsection. Such separate cause of action may not be used to hinder or delay any foreclosure action filed by the lender, may not be the basis of any claim for an equitable lien or for equitable subordination of the mortgage lien, and may not be asserted as an offset or a defense in the foreclosure

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case.

(d) For purposes of serving notice on a lienor ~~the contractor~~ under this subsection, the lender may rely on the name and address of the lienor ~~contractor~~ listed in the notice of commencement or, if a ~~no~~ notice of commencement is not recorded, on the name and address of the lienor ~~contractor~~ listed in the uniform building permit application. ~~For purposes of serving notice on any other lienor under this subsection, the lender may rely upon the name and address of the lienor listed in the notice to owner.~~

(e) A ~~The contractor or any other~~ lienor may not waive the right to receive notice under this paragraph.

(3)(a) If the lender and the borrower have designated a portion of the construction loan proceeds, the borrower may not authorize the lender to disburse the funds so designated for any other purpose until the owner serves ~~the contractor and~~ any ~~other~~ lienor ~~who has given the owner a notice to owner~~ with written notice of that decision, including the amount of such loan proceeds to be disbursed. For the purposes of this subsection, the term "designated construction loan proceeds" means that portion of the loan allocated to actual construction costs of the facility and does ~~shall~~ not include allocated loan proceeds for tenant improvements when ~~where~~ the lienor does not have a ~~contractor has no~~ contractual obligation or work order to proceed with such improvements. The lender is ~~shall~~ not ~~be~~ liable to the lienor ~~contractor~~ based upon the reallocation of the loan proceeds or the disbursement of the loan proceeds if the notice is timely given in accordance with this subsection and the decision is otherwise permitted under the loan

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documents.

(b) If the lender is permitted under the loan documents to make disbursements from the loan contrary to the original loan budget without the borrower's prior consent, the lender is responsible for serving the notice to any ~~the contractor or other~~ lienor required under this subsection.

(c) This subsection does not apply to a residential project of four units or fewer ~~less~~.

(d) This subsection does not apply to construction loans of less than $1 million unless the lender has committed to make more than one loan, the total of which loans are greater than $1 million, for the purpose of evading this subsection.

(e) The owner or the lender is not required to give notice to ~~the contractor or~~ any ~~other~~ lienor under this subsection unless the total amount of all disbursements described in paragraph (a) exceed 5 percent of the original amount of the designated construction loan proceeds or $100,000, whichever is less.

(f) Disbursement of loan proceeds contrary to this subsection renders the lender liable to the lienor ~~contractor~~ to the extent of any such disbursements or to the extent of the actual value of the materials and direct labor costs plus 15 percent for overhead, profit, and all other costs, whichever is less. The lender is not liable to the lienor ~~contractor~~ for consequential or punitive damages for disbursing loan proceeds in violation of this subsection. The lienor has ~~contractor shall have~~ a separate cause of action against the lender for damages sustained as the result of the disbursement of loan proceeds in violation of this subsection. Such separate cause of action may

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not be used to hinder or delay any foreclosure action filed by the lender, may not be the basis of any claim for equitable subordination of the mortgage lien, and may not be asserted as an offset or a defense in the foreclosure case.

(g) For purposes of serving notice on a lienor ~~the contractor~~ under this subsection, the lender may rely upon the name and address of the lienor ~~contractor~~ listed in the notice of commencement or, if no notice of commencement is recorded, the name and address of the lienor ~~contractor~~ listed in the uniform building permit application. ~~For purposes of serving notice on any other lienor under this subsection, the lender may rely upon the name and address of the lienor listed in the notice to owner.~~

(h) For purposes of this subsection, the lender may rely upon a written statement, signed under oath by the ~~contractor or any other~~ lienor, that confirms that the ~~contractor or the~~ lienor has received the written notice required by this subsection.

(i) A ~~contractor and any other~~ lienor may not waive his or her right to receive notice under this subsection.

Section 28. Section 713.35, Florida Statutes, is amended to read:

713.35 Making or furnishing false statement.—Any person, firm, or corporation who knowingly and intentionally makes or furnishes to another person, firm, or corporation an affidavit, a waiver or release of lien, or other document, whether or not under oath, containing false information about the payment status of any lienors ~~subcontractors, sub-subcontractors, or suppliers~~ in connection with the improvement of real property in

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this state, knowing that the one to whom it was furnished might rely on it, and the one to whom it was furnished will part with draw payments or final payment relying on the truth of such statement as an inducement to do so commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. A state attorney or the statewide prosecutor, upon the filing of an indictment or information against a person, firm, or corporation ~~contractor, subcontractor, or sub-subcontractor~~ which charges such person or entity with a violation of this section, shall forward a copy of the indictment or information to the Department of Business and Professional Regulation. The Department of Business and Professional Regulation shall promptly open an investigation into the matter and, if probable cause is found, shall furnish a copy of any investigative report to the state attorney or statewide prosecutor who furnished a copy of the indictment or information and to the owner of the property which is the subject of the investigation.

Section 29. Subsection (2) of section 713.22, Florida Statutes, is amended to read:

713.22 Duration of lien.—

(2) An owner or the owner's attorney may elect to shorten the time prescribed in subsection (1) within which to commence an action to enforce any claim of lien or claim against ~~a bond or~~ other security under ~~s. 713.23 or~~ s. 713.24 by recording in the clerk's office a notice in substantially the following form:

NOTICE OF CONTEST OF LIEN

To: ...(Name and address of lienor)...

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You are notified that the undersigned contests the claim of lien filed by you on ...., ...(year)..., and recorded in .... Book ...., Page ...., of the public records of .... County, Florida, and that the time within which you may file suit to enforce your lien is limited to 60 days from the date of service of this notice. This .... day of ...., ...(year)....

Signed: ...(Owner or Attorney)...

The lien of any lienor upon whom such notice is served and who fails to institute a suit to enforce his or her lien within 60 days after service of such notice shall be extinguished automatically. The clerk shall serve, in accordance with s. 713.18, a copy of the notice of contest to the lien claimant at the address shown in the claim of lien or most recent amendment thereto and shall certify to such service and the date of service on the face of the notice and record the notice.

Section 30. Paragraph (b) of subsection (2) and paragraph (e) of subsection (5) of section 95.11, Florida Statutes, are amended to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(2) WITHIN FIVE YEARS.—

(b) A legal or equitable action on a contract, obligation, or liability founded on a written instrument, except for an action to enforce a claim against a payment bond, which shall be governed by the applicable provisions of paragraph (5)(e), s.

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255.05(10), or s. 337.18(1), ~~or s. 713.23(1)(e),~~ and except for an action for a deficiency judgment governed by paragraph (5)(h).

(5) WITHIN ONE YEAR.—

(e) Except for actions governed by s. 255.05(10) or~~,~~ s. 337.18(1), ~~or s. 713.23(1)(e),~~ an action to enforce any claim against a payment bond on which the principal is a contractor, subcontractor, or sub-subcontractor as defined in s. 713.01, for private work as well as public work, from the last furnishing of labor, services, or materials or from the last furnishing of labor, services, or materials by the contractor if the contractor is the principal on a bond on the same construction project, whichever is later.

Section 31. This act shall take effect July 1, 2020.

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From: Florida Trend <news@floridatrend.com>
Sent: Wednesday, October 16, 2019 1:14 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Movers & Influencers: Florida's Executive Appointments

Subscribe to: Florida Trend

Movers & Influencers

October 16, 2019

Stephen Farbish

Accounting

EisnerAmper LLP, Miami
EisnerAmper LLP, a leading global business advisory firm, announced that it has admitted ***Stephen Farbish*** as a Tax Partner serving the South Florida market. Farbish works with high net worth individuals and closely held businesses and corporations across a variety of industries on tax compliance issues, tax planning and consulting and outsourced finance services.

Gessie Lipscomb

Banking

Centennial Bank, *Tampa Bay*
Gessie Lipscomb is a CERTIFIED FINANCIAL PLANNER™ who has dedicated more than a decade to providing her clients with the guidance to better align their financial and lifestyle goals. Prior to joining Centennial Bank, she served as a wealth advisor at Wealth Advisors of Tampa Bay. Lipscomb holds a bachelor's degree in business administration from the University of Florida.

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Roger Martin

Banking

Centennial Bank, *Tampa Bay*

Roger Martin is a CERTIFIED FINANCIAL PLANNER™ with more than two decades of financial planning expertise. He previously served as a founding partner at Wealth Advisors of Tampa Bay, where he presented professionals and retirement-minded families with financial guidance. Martin holds a bachelor's degree in business and finance from Indiana University.

Carla Schoolfield

Banking

Centennial Bank, *Tampa Bay*

Carla Schoolfield will serve as a business development officer and work with advisors across Centennial Bank's footprint. She holds her FINRA Series 7 securities registration with Ameriprise Financial, and has more than a decade of financial services industry expertise. She earned a bachelor's degree in psychology from the University of South Florida.

Davis Bean

Professional Services

The Fiorentino Group, *Jacksonville*

The Fiorentino Group (TFG) is pleased to announce that ***Davis Bean*** has been promoted to Government Affairs Consultant in TFG's Jacksonville office. In his new role, Bean will utilize his skills in legislative affairs and policy development to create strategies to assist TFG clients with appropriations, local governmental matters, economic development and education issues.

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Melissa Langley

Professional Services

The Fiorentino Group, *Jacksonville*
The Fiorentino Group (TFG) is pleased to announce that ***Melissa Langley*** has returned to the firm as Community Relations and Political Director in TFG's Jacksonville office. In her new role, Langley is responsible for managing TFG's political fundraising efforts, planning special events for the firm and engaging with the local community.

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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Tuesday, November 12, 2019 9:10 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: NCOIL 30 Day Materials!

View this email in your browser

Dear NCOIL Participant:

The 30 Day materials for the 2019 NCOIL Annual Meeting at the JW Marriott in Austin, TX from December 10th – 13th are now posted here.

If you have not done so, please register for the meeting here.

NCOIL will celebrate its' 50th year at this meeting.

This meeting has been approved for 15.25 credits of Texas CLE.

The Annual Meeting will begin at the conclusion of the NAIC meeting at the same location. Please plan to arrive in time for the Welcome Reception on the evening of December 10th. There will also be an optional tour of the Texas state capitol on that afternoon.

A full day of policy committees and general sessions will start with the busy Welcome Breakfast on December 11th.

If you are attending the NAIC meeting prior to the NCOIL meeting, we kindly ask that you make a hotel reservation beginning on December 10th with the NCOIL hotel code. You can do this by calling the hotel at 512-474-4744. If you have already made your hotel reservations with NAIC, we ask that you call the hotel with your confirmation code to amend them. You will not need to physically check out of the hotel room and will receive one hotel bill at the conclusion of your stay.

The hotel block closes on November 25th. The link for legislators is here - and the link for general participants is here.

Please do not hesitate to reach out to us with any questions at the NCOIL National Office.

Best,
Will Melofchik
NCOIL

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From: NCOIL <scb@thebeaumontgroup.com>
Sent: Friday, November 01, 2019 9:29 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: NCOIL Property & Casualty Insurance Interim Committee Call

View this email in your browser

Dear Friend:

Representative Edmond Jordan (LA) will be hosting an interim conference call meeting of the NCOIL Property & Casualty Insurance Committee on Tuesday, November 19th from 12:00 p.m. to 1:00 p.m. (EST). The purpose of the interim meeting is for the Committee and interested parties to discuss the first draft of the NCOIL Peer-to-Peer Car Sharing Program Model Act, sponsored by Representative Bart Rowland (KY).

All material and registration information for the call will be circulated next week.

If you have any questions please do not hesitate to contact the NCOIL National Office at 732-201-4133 or Will Melofchik, NCOIL General Counsel at wmelofchik@ncoil.org.

Thank you,
Will Melofchik

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From: Amber Widgery <amber.widgery@ncsl.org>
Sent: Tuesday, February 04, 2020 11:06 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: NCSL Invitation
Attachment(s): "Advancing Justice Invitation.docx"

Thank you for taking my call just now. I've attached the invitation. You can ignore the registration link, we would take care of that for you on our end if the Senator decides he can attend.

Regards,

Amber

Amber Widgery, Esq.
National Conference of State Legislatures
Senior Policy Specialist, Criminal Justice Program
303.856.1466 (o) | 303.601.4289 (m)



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AMERICAN OVERSIGHT

ADVANCING JUSTICE 2020

NCSL
NATIONAL CONFERENCE OF STATE LEGISLATURES

AMERICANS FOR PROSPERITY | ALEC American Legislative Exchange Council | NATIONAL ASIAN PACIFIC AMERICAN CAUCUS OF STATE LEGISLATORS | NBCSL National Black Caucus of State Legislators | National Caucus of Native American State Legislators | National Foundation for Women Legislators | NHCSL National Hispanic Caucus of State Legislators

You are invited to participate in the Advancing Justice Summit in **Fort Myers Florida, Feb. 7-8, 2020** to learn about the most pressing issues in criminal justice policy. The meeting will kick off the morning of Friday, Feb. 7 and wrap up mid-day on Saturday, Feb. 8.

Advancing Justice is hosted by the National Conference of State Legislatures, in partnership with Americans for Prosperity, the American Legislative Exchange Council, the National Asian Pacific American Caucus of State Legislators, the National Black Caucus of State Legislators, the National Caucus of Native American State Legislators, the National Foundation for Women Legislators, and the National Hispanic Caucus of State Legislators, with support from Stand Together. This important meeting provides an unparalleled opportunity to learn about proven strategies for criminal justice reform, interact with criminal justice experts and network with your peers from other states.

States are leading on criminal justice reform. Legislative action has focused law enforcement resources on solving the most serious crimes and adopted policy to reduce overall justice-system involvement. Almost all individuals in prison will return to our communities and face the challenge of reintegrating. Communities are safest when the criminal justice system respects human dignity and that means achieving justice for victims and ensuring that those with a criminal record have opportunities to succeed upon reentry. Great strides have been made to interrupt the cycle of justice involvement by building up the communities people return to, but there is more to be done.

At Advancing Justice you will learn about key policy topics and community-based solutions for reducing recidivism and right-sizing your criminal justice system. You will also have opportunities to network and work in smaller groups with state lawmakers who are leaders on this issue, policy experts, and system stakeholders to discuss state-specific strategies and learn from the experiences of others who have successfully built consensus around reforms.

Travel, hotel and meeting-related meal and miscellaneous expenses will be paid by NCSL. To reply, please register online using this link as soon as possible. Upon your acceptance, we will promptly provide you with next steps to confirm and arrange your attendance.

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For questions about the registration process please contact Laurel Stiegler at laurel.stiegler@ncsl.org or (303) 856-1649. For substantive questions, reach out to Amber Widgery at amber.widgery@ncsl.org or (303) 856-1466 (or partner contact).

We look forward to including you in what we expect to be an exceptional event!

This event has been made possible through support from Stand Together.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Monday, December 02, 2019 1:05 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: New College of Florida Multi-Purpose Building - Senator Joe Gruters
Attachment(s): "New College of Florida Multi-Purpose Building - Senator Joe Gruters.pdf"

Confirmation of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

This email confirms receipt by the Senate Appropriations Committee of the following Local Funding Initiative Request, sponsored by **Senator Joe Gruters**, with the title:

New College of Florida Multi-Purpose Building

Attached is a copy of the appropriations project information you submitted.

Please note that your Local Funding Initiative Request will be reviewed and assigned to the appropriations subcommittee under whose jurisdiction it falls. If additional information is needed, you will be contacted by a member of the appropriations staff.

If this request has been submitted in error or you have any questions, please contact the Appropriations Committee at 850-487-5140.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 10758

1. **Project Title** New College of Florida Multi-Purpose Building

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 12/02/2019

4. **Project/Program Description**

These funds will provide for the planning and design of new, multi-purpose facilities space to support enrollment growth at New College to 1200 students (approximately a 50% increase in enrollment). This project – the highest priority for New College and the third highest priority for the State University System as well – will provide approximately 107,000 square feet of space to support academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

5. **State Agency to receive requested funds** Board of Governors

State Agency contacted? (•) Yes ( ) No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	000
Fixed Capital Outlay	6,000,000
Total State Funds Requested	6,000,000

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	6000000	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	6,000,000	100 %

8. **Has this project previously received state funding?** ( ) Yes (•) No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** (•) Yes ( ) No

If yes, indicate nonrecurring amount per year. 17,400,000

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10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits		
Other Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Operational Costs: Other		
Salary and Benefits		
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study		
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering	Preparation of architectural design, engineering, and per-construction bid documents and permits.	6,000,000
Total State Funds Requested (must equal total from question #6)		6,000,000

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11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

These funds will provide for the planning and design of new, multi-purpose facilities space to support enrollment growth at New College to 1200 students (approximately a 50% increase in enrollment). This project -- the highest priority for New College and the second highest priority for the State University System as well -- will provide approximately 107,000 square feet of space to support academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

b. What activities and services will be provided to meet the intended purpose of these funds?

Preparation of architectural design, engineering, and pre-construction bid documents and permits.

c. What direct services will be provided to citizens by the appropriation project?

The new facilities space will allow New College to grow to 1,200 students and reach an 80% four-year graduation rate. This will result in an extra 100 New College graduates per year, providing critical human capital the state needs. The new facilities will provide space for academic programs (classrooms, labs, auditorium), student development (health & wellness, student life), and administrative support (campus safety, financial affairs).

d. Who is the target population served by this project? How many individuals are expected to be served?

University students (1,200), plus faculty and support staff.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

Growing to 1,200 students and reaching an 80% four-year graduation rate will result in an extra 100 New College graduates per year. The 80% graduation rate will propel New College into the premier tier of all public and private liberal arts colleges in the country. Part of increasing the graduation rate focuses on increasing retention. The cost of educating first year undergraduates at NCF who do not begin a second year is estimated to be $1.2 million. Increasing the retention rate to hit hit a 4-year graduation rate of 80% will reduce those costs by more than half.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Withholding state funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 10758

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: Donal Last Name: O'Shea

b. Organization: New College of Florida

c. E-mail Address: doshea@ncf.edu

d. Phone Number: (941)487-4100 Ext.

14. **Recipient Contact Information**

a. Organization: New College of Florida

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ○ Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ● University or College
- ○ Other (please specify)

d. First Name: Donal Last Name: O'Shea

e. E-mail Address: doshea@ncf.edu

f. Phone Number: (941)487-4100

15. **Lobbyist Contact Information**

a. Name: Chris Schoonover

b. Firm Name: Capital City Consulting

c. E-mail Address: Chris@cccfla.com

d. Phone Number: (850)222-9075 Ext.

AMERICAN OVERSIGHT

From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Thursday, November 21, 2019 12:10 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: NEWS ALERT: Latest Probability of a Florida Recession and New County Data

BY THE NUMBERS

Probability of a Florida Recession Continues to Drop and New County Data Available

According to Florida Chamber Foundation Chief Economist Dr. Jerry Parrish,Florida's probability of a recession declined for the second month in a row. This news along with new county data added to TheFloridaScorecard.org are topics discussed in the latest ***By the Numbers***.

Access to high-speed communications is vital in today's technical economy. The Florida 2030 Blueprint includes an infrastructure goal that by 2030, 100 percent of Florida residents will have access to high-speed communications. To learn the percentage of residents in your county with access to high-speed internet, visit www.TheFloridaScorecard.org.

Click here to watch the November ***By the Numbers***.

Registration Closing Soon

Registration is closing soon for the 2019 Transportation, Growth & Infrastructure Summit on December 5th in Hollywood. **Click here** for an updated list of speakers and register today to hear from the Florida Chamber Infrastructure Coalition, Trade Committees, Department of Transportation Secretary, Legislators and many others on how Florida will need to adapt and plan for Florida's future.

2019 Florida Transportation, Growth and Infrastructure Summit
December 5, 2019 | The Diplomat Resort
Hollywood, Florida

AMERICAN OVERSIGHT

From: Ossi <james.ossi@earthlink.net>
Sent: Monday, January 20, 2020 7:22 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: No to HB 1011 and SB 1128

No to HB 1011 and SB 1128

I am contacting you today to urge you to**OPPOSE HB 1011 and SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

James Ossi on The Nature Coast

AMERICAN OVERSIGHT

From: Committee of the Islands <coti@coti.org>
Sent: Friday, February 07, 2020 1:19 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
CC: Barbara Joy Cooley <bjoycooley@comcast.net>; Christine Andrews <c.palmer.andrews@gmail.com>; ERHARD F JOERES <joeres@engr.wisc.edu>; Jan Holly <janholly4@gmail.com>; Joyce Craig <sanibeljoyce@gmail.com>; Malcolm Martini <mlmartini@icloud.com>; Marty Packard <mspackard@hotmail.com>; Maryann Bell <maryann217@me.com>; Michael Miller <millerlawfl@earthlink.net>; Peter Walcott <peterwwalcott@gmail.com>; Susan Tucker <sanibelsue@msn.com>; Larry Schopp <larryschopp@aol.com>
Subject: NO to SB1128 Vacation Rentals

COTI

To: Commerce and Tourism Committee
Senator Joe Gruters, Chairman
Senator Victor Torres, Jr. Vice Chairman
Senator Travis Hutson
Senator Linda Stewart
Senator Tom Wright

From: Committee of the Islands
Christine Andrews, President
Larry Schopp, Chair, Land Use Planning Committee

Date: February 7, 2020

Re: NO on SB1128 Vacation Rentals

These comments are submitted on behalf of Committee of the Islands (COTI) a Sanibel based Florida not for profit corporation established soon after Sanibel's incorporation in 1974. COTI's mission in part is to protect the small-town character of our island community. In furtherance of that mission we oppose and urge you to vote no on SB 1128 because it would undermine a time-tested scheme in place on Sanibel to accommodate thousands of visitors each year while preserving the character of our residential neighborhoods.

Sanibel is a visitor friendly place where short term rentals are encouraged. On Sanibel almost all dwellings along the Gulf beach are in a zone where there are no city-imposed limitations on the duration of rentals. In other zones rentals to visitors are likewise encouraged but with a 28-day minimum rental period. That allows property owners who wish to rent their homes and visitors wanting a longer visit, in a non-resort setting, to find suitable rental accommodations.

While SB 1128 as written would grandfather Sanibel's limitation on the duration of short-term rentals in residential neighborhoods, it would seriously hamper Sanibel's ability to enforce those limitations by preempting an ordinance that requires registration and licensing of rental properties. For that reason and because we believe the bill is based on flawed legislative findings as to why preemption is appropriate, we oppose SB 1128.

Among the findings recited in the bill is an expansive view of constitutionally protected property rights relating to "vacation rentals." Property rights are not absolute. They are subject to reasonable restrictions that further the public health, safety and welfare. Otherwise we would not have local zoning, the very basis of community planning recognized by state law. While few would suggest that homeowners may be barred from renting their homes at all, restrictions on the duration of short term rentals and their regulation in ways that accommodate tourism is not unreasonable. SB 1128 lacks balance in that it fails to take into account any reasonable local interest in regulation vacation rentals.

Troubling as well is the finding that "Vacation rentals are residential in nature. "Residences are places people call home. When we spend a long weekend or a week at a beach front resort, we don't consider that resort our residence. Our residence is the place we return to when the vacation is over. It's the place where we interact socially with neighbors and depend on them in times of stress or emergency. That's the essence of a community — and it's not found in resorts.

Our fear, born out already, is that when homes in residential neighborhoods are converted to short term rental usage the sense of neighborhood is lost and the conversion to vacation usage escalates. With substitution of vacationers for true residential occupants a neighborhood loses its essential character and becomes an array of small resorts with anonymous interval occupants coming and going.

In many communities like Sanibel, the social fabric is based largely on volunteerism — residents giving of their time and

AMERICAN OVERSIGHT

energy to further local social values like helping neighbors in need or protecting sea turtle eggs on the beach from predators. Volunteers are residents — people who live in a community — not vacationers. If you as legislators treat vacationers as residents you risk destroying, over time, the very basis of volunteerism in our local communities. We see that happening already and fear that If SB 1128 is enacted it will simply accelerate that process.

We respectfully request that you vote No to SB 1128 Vacation Rentals.

--
COTI - Committee of the Islands
Keeping Sanibel Special Since 1975
www.coti.org

Register for the COTI Sanibel eNews

JOIN COTI

AMERICAN OVERSIGHT

From: Alex Funkhouser <inboundnewsletter@sherlocktechnology.com>
Sent: Tuesday, January 07, 2020 8:28 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Node.js/Full-Stack Miami; LeanAgileUS; SW DevCon; STATE OF THE CIO; Call for Sponsors

Node.js/Full-Stack Miami; LeanAgileUS; SW DevCon; STATE OF THE CIO; Call for Sponsors

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Published Tuesday, January 7, 2020
to over 30,000 South Florida IT Professionals

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Tech Events

Tuesday, Jan 07 2020

Divi Demystified And More!

Data Science Pioneers" Movie Screening // Fort Lauderdale

Wednesday, Jan 08 2020

vBeersPlus @ General Provision Downtown Ft. Lauderdale

Thursday, Jan 09 2020

AWS User Group of Florida January Meetup.

SoFloPHP Fort Lauderdale (Monthly Meetup)

Tuesday, Jan 14 2020

HOW CHARTS LIE, a Book Launch Event Featuring UM's Alberto Cairo NEW DATE!

Homes Populated with over 200M Alexa Devices (Privacy a BIG Concern)

It took Amazon four years to populate the world with 100 million Alexa-powered devices. It took the company just one more year to more than double that number. The e-commerce titan announced Monday that there are now "hundreds of millions of Alexa-enabled devices" in cust... Read More

Top Job Pick: Node.js / Full Stack Developer Miami, Florida

SherlockTalent is actively searching for a Node.js/Full-Stack Developer who will work and collaborate with a team on a variety of projects in the cloud. They are responsible for writing code for internal and customer-facing applications, APIs, integratio... Read More

Early Bird Registration Open! 14th Annual State of the CIO 2020, Mar 4

We are excited to announce that the 14th Annual State of the CIO will take place on Wednesday, March 4, 2020, at the Signature Grand, Fort Lauderdale. The State of the CIO is the CIO Council's premier annual event and offers CIOs, CTOs, Senior IT Managers and Technology... Read More

SUPERCONF 2020 Miami, Mar 13 to 14

SUPERCONF is a conference for makers! The designers, developers, and entrepreneurs molding our future. Hosted in sunny Miami (Wynwood to be exact). It's an intimate conference with only 250 tickets, so you'll get a chance to meet everyone; attendees, speakers, founders, ... Read More

Call for Speakers & Sponsors for the South Florida Software Developer Conference (aka CodeCamp)

AMERICAN OVERSIGHT

Wednesday, Jan 15 2020

vBeers @ Boca

vBeers @ Boca

Thursday, Jan 16 2020

January 2020 Monthly Meeting

Story Mapping: Building intelligent solutions!

Tuesday, Jan 21 2020

Join the Centric Miami Team for our Morning with Microsoft Event Discussing IoT

Direct Device to Device Com, Shelly Home Automation Products – Doug Robinson

Monthly Linux Meetup (also covering Open Source, UNIX and UNIX-Like Systems)

Wednesday, Jan 22 2020

vBeersPlus @ Keiser University, Pembroke Pines

Tuesday, Jan 28 2020

SFAA SIG – SAFe Scaling Agile : What , How and When ?

The 2020 South Florida Software Developer Conference is the 16th annual conference previously known as the South Florida Code Camp. It is a FREE one-day GEEK FEST held on Saturday, February 29, 2020, at Nova Southeastern University. This year we are teaming up with Tech ... Read More

Save the date: LeanAgileUS 2020! Feb 24 to 26

We invite you to Save the Date for LeanAgileUS 2020! LeanAgileUS is the premier conference for Lean and Agile discussion in North America. Nowhere else can you find this unique blend of all flavors of Agile. Save the Date for LeanAgileUS 2020 – February 24th – 26th, ... Read More

DNN Summit 2020, Orlando, Feb 24

WHAT IS DNN SUMMIT? Share and connect while learning about the latest design, development, marketing & administrative trends dominating the internet. DNN Summit features leading professionals from around the world. Check out our training sessions to learn how to use... Read More

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Node.js / Full Stack Developer, Miami
Junior Analyst / DB Developer, Miami
Systems Engineer, Boca Raton
Senior Accountant, Boca Raton
Pre-Sales Engineer – Mobile, Boca Raton
Director – End User Experience, Miami
Director, Global Network Services, Miami
Chief Information Security Officer – CISO, Boca Raton
Java API/AWS Lambda Developer, Miami
Graphic Designer, San Francisco
Senior iOS Developer, Webster
Data Science & Analytics Manager, Miami
Director of PR Business Development, Miami
System Engineer, Miami
Shopify eCommerce Manager, Fort Lauderdale
Senior SEM Specialist, Miami
Software Developer – Full Stack, Fort Lauderdale
QA – Engineer, Boca Raton
Developer – Magento, Boca Raton
BI Analyst, Coral Gables
Java – Developer, Boca Raton
Social Media Creative Director, San Francisco
Social Media Account Director, San Francisco
IT Security – Director, Boca Raton
PR Account Supervisor, Miami
PR Account Coordinator, Miami
VoIP – Developer, Fort Lauderdale
Bilingual IBM Project Manager – Technical, Boca Raton
Sr. Security Development Engineer, Miami
Social Media – Account Executive, San Francisco
Account Executive – PR, Miami

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We believe that an educated community of technology professionals strengthens our companies, builds our economic region, and enhances all of our lives. That's why we are active in the South Florida technology community and why we proudly sponsor a wide range of events and user groups.

We would also appreciate the opportunity to serve your company's hiring needs by providing the best professionals our IT community has to offer for your specialized technical requirements.

Lead QA – Analyst, Fort Lauderdale
SharePoint – Developer – Admin, Boca Raton
Social Media – Account Supervisor, San Francisco

Business Analyst – Medicare C & D, Fort Lauderdale
Developer – Evangelist, New York
Senior Cloud Data Engineer, Miami
Marketing Manager – BD, Miami
Senior Account Executive – PR, Miami
Senior Cyber Security – Engineer, Weston
IT Director – Micros Systems, Fort Lauderdale
Business Continuity and Disaster Recovery Analyst & Project Manager (two roles) , Coral Springs
Product Manager- MAPD/PDP, Fort Lauderdale
Business Analyst – Medicare Enrollment, Fort Lauderdale
Chief of Staff to the Village Manager, North Bay Village
QA Analyst, Ft. Lauderdale
Software Developer (Junior and Mid), Coral Gables
Network Technician, North Bay Village
Software Developer (C++ to C# Development), Miami
Mid Java Developer, Miami
Senior Low Level Programmer with Video Drivers experience, Miami, FL
Senior DevOps Engineer – Remote, MIami
SQL BI Banking Integration Developer, Miami
Account Manager, Miami Beach
Tech Recruiter, North Bay Village
Help Desk Specialist, Miami
MS SQL DBA Engineer, Miramar
Agile Business Analyst, Miami
Business Development Professional Sales, North Bay Village
Sports Lover Lead Software Developer, Miami
Sr UX Architect, Miami
Talent Sourcer, North Bay Village
Server Field Application Engineer, Farmington Hills
Systems Architect SAP ABAP Developer, miami beach
Adobe Analytics Professional, Miami

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SherlockTalent, 1666 Kennedy Causeway Miami Beach, FL 33141

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AMERICAN OVERSIGHT

From: Sherlock Technology Staffing <Alex@SherlockTalent.com>
Sent: Tuesday, January 28, 2020 1:01 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Node.js/FullStackDev Miami; State of the CIO; 20% off LeanAgile; Homnick AI; ITEXPO

Node.js/FullStackDev Miami; State of the CIO; 20% off LeanAgile; Homnick AI; ITEXPO

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Tuesday, Jan 28 2020

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Wednesday, Jan 29 2020

OpenHackNight @ Ultimate Software

Thursday, Jan 30 2020

Democratizing AI with Google Cloud and Power BI by Joe "OG of the UG" Homnick

Saturday, Feb 01 2020

Tech for Good: Census 2020

2020 Vision Board Workshop: A goal setting mastery event for fearless women

Tuesday, Feb 04 2020

rstudio::conf 2020 viewing party □□□

Chris Fleck's Intern Success Story

It's always rewarding to learn about the success and impact that internships can have on the interns and the companies they work for. Below is an article featuring our friend Chris Fleck of Citrix Systems and the success his company has had with one special intern. Senior... Read More

Top Job Pick: Node.js / Full Stack Developer Miami, Florida

SherlockTalent is actively searching for a Node.js/Full-Stack Developer who will work and collaborate with a team on a variety of projects in the cloud. They are responsible for writing code for internal and customer-facing applications, APIs, integratio... Read More

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Democratizing Artificial Intelligence (AI) with Google Cloud and Power BI, Jan 30

Details: This is a joint event between Gold Coast User Group (GCUG) and the Microsoft Data and AI South Florida User Group. Title: Democratizing Artificial Intelligence (AI) with Google Cloud and Power BI Presenter: Joe Homnick, Certified DBA and Data Scientist ... Read More

Join Mindset Coach Marilyn Rousseau for the '2020 Vision Board Workshop', Feb 1

When was the last time you

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-001927

Online Love + Data Analytics – Learn the data behind your favorite dating sites

Wednesday, Feb 05 2020

Boca JS – Node JS 101 – Learn NodeJS w/ Damian Montero

Thursday, Feb 06 2020

Sunshine PHP DevCon – Miami

WCMIA, Using Block Editor For Page Layout, And More

Tuesday, Feb 11 2020

ITEXPO East – Digital Transformation Happens Here

Wednesday, Feb 12 2020

vBeersPlus @ General Provision Downtown Ft. Lauderdale

Thursday, Feb 13 2020

Monthly Online Agile Coaching Meetup (Remote Connections)

PDF to Power BI by Pawel Majkowski

Technically Single! Valentines mixer @ X Miami!

Tuesday, Feb 18 2020

checked your vision? Join Mindset Coach Marilyn Rousseau and her team on Saturday, February 1st, 2020 from 11 am to 4 pm, for an empowering afternoon that will propel you to create and manifest the life that you want. You will learn how to c... Read More

Join us for Sunshine PHP, Miami, Feb 6-8

The SunshinePHP Developer Conference is hosted by the South Florida PHP community (SoFloPHP) in Miami, Florida from February 6th – 8th, 2020, and you're invited! We'll host some of the best speakers, awesome talk topics, latest technologies, and up to date news in ... Read More

Join us for ITEXPO, Broward Convention Center, Feb 11-14

WORLD-CLASS EXPO – THE DIGITAL TRANSFORMATION MARKETPLACE ITEXPO returns to Florida for the 20th time. Large enterprise, mid-market and SMBs, MSPs, service providers, and resellers gather at ITEXPO for an in-depth look at the communications and technology solutions ... Read More

Join us for ISACA South Florida's 13th Annual WOW Conference, Feb 21

Registration is now open for the 13th Annual WOW! Conference, taking place on February 21, 2020, at the Kovens Conference Center in North Miami from 8:00 AM to 5:00 PM with a happy hour immediately after, from 5:00 PM to 7:00 PM. This year's theme: Digital Transform... Read More

Save 20% on LeanAgileUS 2020 Registration, Feb 24 to 26

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Join Us For SQLSATURDAY #946, South Florida, BI Edition, Feb 22

AMERICAN OVERSIGHT

Monthly Linux Meetup (also covering Open Source, UNIX and UNIX-Like Systems)

Boca Java Meeting

Wednesday, Feb 19 2020

vBeers @ Boca

vBeers @ Boca

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We would also appreciate the opportunity to serve your company's hiring needs by providing the best professionals our IT community has to offer for your specialized technical requirements.

PASS SQLSaturday is a free training event for professionals who use the Microsoft data platform. These community events offer content across data management, cloud and hybrid architecture, analytics, business intelligence, AI, and more. This event will be held on Feb 22,... Read More

SUPERCONF 2020 Miami, Mar 13 to 14

SUPERCONF is a conference for makers! The designers, developers, and entrepreneurs molding our future. Hosted in sunny Miami (Wynwood to be exact). It's an intimate conference with only 250 tickets, so you'll get a chance to meet everyone; attendees, speakers, founders, ... Read More

Join us for the 2020 NAF Mega Student Conference, Apr 21

Developing Our Leaders and Innovators The conference features keynote speakers and other special speakers, break out sessions, plus internship interviews with industry professionals. Approximately 1,400 high school students will be attending from Miami-Dade NAF Academies ... Read More

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Technology Manager, Miami
Senior Java Developer, Miami
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Director, Digital Product, Miami
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From: The Aerospace States Association Briefing <Aerospace@aerostates.bulletinmedia.com>
Sent: Friday, November 01, 2019 7:59 AM EDT
To: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>
Subject: Nov. 1: New York Police Department To Use UAVs To Guard NYC Marathon

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The Aerospace States Association

Good morning Joe Gruters November 1, 2019

POLICY NEWS - STATE

New York Police Department To Use UAVs To Guard NYC Marathon

Newsday (NY) (10/31, DeStefano) reports that the New York Police Department (NYPD) "will deploy thousands of uniformed cops and more than 600 vehicles to safeguard the 50,000 runners and millions of onlookers at Sunday's 49th New York City Marathon, officials said." NYPD Commissioner James O'Neill "said the race...will get the full treatment from the department's counterterrorism unit." Officers "will also be able to use counter-drone technology to intercept and neutralize any errant drones that try to penetrate the race route, O'Neill said." The NYPD will use "police drones...pressed into service to monitor the 26.2-mile five-borough race."

DJI Acknowledges Reports Of UAV Grounding By Interior Department

Reuters (10/31) reports that "Chinese drone maker DJI said...Thursday that it is aware of reports that the U.S. Department of the Interior has grounded all non-emergency Chinese-made or partly-made drones in a review of its entire drone program." DJI told Reuters it was "disappointed to learn of this development."

China's Foreign Ministry Comments On UAV Fleet Grounding. Reuters (10/31) reports that "China's foreign ministry said on Thursday after reports that the United States Department of the Interior had grounded its fleet of Chinese-made drones that it hoped Washington would 'stop abusing the concept of national security' and provide a non-discriminatory atmosphere for Chinese companies."

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POLICY NEWS - FEDERAL

FAA Protocol Allows Diabetic Pilots To Fly Commercial Flights

CNN (10/31, Liebermann) reports that the FAA "is set to allow pilots with insulin-treated diabetes to apply to fly commercial airliners, according to a Department of Transportation official." The new protocol "will allow pilots with insulin-treated diabetes to apply for a first- or second-class medical certificate, which is required to fly commercially." Currently, "pilots with insulin-treated diabetes" are prohibited from piloting airliners or other commercial flights. The Aircraft Owners and Pilots Association (ALPA) "applauded the forthcoming decision." ALPA Senior Vice President of Government Affairs Jim Coon said, "With medical advancements, such as continuous glucose monitoring along with proper protocols, the FAA's impending proposal should help many highly qualified pilots fly commercially."

AVIATION

Qantas Grounds Three Boeing 737 NG Jets Due To Cracks

Reuters (10/31) reports that Qantas Airways "said on Friday it found structural cracks in three of its Boeing Co 737 NG planes after conducting earlier-than-required checks of its aircraft as part of a global issue with the model." The jets "have been removed from service for repair, the airline said in a statement."

The Daily Mail (UK) (10/31) reports that "Qantas said the three aircraft would remain out of service until at least the end of 2019, as it worked with the Civil Aviation Safety Authority to resolve the safety issue."

CNN (10/31, Guy, Walsh) reports that the FAA ordered inspections on 737 NG jets in September after The Boeing Company informed the FAA of the problem. Boeing said in a regulatory filing that a "small percentage" of the jets are affected by the issue, and all 737 NG jets with more than 30,000 flight cycles and a third of the jets with 22,600 cycles

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have been inspected.
The Wall Street Journal (10/31, Sider, Subscription Publication) reports that Boeing had estimated that about five percent of the 686 aircraft that had been inspected by October 9 showed signs of cracking.
The Hill (10/31, Frazin) reports that a Southwest Airlines spokesman said that Southwest had removed three jets from service due to the issue.

Vietnam's VietJet Orders 20 Airbus A321XLR Aircraft

Reuters (10/31) reports that Vietnam's VietJet "has ordered 20 Airbus long-range A321XLR aircraft that the budget carrier hopes will support its international expansion as Vietnam's aviation market heats up." In a statement Thursday, VietJet "said...that it will be the 'first carrier in the world' to operate the new long-range version of the single-aisle A320neo family jets." The airline "expects the first aircraft to be delivered in 2023."

Brazil's Gol Posts $61M Loss For Q3

Reuters (10/31, Rochabrun) reports that Brazilian airline Gol Linhas Aereas Inteligentes "on Thursday reported a 242 million reais ($60.69 million) third-quarter loss, hit by problems affecting its Boeing 737 planes." The airline "said it had record revenues of 3.7 billion in the quarter but also reduced its profit forecast for the year to 0.90 reais per share, compared to a previous range of being 1.40 and 1.70 reais per share." Gol, which "flies Boeing 737 planes exclusively," has faced fleet issues from the grounding of the 737 MAX and the "pickle fork" cracks on "11 older 737 NG planes."

DOD Center Developing Airborne Sensor Data For Wildfire Response

ExecutiveGov (10/31) reports that "the Department of Defense's Joint Artificial Intelligence Center (JAIC) is developing an algorithm that will use video data from airborne sensors to visualize wildfire information for first responders, C4ISRnet reported Wednesday." Department of Defense Joint Artificial Intelligence Center Chief of Strategy and Communications Greg Allen "said at a Data Coalition conference that the [JAIC] intends to leverage sensor data the department has been collecting for a long time and 'get it in the hands of people who can use that information.'"

UK RAF Takes Delivery Of First Boeing P-8 Poseidon Aircraft

Aviation Week (10/31) reports that "Britain's Royal Air Force (RAF) has taken delivery of its first Boeing P-8 Poseidon, an initial step toward restoring its long-range maritime patrol capability." During a ceremony Tuesday, The Boeing Company "handed over the first of nine aircraft to senior RAF officers...in Seattle."
The Daily Mail (UK) (10/31, Duell) reports that "following an unveiling ceremony in Seattle, the jet was flown to Naval Air Station Jacksonville in Florida where RAF personnel are being trained to operate the aircraft."

American Airlines Flight Attendants Question Safety Of 737 MAX

Reuters (10/31, Rucinski) reports that a union representing American Airlines' flight attendants sent a letter to Boeing CEO Dennis Muilenburg highlighting the union's concerns with the safety of the Boeing 737 MAX. Association of Professional Flight Attendants President Lori Bassani asserted in the letter, "The 28,000 flight attendants working for American Airlines refuse to walk onto a plane that may not be safe and are calling for the highest possible safety standards to avoid another tragedy." Bassani wants her union to have all of the information about the MAX before flight attendants fly on the plane when it returns to service. Boeing spokesman Gordon Johndroe responded in an email statement, "We are committed to providing flight attendants, pilots and our airline customers the information they need so we can re-earn their trust and that of the traveling public that counts on them."
The Wall Street Journal (10/31, Sider, Subscription Publication) reports that the letter is the most recent result of the congressional hearings in which Boeing executives were questioned about documents related to the 737 MAX crashes. Association of Flight Attendants-CWA President Sara Nelson also said that her union's flight attendants will not fly on the 737 MAX until it is proven to be safe by regulators, pilots, airline officials, and engineers.
Experts Question Corporate Governance Of 737 MAX. CBS News (10/31) reports that when the Lion Air crash occurred, 62 percent of The Boeing Company's board members served on three or more company boards. However, that number fell to 43 percent last week. Currently 12 of Boeing's 14 board members still serve on at least one other board, and nine of those 12 board members have a full time job with another company. Corporate governance expert Nell Minow asserted that board members should expect to spend about 240 hours per year on board-related work, and "that quickly becomes exponentially higher if there is a problem." Minow added, "Boeing is the dictionary definition of a problem."

Qatar Airways, Sky Express Sign Cooperation Agreement

Reuters (10/31) reports that "Greek airline Sky Express said on Thursday it had signed an agreement with Qatar Airways to cooperate on flights connecting Doha with the Greek islands, in a boost to the country's key tourism industry." Sky Express "competes with Aegean Airlines' subsidiary Olympic Airways on domestic routes, flies to 24 Greek destinations, including the popular islands of Corfu, Santorini and Crete on ATR42 and ATR72 twin engine turboprop aircraft."

Switzerland's Helvetic Receives First Embraer 190-E2 Aircraft

Aviation Week (10/31) reports that "Swiss regional carrier Helvetic Airways has taken delivery of its first Embraer E190-E2, starting a period of significant growth for the niche airline." Helvetic Airways "plans to operate four E2s by early 2020 and will return three of 10 E190-E1s in the upcoming months." The airline "has a firm order in place for 12

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of the aircraft and options for another 12."

SPACE

Russia Reveals Plans For Additional ISS Spaceships

The Houston Chronicle (10/31, Powell) reports that Roscosmos Director General Dmitry Rogozin "announced that he would fund the construction of two additional manned spaceships in order to deliver NASA astronauts to the International Space Station, according to a Russian news outlet." Rogozin told a Russian news source, "I gave a command to Roscosmos...to allocate extra funds to make two more [Soyuz] spaceships. The production capacities of our factory [the Energia Space Rocket Corporation] allow producing four spaceships a year but it is possible to produce five spacecraft." A spokesman for NASA "said the agency intended to 'discuss options for Soyuz seats with Roscosmos.'"

Shares Of Virgin Galactic Down Since NYSE Debut

Bloomberg (10/31) reports that shares of Virgin Galactic "have yet to post a daily gain since adopting the SPCE ticker on Oct. 28, following a merger with a shell investment company that was already trading." Cestrian Capital Research founder Alex King said, "Even compared to an Uber or Lyft or a Slack, this is a really early-stage business. Think of it as a startup that just happens to be listed." Virgin Galactic Holdings Inc. "tumbled 11% to $9.41 at the close in New York, bringing this week's decline to 20%." King added, "I think this is going to happen a lot with this stock. It's going to have some very red days and some very green days." SpaceFund venture capitalist Meagan Crawford said, "I think what you're seeing today is a market correction based on that hype wearing off a bit."

NASA Officials Define Scope Of Artemis 3 Mission

ExecutiveGov (10/31) reports that "NASA officials say the Artemis missions may be limited to gathering lunar samples, as the space agency plans locations on the Moon to explore, Space News reported Wednesday." In remarks Tuesday at the Lunar Exploration and Analysis Group forum, NASA Lunar Surface Systems Lead John Connolly "said the lunar south pole may contain amounts of water ice within shadowed craters." The Artemis 3 "manned lunar mission" is "scheduled for 2024" and "would last for almost a week on the moon based on current plans."

NASA JPL Hosts Pumpkin-Carving Contest

CNET News (10/31, Kooser) reports that NASA JPL engineers competed Wednesday in "the annual JPL Halloween pumpkin-carving contest." The winning design featured a pumpkin "version of the Apollo 11 moon landing complete with a lunar surface and smoke machine." Mars 2020 rover engineer Billy Allen said, "It's totally different from our normal engineering work, which makes it a nice change of pace. You don't get to do much arts and crafts in the rover world."

SPACE (10/31, Malik) reports that this year's entries included "Apollo moon lander pumpkins, alien gourds, an interactive Europa lander pumpkin," and other designs.

NASA Reviewing Future Mission To Orbit Pluto

The Houston Chronicle (10/31, Powell) reports that "NASA has commissioned a study to explore spending...more time examining and exploring" Pluto. For the research, NASA "is providing $150,000 to" the Southwest Research Institute (SwRI), a San Antonio-based group. SwRI Assistant Director Carly Howett said, "We're looking forward to getting into the nitty gritty of this mission and seeing how feasible it is and what a mission like this could really look like." She added, "We've got different instruments, so we'd be able to look at the heat flow, the activity and trying to really get a grip on whether Pluto does have a sub-surface ocean."

ISS Astronauts To Bake Chocolate Chip Cookies With New Test Oven

The AP (10/31, Dunn) reports that ISS astronauts "are about to get a new test oven for baking chocolate chip cookies from scratch." An experimental "Zero G Oven" is scheduled to launch "Saturday from Virginia on Northrop Grumman's Cygnus capsule." The oven will test "the possibility of making freshly baked goods for space travelers." Nanoracks Senior Internal Payloads Manager Mary Murphy "anticipates a baking time of 15 to 20 minutes per cookie at about 325 F (163 C)."

MANUFACTURING

NASA Selects Trio Of Universities For Aerospace Production Funding Effort

ExecutiveGov (10/31) reports that NASA has selected Tuskegee University, the University of Texas at El Paso, and Virginia State University "to receive hands-on experience and support in aerospace manufacturing capacities to address industry gaps." The minority-serving universities "will create learning opportunities in the design, construction and supply chain management of aerospace components within two years." NASA "said Wednesday its aeronautics research mission directorate has teamed up with the Office of Science, Technology, Engineering and Mathematics Engagement to provide...training, research, learning, apprenticeship and internship efforts in high-volume aerospace production under a $1.5M funding opportunity through the Minority University Research and Education Project."

STEM EDUCATION

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Bayer Sponsors STEM Program For Girls

AGDAILY (10/31) reports that “American Agri-Women is hoping to give girls better access to...women who have done great things in STEM fields by launching a Women Heroes of Science & Technology educational program.” Bayer’s Crop Science and McCain Foods will sponsor “the initial project, a downloadable bookmark series for middle school students.”

THURSDAY'S LEAD STORIES

- **Interior Department Will Cease Using Non-Essential Chinese UAVs**
- **Muilenburg Testifies Before House Committee**
- **GE Expects $1.4B Loss From Boeing 737 MAX Grounding**
- **MDA Selects Companies To Develop Space Sensor Prototypes**
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The Aerospace States Association is an association of state lt. governors and state government officials fostering state aerospace growth and STEM workforce development. For more information, please see www.aerostates.org or contact GarelickBell@aerostates.org.

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From: The Aerospace States Association Briefing <Aerospace@aerostates.bulletinmedia.com>
Sent: Tuesday, November 05, 2019 8:05 AM EST
To: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>
Subject: Nov. 5: Singapore To Require Mandatory UAV Registration

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The Aerospace States Association

Good morning Joe Gruters November 5, 2019

POLICY NEWS - STATE

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Singapore To Require Mandatory UAV Registration

Aviation Week (11/4) reports that "the Civil Aviation Authority of Singapore (CAAS) will require that drones weighing more than 250 grams (0.5 lb.) be registered as of Jan. 2, 2020." Following a three-month grace period, the operators of unregistered UAVs face fines "of up to S$10,000 ($7,360) and/or imprisonment of up to six months, CAAS said."

Use Of UAVs By Criminals Raises Legal Ambiguity

The Boston Globe (11/3) reported that "drones pose novel and difficult problems for law enforcement" due to their widespread availability and lack of legal norms. UAVs "have...been put to a host of nefarious uses, from smuggling contraband into prisons to swarming FBI agents who were preparing for a raid." However, "local and state authorities are restricted by federal law from intercepting drones in flight, potentially even when a crime is in progress." Bard College Center for the Study of the Drone Co-Director Arthur Holland Michel said, "The use of drones by criminal groups is appealing in part because drones are harder to catch."

Mandatory UK Registration Scheme For UAVs Begins

The Guardian (UK) (11/5, Topham) reports that UAV operators "in the UK must now sit an online test and pay a £9 annual fee or face a £1,000 fine after the launch of a mandatory national registration scheme on Tuesday."
The Daily Mail (UK) (11/4) reports that "the scheme, launched by the Civil Aviation Authority today, will also create a register of all drones operated in the UK." The scheme covers "any drone or model aircraft weighing between 250g (9oz) and 20kg (44lbs)."
BBC News Online (UK) (11/5) reports that "exemptions have been granted for members of several associations involved with flying model aircraft or other small, remotely controlled craft such as drones."

POLICY NEWS - FEDERAL

Senate Approves $22.75B Fiscal 2020 Budget For NASA

ExecutiveGov (11/4) reports that "U.S. senators voted 84-9 Thursday to pass a minibus spending package that allocates a fiscal year 2020 budget of $22.75B for NASA, SpaceNews reported Friday." The bill allocates "$784M to finance aeronautics research efforts such as work at the Glenn Research Center and another $1.4B to support the Orion project, according to a press release posted by the office of Sen. Sherrod Brown" (D-OH). House Appropriations Committee Chair Nita Lowey (D-NY) said, "While I am pleased the Senate has finally passed a package of appropriations bills, we face a pressing deadline of Nov. 21 and are still far behind in completing an orderly appropriations process."

FAA To End FedBizOpps Contracting Announcements

ExecutiveGov (11/4) reports that the FAA "is advising interested vendors that contracting opportunities with the agency and other related announcements will be posted on the new FAA Contract Opportunities website." The agency will cease issuing announcements on the FedBizOpps (FBO) platform, it said Thursday. The FBO transition is scheduled to begin November 8.

Chinese UAVs Assessed For Potential Security Threats

Aviation International News (11/3) reported that U.S. lawmakers have highlighted the "potential security concerns...regarding the potential for Chinese companies and the Chinese government to misuse data from U.S.-based drones for nefarious purposes." Chinese UAV firm DJI "has repeatedly and vociferously denied charges that data from its drones is used for illicit purposes such as espionage, but did admit that its data was shared with the

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Chinese government as it applies to drone operations in China." The Drone Origin Security Act (H.R. 4753) would bar Chinese UAVs from usage by the Department of Homeland Security.

UK Labour Party Considering Ban On Fossil Fuels For Private Aircraft

Aviation International News (11/4) reports that "the UK Labour Party has indicated it would consider a ban on fossil-fuel powered private aircraft flights from 2025."
The Daily Mail (UK) (11/4) reports that "Labour has made green issues a central plank of its campaign ahead of the December 12 election." UK Shadow Secretary of State for Transport Andy McDonald said, "Climate targets cannot be met without curbing pollution from air travel, and a passenger on a private jet produces ten times the emissions of someone on a regular flight."

AVIATION

Sources Suggest Lion Air Targeting IPO Valued At Up To $1B In 2020

Reuters (11/4, Daga, Hepher) reports that "Lion Air is targeting a flotation of up to $1 billion in the first quarter of 2020, several sources close to the matter said." The Indonesian budget carrier "is hoping to fund future aircraft deliveries to service an improving market." A source said, "The Indonesian market is finally showing signs of stability. This is a good time to tap the market."

House Democrats To Continue Investigation Into 737 MAX

Reuters (11/4, Shepardson) reports that House Transportation and Infrastructure Committee Chair Peter DeFazio (D-OR) and aviation subcommittee chair Rick Larsen (D-WA) released a joint letter Monday calling statements made by Boeing CEO Dennis Muilenburg "consistent with a culture of concealment and opaqueness." The letter said that the families of the victims of crashes involving the 737 MAX "deserve a thorough investigation from our Committee about how the regulatory system and the law failed, and that's exactly what our committee intends to do." They wrote that their investigation found that The Boeing Company's leaders were "aware of many of the problems that engineers are now attempting to fix during the design and development phase of the 737 MAX." Boeing spokesman Gordon Johndroe said that Boeing "will continue to cooperate with the committee."
EASA: 737 MAX Likely To Return To European Service In Q1. Reuters (11/4, Frost) reports that the Boeing 737 MAX "is likely to return to service in Europe during the first quarter of 2020, the head of the European Union Aviation Safety Agency (EASA) said...Monday." EASA Executive Director Patrick Ky indicated that "preparations by national authorities and airlines may delay the resumption of commercial flights by up to another two months." Said Ky, "If there are training requirements (and) coordination to be done with the EU member states to make sure everyone does the same thing at the same time, this will take a bit of time."
Fortune (11/4) reports that Ryanair CEO Michael O'Leary "expressed frustration with the slow pace of the EASA certification process" for the 737 MAX. He claimed that the agency was "dragging their heels." He also insisted that he is "very confident" in the safety of the 737 MAX.
Return Of 737 MAX Brings Worries Of Oversupply. Reuters (11/4, Hepher, Daga) reports that industry analysts have expressed concerns that when the Boeing 737 MAX is cleared to fly again, there could be "as many as 1,000 surplus aircraft next year," according to Rob Morris, global head of consultancy at Ascend by Cirium. Morris' prediction is based not only on the increased speed of deliveries of 737 MAX aircraft, but also the second-hand aircraft that fleets had been leasing to cover for flights that were scheduled to be operated by the 737 MAX. Analysts anticipate that it would take up to 18 months for Boeing to deliver all of its aircraft when the grounding is lifted.
Dreamliner Helps Support Boeing As 737 MAX Remains Grounded. The Wall Street Journal (11/4, Sindreu, Subscription Publication) reports that although the Boeing 787 Dreamliner had a rough development and introductory period, the jet is proving to be a key revenue source for Boeing due to the grounding of the 737 MAX. Sales of the Dreamliner have exceeded Boeing's expectations. The aircraft has been more profitable than analysts anticipated.
Avenue Capital Leasing Older Aircraft During MAX Grounding. Reuters (11/4, Stempel) reports that the grounding of the MAX "has been a boon for Marc Lasry, the billionaire chief executive of Avenue Capital Group, who is buying inexpensive, older aircraft for his leasing business."

IAG Agrees To $1.1B Purchase Of Air Europa, Boosting Ibero-American Dominance

Aviation International News (11/4) reports that "International Airlines Group (IAG) has agreed to buy Air Europa" in a "€1 billion ($1.11 billion)" deal. The purchase "will further alter the alliance landscape and give the parent company of Madrid-based Iberia and Barcelona-based low-cost carrier Vueling a dominant position in the Spanish market and re-establish its leadership position in the Europe-to-Latin America market." Iberia CEO Luis Gallego "described the deal as "of strategic importance" for Madrid–Barajas Airport, which in recent years has lagged behind the continent's leading four hubs at Amsterdam, Frankfurt, London Heathrow, and Paris Charles De Gaulle." Gallego added, "Madrid will be able to compete with other European hubs on equal terms with a better position on Europe to Latin America routes and the possibility to become a gateway between Asia and Latin America."

Norwegian Air To Sell Six Boeing 737-800 Aircraft

Reuters (11/5) reports that Norwegian Air "has agreed to sell six of its Boeing 737-800 aircraft to Pembroke Aircraft Leasing 5 Limited, a subsidiary of Standard [Chartered], the Oslo-based budget carrier said in a statement." Norwegian said, "The transaction is expected to increase...liquidity by approximately $55 million after repayment of debt and have a positive equity effect." It added, "The sale is in line with the company's continued strategy of

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capitalizing on the scale built up over the last few years and the changed focus from growth to profitability."

Miami Skyscraper To Include VTOL Landing Pad

USA Today (11/4, Brown) reports that a new tower in Miami, Paramount Miami World Center, will have "an observation deck at the top that doubles as a landing pad for vertical takeoff and landing vehicles." Although the building will open in 2020, VTOL use cases in which "passengers can be dropped off at home...could be decades away." There are both technical and regulatory obstacles to VTOL vehicles, although a "hoverbike met U.S. Federal Aviation Administration guidelines in 2018."

Counter-UAS Working Group Formed In Europe

Aviation Week (11/4) reports that "the European Organization for Civil Aviation Equipment (Eurocae) has established a working group to develop standards for counter-drone systems that can be used by airports and air traffic control authorities."

Safran Aircraft Engines CEO To Head Safran Group

Aviation Week (11/4) reports that the board of Safran Group has selected Safran Aircraft Engines CEO Oliver Andries "to be group CEO from January 2021." Andries "will take the helm from Philippe Petitcolin after a year-long transition period to start in January 2020, the company announced" Monday.

SPACE

Boeing Declares Starliner Pad Abort Test A Success

The New York Times (11/4, Padilla, Fortin) reports that The Boeing Company "successfully tested a safety system of its commercial spacecraft on Monday morning, bringing the American aerospace industry one step closer to launching astronauts to the International Space Station for the first time since 2011." Boeing "ran an uncrewed test on the launch abort system of the CST-100 Starliner" at the White Sands Missile Range in New Mexico. In a statement, Boeing said, "Today's pad abort test was a milestone achievement for our CST-100 Starliner team, for NASA, and for American human spaceflight."

The Washington Post (11/4, Davenport) reports that Boeing "declared successful its test of the emergency abort system...even though only two of the three main parachutes deployed." At 9:15 a.m. ET, "the capsule fired its abort engines" and went "hurtling through the air to more than 4,000 feet." In a statement, Boeing Vice President and Program Manager, Commercial Crew Programs, Space Exploration John Mulholland said, "The test team and spacecraft performed flawlessly." He added, "Emergency scenario testing is very complex, and today our team validated that the spacecraft will keep our crew safe in the unlikely event of an abort." Company officials "said they have built in redundancy to the spacecraft, and having two of three parachutes deploy was" sufficient.

Florida Today (11/4) reports that "according to Boeing spokesperson Jessica Landa, the deployment of only two of the parachutes is acceptable within their test parameters for their landing sequence."

Reuters (11/4) reports that "the deployment failure happened during a so-called pad abort test of a system designed to propel the crew to safety in the event of an emergency, Boeing spokesman Todd Blecher said by email." He added, "It's too early to determine why all three main parachutes did not deploy." Blecher also said, "However, having two of three deploy successfully is acceptable for the test parameters and crew safety."

CNET News (11/4, Mack) reports that "shortly before landing, the service module dropped to the ground and a series of airbags on the bottom of Starliner inflated for a soft landing."

CBS News (11/4, Harwood) reports that "after jettisoning its forward heat shield, drogue parachutes deployed and stabilized the spacecraft before two red-and-white main parachutes unfurled about 26 seconds into the flight."

Space News (11/4, Subscription Publication) reports that "the spacecraft's launch abort engines fired for five seconds, and a separate set of orbital maneuvering thrusters for 10 seconds, accelerating the spacecraft to more than 1,000 kilometers per hour to simulate escaping a malfunctioning rocket on the launch pad."

SPACE (11/4) reports that "the capsule was equipped with an anthropomorphic test dummy equipped with sensors to gather data that will help Boeing engineers evaluate the results of the test."

CNN (11/4, Wattles) reports that "it was not immediately clear if further parachute testing will be required or if it could result in further delays in the overall Starliner program."

Florida Today (11/4) provides video footage of the test as part of its coverage.

Bottles Of Wine Arrive At ISS For Science Experiment

The AP (11/4, Dunn) reports that "a dozen bottles of fine French wine arrived at the space station Monday, not for the astronauts, but for science." Researchers will study "the red Bordeaux wine" to determine "how weightlessness and space radiation affect the aging process."

The Daily Mail (UK) (11/4) reports that "a Luxembourg-based wine company launched 12 bottles of red wine to the craft that will be aged for an entire year." Researchers will use the "out of this world" wine in "hopes of developing new flavors and properties for the food industry."

Virgin Galactic Seeks To Serve 1.5K Space Tourists Yearly By 2023

Aviation Week (11/5, Bruno, Norris, Klotz) reports that "Virgin Galactic is building its second and third operational SpaceShipTwos, SS2 and SS2-3, and expects them to join the space tourism company's fleet in 2020 and 2021, respectively." Virgin Galactic seeks to fly 1,500 paying space tourists per year by the end of 2023. The company

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“provided an update to its business plan in late October as the company’s shares started trading on the New York Stock Exchange.”

NASA Seeking Lockheed Martin X-59 Sonic Boom Measurement System

Aviation Week (11/4, Warwick) reports that NASA “is seeking proposals for an audio system capable of capturing high-resolution acoustic data from flights of its Lockheed Martin X-59 QueSST low-boom demonstrator over communities across the U.S.” The agency is “gear[ing] up to measure the public acceptability of reduced sonic booms.” The system would deploy “an array of ground recording systems (GRS)...over an area approximately 30 x 50 nm. to gather acoustic data across the entire sonic-boom carpet” under the jet’s flight path.

NASA Voyager 2 Probe Provides Insight On Structure Of Solar System

Reuters (11/4, Roulette) reports that NASA’s Voyager 2 spacecraft has provided insight into the structure of the solar system via “the unexpectedly distinct boundary marking where the sun’s energetic influence ends and interstellar space begins.”
BBC News Online (UK) (11/4) reports that “the boundary between the two regions is known as the heliopause.” University of Iowa Professor Don Gurnett said, “We saw the plasma density at the heliopause jump by a very large amount – a factor of 20, at this rather sharp boundary out there.”
CNN (11/4, Strickland) report that “a suite of five studies detailing the findings was published Monday in the journal Nature Astronomy.”
SPACE (11/4, Wall) reports that “Voyager 2 traversed the heliopause...when the probe was 119 astronomical units (AU) from the sun.”
The Guardian (UK) (11/4, Devlin) reports that “measurements published in five separate papers in Nature Astronomy reveal that Voyager 2 encountered a much sharper, thinner heliosphere boundary than Voyager 1.”
The Daily Mail (UK) (11/4) reports that “in one of the papers, the researchers suggest that the interstellar medium near the heliopause...is hotter than expected, with a temperature of around 30,000–50,000°K (29,000–49,000°C).”
CNET News (11/4, Ryan) reports that “the handful of papers are a trove of space data, analyzing the measurements taken by the spacecraft as it made its way over the edge of the solar system.”

MANUFACTURING

Pratt & Whitney Announces Layoffs Of 60 Employees At Plants In MI

The Lansing (MI) State Journal (11/4, Lyons) reports that Pratt & Whitney “will cut roughly 60 employees at its plants” in Lansing and Holt, Michigan. The company “cited fluctuations in orders as the reason for the layoffs.” Separation benefits will be available to the employees, and the company will offer “enhanced benefits” to more senior employees.

STEM EDUCATION

Maryland Students Participate In Statewide STEM Festival

The AP (11/2, Fitzpatrick) reported that students from Springfield Middle School in Williamsport, Maryland, participated in “the statewide Maryland STEM Festival running from Oct. 11 to Nov. 10.” Springfield Middle students from all grades “were required to design and build a bridge capable of holding between three and 23 portioned bags of rice, make a 5-inch tall hut with a workable door that wouldn’t be blown away by a leaf blower and craft a vessel capable of floating and staying waterproof enough to protect its ‘message in a bottle.’”

MONDAY'S LEAD STORIES

- **USAF Seeking Ideas On Spaceport Conversions For Launch Ranges**
- **Russia Downplays Hopes For New START Treaty**
- **Cebu Air Inks Deal For $4.8B Airbus Aircraft**
- **Cygnus Cargo Spacecraft Arrives At ISS**
- **U.S. Manufacturing Fell For Third Straight Month**

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The Aerospace States Association Briefing is a digest of the most important news selected from thousands of sources by the analysts of Bulletin Media. This service is being provided to quickly disseminate news items of interest to Aerospace States Association members, including state legislators and officials.

This complimentary copy of the Aerospace States Association Briefing was sent to gruters.joe.web@flsenate.gov as part of your membership. To see how we protect our data, or for any questions on data aces, view Bulletin Media's privacy policy. Neither Bulletin Media nor the Aerospace States Association is liable for the use of or reliance on any information contained in this briefing.

The Aerospace States Association is an association of state lt. governors and state government officials fostering state aerospace growth and STEM workforce development. For more information, please see www.aerostates.org or contact GarelickBell@aerostates.org.

Aerospace States Association (ASA) | 820 S. Columbus Street, Unit #108 | Alexandria VA 22314

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AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Tuesday, October 15, 2019 3:35 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: One Fall Golf Beverage Sponsorship Available! Register ASAP to Claim!

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX FALL GOLF TOURNAMENT

When: 25 Oct 2019 10:00 AM, EDT
Where: Founder's Club - 3800 Golf Hall Drive, Sarasota, FL 34240

Will you be attending?

Register | Not attending

EVENT DETAILS:

GCBX Fall Golf Tournament

Friday, October 25, 2019

at Founder's Club

3800 Golf Hall Drive, Sarasota, FL 34240

Image result for founders club sarasota golf course

Registration: 10:00 am

Shotgun Start: 11:30 am

Awards & Raffle: 4:30 pm

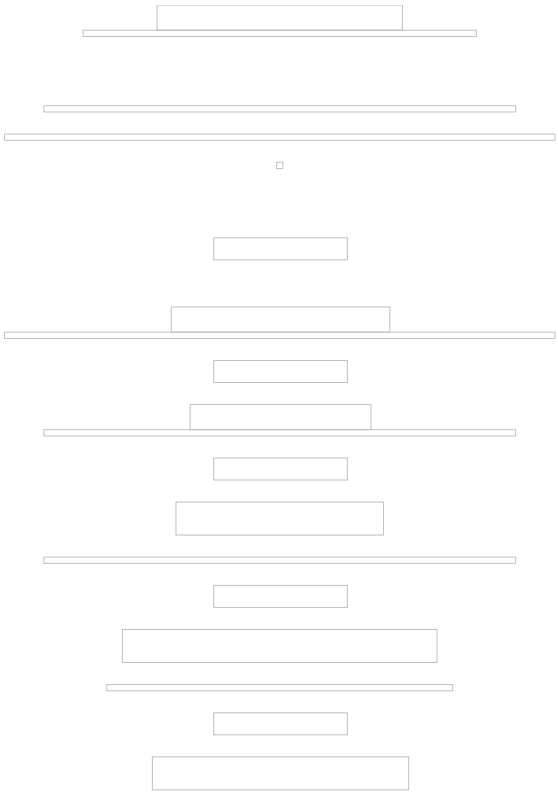
Boxed lunch on carts. Dinner Buffet after Tournament.

SPONSORSHIP OPPORTUNITIES AVAILABLE:

Beverage Sponsor- 1 Available!
Raffle Prize Sponsors
Tee Sign Sponsors

***Click here for Flyer**

AMERICAN OVERSIGHT



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Total Air Solutions

Gurley Herbert

Universal Engineering Sciences

SpeedPro Imaging Affinity Solutions



2019 Double Eagle Sponsorship

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Badger Bob's Services, Inc.

Benderson Development

Core Construction

Creative Contractors, Inc.

Gator Grading & Paving

Gulf Coast Signs of Sarasota, Inc.

Gulfshore Insurance

High Associates

Icard Merrill

Interior Logic Group

Karins Engineering Group, Inc.

LaGasse Plumbing, Inc.

McIntyre Elwell & Strammer General Contractors, Inc.

Mullet's Aluminum Products, Inc.

NDC Construction Company

Neal Communities

AMERICAN OVERSIGHT

One Eight Oh PR

PGT Industries, Inc.

Phillips & Jordan

Quest Design Group

Sarasota Ford

Service Contracting Solutions

Southern Structural Steel of FL

Sutter Roofing Company of FL

Tandem Construction

Waste Pro USA

Willis Smith Construction, Inc.

*** Cancellations made after 3 days prior to the event will be invoiced since guarantees have been made on your behalf**

Best regards,
Gulf Coast Builders Exchange

If you no longer wish to receive these emails you can unsubscribe at any time.

This email contains links that will automatically log you into the Gulf Coast Builders Exchange site.
These links will work for the next 7 days only. Please, don't forward this email to anyone!

AMERICAN OVERSIGHT

From: Florida Chamber Foundation <emartin@flchamber.com>
Sent: Monday, October 28, 2019 2:12 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Online Sales Tax… It's NOT a New Tax

FIXING FLORIDA'S ONLINE SALES TAX PROBLEM

Online Sales Tax… It's NOT a New Tax

Senator Joe Gruters presented his vision for leveling the playing field between Florida's main street businesses and online retailers at this year's Future of Florida Forum.

Sen. Gruters is the sponsor of SB 126, a bill strongly supported by the Florida Chamber, which establishes online sales tax parity by:

- Requiring online businesses that conduct 200 or more transactions or sales of over $100,000 in Florida to register with the Florida Department of Revenue and collect and remit sales tax.
- Allowing marketplace providers, like Ebay or Amazon, to collect and remit the sales tax.
- Closing Florida's online sales tax loophole, which would generate $700 million in currently owed, but uncollected taxes.

Closing this loophole could fund any number of legislative priorities such as an increase in teacher pay or lowering the business rent tax.

"There's a percentage advantage that out of state, online retailers have over our local brick and mortar retailers," said Senator Gruters. "We've all seen the people who take a picture of a price in a store then go outside and buy the product online and save $5. But who does that hurt? It hurts our retailers and business owners. This is not a new tax. This is a tax that's already owed, and SB 126 will work to level the playing and add convenience for the consumer."

This is not a new tax. This is an issue of fairness. And it's why 43 of 45 states have already leveled the playing field between main street businesses and online retailers.

Get Involved Today

If you are interested in helping the Florida Chamber level the playing field for all businesses, contact Carolyn Johnson at cjohnson@flchamber.com or 850-521-1235 for more information.

Florida Chamber Foundationl www.FLFoundation.org l Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

AMERICAN OVERSIGHT

From: Rachel Keesling <southwestflc@icloud.com>
Sent: Saturday, February 08, 2020 4:39 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: OPPOSE 1128 VACATION homes in residential neighborhoods

Honorable Chair Gruters and Committee Members,

I understand some of your views on property rights and I want to explain how this situation has proliferated to affect our local citizens property rights in Southwest Florida. Unmanaged, unregulated nightly vacation rentals are popping up in our residential neighborhoods, basically they are “mini-hotels” next door. They have become a nuisance to those that live around them because of the turnover and unusual activity that comes along with people not knowing the neighborhood. As a former mayor, I had many residents complain about these rentals because they absolutely destroyed of the neighboring property owners quality of life. The neighbors have no idea who is staying in the house, how many are staying there, and who to contact if something goes wrong. Their only recourse is to call the police, which is a waste of public safety resources and only addresses the immediate crisis not the long term situation.

Rentals that are managed by a professional company are rarely a nuisance, it is the online, short term, nightly vacation rentals that are a problem. Many do not remit the bed tax or register for a LBT, which is required, yet they have listings and advertisements online.

Please allow local government to regulate this situation in some form. Tying our hands and not even allowing a registration or inspection is wrong in this situation, I urge you to OPPOSE 1128.

Thank you for your service and your attention to this matter, RK

Rachel Keesling
Executive Director
SWFLC
941.628.1141

SOUTHWEST FLORIDA LEAGUE OF CITIES

AMERICAN OVERSIGHT

From: Linda Lanier <llanier@tampabay.rr.com>
Sent: Monday, January 20, 2020 10:22 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Oppose HB 1101 and SB 1128

I am contacting you today to urge you to **OPPOSE HB 1011 and SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only do these fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please oppose HB 1011 and SB 1128 and protect our state's residential neighborhoods.

Sincerely,
Linda Lanier

AMERICAN OVERSIGHT

From: Quality Inn <qualityinnsarasota@gmail.com>
Sent: Monday, February 10, 2020 1:27 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>
Subject: OPPOSE SB 1128 as currently drafted

I am contacting you today to urge you to **OPPOSE SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Floridian

Best regards,
Megan Patel
Quality Inn
5778 Clark Rd,
Sarasota, FL 34233

Choice Hotels International
O: 941.921.7750
E: qualityinnsarasota@gmail.com

AMERICAN OVERSIGHT

From: Dee Vaugeois <d_vaugeois@hotmail.com>
Sent: Monday, February 10, 2020 11:16 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
Subject: OPPOSE SB 1128 PLEASE

I am contacting you today to urge you to **OPPOSE SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Floridian directly effected by an Illegal Hotel!

Denise Vaugeois

AMERICAN OVERSIGHT

From: Gail Nicolaus <nicolausgail@gmail.com>
Sent: Monday, February 03, 2020 6:41 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: OPPOSE SB 1128

I am contacting you today to ask for your help. I recently purchased a home - a dream come true for me and my family. I purchased in a residential neighborhood not knowing that the community is being overrun with short-term rentals. With these short-term rentals, where people who rent are not vested in the community, we are losing all our sense of community and our home values our decreasing. Why are commercial businesses being allowed to operate in residential areas?

I am urging you to **OPPOSE SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely,

Gai Nicolaus

AMERICAN OVERSIGHT

From: JITEN PATEL <bradentonhie@gmail.com>
Sent: Tuesday, February 11, 2020 9:13 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: OPPOSE SB 1128

The Honorable Joe Gruters,

I am contacting you today to urge you to **OPPOSE SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Floridian

AMERICAN OVERSIGHT

From: marianne larsen <mariannelarsen904@gmail.com>
Sent: Saturday, February 08, 2020 9:56 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Pass Bill 1128

Dear Senator:

I live in charming downtown St. Augustine where my husband and I own a garage apartment short term rental. We have operated this rental for 5 years without any problems and frequently have guests of our neighbors use the property at no charge. We have off street parking, limit the number of guests and have never had a problem.

There are several other short term rentals in our neighborhood and they are similarly operated in an responsible manner. We are, however, being surrounded by large hotels and we are losing the quality of our neighborhood from that - not the short term rentals which have always been more than an asset to our community as opposed to the long term rental tenants. There are many multi-family homes in our area.

The St. Augustine City Commission is attempting to regulate STR residents out of business. This will hurt all taxpaying property owners and cause those trying to path our super high property taxes by supplementing their income with STR. I believe the Commissions actions are legally suspect and will cause the taxpayers to sue the City who will oppose the tax payers interest with their own tax dollars.

I support a uniform and streamlined registration system that would simplify compliance for everyone across the state. I would like to see standardized regulation of STR within the state, reducing duplicative state local laws.

Please pass this bill.

Thank you for your thoughtful consideration.

Sincerely,

Marianne Larsen
13 Rohde Ave
St. Augustine, Fl 32084

AMERICAN OVERSIGHT

From: Kate Atkin <katkin@edcsarasotacounty.com>
Sent: Monday, February 10, 2020 3:40 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Please join us as we host VIPs for Familiarization Tour

Greetings Senator Gruters,

The EDC is hosting VIPs from tech-centric private equity firms, Venture Capital firms, Enterprise Florida and Florida Power & Light for a familiarization tour on February 27th and 28th.

We would love to have you attend as our guest. Please confirm participation by replying via email and I will get you the final details as they are firmed up.

Friday, February 28th – Braves Game & Private Pre-Game Reception

11:30 am – Meet at CoolToday Park for Pre-Game Reception 18800 South, W Villages Pkwy, North Port, FL 34293
1:05 pm – Game Starts

Thank you, and we appreciate your help in showing off the Sarasota area as a leading place to do business!

Kate Atkin
Director of Investor Engagement
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(c) 941.685.3685
(t) 941.309.1200 ext. 102
http://www.edcsarasotacounty.com

EDC
ECONOMIC DEVELOPMENT CORPORATION
SARASOTA COUNTY

AMERICAN OVERSIGHT

From: Rafael Graciano Baldez Neves <rafael.neves@glasstonegroup.com>
Sent: Friday, February 07, 2020 3:19 PM EST
To: Rafa Neves <rafael.neves@glasstonegroup.com>
Subject: Please support Senate Bill 1128 at Tuesday's Commerce and Tourism Committee

Honorable Senator:

My family and I own and operate GLASSTONE, a Central Florida business that generates dozens of jobs, represents hundreds of homeowners, hosts thousands of guests and remitted over one million dollars in county and state taxes in the last five years alone. We do not allow any kind of parties in our properties, guests need to be over 21 to book, most of our guests are traveling families with small children and almost all of our owners have just one investment property.

Vacation rental owners and professional managers need clear consistent regulations across Florida and that is what this bill does. It removes the patchwork of ordinances from city-to-city and sometimes from one side of the street to another. HOAs are still protected under this bill and cities can still regulate as long as they do it for all residential properties alike. Also, vacation rentals are always the best-kept properties on the street and pay a large amount of taxes and fees (in Osceola County vacation rentals pay **more** in bed taxes than hotels do).

This bill will ***improve*** enforcement and quality-of-life protections at the local level across ***all*** cities - even those that cannot afford expensive regulatory schemes - because it will give the state the ability to have problematic or unregistered properties taken down from online websites. Locals are always arguing and making the case for "we just want to protect quality-of-life" and this bill solves for that - it just places the power to request takedowns on the state - but that doesn't preclude local governments from reporting nuisance or problem properties to them. Additionally, it will increase transparency by mandating the display of registration numbers on all advertisements.

Finally, research from Oxford Economics released last year has shown that vacation rentals have had minimal impact on housing and rent prices, meaning over-regulation of the practice would have minimal impact on housing affordability issues.

In conclusion, this bill will not impede local municipalities and HOAs from regulating noise, pollution and parking issues (it will only preempt local abuse and discrimation against short-term rentals). On behalf of the hundreds of property managers, thousands of homeowners, hundreds of thousands of workers and millions of guests in the vacation rental industry, please support the advancement of this bill as is.

Respectfully,

Rafael Graciano Baldez Neves
Property Care & Operations Management
M +1 407-496-9834
P +1 321-754-1707
A 7330 Exchange Drive - Unit 10
Orlando, FL 32809
W www.glasstonegroup.com

AMERICAN OVERSIGHT

From: Bonnie Sullivan <irbeach1@gmail.com>
Sent: Monday, February 03, 2020 12:18 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
CC: Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; todd.mckay <todd.mckay@flsenate.gov>
Subject: PLEASE VOTE NO on SB 1128 and protect our state's residential neighborhoods.

Dear Chair Gruters and members of the Senate Committee on Commerce and Tourism,

I am contacting you today to urge you to **OPPOSE SB 1128 as currently drafted** At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Floridian
Bonnie Sullivan
727-642-7876

AMERICAN OVERSIGHT

From: Neighborhood Council <ncstaug@gmail.com>
Sent: Thursday, February 06, 2020 2:32 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Please vote NO on SB1128
Attachment(s): "Letter to Senate Committee on SB 1128.pdf","ATT00001.htm"

Senate Committee on Commerce and Tourism:

Dear Chairman Joe Gruters,
Vice Chair Victor Torres,
Senator Travis Hutson,
Senator Linda Stewart,
and Senator Tom Wright,

Please read and print out the following letter for your records.

AMERICAN OVERSIGHT

Thank you for your time on this important matter.
Respectfully,
The Neighborhood Council of St. Augustine

_____

Dear Chairman Joe Gruters,
Vice Chair Victor Torres,
Senator Travis Hutson,
Senator Linda Stewart,
and Senator Tom Wright,

Please vote against any further consideration of Senate Bill 1128.

While we are not against vacation rentals, the Neighborhood Council of St. Augustine feels strongly that their regulation needs to be controlled locally, where everyone on both sides of the community has input.

Each community is different and has different problems, especially when it comes to their residential neighborhoods.

St. Augustine has many historic neighborhoods which are National Register Historic Districts and an important fabric of St Augustine. Many of our residents, which are the heart of our community, LIVE in these historic single family zoned neighborhoods.

The stability of these historic neighborhoods is being threatened as more and more of these single family residences are being bought and turned into short term rental businesses. This is happening in single family zones, where commercial uses have never been allowed before.

The rights of homeowners, whose biggest investment is often their home, are being undermined by SB 1128, as it takes away control of local residential zoning. IF the state legislature can undo local zoning regulations, how can homeowners be assured of those zoning protections that they bought into?

Once residential neighborhoods are filled with tourists, they will no longer be filled with neighbors, and St. Augustine will simply become a tourist town without the full-time residents who make this a livable city.

St Augustine formed a Short Term Rental (STR) Committee this summer to look into ways to help regulate short-term rentals. This committee was made up equally of regular residents, owners of vacation rentals and traditional B&B owners. They looked at registration, annual inspection, intensity of use, ancillary use, life-safety, parking, solid waste, effects on existing contracts, and violations and penalties. These are typical regulations for any business. Many of the responsible STR owners saw this ordinance as a fair way to ensure the reputation of those held to a high standard and provided for public safety,

We support the Short Term Rental Committee's recommendations along with the input of the PZB, City Commission, and City staff and the passage of the recent Ordinance 2019-50, which provides regulation of short-term rentals.

If SB 1128 passes, it will undo all the hard work of the St. Augustine community on this matter. The Republican Party has always stressed smaller closer-to-home government, where the people have a more direct say in their governing.

We simply want Home Rule, so that the people who live here can govern themselves on a matter that greatly affects their quality of life.

Respectfully,

Melinda Rakoncay
President,
The Neighborhood Council of St. Augustine
ncstaug@gmail.com
http://www.ncstaug.org/
(904) 806-3849 mobile

Member Neighborhood Associations
Flagler Model Land Tract Neighborhood Assn.
Greater Fullerwood Neighborhood Assn.
Lighthouse Park Neighborhood Assn.
Lincolnville Neighborhood Assn.
Nelmar Terrace Neighborhood Assn.
Old City South Neighborhood Assn.

AMERICAN OVERSIGHT

SANDS (St. Augustine North Davis Shores)
SARNA (St. Augustine Ravenswood Neighborhood Assn.)
SAUNA (St. Augustine Uptown Neighborhood Assn.)
Spanish Quarter Neighborhood Assn.

AMERICAN OVERSIGHT

Neighborhood Council of St. Augustine

P.O. Box 658 - St. Augustine, Florida 32085

February 5, 2020

Dear Chairman Joe Gruters,
Vice Chair Victor Torres,
Senator Travis Hutson,
Senator Linda Stewart,
and Senator Tom Wright,

Please vote against any further consideration of Senate Bill 1128.

While we are not against vacation rentals, the Neighborhood Council of St. Augustine feels strongly that their regulation needs to be controlled locally, where everyone on both sides of the community has input.

Each community is different and has different problems, especially when it comes to their residential neighborhoods.

St Augustine has many historic neighborhoods, which are National Register Historic Districts and an important fabric of St Augustine. Many of our residents, which are the heart of our community LIVE in these historic single family zoned neighborhoods.

The stability of these historic neighborhoods is being threatened as more and more of these single family residential homes are being bought and turned into short term rental businesses. This is happening in single family zones, where commercial uses have never been allowed before.

The rights of homeowners whose biggest investment is often their home, are being undermined by SB 1128, as it takes away control of local residential zoning. IF the state legislature can undo local zoning regulations, how can homeowners be assured of those zoning protections that they bought into?

Once residential neighborhoods are filled with tourists, they will no longer be filled with neighbors, and St. Augustine will simply become a tourist town without the full-time residents who make this a livable city.

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AMERICAN OVERSIGHT

Neighborhood Council of St. Augustine

P.O. Box 658 - St. Augustine, Florida 32085

We support the Short Term Rental Committee's recommendations along with the input of the PZB, City Commission, and City staff and the passage of the recent Ordinance 2019-50, which provides regulation of short-term rentals.

If SB 1128 passes, it will undo all the hard work of the St. Augustine community on this matter. The Republican Party has always stressed smaller closer-to-home government, where the people have a more direct say in their governing.

We simply want Home Rule, so that the people who live here can govern themselves on a matter that greatly affects their quality of life.

Respectfully,
Melinda Rakoncay
President,
The Neighborhood Council of St. Augustine
ncstaug@gmail.com
http://www.ncstaug.org
(904) 806-3849 mobile

Member Neighborhood Associations

- Flagler Model Land Tract Neighborhood Assn.
- Greater Fullerwood Neighborhood Assn.
- Lighthouse Park Neighborhood Assn.
- Lincolnville Neighborhood Assn.
- Nelmar Terrace Neighborhood Assn.
- Old City South Neighborhood Assn.
- SANDS (St. Augustine North Davis Shores)
- SARNA (St. Augustine Ravenswood Neighborhood Assn.)
- SAUNA (St. Augustine Uptown Neighborhood Assn.)
- Spanish Quarter Neighborhood Assn.

AMERICAN OVERSIGHT

From: Melinda Rakoncay <mrakoncay@comcast.net>
Sent: Thursday, February 06, 2020 6:32 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
CC: Brill, Victoria <Brill.Victoria@flsenate.gov>; Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Please vote NO on SB1128

Senate Committee on Commerce and Tourism:

Dear Chairman Joe Gruters,
Vice Chair Victor Torres,
Senator Travis Hutson,
Senator Linda Stewart,
and Senator Tom Wright,

Please vote against any further consideration of Senate Bill 1128.

In St. Augustine, vacation rentals were having such an impact on our residential neighborhoods, that the City formed a Short Term Rental Committee made up of 7 members: 3 who owned Short Term Rentals, 2 who owned traditional B&Bs, and 2 regular homeowners. We listened to and took all sides into account and came up with recommendations that were a compromise to all sides. I was one of those people that sat on that committee.

We looked at registration, annual inspection, intensity of use, ancillary use, life-safety, parking, solid waste, effects on existing contracts, and violations and penalties. While in all things, no side got all that they wanted, it was a compromise that suited St. Augustine. Many of the responsible STR owners saw this ordinance as a fair way to ensure the reputation of those held to a high standard and provided for public safety,

These recommendations were sent to the City Commission, Planning and Zoning Board, CIty Staff, and the City Attorney, and Ordinance 2019-50 was passed on January 28, 2020.

I ask that you as Senators from all over Florida, respect the principle of Home Rule.

Please do NOT overturn all the hard work of St. Augustine citizens that went into this matter that greatly affects our City on so many levels.

Respectfully,
Melinda Rakoncay
Short Term Rental Committee Member

AMERICAN OVERSIGHT

From: OPPAGA WEB INFORMATION <siteinfo@OPPAGA.FL.GOV>
Sent: Friday, October 18, 2019 8:03 AM EDT
To: !EVERYONE <EVERYONE@leg.state.fl.us>
Subject: PolicyNotes -- October 18, 2019

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CRIMINAL JUSTICE

Reimagining Prison

The prison experience today is harsh, restrictive, and dehumanizing—resulting in the loss of each incarcerated person's sense of self, autonomy, and capacity to control his or her own destiny. Today's American prison system did not arise fully formed out of 20th century politics and policies, but is interwoven with this country's deep and divisive history of unequal race relations. To transform the goals and experience of incarceration in this country requires that the bold but simple value of human dignity govern all facets of a newly shaped prison system. This report reimagines the how, what, and why of incarceration and asserts a new governing principle on which to ground prison policy and practice: human dignity. Basing American corrections practice on human dignity acknowledges and responds to the role formal state punishment systems have played in creating and perpetuating inequality. The authors propose three practice principles to support this tenet: (1) respect the intrinsic worth of each human being; (2) elevate and support personal relationships; and (3) respect a person's capacity to grow and change.

Source: Vera Institute of Justice

Implementing Gunshot Detection Technology: Recommendations for Law Enforcement and Municipal Partners

This practitioner guide synthesizes findings from an evaluation of gunshot detection technology in three cities (Denver, Colorado; Milwaukee, Wisconsin; and Richmond, California) to guide law enforcement and government officials in decisions to invest in, continue, or expand the technology in efforts to reduce violent crime. Gunshot detection technology (GDT) is a system that uses a network of outdoor acoustic sensors to automatically detect gunfire and promptly alert law enforcement officers. The evaluation finds that GDT is most effective when law enforcement agencies thoroughly incorporate the technology into day-to-day procedures and operations and when the data generated by GDT is integrated into other data and investigative systems. The guidebook details best practices in GDT training, policy development, deployment, alert response, use in investigations, and communication with community members. Key recommendations include developing clear policies and procedures prior to GDT implementation, placing GDT sensors in areas where violent crime is most concentrated, making training an ongoing priority, and communicating with community members early and often.

Source: Urban Institute

Education

EDUCATION

AMERICAN OVERSIGHT

States' Use of the Child Care and Development Block Grant Funding Increase

In 2014, Congress reauthorized the Child Care and Development Block Grant (CCDBG), setting new standards around eligibility for child care subsidies, child care quality, health and safety, access to child care, and workforce supports for early childhood educators. The 2014 reauthorization law included policy changes requiring states to: 1) Set provider payment rates to promote equal access to the child care market for parents receiving child care subsidies; 2) Implement family-friendly eligibility policies that help families keep their subsidy without interruptions; 3) Enhance health and safety practices for all CCDBG providers, including health and safety training and inspections and comprehensive background checks; 4) Expand consumer education, which includes increasing online access to information on child development and other financial assistance programs and creating a hotline to report safety concerns; 5) Increase the amounts of set-asides that states must spend toward supporting the quality and development of the child care workforce; and 6) Expand access to child care for vulnerable families and priority groups whose needs and characteristics limit the child care options currently available to them. Florida, specifically, will use additional funding to increase the number of child care subsidies, increase payment rates for child care services, and to expand child care slots for children experiencing homelessness. In addition, Florida will use additional funds to allocate money to child care workforce training, investments in infant/toddler care, investments in home-based care, and to cover enrollment registration fees.

Source: Child Trends

Learning from Peers on a Large Scale: Teachers in High-Poverty Schools Find Value in Results of National Educator Surveys

Teachers in the United States are encouraged to continuously improve their teaching practice, and one method of doing so is learning from peers. Learning from peers can take many forms, such as pursuing formal or informal collaboration, accessing research results through professional networks, or seeking guidance from peers about interventions and instructional strategies. Many opportunities for peer-to-peer learning occur through one-on-one or small-group interactions. Larger-scale opportunities for learning, such as conferences and online communities, may be useful channels for building peer connections, but are unlikely to provide teachers with systematic information about what their peers are doing nationally. Researchers know little about the extent to which teachers would find national survey data about their peers' teaching practice useful, as little research exists on which topics might be perceived as useful for reflection and improvement. In addition, researchers do not know how school characteristics affect teachers' perceptions of the usefulness of such information. Nationally representative data from the web-based American Teacher Panel survey provide insight into the degree to which teachers believe national survey data would be useful for thinking about how they could improve their practice and the extent to which their perceptions vary by school characteristics. The authors found that more than 80% of teachers reported that survey data about social and emotional learning, interventions to support student outcomes, curriculum, and supporting students with high-incidence disabilities would be useful. In addition, they found that teachers in higher-poverty schools were significantly more likely to report that national survey data on many topics would be somewhat or very useful for improving their instruction than teachers in lower-poverty schools. The authors recommend that researchers who collect and analyze national survey data, as well as funders and policymakers who use and disseminate such data, should consider making the results — particularly if they address any of the topics included in the American Teacher Panel — available directly to teachers.

Source: RAND Corporation

Beyond the Schoolhouse: Overcoming Challenges & Expanding Opportunity for Black Youth in Los Angeles County

AMERICAN OVERSIGHT

In California, despite the state's growing commitment to equity, black children consistently lag behind their peers on standardized assessments and graduation rates. This is also the case in Los Angeles County, the large metropolitan area that is the subject of this report. Black students in Los Angeles County are overrepresented among those who are under-prepared for college, who are subject to punitive forms of discipline, and who are chronically absent from school. Moreover, a disproportionate number of black students in Los Angeles County attend schools that the state has identified as "low-performing" and they are also more likely to be enrolled in schools where critical resources (e.g. school counselors, nurses, social workers, highly qualified teachers, etc.) are in short supply. This report provides detailed analysis of how school-based and environmental factors interact to shape the academic and developmental outcomes of black children. The authors offer five findings: 1) Place matters: Academic performance and health are highly correlated with where a child lives; 2) The majority of black students in Los Angeles County are enrolled in racially isolated (e.g. predominantly black and Latinx students) schools located in impoverished communities; 3) Most of the schools where black children are concentrated have limited resources despite having high numbers of very disadvantaged students (e.g. students in foster care, students who are homeless, in special education, etc.); 4) Key academic and school climate indicators illustrate distinct differences between black students and students of other racial and ethnic groups; 5) Social, environmental and health data reveals that black children and families are more likely to be negatively impacted by their surroundings. The authors provide recommendations for the school, district, city, county, state and federal levels. These recommendations include adopting a Multi-Tiered System of Support, investing in longitudinal data systems, and expanding full-service community schools to support primary health, mental health, and dental care in schools.

Source: University of California Los Angeles, Center for the Transformation of Schools

Fewer Children Left Behind: Lessons From the Dramatic Achievement Gains of the 1990s and 2000s

This study reports that from the mid- to late 1990s until 2010, fourth and eighth grade National Assessment of Educational Progress scores for the lowest-achieving children, and for students of color, increased in reading, mathematics, and most other academic subjects. At the end of this period black, Hispanic, and low-achieving students were reading and doing mathematics two or three grade levels above their equivalent peers in the early 1990s. This report concludes that schools and school reform are only part of the reason for these educational achievements. Significant improvements in social and economic conditions for the poorest students during this same time period – especially the rapid decrease in rates of violence and child poverty –more likely account for why students started to make significant educational gains.

Source: Thomas Fordham Institute

GOVERNMENT OPERATIONS

Department of Veterans Affairs: Improved Succession Planning Would Help Address Long-Standing Workforce Problems

AMERICAN OVERSIGHT

The U.S. Department of Veterans Affairs (VA) operates one of the largest health care delivery systems in the nation and provides billions of dollars in benefits and services to veterans and their families. However, the VA) faces serious and long-standing problems with management challenges and veterans' access to care and disability benefits. For example, as of December 2018, the VA reported an overall staff vacancy rate of 11% at Veterans Health Administration (VHA) medical facilities, including vacancies of more than 24,000 medical and dental positions, and around 900 human resource positions. Ensuring VA, VHA, and Veterans Benefit Administration (VBA) have a pipeline of talent to fill leadership positions and mission-critical occupations is key to addressing these challenges. The VA Choice and Quality Employment Act of 2017 includes a provision for the Government Accountability Office to review succession planning policies and guidance at VA and its administrations. This report addresses the extent to which succession planning policies and procedures at VA, VHA, and VBA are consistent with key leading practices. The authors reviewed agency documents related to succession planning for leadership positions and mission-critical occupations, and interviewed agency officials. To identify key leading practices, the authors reviewed the Government Accountability Office's past work and Office of Personnel Management guidance. The authors recommend that VA should develop a department-wide succession plan and update its succession planning directive and that VHA and VBA should fully incorporate key leading practices for succession planning. VA agreed with the recommendations.

Source: Government Accountability Office

Will America Embrace National Service?

America's civic health is in significant decline. The percentage of Americans who say others can be trusted fell from 46% in 1972 to just 31% in 2016, with 36% of whites and 17% of blacks expressing such trust; and, in recent years, trust in the media, government, and the courts has fallen to historic lows. It is no surprise that communities are fraying in places like Charlottesville, Ferguson, and Baltimore, and that America is not fulfilling its potential, as political institutions suffer from partisan gridlock, and the institutions that serve as checks on power and as guarantors of individual rights are increasingly under attack. This paper recommends that any universal voluntary national service program to address civic engagement be available to all, bring together youth of different backgrounds in common purpose, permit participant choice between military or non-military service, reward participants with increased opportunities, allow for local priorities to be honored, and build on existing federal, state, and local programs.

Source: The Brookings Institute

Vote Harvesting: A Recipe for Intimidation, Coercion, and Election Fraud

Giving third parties who have a stake in the outcome of an election access to voters and their absentee ballots in an unsupervised setting is not wise, and is a proven threat to the integrity of the election process. The handling of absentee ballots should be restricted to voters, most immediate family members, or an individual residing in their household. This will prevent campaigns, political parties, and other third parties from handling absentee ballots. Vote harvesting is the collection of absentee ballots from voters by a third party who then delivers them to election officials. The term "vote harvesting" was essentially unknown to the general public until the North Carolina State Board of Elections overturned the results of the 2018 election for the Ninth Congressional District due to illegal vote harvesting, what the board called a "coordinated, unlawful and substantially resourced absentee ballot scheme." Twenty-seven states (including Florida) and the District of Columbia have legalized vote harvesting. This report recommends that the practice should be prohibited.

Source: Heritage Foundation

Explaining the Black-White Homeownership Gap: A Closer Look at Disparities across Local Markets

The gap in the homeownership rate between black and white households is the highest it has been in 50 years. This brief examines key variables that explain the black/white homeownership gap, and estimates the role that income, education, credit score, and marital status play both nationally and locally in 105 metropolitan statistical areas with large black populations. The researchers determine that roughly 17% of the homeownership gap remains unexplained by observed variables and could be caused by differences in parental wealth, information networks or the vestiges of policies and structures that have made it difficult for black households to obtain and benefit from homeownership. The researchers also recommend specific policy actions for officials across federal, state, and local government as well as institutional policy changes.

Source: Urban Institute

HEALTH AND HUMAN SERVICES

2018 Sexually Transmitted Disease Surveillance Report

This report provides trends in sexually transmitted disease (STDs) to inform prevention and control strategies. This overview summarizes national surveillance data for 2018 on the three notifiable diseases for which there are federally funded control programs: chlamydia, gonorrhea, and syphilis. In 2018, a total of 1,758,668 cases of Chlamydia trachomatis infection were reported to the U.S. Centers for Disease Control and Prevention (CDC), making it the most common notifiable condition in the United States. This case count corresponds to a rate of 539.9 cases per 100,000 population, an increase of 2.9% compared with the rate in 2017. During 2017–2018, rates of reported chlamydia increased among both males and females, in all regions of the United States, and among all racial/Hispanic ethnicity groups. In 2018, a total of 583,405 cases of gonorrhea were reported to the CDC, making it the second most common notifiable condition in the United States. Rates of reported gonorrhea have increased 82.6% since the historic low in 2009. During 2017–2018, the overall rate of reported gonorrhea increased 5.0%, and rates increased among both males and females, in all regions of the United States, and among all racial/Hispanic ethnicity groups. In 2018, 115,045 cases of all stages of syphilis, were reported, including 35,063 cases of primary and secondary syphilis, the most infectious stages of the disease. Since reaching a historic low in 2000 and 2001, the rate of primary and secondary syphilis has increased almost every year, increasing 14.9% during 2017–2018. Rates increased among both males and females, in all regions of the United States, and among all racial/Hispanic ethnicity groups. In addition to the above findings, the Centers for Disease control ranked each state by rates of reported cases of STDs. Florida ranks 29th with 104,758 cases.

Source: Centers for Disease Control and Prevention

Employers, Work-Family Supports, and Low-Wage Workers

AMERICAN OVERSIGHT

Employers shape the work conditions that parents face, and they play a central role in policy debates about how to address work-family pressures. To better understand employer perspectives on these issues, this report presents findings from interviews with 16 organizations that represent or directly work with employers. Focusing on three policy areas central to parents' ability to manage work and family—paid leave, workplace flexibility and control, and child care—the report explores three research questions: 1) What are employers' perceived motivations and barriers for providing work-family supports to low-wage workers?; 2)What role do employers see for public policy or employer policy in each area?; 3) How do employers think about relationships between different work-family supports and other benefits they might provide low-wage workers? This research suggest several considerations to inform future policy and research. These include that employers may need more information to understand issues facing their workforces and the options available to address these issues. There are varying perspectives on the best ways to provide paid leave, workplace flexibility and control, and child care, but there is broad consensus that these supports are valuable. Employer perspectives could evolve with more information on, experience with, and public attention to different approaches to address these work-family challenges. In addition, respondents portrayed employer perspectives on their role relative to public policy as different across policy areas. Employer costs vary, but public policy could help address them without excluding workers from benefits. Concerns about the costs of providing public or employer-sponsored work-family supports are real. But employers might be willing to absorb some costs associated with supports that they see as benefiting business. More research, knowledge, and innovation could inform cross-domain policy design. Employers, researchers, policymakers, and advocates tend to think of work-family supports in silos. Further research is needed to understand how both public and employer-based policies related to paid leave, workplace flexibility, and child care can be designed strategically and in an integrated fashion.

Source: Urban Institute

N O T E :
An online subscription may be required to view some items.

EMPLOYMENT OPPORTUNITIES

OPPAGA is currently seeking applications for **Legislative Policy Analysts** (salary range $38,220 to $82,608) and **Senior Legislative Analysts** (salary range $52,632 to $105,576). Positions are available in the following policy areas: Criminal Justice, Education, Government Operations, and Health and Human Services. Salary is commensurate with experience, and OPPAGA offers excellent employee benefits. For more information on application requirements, click here.

GOVERNMENT PROGRAM SUMMARIES (GPS)

www.oppaga.state.fl.us/government/

Government Program Summaries (GPS) is a free resource for legislators and the public that provides descriptive information on over 200 state government programs. To provide fiscal data, GPS links to Transparency Florida, the Legislature's website that includes continually updated information on the state's operating budget and daily expenditures by state agencies.

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POLICYNOTES

A publication of the Florida Legislature's Office of Program Policy Analysis & Government Accountability

PolicyNotes, published every Friday, features reports, articles, and websites with timely information of interest to policymakers and researchers. Any opinions, findings, conclusions, or recommendations expressed by third parties as reported in this publication are those of the author(s) and do not necessarily reflect OPPAGA's views.

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From: Vern Pickup-Crawford <VACrawford@msn.com>
Sent: Sunday, January 12, 2020 10:31 PM EST
To: Vern Pickup-Crawford <vacrawford@msn.com>
Subject: Prek-12 Legislative Update - 1/12/20
Attachment(s): "2020_Filed_Bills___Prek_12_Education-Jan11-20.xls"

Attached is an up to date tracking chart of 379 bills that directly or indirectly have implications for school districts. As bills get heard, I'll have a separate chart of those which we will then narrow down to the so-called "watch list" as session progresses. New bills since the last chart start numerically after HB969 and SB1290. Several, such as HB1264/HB157/SB1480 (term limits), HB1059 (parental rights), SB1364 (collective bargaining) and SB486/SB1088 (Best and Brightest and teacher compensation) will garner attention. Deadline for legislators to file bills is Tuesday. Thus, we'll have an onslaught of new bills (or House/Senate companions) this coming week. After that, new bills will be committee proposals.

Tomorrow, Senate Education has a full slate of bills:

SB 0062 K-12 Education (Stargel) - Requiring that a resolution to levy discretionary sales tax include a statement containing certain information; defining the term “early college program”; changing the calculation of full-time equivalent student membership for dual enrollment purposes; providing for calculation of full-time equivalent membership for students earning the Capstone Diploma; requiring school board mental health policies and procedures to include certain items, etc.

SB 0072 Postsecondary Education (Stargel) - Clarifying requirements for new construction, remodeling, or renovation projects; establishing state universities of distinction throughout the State University System; requiring that grant awards administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program not exceed a certain amount; specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising the dates by which a spending plan must be submitted to a Florida College System institution’s board of trustees for approval, etc

SB 0536 Charter Schools (Diaz) - Establishing the High-Performing Charter School Council; providing the process for approving or denying a charter school application submitted to the council; authorizing charter school sponsors and applicants to provide input to the state board regarding the council’s recommendation; providing grounds on which the council may recommend denial of, or the state board may deny, an application submitted by a high-performing charter school or a high-performing charter school system, etc.

SB 0836 Funds for the Operation of Schools (Simmons) - Revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma, etc.

SB 1088 *Teacher Salary Enhancement (Diaz) - Establishing a teacher salary enhancement allocation in the General Appropriations Act; requiring each school district to use the allocated funds to increase teacher salaries; authorizing school districts that meet the teacher salary requirements specified in the appropriations act to use any additional funds provided in the allocation for any lawful operating expenditure, etc.*

SB 1164 Gardiner Scholarship (Perry) - Revising eligibility requirements for the Gardiner Scholarship Program; revising an authorized use of scholarship funds; providing that scholarship funds may be spent for tuition and fees associated with programs relating to art, music, or theater; revising terms under which a student’s scholarship account is closed and program funds revert to the state, etc.

SB 1218 Anti-bullying and Anti-harassment in Schools (Diaz) - Expanding the information that private schools participating in an educational scholarship program are required to publish and provide to parents; requiring such private schools to adopt bullying and harassment policies; requiring such schools to report bullying and harassment incidents to the Department of Education, etc.

We'll have results tomorrow.

Vern

Vern Pickup-Crawford
Schoolhouse Consulting Group, Inc.
(561) 644-2439
vacrawford@msn.com

AMERICAN OVERSIGHT

2020 Filed Bills - Prek-12 Education

Schoolhouse Consulting Group

11-Jan-20

Bill	Title	Sponsor	Summary	Committee of Reference	Actions
HB 0007	Legal Notices	Fine	Legal Notices: Provides for website publication of legal notices; provides criteria for such publication; authorizes fiscally constrained county to use publicly accessible website to publish legally required advertisements & public notices; requires governmental agency to provide specified notice to residents concerning alternative methods of receiving legal notices. Effective Date: July 1, 2021	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	01/03/2020 HOUSE Now in Local, Federal & Veterans Affairs Subcommittee
HB 0023	Panic Alarms in Public Schools	Gottlieb	Panic Alarms in Public Schools: Requires each public school building on campus of public elementary, middle, or high school to be equipped with at least one panic alarm; provides panic alarm requirements. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
HB 0037	School Bus Safety	Zika	School Bus Safety: Revises civil penalties for certain violations relating to stopping for school bus. Effective Date: July 1, 2020	House Transportation & Tourism Appropriations Subcommittee (Current Reference)	12/11/2019 HOUSE Now in Transportation & Tourism Appropriations Subcommittee

AMERICAN OVERSIGHT

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1	
2	
3	
4	**Related Bills**
5	Identical SB 1340 (Gruters)
6	Identical SB 0070 (Book)
7	Identical SB 0290 (Hooper)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
8	HB 0043	Child Welfare	Latvala	Child Welfare: Requires certain entities to provide training for specified purposes; establishes communication between law enforcement agencies & DCF related to certain individuals involved in child welfare system; provides requirements for law enforcement officers & central abuse hotline; authorizes lead agencies to provide intensive family reunification services that combine child welfare & mental health services to certain families; authorizes department & certain lead agencies to create program to more effectively provide case management services to specified children; specifies requirements of program; requires Criminal Justice Standards & Training Commission to incorporate training for specified purposes; requires law enforcement officers to complete such training as part of basic recruit training or continuing training or education by specified date. Effective Date: July 1, 2020	House Appropriations Committee (Current Reference)	10/24/2019 HOUSE Now in Appropriations Committee
9	HB 0045	Private School Eligibility Requirements	Eskamani	Private School Eligibility Requirements: Revises private school eligibility requirements for state school choice scholarship program. Effective Date: upon becoming a law	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
10	HB 0055	Sunshine Scholarship Program	Jones	Sunshine Scholarship Program: Establishes Sunshine Scholarship program; provides program & student requirements; provides for funding & rulemaking. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
11	SB 0056	Private School Eligibility Requirements	Rouson	Private School Eligibility Requirements; Revising private school eligibility requirements for the state school choice scholarship program, etc.Effective Date: Upon becoming a law	Senate Education (Current Reference)	08/16/2019 SENATE Referred to Education; Appropriations; Rules
12	HB 0061	Adoption Benefits	Roth	Adoption Benefits: Provides eligibility to certain veterans & servicemembers for specified adoption benefits. Effective Date: July 1, 2020	House Health & Human Services Committee (Current Reference)	11/07/2019 HOUSE Now in Health & Human Services Committee

AMERICAN OVERSIGHT

	G
8	Compare HB 1105 (Tomkow) SB 1324 (Simpson) SB 1548 (Perry) Identical SB 0122 (Rouson)
9	Identical SB 0056 (Rouson)
10	Similar SB 0132 (Braynon II) SB 1004 (Rodriguez (J))
11	Identical HB 0045 (Eskamani)
12	Similar SB 0136 (Bean)

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	A	B	C	D	E	F
13	SB 0062	K-12 Education	Stargel	K-12 Education; Requiring that a resolution to levy discretionary sales tax include a statement containing certain information; defining the term “early college program”; changing the calculation of full-time equivalent student membership for dual enrollment purposes; providing for calculation of full-time equivalent membership for students earning the Capstone Diploma; requiring school board mental health policies and procedures to include certain items, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
14	SB 0064	Exemptions from School-entry Health Requirements	Book	Exemptions from School-entry Health Requirements; Deleting exemptions from school-entry health examinations and immunization requirements for religious reasons; requiring the Board of Medicine and the Board of Osteopathic Medicine to jointly create a medical exemption review panel, etc. Effective Date: 7/1/2020	Senate Health Policy (Current Reference)	08/16/2019 SENATE Referred to Health Policy; Education; Rules
15	SB 0066	Student Loans and Scholarship Obligations of Health Care Practitioners	Cruz	Student Loans and Scholarship Obligations of Health Care Practitioners; Establishing that a health care practitioner’s failure to repay a student loan or to comply with service scholarship obligations does not constitute grounds for disciplinary action; removing a civil fine; removing the requirement that the Department of Health investigate and prosecute health care practitioners for failing to repay a student loan or to comply with scholarship service obligations; removing the requirement, and related provisions, that the department immediately suspend the licenses of certain health care practitioners for failing to provide within a specified timeframe proof of new payment terms for student loans in default, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	11/06/2019 SENATE Now in Appropriations Subcommittee on Education

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	G
13	Compare HB 0641 (Plasencia) SB 0836 (Simmons) SB 1246 (Stargel)
14	
15	Compare HB 0115 (Duran) SB 0356 (Hutson) SB 0474 (Albritton) HB 0713 (Rodriguez (AM)) SB 0926 (Harrell) Similar HB 0077 (Goff-Marcil)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
16	SB 0068	Homelessness	Book	Homelessness; Requiring that certain taxes of a specified amount be transferred annually to the Grants and Donations Trust Fund within the Department of Children and Families for the purpose of funding challenge grants; expanding the membership of the Council on Homelessness to include a representative of the Florida Housing Coalition and the Secretary of the Department of Elderly Affairs or his or her designee; increasing the maximum amount of grant awards per continuum of care lead agency; requiring each continuum of care, pursuant to federal law, to designate a collaborative applicant that is responsible for submitting the continuum of care funding application for the designated catchment area to the United States Department of Housing and Urban Development, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Health and Human Services (Current Reference)	10/22/2019 SENATE Now in Appropriations Subcommittee on Health and Human Services
17	SB 0070	Panic Alarms in Public Schools	Book	Panic Alarms in Public Schools; Citing this act as "Alyssa's Law"; requiring each public school building on the campus of a public elementary school, middle school, or high school to be equipped with at least one panic alarm, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	01/06/2020 SENATE On Committee agenda - Infrastructure and Security, 01/13/20, 3:30 pm, 110 S
18	HB 0071	Florida Job Growth Grant Fund	Santiago	Florida Job Growth Grant Fund: Authorizes Governor to approve workforce training grants to certain charter schools under Florida Job Growth Grant Fund; authorizes certain charter schools to apply for specified grant funds. Effective Date: July 1, 2020	House Transportation & Tourism Appropriations Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Transportation & Tourism Appropriations Subcommittee

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	G
16	Similar HB 0163 (Altman)
17	Identical HB 0023 (Gottlieb)
18	Similar SB 0130 (Hutson)

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	A	B	C	D	E	F
19	SB 0072	Postsecondary Education	Stargel	Postsecondary Education; Clarifying requirements for new construction, remodeling, or renovation projects; establishing state universities of distinction throughout the State University System; requiring that grant awards administered through the Florida Public Postsecondary Career Education Student Assistance Grant Program not exceed a certain amount; specifying eligibility for initial awards under the Benacquisto Scholarship Program; revising the dates by which a spending plan must be submitted to a Florida College System institution's board of trustees for approval, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
20	HB 0079	Student Elopement	Jenne	Student Elopement: Requires public schools to create School Staff Assistance for Emergencies (SAFE) Team & school elopement plan; provides requirements for team & plan; requires & provides requirements for elopement quick reference guides for certain students; requires public schools to annually submit their plans to district school board. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
21	HB 0081	Medicaid School-based Services	Andrade	Medicaid School-based Services: Revises provisions relating to reimbursement of school-based services by AHCA to certain school districts & private & charter schools; specifies that U.S. Department of Health & Human Services is authorized to waive certain school-based provider qualifications. Effective Date: July 1, 2020	House Health Care Appropriations Subcommittee (Current Reference)	11/13/2019 HOUSE Now in Health Care Appropriations Subcommittee

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	G
19	Compare HB 0613 (Rodrigues (R)) SB 1402 (Diaz)
20	Identical SB 0650 (Book)
21	Identical SB 0190 (Montford)

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	A	B	C	D	E	F
22	SB 0082	Individuals With Disabilities	Bean	Individuals With Disabilities; Requiring persons and entities under contract with the Agency for Persons with Disabilities to use the agency data management systems to bill for services; revising criteria used by the agency to develop a client's iBudget; requiring the Agency for Health Care Administration to seek federal approval to provide consumer-directed options; requiring the Agency for Persons with Disabilities to competitively procure qualified organizations to provide support coordination services, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	01/10/2020 SENATE On Committee agenda - Children, Families, and Elder Affairs, 01/15/20, 10:30 am, 301 S
23	HB 0083	Government-sponsored Recreation Programs	Duran	Government-sponsored Recreation Programs: Provides exemption for government-sponsored recreation programs from specified child care facility requirements; authorizes such programs to waive exemption by notifying DCF; prohibits withdrawal of waiver. Effective Date: July 1, 2020.	House Children, Families & Seniors Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Children, Families & Seniors Subcommittee
24	SB 0090	Discrimination in Labor and Employment	Stewart	Discrimination in Labor and Employment; Creating the "Senator Helen Gordon Davis Fair Pay Protection Act"; prohibiting an employer from providing less favorable employment opportunities to employees based on their sex; prohibiting an employer from taking certain employment actions against employees; prohibiting an employer from engaging in certain activities relating to wages and benefits, etc. Effective Date: 7/1/2020	Senate Commerce and Tourism (Current Reference)	08/16/2019 SENATE Referred to Commerce and Tourism; Judiciary; Rules
25	HB 0091	Holocaust Education in Public Schools	Polsky	Holocaust Education in Public Schools: Requires charter school and certain private school instructional personnel to teach specified topics relating to Holocaust education; revises requirements for specified instructional content; provides DOE & school district responsibilities relating to Holocaust instruction. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

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22	
23	Similar SB 0668 (Book)
24	Identical HB 0739 (Thompson)
25	Compare SB 1660 (Thurston, Jr.) Identical SB 0184 (Rader)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
26	HB 0099	Youth Athletic Activities	Andrade	Youth Athletic Activities: Requires entities that administer or conduct high-risk youth athletic activities or training related to such activities on certain property to require athletics personnel to complete course within specified timeframe; provides for course requirements; provides exemption. Effective Date: July 1, 2020	House Health Quality Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Health Quality Subcommittee
27	HB 0101	Public Construction	Andrade	Public Construction: Revises amounts of retainage that local governmental entities & contractors may withhold from progress payments for construction services contract; revises requirements for DMS rules governing certain contracts; revises amounts of retainage that public entities & contractors may withhold from progress payments for construction services contract. Effective Date: October 1, 2020	House Commerce Committee (Current Reference)	12/12/2019 HOUSE Now in Commerce Committee
28	HB 0105	Human Trafficking Education in Schools	Williams	Human Trafficking Education in Schools: Revises required health education in public schools to include information regarding dangers & signs of human trafficking; authorizes student to opt out of specified portion of health education; & requires DLA to develop human trafficking awareness campaigns. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
29	SB 0106	Instructional Personnel Salaries	Rader	Instructional Personnel Salaries; Citing this act as the "Florida Teacher Fair Pay Act"; providing legislative intent that the Florida Education Finance Program be funded at a level that ensures a certain minimum annual starting salary for instructional personnel; specifying a statewide minimum salary for all instructional personnel for the 2020-2021 fiscal year; requiring the Department of Education to annually calculate an adjusted statewide minimum annual starting salary, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	08/16/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
26	Similar SB 1406 (Broxson)
27	Identical SB 0246 (Hooper)
28	Compare SB 0154 (Thurston, Jr.)
29	Compare HB 1223 (McGhee) SB 1400 (Diaz)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
30	HB 0115	Keep Our Graduates Working Act	Duran	Keeping Our Graduates Working Act: Prohibits state authority from denying or suspending or revoking person's professional license, certificate, registration, or permit solely on basis of delinquency or default in payment of student loan. Effective Date: July 1, 2020	House Commerce Committee (Current Reference)	12/16/2019 HOUSE Now in Commerce Committee
31	SB 0120	Naloxone in Schools	Pizzo	Naloxone in Schools; Authorizing a public school to purchase a supply or enter into an arrangement to receive a supply of the opioid antagonist naloxone for a certain purpose; requiring the school district to adopt a protocol for the administration of naloxone; providing that a school district and its employees and agents and the physician who provides the protocol are not liable for any injury arising from the administration of the naloxone pursuant to the protocol, etc. Effective Date: 7/1/2020	Senate Health Policy (Current Reference)	11/13/2019 SENATE Now in Health Policy
32	SB 0122	Child Welfare	Rouson	Child Welfare; Citing this act as “Jordan’s Law”; requiring the Florida Court Educational Council to establish certain standards for instruction of circuit and county court judges for dependency cases; requiring the Department of Law Enforcement to provide to law enforcement officers certain information relating to specified individuals; requiring certain entities to provide training to certain parties on the recognition of and responses to head trauma and brain injury in specified children; authorizing the department and certain lead agencies to create and implement a program to more effectively provide case management services for specified children, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	12/10/2019 SENATE Temporarily Postponed by Children, Families, and Elder Affairs

AMERICAN OVERSIGHT

	G
30	Compare SB 0066 (Cruz) HB 0077 (Goff-Marcil) SB 0474 (Albritton) HB 0713 (Rodriguez (AM)) SB 0926 (Harrell) Similar SB 0356 (Hutson)
31	Identical HB 0331 (Geller)
32	Compare HB 1105 (Tomkow) SB 1324 (Simpson) SB 1548 (Perry) Identical HB 0043 (Latvala)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
33	HB 0123	Feminine Hygiene Products in Public Schools	Grieco	Feminine Hygiene Products in Public Schools: Requires district school boards to provide feminine hygiene products free of charge in specified bathrooms; provides that school district is responsible for specified costs; authorizes district school boards to seek specified funding or partnerships. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
34	SB 0126	Sales and Use Tax	Gruters	Sales and Use Tax; Revising the definition of the term “retail sale”; renaming the term “mail order sale” to “remote sale” and revising the definition; revising conditions under which certain dealers are subject to sales tax levies and collection; providing that certain marketplace providers are subject to registration, collection, and remittance requirements for sales taxes, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020	Senate Finance and Tax (Current Reference)	12/19/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 12/20/19, 9:00 am, 117 K (No Votes Will Be Taken)
35	SB 0130	Florida Job Growth Grant Fund	Hutson	Florida Job Growth Grant Fund; Authorizing the Governor to approve workforce training grants to certain charter schools under the Florida Job Growth Grant Fund; authorizing certain public schools to apply for specified grant funds; requiring grant funds to be used toward specified expenses, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	11/18/2019 SENATE Now in Appropriations
36	SB 0132	Sunshine Scholarship Program	Braynon II	Sunshine Scholarship Program; Establishing the Sunshine Scholarship Program; requiring the Department of Education to administer the program; requiring certain financial aid to be credited to a student’s tuition and fees before the award of a Sunshine Scholarship; requiring a student to repay the scholarship amount under certain circumstances, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/03/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
33	Compare SB 0234 (Book)
34	Similar HB 0159 (Clemons)
35	Similar HB 0071 (Santiago)
36	Similar HB 0055 (Jones) SB 1004 (Rodriguez (J))

AMERICAN OVERSIGHT

	A	B	C	D	E	F
37	HB 0135	Community Development Districts	Cortes	Community Development Districts: Requires community development districts to obtain a just valuation of property before acquiring any property that includes land or is permanently affixed to land. Effective Date: July 1, 2020	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Local, Federal & Veterans Affairs Subcommittee
38	SB 0136	Adoption Benefits	Bean	Adoption Benefits; Revising the definition of the term “qualifying adoptive employee”; providing that certain adoptive veterans and servicemembers are eligible to apply for certain monetary benefits; defining the terms “veteran” and “servicemember”, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	11/15/2019 SENATE Now in Appropriations
39	HB 0139	Drinking Water in Public Schools	Jenne	Drinking Water in Public Schools: Subject to legislative appropriation, provides requirements for school districts relating to prevention of lead in drinking water at public schools; provides rulemaking; provides appropriation. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
40	SB 0142	Abolishing the Constitution Revision Commission	Brandes	Abolishing the Constitution Revision Commission; Proposing amendments to the State Constitution to abolish the Constitution Revision Commission, etc.	Senate Rules (Current Reference)	10/15/2019 SENATE Now in Rules
41	HB 0143	English Language Learners	Valdes	English Language Learners: Exempts certain English language learners (ELLs) from specified graduation requirement; requires such ELLs to meet other criteria to earn standard high school diploma; revises school grade components to include certain ELLs that meet specified criteria. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
42	SB 0146	Homestead Property Tax Assessments/Increased Portability Period	Brandes	Homestead Property Tax Assessments/Increased Portability Period; Proposing amendments to the State Constitution to increase the period of time during which the accrued benefit from specified limitations on homestead property tax assessments may be transferred from a prior homestead to a new homestead, and to provide an effective date, etc.	Senate Community Affairs (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)

AMERICAN OVERSIGHT

	G
37	Identical SB 1430 (Torres, Jr.)
38	Similar HB 0061 (Roth)
39	Similar SB 0168 (Cruz)
40	Compare HB 0303 (Drake) Similar HB 0301 (Drake)
41	Similar SB 0376 (Lee)
42	Compare HB 0371 (Roth) HB 0671 (Roth) Identical HB 0369 (Roth) Linked SB 0148 (Brandes)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
43	SB 0148	Limitations on Homestead Assessments	Brandes	Limitations on Homestead Assessments; Revising the timeframe during which the accrued benefit from specified limitations on homestead property tax assessments may be transferred from a prior homestead to a new homestead; revising the timeframe during which an owner of homestead property significantly damaged or destroyed by a named tropical storm or hurricane must establish a new homestead to make a certain election, etc. Effective Date: On the effective date of the amendment to the State Constitution proposed by SJR 146 or a similar joint resolution having substantially the same specific intent and purpose, if such amendment to the State Constitution is approved at the general election held in November 2020 or at an earlier special election specifically authorized by law for that purpose	Senate Finance and Tax (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
44	HB 0151	Use of Regulated Substances	Toledo	Use of Regulated Substances: Prohibits physician from issuing certificate for marijuana in form for smoking to patient under 21 years of age; provides information for informed consent form; prohibits sale of flavored liquid nicotine products intended for certain uses; revises age for smoking near school property; revises prohibited age related to sale, delivery, gift, possession, & purchase of tobacco products; revises provisions relating to restrictions on sale & delivery of nicotine products or nicotine dispensing devices. Effective Date: October 1, 2020	House Business & Professions Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Business & Professions Subcommittee
45	SB 0154	Human Trafficking Education in Schools	Thurston, Jr.	Human Trafficking Education in Schools; Revising the required health education in public schools to include information regarding the dangers and signs of human trafficking; specifying the minimum requirements of the human trafficking education portion of the comprehensive health education curriculum, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	12/10/2019 SENATE Now in Appropriations

AMERICAN OVERSIGHT

	G
43	Compare HB 0369 (Roth) Identical HB 0371 (Roth) Linked SB 0146 (Brandes)
44	Compare SB 0694 (Mayfield) SB 0810 (Simmons) SB 1638 (Flores)
45	Compare HB 0105 (Williams)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
46	SB 0156	Early Childhood Music Education Incentive Pilot Program	Perry	Early Childhood Music Education Incentive Pilot Program; Extending the scheduled expiration of the pilot program; revising an eligibility requirement, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	11/18/2019 SENATE Now in Appropriations Subcommittee on Education
47	HB 0157	Limitation on Terms of Office for Members of a District School Board	Sabatini	Limitation on Terms of Office for Members of a District School Board: Proposing amendments to the State Constitution to limit the terms of office for a member of a district school board.	House PreK-12 Innovation Subcommittee (Current Reference)	09/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
48	HB 0159	Sales and Use Tax	Clemons	Sales and Use Tax: Revises conditions under which certain dealers are subject to sales tax; deletes exemption for certain dealers from collecting local option surtaxes; provides that certain marketplace providers are subject to registration, collection, & remittance requirements for sales taxes; requires marketplace providers to provide certification to marketplace sellers; specifies requirements for marketplace sellers; requires marketplace providers to allow DOR to audit books & records; provides that marketplace seller is liable for sales tax collection & remittance; authorizes marketplace providers & marketplace sellers to enter into agreements to recover certain taxes, interest, & penalties; grants DOR settlement & compromise authority for marketplace sales; deletes authority of DOR to negotiate collection allowance with certain dealers. Effective Date: July 1, 2020	House Ways & Means Committee (Current Reference)	12/19/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 12/20/19, 9:00 am, 117 K (No Votes Will Be Taken)
49	HB 0163	Homelessness	Altman	Provides requirements for continuum of care catchment areas & lead agencies; requires continuums of care to create continuum of care plans; revises requirements for certain grants; establishes grant-in-aid program to help continuums of care prevent & end homelessness; provides program requirements. Effective Date: July 1, 2020	House Health Care Appropriations Subcommittee (Current Reference)	10/24/2019 HOUSE Now in Health Care Appropriations Subcommittee

AMERICAN OVERSIGHT

	G
46	Similar HB 1321 (Aloupis)
47	Similar SB 1216 (Gruters) Identical SB 1480 (Book)
48	Similar SB 0126 (Gruters)
49	Similar SB 0068 (Book)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
50	HB 0165	Youth in Solitary Confinement	Driskell	Youth in Solitary Confinement: Prohibits DOC or local government from subjecting youth to solitary confinement; limits cell confinement youth prisoners; provides protection for youth prisoners in emergency cell confinement; provides for individualized suicide crisis intervention plan; requires youth prisoners in disciplinary cells be allotted services & other benefits; requires review of policies relating to youth prisoners. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	09/25/2019 HOUSE Now in Criminal Justice Subcommittee
51	SB 0166	Charter Schools	Cruz	Charter Schools; Requiring a charter school, in order to obtain approval, to demonstrate that it meets certain needs that the local school district does not or is unable to provide to students in that district, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/19/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
52	SB 0168	Drinking Water in Public Schools	Cruz	Drinking Water in Public Schools; Subject to legislative appropriation, requiring district boards to coordinate with district school boards to identify certain schools and to provide funding to such schools; requiring certain school districts to install filters that meet certain specifications on drinking water sources; authorizing district boards to request additional funding to compensate school district staff for the installation or replacement of filters, etc. APPROPRIATION: $3,000,000 Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Agriculture, Environment and General Government (Current Reference)	11/18/2019 SENATE Now in Appropriations Subcommittee on Agriculture, Environment, and General Government
53	HB 0171	Postsecondary Education for Certain Military Personnel	Ponder	Postsecondary Education for Certain Military Personnel: Requires BOG & SBE to create uniform process for award of postsecondary credit & clock hours to certain servicemembers & veterans; provides process for award of postsecondary credit & clock hours for military experience & credentials; requires specified postsecondary institutions to waive transcript fee for active duty members, certain veterans, & their spouses & dependents. Effective Date: upon becoming a law	House Higher Education Appropriations Subcommittee (Current Reference)	11/25/2019 HOUSE Now in Higher Education Appropriations Subcommittee

AMERICAN OVERSIGHT

	G
50	Compare HB 0347 (Alexander) SB 0436 (Montford) SB 0762 (Farmer, Jr.) Similar SB 0228 (Thurston, Jr.)
51	
52	Similar HB 0139 (Jenne)
53	Similar SB 0372 (Lee)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
54	SB 0176	Single-subject Limitation for Constitution Revision Commission Proposals	Rodriguez (J)	Single-subject Limitation for Constitution Revision Commission Proposals; Proposing an amendment to the State Constitution to require that any proposals to revise the State Constitution, or any part thereof, filed by the Constitution Revision Commission be limited to a single subject, etc.	Senate Rules (Current Reference)	12/09/2019 SENATE Now in Rules
55	SB 0178	Public Financing of Construction Projects	Rodriguez (J)	Public Financing of Construction Projects; Prohibiting state-financed constructors from commencing construction of certain structures in coastal areas after a specified date without first taking certain steps regarding a sea level impact projection study; requiring the Department of Environmental Protection to develop by rule a standard for such studies; requiring the department to enforce certain requirements and to adopt rules, etc. Effective Date: On the same date that SB 7016 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	Senate Appropriations Subcommittee on Agriculture, Environment and General Government (Current Reference)	12/13/2019 SENATE Now in Appropriations Subcommittee on Agriculture, Environment, and General Government
56	HB 0183	Prohibited Places for Weapons and Firearms	Ponder	Prohibited Places for Weapons and Firearms: Authorizes elected member of specified governing body who holds license to carry concealed weapons or firearms to carry concealed weapon or firearm to meeting of governing body of which he or she is member. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	09/25/2019 HOUSE Now in Criminal Justice Subcommittee

AMERICAN OVERSIGHT

	G
54	
55	Compare HB 1073 (Stevenson) Identical HB 0579 (Aloupis) Linked SB 7016 (Infrastructure and Security)
56	Similar SB 1524 (Gainer)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
57	SB 0184	Holocaust Education in Public Schools	Rader	Holocaust Education in Public Schools; Citing this act as the "Holocaust Education Act of 2020"; requiring charter school instructional personnel to teach specified topics; requiring certain private school instructional personnel to teach specified topics; revising the requirements for instructional content relating to the Holocaust that members of public school instructional staff are required to teach; requiring the Department of Education to coordinate with school districts to appoint Holocaust curriculum coordinators, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/19/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
58	HB 0187	Postsecondary Education for Secondary Students	Zika	Postsecondary Education for Secondary Students: Provides reporting requirements for postsecondary institutions; revises provisions relating to dual enrollment programs; renames collegiate high school programs as early college acceleration programs; revises requirements for such programs. Effective Date: July 1, 2020	House Higher Education Appropriations Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Appropriations Committee
59	SB 0188	Student Eligibility Requirements for State Financial Aid Awards and Tuition Assistance Grants	Taddeo	Student Eligibility Requirements for State Financial Aid Awards and Tuition Assistance Grants; Providing that, for purposes of receiving state financial aid awards, a student may not be denied classification as a resident based on his or her immigration status if certain criteria are met, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/19/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
57	Compare SB 1660 (Thurston, Jr.) Identical HB 0091 (Polsky)
58	Compare SB 1246 (Stargel)
59	Compare HB 0693 (Smith (C))

AMERICAN OVERSIGHT

	A	B	C	D	E	F
60	SB 0190	Medicaid School-based Services	Montford	Medicaid School-based Services; Revising applicable provisions for the reimbursement of school-based services by the Agency for Health Care Administration to certain school districts; deleting a requirement specifying the use of certified state and local education funds for school-based services; revising a requirement for the agency's reimbursement of school-based services to certain charter and private schools; specifying the federal agency that may waive certain school-based provider qualifications, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/19/2019 SENATE Referred to Education; Health Policy; Appropriations
61	HB 0193	Child Care Subsidies for Foster Parents	Roth	Child Care Subsidies for Foster Parents: Provides early education or child care subsidy for certain foster parents. Effective Date: July 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	09/25/2019 HOUSE Now in Children, Families & Seniors Subcommittee
62	HB 0201	Urban Core Gun Violence Task Force	Jones	Urban Core Gun Violence Task Force: Creates Urban Core Gun Violence Task Force; provides for membership, staff support, & requirements for meetings; specifies duties & powers of task force; authorizes task force to seek assistance from state agencies; requires reports; provides for repeal of task force. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	09/25/2019 HOUSE Now in Criminal Justice Subcommittee
63	HB 0203	Growth Management	McClain	Growth Management: Requires comprehensive plan to include property rights element by a specified date; provides statement of rights that local government may use; provides local government's property rights element may not conflict with statutorily provided statement of rights. Effective Date: July 1, 2020	House Commerce Committee (Current Reference)	10/28/2019 HOUSE Now in Commerce Committee

AMERICAN OVERSIGHT

	G
60	Identical HB 0081 (Andrade)
61	Identical SB 0354 (Montford)
62	Compare SB 1802 (Pizzo) Similar SB 0652 (Pizzo)
63	Identical SB 0410 (Perry)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
64	SB 0208	Wellness Examinations	Thurston, Jr.	Wellness Examinations; Specifying that physical examinations are included in support services for purposes of the student support services team program; exempting a child from the adolescent well-care examination upon a parent's written request stating objections on religious grounds; requiring that district school boards and private school governing authorities require and enforce as a policy that certain children present proof of an adolescent well-care examination each year; requiring district school boards and private school governing authorities to refuse to admit children who fail to present proof of such examination, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	09/19/2019 SENATE Referred to Appropriations Subcommittee on Education; Appropriations; Rules
65	SB 0216	Assistance for Micro Businesses	Rodriguez (J)	Assistance for Micro Businesses; Authorizing certain local governments to set aside up to a specified percentage of funds for procuring personal property and services for the purpose of entering into contracts with micro businesses; providing eligibility for micro businesses under the Microfinance Loan Program; providing eligibility for micro businesses under the Department of Transportation's highway project business development program, etc. Effective Date: 7/1/2020	Senate Innovation, Industry, and Technology (Current Reference)	09/19/2019 SENATE Referred to Innovation, Industry, and Technology; Infrastructure and Security; Appropriations
66	HB 0217	High School Equivalency Diplomas	Valdes	High School Equivalency Diplomas: Provides for award of high school equivalency diploma to students who meet specified criteria relating to high school graduation requirements. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/10/2019 HOUSE Now in PreK-12 Innovation Subcommittee
67	SB 0226	Athletic Trainers	Harrell	Athletic Trainers; Revising the definition of the term "athletic trainer"; revising athletic trainer licensure requirements; revising continuing education requirements for the renewal of an athletic trainer license; requiring that the supervision of an athletic training student meet certain requirements, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	10/24/2019 SENATE Now in Appropriations

AMERICAN OVERSIGHT

	G
64	Similar HB 1235 (DuBose)
65	
66	
67	Compare SB 0230 (Harrell) HB 0713 (Rodriguez (AM)) Identical HB 0485 (Antone)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
68	SB 0228	Youth in Solitary Confinement	Thurston, Jr.	Youth in Solitary Confinement; Creating the "Youth in Solitary Confinement Reduction Act"; prohibiting the Department of Corrections or a local governmental body from subjecting youth prisoners to solitary confinement except under certain circumstances; providing for an individualized suicide crisis intervention plan for certain youth prisoners, if applicable; requiring the department and the board of county commissioners of each county that administers a detention facility or jail to review their policies relating to youth prisoners to evaluate whether the policies are necessary, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	09/19/2019 SENATE Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations
69	SB 0230	Department of Health	Harrell	Department of Health; Requiring the Department of Health to develop strategies to maximize federal-state partnerships that provide incentives for physicians to practice in medically underserved or rural areas; revising licensure requirements for a person seeking licensure or certification as an osteopathic physician; extending through 2025 the Florida Center for Nursing's responsibility to study and issue an annual report on the implementation of nursing education programs; requiring dentists and certified registered dental hygienists to report in writing certain adverse incidents to the department within a specified timeframe; revising athletic trainer licensure requirements, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	10/23/2019 SENATE Now in Appropriations
70	SB 0234	Student Health Services	Book	Student Health Services; Citing this act as the "Learning with Dignity Act"; requiring school districts to make feminine hygiene products available, at no charge, in female restroom facilities of public school buildings, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	09/19/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
71	HB 0239	Equal Rights for Men and Women	Driskell	Equal Rights for Men and Women: Ratifies proposed amendment to U.S. Constitution relating to equal rights for men & women. Effective Date: Not Specified	House Civil Justice Subcommittee (Current Reference)	10/10/2019 HOUSE Now in Civil Justice Subcommittee

AMERICAN OVERSIGHT

	G
68	Compare HB 0347 (Alexander) SB 0436 (Montford) SB 0762 (Farmer, Jr.) Similar HB 0165 (Driskell)
69	Compare SB 0218 (Harrell) HB 0221 (Roach) SB 0226 (Harrell) SB 0390 (Hooper) HB 0485 (Antone) HB 0677 (Smith (D)) SB 1124 (Diaz) SB 1138 (Brandes) HB 1143 (Gregory) SB 1296 (Berman) Similar HB 0713 (Rodriguez (AM))
70	Compare HB 0123 (Grieco)
71	Identical SB 0392 (Gibson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
72	HB 0245	Concealed Weapons and Firearms	Polo	Concealed Weapons and Firearms: Prohibits concealed weapon or firearm licensee from openly carrying handgun or carrying concealed weapon or firearm into any child care facility. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	10/10/2019 HOUSE Now in Criminal Justice Subcommittee
73	SB 0246	Public Construction	Hooper	Public Construction; Revising the amount of retainage that certain local governmental entities and contractors may withhold from progress payments for any construction services contract; revising the amounts of retainage that certain public entities and contractors may withhold from progress payments for any construction services contract, etc. Effective Date: 10/1/2020	Senate Appropriations (Current Reference)	11/05/2019 SENATE Now in Appropriations
74	HB 0251	Students Participating In Intercollegiate Athletics	McGhee	Students Participating In Intercollegiate Athletics: Authorizes students participating in intercollegiate athletics to receive specified compensation; provides requirements for specified students, postsecondary educational institutions, certain organizations, & specified representatives; & creates Florida College System Athlete Name, Image, & Likeness Task Force. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	10/10/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
75	HB 0255	Florida Commission on Human Relations	Antone	Florida Commission on Human Relations: Provides quorum requirements for Commission on Human Relations & its panels; revises number of persons commission may recommend for Florida Civil Rights Hall of Fame; requires commission to provide notice to aggrieved person in certain circumstances; provides limitation on time civil action may be filed after alleged violation of Florida Civil Rights Act; revises length of time commission or AG has to resolve complaint of discrimination in club membership; revises timeline relating to complaints alleging prohibited personnel action. Effective Date: July 1, 2020	House Civil Justice Subcommittee (Current Reference)	10/10/2019 HOUSE Now in Civil Justice Subcommittee

AMERICAN OVERSIGHT

	G
72	Identical SB 0398 (Berman)
73	Identical HB 0101 (Andrade)
74	Compare HB 0287 (LaMarca) SB 0646 (Mayfield) Identical SB 0582 (Bracy)
75	Compare SB 0450 (Brandes) Similar SB 0726 (Rouson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
76	HB 0273	Carrying of Firearms	Sabatini	Carrying of Firearms: Removes requirement that license to carry concealed firearm is required in order to carry such firearm; limits areas in which concealed carrying of firearm is prohibited; revises criminal penalties; revises provisions relating to carrying of concealed weapons by nonresidents; provides for issuance of concealed carry licenses for reciprocity purposes; specifies that person not otherwise prohibited by law from possessing firearm may own, possess, & lawfully use firearms & other weapons, ammunition, & supplies for lawful purposes. Effective Date: upon becoming a law	House Criminal Justice Subcommittee (Current Reference)	10/14/2019 HOUSE Now in Criminal Justice Subcommittee
77	HB 0275	First Aid for Severe Bleeding	Grieco	First Aid for Severe Bleeding: Requires placement of bleeding control kits in state buildings & schools; requires school districts to provide instruction for all students in first aid for severe bleeding; requires DOE to develop list of approved first aid for severe bleeding instructional programs for certain instructional personnel. Effective Date: July 1, 2020	House Health Quality Subcommittee (Current Reference)	10/14/2019 HOUSE Now in Health Quality Subcommittee
78	SB 0276	Health Education	Rader	Health Education; Expanding the required instruction in grades 9 through 12 to include a breast cancer and prostate cancer awareness component, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
79	SB 0282	Homestead Assessment Limitation for Certain Persons	Diaz	Homestead Assessment Limitation for Certain Persons; Proposing an amendment to the State Constitution to authorize the Legislature, by general law, to prohibit increases in the assessed value of homestead property, for school district levy purposes, if the legal or equitable title to the property is held by a person who is 65 years of age or older and if he or she has held such title and maintained permanent residence on the property for at least 25 years, and to provide an effective date, etc.	Senate Community Affairs (Current Reference)	12/19/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 12/20/19, 9:00 am, 117 K (No Votes Will Be Taken)

AMERICAN OVERSIGHT

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76	
77	Similar SB 0934 (Pizzo)
78	
79	Linked SB 0284 (Diaz)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
80	SB 0284	Homestead Assessments	Diaz	Homestead Assessments; Providing a homestead assessment limitation for school district levy purposes to certain persons age 65 years or older; providing that certain other persons may receive the limitation; requiring property appraisers to serve a notice of intent to record a tax lien under certain circumstances, etc. Effective Date: On the effective date of the amendment to the State Constitution proposed by SJR 282 or a joint resolution having substantially the same specific intent and purpose, if such amendment to the State Constitution is approved at the general election held in November 2020 or at an earlier special election specifically authorized by law for that purpose	Senate Community Affairs (Current Reference)	12/19/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 12/20/19, 9:00 am, 117 K (No Votes Will Be Taken)
81	HB 0285	Direct Filing of an Information	Bush III	Direct Filing of an Information: Removes references to state attorney's discretion to direct file juvenile; revises discretionary direct file criteria; provides for opportunity for hearing to reverse direct file; revises provisions concerning housing of children held in detention. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	10/16/2019 HOUSE Now in Criminal Justice Subcommittee
82	HB 0287	Postsecondary Student Athletes	LaMarca	Postsecondary Student Athletes: Authorizes certain students participating in intercollegiate athletics to receive specified compensation; provides requirements for specified students, postsecondary educational institutions, certain organizations, & specified representatives; & provides contract requirements. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	10/16/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
83	SB 0290	School Bus Safety	Hooper	School Bus Safety; Revising civil penalties for certain violations relating to stopping for a school bus, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Judiciary; Rules

AMERICAN OVERSIGHT

	G
80	Linked SB 0282 (Diaz)
81	Compare HB 0421 (Alexander) SB 0618 (Powell) Similar SB 0610 (Powell)
82	Compare HB 0251 (McGhee) SB 0582 (Bracy) Similar SB 0646 (Mayfield)
83	Identical HB 0037 (Zika)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
84	SB 0300	Food Pantries in Public Schools	Farmer, Jr.	Food Pantries in Public Schools; Authorizing school districts to adopt a policy to allow schools to create food pantry programs in collaboration with nonprofit organizations; authorizing school districts to provide food from the pantry at no cost to students under specified circumstances; authorizing school employees to prepare and distribute donated food, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
85	HB 0301	Repeal of Constitution Revision Commission	Drake	Repeal of Constitution Revision Commission: Repeals references to Constitution Revision Commission, powers of chair, & assistance by state & local agencies. Effective Date: Not Specified	House Judiciary Committee (Current Reference)	12/09/2019 HOUSE Now in Judiciary Committee
86	HB 0303	Constitution Revision Commission	Drake	Constitution Revision Commission: Repeals references to Constitution Revision Commission, powers of chair, & assistance by state & local agencies. Effective Date: the effective date of the amendment to the State Constitution proposed by HJR 301 or a similar joint resolution having substantially the same specific intent and purpose	House Judiciary Committee (Current Reference)	12/09/2019 HOUSE Now in Judiciary Committee
87	SB 0304	School Safety Funding	Cruz	School Safety Funding; Specifying distribution requirements for certain safe schools allocation funds for the 2020-2021 fiscal year; requiring each district school superintendent to remit specified unused funds from the 2019-2020 fiscal year to the Department of Education; authorizing the department, upon request, to redistribute such funds to certain school districts for a specified purpose, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Appropriations Subcommittee on Education; Appropriations
88	HB 0311	Threats	Massullo, Jr.	Threats: Prohibits threats to use firearm or weapon with specified intent. Effective Date: October 1, 2020	House Criminal Justice Subcommittee (Current Reference)	10/16/2019 HOUSE Now in Criminal Justice Subcommittee
89	HB 0315	Enforcement of School Attendance	Valdes	Enforcement of School Attendance: Authorizes district school boards & charter school governing boards to allow specified number of mental health days as excused absences for students. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

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84	
85	Similar SB 0142 (Brandes) Linked HB 0303 (Drake)
86	Compare SB 0142 (Brandes) Linked HB 0301 (Drake)
87	Identical HB 1167 (Polsky)
88	Identical SB 0728 (Stargel)
89	Identical SB 0588 (Rouson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
90	HB 0325	Health Education	Bush III	Health Education: Requires health education instruction for certain students to include age-appropriate water safety instruction; provides requirements for such instruction. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee
91	HB 0331	Naloxone in Schools	Geller	Naloxone in Schools: Authorizes public school to purchase supply or enter into arrangement to receive supply of opioid antagonist naloxone for certain purpose; specifies requirements for maintenance of naloxone; requires school district to adopt protocol for administration of naloxone; provides that school district & its employees & agents & physician who provides protocol are not liable for any injury arising from administration of naloxone pursuant to protocol; provides exceptions. Effective Date: July 1, 2020	House Health Quality Subcommittee (Current Reference)	10/16/2019 HOUSE Now in Health Quality Subcommittee
92	HB 0341	Study of the Bible and Religion	Daniels	Study of the Bible and Religion: Requires each school district to offer specified courses relating to religion, Hebrew Scriptures, & Bible to certain students as elective courses; requires such courses be included in Course Code Directory. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/23/2019 HOUSE Now in PreK-12 Innovation Subcommittee
93	SB 0354	Child Care Subsidies for Foster Parents	Montford	Child Care Subsidies for Foster Parents; Providing an early education or child care subsidy for certain foster parents, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Health and Human Services (Current Reference)	11/06/2019 SENATE Now in Appropriations Subcommittee on Health and Human Services
94	SB 0356	Keep Our Graduates Working Act	Hutson	Keep Our Graduates Working Act; Creating the "Keep Our Graduates Working Act of 2020"; prohibiting a state authority from suspending or revoking a person's professional license, certificate, registration, or permit solely on the basis of a delinquency or default in the payment of his or her student loan, etc. Effective Date: 7/1/2020	Senate Rules (Current Reference)	01/10/2020 SENATE On Committee agenda - Rules, 01/15/20, 8:30 am, 110 S

AMERICAN OVERSIGHT

	G
90	Identical SB 0608 (Pizzo)
91	Identical SB 0120 (Pizzo)
92	Identical SB 0746 (Baxley)
93	Identical HB 0193 (Roth)
94	Compare SB 0066 (Cruz) HB 0077 (Goff-Marcil) SB 0474 (Albritton) HB 0713 (Rodriguez (AM)) SB 0926 (Harrell) Similar HB 0115 (Duran)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
95	HB 0357	Internship Tax Credit Program	Jones	Internship Tax Credit Program: Provides corporate income tax credit up to specified amount for qualified business that hires employees who have completed specified internships; provides eligibility criteria; limits amount of tax credit which qualified business may claim; authorizes Department of Revenue to adopt rules governing applications & establishing qualification requirements; authorizes business to carry forward tax credit for specified period. Effective Date:	No Current Committee	10/16/2019 HOUSE Withdrawn prior to introduction
96	SB 0360	Florida Education Finance Program	Diaz	Florida Education Finance Program; Requiring school districts that participate in the Florida Education Finance Program to expend 80 percent of funds from the program for classroom spending purposes, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
97	HB 0361	Developmental Disabilities	Hattersley	Developmental Disabilities: Revises definition of term "developmental disability." Effective Date: July 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	10/23/2019 HOUSE Now in Children, Families & Seniors Subcommittee
98	HB 0369	Limitation on Homestead Assessments	Roth	Limitation on Homestead Assessments: Proposes amendments to State Constitution to increase period of time during which accrued benefit from specified limitations on homestead property tax assessments may be transferred from prior homestead to new homestead. Effective Date: Not Specified	House Ways & Means Committee (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
99	SB 0370	Safe-school Officers	Cruz	Safe-school Officers; Requiring district school boards to provide their approval before certain charter schools employ school resource officers and school safety officers; authorizing district school boards to oversee and manage the employment of school resource officers and school safety officers by charter schools within the district; authorizing district school boards to establish best practices for the employment of school resource officers and school safety officers by charter schools within the district, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Infrastructure and Security; Rules

AMERICAN OVERSIGHT

	G
95	Compare HB 1101 (Daley) SB 1412 (Powell) Similar HB 0439 (Daley) SB 0642 (Powell)
96	
97	Similar SB 0532 (Cruz)
98	Compare SB 0148 (Brandes) Identical SB 0146 (Brandes) Linked HB 0371 (Roth) HB 0671 (Roth)
99	Identical HB 0553 (Antone)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
100	HB 0371	Limitations on Homestead Assessments	Roth	Limitations on Homestead Assessments: Revises timeframe during which accrued benefit from specified limitations on homestead property tax assessments may be transferred from prior homestead to new homestead; revises timeframe during which an owner of homestead property significantly damaged or destroyed by named tropical storm or hurricane must establish new homestead to make certain election. Effective Date: on the effective date of the amendment to the State Constitution proposed by HJR 369 or a similar joint resolution having substantially the same specific intent and purpose	House Ways & Means Committee (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
101	SB 0372	Postsecondary Education for Certain Military Personnel	Lee	Postsecondary Education for Certain Military Personnel; Requiring the Board of Governors and the State Board of Education, in consultation with the Department of Veterans' Affairs, to create a process for the uniform award of postsecondary credit or career education clock hours to certain servicemembers and veterans of the United States Armed Forces; requiring certain postsecondary institutions to award uniform postsecondary credit or career education clock hours for specified courses taken and occupations held by individuals during their service in the military, etc. Effective Date: Upon becoming a law	Senate Appropriations (Current Reference)	12/13/2019 SENATE Now in Appropriations
102	SB 0376	English Language Learners	Lee	English Language Learners; Exempting certain English language learners from a specified graduation requirement; requiring such English language learners to meet other criteria to earn a standard high school diploma; revising school grade components to include certain English language learners who meet specified criteria, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	12/13/2019 SENATE Now in Appropriations Subcommittee on Education

AMERICAN OVERSIGHT

	G
100	Compare SB 0146 (Brandes) Identical SB 0148 (Brandes) Linked HB 0369 (Roth)
101	Similar HB 0171 (Ponder)
102	Similar HB 0143 (Valdes)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
103	SB 0378	Motor Vehicle Insurance	Lee	Motor Vehicle Insurance; Repealing provisions which comprise the Florida Motor Vehicle No-Fault Law; revising the motor vehicle insurance coverages that an applicant must show to register certain vehicles with the Department of Highway Safety and Motor Vehicles; revising garage liability insurance requirements for motor vehicle dealer applicants; revising minimum liability coverage requirements for motor vehicle owners or operators, etc. CLAIM: $83,651 Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2021	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Banking and Insurance; Appropriations
104	HB 0383	Historically Black Colleges and Universities Matching Endowment Scholarship Program	Hogan Johnson	Historically Black Colleges and Universities Matching Endowment Scholarship Program: Establishes Historically Black Colleges & Universities Matching Endowment Scholarship Program; provides requirements for program, HBCUs, & DOE. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	10/23/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
105	HB 0385	Specialty License Plates	Hogan Johnson	Specialty License Plates: Directs DHSMV to develop Highwaymen license plate; provides for distribution & use of fees collected from sale of plates. Effective Date: October 1, 2020, but only if HB 387 or similar legislation takes effect	House Transportation & Infrastructure Subcommittee (Current Reference)	10/23/2019 HOUSE Now in Transportation & Infrastructure Subcommittee
106	HB 0387	Specialty License Plate Fees	Hogan Johnson	Specialty License Plate Fees: Establishes fee for Highwaymen license plate. Effective Date: on the same date that HB 385 or similar legislation takes effect	House Transportation & Infrastructure Subcommittee (Current Reference)	10/23/2019 HOUSE Now in Transportation & Infrastructure Subcommittee
107	SB 0392	Equal Rights for Men and Women	Gibson	Equal Rights for Men and Women; Ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women, etc.	Senate Judiciary (Current Reference)	10/15/2019 SENATE Referred to Judiciary; Commerce and Tourism; Rules

AMERICAN OVERSIGHT

	G
103	Compare HB 0731 (Perez) Similar HB 0771 (Grall)
104	Identical SB 0876 (Gibson)
105	Compare SB 0412 (Bean) HB 1135 (Grant (J)) SB 1456 (Powell) Identical SB 1454 (Powell) Linked HB 0387 (Hogan Johnson)
106	Compare SB 1454 (Powell) Identical SB 1456 (Powell) Linked HB 0385 (Hogan Johnson) HB 1135 (Grant (J))
107	Identical HB 0239 (Driskell)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
108	HB 0393	Jury Service	Stone	Jury Service: Requires certain students in specified schools to be excused from jury service upon request. Effective Date: July 1, 2020	House Civil Justice Subcommittee (Current Reference)	10/23/2019 HOUSE Now in Civil Justice Subcommittee
109	SB 0398	Concealed Weapons and Firearms	Berman	Concealed Weapons and Firearms; Prohibiting a concealed weapon or firearm licensee from openly carrying a handgun or carrying a concealed weapon or firearm into any child care facility, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Judiciary; Rules
110	HB 0403	High School Graduation Requirements	Shoaf	High School Graduation Requirements: Revises credit requirements to earn standard high school diploma to include career & technical education rather than practical arts. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/30/2019 HOUSE Now in PreK-12 Innovation Subcommittee
111	HB 0407	Removal of a Student for an Involuntary Examination	Silvers	Removal of a Student for an Involuntary Examination: Revises requirements for parental notification prior to removing student for involuntary examination under certain circumstances. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/30/2019 HOUSE Now in PreK-12 Innovation Subcommittee
112	SB 0412	License Plates	Bean	License Plates; Providing an exception to a design requirement for dealer license plates and for fleet license plates; allowing the Department of Highway Safety and Motor Vehicles to authorize dealer and fleet specialty license plates; providing additional procedures and requirements for discontinuing issuance of a specialty license plate; providing for a special license plate to be issued to a recipient of the Bronze Star, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect October 1, 2020, but only if SB 412 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Appropriations; Rules
113	SB 0418	Workforce Education	Diaz	Workforce Education; Revising the workforce education programs that school district career centers are authorized to conduct, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	12/13/2019 SENATE Now in Appropriations Subcommittee on Education

AMERICAN OVERSIGHT

	G
108	Identical SB 0738 (Harrell)
109	Identical HB 0245 (Polo)
110	Identical SB 1750 (Montford)
111	Compare SB 1062 (Harrell) HB 1083 (Webb) Similar SB 1426 (Powell)
112	Compare HB 0027 (Bell) SB 0108 (Rader) HB 0385 (Hogan Johnson) SB 0568 (Albritton) SB 0860 (Perry) SB 1454 (Powell) SB 1500 (Broxson) Similar HB 1135 (Grant (J)) Linked SB 0414 (Bean)
113	Similar HB 0725 (Robinson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
114	HB 0425	Cost-Of-Living Adjustment	Clemons	Cost-Of-Living Adjustment: Provides specified cost-of-living adjustment factor for members of Special Risk Class of Florida Retirement System. Effective Date: July 1, 2020	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	10/30/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
115	SB 0428	Prohibited Places for Weapons and Firearms	Braynon II	Prohibited Places for Weapons and Firearms; Revising the locations where a concealed weapons or concealed firearms licensee is prohibited from openly carrying a handgun or carrying a concealed weapon or firearm, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	10/15/2019 SENATE Referred to Infrastructure and Security; Judiciary; Rules
116	SB 0432	Cardiopulmonary Resuscitation Training in Public Schools	Rader	Cardiopulmonary Resuscitation Training in Public Schools; Requiring school districts to provide training in cardiopulmonary resuscitation to students at the high school level; providing requirements for such training; requiring students to study and practice the psychomotor skills associated with performing cardiopulmonary resuscitation at least once before they graduate from high school; providing an exception for certain students, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
117	SB 0434	Designation of School Grades	Montford	Designation of School Grades; Revising the components on which a school's grade is based, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	12/13/2019 SENATE Now in Appropriations Subcommittee on Education
118	SB 0436	Youth in Confinement	Montford	Youth in Confinement; Prohibiting a youth from being placed in disciplinary confinement; authorizing a youth to be placed in emergency confinement if certain conditions are met; limiting the allowable length of time for emergency confinement; authorizing a youth to be placed in medical confinement under certain circumstances; requiring sheriffs and chief correctional officers to adopt model standards relating to youth, etc. Effective Date: 10/1/2020	Senate Appropriations Subcommittee on Criminal and Civil Justice (Current Reference)	11/12/2019 SENATE Now in Appropriations Subcommittee on Criminal and Civil Justice

AMERICAN OVERSIGHT

	G
114	Similar SB 0858 (Gruters)
115	
116	Identical HB 0719 (Stark)
117	Identical HB 0957 (Shoaf)
118	Compare HB 0165 (Driskell) SB 0228 (Thurston, Jr.) SB 0762 (Farmer, Jr.) Identical HB 0347 (Alexander)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
119	HB 0439	Internship Tax Credit Program	Daley	Internship Tax Credit Program: Provides corporate income tax credit up to specified amount for qualified business that hires employees who have completed specified internships; provides eligibility criteria; limits amount of tax credit which qualified business may claim; authorizes Department of Revenue to adopt rules governing applications & establishing qualification requirements; authorizes business to carry forward tax credit for specified period. Effective Date:	No Current Committee	11/13/2019 HOUSE Withdrawn prior to introduction
120	SB 0440	Florida Best and Brightest Programs	Bradley	Florida Best and Brightest Programs; Repealing provisions relating to The Florida Best and Brightest Teacher Program and The Florida Best and Brightest Principal Program, etc. Effective Date: 7/1/2020	No Current Committee	10/08/2019 SENATE Withdrawn prior to introduction
121	SB 0442	Primary Elections	Rader	Primary Elections; Requiring that a universal primary election open to all qualified electors, regardless of political party affiliation or lack thereof, be held for purposes of selecting candidates for specified federal, state, local, and district offices; specifying that the candidates receiving the highest and next highest number of votes in the universal primary election advance to the general election; modifying ballot layout requirements to conform to the addition of the universal primary election, etc. Effective Date: 1/1/2021	Senate Ethics and Elections (Current Reference)	10/15/2019 SENATE Referred to Ethics and Elections; Appropriations; Rules
122	HB 0445	School Grading System	Sirois	School Grading System: Revises calculation of school grades to include certain students who completed specified number of years of coursework as participant in United States Armed Forces Junior Reserve Officers' Training Corps (JROTC) program & earned specified score on ASVAB. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	10/30/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
119	Compare HB 1101 (Daley) SB 1412 (Powell) Similar HB 0357 (Jones) SB 0642 (Powell)
120	Similar SB 0486 (Bradley)
121	
122	Identical SB 0662 (Wright)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
123	SB 0450	Whistleblower's Act	Brandes	Whistleblower's Act; Revising the actions that an agency or independent contractor is prohibited from taking against an employee who participates in protected activity or discloses certain information; specifying that whistleblower remedies and protections do not apply to certain persons; revising applicability of provisions relating to investigative procedures upon receipt of whistleblower information; revising investigative procedures in response to retaliatory actions, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	10/15/2019 SENATE Referred to Governmental Oversight and Accountability; Judiciary; Rules
124	SB 0456	Minimum Wage	Rodriguez (J)	Minimum Wage; Revising the formula for the adjusted state minimum wage, etc. Effective Date: 7/1/2020	Senate Commerce and Tourism (Current Reference)	10/15/2019 SENATE Referred to Commerce and Tourism; Innovation, Industry, and Technology; Rules
125	SB 0458	English Language Learner Advisory Council	Rodriguez (J)	English Language Learner Advisory Council; Creating the English Language Learner Advisory Council adjunct to the Department of Education; providing the purpose of the advisory council; specifying the composition of the advisory council, the appointment of members, and the terms they serve, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	10/15/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
126	HB 0459	Building Design	Overdorf	Building Design: Provides regulations relating to building design elements may not be applied to certain structures; provides affected party may submit certain local government regulations to Florida Building Commission for review; provides for enforcement of such regulation. Effective Date: July 1, 2020	House Business & Professions Subcommittee (Current Reference)	11/07/2019 HOUSE Now in Business & Professions Subcommittee
127	SB 0472	Public School Transportation	Bracy	Public School Transportation; Requiring district school boards to provide transportation for each public elementary school student if the student's single parent or guardian is developmentally disabled, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/01/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
123	Compare HB 0255 (Antone) SB 0726 (Rouson)
124	Similar HB 0691 (Jacquet)
125	
126	Identical SB 0954 (Perry)
127	Identical HB 0601 (Pritchett)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
128	HB 0473	Background Screening	Omphroy	Background Screening: Prohibits employers from excluding applicants from initial interview for employment under certain conditions; provides exceptions; provides civil penalty; requires DEO to enforce act. Effective Date: July 1, 2020	House Business & Professions Subcommittee (Current Reference)	11/07/2019 HOUSE Now in Business & Professions Subcommittee
129	HB 0477	Supermajority Vote Required to Impose, Authorize, or Raise Local Taxes or Fees	Rommel	Supermajority Vote Required to Impose, Authorize, or Raise Local Taxes or Fees: Proposes amendment to constitution to prohibit municipality, county, school board, or special district from imposing, authorizing, or raising local tax or fee except by vote approved by two-thirds of membership of relevant jurisdiction, & requires any such proposed local tax or fee imposition or increase to be contained in separate resolution or ordinance. Effective Date: Not Specified	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
130	HB 0485	Athletic Trainers	Antone	Athletic Trainers: Revises definition of term "athletic trainer"; revises athletic trainer licensure requirements; requires certain licensees to maintain certification in good standing without lapse as condition of renewal of their athletic trainer licenses; requires that athletic trainer work within specified scope of practice; requires direct supervision of athletic training student to be in accordance with rules adopted by Board of Athletic Training. Effective Date: July 1, 2020	House Health Quality Subcommittee (Current Reference)	11/07/2019 HOUSE Now in Health Quality Subcommittee
131	SB 0486	Florida Best and Brightest Programs	Bradley	Florida Best and Brightest Programs; Repealing provisions relating to the Florida Best and Brightest Teacher Program and the Florida Best and Brightest Principal Program, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	12/10/2019 SENATE Now in Appropriations Subcommittee on Education

AMERICAN OVERSIGHT

	G
128	Identical SB 0616 (Powell)
129	
130	Compare SB 0230 (Harrell) HB 0713 (Rodriguez (AM)) Identical SB 0226 (Harrell)
131	Similar SB 0440 (Bradley)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
132	SB 0496	Child Welfare	Book	Child Welfare; Specifying the rights of children and young adults in out-of-home care; requiring the Florida Children's Ombudsman to serve as an autonomous entity within the department for certain purposes; requiring that a case plan be developed in a face-to-face conference with a caregiver of a child under certain circumstances; requiring a caseworker to provide specified information relating to subsidies that early learning coalitions provide to caregivers of certain children, etc. Effective Date: 10/1/2020	Senate Appropriations Subcommittee on Health and Human Services (Current Reference)	11/12/2019 SENATE Now in Appropriations Subcommittee on Health and Human Services
133	SB 0506	Public Procurement of Services	Perry	Public Procurement of Services; Revising the maximum dollar amount for continuing contracts for construction projects; redefining the term "continuing contract" to increase certain maximum dollar amounts for professional architectural, engineering, landscape architectural, and surveying and mapping services; requiring the Department of Management Services to annually adjust by rule the statutory caps for continuing contracts, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	01/06/2020 SENATE On Committee agenda - Governmental Oversight and Accountability, 01/13/20, 1:00 pm, 301 S
134	HB 0515	Native Language Assessment in Public Schools	Rodriguez (AM)	Native Language Assessment in Public Schools: Provides for the administration of certain assessments in specified language under certain circumstances; authorizes students of limited English choose to have certain assessments administered in their native language or English; provides DOE & SBE duties relating to assessments in native languages. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	11/15/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
132	Similar HB 1045 (Gottlieb)
133	Similar HB 0441 (DiCeglie)
134	Identical SB 0678 (Taddeo)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
135	SB 0516	Campaign Financing	Gruters	Campaign Financing; Revising the schedule governing campaign finance reporting for candidates, political committees, and electioneering communications organizations; revising reporting requirements regarding transfers made by political committees and electioneering communications organizations, to conform; prohibiting a political committee or an electioneering communications organization from transferring funds to certain entities, etc. Effective Date: 1/1/2021	Senate Ethics and Elections (Current Reference)	11/01/2019 SENATE Referred to Ethics and Elections; Judiciary; Rules
136	HB 0521	School Food and Nutrition Services	Webb	School Food and Nutrition Services: Provides tax credits for certain farmers; revises rate of reimbursement & allocation of funds relating to free & reduced-price meals; removes exemption from requirement to implement free breakfast meals; provides funds for certain breakfast meals; authorizes school districts to use share tables; directs DACS, in collaboration with DOH, to distribute share table information; requires school districts to implement specified practices; directs DACS to create specified campaign, allocate additional reimbursements for school meals, conduct food access study, & develop Florida Gleaning Support Grant Program; provides appropriations; authorizes DACS to contract with third-party vendor & to adopt rules. Effective Date: July 1, 2020	House Ways & Means Committee (Current Reference)	11/15/2019 HOUSE Now in Ways & Means Committee
137	HB 0523	Mastery-based Education	DiCeglie	Mastery-based Education: Provides for alternative award of credits & letter grades under certain circumstances; renames Competency-Based Education Pilot Program as Mastery-based Education Pilot Program; authorizes public school districts to submit applications for program; & revises statewide articulation agreement. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	11/15/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

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135	
136	Similar SB 1526 (Albritton)
137	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
138	SB 0524	Sales Tax Holiday for Disaster Preparedness Supplies	Gruters	Sales Tax Holiday for Disaster Preparedness Supplies; Providing exemptions from the sales and use tax for specified disaster preparedness supplies during a specified timeframe; providing applicability for certain exemptions; specifying locations where the exemptions do not apply, etc. Effective Date: Upon becoming a law	Senate Finance and Tax (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
139	SB 0526	Charter Schools	Diaz	Charter Schools; Prohibiting specified individuals and entities from submitting an application to open a charter school for specified periods of time; defining the term “relative” for the purpose of applying the prohibition, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/01/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
140	SB 0532	Developmental Disabilities	Cruz	Developmental Disabilities; Citing this act as "Lincoln’s Law"; revising the definition of the term “developmental disability”, etc.Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	11/01/2019 SENATE Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations
141	SB 0534	Education	Diaz	Education; Requiring the Department of Education to maintain a disqualification list that includes the identities of certain persons; requiring district school boards to investigate certain complaints and report certain results of such investigations to the department; prohibiting an individual who is on the disqualification list from being employed by a charter school or serving as a member of a charter school governing board; requiring certain private schools to adopt policies establishing standards of ethical conduct for certain employees, etc. Effective Date: 7/1/2020	Senate Appropriations (Current Reference)	12/13/2019 SENATE Now in Appropriations

AMERICAN OVERSIGHT

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138	
139	
140	Similar HB 0361 (Hattersley)
141	Compare HB 0883 (Duggan)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
142	SB 0536	Charter Schools	Diaz	Charter Schools; Establishing the High-Performing Charter School Council; providing the process for approving or denying a charter school application submitted to the council; authorizing charter school sponsors and applicants to provide input to the state board regarding the council's recommendation; providing grounds on which the council may recommend denial of, or the state board may deny, an application submitted by a high-performing charter school or a high-performing charter school system, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
143	SB 0542	Back-to-school Sales Tax Holiday	Perry	Back-to-school Sales Tax Holiday; Providing exemptions from the sales and use tax on the retail sale of certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during specified timeframes; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements, etc. APPROPRIATION: $237,000 Effective Date: Upon becoming a law	Senate Finance and Tax (Current Reference)	11/21/2019 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 11/22/19, 9:00 am, 117 K (No Votes Will Be Taken)
144	HB 0545	Legislation by Initiative	Geller	Legislation by Initiative: Proposes amendment to the State Constitution to allow proposal & approval of laws by initiative without legislative or gubernatorial approval; prescribes requirements for such initiatives; requires extraordinary vote of Legislature to amend or repeal laws approved by voters; provides for Supreme Court review of initiative petitions; & requires ballot statements for such initiatives to include statement of economic impact. Effective Date: Not Specified	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	11/15/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee

AMERICAN OVERSIGHT

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142	
143	
144	Identical SB 1452 (Torres, Jr.)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
145	HB 0553	Safe-school Officers	Antone	Safe-school Officers: Requires district school boards to approve employment if school resource officers & school safety officers by specified charter schools; & authorizes district school boards to oversee & manage employment of school resource officers & school safety officers by charter schools within district & provide specified best practices. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	11/15/2019 HOUSE Now in PreK-12 Innovation Subcommittee
146	SB 0566	Prohibited Discrimination	Bracy	Prohibited Discrimination; Citing this act as the “Creating a Respectful and Open World for Natural Hair Act” or “CROWN Act”; providing that it is unlawful for sponsors under the Florida Housing Finance Corporation Act to discriminate against any person or family because of a protected hairstyle; defining the term “protected hairstyle”; adding protected hairstyle as impermissible grounds for discrimination with respect to specified unlawful employment practices; prohibiting discrimination based on protected hairstyle in the Florida K-20 public education system, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	01/06/2020 SENATE On Committee agenda - Community Affairs, 01/13/20, 3:30 pm, 301 S
147	SB 0578	Juvenile Justice	Bracy	Juvenile Justice; Prohibiting children younger than a certain age from being adjudicated delinquent, arrested, or charged with a crime; authorizing children of at least a specified age, rather than of any age, to be taken into custody under certain circumstances; requiring that children who are taken into custody pursuant to certain circuit court orders be treated in a specified manner and be detained only pursuant to specified findings, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	11/01/2019 SENATE Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

AMERICAN OVERSIGHT

	G
145	Identical SB 0370 (Cruz)
146	Identical HB 0761 (Brown)
147	Identical HB 0949 (Eskamani)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
148	HB 0581	Civic Education	Diamond	Civic Education: Requires Commissioner of Education to develop minimum criteria for nonpartisan civic literacy practicum & process to verify successful completion of such practicum; provides requirements for such practicum; requires SBE to annually designate public schools that meet specified criteria as Freedom Schools & establish criteria for designation as Freedom School; provides requirements for such criteria. Effective Date: July 1, 2020	House PreK-12 Appropriations Subcommittee (Current Reference)	12/11/2019 HOUSE Now in PreK-12 Appropriations Subcommittee
149	SB 0582	Students Participating in Intercollegiate Athletics	Bracy	Students Participating in Intercollegiate Athletics; Prohibiting a postsecondary educational institution from upholding any rule, requirement, standard, or limitation that prevents students participating in intercollegiate athletics from earning specified compensation; prohibiting certain organizations from preventing such students from earning specified compensation; prohibiting postsecondary educational institutions and certain organizations from providing compensation to prospective students under certain conditions; requiring the Chancellor of the Florida College System to convene a College System Athlete Name, Image, and Likeness Task Force, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/01/2019 SENATE Referred to Education; Innovation, Industry, and Technology; Rules
150	SB 0588	Enforcement of School Attendance	Rouson	Enforcement of School Attendance; Authorizing district school boards and charter school governing boards to allow a specified number of mental health days as excused absences for students, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Children, Families, and Elder Affairs; Rules

AMERICAN OVERSIGHT

	G
148	Similar SB 0918 (Brandes)
149	Compare HB 0287 (LaMarca) SB 0646 (Mayfield) Identical HB 0251 (McGhee)
150	Identical HB 0315 (Valdes)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
151	HB 0595	Medical Marijuana Employee Protection	Polsky	Medical Marijuana Employee Protection: Prohibits employers from taking adverse personnel action against employees or applicants who are qualified patients using medical marijuana; requires employers to provide certain written notice to employees or applicants who test positive for marijuana; provides procedures for if employee or applicant tests positive for marijuana; provides cause of action & damages. Effective Date: upon becoming a law	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	11/25/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
152	SB 0596	Florida Statutes	Benacquisto	Florida Statutes; Deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes, etc. Effective Date: On the 60th day after adjournment sine die of the session of the Legislature in which enacted	Senate Rules (Current Reference)	01/10/2020 SENATE On Committee agenda - Rules, 01/15/20, 8:30 am, 110 S
153	SB 0598	Florida Statutes	Benacquisto	Florida Statutes; Deleting provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), F.S., may be omitted from the 2020 Florida Statutes only through a reviser's bill duly enacted by the Legislature, etc. Effective Date: On the 60th day after adjournment sine die of the session of the Legislature in which enacted	Senate Rules (Current Reference)	01/10/2020 SENATE On Committee agenda - Rules, 01/15/20, 8:30 am, 110 S

AMERICAN OVERSIGHT

	G
151	Similar SB 0962 (Berman)
152	
153	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
154	SB 0600	Florida Statutes	Benacquisto	Florida Statutes; Amending and repealing provisions to conform to the directive of the Legislature in section 9 of chapter 2012-116, Laws of Florida, codified as section 11.242(5)(j), Florida Statutes, to prepare a reviser's bill to omit all statutes and laws, or parts thereof, which grant duplicative, redundant, or unused rulemaking authority, etc. Effective Date: On the 60th day after adjournment sine die of the session of the Legislature in which enacted	Senate Rules (Current Reference)	01/10/2020 SENATE On Committee agenda - Rules, 01/15/20, 8:30 am, 110 S
155	HB 0601	Public School Transportation	Pritchett	Public School Transportation: Requires district school boards to provide transportation for each public elementary school student if student's single parent or guardian is developmentally disabled. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	11/25/2019 HOUSE Now in PreK-12 Innovation Subcommittee
156	SB 0602	Open Educational Resources Grant Program	Montford	Open Educational Resources Grant Program; Establishing the Open Educational Resources Grant Program; requiring the Department of Education, the Board of Governors, and the State Board of Education to administer the program; authorizing state universities and Florida College System institutions to submit applications for grant awards under the program; specifying that implementation of the program is subject to legislative appropriation, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Education (Current Reference)	12/13/2019 SENATE Now in Appropriations Subcommittee on Education
157	HB 0603	Carbon Monoxide Alarms	Pritchett	Carbon Monoxide Alarms: Provides DOE to require K-12 public school facilities to install carbon monoxide alarms; provides requirements for such alarms. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	11/25/2019 HOUSE Now in PreK-12 Innovation Subcommittee
158	SB 0608	Health Education	Pizzo	Health Education; Requiring health education instruction for certain students to include age-appropriate water safety instruction; providing requirements for such instruction, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

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154	
155	Identical SB 0472 (Bracy)
156	
157	
158	Identical HB 0325 (Bush III)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
159	HB 0611	Local Government Accountability	Sabatini	Local Government Accountability: Removes provisions relating to lobbying before water management districts; requires Commission on Ethics to create local government lobbyist registration system; preempts regulatory authority over certain lobbyist registration to commission; requires lobbyists to register with commission; provides for annual registration fee; requires commission to publish lobbyist directory; provides for investigations, reports, & advisory opinions by commission; provides for penalties; requires certain governmental entities to conform to lobbyist registration system; requires governing body of county or municipality to post certain information on its website. Effective Date: October 1, 2020	House Public Integrity & Ethics Committee (Current Reference)	11/25/2019 HOUSE Now in Public Integrity & Ethics Committee
160	HB 0613	Higher Education	Rodrigues (R)	Higher Education: Revises provisions relating to SBE & BOG responsibilities, standards for preeminent state research universities program, performance-based metrics for state universities, length of time Phosphate Research & Activities Board member may serve, & specified growth rates at state universities; requires Commissioner of Education to submit recommendations relating to performance fund for Florida College System institutions. Effective Date: July 1, 2020	House Higher Education Appropriations Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Higher Education Appropriations Subcommittee
161	HB 0615	Juvenile Diversion Program Expunction	Watson (C)	Juvenile Diversion Program Expunction: Removes requirement that limits diversion program expunction to programs for misdemeanor offenses. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	11/25/2019 HOUSE Now in Criminal Justice Subcommittee
162	SB 0616	Background Screening	Powell	Background Screening; Prohibiting employers from excluding applicants from an initial interview for employment under certain conditions; providing a civil penalty; providing applicability; providing exceptions; requiring the Department of Economic Opportunity to enforce the act, etc. Effective Date: 7/1/2020	Senate Commerce and Tourism (Current Reference)	11/06/2019 SENATE Referred to Commerce and Tourism; Governmental Oversight and Accountability; Appropriations

AMERICAN OVERSIGHT

	G
159	Compare SB 0768 (Perry) Similar SB 0766 (Perry)
160	Compare SB 0072 (Stargel) Similar SB 1402 (Diaz)
161	Compare SB 1292 (Perry) Identical SB 0700 (Perry) Linked HB 1173 (Watson (C))
162	Identical HB 0473 (Omphroy)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
163	SB 0622	Emergency Allergy Treatment	Baxley	Emergency Allergy Treatment; Revising the definition of the term "authorized entity" to include state universities and Florida College System institutions; providing that educational training programs relating to the administration of epinephrine auto-injectors may be offered online; requiring that state universities and Florida College System institutions pay the costs associated with such training for certain personnel; requiring, rather than authorizing, pharmacists to dispense epinephrine auto-injectors in certain circumstances; requiring, rather than authorizing, certain individuals to use epinephrine auto-injectors for specified purposes, etc. Effective Date: 7/1/2020	Senate Health Policy (Current Reference)	11/06/2019 SENATE Referred to Health Policy; Appropriations Subcommittee on Education; Appropriations
164	SB 0624	Collective Bargaining for Instructional Personnel	Stewart	Collective Bargaining for Instructional Personnel; Removing a requirement that each school district and the certified collective bargaining unit for instructional personnel within each district negotiate a specified memorandum of understanding; removing a requirement that certain certified collective bargaining units include specified information in their applications for renewal of registration; removing a requirement that certain employee organizations petition the Public Employees Relations Commission for recertification, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	11/06/2019 SENATE Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on Education; Appropriations
165	SB 0632	Education	Stewart	Education; Requiring specified teachers to have received, at a minimum, a bachelor's degree; revising the information the Department of Education requires in a specified database relating to private schools; requiring private schools to provide specified students with a certain amount of time for recess; requiring private school students to participate in the statewide assessment program, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
163	Similar HB 0297 (Gottlieb)
164	
165	Identical HB 0859 (Goff-Marcil)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
166	HB 0633	Human Trafficking Prevention	Donalds	Human Trafficking Prevention: Requires employees of certain businesses to complete specified courses on the detection of human trafficking; requires specified number of hours in school bus training program be allocated to human trafficking prevention. Effective Date: October 1, 2020	House Business & Professions Subcommittee (Current Reference)	11/25/2019 HOUSE Now in Business & Professions Subcommittee
167	HB 0637	Impact Fees	DiCeglie	Impact Fees: Revises conditions that counties, municipalities, & special districts must satisfy before enacting an ordinance or passing resolution; provides that impact fee credits are assignable & transferrable under certain conditions; requires certain counties & municipalities to establish impact fee review committees; provides for membership; provides procedures for meetings & establishing quorums; provides committee duties. Effective Date: July 1, 2020	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Local, Federal & Veterans Affairs Subcommittee
168	HB 0641	Funds for the Operation of Schools	Plasencia	Funds for the Operation of Schools: Revises annual allocation to school districts to include additional calculation of full-time equivalent membership for students who earn College Board Advanced Placement Capstone Diploma beginning in specified fiscal year. Effective Date: July 1, 2020	House PreK-12 Appropriations Subcommittee (Current Reference)	12/03/2019 HOUSE Now in PreK-12 Appropriations Subcommittee
169	SB 0642	Internship Tax Credit Program	Powell	Internship Tax Credit Program; Designating the “Florida Internship Tax Credit Program”; providing a corporate income tax credit for qualified businesses employing degree-seeking student interns if certain criteria are met; specifying the amount of the credit per student intern; specifying a limit on the credit claimed per taxable year, etc. Effective Date: 7/1/2020	No Current Committee	12/05/2019 SENATE Withdrawn prior to introduction
170	HB 0643	Instructional Personnel	Williams	Instructional Personnel: Revises definition of term "instructional personnel" to include specified prekindergarten instructors. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/03/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
166	Compare SB 1368 (Book)
167	Similar SB 1066 (Gruters)
168	Compare SB 0062 (Stargel) Identical SB 0836 (Simmons)
169	Compare HB 1101 (Daley) SB 1412 (Powell) Similar HB 0357 (Jones) HB 0439 (Daley)
170	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
171	SB 0646	Postsecondary Student Athletes	Mayfield	Postsecondary Student Athletes; Citing this act as the "Student Athlete Achievement Act"; providing requirements for contracts made by a minor or his or her parent or guardian relating to the licensing of the minor's name, image, or likeness while participating in intercollegiate athletics; prohibiting a postsecondary educational institution from preventing students participating in intercollegiate athletics from earning specified compensation; prohibiting certain organizations from preventing such students from earning specified compensation; prohibiting certain entities from preventing students participating in intercollegiate athletics from obtaining professional representation, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Innovation, Industry, and Technology; Rules
172	SB 0650	Student Elopement	Book	Student Elopement; Requiring public schools to create a School Staff Assistance for Emergencies (SAFE) Team and a school elopement plan; providing for membership and responsibilities of the team; requiring the team to create student-specific elopement quick reference guides for certain students; requiring public schools to annually submit their plans to the district school board, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
173	SB 0652	Urban Core Gun Violence Task Force	Pizzo	Urban Core Gun Violence Task Force; Creating the Urban Core Gun Violence Task Force; specifying duties and powers of the task force; authorizing the task force to seek assistance from state agencies; providing for access to certain information, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	11/06/2019 SENATE Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations
174	HB 0661	Children's Services Councils	Newton	Children's Services Councils: Revises annual reporting requirements to include certain performance data; revises financial reporting requirements. Effective Date: October 1, 2020	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Local, Federal & Veterans Affairs Subcommittee

AMERICAN OVERSIGHT

	G
171	Compare HB 0251 (McGhee) SB 0582 (Bracy) Similar HB 0287 (LaMarca)
172	Identical HB 0079 (Jenne)
173	Similar HB 0201 (Jones) Linked SB 1802 (Pizzo)
174	Identical SB 1136 (Brandes)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
175	SB 0662	School Grading System	Wright	School Grading System; Revising the calculation of school grades to include certain students who completed a specified number of years of coursework as participants in the United States Armed Forces Junior Reserve Officers' Training Corps program and earned a specified score on the Armed Services Vocational Aptitude Battery, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Military and Veterans Affairs and Space; Rules
176	HB 0663	Home Instruction for Parents of Preschool Youngsters Grant Program	Newton	Home Instruction for Parents of Preschool Youngsters Grant Program: Creates Home Instruction for Parents of Preschool Youngsters (HIPPY) Grant Program; provides purpose of program; requires Florida HIPPY Training & Technical Assistance Center at University of South Florida, subject to legislative appropriation, to provide grants to certain organizations; provides program & reporting requirements. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/03/2019 HOUSE Now in PreK-12 Innovation Subcommittee
177	SB 0668	Government-sponsored Recreation Programs	Book	Government-sponsored Recreation Programs; Revising the definition of the term "child care facility" to exclude government-sponsored recreation programs; defining the term "government-sponsored recreation program", etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	12/13/2019 SENATE Now in Governmental Oversight and Accountability
178	HB 0669	Universal Changing Places	Newton	Universal Changing Places: Requires certain entities to install & maintain at least one universal changing place at specified locations; specifies requirements for universal changing place. Effective Date: January 1, 2021	House Business & Professions Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Business & Professions Subcommittee

AMERICAN OVERSIGHT

	G
175	Identical HB 0445 (Sirois)
176	Identical SB 1132 (Brandes)
177	Similar HB 0083 (Duran)
178	Similar SB 1106 (Baxley)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
179	SB 0678	Native Language Assessment in Public Schools	Taddeo	Native Language Assessment in Public Schools; Requiring the Department of Education to adopt native language versions of the school readiness screener, the school readiness assessment, the Florida Voluntary Prekindergarten Assessment, and the Florida Kindergarten Readiness Screener; requiring that a high school equivalency examination administered in any language other than English be given the same weight as a high school equivalency examination administered in English; revising requirements of the statewide, standardized assessment program to include native language versions of related assessments, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/06/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
180	HB 0691	Minimum Wage	Jacquet	Minimum Wage: Revises formula for adjusted state minimum wage. Effective Date: July 1, 2020	House Workforce Development & Tourism Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Workforce Development & Tourism Subcommittee
181	SB 0694	Nicotine and Tobacco Products	Mayfield	Nicotine and Tobacco Products; Defining the term “electronic smoking device”; redefining the term “tobacco products”; revising exemptions to the prohibition of the sale or delivery of tobacco products; deleting a provision that allows the sale or delivery of tobacco products from a vending machine equipped with a certain device; prohibiting a dealer from selling flavored e-liquid; providing that certain statements and claims are presumptive evidence that e-liquid is flavored e-liquid, etc. Effective Date: 7/1/2020	Senate Innovation, Industry, and Technology (Current Reference)	11/18/2019 SENATE Referred to Innovation, Industry, and Technology; Commerce and Tourism; Rules

AMERICAN OVERSIGHT

	G
179	Identical HB 0515 (Rodriguez (AM))
180	Similar SB 0456 (Rodriguez (J))
181	Compare HB 0151 (Toledo) SB 0810 (Simmons) SB 1638 (Flores)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
182	HB 0699	School Crossing Guards	Hage	School Crossing Guards: Authorizes school crossing guard employed by private school, upon approval of sheriff of county in which such private school is located, to direct traffic at certain locations; exempts school crossing guard from specified uniform minimum standards; authorizes school crossing guard to perform his or her duties without immediate supervision of fully qualified law enforcement officer if approved by sheriff of county. Effective Date: July 1, 2020	House Transportation & Infrastructure Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Transportation & Infrastructure Subcommittee
183	SB 0700	Juvenile Diversion Program Expunction	Perry	Juvenile Diversion Program Expunction; Deleting a requirement that limits diversion program expunction to programs for misdemeanor offenses, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	01/09/2020 SENATE On Committee agenda - Criminal Justice, 01/14/20, 2:30 pm, 37 S
184	HB 0701	Communications Services Tax	Fischer	Communications Services Tax: Revises legislative intent regarding local communications services tax rates; reduces tax on retail sale of communications services; removes provision that specifies where proceeds of communication services tax must be deposited & disbursed; revises local communications services tax rates levied by counties & municipalities; requires dealers to collect & remit local communications services taxes; requires Legislature to appropriate moneys to offset direct reductions of local communications services tax by certain counties & municipalities; requires DOR to submit report to Legislature. Effective Date: January 1, 2021	House Ways & Means Committee (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)

AMERICAN OVERSIGHT

	G
182	Identical SB 0754 (Baxley)
183	Compare HB 1173 (Watson (C)) Identical HB 0615 (Watson (C)) Linked SB 1292 (Perry)
184	Identical SB 1174 (Hutson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
185	HB 0713	Department of Health	Rodriguez (AM)	Department of Health: Authorizes DOH to adopt rules relating to certain programs; revises certain duties & responsibilities of department; revises licensure requirements for certain professions under authority of department; provides adverse incident reporting requirements for certain dental professionals. Effective Date: July 1, 2020	House Health Care Appropriations Subcommittee (Current Reference)	12/18/2019 HOUSE Now in Health Care Appropriations Subcommittee
186	HB 0719	Cardiopulmonary Resuscitation Training in Public Schools	Stark	Cardiopulmonary Resuscitation Training in Public Schools: Requires school districts to provide specified training in CPR to certain students; requires students to study & practice psychomotor skills associated with performing CPR at least once before they graduate from high school; provides exception for certain students. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/03/2019 HOUSE Now in PreK-12 Innovation Subcommittee
187	SB 0720	Medical Use of Marijuana in Schools	Montford	Medical Use of Marijuana in Schools; Authorizing a qualified patient to designate more than one caregiver to assist with the qualified patient's medical use of marijuana under certain circumstances; authorizing a county-designated caregiver to register as a caregiver for more than one qualified patient under certain circumstances; providing a procedure for a parent of a student who is a qualified patient to request that marijuana be administered to the student during the school day; requiring that a caregiver or a county-designated caregiver administering marijuana to the student do so in the area the school principal designates, etc. Effective Date: 7/1/2020	Senate Health Policy (Current Reference)	11/18/2019 SENATE Referred to Health Policy; Education; Rules

AMERICAN OVERSIGHT

	G
185	Compare SB 0066 (Cruz) HB 0077 (Goff-Marcil) HB 0115 (Duran) SB 0218 (Harrell) HB 0221 (Roach) SB 0226 (Harrell) SB 0356 (Hutson) SB 0390 (Hooper) SB 0474 (Albritton) HB 0485 (Antone) HB 0677 (Smith (D)) HB 0707 (Renner) SB 0926 (Harrell) SB 1124 (Diaz) SB 1138 (Brandes) HB 1143 (Gregory) SB 1296 (Berman) Similar SB 0230 (Harrell)
186	Identical SB 0432 (Rader)
187	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
188	HB 0721	Public Deposits	Roth	Public Deposits: Prohibits CFO from designating credit unions as qualified public depositories unless certain requirements are met; requires CFO to withdraw from specified collateral agreements; requires return of public deposits in credit unions under certain circumstances; authorizes CFO to limit amount of public deposits in credit unions; provides procedures for suspension or disqualification of credit unions; authorizes credit unions to be reinstated as qualified public depositories; requires credit unions that are designated as qualified public depositories to guarantee depositors against loss. Effective Date: July 1, 2020	House Insurance & Banking Subcommittee (Current Reference)	12/03/2019 HOUSE Now in Insurance & Banking Subcommittee
189	HB 0725	Workforce Education	Robinson	Workforce Education: Revises workforce education programs that school district career centers are authorized to conduct. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
190	HB 0729	Regulatory Reform	Rodriguez (AM)	Regulatory Reform: Establishes Red Tape Reduction Advisory Council within EOG; requires Administrative Procedures Committee to establish regulatory baseline of agency rules; provides that new rule may not cause total number of rules to exceed regulatory baseline; requires agency proposing new rule to submit rule replacement request to committee; provides that rule replacement request or exemption request may not be approved until initial regulatory baseline has been reduced by specified amount. Effective Date: July 1, 2020	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
191	HB 0737	Moments of Silence in Public Schools	Daniels	Moments of Silence in Public Schools: Requires moment at beginning of each school day & provides requirements for such moment of silence. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee
192	SB 0738	Jury Service	Harrell	Jury Service; Requiring certain students actively enrolled in specified schools to be excused from jury service upon request, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/10/2019 SENATE Now in Education

AMERICAN OVERSIGHT

	G
188	Similar SB 0990 (Hutson)
189	Similar SB 0418 (Diaz)
190	Identical SB 1238 (Diaz)
191	Similar SB 0946 (Baxley)
192	Identical HB 0393 (Stone)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
193	SB 0746	Study of the Bible and Religion	Baxley	Study of the Bible and Religion; Requiring district school boards to install secular programs of education in public schools which include specified courses relating to religion, the Hebrew Scriptures, and the Bible; requiring the Department of Education to include such courses in the Course Code Directory; providing that such courses must be offered as elective courses to certain students, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/21/2019 SENATE Referred to Education; Judiciary; Rules
194	SB 0754	School Crossing Guards	Baxley	School Crossing Guards; Authorizing a school crossing guard employed by a private school, upon approval of the sheriff of the county in which such private school is located, to direct traffic at certain locations under certain circumstances; providing that the school crossing guard is not required to meet specified uniform minimum standards, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/21/2019 SENATE Referred to Education; Infrastructure and Security; Rules
195	HB 0761	Prohibited Discrimination	Brown	Prohibited Discrimination: Provides that it is unlawful to discriminate against any person because of protected hairstyle in areas of housing, employment, & K-20 public education system. Effective Date: July 1, 2020	House Civil Justice Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Civil Justice Subcommittee
196	SB 0766	Local Government Accountability	Perry	Local Government Accountability; Requiring the Commission on Ethics to create the Local Government Lobbyist Registration System; prohibiting a person from lobbying a governmental entity absent registration with the commission; requiring the commission to publish a lobbyist directory; requiring boards of county commissioners and governing bodies of municipalities, respectively, to provide notice of certain meetings in a specified manner, etc. Effective Date: 10/1/2020	Senate Ethics and Elections (Current Reference)	11/21/2019 SENATE Referred to Ethics and Elections; Community Affairs; Rules

AMERICAN OVERSIGHT

	G
193	Identical HB 0341 (Daniels)
194	Identical HB 0699 (Hage)
195	Identical SB 0566 (Bracy)
196	Similar HB 0611 (Sabatini) Linked SB 0768 (Perry)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
197	SB 0768	Local Government Lobbyist Registration Fees	Perry	Local Government Lobbyist Registration Fees; Authorizing the Commission on Ethics to establish a lobbyist registration fee by rule; specifying limitations for such fee; specifying that a registration is incomplete until the commission receives a registration fee; prohibiting governmental entities from charging fees for lobbyist or principal registration, etc. Effective Date: On the same date that SB 766 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	Senate Ethics and Elections (Current Reference)	11/21/2019 SENATE Referred to Ethics and Elections; Community Affairs; Rules
198	HB 0781	Corporal Punishment in Public Schools	Fernandez-Barquin	Corporal Punishment in Public Schools: Prohibits teachers from administering corporal punishment; providing requirements for school principals to administer corporal punishment; & prohibits corporal punishment in specified instances. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee
199	SB 0788	Statewide Active Shooter Response Planning	Book	Statewide Active Shooter Response Planning; Requiring the Department of Law Enforcement, in consultation with law enforcement agencies throughout the state, to establish a uniform statewide rule on preparing for and responding to active shooters; requiring each law enforcement agency to adopt an active shooter policy or rule, as appropriate, by a specified date, etc. Effective Date: Upon becoming a law	Senate Infrastructure and Security (Current Reference)	01/06/2020 SENATE On Committee agenda - Infrastructure and Security, 01/13/20, 3:30 pm, 110 S
200	HB 0795	Pregnant Employees	Joseph	Pregnant Employees: Prohibits certain unlawful employment practices against specified employees & job applicants; requires employer to provide written notice of certain rights to employees & post such notice in conspicuous places on its premises; requires Commission on Human Relations to develop certain education & outreach programs. Effective Date: July 1, 2020	House Business & Professions Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Business & Professions Subcommittee

AMERICAN OVERSIGHT

	G
197	Compare HB 0611 (Sabatini) Linked SB 0766 (Perry)
198	Identical SB 1058 (Taddeo)
199	
200	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
201	HB 0799	Pub. Rec./Trade Secrets	Gregory	Pub. Rec./Trade Secrets: Provides public record exemption for trade secrets held by an agency; provides notice requirements; provides exception; provides agency employee is not liable for release of records in compliance with act; provides applicability; provides for future legislative review & repeal. Effective Date: on the same date that HB 801 or similar legislation takes effect	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
202	HB 0801	Public Records	Gregory	Public Records: Removes or revises numerous provisions relating to exemptions from public records requirements for trade secrets. Effective Date: upon becoming a law if HB 799 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
203	HB 0807	Certification of Developmental Disabilities Services Personnel	Davis	Certification of Developmental Disabilities Services Personnel: Requires certain direct service providers & support coordinators to obtain & maintain certification issued by third-party credentialing entity approved by APD by specified date; provides that certification of direct service providers is contingent on sufficient appropriations; provides requirements for third-party credentialing entities; requires employers of direct service providers & support coordinators to report ethical or professional conduct violations to such entities; requires agency to approve third-party credentialing entity by specified date; provides due process; authorizes rulemaking. Effective Date: July 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Children, Families & Seniors Subcommittee

AMERICAN OVERSIGHT

	G
201	Compare SB 1534 (Baxley) Similar SB 1532 (Baxley) Linked HB 0801 (Gregory)
202	Compare SB 1532 (Baxley) Similar SB 1534 (Baxley) Linked HB 0799 (Gregory)
203	Similar SB 0808 (Harrell) SB 1210 (Harrell)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
204	SB 0808	Agency for Persons With Disabilities	Harrell	Agency for Persons With Disabilities; Defining the terms “certification” and “third-party credentialing entity”; beginning on a specified date, requiring that all support coordinators and certain direct service providers obtain and maintain certification by a third-party credentialing entity; requiring third-party credentialing entities to charge support coordinators a fee sufficient to cover certain costs; prohibiting direct service providers from being charged certain fees, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2020	No Current Committee	11/08/2019 SENATE Withdrawn prior to introduction
205	HB 0819	Postsecondary Fee Waivers	Goff-Marcil	Postsecondary Fee Waivers: Provides specified fee waivers for graduate students meeting certain requirements. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
206	SB 0828	Florida ABLE Program	Benacquisto	Florida ABLE Program; Abrogating the future repeal of provisions relating to the Florida ABLE program, etc. Effective Date: Upon becoming a law	Senate Rules (Current Reference)	12/10/2019 SENATE Now in Rules
207	SB 0830	OGSR/Certain Personal Financial and Health Information	Benacquisto	OGSR/Certain Personal Financial and Health Information; Amending a provision which provides an exemption from public records requirements for certain personal financial and health information held by the Florida Prepaid College Board, Florida ABLE, Inc., or the Florida ABLE program, or an agent or service provider thereof; removing the scheduled repeal of the exemption, etc. Effective Date: 10/1/2020	Senate Rules (Current Reference)	12/09/2019 SENATE Now in Rules
208	HB 0831	Children's Initiatives	Mercado	Children's Initiatives: Revises requirements for implementation of certain children's initiatives; requires DCF to contract with not-for-profit corporation for certain purposes & for specified amounts. Effective Date: July 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Children, Families & Seniors Subcommittee

AMERICAN OVERSIGHT

	G
204	Similar HB 0807 (Davis) SB 1210 (Harrell)
205	Similar SB 1320 (Cruz)
206	Compare HB 0887 (Rodrigues (R))
207	Compare HB 0887 (Rodrigues (R))
208	Identical SB 1156 (Braynon II)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
209	SB 0834	Emergency Alerts	Simmons	Emergency Alerts; Authorizing a local law enforcement agency to activate the emergency alert system and issue a Lockdown Alert to public and private schools and child care facilities under certain circumstances; requiring local law enforcement agencies to create and maintain a list of all public schools, private schools, and child care facilities within their jurisdictions which must be included in the Lockdown Alert; requiring the Department of Law Enforcement, in cooperation with the Department of Highway Safety and Motor Vehicles and the Department of Transportation, to activate the emergency alert system and issue an Imminent Threat Alert to the public at the request of a local law enforcement agency under certain circumstances, etc. Effective Date: 10/1/2020	Senate Infrastructure and Security (Current Reference)	01/06/2020 SENATE On Committee agenda - Infrastructure and Security, 01/13/20, 3:30 pm, 110 S
210	SB 0836	Funds for the Operation of Schools	Simmons	Funds for the Operation of Schools; Revising the annual allocation to school districts to include an additional calculation of full-time equivalent membership for students who earn a College Board Advanced Placement Capstone Diploma, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
211	HB 0839	School District Police Chiefs	Daniels	School District Police Chiefs: Requires district school boards that establish school district police departments to provide contract that meets specified criteria for position of school district police chief or certain other positions. Effective Date: July 1, 2020	House PreK-12 Appropriations Subcommittee (Current Reference)	12/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

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209	
210	Compare SB 0062 (Stargel) Identical HB 0641 (Plasencia)
211	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
212	HB 0845	Cost-of-living Adjustments to State Employee Salaries	Alexander	Cost-of-living Adjustments to State Employee Salaries: Authorizes annual cost-of-living adjustments to base rates of pay of eligible state employees beginning 2021; requires Office of Economic & Demographic Research to calculate percentage for adjustment in specified manner; specifies conditions under which cost-of-living adjustment is not implemented; requires office to certify adjustment amount to Governor & Legislature; specifies eligibility for cost-of-living adjustment; provides that implementation of cost-of-living adjustments is contingent upon funding by Legislature. Effective Date: July 1, 2020	House Oversight, Transparency & Public Management Subcommittee (Current Reference)	12/16/2019 HOUSE Now in Oversight, Transparency & Public Management Subcommittee
213	SB 0858	Cost-of-living Adjustment for Special Risk Class Retirees	Gruters	Cost-of-living Adjustment for Special Risk Class Retirees; Revising the manner of calculating the cost-of-living factor for Special Risk Class retirees, and their beneficiaries, who meet certain criteria; providing a declaration of important state interest, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	11/21/2019 SENATE Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations
214	HB 0859	Education	Goff-Marcil	Education: Provides charter schools website requirements; requires specified teachers to have received bachelor's degree; revises requirements for charter school facilities; revises information DOE requires in specified database relating to private schools; provides requirements for private schools related to recess, statewide assessment program, curricula standards, teacher requirements, Florida Building Code requirements, & student assessments; requires private schools to be graded according to specified rules; requires DOE to annually develop, in collaboration with private schools, school report card that private schools would provide to parents. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/16/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
212	Compare SB 1242 (Torres, Jr.) Identical SB 1114 (Montford)
213	Similar HB 0425 (Clemons)
214	Identical SB 0632 (Stewart)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
215	SB 0866	Florida Talent Development Council	Diaz	Florida Talent Development Council; Requiring the council to submit, by a specified date, a report with recommendations related to the Pathways in Technology Early College High School (P-TECH) program, or a similar program, to the Governor, the Legislature, the Board of Governors, and the State Board of Education; requiring the P-TECH program to incorporate secondary and postsecondary education with workforce education and work experience, etc. Effective Date: Upon becoming a law	Senate Education (Current Reference)	11/21/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
216	SB 0870	Mental Health	Book	Mental Health; Requiring that respondents with a serious mental illness be afforded essential elements of recovery and be placed in a continuum of care regimen; requiring a receiving facility to refer certain cases involving a minor to the clerk of the court within a certain timeframe for the appointment of a public defender; revising the requirements for when a person may be ordered for involuntary inpatient placement; authorizing the court or clerk of the court to waive or prohibit any service of process fees for an indigent petitioner; expanding the exemption from the requirement that a respondent be present at a hearing on a petition for involuntary treatment, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	11/21/2019 SENATE Referred to Children, Families, and Elder Affairs; Judiciary; Appropriations

AMERICAN OVERSIGHT

	G
215	Identical HB 1203 (Mariano)
216	Compare HB 1071 (Grant (M)) HB 1081 (Stevenson) SB 1554 (Baxley) SB 1678 (Montford)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
217	SB 0872	Public Records/Commissioners and Specified Personnel/School Administrators	Perry	Public Records/Commissioners and Specified Personnel/School Administrators; Providing an exemption from public records requirements for the personal identifying and location information of current and former commissioners and specified commission personnel of the Florida Commission on Offender Review and the names and personal identifying and location information of the spouses and children of such personnel; providing an exemption from public records requirements for the personal identifying and location information of school administrators and the names and personal identifying and location information of the spouses and children of school administrators; providing for future review and repeal of the exemption; providing statements of public necessity, etc. Effective Date: Upon becoming a law	Senate Criminal Justice (Current Reference)	01/09/2020 SENATE On Committee agenda - Criminal Justice, 01/14/20, 2:30 pm, 37 S
218	SB 0876	Historically Black Colleges and Universities Matching Endowment Scholarship Program	Gibson	Historically Black Colleges and Universities Matching Endowment Scholarship Program; Establishing the Historically Black Colleges and Universities Matching Endowment Scholarship Program within the Department of Education; requiring a historically black college or university to provide a certain amount of matching funds by a specified date to participate in the program; providing that the interest will be used to provide scholarships to certain students, etc. APPROPRIATION: $2,000,000 Effective Date: 7/1/2020	Senate Education (Current Reference)	11/21/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

	G
217	Compare HB 0893 (Watson (C))
218	Identical HB 0383 (Hogan Johnson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
219	HB 0877	Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities	Killebrew	Ad Valorem Tax Discount for Spouses of Certain Deceased Veterans Who Had Permanent, Combat-Related Disabilities: Proposes amendments to State Constitution to authorize surviving spouse of deceased veteran to carry over certain discounts on ad valorem taxes on homestead property until surviving spouse remarries or sells or otherwise disposes of property, if, upon veteran's death, veteran had permanent, combat-related disabilities; authorizes discount to be transferred to another permanent residence if surviving spouse has not remarried. Effective Date: Not Specified	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)
220	HB 0879	Surviving Spouse Ad Valorem Tax Reduction	Killebrew	Surviving Spouse Ad Valorem Tax Reduction: Authorizes surviving spouses of certain permanently disabled veterans to carry over certain discount on ad valorem taxes on homestead property under specified conditions; authorizes discount to be transferred to another permanent residence under specified conditions; provides procedure by which applicant may file application after specified date & request discount; authorizes DOR to adopt emergency rules. Effective Date: on the effective date of the amendment to the State Constitution proposed by HJR 877, or a similar joint resolution having substantially the same specific intent and purpose	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)

AMERICAN OVERSIGHT

	G
219	Compare SB 1074 (Wright) SB 1078 (Wright) Identical SB 1076 (Wright) Linked HB 0879 (Killebrew) HB 0881 (Killebrew)
220	Compare HB 0881 (Killebrew) SB 1076 (Wright) Identical SB 1074 (Wright) Linked HB 0877 (Killebrew)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
221	HB 0881	Special Election	Killebrew	Special Election: Provides for special election to be held on August 18, 2020, pursuant to State Constitution, for approval or rejection of amendments to State Constitution proposed by joint resolution, relating to ad valorem tax discount for spouses of certain deceased veterans who had permanent, combat-related disabilities. Effective Date: upon becoming a law, if enacted by a vote of at least three-fourths of the membership of each house of the Legislature and if House Joint Resolution 877, 2020 Regular Session, or a similar joint resolution having substantially the same specific intent and purpose	House Local, Federal & Veterans Affairs Subcommittee (Current Reference)	12/19/2019 HOUSE Now in Local, Federal & Veterans Affairs Subcommittee
222	HB 0883	Education	Duggan	Education: Requiring DOE to maintain a disqualification list of certain individuals; revises provisions relating to employment & termination of certain public school & private school employees; revises duties of DOE, Commissioner of Education, & school districts relating to employee conduct & employment & termination of certain public school & private school employees. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/19/2019 HOUSE Now in PreK-12 Innovation Subcommittee
223	HB 0887	Florida ABLE Program	Rodrigues (R)	Florida ABLE Program: Extends scheduled repeal of provisions relating to Florida ABLE program & public records exemption for specified personal financial & health information relating to program. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	12/19/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee

AMERICAN OVERSIGHT

	G
221	Compare HB 0879 (Killebrew) SB 1076 (Wright) Identical SB 1078 (Wright) Linked HB 0877 (Killebrew)
222	Compare SB 0534 (Diaz)
223	Compare SB 0828 (Benacquisto) SB 0830 (Benacquisto)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
224	HB 0901	Vocational Rehabilitation Services	Ponder	Vocational Rehabilitation Services: Revises duties of Division of Vocational Rehabilitation; provides eligibility requirements for preemployment transition services; revises provisions relating to Florida Rehabilitation Council; requires division to enter into formal interagency agreements with certain entities for certain purposes; requires school districts & public agencies to use Student Transition Activities Record program for referral of students with disabilities to division; revises requirements for individual education plans. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	12/19/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
225	SB 0918	Civic Education	Brandes	Civic Education; Requiring the Commissioner of Education to develop minimum criteria for a nonpartisan civic literacy practicum for high school students, beginning with a specified school year; authorizing students to apply the hours they devote to practicum activities to certain community service requirements; requiring the State Board of Education to designate certain high schools as Freedom Schools, based on criteria the board establishes relating to students' civic learning and civic engagement, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
226	HB 0929	Student Assessments	Jones	Student Assessments: Requires parent to provide written consent for student to participate in district-required local assessments & statewide assessment program; provides requirements for schools, school districts, & students not participating in such assessments. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	12/19/2019 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
224	Identical SB 1784 (Gainer)
225	Similar HB 0581 (Diamond)
226	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
227	SB 0934	First Aid for Severe Bleeding	Pizzo	First Aid for Severe Bleeding; Requiring the State Surgeon General to adopt rules to establish guidelines for the placement of bleeding control kits in state buildings by a specified date; requiring district school boards to provide a bleeding control kit in every school within the school district; requiring the Department of Education to develop a list of approved first aid for severe bleeding instructional programs for certain instructional personnel by a specified date, etc. Effective Date: 7/1/2020	Senate Health Policy (Current Reference)	12/13/2019 SENATE Referred to Health Policy; Education; Appropriations
228	HB 0935	Solar Energy Systems in Educational Facilities	Webb	Solar Energy Systems in Educational Facilities: Prohibits costs associated with certain solar energy systems from being included in certain cost per student station limitations. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/03/2020 HOUSE Now in PreK-12 Innovation Subcommittee
229	SB 0942	Implicit Bias Training	Pizzo	Implicit Bias Training; Requiring the Criminal Justice Standards and Training Commission to include specified implicit bias training in instruction related to dealing with diverse populations; requiring the State Board of Education to develop requirements for training for all K-12 instructional personnel and administrators in recognizing and overcoming implicit bias; requesting that the Supreme Court develop training requirements for judges in recognizing and overcoming implicit bias, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	12/13/2019 SENATE Referred to Criminal Justice; Judiciary; Rules

AMERICAN OVERSIGHT

	G
227	Similar HB 0275 (Grieco)
228	Compare SB 1290 (Berman)
229	Similar HB 0463 (Jones)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
230	HB 0945	Children's Mental Health	Silvers	Children's Mental Health: Requires DCF & AHCA to identify certain children & adolescents who use crisis stabilization services & to meet behavioral health needs of such children & adolescents; includes crisis response services provided through mobile response teams in array of available services; requires managing entities & other relevant entities to develop plans promoting coordinated system of care for certain services; requires DCF & AHCA to assess quality of care provided in crisis stabilization units & submit report to Governor & Legislature by specified date.Effective Date: July 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	01/03/2020 HOUSE Now in Children, Families & Seniors Subcommittee
231	SB 0946	Moments of Silence in Public Schools	Baxley	Moments of Silence in Public Schools; Requiring that public school principals require teachers to set aside time for a moment of silence at the beginning of each school day; prohibiting teachers from making suggestions as to the nature of any reflection that a student may engage in during the moment of silence; requiring certain teachers to encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Judiciary; Rules
232	HB 0949	Juvenile Justice	Eskamani	Juvenile Justice: Prohibits children younger than certain age from being adjudicated delinquent, arrested, or charged with crime; limits when children of specified ages may be taken into custody; requires that children who are taken into custody pursuant to certain circuit court orders be treated in specified manner & be detained only pursuant to specified findings. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	01/03/2020 HOUSE Now in Criminal Justice Subcommittee

AMERICAN OVERSIGHT

	G
230	Identical SB 1440 (Powell)
231	Similar HB 0737 (Daniels)
232	Identical SB 0578 (Bracy)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
233	HB 0953	Charter Schools	McClain	Charter Schools: Authorizes state universities & Florida College System institutions to sponsor charter schools; revises reporting & accountability requirements; provides for funding; authorizes career & professional academy to be offered by charter school. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/03/2020 HOUSE Now in PreK-12 Innovation Subcommittee
234	SB 0954	Building Design	Perry	Building Design; Providing that certain regulations relating to building design elements may not be applied to certain structures; defining the term “building design elements”; providing that an affected party may submit certain local government regulations to the Florida Building Commission for review; providing for enforcement of such regulations, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	12/13/2019 SENATE Referred to Community Affairs; Innovation, Industry, and Technology; Rules
235	HB 0957	Designation of School Grades	Shoaf	Designation of School Grades: Revises components on which school's grade is based. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/03/2020 HOUSE Now in PreK-12 Innovation Subcommittee
236	SB 0962	Medical Marijuana Employee Protection	Berman	Medical Marijuana Employee Protection; Prohibiting an employer from taking adverse personnel action against an employee or job applicant who is a qualified patient using medical marijuana; requiring an employer to provide written notice to an employee or job applicant who tests positive for marijuana of his or her right to explain the positive test result; providing procedures when an employee or job applicant tests positive for marijuana; providing a cause of action and damages, etc. Effective Date: Upon becoming a law	Senate Governmental Oversight and Accountability (Current Reference)	12/13/2019 SENATE Referred to Governmental Oversight and Accountability; Judiciary; Rules
237	SB 0964	Education Staff Professionals	Cruz	Education Staff Professionals; Recognizing and celebrating the invaluable contribution of education staff professionals in this state, who work tirelessly to enhance the learning experiences of Florida students and to advance student success, etc.	No Current Committee	11/18/2019 SENATE Filed

AMERICAN OVERSIGHT

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233	Compare SB 1578 (Hutson)
234	Identical HB 0459 (Overdorf)
235	Identical SB 0434 (Montford)
236	Similar HB 0595 (Polsky)
237	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
238	HB 0969	Broadband Internet Service	Drake	Broadband Internet Service: Designates DEO as lead state agency to facilitate expansion of broadband Internet service in this state; requires department to work collaboratively with certain entities; creates Florida Office of Broadband within DEO; provides purpose & duties of office. Effective Date: July 1, 2020	House Energy & Utilities Subcommittee (Current Reference)	01/03/2020 HOUSE Now in Energy & Utilities Subcommittee
239	HB 0973	Florida Farm to School Program	Roth	Florida Farm to School Program: Requires vendors who sell agricultural commodities to county school districts to provide specified invoice receipts to county school nutrition programs; requires county school nutrition programs to submit data from receipts to DACS; requires DACS to submit annual reports to Legislature. Effective Date: July 1, 2020	House Agriculture & Natural Resources Subcommittee (Current Reference)	01/03/2020 HOUSE Now in Agriculture & Natural Resources Subcommittee
240	SB 0990	Public Deposits	Hutson	Public Deposits; Adding credit unions meeting certain criteria to a list of qualified public depositories; specifying criteria for a credit union to be designated as a qualified public depository by the Chief Financial Officer; revising and specifying the mutual responsibility and contingent liability of financial institutions designated as qualified public depositories; requiring the Chief Financial Officer to segregate and separately account for certain amounts attributable to credit unions in the Public Deposits Trust Fund, etc. Effective Date: 7/1/2020	Senate Banking and Insurance (Current Reference)	12/13/2019 SENATE Referred to Banking and Insurance; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations
241	SB 0992	Florida Retirement System Investment Plan	Brandes	Florida Retirement System Investment Plan; Specifying applicability of employee and employer contribution rates for employees who default into the investment plan; authorizing investment plan members to make voluntary contributions to the plan, subject to certain limitations; revising required employee contribution rates for the investment plan; revising the percentage of gross compensation allocated to investment plan member accounts to conform to changes made by the act, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	12/13/2019 SENATE Referred to Governmental Oversight and Accountability; Appropriations Subcommittee on Agriculture, Environment, and General Government; Appropriations

AMERICAN OVERSIGHT

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238	Compare SB 1166 (Albritton) HB 1309 (Ausley) SB 1776 (Montford)
239	Similar SB 1384 (Albritton)
240	Similar HB 0721 (Roth)
241	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
242	HB 0993	High School Graduation Requirements	Stark	High School Graduation Requirements: Requires students to submit Free Application for Federal Student Aid to be awarded standard high school diploma; provides exception. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/03/2020 HOUSE Now in PreK-12 Innovation Subcommittee
243	HB 0997	School District Communication with First Responders	Casello	School District Communication with First Responders: Requires district school boards of specified school districts develop & execute interlocal agreements with law enforcement agencies, local fire departments, & local emergency medical services organizations for specified purposes. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/03/2020 HOUSE Now in PreK-12 Innovation Subcommittee
244	SB 1004	Sunshine Scholarship Program	Rodriguez (J)	Sunshine Scholarship Program; Establishing the Sunshine Scholarship Program; requiring the Department of Education to administer the program; requiring certain financial aid to be credited to a student's tuition and fees before the award of a Sunshine Scholarship; requiring a student to repay the scholarship amount under certain circumstances, etc.Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
245	SB 1012	Teacher Scholarship Program	Montford	Teacher Scholarship Program; Establishing the Teacher Scholarship Program within the Department of Education; providing a purpose of the program and the criteria for student eligibility; specifying duties of each postsecondary institution for the program; providing for disbursement of the scholarship awards, etc. Effective Date:	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
246	HB 1013	Early Learning and Early Grade Success	Grall	Early Learning and Early Grade Success: Deletes the Office of Early Learning; creates the Division of Early Learning within DOE; revises provisions relating to early learning coalitions; VPK & school readiness programs; & DOE responsibilities & duties relating to early learning. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/08/2020 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

	G
242	Identical SB 1550 (Cruz)
243	
244	Similar HB 0055 (Jones) SB 0132 (Braynon II)
245	
246	Compare SB 1636 (Baxley) Similar SB 1616 (Harrell) SB 1688 (Harrell)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
247	SB 1016	Discretionary Sales Surtaxes	Rouson	Discretionary Sales Surtaxes; Redefining the term “infrastructure,” for purposes of the local government infrastructure surtax, to add authorized expenditures and revise criteria for surtax proceeds used for certain affordable residential housing; revising purposes for which a local government or special district may enter into certain ground leases, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	12/13/2019 SENATE Referred to Community Affairs; Finance and Tax; Appropriations
248	HB 1019	Summer Youth Service Learning Program	Bush III	Summer Youth Service Learning Program: Creates summer youth service learning program; provides SBE, DOE, employer, student, & program requirements; provides for funding & rulemaking. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/08/2020 HOUSE Now in PreK-12 Innovation Subcommittee
249	HB 1025	Local Educational Agencies	Bush III	Local Educational Agencies: Revises definition for term "local educational agency." Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/08/2020 HOUSE Now in PreK-12 Innovation Subcommittee
250	HB 1029	Charter Schools	Rodriguez (Ant)	Charter Schools: Revises provisions relating to charter school applications, charter school personnel background screenings, use of specified assets, opening of additional high-performing charter schools, & virtual charter schools. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/08/2020 HOUSE Now in PreK-12 Innovation Subcommittee
251	SB 1034	District Millage Elections	Montford	District Millage Elections; Iincreasing the maximum number of years for which a specified millage may be levied, etc. Effective Date: 7/1/2020	Senate Finance and Tax (Current Reference)	12/13/2019 SENATE Referred to Finance and Tax; Appropriations Subcommittee on Education; Appropriations
252	HB 1043	Public School Transportation	Beltran	Public School Transportation: Requires district school boards to provide transportation for certain students; authorizes any party to request review of hazardous walking condition; provides inspection & reporting requirements upon completion of such request; requires superintendents to provide specified report & recommendation; requires district school board to initiate specified proceeding relating to hazardous walking conditions. Effective Date: July 1, 2020	House PreK-12 Innovation Subcommittee (Current Reference)	01/08/2020 HOUSE Now in PreK-12 Innovation Subcommittee

AMERICAN OVERSIGHT

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247	
248	
249	Identical SB 1558 (Braynon II)
250	Similar SB 1420 (Flores)
251	
252	Compare SB 1410 (Cruz)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
253	HB 1045	Child Welfare	Gottlieb	Child Welfare: Specifies rights of children in out-of-home care; provides roles & responsibilities for certain persons & entities; requires that case plan be developed in face-to-face conference with caregiver of child; provides additional requirements for content & distribution of case plan; requires caseworker to provide specified information relating to certain subsidies to caregivers of certain children; provides requirements for social study reports, caregivers, licensure & operation of family foster homes, residential child-caring facilities, & child-placing agencies; requires lead agency, rather than department, to provide caregivers with contact when caseworker is unavailable; requires lead agencies to recruit & retain foster homes. Effective Date: October 1, 2020	House Children, Families & Seniors Subcommittee (Current Reference)	01/08/2020 HOUSE Now in Children, Families & Seniors Subcommittee
254	SB 1058	Corporal Punishment In Public Schools	Taddeo	Corporal Punishment in Public Schools; Providing that only school principals, and not teachers, may administer corporal punishment to public school students; requiring school principals to notify students' parents in writing and receive written consent before administering corporal punishment; requiring school principals who have administered corporal punishment to provide parents with written explanations of the punishment; authorizing teachers and other instructional personnel to request that principals administer corporal punishment, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Judiciary; Rules
255	HB 1059	Parental Rights	Grall	Parental Rights: Provides parental rights relating to a minor child's education, upbringing, & health care; provides school district, health care practitioner, hospital requirements & specified penalties. Effective Date: July 1, 2020	House Education Committee (Current Reference)	01/08/2020 HOUSE Now in Education Committee

AMERICAN OVERSIGHT

	G
253	Similar SB 0496 (Book)
254	Identical HB 0781 (Fernandez-Barquin)
255	Identical SB 1634 (Stargel)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
256	SB 1062	Involuntary Examinations of Minors	Harrell	Involuntary Examinations of Minors; Revising parent and guardian notification requirements that must be met before an involuntary examination of a minor; creating reporting requirements for schools relating to involuntary examinations of minors; requiring that certain plans include procedures to assist certain mental and behavioral health providers in attempts to verbally de-escalate certain crisis situations before initiating an involuntary examination, etc. Effective Date: 7/1/202	Senate Children, Families, and Elder Affairs (Current Reference)	12/13/2019 SENATE Referred to Children, Families, and Elder Affairs; Education; Rules
257	SB 1066	Impact Fees	Gruters	Impact Fees; Revising the conditions that counties, municipalities, and special districts must satisfy before enacting an impact fee by ordinance or passing an impact fee by resolution; providing timeframes for the collection of impact fees by local governments; requiring certain counties and municipalities to establish impact fee review committees, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	12/13/2019 SENATE Referred to Community Affairs; Finance and Tax; Appropriations
258	HB 1071	Substance Abuse and Mental Health	Grant (M)	Substance Abuse and Mental Health: Revises provisions related to substance abuse and mental health, including requirements for Criminal Justice, Mental Health, & Substance Abuse Reinvestment Grant Program; community action treatment teams; eligibility requirements for DCF-funded services; priority of services for specified individuals; requirements for funding; requirements for school substance abuse prevention partnership grants; training requirements of certain experts; & department requirements. Effective Date: July 1, 2020	No Current Committee	01/03/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
256	Compare HB 0407 (Silvers) SB 1426 (Powell) Similar HB 1083 (Webb)
257	Similar HB 0637 (DiCeglie)
258	Compare SB 0870 (Book) HB 1081 (Stevenson) SB 1554 (Baxley) Similar SB 1678 (Montford)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
259	SB 1074	Surviving Spouse Ad Valorem Tax Reduction	Wright	Surviving Spouse Ad Valorem Tax Reduction; Authorizing the surviving spouses of certain permanently disabled veterans to carry over a certain discount on ad valorem taxes on homestead property under specified conditions; authorizing the discount to be transferred to another permanent residence under specified conditions; authorizing the Department of Revenue to adopt emergency rules, etc. Effective Date: On the effective date of the amendment to the State Constitution proposed by SJR 1076, or a similar joint resolution having substantially the same specific intent and purpose, if such amendment is approved at the next general election or at an earlier special election specifically authorized by law for that purpose	Senate Military and Veterans Affairs and Space (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)
260	SB 1076	Surviving Spouse Ad Valorem Tax Reduction	Wright	Surviving Spouse Ad Valorem Tax Reduction; Proposing amendments to the State Constitution to provide for the carryover of the homestead property tax discount for certain veterans with permanent combat-related disabilities to a veteran's surviving spouse if certain criteria are met, to authorize the transfer of the discount to a surviving spouse's new homestead property if certain criteria are met, and to provide an effective date, etc.	Senate Military and Veterans Affairs and Space (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)

AMERICAN OVERSIGHT

	G
259	Compare HB 0877 (Killebrew) Identical HB 0879 (Killebrew) Linked SB 1076 (Wright)
260	Compare HB 0879 (Killebrew) HB 0881 (Killebrew) Identical HB 0877 (Killebrew) Linked SB 1074 (Wright) SB 1078 (Wright)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
261	SB 1078	Special Election/Surviving Spouse Ad Valorem Tax Reduction	Wright	Special Election/Surviving Spouse Ad Valorem Tax Reduction; Providing for a special election to be held on August 18, 2020, pursuant to Section 5, Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, relating to an ad valorem tax discount for spouses of certain deceased veterans who had permanent, combat-related disabilities, the transfer of the ad valorem tax discount to another permanent residence of the surviving spouse under specified conditions, and an effective date if such amendments are adopted, etc. Effective Date: Upon becoming a law, if enacted by a vote of at least three-fourths of the membership of each house of the Legislature and if Senate Joint Resolution 1076, 2020 Regular Session, or a similar joint resolution having substantially the same specific intent and purpose, is adopted by both houses of the Legislature	Senate Military and Veterans Affairs and Space (Current Reference)	12/13/2019 SENATE Referred to Military and Veterans Affairs and Space; Ethics and Elections; Rules
262	HB 1081	Substance Abuse and Mental Health	Stevenson	Substance Abuse and Mental Health: Revises eligibility requirements for certain substance abuse & mental health services; provides priority for specified individuals; revises distribution of funding for substance abuse & mental health services; revises entities that are exempt from certain licensing requirements; provides exemption from background screening requirements for certain peer specialists; authorizes jails to share medical information pertaining to specified defendants to DCF; requires maintenance of psychotropic medications to specified defendants; provides exception. Effective Date: July 1, 2020	No Current Committee	01/03/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
261	Compare HB 0877 (Killebrew) Identical HB 0881 (Killebrew) Linked SB 1076 (Wright)
262	Compare SB 0870 (Book) HB 1071 (Grant (M)) SB 1678 (Montford) Identical SB 1554 (Baxley)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
263	HB 1083	Involuntary Examinations of Minors	Webb	Involuntary Examinations of Minors: Revises certain notification requirements relating to involuntary examination of student who is removed from school, school transportation, or school-sponsored activity; provides exceptions; provides requirements relating to transport of minor patient; revises certain data reporting requirements; requires district school boards to adopt certain policies; provides additional training requirements for school safety officers; provides certain requirements relating to mental health assistance allocation. Effective Date: July 1, 2020	No Current Committee	01/03/2020 HOUSE Filed
264	SB 1088	Teacher Salary Enhancement	Diaz	Teacher Salary Enhancement; Establishing a teacher salary enhancement allocation in the General Appropriations Act; requiring each school district to use the allocated funds to increase teacher salaries; authorizing school districts that meet the teacher salary requirements specified in the appropriations act to use any additional funds provided in the allocation for any lawful operating expenditure, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
265	HB 1097	Regional Planning Council Meetings	Geller	Regional Planning Council Meetings: Provides requirements for establishing quorum for meetings of certain councils when voting member appears via telephone, real-time videoconferencing, or similar real-time electronic or video communication. Effective Date: July 1, 2020	No Current Committee	01/06/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
263	Compare HB 0407 (Silvers) SB 1426 (Powell) Similar SB 1062 (Harrell)
264	
265	Identical SB 1398 (Flores)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
266	SB 1100	Florida Seal of Fine Arts Program	Rouson	Florida Seal of Fine Arts Program; Establishing the Florida Seal of Fine Arts Program to recognize high school graduates who have attained a high level of skill in fine arts coursework; providing criteria to earn the Seal of Fine Arts; requiring the Commissioner of Education and school districts to perform specified duties to administer the program; prohibiting a school district or the Department of Education from charging a fee for the seal, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
267	HB 1101	Internship Tax Credit Program	Daley	Internship Tax Credit Program: Provides credit against corporate income tax to taxpayer employing degree-seeking student intern if certain criteria are met; specifies amount of credit; specifies limit on credit claimed per taxable year; authorizes carryforward of unused tax credits for specified timeframe. Effective Date: July 1, 2020	No Current Committee	01/06/2020 HOUSE Filed
268	HB 1105	Child Welfare	Tomkow	Child Welfare: Requires certain entity to establish & provide training to judges; requires DCF to notify court of certain central abuse hotline reports; authorizes DCF to file petitions; requires court to consider specified factors when determining change of legal custody or placement; revises & provides requirements for case plans; requires court to retain jurisdiction over child in certain circumstances; requires certain parties to disclose certain information; provides for agency & caregiver recommendations for change in visitation; authorizes lead agency to provide more than 35 percent of all child welfare services under certain conditions. Effective Date: July 1, 2020	No Current Committee	01/06/2020 HOUSE Filed
269	SB 1106	Universal Changing Places	Baxley	Universal Changing Places; Requiring certain entities to install and maintain at least one universal changing place at specified locations; specifying requirements for a universal changing place, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	12/13/2019 SENATE Referred to Community Affairs; Commerce and Tourism; Rules

AMERICAN OVERSIGHT

	G
266	Identical HB 1123 (Diamond)
267	Compare HB 0357 (Jones) HB 0439 (Daley) SB 0642 (Powell) Identical SB 1412 (Powell)
268	Compare HB 0043 (Latvala) SB 0122 (Rouson) SB 1324 (Simpson) SB 1548 (Perry)
269	Similar HB 0669 (Newton)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
270	HB 1111	Government Integrity	Tomkow	Government Integrity: Creates Florida Integrity Office under Auditor General; revises provisions related to legislative procedure definitions, Auditor General, Chief Inspector General, CFO investigations, government efficiency hotline, agency inspectors general, saving sharing program, and contracting. Effective Date: July 1, 2020	No Current Committee	01/06/2020 HOUSE Filed
271	SB 1114	Cost-of-living Adjustments to State Employee Salaries	Montford	Cost-of-living Adjustments to State Employee Salaries; Authorizing annual cost-of-living adjustments to base rates of pay of eligible state employees, beginning in 2021; requiring the Office of Economic and Demographic Research to calculate the percentage for the adjustment in a specified manner; specifying conditions under which a cost-of-living adjustment is not implemented, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	01/06/2020 SENATE On Committee agenda - Governmental Oversight and Accountability, 01/13/20, 1:00 pm, 301 S
272	HB 1123	Florida Seal of Fine Arts Program	Diamond	Florida Seal of Fine Arts Program: Establishes Florida Seal of Fine Arts Program to recognize high school graduate who has attained high level of skill in fine arts coursework; provides requirements for such program. Effective Date: July 1, 2020	No Current Committee	01/06/2020 HOUSE Filed
273	SB 1132	Home Instruction for Parents of Preschool Youngsters Grant Program	Brandes	Home Instruction for Parents of Preschool Youngsters Grant Program; Creating the Home Instruction for Parents of Preschool Youngsters (HIPPY) Grant Program; requiring the Florida HIPPY Training and Technical Assistance Center at the University of South Florida, subject to legislative appropriation, to provide grants to program operators establishing a HIPPY program and with an existing HIPPY program, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/13/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
274	SB 1136	Children's Services Councils	Brandes	Children's Services Councils; Expanding requirements for annual reports required to be submitted by councils on children's services to the respective governing body of the county; revising financial reporting requirements for such councils, etc. Effective Date: 10/1/2020	Senate Community Affairs (Current Reference)	12/13/2019 SENATE Referred to Community Affairs; Children, Families, and Elder Affairs; Rules

AMERICAN OVERSIGHT

	G
270	Similar SB 1538 (Gruters)
271	Compare SB 1242 (Torres, Jr.) Identical HB 0845 (Alexander)
272	Identical SB 1100 (Rouson)
273	Identical HB 0663 (Newton)
274	Identical HB 0661 (Newton)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
275	SB 1144	Department of Juvenile Justice	Brandes	Department of Juvenile Justice; Revising the list of programs within the department; repealing a provision relating to shared county and state responsibility for juvenile detention; deleting a provision requiring each county that is not a fiscally constrained county to pay its annual percentage share of the total shared detention costs; requiring the Department of Juvenile Justice to calculate and provide to each county that is not a fiscally constrained county and that does not provide its own detention care for juveniles its annual percentage share, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	12/13/2019 SENATE Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations
276	HB 1149	Local Government Fiscal Transparency	DiCeglie	Local Government Fiscal Transparency: Revises Legislative Auditing Committee duties; specifies purpose of local government fiscal transparency requirements; requires local governments to post voting record information on websites; requires property appraisers & local governments to post property tax information & history on websites; requires public notices for public hearings & meetings before new tax increases; requires local governments to conduct debt affordability analyses; provides method for local governments to post certain required information. Effective Date: July 1, 2020	No Current Committee	01/07/2020 HOUSE Filed
277	SB 1156	Children's Initiatives	Braynon II	Children's Initiatives; Revising requirements for the implementation of certain children's initiatives; requiring the Department of Children and Families to contract with a not-for-profit corporation for certain purposes and for specified amounts, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	12/18/2019 SENATE Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations

AMERICAN OVERSIGHT

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275	
276	Similar SB 1702 (Diaz)
277	Identical HB 0831 (Mercado)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
278	SB 1162	Legislature	Cruz	Legislature; Citing this act as the "Truth in Government Act"; requiring that persons addressing a legislative committee take an oath or affirmation of truthfulness; requiring that a member of the legislative committee administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance form in lieu of an oral oath or affirmation, etc. Effective Date: 7/1/2020	Senate Judiciary (Current Reference)	12/18/2019 SENATE Referred to Judiciary; Criminal Justice; Rules
279	SB 1164	Gardiner Scholarship	Perry	Gardiner Scholarship; Revising eligibility requirements for the Gardiner Scholarship Program; revising an authorized use of scholarship funds; providing that scholarship funds may be spent for tuition and fees associated with programs relating to art, music, or theater; revising terms under which a student's scholarship account is closed and program funds revert to the state, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K
280	SB 1166	Broadband Internet Service	Albritton	Broadband Internet Service; Authorizing certain funds within the State Transportation Trust Fund to be used for certain broadband infrastructure projects within or adjacent to multiuse corridors; designating the Department of Economic Opportunity, and not the Department of Management Services, as the lead state entity to facilitate the expansion of broadband Internet service in this state; creating the Florida Office of Broadband within the Division of Community Development within the Department of Economic Opportunity, etc. Effective Date: 7/1/2020	Senate Commerce and Tourism (Current Reference)	12/18/2019 SENATE Referred to Commerce and Tourism; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

AMERICAN OVERSIGHT

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278	
279	
280	Compare HB 0969 (Drake) HB 1309 (Ausley) SB 1776 (Montford)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
281	HB 1167	School Safety Funding	Polsky	School Safety Funding: Specifies distribution requirements for safe schools allocation funds for 2020-2021 fiscal year; requires district school superintendent to remit specified unused funds from 2019-2020 fiscal year to DOE; authorizes department, upon request, to redistribute such funds to certain school districts for specified purpose. Effective Date: July 1, 2020	No Current Committee	01/08/2020 HOUSE Filed
282	SB 1174	Communications Services Tax	Hutson	Communications Services Tax; Revising legislative intent regarding local communications services tax rates; revising downward the tax rate on the retail sale of communications services; deleting a provision that specifies where proceeds of a communications services tax must be deposited and disbursed; requiring dealers to collect and remit local communications services taxes under certain conditions; authorizing the Legislature to appropriate moneys to offset specified direct reductions of the local communications services tax by certain counties and municipalities, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2021	Senate Innovation, Industry, and Technology (Current Reference)	01/09/2020 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference, 01/10/20, 9:00 am, 117 K (No Votes Will Be Taken)
283	HB 1185	Ethics Reform	Brannan III	Ethics Reform: Repeals provisions relating to state, state university, & community college employee lobbyists; prohibits certain public service announcements by specified entities or persons; prohibits certain public officers & employees from soliciting employment & contractual relationships; provides exception & disclosure requirements; revises lobbyist registration, compensation report, principal designation cancellation, & investigation requirements. Effective Date: July 1, 2020	No Current Committee	01/08/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
281	Identical SB 0304 (Cruz)
282	Identical HB 0701 (Fischer)
283	Similar SB 1530 (Baxley)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
284	HB 1203	Florida Talent Development Council	Mariano	Florida Talent Development Council: Requires council to submit, by specified date, report with recommendations related to Pathways in Technology Early College High School program, or similar program, to specified entities; provides requirements for P-TECH program & report. Effective Date: upon becoming a law	No Current Committee	01/09/2020 HOUSE Filed
285	HB 1207	Measurement of Student Performance	Bell	Measurement of Student Performance: Requires Commissioner of Education to annually provide specified results to school districts by certain date. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed
286	HB 1213	Holocaust Education	Fine	Holocaust Education: Authorizes DOE to contract with Florida Holocaust Museum for specified purposes related to required instruction. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed
287	SB 1216	Limitation on Terms of Office for Members of a District School Board	Gruters	District School Board Member/Terms of Office; Proposing amendments to the State Constitution to limit the terms of office for a member of a district school board, etc.	Senate Ethics and Elections (Current Reference)	12/18/2019 SENATE Referred to Ethics and Elections; Education; Rules
288	SB 1218	Anti-bullying and Anti-harassment in Schools	Diaz	Anti-bullying and Anti-harassment In Schools; Expanding the information that private schools participating in an educational scholarship program are required to publish and provide to parents; requiring such private schools to adopt bullying and harassment policies; requiring such schools to report bullying and harassment incidents to the Department of Education, etc. Effective Date: Upon becoming a law	Senate Education (Current Reference)	01/06/2020 SENATE On Committee agenda - Education, 01/13/20, 1:00 pm, 412 K

AMERICAN OVERSIGHT

	G
284	Identical SB 0866 (Diaz)
285	Identical SB 1646 (Albritton)
286	Identical SB 1628 (Book)
287	Compare SB 1480 (Book) Similar HB 0157 (Sabatini)
288	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
289	SB 1220	Education	Diaz	Education; Requiring that the rules to establish uniform core curricula for each state-approved teacher preparation program include evidence-based reading instructional strategies and mental health strategies and support; providing that for a subject requiring only a baccalaureate degree, a baccalaureate degree with a major in the subject area, conferred within the last 10 years, is an acceptable means of demonstrating mastery of subject area knowledge; directing the Commissioner of Education, with the advice and consent of the chair of the Education Practices Commission, to appoint an executive director who is exempt from career service and may be removed by the commissioner, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	12/18/2019 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
290	HB 1223	Instructional Personnel and Educational Support Employee Salaries	McGhee	Instructional Personnel and Educational Support Employee Salaries: Requires Legislature to fund FEFP at level that ensures instructional personnel & educational support employees earn living wage; provides minimum base salaries for or specified percentage increases to base salaries of instructional personnel for certain years; provides specified percentage increases to base salaries of educational support employees for certain years. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed

AMERICAN OVERSIGHT

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289	
290	Compare SB 0106 (Rader)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
291	HB 1227	Legislative Apportionment and Congressional Redistricting	Stark	Legislative Apportionment and Congressional Redistricting: Creates independent commission on legislative apportionment & congressional redistricting; provides for purpose, duties, membership, & funding of commission; requires commission to conduct public hearings; subjects commission to government-in-the-sunshine & financial disclosure requirements; prohibits persons not serving on or employed by commission from influencing or attempting to influence commission members & employees other than through specified manner; provides criminal penalties. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed
292	HB 1229	Mental Health and Substance Abuse	Gottlieb	Mental Health and Substance Abuse: Revises terminology & requirements relating to petitions & court procedures for involuntary treatment & assessment under Baker Act & Marchman Act. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed
293	HB 1231	Students with Disabilities in Public Schools	DuBose	Students with Disabilities in Public Schools: Prohibits use of seclusion on students; revises provisions relating to use of restraint on certain students; provides DOE, school district, school, & personnel requirements; provides for placement of video camera in specified classrooms; provides requirements for such placement; requires continuing education & inservice training for teaching students with emotional or behavioral disabilities. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed
294	HB 1235	Well-Care Examinations	DuBose	Well-Care Examinations: Establishes requirement that certain children present certification of adolescent well-care examination each school year; requires district school boards & private school governing authorities to develop & enforce policy for such requirement; requires DOE, in consultation with DOH, to develop certification of adolescent well-care examination form. Effective Date: July 1, 2020	No Current Committee	01/09/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
291	Similar SB 1640 (Berman)
292	Compare SB 1678 (Montford)
293	Identical SB 1644 (Book)
294	Similar SB 0208 (Thurston, Jr.)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
295	SB 1236	Educational Property Tax Exemption	Gruters	Educational Property Tax Exemption; Exempting land and real property improvements used exclusively for educational purposes from ad valorem taxes if an educational institution, under a ground lease or other contractual arrangement, meets certain criteria; providing that the educational institution shall receive the full benefit from the exemption, etc. Effective Date: 7/1/2020	Senate Community Affairs (Current Reference)	01/08/2020 SENATE Referred to Community Affairs; Finance and Tax; Appropriations
296	SB 1238	Regulatory Reform	Diaz	Regulatory Reform; Establishing the Red Tape Reduction Advisory Council within the Executive Office of the Governor; requiring an agency adopting a rule to submit a rule replacement request to the Administrative Procedures Committee; requiring the committee to examine rule replacement requests and existing rules; requiring the Administrative Procedures Committee to establish a regulatory baseline of agency rules; providing that a proposed rule may not cause the total number of rules to exceed the regulatory baseline, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	01/08/2020 SENATE Referred to Governmental Oversight and Accountability; Innovation, Industry, and Technology; Rules
297	SB 1242	Annual Salary Adjustments for State Employees	Torres, Jr.	Annual Salary Adjustments for State Employees; Authorizing annual salary adjustments to base rates of pay of eligible state employees, beginning as of a specified date; specifying the manner of calculating the adjustment, etc. Effective Date: 7/1/2020	Senate Governmental Oversight and Accountability (Current Reference)	01/08/2020 SENATE Referred to Governmental Oversight and Accountability; Appropriations; Rules

AMERICAN OVERSIGHT

	G
295	Similar SB 1736 (Broxson)
296	Identical HB 0729 (Rodriguez (AM))
297	Compare HB 0845 (Alexander) SB 1114 (Montford)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
298	SB 1244	State Workforce Development Boards	Albritton	State Workforce Development Boards; Defining the terms "for cause" and "state board"; replacing CareerSource Florida, Inc., with the state board or the Department of Economic Opportunity in provisions relating to the implementation of the federal Workforce Innovation and Opportunity Act; revising provisions relating to the operation of CareerSource Florida, Inc.; authorizing a chief elected official for a local workforce development board to remove certain persons from the board for cause; revising authority relating to the Workforce Training Institute, etc. Effective Date: 7/1/2020	Senate Commerce and Tourism (Current Reference)	01/08/2020 SENATE Referred to Commerce and Tourism; Innovation, Industry, and Technology; Rules
299	SB 1246	Dual Enrollment	Stargel	Dual Enrollment; Clarifying that secondary students eligible for dual enrollment programs include students who are enrolled in home education programs; prohibiting district school boards and Florida College System institutions from denying students who have met eligibility requirements from participating in dual enrollment except under specified circumstances; providing that certain independent colleges and universities are eligible for inclusion in the dual enrollment and early admission programs; establishing the Dual Enrollment Scholarship Program, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/08/2020 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
300	SB 1250	Teacher Professional Learning	Diaz	Teacher Professional Learning; Expanding requirements for uniform core curricula and candidate assessment for teacher preparation programs; specifying that teachers may earn inservice points only once during a certain time period for any mandatory training topic not linked to student learning or professional growth; requiring district school boards to calculate a proportionate share of professional development funds for each classroom teacher; creating the Professional Education Excellence Resources (PEER) Pilot Program in specified counties, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/08/2020 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations

AMERICAN OVERSIGHT

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298	
299	Compare SB 0062 (Stargel) HB 0187 (Zika)
300	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
301	HB 1265	Verification of Employment Eligibility	Byrd	Verification of Employment Eligibility: Requires public employers, contractors, & subcontractors to use E-Verify system for specified purposes; prohibits such entities from entering into contract unless each party to contract uses E-Verify system; authorizes termination of contract; requires private employers to verify employment eligibility of newly hired employees; provides acceptable methods for verification; provides specified immunity; creates rebuttable presumption for private employers.Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed
302	HB 1271	State Workforce Development Boards	Mariano	State Workforce Development Boards: Revises provisions relating to workforce services to replace CareerSource Florida, Inc., with state board or DEO in relation to implementation of federal Workforce Innovation & Opportunity Act; authorizes, rather than requires, certain funds to be reserved for Incumbent Worker Training Program; revises provisions relating to operation, purpose, requirements, structure, & authority of CareerSource Florida, Inc., & state board; authorizes DEO to consult with state board to issue certain technical assistance letters; authorizes Auditor General to conduct audit of certain entities & programs; requires workforce development strategy to be approved by Governor; provides that certain persons may be removed from board for cause. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed

AMERICAN OVERSIGHT

	A	B	C	D	E	F
303	SB 1272	Statewide Emergency Shelter Task Force	Montford	Statewide Emergency Shelter Task Force; Establishing the task force adjunct to the Department of Management Services; specifying the task force's purpose; providing for the membership of the task force; providing requirements and restrictions for members of the task force; requiring the task force to report recommendations to the Governor and the Legislature by a specified date, etc. Effective Date: 7/1/2020	Senate Infrastructure and Security (Current Reference)	01/08/2020 SENATE Referred to Infrastructure and Security; Governmental Oversight and Accountability; Rules
304	HB 1283	Required Instruction	Thompson	Required Instruction: Provides requirements for specified entities relating to history of Holocaust & African Americans instruction; requires certain statewide, standardized assessments to include curricula content from history of Holocaust & African Americans. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed
305	HB 1285	Education	Fernández	Education: Revises requirements for annual report governing body of charter school must submit to its sponsor; revises private school obligations for Family Empowerment Scholarship Program; requires, rather than authorizes, Commissioner of Education to determine that private school is ineligible to participate in such program; requires eligible nonprofit scholarship-funding organizations to comply with specified statutes. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed
306	SB 1290	Solar Schools	Berman	Solar Schools; Authorizing a public educational customer to enter into a contract for the installation, maintenance, or operation of a renewable energy source device on property owned or controlled by the public educational customer; providing that shared solar facilities may participate in an electric utility's net metering program; prohibiting costs associated with certain solar energy systems from being included in certain cost per student station limitations, etc. Effective Date: 7/1/2020	Senate Innovation, Industry, and Technology (Current Reference)	01/08/2020 SENATE Referred to Innovation, Industry, and Technology; Education; Rules

AMERICAN OVERSIGHT

	G
303	
304	Similar SB 1660 (Thurston, Jr.)
305	Identical SB 1770 (Cruz)
306	Compare HB 0935 (Webb)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
307	HB 1299	Monroe County School Board, Monroe County	Raschein	Monroe County School Board, Monroe County: Exempts Monroe County School Board from certain capital funds cost per student station limitations; authorizes the school board to use specified funds for capital needs. Effective Date: upon becoming a law	No Current Committee	01/10/2020 HOUSE Filed
308	SB 1302	Sovereign Immunity	Flores	Sovereign Immunity; Designating the “Florida Fair Claims Act”; providing an exception to certain liability for the state and its agencies and subdivisions; increasing the statutory limits on liability for tort claims against the state and its agencies and subdivisions; revising when a state and its agencies and subdivisions may agree to settle a claim or judgment without further action from the Legislature; requiring certain final judgment amounts to be paid without further action by the Legislature, etc. Effective Date: 10/1/2020	Senate Judiciary (Current Reference)	01/08/2020 SENATE Referred to Judiciary; Community Affairs; Appropriations
309	HB 1305	Elections	Thompson	Elections: Revises provisions relating to the office of Secretary of State, General Election Day, candidate qualifying, petitions, Division of Elections, supervisors of elections, voter registration, ballots, voting, vote-by-mail, canvassing, absent voters, and dates for returns, and violations of election code. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed
310	SB 1308	Criminal Justice	Brandes	Criminal Justice; Authorizing the resentencing and release of certain persons who are eligible for sentence review under specified provisions; precluding eligibility for a sentence review for young adult offenders who previously committed, or conspired to commit, specified offenses; requiring the Department of Corrections to notify young adult offenders in writing of their eligibility for sentence review within certain timeframes; requiring the department to provide inmates with certain information upon their release, etc. Effective Date: 7/1/2020	Senate Criminal Justice (Current Reference)	01/08/2020 SENATE Referred to Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; Appropriations

AMERICAN OVERSIGHT

	G
307	
308	
309	Identical SB 1806 (Stewart)
310	Compare HB 1131 (Gottlieb)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
311	HB 1321	Early Childhood Music Education Incentive Pilot Program	Aloupis	Early Childhood Music Education Incentive Pilot Program: Extends scheduled expiration of pilot program; revises eligibility requirement. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed
312	SB 1322	Postsecondary Fee Exemptions	Wright	Postsecondary Fee Exemptions; Deleting an exemption from specified tuition and fees for students enrolled in approved apprenticeship programs at specified institutions, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	01/08/2020 SENATE Referred to Education; Appropriations Subcommittee on Education; Appropriations
313	SB 1324	Child Welfare	Simpson	Child Welfare; Requiring the Florida Court Educational Council to establish certain standards for instruction of circuit and county court judges for dependency cases; authorizing circuit courts to create early childhood court programs; requiring the Department of Children and Families to contract with certain university-based centers; requiring the court to retain jurisdiction over a child under certain circumstances; requiring the department to conduct background screenings of prospective adoptive parents, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	01/10/2020 SENATE On Committee agenda - Children, Families, and Elder Affairs, 01/15/20, 10:30 am, 301 S
314	SB 1326	Department of Children and Families	Simpson	Department of Children and Families; Citing this act as the “DCF Accountability Act”; providing for the creation of the Office of Quality Assurance and Improvement in the Department of Children and Families; extending the timeframe within which a protective investigation is required to be commenced in certain circumstances; requiring certain sheriffs to adopt Florida’s Child Welfare Practice Model and operate under certain provisions of law; providing for the calculation of the allocation of core plus funds, etc. Effective Date: 7/1/2020	Senate Children, Families, and Elder Affairs (Current Reference)	01/08/2020 SENATE Referred to Children, Families, and Elder Affairs; Appropriations Subcommittee on Health and Human Services; Appropriations
315	HB 1335	Florida Virtual Education	LaMarca	Florida Virtual Education: Revises provisions relating to the Board of Trustees for FLVS, marketing for FLVS, virtual charter schools, & virtual instruction providers; creates executive director & OIG for FLVS. Effective Date: July 1, 2020	No Current Committee	01/10/2020 HOUSE Filed

AMERICAN OVERSIGHT

	G
311	Similar SB 0156 (Perry)
312	Identical HB 6035 (Overdorf)
313	Compare HB 0043 (Latvala) SB 0122 (Rouson) SB 0236 (Book) HB 0449 (Mariano) HB 1105 (Tomkow) SB 1548 (Perry)
314	
315	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
316	SB 1340	Legal Notices	Gruters	Legal Notices; Providing for the publication of legal notices on certain publicly accessible websites; allowing a governmental agency to publish legal notices on a publicly accessible website under certain circumstances; removing provisions relating to the publication of legal notices in newspapers; providing that an advertisement of a sale or disposition of property may be published on certain websites for a specified time period, etc. Effective Date: 7/1/2021	Senate Judiciary (Current Reference)	01/08/2020 SENATE Referred to Judiciary; Community Affairs; Rules
317	SB 1364	School Board Employees	Rodriguez (J)	School Board Employees; Proposing amendments to the State Constitution, relating to the State Board of Education, school districts, and school boards, to provide that school boards shall, subject to Article I, Section 6 of the State Constitution, set the wages, hours, and terms and conditions of employment for all school board employees, etc.	No Current Committee	01/03/2020 SENATE Filed
318	SB 1384	Florida Farm to School Program	Albritton	Florida Farm to School Program; Requiring vendors selling or delivering agricultural commodities to school districts in the Florida Farm to School Program to provide the school districts with an invoice that meets certain requirements, beginning on a specified date; requiring each participating district school board to submit the information monthly to the Department of Agriculture and Consumer Services, etc. Effective Date: Upon becoming a law	No Current Committee	01/03/2020 SENATE Filed
319	SB 1398	Regional Planning Council Meetings	Flores	Regional Planning Council Meetings; Providing requirements for establishing a quorum for meetings of certain councils when a voting member appears via telephone, real-time videoconferencing, or similar real-time electronic or video communication; requiring the member to give notice of intent to appear via telephone, real-time videoconferencing, or similar real-time electronic or video communication by a specified time, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
316	Identical HB 0007 (Fine)
317	
318	Similar HB 0973 (Roth)
319	Identical HB 1097 (Geller)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
320	SB 1400	Education	Diaz	Education; Revising initial scholarship eligibility criteria for the Family Empowerment Scholarship Program, beginning with a specified school year; providing that participation in certain virtual schools, correspondence schools, or distance learning programs does not make a student ineligible for a scholarship under the program in certain circumstances; revising eligibility criteria for the Florida Tax Credit Scholarship Program and applying the criteria only to initial eligibility; creating the minimum base annual salary allocation to assist school districts in providing minimum base annual salaries to classroom teachers, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
321	SB 1402	Higher Education	Diaz	Higher Education; Revising standards for the preeminent state research universities program; requiring the Board of Governors to establish standards and measures for specific state university competencies; revising the performance-based metrics for state universities to include specific data beginning in a certain fiscal year; requiring innovative pricing techniques and payment options to include an opt-out provision; prohibiting the growth rate of administrators at a state university from exceeding the growth rate of faculty at such university, etc. Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020	No Current Committee	01/06/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
320	Compare SB 0106 (Rader)
321	Compare SB 0072 (Stargel) Similar HB 0613 (Rodrigues (R))

AMERICAN OVERSIGHT

	A	B	C	D	E	F
322	SB 1406	Youth Athletic Activities	Broxson	Youth Athletic Activities; Defining the term “athletics personnel”; requiring an entity that administers or conducts a high-risk youth athletic activity or related training on certain property to require unpaid or volunteer athletics personnel to complete a specified course; requiring such personnel to complete the course within a specified timeframe after their initial involvement, and annually thereafter, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
323	SB 1410	Public School Transportation	Cruz	Public School Transportation; Revising the requirement that district school boards provide transportation for certain students; revising the definition of the term “student”; requiring a district school superintendent to request a review of a hazardous walking condition upon receipt of a written request from a parent of a student; requiring, rather than authorizing, a district school board to initiate a specified proceeding relating to hazardous walking conditions, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
324	SB 1412	Internship Tax Credit Program	Powell	Internship Tax Credit Program; Creating the "Florida Internship Tax Credit Program"; providing a credit against the corporate income tax to a taxpayer employing a degree-seeking student intern if certain criteria are met; specifying the amount of the credit; specifying a limit on the credit claimed per taxable year, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
325	SB 1418	Student Transportation Funds	Hutson	Student Transportation Funds; Modifying the requirements for determination of student membership in a school district for funding purposes, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
322	Similar HB 0099 (Andrade)
323	Compare HB 1043 (Beltran)
324	Compare HB 0357 (Jones) HB 0439 (Daley) SB 0642 (Powell) Identical HB 1101 (Daley)
325	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
326	SB 1420	Charter Schools	Flores	Charter Schools; Prohibiting sponsors from refusing to receive a charter school application submitted during the calendar year; requiring certain charter school employees or governing board members to inform a school district if he or she has completed a criminal history check in another district within a certain timeframe; specifying how many applications a high-performing charter school may submit in any school district in the state to establish and operate a new charter school; revising the virtual instruction a virtual charter school may provide, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
327	SB 1426	Removal of a Student for an Involuntary Examination	Powell	Removal of a Student for an Involuntary Examination; Revising the requirements for parental notification prior to removing a student for an involuntary examination, under certain circumstances, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
328	SB 1430	Community Development Districts	Torres, Jr.	Community Development Districts; Requiring community development districts to obtain a just valuation before acquiring property that includes real property or that is permanently affixed to real property, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
329	SB 1436	Overtime Pay	Torres, Jr.	Overtime Pay; Requiring employers to pay certain employees overtime pay at a specified rate; requiring the Department of Economic Opportunity to adjust, at specified intervals, the threshold for mandatory overtime pay; repealing a provision relating to a legal day's work and extra pay, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
326	Similar HB 1029 (Rodriguez (Ant))
327	Compare SB 1062 (Harrell) HB 1083 (Webb) Similar HB 0407 (Silvers)
328	Identical HB 0135 (Cortes)
329	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
330	SB 1438	Dyslexia	Harrell	Dyslexia; Requiring public schools to screen all students in kindergarten through grade 3 for dyslexia within a certain timeframe; requiring public school students with a substantial deficiency in reading to be placed in an intensive remedial intervention program; requiring public schools to have at least one person on staff trained in the instruction of students with dyslexia; creating the Dyslexia Task Force within the Department of Education, etc. Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
331	SB 1440	Children's Mental Health	Powell	Children's Mental Health; Requiring the Department of Children and Families and the Agency for Health Care Administration to identify certain children and adolescents who use crisis stabilization services during specified fiscal years; including crisis response services provided through mobile response teams in the array of services available to children and adolescents; requiring managing entities to develop and implement plans promoting the development of a coordinated system of care for certain services; revising requirements relating to preservice training for foster parents, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
332	SB 1454	Specialty License Plates	Powell	Specialty License Plates/Highwaymen; Directing the Department of Highway Safety and Motor Vehicles to develop a Highwaymen license plate; providing for distribution and use of fees collected from the sale of the plates, etc. Effective Date: October 1, 2020, but only if SB 1456 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	No Current Committee	01/06/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
330	
331	Identical HB 0945 (Silvers)
332	Compare HB 0387 (Hogan Johnson) SB 0412 (Bean) HB 1135 (Grant (J)) Identical HB 0385 (Hogan Johnson) Linked SB 1456 (Powell)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
333	SB 1456	Specialty License Plate Fees	Powell	Specialty License Plate Fees/Highwaymen; Establishing a fee for a certain specialty license plate, etc. Effective Date: On the same date that SB 1454 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	No Current Committee	01/06/2020 SENATE Filed
334	SB 1462	School Holidays	Taddeo	School Holidays; Requiring district school boards to designate the day after Halloween as a school holiday; providing an exception, etc. Effective Date: 7/1/2020	No Current Committee	01/06/2020 SENATE Filed
335	SB 1480	Limitation on Terms of Office for Members of a District School Board	Book	Limitation on Terms of Office for Members of a District School Board; Proposing amendments to the State Constitution to limit the terms of office for a member of a district school board, etc.	No Current Committee	01/07/2020 SENATE Filed
336	SB 1498	School Turnaround	Baxley	School Turnaround; Revising the criteria for schools that are deemed to be in need of intervention and support; providing that a school district may request to change a turnaround option after the first year of implementation; providing new requirements for schools that complete a district-managed turnaround plan and do not improve; authorizing the State Board of Education to revoke a turnaround plan when the school district has failed to follow the terms or meet the requirements of its approved plan, etc. Effective Date: 7/1/2020	No Current Committee	01/07/2020 SENATE Filed
337	SB 1520	Wage and Employment Benefits Requirements	Rodriguez (J)	Wage and Employment Benefits Requirements; Repealing a provision relating to restrictions on the establishment of minimum wage and employment benefits requirements by political subdivisions, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
338	SB 1524	Prohibited Places for Weapons and Firearms	Gainer	Prohibited Places for Weapons and Firearms; Authorizing elected members of specified governing bodies who are concealed weapon or firearm licensees to carry a concealed weapon or firearm to a meeting of the governing body of which he or she is a member, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
333	Compare HB 0385 (Hogan Johnson) Identical HB 0387 (Hogan Johnson) Linked SB 1454 (Powell)
334	
335	Compare SB 1216 (Gruters) Identical HB 0157 (Sabatini)
336	
337	Identical HB 6065 (Smith (C))
338	Similar HB 0183 (Ponder)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
339	SB 1526	Food Donation Programs	Albritton	Food Donation Programs; Creating an agricultural commodity donation tax credit; revising the Department of Agriculture and Consumer Services powers and duties relating to school food and other nutrition programs; deleting a provision authorizing district school boards to opt out of implementing universal school breakfast programs; requiring the department to annually allocate to participating sponsors a reimbursement in addition to the sum appropriated for the Florida Farm to School Program if certain conditions are met; requiring the department to develop the Florida Gleaning Support Grant Program, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
340	SB 1530	Ethics Reform	Baxley	Ethics Reform; Repealing a provision relating to state, state university, and community college employee lobbyists; prohibiting certain public service announcements by specified governmental entities, persons acting on behalf of such entities, and elected officials; revising applicability of certain provisions relating to conflicting employment and contractual relationships; prohibiting public officers or employees of an agency from soliciting specified employment or contractual relationships, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
341	SB 1532	Public Records/Trade Secret Held by an Agency	Baxley	Public Records/Trade Secret Held by an Agency; Providing an exemption from public record requirements for a trade secret held by an agency; providing notice requirements; providing an exception to the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 1534 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	No Current Committee	01/08/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
339	Similar HB 0521 (Webb)
340	Similar HB 1185 (Brannan III)
341	Compare HB 0801 (Gregory) Similar HB 0799 (Gregory) Linked SB 1534 (Baxley)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
342	SB 1534	Public Records	Baxley	Public Records; Deleting provisions relating to public records exemptions for trade secrets held by governmental condemning authorities; removing trade secrets from the list of what constitutes proprietary confidential business information; revising the definition of "proprietary confidential business information" to no longer include certain trade secrets and contract costs, etc. Effective Date: Upon becoming a law if SB 1532 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law	No Current Committee	01/08/2020 SENATE Filed
343	SB 1538	Government Integrity	Gruters	Government Integrity; Creating the Florida Integrity Office under the Auditor General; providing for the appointment of the Florida Integrity Officer; providing procedures for the submission and investigation of certain complaints; authorizing the Florida Integrity Officer to take certain action in response to complaints received; revising provisions relating to contractual services and commodities that are not subject to competitive-solicitation requirements; requiring the Office of Inspector General of the Department of Education to conduct investigations relating to waste, fraud, abuse, or mismanagement against a district school board or Florida College System institution, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
344	SB 1550	High School Graduation Requirements	Cruz	High School Graduation Requirements; Requiring students to submit a Free Application for Federal Student Aid in order to be awarded a standard high school diploma; providing an exception, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
342	Compare HB 0799 (Gregory) Similar HB 0801 (Gregory) Linked SB 1532 (Baxley)
343	Similar HB 1111 (Tomkow)
344	Identical HB 0993 (Stark)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
345	SB 1554	Substance Abuse and Mental Health	Baxley	Substance Abuse and Mental Health; Revising the definition of the term “mental illness” to exclude conditions manifested by dementia or traumatic brain injury; revising eligibility requirements for certain substance abuse and mental health services; revising distribution of funding for substance abuse and mental health services; requiring the Department of Children and Families to request certain medical information from jails, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
346	SB 1558	Local Educational Agencies	Braynon II	Local Educational Agencies; Revising the definition of the term “local educational agency” to include certain partners of entities that provide apprenticeship and preapprenticeship programs, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
347	SB 1568	Education	Hutson	Education; Providing that individuals enrolled in certain preapprenticeship programs are deemed to be employees of the state for purposes of workers’ compensation coverage; providing for the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; requiring the apprenticeship or preapprenticeship program sponsors to be responsible for the selection and training of instructors, as approved by the department; revising criteria for apprenticeship occupations; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
348	SB 1574	Contingency Fees	Baxley	Contingency Fees; Defining the term “local or regional governmental entity”; prohibiting local and regional governmental entities from entering into contingency fee contracts above specified limits with private attorneys and law firms, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
345	Compare SB 0870 (Book) HB 1071 (Grant (M)) SB 1678 (Montford) Identical HB 1081 (Stevenson)
346	Identical HB 1025 (Bush III)
347	
348	

AMERICAN OVERSIGHT

	A	B	C	D	E	F
349	SB 1578	Education	Hutson	Education; Requiring the Department of Education to collect certain information about career preparation and placement in this state; authorizing state universities designated by the State Board of Education to sponsor a charter school; providing that charter schools operated by a municipality, a public entity, or a private, not-for-profit organization are eligible for a 15-year charter if approved by the sponsor; requiring that any arrangement entered into to borrow or otherwise secure funds for a charter school from certain sources indemnify the sponsor, rather than the school district; authorizing charter schools to offer career and professional academies, etc. Effective Date: 7/1/2020	No Current Committee	01/08/2020 SENATE Filed
350	SB 1602	School Personnel Salary Supplements	Stewart	School Personnel Salary Supplements; Requiring district school boards to provide salary supplements to instructional personnel who hold the degree of Juris Doctor and teach law courses, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed
351	SB 1628	Holocaust Education	Book	Holocaust Education; Authorizing the Department of Education to contract with the Florida Holocaust Museum for specified purposes relating to required instruction, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
349	Compare HB 0953 (McClain)
350	
351	Identical HB 1213 (Fine)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
352	SB 1634	Parental Rights	Stargel	Parental Rights; Designating the "Parents' Bill of Rights"; providing that the state, its political subdivisions, other governmental entities, or other institutions may not infringe on parental rights without demonstrating specified information; providing that a parent of a minor child has specified rights relating to his or her minor child; requiring each district school board in consultation with parents, teachers, and administrators, to develop and adopt a policy to promote parental involvement in the public school system; prohibiting certain health care practitioners from taking specified actions without a parent's written permission, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed
353	SB 1636	Repeal of Advisory Bodies and Councils	Baxley	Repeal of Advisory Bodies and Councils; Repealing chapters 2003-287 and 2006-43, Laws of Florida, relating to the membership, powers, and duties of the Citrus/Hernando Waterways Restoration Council; removing the requirement that the Division of Historical Resources of the Department of State annually convene an ad hoc committee for purposes of administering the Great Floridians program; modifying procedures governing reclamation program applications to conform to the repeal of the Nonmandatory Land Reclamation Committee, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
352	Identical HB 1059 (Grall)
353	Compare SB 0388 (Hooper) HB 1013 (Grall) SB 1616 (Harrell) SB 1688 (Harrell) HB 6027 (Massullo, Jr.)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
354	SB 1638	Nicotine Products	Flores	Nicotine Products; Revising the punishment for certain civil infractions; defining the terms “characterizing flavor” and “flavored liquid nicotine”; prohibiting the sale, delivery, bartering, furnishing, or giving of flavored liquid nicotine to any person; prohibiting a person from engaging in certain activities relating to the promotion of nicotine dispensing devices and nicotine products for unlawful use; requiring retailers of electronic nicotine delivery systems to take certain actions when selling the devices, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed
355	SB 1640	Legislative Apportionment and Congressional Redistricting	Berman	Legislative Apportionment and Congressional Redistricting; Creating an independent commission on legislative apportionment and congressional redistricting; requiring the Legislature to annually appropriate funds to the commission for employing professional staff and otherwise supporting the commission; requiring the commission’s office to be located in Orange County; requiring the commission to conduct public hearings, and to receive information from residents of the state through specified means; providing that commission members and employees are subject to public records, public meetings, and specified financial disclosure requirements, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
354	Compare HB 0151 (Toledo) SB 0694 (Mayfield)
355	Similar HB 1227 (Stark)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
356	SB 1644	Students With Disabilities in Public Schools	Book	Students With Disabilities in Public Schools; Requiring school districts to prohibit the use of seclusion on students with disabilities in public schools; prohibiting specified restraint techniques; requiring a video camera to be placed in specified classrooms upon the request of a parent; requiring schools to provide written notice to certain individuals of the placement of a video camera; requiring continuing education and inservice training for instructional personnel teaching students with emotional or behavioral disabilities, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed
357	SB 1646	Measurement of Student Performance	Albritton	Measurement of Student Performance; Requiring the Commissioner of Education to annually provide specified results to school districts by a certain date, etc. Effective Date: 7/1/2020	No Current Committee	01/09/2020 SENATE Filed
358	SB 1660	Required Instruction	Thurston, Jr.	Required Instruction; Requiring the Department of Education to annually verify that school districts, charter schools, and specified private schools implement certain instruction relating to the history of the Holocaust and the history of African Americans; providing requirements for school districts, charter schools, and specified private schools relating to such instruction; requiring that a district school superintendent's salary be withheld under certain circumstances; requiring certain statewide, standardized assessments to include, when appropriate, curricula content from the history of the Holocaust and the history of African Americans, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
356	Identical HB 1231 (DuBose)
357	Identical HB 1207 (Bell)
358	Compare HB 0091 (Polsky) SB 0184 (Rader) Similar HB 1283 (Thompson)

AMERICAN OVERSIGHT

	A	B	C	D	E	F
359	SB 1678	Substance Abuse and Mental Health	Montford	Substance Abuse and Mental Health; Revising the definition of "mental illness"; renaming the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Review Committee as the Criminal Justice, Mental Health, and Substance Abuse Statewide Grant Advisory Committee; revising the committee's duties and requirements; revising the definition of the term "individuals in need", etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
360	SB 1688	Early Learning and Early Grade Success	Harrell	Early Learning and Early Grade Success; Adding the Division of Early Learning to the divisions of the Department of Education; revising the duties of the Early Learning Programs Estimating Conference; providing requirements for minimum child care licensing standards; requiring students enrolled in the Voluntary Prekindergarten Education Program to participate in a specified screening and progress-monitoring program; revising the performance standards for the Voluntary Prekindergarten Education Program; authorizing certain child development programs operating on military installations to participate in the school readiness program, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
361	SB 1696	Student Athletes	Perry	Student Athletes; Revising requirements for the availability of automated external defibrillators on school grounds; delaying implementation of a requirement that certain school employees and volunteers complete specified training; requiring that a medical evaluation be performed before a student begins conditioning; applying requirements related to medical evaluations to activities occurring outside the school year, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
359	Compare SB 0870 (Book) HB 1081 (Stevenson) HB 1229 (Gottlieb) SB 1554 (Baxley) Similar HB 1071 (Grant (M))
360	Compare SB 1636 (Baxley) Similar HB 1013 (Grall) SB 1616 (Harrell)
361	Similar HB 7011 (PreK-12 Innovation Subcommittee)

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	A	B	C	D	E	F
362	SB 1702	Local Government Fiscal Transparency	Diaz	Local Government Fiscal Transparency; Expanding the scope of the Legislative Auditing Committee review to include compliance with local government fiscal transparency requirements; providing procedures for the Auditor General and local governments to comply with the local government fiscal transparency requirements; revising reporting requirements for certain local government economic development incentives, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
363	SB 1712	Emergency Drills in Public Schools	Cruz	Emergency Drills in Public Schools; Revising district school board duties relating to emergency drills for active shooter and hostage situations; expanding requirements for district school board procedures relating to drills for active shooter and hostage situations; requiring district school boards to establish procedures to provide advance notification of drills for active shooter and hostage situations to parents and to provide parents with an option to excuse their students from physical drills, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
364	SB 1746	Florida Virtual Education	Stargel	Florida Virtual Education; Providing that certain employees of the Florida Virtual School are entitled to sovereign immunity; revising the students given priority by the Florida Virtual School; authorizing the Florida Virtual School to accrue supplemental revenue from a specified organization; providing that all Florida Virtual School employees are subject to specified policies; deleting a requirement that certain school districts provide a specified number of virtual instruction options, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed

AMERICAN OVERSIGHT

	G
362	Similar HB 1149 (DiCeglie)
363	
364	

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	A	B	C	D	E	F
365	SB 1770	Education	Cruz	Education; Revising requirements for the annual report the governing body of a charter school must submit to its sponsor; adding additional private school requirements for the Family Empowerment Scholarship Program; requiring, rather than authorizing, the Commissioner of Education to determine that a private school is ineligible to participate in such program under certain circumstances; requiring eligible nonprofit scholarship-funding organizations to comply with specified statutes, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
366	SB 1784	Vocational Rehabilitation Services	Gainer	Vocational Rehabilitation Services; Revising information that the Division of Vocational Rehabilitation must include in its annual performance report to the Governor and the Legislature; requiring the division to provide preemployment transition services to certain eligible persons with disabilities; providing eligibility requirements for the provision of preemployment transition services; revising the composition of the Florida Rehabilitation Council, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
367	SB 1790	Income Inequality	Rader	Income Inequality; Citing this act as the “Income Inequality Study Act”; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to identify the legislative actions and funding necessary to achieve specified goals in reducing income inequality, etc. Effective Date: Upon becoming a law	No Current Committee	01/10/2020 SENATE Filed
368	SB 1792	Income Inequality Impact Statements	Rader	Income Inequality Impact Statements; Requiring the Office of Program Policy Analysis and Government Accountability to prepare an income inequality impact statement for proposed legislation upon the request of a member of the Legislature; specifying requirements for the impact statement, etc. Effective Date: Upon becoming a law	No Current Committee	01/10/2020 SENATE Filed

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365	Identical HB 1285 (Fernández)
366	Identical HB 0901 (Ponder)
367	
368	

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	A	B	C	D	E	F
369	SB 1794	Constitutional Amendments Proposed by Initiative	Hutson	Constitutional Amendments Proposed by Initiative; Requiring the Secretary of State to submit an initiative petition to the Speaker of the House of Representatives and the President of the Senate when a specified percentage of the required statewide signatures is obtained; authorizing a citizen to challenge a petition circulator's registration; requiring the court to take specified action if the petition circulator is not registered; providing that the Division of Elections or a supervisor of elections may provide petition forms in electronic format, etc. Effective Date: Upon becoming a law	No Current Committee	01/10/2020 SENATE Filed
370	SB 1806	Elections	Stewart	Elections; Requiring the Secretary of State to be elected rather than appointed; providing that an applicant must designate a party affiliation to be registered to vote; repealing a provision relating to the closure of registration books for an election; requiring the Department of Highway Safety and Motor Vehicles to provide the opportunity to preregister to vote to certain individuals; requiring the Division of Elections to maintain a strategic elections equipment reserve of voting systems for specified purposes, etc. Effective Date: 7/1/2020	No Current Committee	01/10/2020 SENATE Filed
371	HB 2853	School District Education Foundation Matching Grant Program	Donalds	School District Education Foundation Matching Grant Program: Provides an appropriation for the School District Education Foundation Matching Grant Program. Effective Date: July 1, 2020	House Appropriations Committee (Current Reference)	12/10/2019 HOUSE Now in Appropriations Committee
372	HB 4443	First Tee (CHAMP) Comprehensive Health and Mentoring Program for At Risk and Developmentally Disabled Students and Young Adults	Jenne	First Tee (CHAMP) Comprehensive Health and Mentoring Program for At Risk and Developmentally Disabled Students and Young Adults: Provides an appropriation for the First Tee (CHAMP) Comprehensive Health and Mentoring Program for At Risk and Developmentally Disabled Students and Young Adults. Effective Date: July 1, 2020	House Appropriations Committee (Current Reference)	12/12/2019 HOUSE Now in Appropriations Committee

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370	Identical HB 1305 (Thompson)
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	A	B	C	D	E	F
373	HB 4495	School Bond Issuance Data Base	Avila	School Bond Issuance Data Base: Provides an appropriation for the School Bond Issuance Data Base. Effective Date: July 1, 2020	House PreK-12 Appropriations Subcommittee (Current Reference)	01/10/2020 HOUSE On Committee agenda - PreK-12 Appropriations Subcommittee, 01/14/20, 1:30 pm, 102 H
374	HB 6001	Licenses to Carry Concealed Weapons or Firearms	Sabatini	Licenses to Carry Concealed Weapons or Firearms: Removes provision prohibiting concealed carry licensees from openly carrying handgun or carrying concealed weapon or firearm into college or university facility. Effective Date: July 1, 2020	House Criminal Justice Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Criminal Justice Subcommittee
375	HB 6003	Firearms	Hill	Firearms: Removes provisions authorizing seizure of firearms from persons in certain circumstances, prohibition on firearms ownership or possession until removal of firearm possession & firearm ownership disability, prohibition on persons younger than 21 years of age from purchasing firearms, certain exemptions from firearms purchase waiting period, ban on bump-fire stock, & statute authorizing risk protection orders. Effective Date: upon becoming a law	House Criminal Justice Subcommittee (Current Reference)	09/23/2019 HOUSE Now in Criminal Justice Subcommittee
376	HB 6035	Postsecondary Fee Exemptions	Overdorf	Postsecondary Fee Exemptions: Removes exemption from specified tuition & fees for students enrolled in approved apprenticeship programs at specified institutions. Effective Date: July 1, 2020	House Higher Education & Career Readiness Subcommittee (Current Reference)	10/30/2019 HOUSE Now in Higher Education & Career Readiness Subcommittee
377	HB 6065	Wage and Employment Benefits Requirements	Smith (C)	Wage and Employment Benefits Requirements: Removes provisions prohibiting establishment of minimum wage & employment benefits requirements by political subdivisions. Effective Date: July 1, 2020	No Current Committee	01/08/2020 HOUSE Filed

AMERICAN OVERSIGHT

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373	
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376	Identical SB 1322 (Wright)
377	Identical SB 1520 (Rodriguez (J))

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	A	B	C	D	E	F
378	SB 7000	Reporting Abuse, Abandonment, and Neglect	Children, Families, and Elder Affairs	Reporting Abuse, Abandonment, and Neglect; Relocating existing provisions relating to the central abuse hotline of the Department of Children and Families; revising when a person is required to report to the central abuse hotline; providing penalties for the failure to report known or suspected child abuse, abandonment, or neglect; providing responsibilities for child protective investigators relating to animal abuse and neglect; requiring the Education Practices Commission to suspend the educator certificate of certain personnel and administrators for failing to report known or suspected child abuse, etc. Effective Date: 7/1/2020	Senate Education (Current Reference)	11/18/2019 SENATE Referred to Education; Rules
379	HB 7009	Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position	Public Integrity & Ethics Committee	Penalties for Violations of the Constitutional Prohibition Against Abuse of Public Position: Reenacts provisions relating to penalties. Effective Date: December 31, 2020	House State Affairs Committee (Current Reference)	12/11/2019 HOUSE Now in State Affairs Committee
380	HB 7011	K-12 Student Athletes	PreK-12 Innovation Subcommittee	K-12 Student Athletes: Revises provisions relating to automated external defibrillators on school grounds, training related to CPR & defibrillators, FHSAA student athlete safety policies, & specified medical evaluations. Effective Date: July 1, 2020	House PreK-12 Appropriations Subcommittee (Current Reference)	12/16/2019 HOUSE Now in PreK-12 Appropriations Subcommittee
381	SB 7012	Mental Health	Children, Families, and Elder Affairs	Mental Health; Providing additional duties for the Statewide Office for Suicide Prevention; requiring the Department of Transportation to work with the office in developing a plan relating to evidence-based suicide deterrents in certain locations; requiring that certain information be provided to the guardian or representative of a minor patient released from involuntary examination; requiring specified persons to complete certain suicide prevention education courses by a specified date; providing that persons providing certain emergency care are not liable for civil damages or penalties under certain circumstances, etc. Effective Date: 7/1/2020	Senate Appropriations Subcommittee on Health and Human Services (Current Reference)	11/21/2019 SENATE Referred to Appropriations Subcommittee on Health and Human Services; Appropriations

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378	
379	Identical SB 7006 (Ethics and Elections)
380	Similar SB 1696 (Perry)
381	Compare HB 0577 (Stevenson) SB 0704 (Rouson) SB 0706 (Rouson) SB 0920 (Rouson) HB 0939 (Slosberg)

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	A	B	C	D	E	F
382	SB 7030	Public Records/Active Threat Assessments and Threat Management Records	Infrastructure and Security	Public Records/Active Threat Assessments and Threat Management Records; Exempting from public records requirements active threat assessments and threat management records; providing circumstances under which such records are considered active; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB 7028 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law	Senate Infrastructure and Security (Current Reference)	01/06/2020 SENATE On Committee agenda - Infrastructure and Security, 01/13/20, 3:30 pm, 110 S

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From: Jay Brady <jay@filtersplus.com>
Sent: Monday, October 14, 2019 1:36 PM EDT
To: dione.ramos@myfloridayhouse.gov <dione.ramos@myfloridayhouse.gov>
CC: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>; joegruters@gmail.com <joegruters@gmail.com>; Brill, Victoria <Brill.Victoria@flsenate.gov>; Chris Boyd (cboyd@nsf.org) <cboyd@nsf.org>
Subject: Proposed Senate Bill re: Public Health, Water Efficiency and Cooling Towers
Attachment(s): "billdraft74231.DOCX"

Mr. Dione Ramos, District Secretary
Office of Florida Rep. James Buchanan

Dione,

Thank you for returning my call. Per our conversation today, attached is the proposed public health and water efficiency bill from bill drafting related to cooling towers being sponsored in the Senate by State Sen. Joe Gruters (R) Sarasota. Per Sen. Gruters' suggestion, we respectfully request Rep. Buchanan to sponsor this bill in the House. The bill also has the support of Sarasota County Public Health Official Chuck Henry who is promoting the bill with the Florida Department of Health.

Thank you again for your interest in this important public health and water efficiency bill. As we discussed, Chris Boyd at NSF International, and I, are available to respond to any questions or schedule a conference call with Rep. Buchanan at his request. In the meantime, if you or Rep. Buchanan have any questions about the bill, please contact me anytime. Thank you.

Best regards,

Jay

Jay A. Brady, LCAM, CMCA, AMS
President, Brady Consulting & Communications, LLC
Agent, Water Conservation Technology International, Inc. and Environment Water Energy Solutions, LLC
Representing EWES, Filters Plus, WCTI, Ygrene Energy Fund, and Industrial Services International
1703 Cottonwood Trail
Sarasota, FL 34232-3465
www.ewes.us
jay@filtersplus.com
www.towerwatertreatment.com
www.water-cti.com
(941) 374-2849

cc: State Sen. Joe Gruters
Victoria Brill, Legislative Aide, Office of Sen. Joe Gruters
Chris Boyd, General Manager, North America, Building Water Health Program
Legionella Risk Assessment / Water Safety Plans / Regulatory Compliance / Research
NSF International

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23-00188-20

A bill to be entitled

An act relating to cooling towers; providing a directive to the Division of Law Revision; creating s. 386.301, F.S.; providing legislative intent; creating s. 386.302, F.S.; defining terms; creating s. 386.303, F.S.; requiring that owners of cooling towers register them with the Department of Health; requiring the department to create a statewide electronic system for such registrations; providing minimum requirements for the registration system; requiring that owners of cooling towers report specified information regarding the towers to the department, beginning on a specified date; providing department responsibilities regarding the registration system; requiring that owners of cooling towers maintain certain cooling tower records for a specified timeframe; requiring that a copy of the cooling tower's maintenance program and plan be kept on the cooling tower premises; creating s. 386.304, F.S.; requiring that owners of cooling towers obtain or update a maintenance program and plan for existing and newly installed cooling towers, by a specified date; providing requirements for the maintenance program and plans; creating s. 386.305, F.S.; requiring that certain culture analyses be conducted by certified environmental laboratories; providing requirements for interpreting the results of such analyses; creating s. 386.306, F.S.; requiring that owners of cooling towers provide notification to the county health department and the public within a

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FL-SEN-20-0201A-002175

specified timeframe under specified circumstances; requiring county health departments to provide certain notification to the department; requiring the county health department or, at its discretion, the department to determine the method of certain notifications; creating s. 386.307, F.S.; providing cooling tower disinfection standards; requiring that the person conducting the disinfection meet certain qualifications; specifying the types of products that may be used during a disinfection; providing cooling tower efficiency standards; creating s. 386.308, F.S.; requiring that owners of cooling towers have their cooling towers inspected before initial startup and, thereafter, at specified intervals; providing inspection requirements; requiring that persons conducting inspections report deficiencies to the owner for corrective action; requiring initial and annual certification of cooling towers, by a specified date; providing requirements for certification; requiring that all inspection findings, deficiencies, corrective actions, and certifications be reported to the department and maintained by the owner; creating s. 386.309, F.S.; authorizing the department or a county health department to require an owner to conduct a *Legionella* culture sampling and analysis under certain circumstances; authorizing an officer, employee, or agent of the department or county health department to enter a property to inspect a cooling tower; specifying that certain actions by the owner of

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a cooling tower may constitute a nuisance; providing for civil and criminal penalties; requiring the State Surgeon General to submit a report to the Legislature by a specified date; providing requirements for the report; creating s. 386.3101, F.S.; authorizing county health departments or the department to issue waivers if the waiver does not present a danger to the public health; providing requirements for the waivers; authorizing county health departments to issue variances under certain circumstances for a specified period of time; providing for severability; providing an effective date.

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

Section 1. The Division of Law Revision is directed to create part III of chapter 386, Florida Statutes, consisting of ss. 386.301-386.3101, Florida Statutes, to be entitled "Cooling Towers."

Section 2. Section 386.301, Florida Statutes, is created to read:

386.301 Legislative intent.—The purpose of this part is to protect people from the health hazards of *Legionella*, a bacterium that is known to originate in improperly sanitized cooling towers.

Section 3. Section 386.302, Florida Statutes, is created to read:

386.302 Definitions.—As used in the part, the term:

(1) "Bacteriological culture sampling and analysis" means

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the collection of a water sample for the purpose of measuring the live culture growth of aerobic bacterial populations using heterotrophic plate count, dip slides, or a similar method employed by the industry in accordance with the manufacturer's directions for use.

(2) "Building," unless otherwise expressly indicated by the text, means all or part of a structure, premises, or lot which is used or is intended to support or shelter a use or occupancy.

(3) "Cleaning" means physical, mechanical, or other removal of biofilm, scale, debris, rust, other corrosion products, sludge, algae, and other potential sources of contamination.

(4) "Compliance inspection" means the inspection, testing, and other activities that are required on a regular basis in accordance with s. 386.308.

(5) "Cooling tower" means an evaporative condenser, a fluid cooler, or another wet cooling device that is capable of aerosolizing water; that contains or is part of a recirculated water system; and that is incorporated into a building's cooling process, industrial process, refrigeration system, or energy production system.

(6) "Cooling tower cells" means the smallest subdivisions of a tower which can function independently with regard to air and water flow. Each cell may have one or more fans and one or more distribution systems.

(7) "Cooling tower water system" means one or more cooling towers and all of the recirculating water system components, process instruments, and appurtenances through which water flows or comes into contact with chemical applicators, valves, pumps, condensers, heat exchangers, and other related components.

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(8) "Corrective action" means disinfection, cleaning, flushing, and other activities to remedy biofilm growth, *Legionella* proliferation, or other system mechanical problems identified through monitoring, inspections, or other means, as determined by the department.

(9) "Cycles of concentration" means the ratio of make-up water volume to blowdown water volume, which may be approximated from the ratio of the conductivity of the blowdown water to the conductivity of the make-up water.

(10) "Department" means the Department of Health.

(11) "Dip slide" means a method to test for microorganisms which consists of a sterile culture medium affixed to a sterile slide that is dipped directly into the sampled liquid.

(12) "Disinfection" means the use of one or more biocides at a defined concentration, under specified conditions, for an established period of time to kill or inactivate pathogenic microorganisms. The term does not include the cleaning of a cooling tower through the application of detergents, penetrants, brushes or other tools, highly pressurized water, or any other method that does not involve the use of a pesticide or economic poison, as defined in s. 482.021(23); the use of a pesticide, as defined in s. 487.021(49); or the use of a restricted-use pesticide, as defined in s. 487.021(58).

(13) "Drift eliminator" means a system of baffles that cause separation of entrained water designed to remove aerosols from cooling tower exhaust.

(14) "Heterotrophic plate count" means a measure of the concentration of microorganisms that require an external source of organic carbon for growth, including bacteria, yeasts, and

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mold, in water samples.

(15) "*Legionella*" means the genus of bacteria that is ubiquitous in aqueous environments, including the recirculated water of cooling tower water systems that are not properly or regularly maintained.

(16) "*Legionella* culture sampling and analysis" means the collection of a water sample for the measurement of the live culture of *Legionella* involving the use of specialized media and laboratory methods for growth to determine the species and serogroup.

(17) "Maintenance program and plan" means a written document, developed by a qualified person, which specifies required monitoring, cleaning, disinfection, and other practices for the prevention and control of *Legionella* growth in a cooling tower water system, and is in accordance with section 5, 6, and 7.2 of ANSI/ASHRAE Standard 188-2018, Legionellosis: Risk Management for Building Water Systems and the manufacturer's instructions.

(18) "Owner" means all of the following:

(a) A person, agent, firm, partnership, corporation or other legal entity that has a legal or equitable interest in, or control of, a cooling tower or the premises of the cooling tower.

(b) The legal owner of the building.

(c) A tenant, if the tenant:

1. Owns a cooling tower that services the tenant's leased premises; or

2. Does not own the cooling tower but has a lease or contractual arrangement to maintain the cooling tower.

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(19) "Qualified person" means a professional engineer licensed and registered in this state; a certified industrial hygienist; a certified water technologist; a professional with training and experience in developing management plans and performing inspections in accordance with industry protocols, including, but not limited to, NSF Protocol 453-2017: Cooling Towers – Treatment, Operation, and Maintenance to Prevent Legionellosis; or an environmental consultant who has at least 2 years of operational experience in water management planning and operation.

Section 4. Section 386.303, Florida Statutes, is created to read:

386.303 Registration; reporting; recordkeeping.—

(1) REGISTRATION.—Before initial operation, and upon any change in ownership, the owner of a cooling tower shall register each of his or her cooling tower water systems with the department, using a statewide electronic system designated by the department. The registration system must require, at a minimum, all of the following information:

(a) The street address of the building at which the cooling tower is located.

(b) The name, address, telephone number, and email address of each cooling tower owner.

(c) The total number of cooling towers in the system.

(d) The name of the manufacturer of the cooling tower.

(e) The model number of the cooling tower.

(f) The specific unit serial number of the cooling tower, if available.

(g) The cooling capacity of the cooling tower.

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(h) The cooling tower water system volume, inclusive of any piping, basin, or sump.

(i) The intended use of the cooling tower.

(j) Whether systematic disinfection in accordance with s. 386.307 is maintained, manually, through timed injection, or through continuous delivery.

(k) Whether maintenance is performed by an employee, a contractor, or another party.

(l) The year the cooling tower was placed into service.

(2) REPORTING.—

(a) Beginning July 1, 2020, a cooling tower owner shall report through the statewide electronic system all of the following information to the department at least every 90 days while the cooling tower is in use:

1. The date of the last bacteriological culture sample collection, the results of the analysis, and the designated due date of any remedial action that is required pursuant to s. 386.304(2)(a).

2. The date of the last *Legionella* culture sample collection, the results of the sample analysis, and the date that any remedial action was taken, as required by s. 386.304(2)(b)-(e).

3. The date of the last compliance inspection performed pursuant to s. 386.308 and the resulting standardized inspection report.

4. The date of the lowest daily cycles of concentration recorded, and the target number of cycles.

5. The average daily make-up water volume and blowdown water volume.

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6. The percentage of make-up water that is delivered to the cooling tower versus the blowdown water volume.

7. The date of most recent certification pursuant to s. 386.308.

8. The date of removal or permanent discontinuation of use of the cooling tower, if applicable.

9. Any other information deemed necessary by the department.

(b) If a landlord and a tenant are considered to be owners of a cooling tower, as defined in s. 386.302, only one of the parties is required to register the cooling tower. However, both parties are responsible for ensuring that registration and reporting are completed as required by this part.

(3) STATEWIDE SYSTEM.—

(a) The department shall make the data in the statewide electronic system:

1. Publicly available, as appropriate.

2. Fully accessible to and searchable by county health departments.

(b) This part does not prohibit a county health department from requiring registration with and reporting to a county system or collecting fees associated with the administration of such a system.

(c) The department shall provide owners with a mobile data collection platform that is compatible with Android and Apple devices and that electronically collects, and allows owners to electronically submit, the information required by this part.

(4) RECORDKEEPING.—A cooling tower owner shall:

(a) Maintain for at least 3 years all of the following

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records:

1. Required sampling and analyses.

2. Disinfection schedules and applications.

3. Inspection findings, deficiencies, and corrective actions.

4. Required certifications.

(b) Maintain on the premises of the cooling tower a copy of the current maintenance program and plan required by this part.

(c) Make the records and plan required under this subsection immediately available to the department or county health department upon request.

Section 5. Section 386.304, Florida Statutes, is created to read:

386.304 Maintenance program and plan.—

(1) The owner of a cooling tower shall:

(a) By September 1, 2020, develop or update a maintenance program and plan for each existing cooling tower, which must be consistent with section 7.2 of ANSI/ASHRAE Standard 188-2018, Legionellosis: Risk Management for Building Water Systems.

(b) After September 1, 2020, maintain such a maintenance program and plan for each newly installed cooling tower.

(2) The maintenance program and plan must include all of the following elements:

(a) A schedule for routine bacteriological culture sampling and analysis to assess microbiological activity. The sampling and analysis must be conducted at intervals of not more than 7 days while the cooling tower is in use and must require additional bacteriological culture sampling and analysis, as needed, to validate process adjustments.

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(b) A schedule for routine *Legionella* culture sampling and analysis within 14 days after startup and, thereafter, while the cooling tower is in use, at monthly intervals. Cooling towers in use year-round must conduct sampling and analysis at intervals of not more than 30 days, and within 2 weeks after startup following maintenance.

(c) A procedure for achieving water efficiency by maintaining a minimum of eight cycles of concentration using automatic conductivity control or for estimating the percentage of water savings through the installation of water meters on make-up and blowdown lines.

(d) A requirement that, in addition to development of the routine *Legionella* culture sampling and analysis schedule required by paragraph (b), immediate *Legionella* culture sampling and analysis be conducted in the event of any of the following:

1. A mechanical breakdown of the cooling tower water system for more than 72 hours.

2. A power failure affecting the cooling tower water system for more than 72 hours.

3. A loss of biocide treatment of the cooling tower water system for more than 72 hours.

4. Failure of conductivity control or any other control methods for more than 72 hours.

5. A determination by the department or a county health department that one or more cases of legionellosis are or may be associated with the cooling tower, based on epidemiologic data or laboratory testing.

6. Any other conditions specified by the department or a county health department.

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(e) A requirement that an owner take immediate and appropriate action, including remedial action, in response to a bacteriological or *Legionella* culture analysis. For bacteriological analysis results, the response must include, but need not be limited to, taking action as required by s. 386.305(2). For *Legionella* culture analysis results, the response must include, but need not be limited to, taking action as required by s. 386.305(3) and contacting the county health department as required by s. 386.306.

(f) A requirement that any *Legionella* culture analyses be performed pursuant to s. 386.305(1).

(g) A shutdown and disinfection plan for removing or permanently discontinuing use of a cooling tower.

(h) Requirements for treatment and manual or automated flushing of any piping, basin, sump, or wetted surface during idle conditions.

Section 6. Section 386.305, Florida Statutes, is created to read:

386.305 Culture analyses.—

(1) LABORATORY REQUIREMENTS.—A culture analysis must be performed by an environmental laboratory certified pursuant to s. 403.0625 which is approved to perform such an analysis.

(2) INTERPRETATION OF BACTERIOLOGICAL ANALYSIS RESULTS FROM COOLING TOWERS.—

(a) *Level 1.*—Samples with a culture result that is less than 10,000 colony forming units per milliliter (CFU/mL). The cooling tower owner shall maintain the treatment program and bacteriological monitoring in accordance with the cooling tower's maintenance program and plan.

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(b) *Level 2.*—Samples with a culture result that is greater than or equal to 10,000 CFU/mL but less than 100,000 CFU/mL. The cooling tower owner shall do all of the following until the water sample culture results meet the Level 1 criteria:

1. Review the treatment program.

2. Initiate immediate disinfection by increasing biocide concentration or using a different biocide within 24 hours after receiving the analysis results.

3. Retest the water within 3 to 7 days after receiving the analysis results.

(c) *Level 3.*—Samples with a culture result that is greater than or equal to 100,000 CFU/mL but less than 1,000,000 CFU/mL. The cooling tower owner shall do all of the following until the water sample culture results meet the Level 1 criteria:

1. Review the treatment program and provide notification as required by s. 386.306.

2. Increase biocides within 24 hours after receiving the analysis results.

3. Perform a visual inspection to evaluate the need to perform cleaning and additional disinfection.

4. Retest the water within 3 to 7 days after receiving the analysis results.

(d) *Level 4.*—Samples with a culture result that is greater than or equal to 1,000,000 CFU/mL. The cooling tower owner shall do all of the following until the water sample culture results meet the Level 1 criteria:

1. Review the treatment program and provide notification as required by s. 386.306.

2. Increase biocides within 2 hours after receiving the

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analysis results.

3. Within 48 hours after receiving the analysis results, perform remediation of the tower by hyper halogenating, cleaning, and flushing the tower.

4. Retest the water within 3 to 7 days after receiving the analysis results.

(3) INTERPRETATION OF *LEGIONELLA* CULTURE RESULTS FROM COOLING TOWERS.—

(a) *Level 1.—Legionella* culture sample results of less than 20 CFU/mL. The cooling tower owner shall maintain the treatment program and monitoring in accordance with the cooling tower's maintenance program and plan.

(b) *Level 2.—Legionella* culture sample results of more than 20 CFU/mL but less than 1,000 CFU/mL. The cooling tower owner shall do all of the following until the water sample culture results meet the Level 1 criteria:

1. Review the treatment program.

2. Perform immediate online disinfection.

3. Retest the water within 3 to 7 days after receiving the analysis results.

a. If the retest indicates a presence of *Legionella* of more than or equal to 20 CFU/mL but less than 100 CFU/mL, the cooling tower owner must repeat the online disinfection.

b. If the subsequent retest indicates a presence of *Legionella* of more than or equal to 100 CFU/mL but less than 1,000 CFU/mL, the cooler tower owner must further investigate the water treatment program and immediately perform online disinfection.

(c) *Level 3.—Legionella* culture sample results of more than

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or equal to 1,000 CFU/mL. The cooling tower owner shall do all of the following until the water sample culture results meet the Level 1 criteria:

1. Review the treatment program.

2. Provide notification as required by s. 386.306.

3. Institute immediate system decontamination.

4. Retest the water within 3 to 7 days after receiving the analysis results.

a. If the retest indicates a presence of *Legionella* of more than or equal to 20 CFU/mL but less than 1,000 CFU/mL, the cooling tower owner must take the actions required under paragraph (b).

b. If the subsequent retest indicates a presence of *Legionella* of more than or equal to 1,000 CFU/mL, the owner must perform system decontamination.

Section 7. Section 386.306, Florida Statutes, is created to read:

386.306 Notification.—A cooling tower owner shall:

(1) Notify the county health department within 24 hours after receiving a *Legionella* water sample culture result that exceeds 1,000 colony forming units per milliliter. The county health department shall notify the department within 24 hours after receiving such a report.

(2) Notify the public of such test results in a manner determined by the county health department or, at the discretion of the department, by the department.

Section 8. Section 386.307, Florida Statutes, is created to read:

386.307 Cooling tower standards.—

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(1) DISINFECTION.—

(a) A person who disinfects a cooling tower must be a commercial applicator or a certified applicator as defined in s. 487.021 who is licensed to apply biocide in a cooling tower and who is certified in accordance with the requirements of the Florida Pesticide Law, or be an apprentice who is under the direct supervision of a licensed applicator, as defined in s. 487.021.

(b) The cooling tower owner shall maintain the name and certification number of the applicator who disinfects the cooling tower under paragraph (a) or the business name and number of the company providing onsite disinfection.

(c) Only biocide products registered by the Department of Environmental Protection for use in cooling towers or pesticidal devices produced in an establishment registered by the Environmental Protection Agency may be used to disinfect a cooling tower.

(2) EFFICIENCY.—

(a) Each cooling tower owner shall install make-up and blowdown meters on each of his, her, or its cooling towers to monitor the total volume of water used by the cooling tower, and shall ensure that the cooling tower has an automatic conductivity controller, a high-efficiency drift eliminator, and an overflow alarm to prevent overflow of the sump in case of make-up water valve failure. The overflow alarm must provide an alert through an energy management control system to the cooling tower operators in the event of an overflow of the sump.

(b) All cooling towers must achieve at least eight cycles of concentration using automatic conductivity control.

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(c) The efficiency of the cooling tower water system must be measured by the percentage of water that is delivered to the cooling tower versus the blowdown water volume.

(d) If the local water utility supplies water to the property, water meters must meet the requirements of the utility.

Section 9. Section 386.308, Florida Statutes, is created to read:

386.308 Compliance inspection and certification.—

(1) COMPLIANCE INSPECTION.—

(a) Each cooling tower owner shall ensure that each of his, her, or its cooling towers is inspected before initial startup and at intervals of not more than every 90 days while in use.

(b) A compliance inspection must be performed by a qualified person who is unaffiliated with the water treatment company; a professional engineer licensed in this state; an industrial hygienist; a water technologist; or an environmental consultant, any of whom must have training and experience in performing inspections in accordance with current standard industry protocols, including, but not limited to, ANSI/ASHRAE Standard 188-2018, Legionellosis: Risk Management for Building Water Systems.

(c) Each compliance inspection must include an evaluation, on a standardized inspection form created by the department, of all of the following:

1. The cooling tower and associated equipment for the presence of organic material, biofilm, algae, debris, and other visible contaminants.

2. The general condition of the cooling tower basin, remote

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sump, packing material, and drift eliminators.

3. The water make-up connections and control, including backflow protection or air gaps, as needed.

4. Whether the conductivity control and the make-up and blowdown meters are functioning properly.

5. Whether the water treatment equipment, including, but not limited to, pumps, timers, valves, and strain gauges, are functioning properly.

(d) Information collected during compliance inspections must be collected and entered into the department's mobile data collection platform, must include the standardized inspection form, and must be submitted to the registration portal by a qualified person as specified in paragraph (b).

(e) The person performing the inspection shall report any deficiencies found to the owner so that corrective action may be taken and document all completed corrective actions using the department's mobile data collection platform.

(2) CERTIFICATION.—By November 1, 2020, and by each November 1 thereafter, a cooling tower owner shall obtain an annual certification from a qualified person which certifies that a maintenance program and plan is in place for the cooling tower and that all actions required under that plan and this part have been taken, including, but not limited to, all of the following:

(a) All required bacteriological culture sampling and analyses.

(b) All *Legionella* culture sampling and analyses, including any immediate *Legionella* culture sampling and analyses performed pursuant to s. 386.304(2)(d) and (e).

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(c) Any disinfection performed pursuant to the standards specified in section 386.307(1).

(d) All compliance inspections performed pursuant to subsection (1).

(3) REPORTING.—All inspection findings, deficiencies, corrective actions, and certifications must be reported to the department and maintained by the owner as required by s. 386.303.

Section 10. Section 386.309, Florida Statutes, is created to read:

386.309 Enforcement.—

(1) The department or a county health department may require an owner to conduct *Legionella* culture sampling and analysis following a determination, based on epidemiologic data or laboratory testing, that one or more cases of legionellosis are or may be associated with a cooling tower.

(2) An officer, employee, or agent of the department or the county health department may enter onto any property to inspect a cooling tower for compliance with this part and may take water samples as part of such inspections. Such inspections must be conducted as provided in s. 487.071.

(3) If an owner fails to register a cooling tower, develop and maintain a maintenance program and plan for a cooling tower, obtain certification for a cooling tower, disinfect a cooling tower, perform or obtain required culture sampling and analysis, or conduct inspections of a cooling tower as required in this part, the department or the county health department may determine that such failure constitutes a nuisance pursuant to this chapter.

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(4) An owner who violates this part is subject to civil and criminal penalties as provided in s. 386.051. Each day that an owner remains in violation of this part shall constitute a separate offense.

(5) The State Surgeon General shall submit a report to the President of the Senate and the Speaker of the House of Representatives by each January 1 which includes all of the following information:

(a) For the prior year:

1. The number of new cooling tower registrations issued and the number of notifications of discontinued use of a cooling tower received by the department pursuant to s. 386.303 as of November 1.

2. The number of annual certifications that a cooling tower was inspected, tested, cleaned, and disinfected received by the department pursuant to s. 386.308 as of November 1.

3. The number of reports of tests for the presence of *Legionella* which reported levels above 1,000 CFU/mL received by the department.

4. The number of inspections of cooling towers conducted by the department, or a county health department on behalf of the department, along with the number and types of any violations cited during such inspections.

5. The number of cleanings, disinfections, or other actions performed by or on behalf of the department.

6. The number of persons diagnosed with legionellosis in this state, to the extent known or reasonably discoverable by the department.

(b) Recommendations as to whether department rules should

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be amended to include requirements for any of the building water systems described in ANSI/ASHRAE Standard 188-2018, Legionellosis: Risk Management for Building Water Systems.

(c) Information regarding the implementation of any such requirements, their effectiveness in preventing outbreaks of legionellosis, and recommendations for improvements or modifications to department rules to further the control of *Legionella*.

Section 11. Section 386.3101, Florida Statutes, is created to read:

386.3101 Waivers.—The department may issue a written general or specific waiver with respect to this part if the department determines that such waiver will not present a danger to public health. The department may revoke the waiver upon a determination that the waiver may present a danger to public health.

Section 12. Until December 31, 2021, an owner may submit a written application to a county health department for a variance from any requirement of this part for additional time to come into compliance with this act. A variance may not exceed 90 days. The application must include an explanation as to why the variance will not present a danger to public health. With the approval of the Department of Health, the county health department may approve such application for a variance in writing, subject to any conditions that the department or county health department may deem appropriate to protect public health. The department or the county health department may revoke a variance upon a determination that the variance may present a danger to public health.

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Section 13. If any provision of this act or its application to any person or entity or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 14. This act shall take effect July 1, 2020.

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From: Kubler, John <John.Kubler@dot.state.fl.us> on behalf of McCants, Jerri <Jerri.McCants@dot.state.fl.us>
Sent: Thursday, October 10, 2019 2:09 PM EDT
Subject: Public Hearing for CR 769 (Kings Highway) PD&E Study scheduled for Thursday, November 7, 2019, FPID 431297-1-22-01
Attachment(s): "CR 769Newsletter_Oct092019Final.pdf"

The Florida Department of Transportation (FDOT), District One, is hosting a public hearing as a part of the Project Development and Environment (PD&E) study of County Road (CR) 769 (Kings Highway) in Charlotte and Desoto counties. The hearing will be on Thursday, November 7, 2019 at the Turner Agri-Civic Center, Exhibit Hall, 2250 NE Roan Street, Arcadia, Florida, 34266. A map showing the project and hearing location is below.

The public hearing will begin with an open house at 5 p.m. where people can view the proposed conceptual designs, ask questions, and provide comments to FDOT representatives. The formal public hearing will begin at 6 p.m. with introductory remarks from the hearing moderator, followed by a video describing the preferred alternative. A short intermission will follow when people can register to make oral comments. Verbal comments will be taken following the intermission. Written comments will also be accepted at the hearing and through November 18, 2019.

FDOT proposes to widen Kings Highway from a two-lane undivided roadway to a four-lane divided roadway. The study limits are from South Kingsway Circle in Charlotte County to Peace River Street in Desoto County, approximately 2.7 miles. The widening will require right-of-way acquisition for road improvements and stormwater management areas. Encroachments on wetlands and floodplains have been identified and may be given special consideration under Executive Orders 11990 and 11988, Protection of Wetlands and Floodplain Management, respectively. Existing access to properties along Kings Highway will change due to the addition of a median, a result of widening the road.
The no-build alternative, where no improvements other than routine maintenance are made to Kings Highway through 2040, will remain viable throughout the remainder of this study.

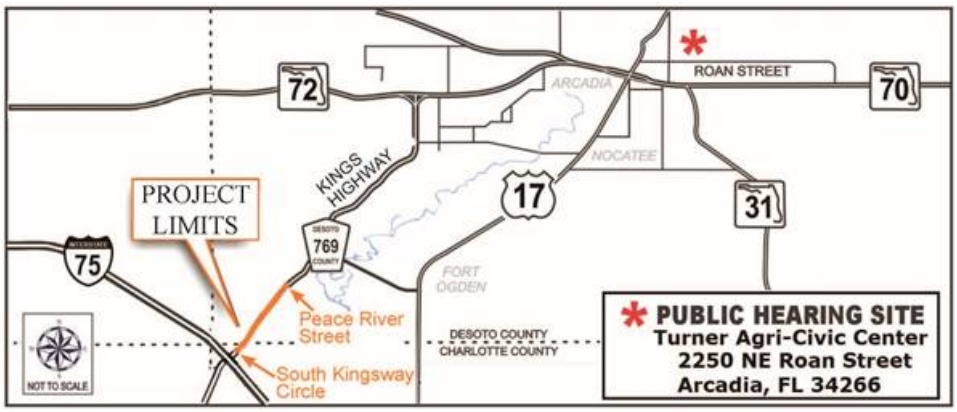
Draft project reports and conceptual plans are available for public review from October 16 through November 18, 2019 during regular operating hours at the following locations: Desoto County Library, 125 N. Hillsborough Avenue, Arcadia, FL 34266 and at FDOT, Southwest Area Office, 10041 Daniels Parkway, Fort Myers, FL 33913. These documents can also be found on the project website at www.cr769kingshighway.com.

FDOT is sending notices to property owners located within 300 feet of either side of Kings Highway within the study limits, as well as interested parties. The notice is attached. FDOT encourages all interested people to attend and express their views regarding the project and information presented.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

This hearing is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statues. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Cynthia Sykes, District One Title VI Coordinator at (863) 519-2287 or by email at Cynthia.Sykes@dot.state.fl.us at least seven days prior to the hearing.

For more information about the CR 769 (Kings Highway) PD&E study, please contact the FDOT Project Manager, Steven A. Andrews at (863) 519-2270 or by e-mail at Steven.Andrews@dot.state.fl.us, or visit the project website at www.cr769kingshighway.com. We look forward to your participation at the public hearing on November 7.



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Consider the environment. Please don't print this e-mail unless you really need to.

Sincerely,

John M. Kubler, P.E.
Director of Transportation Development
801 North Broadway Avenue
Post Office Box 1249
Bartow, FL 33831-1249
(863) 519-2611 (Office)
(863) 640-9545 Cell



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County Road 769 (Kings Highway)
Project Development & Environment Study
From South Kingsway Circle in Charlotte County to Peace River Street in DeSoto County

October 2019

Financial Project ID: 431297-1-22-01

You Are Invited to a Public Hearing

The Florida Department of Transportation (FDOT), invites you to attend a Public Hearing for the County Road (CR) 769 (Kings Highway) Project Development & Environment (PD&E) Study on **Thursday, November 7, 2019** at the Turner Agri-Civic Center - Exhibit Hall, 2250 NE Roan Street, Arcadia, FL 34266. The hearing begins with an open house at 5 p.m. where the public is able to view project materials, ask questions and discuss the project with FDOT representatives. The formal public hearing and comment period will begin at 6 p.m. Verbal and written comments are welcome.

PUBLIC HEARING

Time: 5 p.m. (Open House)
6 p.m. Formal Presentation/ comment period

Date: Thursday, November 7, 2019

Place: Turner Agri-Civic Center
2250 NE Roan Street
Arcadia, FL 34266

Preferred Build Alternative

In March 2018, FDOT held an Alternatives Public Meeting to present alternatives for the widening of Kings Highway to four lanes within the project area. These improvements are identified in the Heartland Regional Transportation Planning Organization's (TPO) Long Range Transportation Plan. Based on comments from the public, engineering and environmental analysis, and through coordination with DeSoto County, FDOT determined that the preferred alternative for the study would be a combination of Alternatives A and B that were shown at the workshop. For Segment 1 (S. Kingsway Circle to SW Glenadine Avenue), the preferred alternative is Alternative A, and for Segment 2 (SW Glenadine Avenue to Agnes Street) & Segment 3 (Agnes Street to Peace River Street), the preferred alternative is Alternative B.

The No-Build alternative, where no improvements other than routine maintenance are made to this segment of Kings Highway, will remain a viable alternative throughout the study.

Draft Project Documents

Draft project documents are available for public review at the public hearing and Wednesday, October 16 through Monday, November 18, 2019 at the:

DeSoto County Library
125 N. Hillsborough Avenue
Arcadia, FL 34266
9 a.m. to 6 p.m. Tuesday – Friday
9 a.m. – 2:30 p.m. Saturday
closed Sunday and Monday

Florida Department of Transportation
Southwest Area Office
10041 Daniels Parkway
Fort Myers, FL 33913
8 a.m. to 5 p.m. Monday - Friday

And on the project website at:
www.cr769kingshighway.com

Preferred Build Alternative

Segment 1: 4-lane divided roadway with a multi-use path, sidewalk, and underground drainage

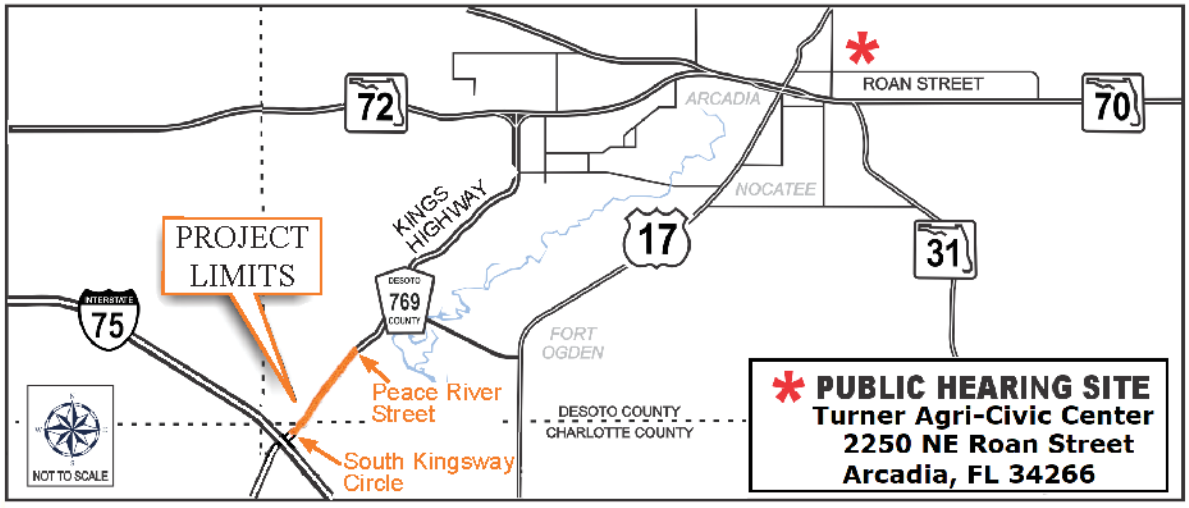
Segment 2: 4-lane divided roadway with a multi-use path, sidewalk, and roadside swales. Existing Kings Highway becomes a 2-lane frontage road from Southwest Glenadine Avenue to Agnes Street.

Segment 3: 4-lane divided roadway with a multi-use path, sidewalk, and roadside swales

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Florida Department of Transportation
P.O. Box 1249
Bartow, Florida 33831
Attention: Steven A. Andrews

CR 769 (Kings Highway) PD&E Study Project Location /Public Hearing Map



Contact Us

We encourage your questions and comments for the Study.

Steven A. Andrews
FDOT Project Manager
P. O. Box 1249
Bartow, Florida 33831
Phone: (863) 519-2270
Steven.Andrews@dot.state.fl.us

Comuniquese con nosotros

Nos importa mucho la opinión del público sobre el proyecto.

Karina Della Sera
FDOT
P. O. Box 1249
Bartow, Florida 33831
Teléfono: (863) 519-2750
Karina.DellaSera@dot.state.fl.us

The PD&E Study is being developed in compliance with requirements of the National Environmental Policy Act of 1969, which will qualify future phases of the project for federal funding. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Cynthia Sykes, District One Title VI Coordinator, at (863) 519-2287, or email at Cynthia.Sykes@dot.state.fl.us at least seven days prior to the public hearing.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C § 327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

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From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 12:31 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: 1212

Gah! I found the list… so sorry. Disregard the link I sent you. My next email to you will be what you are asking for

---

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, January 27, 2020 12:28 PM
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: RE: 1212

EMAIL RECEIVED FROM EXTERNAL SOURCE

Thank you!

This is what I was referring to. If it is the same or different?
https://www.enterpriseflorida.com/wp-content/uploads/Directory_of_Consulates_Chambers_and_Sister_Cities_in_Florida.pdf

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 11:46 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: 1212

Victoria,

Please see the link below that will direct you to the Consular Corp of Florida listed by country.

Thank you!!!

http://orlando.consularcorps.info/countries/

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 12:39 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: 1212
Attachment(s): "Consular Corp Offices of Florida.pdf"

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, January 27, 2020 12:28 PM
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Subject: RE: 1212

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Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

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Consular Offices in Florida

The State of Florida has one of the largest consular corps in the United Sates. Consular offices serve as official representatives of a foreign country to provide assistance to that government's citizens living or traveling in other countries. Florida's consular corps is home to consular missions and official trade and commercial offices from 85 countries. Miami-Dade County has the largest concentration in Florida, with 71 consular, commercial and trade offices that represent 63 countries.

Thirty-seven (37) consuls general can be found in Florida. They are the highest ranked representative at a consular office and accredited by the United States Department of State. Another 72 honorary consuls are recognized by the U.S. Government. These honorary consuls are American citizens or permanent resident aliens appointed by a foreign country to provide limited consular services to their citizens living or traveling abroad.

Regional Consular Corps

Consular Corps of Miami

Mr. Nabil Achkar, Secretary
200 S. Biscayne Boulevard, Suite 1900
Miami, FL 33131
Phone: (305) 373-0200
Email: consularcorpsmia@gmail.com

Consular Corps Orlando

Ms. Elcy Hernandez, Chief Protocol Officer
P.O. Box 3202
Orlando, FL 32802
Phone: (954) 849-1322
Email: czdiplomat2@gmail.com
Website: www.orlandoconsularcorps.org

Tampa Bay Trade and Protocol Council

Ms. Deborah Wilkinson, Executive Director
201 N. Franklin Street, Suite 2900
Tampa, FL 33602
Phone: (813) 276-9457
Email: deborah@wilkinsonglobalconnections.com
Website: www.tampachamber.com/trade-council.aspx

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Enterprise Florida Trade Representatives

Enterprise Florida offers programs and services such as one-on-one export counseling, educational events, and overseas trade missions and trade shows to help companies expand into global markets. Contact one of the following Enterprise Florida regional trade representatives to learn more.

Coral Gables Office & Division Headquarters

Counties Served: Collier, Glades, Hendry, Lee, Miami-Dade, Monroe

Mr. Christopher Munoz
cmunoz@enterpriseflorida.com
Phone: (305) 808-3386

Ms. Alejandra Henao
ahenao@enterpriseflorida.com
Phone: (305) 808-3670

Mr. Carlos Guerra
cguerra@enterpriseflorida.com
Phone: (305) 808-3590

201 Alhambra Circle, Suite 610
Coral Gables, Florida 33134

Pensacola Office

Counties Served: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, Washington

Mrs. Andrea Moore
amoore@enterpriseflorida.com
Phone: (850) 469-8989
418 West Garden Street, Suite 107
Pensacola, Florida 32502

Jacksonville Office

Counties Served: Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Madison, Nassau, Putnam, St. Johns, Suwannee, Taylor, Union

Mr. Larry Bernaski
lbernaski@enterpriseflorida.com
Phone: (904) 359-9350
3 Independent Drive
Jacksonville, Florida 32202

Tampa Office

Counties Served: Charlotte, Citrus, Desoto, Hardee, Hernando, Hillsborough, Manatee, Pasco, Pinellas, Sarasota

Mr. Joseph Bell
jbell@enterpriseflorida.com
Phone: (813) 276-9430
201 North Franklin Street, Suite 201
Tampa, Florida 33602

Orlando Office

Counties Served: Brevard, Highlands, Lake, Marion, Orange, Osceola, Polk, Seminole, Sumter, Volusia

Mr. Michael Cooney
mcooney@enterpriseflorida.com
Phone: (407) 956-5678
801 North Magnolia Avenue
Orlando, Florida 32801

West Palm Beach Office

Counties Served: Broward, Indian River, Martin, Okeechoobee, Palm Beach, St. Lucie

Mr. John Diep
jdiep@enterpriseflorida.com
Phone: (561) 832-8339
310 Evernia Street
West Palm Beach, Florida 33401

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Consular Offices in Florida

ENTERPRISE FLORIDA.

Antigua and Barbuda
Consulate General of Antigua & Barbuda
Mr. Gilbert A. Boustany, Consul General
25 SE 2nd Avenue, Suite 300
Miami, FL 33131
Phone: (305) 381-6762
Email: cganubar@bellsouth.net
Website: www.antiguabarbuda.gov.ag

Argentina
Consulate General of Argentina in Miami
Mr. Leandro Federico Fernández-Suarez, Acting Consul General
1101 Brickell Avenue, Suite 900
Miami, FL 33131
Phone: (305) 373-1889
Email: cmiami@kcl.net
Website: http//miami.consulado.gob.ar

Australia
Honorary Consul of Australia in Miami
Mr. Donald Slesnick, Honorary Consul
2701 Ponce De Leon Boulevard, Suite 200
Miami, FL 33134
Phone: (305) 448-5672
Email: donslesnick@scllp.com

Austria
Austrian Consulate Tampa
Mr. Christian Zeller, Honorary Consul
5402 W. Hoover Boulevard
Tampa, FL 33634
Phone: (813) 221-1159
Email: inbox@austrianconsulatetampa.org
Website: http://www.austria.org/honoraryconsulates/

Austria
The Consulate of Austria in Orlando
Mr. Toby Unwin, Honorary Consul
200 S. Orange Avenue, #2000
Orlando, FL 32801
Phone: (407) 924-3877
Email: tobyunwin@austriaconsulate.org
Website: http://www.austriaconsulate.org/Austria_Consulate/Welcome.html

Austria
Austrian Consulate Miami
Mr. Werner H. Stemer, Honorary Consul General
2445 Hollywood Boulevard
Hollywood, FL 33020
Phone: (954) 925-1100
Email: office@austrianconsulatemiami.com
Website: http://www.austrianconsulatemiami.com

Bahamas
The Bahamas Consulate General in Miami
Ms. Linda Treco-Mackey, Consul General
100 N. Biscayne Boulevard, Suite 900
Miami, FL 33133
Phone: (305) 373-6295
Email: bcgmia@bellsouth.net
Website: https://www.bahamasconmiami.com/

Barbados
Consul General of Barbados in Miami
Mr. Neval Greenidge, Consul General
2121 Ponce De Leon Boulevard, Suite 1300
Coral Gables, FL 33134
Phone: (786) 515-1201
Email: ngreenridge@foreign.gov.bb

Belarus
Honorary Consul of Belarus in North Port
Mr. Mikhail Zinovievich Morgulis, Honorary Consul
12363 Hernando Road
North Port, FL 34287
Phone: (941) 240-5762
Email: bridgeusa@aol.com

Belgium
Honorary Consul of Belgium
Mr. Manuel Molina, Honorary Consul
990 Biscayne Boulevard, Suite 701
Miami, FL 33132
Phone: (305) 935-0982
Email: consulmiami@gmail.com
Website: http://countries.diplomatie.belgium.be/en/united_states/

Belgium
Honorary Consul of Belgium
Mr. Michael J. Spector, Honorary Consul
2562 Cabot Commerce Drive
Jacksonville, FL 32226
Phone: (904) 309-5702
Email: michael.j.spector@gmail.com
Website: http://countries.diplomatie.belgium.be/en/united_states/

Belize
The Consulate of Belize in Florida
Ms. Janine Sylvestre Vega, Honorary Consul General
1600 Ponce De Leon Boulevard, Suite 904
Coral Gables, FL 33134
Phone: (305) 755-0276
Email: info@belizeconsulatefla.com
Website: belizeconsulatefla.com

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Consular Offices in Florida

ENTERPRISE FLORIDA.

Bolivia
Consulate General of the Plurinational State of Bolivia in Miami
Mr. Crover Condori, Consular Agent
3750 NW 87th Avenue, Suite 240
Miami, FL 33133
Phone: (305) 358-6303
Email: generalconsulate@bellsouth.net
Website: http://boliviamiami.com/

Brazil
Consulate General of Brazil in Miami, Ministry of Foreign Affairs
Mr. Joao Mendes Pereira, Consul General
3150 SW 38th Avenue, 2nd Floor
Miami, FL 33146
Phone: (305) 285-6217
Email: cg.miami@itamaraty.gov.br
Website: http://miami.itamaraty.gov.br/en-us/

Brazil
Honorary Consulate of Brazil in Orlando
Mr. Joel Stewart, Honorary Consul
555 Winderley Place, Suite 300
Maitland, FL 32751
Phone: (407) 520-9888
Email: consul.honorario@joelstewartpa.com
Website: http://brazil.honoraryconsulate.network/orlando/

Bulgaria
Honorary Consulate of Bulgaria in Miami
Mr. Andrew Joshua Markus, Honorary Consul-Florida
Carlton Fields, 100 SE 2nd Street, Suite 4200
Miami, FL 33131
Phone: 3055397433
Email: jmarkus@carltonfields.com

Canada
The Canadian Trade Commissioner Service
Mr. Jean-Pierre Hammel, Senior Trade Commissioner & Consul
200 S. Biscayne Boulevard, Suite 1600
Miami, FL 33131
Phone: 3055791600
Email: jean-pierre.hamel@international.gc.ca
Website: www.tradecommissioner.gc.ca/us

Canada
Consulate General of Canada in Miami
Ms. Susan Harper, Consul General
200 S. Biscayne Boulevard, Suite 1600
Miami, FL 33131
Phone: (305) 579-1600
Email: miami-gr@international.gc.ca
Website: www.miami.gc.ca

Chile
Consulate General of Chile in Miami
Mr. Hernán Núñez Montenegro, Consul General of Chile
800 Brickell Avenue, Suite 1200
Miami, FL 33131
Phone: (305) 373-8623
Email: miami@consulado.gob.cl
Website: www.chileabroad.gov.ct/miami

Chile
ProChile - Miami
Mr. Sacha Garafulic, Trade Commissioner
800 Brickell Avenue, Suite 900
Miami, FL 33133
Phone: (305) 374-0697
Email: us.miami@prochile.cl
Website: www.prochile.gob.cl/

Republic of China (Taiwan)
Taipei Economic and Cultural Office in Miami
Mr. David K.C. Chien, Director General
2333 Ponce de Leon Boulevard, Suite 610
Coral Gables, FL 33134
Phone: (305) 443-8917
Email: tecomiami@gmail.com
Website: http://www.taiwanembassy.org/us/mia

Republic of China (Taiwan)
Taiwan Trade Center Miami
Ms. Suwen Yang, Project Manager
5301 Blue Lagoon Drive, Suite 150
Miami, FL 33126
Phone: (305) 266-9191
Email: suwenyang@taitra.org.tw
Website: http://miami.taiwantrade.com.tw/

Colombia
ProColombia
Mr. Luis German Restrepo, Executive Director - USA
601 Brickell Key Drive, Suite 608
Miami, FL 33131
Phone: (305) 374-3144
Email: miami@procolombia.co
Website: http://www.procolombia.co/

Colombia
Consulate of Colombia in Miami
Mr. Pedro Agustín Valencia, Consul General
280 Aragon Avenue
Miami, FL 33134
Phone: (305) 446-6060
Email: cmiami@cancilleria.gov.co
Website: http://miami.consulado.gov.co/

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Consular Offices in Florida

ENTERPRISE FLORIDA.

Colombia
Consulate of Colombia in Orlando
Mrs. Eliana Eljach, Consul General
5850 T.G. Lee Boulevard, Suite 260
Orlando, FL 32822
Phone: (407) 650-4274
Email: eliana.pedrozo@cancilleria.gov.co
Website: http://orlando.consulado.gov.co/

Costa Rica
PROCOMER
Mr. Zacarías Ayub, Trade Commissioner - Director
7715 NW 48th Street, Suite 210
Miami, FL 33172
Phone: (786) 477-5750 ext. 4918
Email: zayub@procomer.com
Website: http://www.procomer.com/

Costa Rica
Consulate General of Costa Rica in Miami
Ms. Andrea Arroyo Mora, Consul General
2730 SW 3rd Avenue, Suite 401
Miami, FL 33129
Phone: (786) 655-0990
Email: consuladomiami@rree.go.cr

Czech Republic
Honorary Consulate of the Czech Republic in Orlando
Mr. Roman Inochovsky, Honorary Consul
8814 Bay Harbour Boulevard
Orlando, FL 32836
Phone: (407) 575-0908
Email: czdiplomat@gmail.com

Czech Republic
Honorary Consulate of the Czech Republic in Miami
Mr. Stanislav Jansta, Honorary Consul
13325 Arch Creek Road
North Miami, FL 33181
Phone: (586) 303-7646
Email: miami@honorary.mzv.cz
Website: www.mzv.cz/washington

Denmark
Danish Consulate in Tampa
Mr. Arthur R. Savage, Honorary Consul
202 S. Rome Avenue, Suite 200
Tampa, FL 33606
Phone: (813) 247-4432
Email: consulate@arsavage.com
Website: http://www.arsavage.com/index.php?/consulate

Denmark
Danish Consulate in Miami
Mr. Jonathan H. Rosenthal, Honorary Consul
213 E. Sheridan Street, Suite 3
Dania Beach, FL 33004
Phone: (954) 967-8800
Email: jrosenthal@therosenthallaw.com
Website: http://usa.um.dk/en/

Denmark
Danish Consulate in Jacksonville
Mr. Larry Joe Warren, Honorary Consul
609 Wyndham Court
Orange Park, FL 32073
Phone: (904) 910-9620
Email: ljwarren1902@bellsouth.net
Website: http://usa.um.dk/en/

Dominican Republic
Consulate General of the Dominican Republic in Miami
Mr. Oscar Amaury Ríos, Consul General
1038 Brickell Avenue
Miami, FL 33131
Phone: (305) 358-3220
Email: rios1219@yahoo.com
Website: http://www.consuladodominicanomiami.com

Dominican Republic
The Dominican Republic Export and Investment Center (CEI-RD)
Ms. Lissette Elías, Foreign Investment Advisor
1038 Brickell Avenue
Miami, FL 33131
Phone: (305) 358-3220
Email: lissetteelias@ceird.gob.do

Ecuador
Pro Ecuador
Mr. Donald Castillo Mancero, Trade Commissioner
1428 Brickell Avenue, Suite 305
Miami, FL 33131
Phone: (305) 677-8154
Email: miami@proecuador.gob.ec
Website: www.proecuador.gob.ec

Ecuador
Consul General of Ecuador in Miami
Ms. Pamela Jalil Garcia, Consul General
117 NW 42nd Avenue, Suites CU-4 & CU-5
Miami, FL 33126
Phone: (305) 539-8214
Email: cecumiami@cancilleria.gob.ec

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Consular Offices in Florida

ENTERPRISE FLORIDA

El Salvador
Consulate General of El Salvador in Coral Gables
Mr. Jorge Humberto Claros Amaya, Consul General
8550 NW 33rd Street, Suite 100
Doral, FL 33122
Phone: (305) 592-6978
Email: consuladocoralgables@rree.gob.sv
Website: http://consuladodoral.rree.gob.sv/

Estonia
Honorary Consul of Estonia
Mr. Jorge Luis Viera, Honorary Consul
19 West Flagler Street Biscayne Bldg, Suite 1212
Miami, FL 33130
Phone: (305) 773-6227
Email: joviro47@hotmail.com
Website: www.nyc.estemb.org

Estonia
Honorary Consul of Estonia
Mrs. Kaie Tiina Põhi Latterner, Honorary Consul
241 173rd Avenue East
North Redington Beach, FL 33708
Phone: (727) 391-9232
Email: kaiet@earthlink.net

Finland
Honorary Consulate of Finland, Lake Worth
Mr. Peter Makila, Honorary Consul
523 Lake Avenue
Lake Worth, FL 33460
Phone: (561) 582-2335
Email: petermakila@bellsouth.net
Website: http://www.finland.org/

Finland
Honorary Consulate of Finland, Miami
Ms. Susan Kelley, Honorary Consul
1280 NE 101 Street
Miami Shores, FL 33138
Phone: (305) 984-5310
Email: skelley@ksrteam.com
Website: http://www.finland.org/

France
Consulate General of France in Miami
Mr. Clément Leclerc, Consul General
Brickell Arch, 1395 Brickell Avenue, Suite 1050
Miami, FL 33131
Phone: (305) 403-4150
Email: clement.leclerc@diplomatie.gouv.fr
Website: www.consulfrance-miami.org

France
Honorary Consul of France in Jacksonville
Mr. Francois Olivier Raymond Kloc, Honorary Consul
7255 Salisbury Road, Suite 4
Jacksonville, FL 32256
Phone: (904) 422-7662
Email: hon.consul.france.jax@gmail.com

France
Honorary Consul of France in Clearwater
Mr. Olivier Jean Charles Faust, Honorary Consul
2451 McMullen Booth Road, Suite 200
Clearwater, FL 33759
Phone: (727) 791-1617
Email: honconsulfrancetampa@gmail.com

France
Honorary Consul of France in Orlando
Ms. Brigitte Brown Dagot, Honorary Consul
7657 Mount Carmel Drive
Orlando, FL 32835
Phone: (407) 292-1142
Email: francebrigitte@gmail.com

Gambia
Honorary Consul General of Gambia in Miami
Mr. Rony Desvarennes, Honorary Consul General
12875 NE 14th Avenue
Miami, FL 33161
Phone: (305) 895-9600

Georgia
Honorary Consul of Georgia in Miami
Mr. Robert Powell, Honorary Consul
9871 SW 60 Avenue
Pinecrest, FL 33156
Phone: (305) 321-7717
Email: rlpowelljr@gmail.com

Germany
German Consulate General Miami
Mrs. Annette Klein, Consul General
100 N. Biscayne Boulevard, Suite 2200
Miami, FL 33132
Phone: (305) 358-0290
Email: info@miami.diplo.de
Website: http://www.miami.diplo.de

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Germany
Honorary Consul of the Federal Republic of Germany Southwest Florida
Ms. Norma Brenne Henning, Honorary Consul
Henning Law Firm P.A., 7320 E. Fletcher Avenue
Tampa, FL 33637
Phone: (239) 821-6504
Email: nhenning@henning-law.com
Website: http://henning-law.com/consular-services/

Greece
Consulate General of Greece
Mr. Dimitrios Sparos, Consul General
400 N. Tampa Street, Suite 1160
Tampa, FL 33602
Phone: (813) 865-0200
Email: grgencon.tam@mfa.gr
Website: http://www.mfa.gr/usa/en/consulate-general-in-tampa

Grenada
Consulate General of Grenada Miami
Mr. Warren Eric Newfield, Consul General
400 Arthur Godfrey Road, Suite 506
Miami Beach, FL 33140
Phone: (305) 570-2716
Email: grenadaconsulatemiami@gmail.com
Website: http://www.grenadaconsulatemiami.com/

Guatemala
Consulate of Guatemala in Lake Worth
Mr. Mario Rene Azmitia, Honorary Consul
1926 10th Avenue North
Jupiter, FL 33458
Phone: (561) 745-9199

Guatemala
Honorary Consul of Guatemala in Naples
Mrs. Marcia Del Rey, Honorary Consul
4050 11th Avenue SW
Naples, FL 34116
Phone: (239) 331-9125

Guatemala
Consulate General of Guatemala in Miami
Mrs. Rosa Maria Merida de Mora, Consul General
1101 Brickell Avenue, Suite 603-S
Miami, FL 33131
Phone: (305) 679-9947
Email: rmdemora@minex.gob.gt
Website: http://www.consuladoguatemalamiami.org/

Guyana
Honorary Consul of Guyana in Miami
Mr. Ramzan Roshanali, Honorary Consul
6444 NW 7th Avenue
Miami, FL 33150
Phone: (786) 235-0431
Email: guyconfl@aol.com

Haiti
General Consulate of Haiti in Orlando
Mr. Pierre Max Charles, Consul, Chief of Mission
1616 E. Colonial Drive
Orlando, FL 32803
Phone: (407) 897-1262
Email: cons.orlando@diplomatie.ht
Website: http://www.haiti.org/

Haiti
General Consulate of Haiti in Miami
Mr. Stephane Gilles, Consul General
259 SW 13th Street #3
Miami, FL 33130
Phone: (305) 859-2003 Ext 111
Email: cg.miami@diplomatie.ht
Website: http://www.haiti.org/

Honduras
Honorary Consul of Honduras in Tampa
Mr. David A. Straz, Jr., Honorary Consul
4401 W. Kennedy Boulevard, Suite 150
Tampa, FL 33609
Phone: (813) 639-0155
Email: dfoundat@tampabay.rr.com

Honduras
Consul General of Honduras in Miami
Mr. Gerardo Simon, Consul General
8600 NW 36th Street, Suite 601
Miami, FL 33166
Phone: (305) 269-3131
Email: gsimon@consuladohn.com

Hungary
Honorary Consul of Hungary in Coral Gables
Mr. George Depozsgay, Honorary Consul
1500 Madruga Avenue, Suite 314
Coral Gables, FL 33146
Phone: (305) 448-2131
Email: gdepozsgay@aol.com

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Iceland
Honorary Consul of Iceland in Orlando
Dr. Kristjan Ingvarsson, Honorary Consul
6573 Autumn Cove Drive
Orlando, FL 32822
Phone: (407) 249-1450
Email: kris@ocalainstruments.com

Iceland
Honorary Consul of Iceland in Pompano Beach
Dr. Matthias Eggertsson, Honorary Consul
2661 NE 22nd Street
Pompano Beach, FL 33062
Phone: (954) 478-7654
Email: m@dreggertsson.com
Website: http://www.dreggertsson.com/consulate-of-iceland

Ireland
Honorary Consul for Ireland in Miami
Mr. Ian O'Flaherty, Honorary Consul
2222 Ponce de Leon Boulevard, Third Floor
Coral Gables, FL 33134
Phone: (305) 204-0104
Email: ian@irishconsulatemiami.com
Website:
https://www.dfa.ie/irish-consulate/atlanta/about-us/honorary-consuls/

Ireland
Honorary Consul for Ireland in Orlando
Mr. Terence J. Delahunty, Jr., Honorary Consul
118 E. Jefferson Street, Suite 202
Orlando, FL 32801
Phone: (407) 810-3352
Email: terry@delahuntylegal.com

Israel
Consulate General of Israel in Miami
Mr. Lior Haiat, Consul General
100 Biscayne Boulevard, Suite 1800
Miami, FL 33132
Phone: (305) 925-9400
Email: concal.sec@miami.mfa.gov.il
Website: http://embassies.gov.il/miami/

Italy
Italian General Consulate in Miami
Mr. Cristiano Musillo, Consul General
4000 Ponce de Leon, Suite 590
Coral Gables, FL 33146
Phone: (305) 374-6322
Email: italianconsulate.miami@esteri.it
Website: http://www.consmiami.esteri.it/Consolato_Miami

Italy
Honorary Consul of Italy in Orlando
Ms. Carmela Loredana Cicchetti, Honorary Consul
3000 Wessex Street
Orlando, FL 32803
Phone: (407) 250-4748
Email: orlando.onorario@esteri.it

Ivory Coast
Honorary Consul of Cote D'Ivoire in Titusville
Mr. Hugh M. Brown, Honorary Consul
3740 Raney Road
Titusville, FL 32780
Phone: (321) 383-1041
Email: bamsihmb@gmail.com

Jamaica
Consulate General of Jamaica Miami Florida
Mr. Roderick Oliver Mair, Consul General
The Courthouse Towers, 44 West Flagler Street, Suite 400
Miami, FL 33130
Phone: (305) 374-8431
Email: contactus@jamaicacgmiami.org
Website: http://www.jamaicacgmiami.org/

Japan
Honorary Consul General of Japan in Orlando
Mr. Harris Rosen, Honorary Consul General
7600 International Drive
Orlando, FL 32819
Phone: (407) 966-4342

Japan
Consulate General of Japan in Miami
Mr. Kenji Hirata, Consul General of Japan
The Brickell Bayview Center, 80 SW 8th Street, Suite 3200
Miami, FL 33130
Phone: (305) 530-9090
Email: secretary@mi.mofa.go.jp
Website: http://www.miami.us.emb-japan.go.jp/

Latvia
Consulate of Latvia in Fort Lauderdale
Dr. Barry Donald Mowell, Honorary Consul
7175 Nova Drive
Davie, FL 33317
Phone: (954) 236-6374
Email: bmowell@broward.edu
Website: http://www.latvia-florida.org

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Consular Offices in Florida

ENTERPRISE FLORIDA.

Liberia
Honorary Consul of Liberia in Tampa
Ambassador at Large David A. Straz, Jr., Honorary Consul
4401 W. Kennedy Boulevard, Suite 150
Tampa, FL 33609
Phone: (813) 639-0155
Email: dfoundat@tampabay.rr.com

Lithuania
Honorary Consulate of the Republic of Lithuania for Western Florida
Mr. Algimantas Albinas Karnavicius, Honorary Consul
2235 16th Avenue North
St. Petersburg, FL 33713
Phone: (727) 895-4811
Email: akarnavicius@ltconsulflorida.com
Website: http://www.ltconsulflorida.com

Lithuania
Honorary Consul of Lithuania in Palm Beach
Mr. Stanley Balzekas, Honorary Consul
44 Cocoanut Row
Palm Beach, FL 33480
Phone: (773) 582-8396
Email: balzekas@sbcglobal.net

Luxembourg
Honorary Consul of Macedonia in Naples
Mr. Donald John Hansen, Honorary Consul General
720 Fifth Avenue South, Suite 205
Estero, FL 33928
Phone: (239) 948-9680
Email: luxconsul@comcast.net

Luxembourg
Honorary Consul General of Luxembourg in Estero
Mr. Kevin Michael Ries, Honorary Consul
10082 Montevina Drive
Ft. Lauderdale, FL 33308
Phone: (952) 927-1196

Macedonia
Honorary Consul of Macedonia in Hollywood
Ms. Dana Lynne Klein, Honorary Consul
1435 Yellowheart Way
Hollywood, FL 33019
Phone: (954) 923-4343
Email: macedoniahcg@gmail.com

Mali
Honorary Consul of Mali in Ft. Lauderdale
Mr. Mayer Shirazipour, Honorary Consul
1710 W. Cypress Creek Road
Ft. Lauderdale, FL 33309
Phone: (954) 771-1795

Malta
Honorary Consul of Malta in Parkland
Ms. Amanda Cummins, Honorary Consul
8760 Watercrest Circle West
Parkland, FL 33076
Phone: (954) 913-9001
Email: maltaconsul.parkland@gov.mt

Mexico
Consulate of Mexico in Orlando
Mr. Felipe Ulises Cuéllar Sánchez, Acting Consul
2550 Technology Drive
Orlando, FL 32804
Phone: (407) 422-0514
Email: consulado@conorlando.net
Website: consulmex.sre.gob.mx/orlando

Monaco
Honorary Consulate of Monaco in Miami
Mr. Tomas J. Abreu, Honorary Consul
1600 Ponce de Leon Boulevard, Suite 1053
Coral Gables, FL 33134
Phone: (786) 369-0484
Email: tomabreu@monaco-miami.org
Website: http://www.monaco-miami.org/

Montenegro
Honorary Consul of Montenegro in Florida
Mr. Danilo Ivancevic, Honorary Consul
5900 N. Australian Avenue, Suite 3
West Palm Beach, FL 33407
Phone: (561) 800-4013
Email: thdanilo@ivancevic.com
Website: http://www.montenegroconsul.com/

Morocco
Honorary Consul of Morocco in Miami
Mr. Eduardo Padrón, Honorary Consul
2004 SW 7th Avenue
Miami, FL 33129
Phone: (305) 237-3404
Email: epadron626@bellsouth.net

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Consular Offices in Florida

ENTERPRISE FLORIDA.

Namibia
Honorary Consul for the Republic of Namibia
Mr. Stephen Wayne Snively, Honorary Consul
200 S. Orange Avenue, Suite 2600
Orlando, FL 32801
Phone: (407) 244-1112
Email: stephen.snively@hklaw.com
Website: http://www.honoraryconsul.us

Netherlands
Honorary Consul of Netherlands in Jacksonville
Mr. Michael Breen, Honorary Consul
3 Independent Drive
Jacksonville, FL 32202
Phone: (904) 366-6682
Email: jacksonville@nlconsulate.com

Netherlands
Honorary Consul of Netherlands in Altamonte Springs
Mr. Patrick Willemsen, Honorary Consul
411 San Sebastian Prado
Altamonte Springs, FL 32714
Phone: (407) 956-6071
Email: pwillemsen@orlandoconsularcorps.org

Netherlands
Consul General of the Kingdom of the Netherlands in Miami
Ms. Ruth Emmerink, Consul General
701 Brickell Avenue, Suite 500
Miami, FL 33131
Phone: 17868660480
Email: mia@minbuza.nl
Website: www.nlintheusa.com

New Zealand
Honorary Consulate of New Zealand in Florida
Ms. Nancy Gilbert, Honorary Consul
P.O. Box 98
West Palm Beach, FL 33402
Phone: (561) 899-9719
Email: nzconsulateflorida@gmail.com

Nicaragua
Consulate General of Nicaragua in Miami
Mr. Leila Cisneros, Consul General
1332 West Flagler Street
Miami, FL 33135
Phone: (305) 265-1415
Email: contactenos@consuladonicamiami.com
Website: www.consuladonicamiami.com

Norway
Royal Norwegian Consulate in Tampa
Mr. Arthur R. Savage, Honorary Consul
202 S. Rome Avenue, Suite 200
Tampa, FL 33606
Phone: (813) 247-4432
Email: consulate@arsavage.com
Website: http://www.arsavage.com/index.php?/consulate

Norway
Royal Norwegian Consulate General in Miami
Mr. Trond Sigurd Jensen, Honorary Consul General
800 S. Douglas Road, Suite 580
Coral Gables, FL 33134
Phone: (305) 358-4386
Email: cg@rncgmiami.com
Website: http://www.norway.org

Panama
Consul General of Panama in Miami
Mrs. Adela Del Rosario Chiari De Rey, Consul General
5775 Blue Lagoon Drive, Suite 200
Miami, FL 33126
Phone: (305) 447-3700
Email: arey@mire.gob.pa

Panama
Consul of Panama in Tampa
Ms. Kenia Garcia, Consul
6107 Memorial Highway, Suite C
Tampa, FL 33615
Phone: (813) 242-0310
Email: consutampapty@gmail.com

Paraguay
General Consulate of Paraguay in Miami
Mr. Jose Luis Gonzalez, Consul General
25 SE 2nd Avenue, Suite 720
Miami, FL 33131
Phone: (305) 374-9090
Email: lgonzalez@mre.gov.py
Website: http://www.consulparmiami.org

Peru
Honorary Consul of Peru in Tampa
Mr. Juan Carlos Ibarra Schambaher, Honorary Consul
2106 W. Busch Boulevard
Tampa, FL 33612
Phone: (813) 489-3185
Email: consuladohperu_tampa@hotmail.com

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-002212

Consular Offices in Florida

ENTERPRISE FLORIDA.

Peru
Consul General of Peru in Miami
Ms. Lucy Camacho Bueno, Consul General
1401 Ponce de Leon Boulevard
Coral Gables, FL 33134
Phone: (786) 713-2400
Email: secretaria@consulado-peru.com
Website: http://www.consulado-peru.com/

Philippines
Honorary Consulate of the Republic of the Philippines for the State of Florida
Dr. Henry Boland Howard, Consul a.h.
1200 Brickell Avenue, 12th Floor
Miami, FL 33131
Email: consul-philippines-florida@usefc.com
Website: Philippineembassy-usa.org

Poland
Honorary Consulate of the Republic of Poland in Miami
Mrs. Blanka A. Rosenstiel, Honorary Consul
1440 79th Street Causeway, Suite 117
Miami, FL 33141
Phone: (305) 866-0077
Email: polconsulfl@yahoo.com

Portugal
Honorary Consulate of Portugal in Palm Coast
Dr. Caesar DePaço, Honorary Consul
145 City Place, Suite 105
Palm Coast, FL 32164
Phone: (386) 742-0370
Email: consul@consuladodeportugalpalmcoast.org
Website: http://www.consuladodeportugalpalmcoast.org/

Romania
Consulate General of Romania in Miami
Mr. Catalin Ghenea, Consul General
1101 Brickell Avenue, Suite N 600
Miami, FL 33131
Phone: (305) 763-8880
Email: miami@mae.ro
Website: http://miami.mae.ro

Saint Lucia
Consul General of Saint Lucia
Mrs. Tassa Jean, Consul General
2 Alhambra Plaza, Suite 850
Coral Gables, FL 33134
Phone: (786) 502-3351
Email: st.lucia.consulate.miami@gmail.com

Saint Vincent - Grenadines
Honorary Consul of Saint Vincent and The Grenadines in Orlando
Mr. Alban I. Niles, Honorary Consul
4901 Washington Avenue
Orlando, FL 32819
Phone: (323) 775-8160
Email: judgeain@netzero.net

Samoa
Honorary Consul of Samoa in West Melbourne
Mr. Robert Marshall, Honorary Consul
2263 New Haven Avenue, #359
West Melbourne, FL 32904
Phone: (347) 868-7476
Email: marshallsoffice@gmail.com

Senegal
Consulate of the Republic of Senegal at Miami
Mr. Michael Stuart Hacker, Honorary Consul General
600 Brickell Avenue, Suite 3800
Miami, FL 33131
Phone: (305) 371-4286
Email: hackerlaw.international@aol.com
Website: http://senegalconsulatemiami.com

Sierra Leone
Honorary Consul of Sierra Leone in Miami
Mr. Mcivan Amechi Jarrett, Honorary Consul
12201 SW 128th Court
Miami, FL 33186
Phone: (305) 971-5370

Singapore
Singapore Honorary Consulate in Miami
Mr. Steven J. Green, Honorary Consul General
1515 Sunset Drive, Suite 44
Coral Gables, FL 33143
Phone: (305) 858-4225
Email: sgreen@sg-miami-consulate.org
Website: https://www.mfa.gov.sg/Miami

Slovakia
Honorary Consul of the Slovak Republic
Dr. Cecilia Rokusek, Honorary Consul
13325 Arch Creek Road
North Miami, FL 33181
Phone: (239) 822-8409
Email: cecilka2753@gmail.com

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-002213

Consular Offices in Florida

ENTERPRISE FLORIDA.

Slovenia
Honorary Consul of Slovenia in Miami Beach
Dr. Gregory S. Chan, Honorary Consul
1501 Calais Drive
Miami Beach, FL 33141
Phone: (305) 868-9635
Email: gchan@stu.edu

Spain
Consulate of Spain in Miami
Mr. Cándido Creis, Consul General
2655 Le Jeune Road, Suite 203
Coral Gables, FL 33134
Phone: (305) 446-5511
Email: candido.creis@maec.es
Website:
http://www.exteriores.gob.es/Consulados/MIAMI/en/Consulado/Pages/Consul.aspx

Spain
Honorary Vice Consul of Spain in Tampa
Mr. José Vivero, Honorary Vice Consul of the Kingdom of Spain
716 W. Fletcher Avenue
Tampa, FL 33612
Phone: (813) 961-3300
Email: jvivero@centurybk.com

Spain
Trade Commission of Spain
Mrs. Inmaculada Gutierrez, Trade Commissioner of Spain
2655 Le Jeune Road Suite 1114
Coral Gables, FL 33134
Phone: (305) 446-4387
Email: miami@comercio.mineco.es
Website: http://www.icex.es/

Spain
Honorary Vice Consul of Spain in Orlando
Mrs. Raquel Lopez Tacon, Honorary Vice Consul
1193 Calanda Avenue
Orlando, FL 32807
Phone: (407) 273-8912

Spain
Honorary Vice Consul of Spain in Pensacola
Ms. Maria Dolores Davis, Honorary Vice Consul
100 Ingalls Drive
Pensacola, FL 32506
Phone: (850) 455-5360

Suriname
Consulate General of the Republic of Suriname in Miami
Ms. Marsha Renfurm, Consul General
7205 Corporate Center Drive, Suite 302
Miami, FL 33126
Phone: (305) 463-0694
Email: cons.miami@foreignaffairs.gov.sr
Website: www.scgmia.com

Sweden
Consulate of Sweden in Fort Lauderdale
Mr. Per-Olof Loof, Honorary Consul
KEMET Tower, 1 E. Broward Boulevard, 3rd Floor
Ft. Lauderdale, FL 33301
Phone: (954) 467-3507
Email: fortlauderdale@consulateofsweden.org
Website: www.consulateofsweden-fortlauderdale.org

Switzerland
Consulate of Switzerland in Miami
Mr. Ferdinand Kurt, Honorary Consul
1111 Brickell Avenue, Suite 2200
Miami, FL 33131
Phone: (305) 895-5008
Email: miami@honrep.ch
Website: www.swissemb.org

Switzerland
Consulate of Switzerland in Orlando
Mr. Luc Serge Burkhardt, Honorary Consul
1011 N. Wymore Road
Winter Park, FL 32789
Phone: (407) 645-3500
Email: info@logisticssolutions.com
Website: www.swissemb.org

Thailand
Royal Thai Honorary Consulate General of Thailand in Florida
Ms. Maria D. Sariol, Honorary Consul General
2525 Ponce De Leon Boulevard, Suite 300
Coral Gables, FL 33134
Phone: (305) 445-7577
Email: mdsariol.law@gmail.com
Website: http://www.thaiconsulatemiami.com/

Togo
Consulate of the Republic of Togo at Miami
Mr. Michael Stuart Hacker, Honorary Consul General
600 Brickell Avenue, Suite 3800
Miami, FL 33146
Phone: (305) 371-4286
Email: hackerlaw.international@aol.com
Website: http://www.togoconsulatemiami.com

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-002214

From: Brill, Victoria
Sent: Monday, January 27, 2020 12:28 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: RE: 1212

Thank you!

This is what I was referring to. If it is the same or different?
https://www.enterpriseflorida.com/wp-content/uploads/Directory_of_Consulates_Chambers_and_Sister_Cities_in_Florida.pdf

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Monday, January 27, 2020 11:46 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: 1212

Victoria,

Please see the link below that will direct you to the Consular Corp of Florida listed by country.

Thank you!!!

http://orlando.consularcorps.info/countries/

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

AMERICAN OVERSIGHT

From: West, Joey J <Joey.West@charter.com>
Sent: Thursday, January 30, 2020 11:46 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: RE: Bay News 9 Interview request

Josh,

Yes that works, 1pm on Weds 2/5. The bills we would like to discuss are: 670, 734, 1040, and 1200

Thanks,

Joey

From: Barnhill, Josh [mailto:Barnhill.Josh@flsenate.gov]
Sent: Thursday, January 30, 2020 9:39 AM
To: West, Joey J
Subject: Re: Bay News 9 Interview request

Hey Joey,

I can do 1 pm on the 5th if that works

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Jan 29, 2020, at 5:56 PM, West, Joey J <Joey.West@charter.com> wrote:

> Hello Josh,
>
> I was hoping that we can schedule a time next week for an interview with the Senator on some of the bills that he is sponsoring this session please? We usually have time each day (except Thursday's) from 10am-10:30am and 12:30pm-2:30pm, any 20 minute window in those time frames. We have a crew based in Tallahassee and we usually record the interviews from the 5th floor rotunda of the Capitol.
>
> Let me know if Joe can join us, we would love to have him back on again with us.
>
> Thanks,
>
> Joey
>
> **Joey West Planning Editor**
> 700 Carillon Parkway St. Petersburg, FL 33716
> **P:** 727.329.2341 **F:** 727.329.2434 **C:** 727.483.0348
> <image001.jpg>
>
> The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message

AMERICAN OVERSIGHT

and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Wednesday, January 22, 2020 1:44 PM EST
To: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Subject: RE: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

Hi Mavis,

Thank you very much for the update. Yes, Sen. Gruters would be happy to sponsor Dr. Nadler.

Thanks!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Sent: Wednesday, January 22, 2020 1:04 PM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

Hi Vickie

Yes, I did speak with Dr. Brad Hupp, and he informed me that he was interested in serving as Doctor of the Day on February 25, 2020. I am awaiting his Doctor of the Day Registration Form to complete the process.

Also, we just received the attached Doctor of the Day Registration Form for Dr. Jaclyn Nadler. Please let me know if Senator Joe Gruters will sponsor Dr. Nadler as Doctor of the Day on Thursday, March 5, 2020 in the Florida Senate.

Thanks for all of your help.

Regards,

Mavis Knight
Office of Legislative Services
111 West Madison Street, Room 874
Tallahassee, Florida 32399-1400
knight.mavis@leg.state.fl.us
(850) 717-0301

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Tuesday, January 21, 2020 6:13 PM
To: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Subject: RE: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

Thank you Mavis.

I have sent this information to Dr. Brad Hupp which I believe you have been in contact with. Sen. Gruters would be happy to sponsor him at the date of his choosing.

Please let me know if you have any questions.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Sent: Tuesday, January 21, 2020 1:06 PM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

Good Afternoon Vickie,

AMERICAN OVERSIGHT

Yes, there are more dates to fill, please see the attached updated Doctor of the Day Program Available Dates document.

Thank you,

Mavis Knight
Office of Legislative Services
111 West Madison Street, Room 874
Tallahassee, Florida 32399-1400
knight.mavis@leg.state.fl.us
(850) 717-0301

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, January 20, 2020 5:46 PM
To: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Subject: RE: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

Hi Mavis,

I hope you had a wonderful weekend. Is there any dates left to sponsor another Doctor of the Day in the Senate?

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Knight, Mavis <Knight.Mavis@leg.state.fl.us>
Sent: Monday, December 23, 2019 2:21 PM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Doctor of the Day Sponsorship of Dr. Sean Daley, for the 2020 Regular Legislative Session

M E M O R A N D U M

TO: Senator Joe Gruters

FROM: Mavis Knight, Office of Legislative Services

DATE: Monday, December 23, 2019

SUBJECT: Doctor of the Day Sponsorship – 2020 Regular Session

---

This memo confirms Dr. Sean Daley, whom you are sponsoring in the Florida Senate, will serve as Doctor of the Day on Monday January 27, 2020. Attached is the confirmation memo sent to Dr. Daley for your reference.

Should you have any questions, please feel free to contact me at (850) 717-0301.

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, November 21, 2019 3:55 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Re: DOS Proposals

Thank you, Brittany!

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 21, 2019, at 3:17 PM, Dover, Brittany N. <Brittany.Dover@dos.myflorida.com> wrote:

Josh,

The International affairs legislation has been submitted to bill drafting but Senator Gruters has agreed to sponsor it for us. I have it attached for your reference.

Thank yoU!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

<Department of State Legislative Proposal-OIA.docx>

AMERICAN OVERSIGHT

From: Mark Segel <Mark@fibaflorida.com>
Sent: Tuesday, November 12, 2019 11:09 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

I didn't intend to pester you with this, GeeDee. When I met with Senator Gruters on August 29 th, he indicated that either being at the event or having a representative there was important to him. I understand if no one's available to attend. Thank you for following up with me.

Have a great day!

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 12, 2019 9:14 AM
To: Mark Segel <Mark@fibaflorida.com>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

Good morning, Mark
As previously mentioned, the Senator and Staff are committed at this point to events that were scheduled quite a while ago.
If anything gets cancelled, I'll let you know right away.
GeeDee

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 11, 2019 11:46 AM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

Hello, GeeDee.

We do hope somebody from Senator Gruter's office will join us at the Sarasota/Manatee event on the 21 st. We'd like to recognize that person and the Senator at the event if you can send a representative. Details and the registration link are below. Thank you.

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 5, 2019 10:50 AM
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation

Hello Mark:
Right now I do not have the Senator in the District that day. If his calendar changes, I'll let you know right away.
GeeDee

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 4, 2019 2:09 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>

AMERICAN OVERSIGHT

Subject: RE: FIBA Southwest Florida Showcase Invitation

Thank you, Josh!

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Monday, November 4, 2019 2:08 PM
To: Mark Segel <Mark@fiba.io>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: FIBA Southwest Florida Showcase Invitation

Hey Mark,

Thanks for reaching out. GeeDee Kerr handles scheduling in the district, I have CC'd her on this email and she'd be happy to help. Have a great day.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Nov 4, 2019, at 1:50 PM, Mark Segel <Mark@fiba.io> wrote:
>
> Hello, Josh.
>
> Per my conversation with Emmabella a few minutes ago, I met with Sen. Gruters on August 29 in Venice to update him on the work our accelerator is doing. I mentioned that we would be having a special showcase event and panel in his district and he asked that I keep him in the loop. That event is scheduled for Thursday, November 21 at the USF Sarasota-Manatee campus. – 9:30 to 11:30 AM. The invitation and event details are below. Please contact me with any questions. If Sen. Gruters can't make it, perhaps someone from your office will join us. Thank you for your help on this and have a great day!
>
> Mark
>
> ---
>
> Please find below the event details for the Florida-Israel Business Accelerator (FIBA) Southwest Florida Showcase events in Naples (Tuesday, 11/19), Fort Myers (Wednesday, 11/20), and Sarasota/Manatee (Thursday, 11/21). You can register for the event(s) of your choice via this link: **FIBA Registration**. There is no charge to attend and, if you know of anyone who'd like to learn about investing in tech, our FIBA companies, and how FIBA can impact economic development in your community, please feel free to forward this invitation. We look forward to seeing you there!
>
> You can also click on the invitation itself for a direct link to the RSVP site and if you have any questions about the event please respond to this message or email mark@fiba.io
>
> Mark
>
> Mark Segel
> Senior Consultant
> FIBA Services, Inc.
> 522 N. Howard Avenue
> Tampa, FL 33606
> 813.263.4976 (M)
> <pastedImagebase640.png>
>
> <image002.jpg>

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Tuesday, November 12, 2019 9:13 AM EST
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

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If anything gets cancelled, I'll let you know right away.
GeeDee

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Sent: Monday, November 11, 2019 11:46 AM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

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Mark

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FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 5, 2019 10:50 AM
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation

Hello Mark:
Right now I do not have the Senator in the District that day. If his calendar changes, I'll let you know right away.
GeeDee

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 4, 2019 2:09 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation

Thank you, Josh!

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Monday, November 4, 2019 2:08 PM
To: Mark Segel <Mark@fiba.io>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: FIBA Southwest Florida Showcase Invitation

AMERICAN OVERSIGHT

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Thanks for reaching out. GeeDee Kerr handles scheduling in the district, I have CC'd her on this email and she'd be happy to help. Have a great day.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

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Mark

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You can also click on the invitation itself for a direct link to the RSVP site and if you have any questions about the event please respond to this message or email mark@fiba.io

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)
<pastedImagebase640.png>

<image002.jpg>

AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Tuesday, November 12, 2019 11:42 AM EST
To: Mark Segel <Mark@fibaflorida.com>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

Thank you….

From: Mark Segel <Mark@fibaflorida.com>
Sent: Tuesday, November 12, 2019 11:09 AM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

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Have a great day!

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

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Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 5, 2019 10:50 AM
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation

Hello Mark:

AMERICAN OVERSIGHT

Right now I do not have the Senator in the District that day. If his calendar changes, I'll let you know right away.
GeeDee

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 4, 2019 2:09 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation

Thank you, Josh!

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
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Subject: Re: FIBA Southwest Florida Showcase Invitation

Hey Mark,

Thanks for reaching out. GeeDee Kerr handles scheduling in the district, I have CC'd her on this email and she'd be happy to help. Have a great day.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

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> Senior Consultant
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AMERICA OVERSIGHT

522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)
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AMERICAN OVERSIGHT

From: Mark Segel <Mark@fiba.io>
Sent: Monday, November 11, 2019 11:46 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: FIBA Southwest Florida Showcase Invitation - Thursday, 11/21 - USF-Sarasota/Manatee

Hello, GeeDee.

We do hope somebody from Senator Gruter's office will join us at the Sarasota/Manatee event on the 21 st. We'd like to recognize that person and the Senator at the event if you can send a representative. Details and the registration link are below. Thank you.

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, November 5, 2019 10:50 AM
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation

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Sent: Monday, November 04, 2019 2:08 PM EST
To: Mark Segel <Mark@fiba.io>
CC: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: FIBA Southwest Florida Showcase Invitation

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FLORIDA-ISRAEL business accelerator

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> 813.263.4976 (M)

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AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Tuesday, November 05, 2019 10:49 AM EST
To: Mark Segel <Mark@fiba.io>
Subject: RE: FIBA Southwest Florida Showcase Invitation

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Sent: Tuesday, November 05, 2019 10:52 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: FIBA Southwest Florida Showcase Invitation

Good morning, GeeDee.

If there's anyone from the office that can attend in his place, we'd be honored. Thank you!

Mark

Mark Segel
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522 N. Howard Avenue
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FLORIDA-ISRAEL
business accelerator

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AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Tuesday, November 12, 2019 9:10 AM EST
To: Anne Garlington <agarling@ringling.edu>
Subject: RE: Follow up: Ringling College invites you to an exclusive documentary film screening on Thursday, 11/14

Will do..Anne, on a personal note, we are in the process of having our house tented….necessary, but so invasive.

From: Anne Garlington <agarling@ringling.edu>
Sent: Friday, November 8, 2019 4:00 PM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: Follow up: Ringling College invites you to an exclusive documentary film screening on Thursday, 11/14

Please tell Joe we will miss him at this event, but hope to see him soon.

Thanks, Anne

Anne R. Garlington
Senior Development Officer
Office: 941-309-4019 | Cell: 941-323-0974
agarling@ringling.edu | www.ringling.edu



Changing the Way the World Thinks About Art and Design

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Friday, November 08, 2019 3:41 PM
To: Anne Garlington <agarling@ringling.edu>
Subject: RE: Follow up: Ringling College invites you to an exclusive documentary film screening on Thursday, 11/14

Anne:
Unfortunately Senator Gruters will be in Tallahassee on November 14th.
Thank you for the invitation.
GeeDee

From: Anne Garlington <agarling@ringling.edu>
Sent: Thursday, November 7, 2019 2:23 PM
To: Anne Garlington <agarling@ringling.edu>
Subject: Follow up: Ringling College invites you to an exclusive documentary film screening on Thursday, 11/14
Importance: High

If you haven't responded yet, we hope you can join us for this exclusive documentary film screening event! Please let us know if you will attend and the registration details are listed below.
We look forward to seeing you next Thursday, November 14, at 5:30.
Thanks, Anne

AMERICAN OVERSIGHT

Ringling College of Art and Design,
Elizabeth and Grace Moore,
along with the Sustainable Communities Workshop
cordially invite you to:

An exclusive "work in progress" screening
of "Kiss the Ground" with Director, Josh Tickell



Thursday, November 14th, 2019
Reception: 5:30 PM
Screening 6:30 PM
Post Screening Q & A: 8:00 PM

Kendall Atrium & Morganroth Auditorium
Larry R. Thompson Academic Center
Ringling College of Art and Design

KISS THE GROUND is a new feature length documentary film that brings to light the past, present and future of the largely unexplored power of our soil as the foundation for all life above ground.

About Josh Tickell



The author of four books, Josh Tickell has worked on environmental issues for over twenty years. His career spans a unique mixture of science, political activism, investigative journalism and filmmaking. His directorial debut film, 'FUEL,' is the 2008 Sundance Audience Award winning documentary that investigates the possible replacement of fossil fuels with renewable energy. He co-directed/produced THE BIG FIX, an 'Official Selection' of the 2011 Cannes Film Festival. With his wife, Rebecca, he directed the critically acclaimed documentary PUMP, and GOOD FORTUNE - the John Paul DeJoria story, as well as the forthcoming documentaries, KISS THE GROUND, DOWN TO EARTH and THE REVOLUTION GENERATION. For his rescue mission in the aftermath of the Katrina hurricane in Louisiana, Tickell's nonprofit organization was selected by President Bill Clinton as an inaugural part of his Global Initiative on Climate Change. He is a graduate of New College of Florida and holds an MFA in Film from Florida State University.

Please register by visiting https://giving.ringling.edu/kiss-the-ground
or call 941.309.0118

Directions to campus: From U.S.41/N. Tamiami Trail, turn east on Dr. Martin Luther King Jr. Way. Turn south on Old Bradenton Road and follow the special event parking signs. Address is 2363 Bradenton Road. Valet parking will be available.

SKYWAY FILM INSTITUTE

Ringling College of Art + Design

Sustainable Communities

Anne R. Garlington
Senior Development Officer
Office: 941-309-4019 | Cell: 941-323-0974
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AMERICAN OVERSIGHT



Changing the Way the World Thinks About Art and Design

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AMERICAN OVERSIGHT



Changing the Way the World Thinks About Art and Design

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From: Carter, Jason <Jason.Carter@myfloridahouse.gov>
Sent: Thursday, January 23, 2020 10:35 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Re: HB 157
Attachment(s): "Eight is Enough Talking Points.pdf","FL Statewide 3-2018- School Board 8yr Term-Limit X-tabs.pdf","How Term Limits Fight Big Money in Politics.pdf","Pettey-Term-Limits.pdf","REVISEDFLSB Handout.pdf","TermLimitsStateBudgets Holcombe.pdf"

Hi Victoria,

It was good speaking with you a moment ago. Here's what's attached and hopefully all this will help. This is what we used last year

1. Some 8 is Enough talking points

2. Prof. Samantha Pettey paper on term limits increasing the emergence of women in state legislatures (London School of Econ).

3. A handout on last years term limits bills

4. One pager on term limits fighting money in politics. It's Congress-geared, but still informative.

5. Executive Summary from an FSU economics paper showing term limits lowered spending in the states. Good for fiscal conservatives.

If I find/get more information I will definitely send it your way. Have a great day!

Respectfully,

Jason Lee Carter, Esq.
Legislative Assistant to Anthony Sabatini
Florida House of Representatives, District 32
(850) 717-5032

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Wednesday, January 22, 2020 5:02:56 PM
To: Carter, Jason
Subject: HB 157

Hi Jason,

Could you please give me a call regarding school board term limits please? 850-487-5023?

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

EIGHT IS ENOUGH - TALKING POINTS

- **Eight-year term limits are the most common and time-tested reform in the United States.** Of the 36 states with term limits on their governors, 35 provide for an eight-year limit. Only Virginia is different, allowing for a four-year maximum. Of the 15 states with legislative term limits, 10 provide for a limit of eight years or fewer. Nine of America's 10 most populous cities have term limits, with each of these laws allowing for eight years or less. The President has an 8-year limit, and it is absurd to suggest any local official needs more time to learn their job than the leader of the free world.

- **Eight-year term limits are the most common limit in Florida and they work.** Florida has eight-year term limits on our Governor, Cabinet, State House, State Senate and countless local positions. We rank as one of the freest and most fiscally healthy states in America and this is no outlier. On average, states with term limits rank better than states without term limits; and states with eight-year limits rank higher than those with longer limits. Why mess with success?

- **Eight-year term limits are the expressed preference of Florida citizens.** When a group of citizens collected nearly 400,000 signatures to put legislative limits on the ballot in Florida in 1992, they chose eight-year limits. The amendment passed with 77 percent support, garnering votes from 3.63 million Floridians. It is important that elected officials respect the will and preference of the voters they represent.

- **Florida voters resoundingly rejected 12 year term limits.** In 2005, Florida legislators placed onto the 2006 ballot an amendment that would have lengthened their own term limit from 8 years to 12. Public denunciation of the politicians behind the change was so intense — and opposition to the measure so deafening — that the legislature was forced to remove its own power grab from the ballot. This move was virtually unprecedented. Then-Governor Jeb Bush applauded the decision to maintain an eight-year limit, crediting this limit with much of Florida's progress during his administration.

- **Florida voters aren't changing their minds about Eight is Enough.** In 2009, lawmakers once more floated the prospect of lengthening Florida's term limits from 8 years to 12. A Quinnipiac poll at the time showed that voters opposed the change by a 79-18 margin. Since that time, no group of citizens has ever emerged to suggest making term limits longer. In fact, every petition drive for term limits in Florida — at the county and municipal level — has called for a limit of eight years or fewer. There are occasionally efforts to move from eight to 12 years in Tallahassee, but these whispers only come from politicians and capitol insiders, NEVER from ordinary people.

- **Eight-year term limits provide for fairer elections and more diversity.** America has an epidemic of unopposed and under-opposed elections at the state legislative level. Around 33% of all elections feature an incumbent running unopposed. Term limits break up this monopoly every eight years and allow a diverse array of citizens to vie for an open seat. Studies also show that state term limits — most of which are eight years — have increased the representation of women and minorities in state legislatures by a statistically significant degree.

AMERICAN OVERSIGHT

MCLAUGHLIN & ASSOCIATES
FL - STATEWIDE

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	SAMPLE		MEDIA MARKET												REGION		
		LAND-LINE	CELL PHONE	Miami/Ft. Laud.	West Palm Beach	Ft. Myers/Naples	Tampa/St. Pete	Orlando/Daytona	Jacksonville	TALLA/GAINESCOMBO	Tallahassee	Gainesville	PANAMA/MOBILCOMBO	Panama City/Dothan	Mobile/Pensacola	NORTHERN	CENTRAL	SOUTHERN
Total	1000	569	431	184	105	67	247	209	87	45	28	17	56	20	36	188	456	356
YES, IN FAVOR	82.4	82.6	82.1	79.9	80.0	83.6	83.4	86.1	80.5	77.8	82.1	70.6	82.1	75.0	86.1	80.3	84.6	80.6
Definitely	62.6	63.4	61.5	62.0	57.1	68.7	65.2	63.6	58.6	51.1	53.6	47.1	67.9	65.0	69.4	59.6	64.5	61.8
Probably	16.8	16.3	17.4	13.6	20.0	13.4	17.0	20.6	13.8	17.8	21.4	11.8	14.3	10.0	16.7	14.9	18.6	15.4
Only Lean	3.0	2.8	3.2	4.3	2.9	1.5	1.2	1.9	8.0	8.9	7.1	11.8	-	-	-	5.9	1.5	3.4
NO, AGAINST	12.4	11.8	13.2	12.5	13.3	13.4	14.2	9.1	12.6	13.3	10.7	17.6	12.5	20.0	8.3	12.8	11.8	12.9
Definitely	6.5	6.5	6.5	8.2	6.7	9.0	5.7	5.3	6.9	4.4	3.6	5.9	7.1	20.0	-	6.4	5.5	7.9
Probably	5.3	4.6	6.3	3.3	6.7	4.5	7.3	3.8	4.6	8.9	7.1	11.8	5.4	-	8.3	5.9	5.7	4.5
Only Lean	0.6	0.7	0.5	1.1	-	-	1.2	-	1.1	-	-	-	-	-	-	0.5	0.7	0.6
UNDECIDED	5.2	5.6	4.6	7.6	6.7	3.0	2.4	4.8	6.9	8.9	7.1	11.8	5.4	5.0	5.6	6.9	3.5	6.5
Net Diff.	70.0	70.8	68.9	67.4	66.7	70.1	69.2	77.0	67.8	64.4	71.4	52.9	69.6	55.0	77.8	67.6	72.8	67.7
Mean	6.06	6.08	6.02	5.99	5.94	6.16	6.07	6.21	5.92	5.76	5.93	5.47	6.14	5.95	6.25	5.95	6.13	6.01

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	PROP. 44 - TERM LIMITS FOR SCHOOL BOARDS			
		YES, IN FAVOR	NO, AGAINST	UNDECIDED	Lean + Und.
Total	1000	824	124	52	88
YES, IN FAVOR	82.4	100.0	-	-	34.1
Definitely	62.6	76.0	-	-	-
Probably	16.8	20.4	-	-	-
Only Lean	3.0	3.6	-	-	34.1
NO, AGAINST	12.4	-	100.0	-	6.8
Definitely	6.5	-	52.4	-	-
Probably	5.3	-	42.7	-	-
Only Lean	0.6	-	4.8	-	6.8
UNDECIDED	5.2	-	-	100.0	59.1
Net Diff.	70.0	100.0	-100.0	-	27.3
Mean	6.06	6.72	2.48	4.00	4.14

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	EDUCATION LEVEL							MEN		WOMEN	
		LESS/ COLL. GRAD	Some H.S./ Less	High School Grad.	Some Coll./ Trade	COLL- EGE GRAD.	Coll- ege Grad.	Post- Grad./ Prof.	LESS/ COLL. GRAD.	COLL- EGE GRAD.	LESS/ COLL. GRAD.	COLL- EGE GRAD.
Total	1000	422	19	156	247	573	335	238	177	269	245	304
YES, IN FAVOR	82.4	82.5	78.9	78.8	85.0	82.2	84.2	79.4	87.0	81.0	79.2	83.2
Definitely	62.6	63.0	47.4	59.0	66.8	62.0	62.7	60.9	67.2	64.3	60.0	59.9
Probably	16.8	16.4	31.6	17.3	14.6	17.3	19.4	14.3	15.8	15.2	16.7	19.1
Only Lean	3.0	3.1	-	2.6	3.6	3.0	2.1	4.2	4.0	1.5	2.4	4.3
NO, AGAINST	12.4	13.0	10.5	16.0	11.3	12.0	10.4	14.3	9.0	13.4	15.9	10.9
Definitely	6.5	6.4	5.3	8.3	5.3	6.6	4.5	9.7	3.4	7.1	8.6	6.2
Probably	5.3	6.2	5.3	6.4	6.1	4.7	4.8	4.6	5.1	5.9	6.9	3.6
Only Lean	0.6	0.5	-	1.3	-	0.7	1.2	-	0.6	0.4	0.4	1.0
UNDECIDED	5.2	4.5	10.5	5.1	3.6	5.8	5.4	6.3	4.0	5.6	4.9	5.9
Net Diff.	70.0	69.4	68.4	62.8	73.7	70.2	73.7	65.1	78.0	67.7	63.3	72.4
Mean	6.06	6.05	5.89	5.89	6.16	6.05	6.11	5.97	6.22	6.05	5.92	6.06

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	TOTAL	WHITE MEN	WHITE WOMEN			RACE					MEN			WOMEN		
		LESS/ COLL. GRAD.	COLL- EGE GRAD.	LESS/ COLL. GRAD.	COLL- EGE GRAD.	WHITE	NON- WHITE	Hisp- anic	Afr. Amer./ Black	Asian	Other	WHITE	AFR. AMER./ BLACK	HISP- ANIC	WHITE	AFR. AMER./ BLACK	HISP- ANIC
Total	1000	112	185	176	221	694	269	100	125	25	19	297	52	51	397	73	49
YES, IN FAVOR	82.4	87.5	78.9	81.2	83.7	82.4	82.5	83.0	80.0	88.0	89.5	82.2	82.7	86.3	82.6	78.1	79.6
Definitely	62.6	68.8	61.6	63.1	59.7	62.5	62.1	62.0	61.6	56.0	73.7	64.3	69.2	64.7	61.2	56.2	59.2
Probably	16.8	15.2	16.2	15.9	19.0	16.9	17.1	20.0	13.6	28.0	10.5	15.8	9.6	19.6	17.6	16.4	20.4
Only Lean	3.0	3.6	1.1	2.3	5.0	3.0	3.3	1.0	4.8	4.0	5.3	2.0	3.8	2.0	3.8	5.5	-
NO, AGAINST	12.4	7.1	15.7	12.5	11.8	12.2	13.0	10.0	16.8	12.0	5.3	12.5	13.5	7.8	12.1	19.2	12.2
Definitely	6.5	0.9	8.1	5.7	6.8	5.9	7.8	4.0	12.0	8.0	-	5.4	7.7	3.9	6.3	15.1	4.1
Probably	5.3	6.2	7.0	6.8	3.6	5.8	4.8	6.0	4.0	4.0	5.3	6.7	3.8	3.9	5.0	4.1	8.2
Only Lean	0.6	-	0.5	-	1.4	0.6	0.4	-	0.8	-	-	0.3	1.9	-	0.8	-	-
UNDECIDED	5.2	5.4	5.4	6.2	4.5	5.3	4.5	7.0	3.2	-	5.3	5.4	3.8	5.9	5.3	2.7	8.2
Net Diff.	70.0	80.4	63.2	68.8	71.9	70.2	69.5	73.0	63.2	76.0	84.2	69.7	69.2	78.4	70.5	58.9	67.3
Mean	6.06	6.27	5.95	6.04	6.04	6.05	6.05	6.11	5.94	6.12	6.37	6.07	6.10	6.24	6.04	5.84	5.98

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	PARTY			WHITE			HISPANIC			MEN			WOMEN		
		REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER	REPUBLICAN	DEMOCRAT	INDEPENDENT/OTHER
Total	1000	376	400	212	306	244	135	41	33	26	191	145	108	185	255	104
YES, IN FAVOR	82.4	85.4	80.2	81.6	85.3	79.5	81.5	85.4	84.8	76.9	85.3	80.7	84.3	85.4	80.0	78.8
Definitely	62.6	69.4	57.2	60.4	69.6	55.7	57.8	65.9	60.6	57.7	70.2	61.4	63.9	68.6	54.9	56.7
Probably	16.8	14.1	19.8	16.5	13.7	20.9	17.8	19.5	21.2	19.2	13.1	17.2	16.7	15.1	21.2	16.3
Only Lean	3.0	1.9	3.2	4.7	2.0	2.9	5.9	-	3.0	-	2.1	2.1	3.7	1.6	3.9	5.8
NO, AGAINST	12.4	10.6	14.5	11.8	10.5	13.9	13.3	9.8	12.1	7.7	11.0	13.8	10.2	10.3	14.9	13.5
Definitely	6.5	5.6	9.0	3.3	5.2	8.2	3.0	4.9	6.1	-	5.8	7.6	2.8	5.4	9.8	3.8
Probably	5.3	4.5	5.0	7.5	4.6	5.3	9.6	4.9	6.1	7.7	4.7	5.5	7.4	4.3	4.7	7.7
Only Lean	0.6	0.5	0.5	0.9	0.7	0.4	0.7	-	-	-	0.5	0.7	-	0.5	0.4	1.9
UNDECIDED	5.2	4.0	5.2	6.6	4.2	6.6	5.2	4.9	3.0	15.4	3.7	5.5	5.6	4.3	5.1	7.7
Net Diff.	70.0	74.7	65.8	69.8	74.8	65.6	68.1	75.6	72.7	69.2	74.3	66.9	74.1	75.1	65.1	65.4
Mean	6.06	6.22	5.94	5.98	6.22	5.92	5.90	6.22	6.09	5.96	6.22	6.00	6.11	6.22	5.91	5.84

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	IDEOLOGY							MEN			WOMEN		
		LIB-ERAL	Very	Some-	MODE-RATE	CONS-ERVA-TIVE	Some-what	Very	LIB-ERAL	MOD-ERATE	CONSER VATIVE	LIB-ERAL	MOD-ERATE	CONSER VATIVE
Total	1000	247	108	139	349	360	187	173	90	147	196	157	202	164
YES, IN FAVOR	82.4	76.9	75.9	77.7	81.4	88.1	87.2	89.0	76.7	80.3	89.3	77.1	82.2	86.6
Definitely	62.6	51.4	51.9	51.1	60.5	73.1	69.0	77.5	52.2	60.5	75.0	51.0	60.4	70.7
Probably	16.8	20.2	20.4	20.1	18.1	13.1	15.5	10.4	18.9	18.4	12.2	21.0	17.8	14.0
Only Lean	3.0	5.3	3.7	6.5	2.9	1.9	2.7	1.2	5.6	1.4	2.0	5.1	4.0	1.8
NO, AGAINST	12.4	14.6	15.7	13.7	16.3	6.9	7.0	6.9	15.6	17.7	5.6	14.0	15.3	8.5
Definitely	6.5	7.3	11.1	4.3	8.3	4.4	3.7	5.2	7.8	8.2	3.1	7.0	8.4	6.1
Probably	5.3	6.9	4.6	8.6	7.2	2.5	3.2	1.7	7.8	8.8	2.6	6.4	5.9	2.4
Only Lean	0.6	0.4	-	0.7	0.9	-	-	-	-	0.7	-	0.6	1.0	-
UNDECIDED	5.2	8.5	8.3	8.6	2.3	5.0	5.9	4.0	7.8	2.0	5.1	8.9	2.5	4.9
Net Diff.	70.0	62.3	60.2	64.0	65.0	81.1	80.2	82.1	61.1	62.6	83.7	63.1	66.8	78.0
Mean	6.06	5.78	5.80	5.76	5.95	6.38	6.30	6.46	5.77	5.92	6.43	5.78	5.98	6.31

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	TOTAL	MARITAL STATUS				SINGLE		MARRIED		CHILD UNDER 18 HOUSEHOLD	
		SINGLE	MARRIED	SEP./DIV.	WIDOWED	MEN	WOMEN	MEN	WOMEN	YES	NO
Total	1000	210	540	124	115	105	105	277	263	180	812
YES, IN FAVOR	82.4	80.5	83.0	86.3	80.0	85.7	75.2	81.6	84.4	78.9	83.1
Definitely	62.6	55.2	63.5	73.4	61.7	63.8	46.7	65.3	61.6	62.2	62.8
Probably	16.8	21.9	15.6	12.1	17.4	19.0	24.8	13.4	17.9	15.0	17.0
Only Lean	3.0	3.3	3.9	0.8	0.9	2.9	3.8	2.9	4.9	1.7	3.3
NO, AGAINST	12.4	16.2	11.3	10.5	12.2	12.4	20.0	12.3	10.3	13.9	12.1
Definitely	6.5	7.1	6.1	4.8	8.7	2.9	11.4	6.5	5.7	6.1	6.7
Probably	5.3	8.1	4.6	4.8	3.5	8.6	7.6	5.4	3.8	7.2	4.8
Only Lean	0.6	1.0	0.6	0.8	-	1.0	1.0	0.4	0.8	0.6	0.6
UNDECIDED	5.2	3.3	5.7	3.2	7.8	1.9	4.8	6.1	5.3	7.2	4.8
Net Diff.	70.0	64.3	71.7	75.8	67.8	73.3	55.2	69.3	74.1	65.0	71.1
Mean	6.06	5.87	6.09	6.28	6.05	6.10	5.64	6.07	6.10	5.96	6.08

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	TOTAL	AGE						AGE						MEN					
		18-29	30-40	41-55	56-65	66-75	OVER 75	UNDER 40	OVER 40	UNDER 55	OVER 55	UNDER 65	OVER 65	UNDER 40	OVER 40	UNDER 55	OVER 55	UNDER 65	OVER 65
Total	1000	107	109	221	205	195	140	216	761	437	540	642	335	109	329	210	228	303	135
YES, IN FAVOR	82.4	82.2	83.5	81.4	81.5	86.7	78.6	82.9	82.3	82.2	82.6	81.9	83.3	83.5	83.6	81.9	85.1	83.8	83.0
Definitely	62.6	49.5	59.6	64.7	63.4	68.7	60.7	54.6	64.7	59.7	64.6	60.9	65.4	57.8	68.4	62.9	68.4	65.0	67.4
Probably	16.8	27.1	22.9	12.7	14.6	16.4	15.0	25.0	14.6	18.8	15.4	17.4	15.8	22.9	12.8	15.7	14.9	15.8	14.1
Only Lean	3.0	5.6	0.9	4.1	3.4	1.5	2.9	3.2	3.0	3.7	2.6	3.6	2.1	2.8	2.4	3.3	1.8	3.0	1.5
NO, AGAINST	12.4	15.0	11.0	13.1	13.2	11.3	11.4	13.0	12.4	13.0	12.0	13.1	11.3	12.8	11.6	14.8	9.2	12.5	10.4
Definitely	6.5	3.7	5.5	6.8	7.3	7.7	5.7	4.6	7.0	5.7	7.0	6.2	6.9	3.7	6.4	5.7	5.7	5.6	5.9
Probably	5.3	10.3	5.5	5.9	3.9	3.6	5.7	7.9	4.7	6.9	4.3	5.9	4.5	9.2	4.6	8.6	3.1	6.3	4.4
Only Lean	0.6	0.9	-	0.5	2.0	-	-	0.5	0.7	0.5	0.7	0.9	-	-	0.6	0.5	0.4	0.7	-
UNDECIDED	5.2	2.8	5.5	5.4	5.4	2.1	10.0	4.2	5.4	4.8	5.4	5.0	5.4	3.7	4.9	3.3	5.7	3.6	6.7
Net Diff.	70.0	67.3	72.5	68.3	68.3	75.4	67.1	69.9	69.9	69.1	70.6	68.8	71.9	70.6	72.0	67.1	75.9	71.3	72.6
Mean	6.06	5.81	6.09	6.04	6.02	6.26	5.98	5.95	6.08	6.00	6.09	6.00	6.14	6.00	6.16	5.99	6.24	6.10	6.17

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"PROPOSAL 44: TERM LIMITS FOR SCHOOL BOARDS, WHICH WOULD LIMIT SCHOOL BOARD MEMBERS TO EIGHT YEARS IN OFFICE."
(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	WOMEN					GENDER		REPUBLICAN			DEMOCRAT			INDEPENDENT		
		UNDER 45	OVER 45	UNDER 55	OVER 55	UNDER 65	OVER 65	MALE	FEMALE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE	LIB-ERAL	MOD-ERATE	CONSER-VATIVE
Total	1000	107	432	227	312	339	200	450	550	27	101	239	184	142	58	34	103	61
YES, IN FAVOR	82.4	82.2	81.2	82.4	80.8	80.2	83.5	83.6	81.5	81.5	79.2	89.1	76.6	81.7	86.2	73.5	82.5	86.9
Definitely	62.6	51.4	61.8	56.8	61.9	57.2	64.0	65.8	60.0	63.0	62.4	74.1	50.5	59.9	69.0	44.1	59.2	73.8
Probably	16.8	27.1	16.0	21.6	15.7	18.9	17.0	15.3	18.0	18.5	14.9	13.0	20.7	20.4	15.5	20.6	17.5	11.5
Only Lean	3.0	3.7	3.5	4.0	3.2	4.1	2.5	2.4	3.5	-	2.0	2.1	5.4	1.4	1.7	8.8	5.8	1.6
NO, AGAINST	12.4	13.1	13.0	11.5	14.1	13.6	12.0	11.6	13.1	11.1	18.8	6.3	15.2	16.2	10.3	14.7	14.6	4.9
Definitely	6.5	5.6	7.4	5.7	8.0	6.8	7.5	5.6	7.3	3.7	9.9	3.8	8.7	10.6	8.6	2.9	3.9	1.6
Probably	5.3	6.5	4.9	5.3	5.1	5.6	4.5	5.6	5.1	7.4	6.9	2.5	6.0	5.6	1.7	11.8	9.7	3.3
Only Lean	0.6	0.9	0.7	0.4	1.0	1.2	-	0.4	0.7	-	2.0	-	0.5	-	-	-	1.0	-
UNDECIDED	5.2	4.7	5.8	6.2	5.1	6.2	4.5	4.9	5.5	7.4	2.0	4.6	8.2	2.1	3.4	11.8	2.9	8.2
Net Diff.	70.0	69.2	68.3	70.9	66.7	66.7	71.5	72.0	68.4	70.4	60.4	82.8	61.4	65.5	75.9	58.8	68.0	82.0
Mean	6.06	5.91	6.02	6.00	5.99	5.92	6.12	6.12	6.00	6.07	5.89	6.41	5.76	6.00	6.28	5.56	5.92	6.38

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(Net Diff. = YES, IN FAVOR - NO, AGAINST)

	TOTAL	VOTE HISTORY - SUMMARY					VOTE 2016	VOTE 2016	NOT 2016	NOT 2016
		1 OF 4	2 OF 4	HIGH PROPENSITY	3 OF 4	4 OF 4	VOTE 2014	NOT 2014	VOTE 2014	NOT 2014
Total	1000	185	152	663	202	461	650	290	24	36
YES, IN FAVOR	82.4	82.2	83.6	82.2	80.7	82.9	82.5	81.4	87.5	86.1
Definitely	62.6	58.4	61.2	64.1	62.9	64.6	63.7	58.3	75.0	69.4
Probably	16.8	21.1	19.1	15.1	14.9	15.2	15.8	20.0	12.5	11.1
Only Lean	3.0	2.7	3.3	3.0	3.0	3.0	2.9	3.1	-	5.6
NO, AGAINST	12.4	14.1	9.9	12.5	13.4	12.1	12.0	13.4	8.3	13.9
Definitely	6.5	6.5	6.6	6.5	6.9	6.3	6.3	7.2	4.2	5.6
Probably	5.3	7.0	2.6	5.4	5.9	5.2	5.1	5.5	4.2	8.3
Only Lean	0.6	0.5	0.7	0.6	0.5	0.7	0.6	0.7	-	-
UNDECIDED	5.2	3.8	6.6	5.3	5.9	5.0	5.5	5.2	4.2	-
Net Diff.	70.0	68.1	73.7	69.7	67.3	70.7	70.5	67.9	79.2	72.2
Mean	6.06	5.98	6.11	6.06	6.01	6.09	6.07	5.98	6.38	6.14

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How Term Limits Fight Big Money in Politics

A policy snapshot by U.S. Term Limits

Intro

According to a 2015 New York Times/CBS Poll, 84 percent of Americans believe money has too much influence on campaigns. Since fundraising is most unequal when an incumbent defends his seat, any reform that fights incumbency can make the money situation more equal. Term limits is that reform.

Incumbents Get Money

Like any smart investor, special interests spend on candidates who can provide them the best return. That's why sitting congressmen receive $6 for every dollar that goes to their challengers. The advantage makes them powerful and virtually impossible to beat. It also discourages good people from running for office.

Incumbents Win Elections

Incumbents' fundraising edge is a protective shield at election time. It guards them from their own bad votes, talented challengers and potential lost support from the party. This system works for millionaires and billionaires, but not the rest of us:

The Odds of Defeating a US House Incumbent Based on Spending by Challenger

Under $1,000,000	293:2
$1 million to $1,499,999	18:4
$1.5 million to $1,999,999	9:4
$2 million or more	1:1

Source: Center for Responsive Politics

Open Seats, Closed Wallets

The average House incumbent raises around $1.5 million for his re-election campaign. The average challenger raises around $250,000. But what happens in an open seat race? The average candidate there raises a happy medium around $600,000. So, open seat contests bring three positive effects:

1. More candidates
2. More accessibility to elected office
3. More equal fundraising

How to Get There

Term limits are a remedy for incumbency and the money that comes along with it. By guaranteeing open seat races on a regular basis, term limits deliver a more balanced and accessible system. They stop incumbents from growing too unbeatable, and keep Congress from becoming an aristocracy.

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Female Candidate Emergence and Term Limits: A State-Level Analysis

Samantha Pettey[1]

Abstract

This study examines term limits to determine the effect they have on female candidate emergence in state legislatures. Initial research finds a negative relationship between term limits and female representation. I offer a candidate-level theory and empirical approach to reevaluate how term limits affect female representation overtime. I argue term limits create an incentive structure that favors female candidates since the incumbency advantage is lessened. To test this theory, I set up a quasi-natural experiment with term limits as the treatment in a difference-in-differences test. Furthermore, I also run logistical regression analysis using candidate-level data from all fifty states from 1990 to 2000. I find women are more likely to run for office in open seats created by term limits. Last, this pattern holds for both Republican and Democratic female candidates.

Keywords

term limits, women and politics, female state legislative candidates

Introduction

Term limits are one of the most significant institutional changes to take place since the modernization of state legislatures (Kurtz, Cain, and Niemi 2007). And since the implementation of term limits, a puzzle in the literature emerges. Conventional wisdom suggests open seats help women gain descriptive representation since women fare as well as men in elections. Term limits provide more open seats, which suggests females have more opportunities to enter into office (Burrell 1994; Darcy, Welch, and Clark 1994; Fox 2000; Seltzer, Newman, and Leighton 1997). Yet studies conducted after the implementation of term limits find the greater number of open seats have negative consequences for female descriptive representation (Bernstein and Chadha 2003; Carroll and Jenkins 2001).

This article seeks to bridge the puzzling finding that more open seats, created by term limits, results in fewer women in office, but focuses on the candidate emergence stage. Theoretically speaking, term limits are only beneficial to women if women actually run for office. Normatively speaking, understanding how term limits help or hinder female candidate emergence is important to study for furthering descriptive representation. Theories on descriptive representation claim the makeup of legislative bodies should reflect the demographics of the public. Politicians better represent their constituents if they resemble the populace with regard to gender, race, social, and economic status. Scholars theorize the importance of descriptive representation and its implications for society because females bring different issues, experiences, and viewpoints to the political table. Increasing the percentage of women in political positions leads to more favorable policies for women (Osborn 2012; Schwindt-Bayer and Mishler 2005; Swers 2002).

In the United States, female descriptive representation has been, and continues to be, much lower than male descriptive representation at all levels of government. Currently, at the state level, female representation ranges from a low of 12 percent in Louisiana to a high of 41 percent in Colorado. The average percentage of females in all fifty state legislatures is only 24.2 percent (Center for American Women and Politics [CAWP] 2014; National Conference of State Legislatures [NCSL] 2014). Not only is the current percentage low, but the percentage of women in state legislative branches has become rather stagnant since the 1990s (Norrander and Wilcox 2012). Given that a large amount of policy-making is delegated to the states, the lack of female representation across all states is troublesome (Carroll and Sanbonmatsu 2013).

[1]Massachusetts College of Liberal Arts, North Adams, USA

Corresponding Author:
Samantha Pettey, Department History, Political Science and Public Policy, Massachusetts College of Liberal Arts, 375 Church St., North Adams, MA 01247, USA.
Email: s.pettey@mcla.edu

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Research providing a greater understanding of when and why women run for office, or emerge as candidates, is a critical stage in the process toward understanding the unequal representation between males and females at all levels of government.

This article proceeds as follows. First, I provide a discussion of the extant literature with regard to female candidate emergence and term limits. Next, I detail my expectations on how term limits will affect female candidate emergence. Then, I introduce the data and methods used to test my hypothesis and conclude with a short discussion of the findings and implications of this study.

Emergence

A thread of the women and politics literature focuses on how and why women run for office (Carroll and Sanbonmatsu 2013; Fox and Lawless 2004). In other words, why do some female candidates emerge and run for election while other potential candidates never run? Before there can be parity, there has to be pool of women who are willing to run for office, and ultimately win their campaigns. Below is a discussion of the four main factors scholars identify as inhibiting the emergence of female candidates: institutional barriers, socialization, ambition, and political factors.

Institutional Barriers

From an institutional perspective, the low rates of female descriptive representation in the United States are explained by two main theories: the incumbency advantage and eligibility pool. Incumbency advantage posits that incumbents' high reelection rates reduce opposition and leave little opportunity for new candidates to compete (Burrell 1994; Carroll and Jenkins 2001; Darcy, Welch, and Clark 1994). Furthermore, research finds female candidates at the congressional level to be just as likely to win elections as men, indicating that females are not at an electoral disadvantage per se, but the high incumbency rate keeps women out of office (Burrell 1994; Darcy, Welch, and Clark 1994; Fox 2000; Seltzer, Newman, and Leighton 1997). As such, women will enter office at a glacial pace because the incumbency advantage is so significant.

A second institutional constraint is that the female candidate eligibility pool is smaller than the male candidate pool. The eligibility pool, or where the majority of all candidates emerge from, consists mainly of positions in law and business.[1] Women in Congress tend to emerge from careers in teaching, social work, and health care without a background in politics rather than the typical "political" fields previously mentioned (Carroll and Sanbonmatsu 2013; Clark 1994; Dolan, Deckman, and Swers 2007). Therefore, since fewer women are potential candidates, parity is difficult because women simply do not run.

Sociological Factors

Second, extant literature suggests there are sociological, cultural norms at play which keep women from seeking office. Women are less likely to be socialized to run for political office (Fox and Lawless 2004). Yet political conditioning research suggests women who are engaged in politics are more likely to emerge and run for office at any level (Fox and Lawless 2004). Furthermore, women are more likely to be engaged in politics if issues are salient to them (Campbell and Wolbrecht 2006).

Family responsibilities also inhibit women from being in office, since women tend to have a disproportionate share of responsibilities (Fox and Lawless 2004). Not only that, women see private, family commitments as conflicting with public commitments, and this has changed little overtime (Burrell 1994; Carroll and Sanbonmatsu 2013; Sapiro 1982). Yet these cultural gender norms that seem to place time constraints on future candidates do not seem to inhibit women from participating in other areas of politics—women are just as, if not more, likely to be engaged in local, community-level politics. Therefore, sociological-based time constraint theories are not a sufficient explanation to a lack of female emergence (Burns, Schlozman, and Verba 2001).

Ambition

Third, research finds ambition levels differ by gender; specifically, women's ambition levels are inherently lower than male's. The gender differences in political ambition levels is in part due to the fact that women perceive themselves to be less qualified than men to run for office (see Fox and Lawless 2004; Fulton et al. 2006).

Political Factors

Last, there are political factors that influence whether or not a person will run for office. Research finds parties have a large and significant impact on whether a female will run for office. Most female candidates do not consider running for office until they are approached by a party leader. Without recruitment, the majority of current women office-holders had never seriously considered running for office. There are more women in office when women are actively recruited, whether by party or political organization (Carroll and Sanbonmatsu 2013; Sanbonmatsu 2006).

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Term Limits

Term limits are an important institutional attribute that may serve as a bridge between emergence and descriptive representation by creating more open seats. Term limits in state legislatures place restrictions on the number of times an official can serve in office.[2] States began enacting term limits in the early 1990s as a way to force government turnover. Many citizens were displeased with the lack of effective governance at the state level and wanted to stop incumbents from running for office (Reed and Schansberg 1995; Thompson and Moncrief 1993).

Prior to the enactment of term limits, most researchers hypothesized term limits would be beneficial for females. Term limits act as a way to combat the incumbency advantage and create more open seats. These open seats would provide women more opportunities to run for office (Carroll and Jenkins 2001; Crane 1995; Darcy, Welch, and Clark 1994; Ferry 1994; Thompson and Moncrief 1993). Yet, when term limits began to take effect, researchers found term limits did not have the intended effects on women in office (Bernstein and Chadha 2003; Carroll and Jenkins 2001). In 1998, seven states had their first round of termed-out politicians, which created 215 open seats across all seven states. The number of these 215 seats held by women actually dropped from fifty-eight to fifty-three after the 1998 election. Thus, the introduction of term limits resulted in a net loss of five seats for women (Bernstein and Chadha 2003).

In a cross-sectional analysis of the impact term limits had for the year 1998, scholars find an overall negative effect on women in office, but there was variation by state. Some states, such as Arizona and Arkansas, saw minor gains in the number or females in office but most suffered, which reflected in a declining number of females in office (Carroll and Jenkins 2001). Yet what explains these differences across states? And, more importantly, do these initial findings hold up across a longer temporal sample? Further research is needed to resolve the conflict between the expectation that term limits would allow for more female candidates and the early empirical evidence to the contrary.

Emergence and Term Limits Theory

The literature on candidate emergence and term limits offer conflicting explanations on the expectations of female emergence. The term limits literature mainly focuses on overall success of female candidates and largely ignores the impact term limits may have on candidate emergence. Perhaps women are running for office more frequently in the term limited states but are not winning elections. This theory incorporates expectations about open seats from term limits literature and eligibility pool assumptions from the emergence literature to develop a general argument regarding female candidate emergence in term-limited states.

Open Seats

Existing research regarding female descriptive representation is concerned with aggregate levels of female success. Yet as previously discussed, a critical stage of analysis is candidate emergence. The only way women will gain parity is if they run and subsequently win. All else being equal, in terms of electoral outcomes, term limits can only be effective if the number of female candidates running within the states increases. For example, if there are more open seats (created by term limits or not) and the same number, or fewer, women running for office, then open seats will not have a positive impact on the number of females in office. This idea is especially important in term-limited states since the nature of term limits creates more open seats.

Without an increase in female candidate emergence, we are unlikely to find support for the conventional wisdom that more open seats will lead to more women in office. Carroll and Jenkins (2001) show that in states with term limits, the number of female officeholders decreased when term limits were enacted. However, it is possible this finding is due to lower levels of female candidate emergence. The lack of female candidate emergence is apparent in Carroll and Jenkins' (2001) finding that females did not run in a large number of primary elections for either party.

The greater number of open seats created by term limits provide potential female candidates with more opportunities to emerge. Since an incumbent cannot continuously run, the overall likelihood of winning an election will increase for new candidates. Further, Fulton et al. (2006) find women are more likely to run in races if/where they perceive their chances of winning to be high. This rational behavior is present in all candidates as studies also find that candidates act rationally when deciding to enter a race—most only run when the likelihood of winning the seat is high (Black 1972; Jacobson and Kernell 1981; Lazarus 2008). Open seats, created by term limits or otherwise, offer a better chance at winning an election than running against an incumbent. Therefore, states with open seats created by term limits should see an overall increase in the number of female candidates emerging because the perceived opportunity to win the seat is higher.

Eligibility Pool

The greater number of open seats created by term limits will likely effect the eligibility pool. The presence of term limits may influence more women to emerge as

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candidates in state legislative elections. This is due to the fact that with term limits, the job is temporary and politics is not necessarily a career path. Therefore, anyone can theoretically have a desire to run and hold office for a short period of time. Amateur candidates, those with no previous office-holding experience, tend to run if they perceive their chance of success to be high, but this is not a necessary condition to emerge (Lazarus 2008). Term limits may create a pool of amateur candidates, specifically female candidates, who are motivated to run for factors other than being a career politician—especially if a potential candidate thinks they can win.

Support for an amateur female candidate pool already exists at the state level. A 2008 CAWP Recruitment Study by Carroll, Sanbonmatsu, and Walsh find nearly 43 percent of women in the lower chamber of the state legislatures had no previous officeholding experience. More importantly, nearly 73 percent of females in the lower house claimed their decision to run for office was not done as a stepping stone toward higher office. The study also finds that nearly 79 percent of women in the lower chamber reported having an occupation that allows for sufficient time and flexibility to hold office was important when considering their run for office. These findings suggest that many women in state legislatures do not plan on being career politicians. Therefore, term limits enhance this favorable environment and allow more opportunities for potential female candidates to run, hold office, and still avoid being career politicians.

Term limits have the potential to create a larger eligibility pool of female candidates. Term limits may add a little extra incentive to run for office since the length of time someone can spend in office is limited. Thus, term limits create a unique opportunity for noncareer politicians to serve short term in office to make policy changes[3] and then leave after they are termed out.

Furthermore, term limits can also have a positive impact on women who want to be career politicians. Given theories on rational choice candidate entry models (Black 1972; Jacobson and Kernell 1981; Lazarus 2008), politicians run when they are most likely to win. Term limited seats will not have an incumbent running, so these seats should theoretically be easier to win, given the lack of an incumbency advantage. This is good for ambitious female politicians because they are in a better situation to win office than when compared with female challengers in a state without term limits trying to win a seat against a long-term incumbent.

Term limits provide a structured timeline for how long one can legally stay in office before they move on to the next level of government. Career politicians may find this structure useful for moving up the political ladder. For example, a female may desire to move out of the lower chamber in the state legislature but no opportunities exist in the upper chamber. States with term limits in both chambers have more open seats and, therefore, greater opportunities for new candidates to run for office. Further, term limits provide an opportunity for women to gain experience and exposure quickly if they move between chambers after being term-out, especially for women who may want to progress into federal office, or governorships, after they have termed out of their state legislature.

In sum, taking into consideration the constraints and variation in the use of term limits across states, one should not expect a drastic increase of women in office in states with term limits immediately. Rather, the number of women in office will likely rise fairly steadily over time as more officials are forced to vacate the state legislature. There may be loss in the short term as research finds (Bernstein and Chadha 2003; Carroll and Jenkins 2001), but this should not be the norm. Open seats will gradually increase as incumbents are termed out, providing potential women candidates with more opportunities to run. In other words, term limits, in combination with open seats, increase the number of women in the eligibility pool. The crux of this theory relies on the fact that term limited states will only increase the number of women in office if the number of women running for office increases. Term limits create a favorable environment for noncareer and career female politicians to run for office, and this is the possibility that I will empirically evaluate in the remainder of this article.

Therefore,

Hypothesis 1 (H1): Term limits increase the likelihood of female candidate emergence.

Data

To examine the hypothesis, I utilize a candidate-level data set of each state's lower legislative chamber. The candidate data comes from the State Legislative Election Returns (SLER): 1967–2010 (Klarner et al. 2013). The dataset captures candidate-level state legislative elections and includes variables such as election results, term length, type of legislative election, incumbency status, and party identification. The large time span allows me to better test the impact of term limits on female candidate emergence. I conduct the analysis across all fifty states at the candidate level in the general election (discussed more below) using a quasi-natural experiment design. I examine the years from 1990 to 2010, both pre- and post-term limits, across all candidates meeting the standard 5 percent threshold (Canon 1978) using states without term limits as the control group.

The SLER data does not contain the candidate's gender, and therefore, I coded each candidate's gender. As a robustness check, I have also utilized the CAWP (Center

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for American Women and Politics) database as a cross-reference. CAWP provides a list of the total number of women who ran in an election for each state. After coding the SLER dataset to include gender, I looked to the CAWP dataset to examine any discrepancies. When there were discrepancies between SLER and CAWP, I cross-referenced the Secretary of State's original election results (when available) to fix or confirm the findings from my dataset. Further, in a handful of cases where the Secretary of State's election results were not readily available and discrepancies existed, I searched newspaper articles for gender candidate cues.[4]

While the SLER dataset contains a large number of election periods, I will only use the time period from 1990 to 2010. Since 1996–2000 is the time frame in which most states first experience the impact of term limits, the time frame allows a roughly equal number of election cycles pre- and post-term limits. The analysis for this time period will therefore capture a considerable amount of elections both before and after term limits took effect in states. Furthermore, the candidate-level dataset is quite large over a twenty-year time frame and produces roughly eighty thousand observations.[5]

Design

As briefly mentioned, the enactment of term limits provides the unique opportunity of an intervention point for an experimental design. Mooney (2009) addresses a major concern when treating term limits as a natural experiment: exogeneity. To model a causal relationship, there needs to be random assignment of the treatment and control group. To test for random assignment, Mooney (2009) ran a series of difference of means tests between states with term limits and states without term limits. The results find the most common and widely used state-level explanatory variables have no statistically significant differences between states with term limits and states without term limits. In other words, there is not a unique underlying factor about states that enacted term limits versus states that did not enact term limits. For example, a state's population, gross domestic product (GDP), ideology, electoral turnout rates, legislative professionalism, and so on, do not predict the adoption of term limits. Therefore, term limits can be treated as a natural experiment because the states with and without term limits have no statistically significant differences between them—that is, random assignment of term limits occurred. The treatment group for the design includes all the states that enacted term limits, and the control group includes all the states that have not enacted term limits.

The enactment of term limits happened at different points in time across the states. Term limits first took effect in a handful of states in the late 1990s and continued to be implemented through the 2000s. As such, there will be multiple intervention points that are unique to the state enacting the term limits. Using panel-level data, I am less likely to violate the assumption that an unobservable/unmeasurable variable has an impact on my main independent variable, term limits. This is important when determining a causal link between term limits and the dependent variable. Table 1 provides a list of the term limited states (which have not been repealed). The table provides the year in which the term limits were enacted and the year in which the first round of legislators were forced to leave due to term limits.

Table 1. Term-Limited States.

State	Year enacted	Year of impact
Maine	1993	1996
California	1990	1996
Colorado	1990	1998
Arkansas[a,b]	1992	1998
Michigan	1992	1998
Florida	1992	2000
Ohio	1992	2000
South Dakota[a]	1992	2000
Montana	1992	2000
Arizona[a]	1992	2000
Missouri	1992	2002
Oklahoma	1990	2004
Nebraska	2000	2006
Louisiana	1995	2007
Nevada	1996	2010

Source. NCSL (2014): "The Term-Limited States."
[a]Indicates multimember districts.
[b]Eliminated multimember districts after 2000 election.

Variables

Dependent

The dependent variable is *female candidate emergence*, which is a dichotomous variable where "1" is a female candidate and "0" is a male candidate. Table 2 reports the descriptive statistics on the number of female candidates in the sample. Between 1990 and 2010, female candidates made up about 26 percent of the total candidates running for office. Male candidates during the same time period made up roughly 73 percent of the total sample. The numbers are not surprising since the overall percentage of women in office across the states during that time averages around 20 to 25 percent.

Independent Variable

The main explanatory variable of interest is *term limits*. States with term limits are coded "1" and states without term limits are coded "0." Since, the intervention points

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Table 2. Descriptive Statistics for Female Emergence.

Variable	Number	Percentage of sample
Female Candidates	24,537	26.30%
Male Candidates	68,380	73.30%

Table 3. Descriptive Statistics for Term Limits.

Variable	Number	Percentage of sample
Non-Term Limit Seats	79,029	85.54%
Term-Limit Seats	13,888	14.46%

will be scattered due to states implementing term limits in different years, each state with term limits will be coded to reflect the year in which that state's term limits take effect. States with term limits are coded as "0" until they implement term limits (states who never implement term limits remain coded as 0 throughout). Table 3 shows the distribution for states with and without term limits. Approximately 15 percent of candidates run in term-limited seats. Whereas non-term-limited seats make up about 85 percent of the total sample (the non-term-limited seats include states with enacted term limits but elections before they were implemented). Since this is candidate-level data with a focus on candidate emergence, these numbers represent the distribution of candidates running in the term-limited and non-term-limited races (not the total number of available seats).

Table 4 below provides further descriptive statistics showing the distribution of the data for candidate emergence and term limits. At first glance, females are more prevalent in term-limited states, making up 28 percent of the total candidates versus non-term-limited seats where females are only 25.9 percent of the total candidates. Males are much more likely to emerge as candidates in term-limited and non-term-limited states when compared with their female counterparts making up roughly 71 to 74 percent of the observations within each set of states.

Control Variables Candidate-Level Controls

The model includes several candidate-level and state-/district-level controls. The first control is for *open seat* and is coded as "1" if a candidate runs in a district with an open seat and "0" if an incumbent is running within that district. As extant research and my theory suggests, open seats decrease institutional barriers for women to enter office so I expect open seats to have a positive impact on the likelihood a female will run for office.

Incumbents have an advantage in elections, even at the state level. Incumbents are more likely to win their elections and is an important variable to include in the model. Here, *incumbent* is coded so a "0" is a non-incumbent and "1" is an incumbent candidate. As with the extant literature, I expect incumbency to have a negative impact on female candidate emergence. Incumbents inhibit females from winning office and may keep them from running completely due to the costs associated with running a campaign, especially one where the challenger is expected to lose against an incumbent. While congressional literature finds women have an increasing tendency to run as challengers against female incumbents (see Lawless and Pearson 2008), much of the literature finds incumbents dissuade candidates from emerging.

Table 4. Distribution of Candidates and Term Limits.

Variable	Non-term limits	Term limits
Female Candidates	20,646 (25.9%)	3,891 (28%)
Male Candidates	58,383 (73.9%)	9,997 (71.2%)

Another important control variable is *party*. Research finds female candidates tend to emerge and hold seats in office more often as Democrats than Republicans. Republicans are coded as "0," and I expect that Democrats, coded as "1," will have a positive impact on the number of female candidates.

A measure of competitiveness is also important, especially since females are less likely to run for office if they perceive their chances of winning to be low. As a crude measure of competitiveness, I include the *number of candidates* in each election. While this is not a direct measure of whether a race is competitive or not because it does not include the types of candidates running,[6] Lawless and Pearson (2008) find females tend to be in elections where they are facing more than one opponent. While a majority of races are unopposed or have only two candidates, capturing opposition, especially if there is zero opposition, is an important control.

State-Level Controls

Research also finds women are more successful when they compete in multimember districts (MMD; Carroll 1994; Darcy, Welch, and Clark 1994). This is due to the fact that there are more opportunities to win a seat, and it is not a zero-sum game. A handful of state legislatures use MMDs in their elections rather than single-member districts (SMD). To measure MMDs, I use the *district type* variable, which differentiates between the types of districts. The variable is coded as a dummy for purposes of this study where "0" is an SMD and "1" is an MMD.

I also include a control for *term length*. Given my theory that term limits may attract females who do not wish to be career politicians, I expect there to be a negative

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relationship between the length of a term in office and female emergence. Females should be more likely to emerge in states with fewer years in a term; the longer a term, the less likely a female will emerge. Most lower chambers in states have two-year terms, but there are a small handful of states with four-year terms.

I also include a measure of *legislative professionalism*. I use the Squire index, which is a value between 0 and 1 assigned to states based on the level of professionalization within the legislature. Values closer to 0 are the least professional, and values closest to 1 are the most professional (see Squire 1992). I expect professionalization to have a negative impact on the likelihood a female candidate will emerge. This measure is capturing my theoretical argument that women are more likely to emerge when they do not want to be career politicians; therefore, when professionalism increases, female emergence will decrease.

Last, I include a measure for if a candidate emerges in a southern state. The variable *south* is coded with a "1" if the state is a southern state and "0" if otherwise. This measure tries to capture some of the known differences between female representation in the southern versus northern states. I expect southern states will have fewer women emerging as candidates. Table 5 below lists all the variables and their predicted direction for the logistical regression.

Table 5. Variables and Predicted Directions for Logistical Regression.

Variable	Predicted direction
Term Limits	(+)
Open Seat	(+)
Incumbent	(–)
Party ID	(+)
Number of Candidates	(−)
District Type	(+)
Term Length	(−)
Legislature Professionalization	(−)
South	(−)

Method

I employ two methods to test my hypothesis that term limits increase female candidate emergence. The first is a difference-in-differences method. Difference in differences allows time-invariant covariates to be factored out, while incorporating overall exogenous shocks or trends in the system. Difference in differences allows the researcher to control for many factors while "manipulating" one key variable, in this case, term limits, to provide a causal link between the independent and dependent variable.

The difference-in-differences method is shown below using states as the unit of analysis. Equation 1 represents the model for states with term limits. Term limits serve as an intervention point, and the difference in female emergence rates before and after term limits were implemented is provided. The model keeps all variables constant while the unobservable/time-invariant, *ai*, factors are already factored out. Equation 2 represents the control group: states without term limits.[7] Equation 3 represents the difference between the treatment and control groups: states with term limits and states lacking term limits. The error terms are also differenced so this better captures overall shocks to the system and can capture any general trends. If there is a difference found in Equation 3, then term limits have a causal impact on women emergence.

$$\Delta yiTL = \delta 0 + \beta + \Delta uiTL \quad (1)$$

where $\Delta yiTL$ denotes the difference in y for states with term limits

$$\Delta yiNTL = \delta 0 + \beta + \Delta uiNTL \quad (2)$$

where $\Delta yiNTL$ denotes the difference in y for states without term limits

$$\Delta yiTL - \Delta yiNTL = \beta + \left(\Delta uiTL - \Delta uiNTL\right) \quad (3)$$

where y is the mean number of women emerging.

I also run a logistical regression to examine the impact term limits have on the likelihood a female candidate will run for office. The unit of analysis for the logit model is the candidate year. Therefore, candidates will appear in the model for every election cycle they run as a new observation. Where difference in differences examines the overall difference in emergence between male and female candidates in states, the logistical regression aims to capture and predict the likelihood a candidate is a female based on the electoral environment at the individual level. Last, the standard errors are clustered around each individual legislator to control for differences across each candidate.

Results

The difference-in-differences results find term limits increase the mean number of female candidates running for office in states. Table 6 and Figure 1 provide evidence of this relationship within and across states. States with term limits, labeled with (e) for experimental group, see a small increase in the number of females emerging while states without term limits, label (c) for control, see a smaller overall increase. Figure 1 shows the positive effect term limits have on female emergence as well. Post-term limits, there is an overall increase in female

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Table 6. Difference in Differences.

Female emergence	*M*	*SE*
Pre-term limits (e)	0.243	0.004
Post-term limits (e)	0.267	0.004
$\Delta yiT\ L =$	0.024	
Pre-term limits (c)	0.240	0.003
Post-term limits (c)	0.258	0.002
$\Delta yiN\ T\ L =$	0.018	
$\Delta yiT\ L - \Delta yiN\ T\ L =$	0.006	

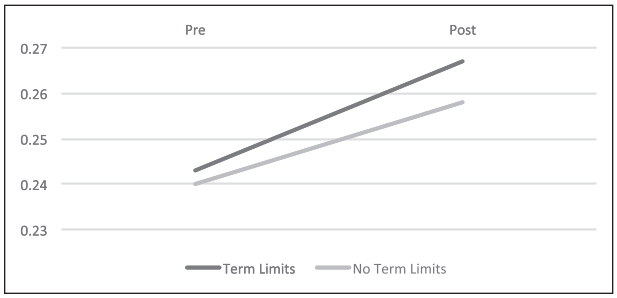


Figure 1. Women emergence in states pre- and post-term limits.

emergence for all the states, but the slope is steeper for states that enacted term limits.

The control group, states without term limits (c), saw a within-group difference in female emergence post-term limits (1996) of 1.8 percent, while the experimental group, states with term limits (e), have a within-group difference of 2.4 percent. Substantively, this shows term limits increase the overall percentage of women emerging by about 0.6 percent. While the percentage seems rather small, this 0.6 percent effect size of term limits equates to roughly ten more women emerging in term-limited states. For example, between 1994 and 2000, Ohio (a state with term limits) had a 0.06 difference in means. In 1996, forty-one females ran for office and in 2000, the first year term limits took effect, fifty-two females emerged (even if just by 0.6 percent, or ten females per election year), the better their chances are for increasing descriptive representation overall in those states. Women cannot win office and gain parity if they are not emerging. Term limits, as tested in the difference-in-differences model suggest there is a positive, causal relationship between term limits and female candidate emergence.

The difference in differences analysis provides a look at states, while the logit analysis looks at the individual level (while controlling for state-level factors). Table 7 shows the results of the logit model, which also supports the hypothesis that term limits increase the likelihood a female candidate will emerge. Logistical regressions are

Table 7. Likelihood Candidate Is a Female.

Variable	Coefficient	*SE*
Term Limit	0.085	0.033
Open Seat	0.077	0.023
Incumbent	−0.036	0.027
Party ID	0.467	0.030
Number Candidates	0.025	0.007
District Type	0.138	0.043
Term Length	−0.058	0.031
Professionalism (Squire)	−0.286	0.109
South	−0.306	0.040
Constant	−1.170	0.074
$n = 88285$		

Standard errors are clustered around candidate ID.

not directly interpretable without predicted probability models, but term limits is in the expected, positive direction and is statistically significant. Furthermore, all of the control variables are consistent with past literature, in the expected direction, and most are also statistically significant at a level. Only incumbency and term length are insignificant, but both are on the cusp of significance at the .10 level.

While the direction and impact are important, predicted probabilities for logistical regression provide substantive, interpretable results. Table 8 provides predicted probabilities for when a candidate is a Democrat, and Table 9 provides the predicted probabilities for Republican candidates. All the predicted probabilities values are set based on the most likely of cases, rather than an overall mean, which oftentimes captures unlikely cases (such as a 2.5-year term, which does not exist). Therefore, number of candidates is set at 2 (to represent one opponent), term length is set to two, south is set to zero (only looking at nonsouthern states), and professionalization is set to the mean.[8] The tables vary by open seat, district type, incumbency, and party identification.[9] The Open Seat column represents races where no incumbent runs for office. The Non-Incumbent column represents candidate emergence for non-incumbents in nonopen seat races, that is, challengers. Last, the rows represent whether the candidate is in a term-limited or non-term-limited state, and whether the candidate is in an SMD or MMD.

Table 8 shows the substantive differences between Democratic female candidate emergence in term-limited and non-term-limited states. Women are emerging about 2 percent more of the time when term limits are present. In an SMD when there is an open seat, a female candidate emerges about 32 percent of the time in states without term limits versus 34 percent of the time in states with term limits. Open seat races in MMDs also have women emerging 2 percent more in the term-limited states at

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Table 8. Predicted Probabilities for Democrats.

Female emergence	Open seat	Non-incumbent
Single-member districts		
No term limits	0.321 (0.006)	0.304 (0.006)
Term limits	0.340 (0.008)	0.323 (0.008)
Multimember districts		
No term limits	0.352 (0.010)	0.334 (0.009)
Term limits	0.371 (0.012)	0.354 (0.012)

All margins are significant at $p < .01$. Standard errors provided in parentheses.

Table 9. Predicted Probabilities for Republicans.

Female emergence	Open seat	Non-incumbent
Single-member districts		
No term limits	0.229 (0.005)	0.215 (0.005)
Term limits	0.244 (0.007)	0.230 (0.007)
Multimember districts		
No term limits	0.254 (0.008)	0.240 (0.008)
Term Limits	0.270 (0.011)	0.255 (0.010)

All margins are significant at $p < .01$. Standard error provided in parentheses.

about 37 percent of the time versus 35 percent of the time in the non-term-limited states. Women are most likely to emerge in these MMDs with term limits. And while this number is not 50 percent (meaning half the candidates are men, half are women), 37 percent is quite high given the average 24 percent descriptive representation across all the states.

Female emergence as challengers (non-incumbents) also provides evidence in support of the hypothesis that term limits increase female emergence. Women are emerging around 30 percent of the time in SMDs with no term limits versus 32 percent of the time in states with term limits. While winning a seat as a challenger is generally harder due to the incumbency advantage, term limits seem to encourage more women to run. The same pattern exists in MMDs where women emerge as challengers around 33 percent of the time in non-term-limited states and 35 percent of the time in the term-limited states.

Perhaps the most interesting finding is that women are just as likely to emerge as challengers in term-limited states as they are in open seats in states without term limits (around 32 percent in the SMDs and 35 percent in the MMDs). This comparison is important because previous literature finds open seats are one of the best chances women have to gain parity, and they emerge much more often in these seats. Given the equal likelihood of turnout between said open seats and the term-limited nonopen seats, the effect of term limits is similar to the "best case" scenario for women emergence. This suggests term limits lower the incumbency advantage (or at least the perception of how strong it is) and increase a candidate's confidence in their ability to win an election to a level similar to an open-seat election.

Table 9 reports the predicted probabilities for Republicans. The overall predicted probabilities are comparatively lower than the Democratic ones, which is expected given Democratic female candidate trends. The literature finds women are much more likely to emerge, and ultimately win office, as Democrats. For example, Democratic women emerge around 34 percent of the time in term-limited SMDs versus Republican women only emerge around 24 percent of the time. There is about a 10 percent difference between female Democratic and Republican candidate emergence.

Despite the comparatively lower emergence rates, term limits still have a positive effect on female Republicans. The difference in female Republican candidate emergence between term-limited states and non-term-limited states is about 1.5 percent. In other words, the probability a female Republican will emerge increases by about 1.5 percent in term-limited states (vs. about 2 percent for Democratic women). For example, in open seat races in SMDs, women emerge about 23 percent of the time in states without term limits and about 24 percent of the time in states with term limits. The pattern is similar in MMDs where women emerge around 25 percent of the time in states without term limits and 27 percent of the time in states with term limits.

Looking at Republican challengers in the Non-Incumbent column also supports the hypothesis that term limits increase emergence. Women are much more likely to emerge as challengers in term-limited states than non-term-limited states. In SMDs with term limits, women emerge 23 percent of the time versus 22 percent of the time in states without. And in MMDs, women emerge 26 percent of the time versus 24 percent of the time in states without. Further, the results are consistent with the Democratic female candidate emergence finding that women emerge as challengers in term-limited states as often as women emerge in open seats in states without term limits.

While term limits only increase Republican female emergence by 1.5 percent, any increase is arguably positive for women (especially Republican women) who are rather underrepresented in states. Given that term limits increase Democratic female emergence by about 2 percent, the overall increase term limits provide for both parties is evidence that term limits do not have the negative, unintended consequences on women in office. The evidence provided here supports the theory that term limits increase

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female candidate emergence and also sheds a bit more light on the conventional wisdom about how the incumbency advantage hurts women. Term limits seem to change the candidate pool, and lower the effects of the incumbency advantage. This change lowers the risk associated with running, which increases the number of women willing to emerge as candidates—in open seats, as challengers, and across both parties. Term limits increase the number of women running, and when women run, they win.

Conclusion and Implications

Currently, females make up only 24 percent of state legislators in the United States. This is concerning given a 2009 CAWP study that indicates the growth of female candidates at the state legislative level has remained fairly stagnant since 1997. Since about half of women in higher office begin their political career at lower levels of government, this stagnation in female state legislators is an important area of research to study. If the number of women in state legislatures does not increase and/or gain parity, to generally reflect the population descriptively, the implications for descriptive and substantive representation is concerning at the state and national level.

This article offers a theoretical explanation on how the institutional feature of term limits affects the number of female candidates deciding to run for office. Initial studies on term limits suggest term limits have negative effects on female descriptive representation but largely ignored emergence. Using a candidate-level dataset and experimental design, I find term limits have a positive effect on women candidate emergence. Further, the findings suggest term limits are more beneficial than open seats are for increasing emergence. Term limits boost Democratic females' emergence about 2 percent and female Republican emergence by about 1.5 percent. This suggests term limits may be creating an incentive structure that is widening the eligibility pool. Specifically, term limits make seats, both open and nonopen, more desirable to women candidates.

Overall, these findings are important because the initial findings suggesting term limits are bad for women may not be as problematic as expected. A greater number of female candidates emerging, as presented here, can lead to a greater number or females in office. Future research should focus on the success of female challengers in term-limited states. The results here suggest term limits decrease the incumbency advantage and incentivize women to emerge more as challengers in term-limited seats. The more research and data on these women candidates available, such as candidate quality, campaign financing, and so on, may add insight into how term limits increase emergence, but may not increase descriptive representation. For example, women may emerge, but research suggests competition and relative candidate quality matter, especially in open seat elections (Barnes, Branton, and Cassese 2017; Fulton 2012, 2014). As this article argues, emergence is only the first step, but increasing female challengers is a step in the right direction toward parity—especially if women are successful in their pursuit of office as challengers, rather than waiting for an open seat. Perhaps the successful women are those running in the open seats rather than as challengers. Future research should disentangle this relationship to make the connection between term limits and female descriptive representation.

Last, implications for national representation of women in office are worth considering. The impact of term limits and the type of candidate attracted to the legislatures are likely to have an impact beyond the state level. If term-limited states are attracting candidates who do not want to be career politicians, this may negatively affect female recruitment success for congressional races. Take for example the possibility of a candidate seeking office in a term-limited state with no intentions of being a career politician and leaving after their term has expired—the politician may go back to their previous career, or they may seek higher office. If this politician is female and decides not to run for higher office, overtime, descriptive representation at the national level may be negatively affected. Therefore, future research tracking where women go after they are termed out in the states would also be an important addition to the literature on descriptive representation.

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Notes

1. Men also receive more encouragement than females at a younger age to enter fields that are more likely to lead to political careers such as law and business (Fox and Lawless 2004).
2. Since the 1990s, twenty-one states have passed legislation for term limits, but six states have repealed them. Term limits were generally passed via citizen initiatives, and in four states (Massachusetts, Oregon, Washington and Wyoming), the state supreme courts repealed the term limits, and in two states (Idaho and Utah), the state legislature repealed the term limits (NCSL 2014)
3. Also in the 2008 CAWP recruitment study, 35 percent of women in the lower chamber report their decision to run was based on concern about one or more specific policy issues.

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4. In the cases where I could not determine the gender of a candidate, I did not include these cases in the models. Some were missing first names in the original SLER study, and I could not determine first names. The missing candidates make up <3 percent of the total observations.
5. Some states allow candidate fusion; candidates can run under multiple-party identifications in the same election. For these cases, I use the party ID, which received the most votes. For example, if Jane Smith ran as a Republican and received ten thousand votes, and as a Democrat with five thousand votes, I drop the Democratic identification, and Jane Smith is coded as a Republican for the election year.
6. That is, whether or not the candidate is a qualified candidate and is more likely to win than a nonquality candidate. Nonquality means a candidate has little to no relevant experience in politics. Usually specified as previous office-holding experience at some level of government.
7. By nature of experimental design, the control group never enacted term limits but a standard year is set as a point of comparison for the pre-/post-estimation. Therefore, the year 1996 is used as the beginning of the "post treatment" for the control group—states without term limits—since the first wave of term limits began in the same year.
8. The online appendix provides two additional tables for female candidate emergence in the South.
9. Tables 8 and 9 have the exact same parameters for determining the predicted probabilities and the only variation between the two is party identification.

Supplemental Material

Replication data for this article is available with the manuscript on the PRQ website.

References

Barnes, Tiffany, Regina P. Branton, and Erin Cassese. 2017. "A Reexamination of Women's Electoral Success in Open Seat Elections: The Conditioning Effect of Electoral Competition." *Journal of Women, Politics & Policy* 38:298–317.

Bernstein, Robert, and Anita Chadha. 2003. "The Effects of Term Limits on Representation: Why So Few Women." In *The Test of Time: Coping with Legislative Term Limits*, edited by Rick Farmer, John David Rausch, and John Clifford Green, 147–58. Lanham, MD: Lexington Books.

Black, Gordon. 1972. "A Theory of Political Ambition: Career Choices and the Role of Structural Incentives." *American Political Science Review* 66 (1): 144–59.

Burns, Nancy, Lehman Schlozman, and Sidney Verba. 2001. *The Private Roots of Public Action*. Cambridge: Harvard University Press.

Burrell, Barbara C. 1994. *A Woman's Place Is in the House: Campaigning for Congress in the Feminist Era*. Ann Arbor: University of Michigan Press.

Campbell, David and Christina Wolbrecht. 2006. "See Jane Run: Women Politicians as Role Models for Adolescents." *The Journal of Politics* 68:233–47.

Canon, Bradley. 1978. "Factionalism in the South: A Test of Theory and a Revisitation of V. O. Key." *American Journal of Political Science* 22:833–48.

Carroll, Susan. 1994. *Women as Candidates in American Politics*. 2nd ed. Bloomington: Indiana University Press.

Carroll, Susan, and Krista Jenkins. 2001. "Do Term Limits Help Women Get Elected?" *Social Science Quarterly* 82 (1): 197–201.

Carroll, Susan, and Kira Sanbonmatsu. 2013. *More Women Can Run: Gender and Pathways to the State Legislatures*. New York: Oxford University Press.

Center for American Women and Politics. 2014. "Women in State Legislatures. Fact Sheet." www.cawp.rutgers.edu.

Clark, Janet. 1994. "Getting There: Women in Political Office." In *Different Roles, Different Voice*, edited by M Githens, P. Norris, and J. Lovenduski, 63–76. New York: HarperCollins.

Crane, Edward H. 1995. "Testimony before the Subcommittee on the Constitution, Committee on the Judiciary, U.S. Senate." *US Term Limits Foundation Outlook Series* 101 (1). https://www.cato.org/publications/congressional-testimony/congressional-term-limits

Darcy, Robert, Susan Welch, and Janet Clark. 1994. *Women, Elections, and Representation*. 2nd ed. Lincoln: University of Nebraska Press.

Dolan, Kathleen, Melissa Deckman, and Michele Swers. 2007. *Women and Politics: Paths to Power and Political Influence*. Upper Saddle River: Pearson/Prentice Hall.

Ferry, Jonathan. 1994. "Women, Minorities and Term Limits: American's Path to a Representative Congress." U.S. Term Limits Foundation Outlook Series. Washington, DC: U.S. Term Limits Foundation

Fox, Richard L. 2000. "Gender and Congressional Elections." In *Gender and American Politics: Women, Men, and the Political Process*, edited by Sue Tolleson-Rinehart and Jyl J. Josephson, 227–56. Armonk: M.E. Sharpe.

Fox, Richard L., and Jennifer Lawless. 2004. "Entering the Arena? Gender and the Decision to Run for Office." *American Journal of Political Science* 48 (2): 264–80.

Fulton, Sarah. 2012. "Running Backwards and in High Heels: The Gendered Quality Gap and Incumbent Electoral Success." *Political Research Quarterly* 65 (2): 303–14.

Fulton, Sarah. 2014. "When Gender Matters: Macro-Dynamics and Micro-Mechanisms." *Political Behavior* 36 (3): 605–30.

Fulton, Sarah, Cherie D. Maestas, L. Sandy Maisel, and Walter J. Stone. 2006. "The Sense of a Women: Gender Ambition, and the Decision to Run for Congress." *Political Research Quarterly* 59 (2): 235–48.

Jacobson, Gary, and Samuel Kernell. 1981. *Strategy and Choice in Congressional Elections*. New Haven: Yale University Press.

Klarner, Carl, William Berry, Thomas Carsey, Malcolm Jewell, Richard Niemi, Lynda Powell, and James Snyder. 2013. State Legislative Election Returns (1967-2010). ICPSR34297-v1. Ann Arbor: Inter-university Consortium for Political and Social Research [distributor], 2013-01-11. doi:10.3886/ICPSR34297.v1.

Kurtz, Karl T., Bruce Cain, and Richard Niemi. 2007. "Conclusions and Implications." In *Institutional Change in American Politics: The Case of Term Limits*, edited by Karl Kurtz, Bruce Cain, and Richard Niemi, 185–98. Ann Arbor: University of Michigan Press.

AMERICAN OVERSIGHT

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Lawless, Jennifer, and Kathryn Pearson. 2008. "The Primary Reason for Women's Underrepresentation? Reevaluating the Conventional Wisdom." *The Journal of Politics* 70 (1): 67–82.

Lazarus, Jeffrey. 2008. "Buying in: Testing the Rational Model of Candidates Entry." *The Journal of Politics* 70 (3): 837–50.

Mooney, Christopher. 2009. "Term Limits as a Boon to Legislative Scholarship: A Review." *State Politics & Policy Quarterly* 9 (2): 204–28.

National Conference of State Legislatures. 2014. "The Term Limited States." http://www.ncsl.org/.

Norrander, Barbara, and Clyde Wilcox. 2012. "Trends in the Geography of Women in the U.S. State Legislatures." In *Women and Elective Office: Past, Present, and Future*, edited by Sue Thomas and Clyde Wilcox, 273–87. Oxford: Oxford University Press.

Osborn, L. Tracy. 2012. *How Women Represent Women: Political Parties, Gender and Representation in the State Legislatures*. New York: Oxford University Press.

Reed, Robert, and Eric Shansberg. 1995. "The House under Term Limits: What would It Look Like?" *Social Science Quarterly* 76:698–719.

Sanbonmatsu, Kira. 2006. *Where Women Run*. Ann Arbor: University of Michigan Press.

Sanbonmatsu, Kira, Susan J. Carroll, and Debbie Walsh. Center for American Women Politics (CAWP) Recruitment Studies 2008. ICPSR35244-v1. Ann Arbor: Inter-university Consortium for Political and Social Research [distributor], 2015-05-13. doi:10.3886/ICPSR35244.v1.

Sapiro, Virginia. 1982. "Private Costs of Public Commitments or Public Costs of Private Commitments? Family Roles versus Political Ambition." *American Journal of Political Science* 26:265–79.

Schwindt-Bayer, Leslie A., and William Mishler. 2005. "An Integrated Model of Women's Representation." *The Journal of Politics* 67 (2): 407–28.

Seltzer, Richard A., Jody Newman, and Melissa Voorhees Leighton. 1997. *Sex as a Political Variable: Women as Candidates and Voters in U.S. Elections*. Boulder: Lynne Rienner.

Squire, Peverill. 1992. "Legislative Professionalization and Membership Diversity in State Legislatures." *Legislative Studies Quarterly* 17:69–79.

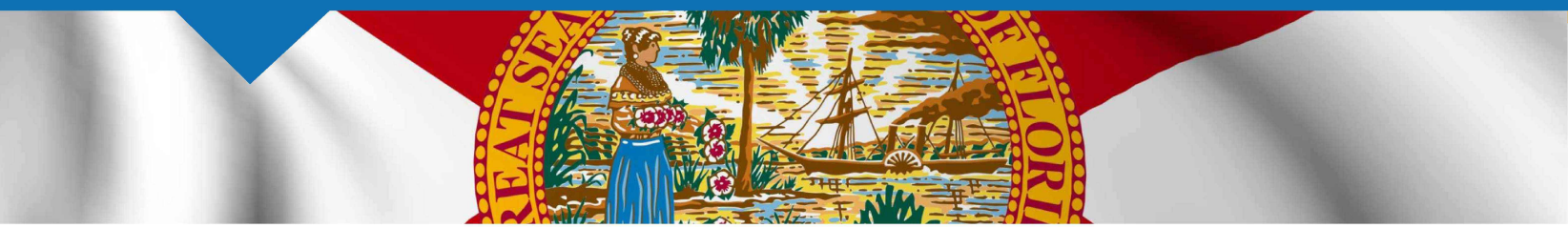
Swers, Michele. 2002. *The Difference Women Make*. Chicago: University of Chicago Press.

Thompson, Joel, and Gary Moncrief. 1993. "The Implications of Term Limits for Women and Minorities: Some Evidence from the States." *Social Science Quarterly* 74 (2): 300–309.

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- ✓ Term limits encourage independence by the school board, as term limits will regularly sever the relationships that grow between special interests and incumbent board members.
- ✓ Term limits improve citizen access to the process, encourage candidates to run for office and work on meaningful campaigns, and increase voter participation in elections.
- ✓ Term limits encourage new faces and fresh ideas. Incumbent members often have their heels dug in over past political battles or are wedded to the special interests they have relied on for reelection.
- ✓ Term limits mandate rotation in office which expands the circle of citizens with intimate knowledge of how the school board works.
- ✓ Term limits encourage transparency and discourage corruption.
- ✓ Term limits create a level playing field between the school board and Florida's other political offices, most of which have an eight-year term limit.

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Term Limits and State Budgets

Randall G. Holcombe
Robert J. Gmeiner
Florida State University

This study examines the effects of state legislative term limits on state government revenues and expenditures. It uses a panel dataset of the 50 states from 1988 to 2011 to estimate the effect of term limits on state government budgets, yielding 1200 observations. The study compares state budget growth in states that adopted term limits with budget growth in states that did not. The main findings of the study are:

o From 1992 to 2000, fifteen states enacted voter-approved term limits for their state legislators.

o In most of those states, the term limits became effective from the late 1990s into the early 2000s, so the dataset has roughly the same number of observations prior to term limits becoming effective as after in those states that adopted term limits.

o An empirical examination of the effects of legislative term limits on state budgets shows that state government budgets grew significantly more slowly after the term limits took effect.

o Prior to term limits taking effect, state government expenditures and revenues grew at about the same rate in states that enacted term limits as in those that did not.

o Different regression models looking at both expenditures and revenues estimate that after term limits took effect, state government expenditure and revenue growth was between 16% and 46% lower in term limit states than in states that did not enact legislative term limits.

o The empirical results are both statistically and economically significant. The slower growth of state budgets in term limit states means that in an eleven year period after term limits took effect, states with term limits would have budgets from 5% to 10% lower than in comparable non-term limited states.

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From: Brill, Victoria
Sent: Wednesday, October 09, 2019 12:31 PM EDT
To: Kathryn Shea <kathryn.shea@thefloridacenter.org>
Subject: Re: Join us for a screening of Brain Matters

Thanks Kathryn!

Unfortunately, all those dates we will be in Tallahassee for committee weeks.

I appreciate you thinking of us and if there is any additional information, please feel free to pass it along.

Best,
Vickie

Sent from my iPhone

> On Oct 8, 2019, at 1:41 PM, Kathryn Shea <kathryn.shea@thefloridacenter.org> wrote:
>
> Oops. Wrong email first time. ☺
>
> From: Kathryn Shea [mailto:kathryn.shea@thefloridacenter.org<mailto:kathryn.shea@thefloridacenter.org>]
> Sent: Tuesday, October 8, 2019 1:28 PM
> To: david ballard <david.ballard@myfloridahouse.gov<mailto:david.ballard@myfloridahouse.gov>>; dione ramos <dione.ramos@myfloridahouse.gov<mailto:dione.ramos@myfloridahouse.gov>>; james buchanan (james.buchanan@myfloridahouse.gov<mailto:james.buchanan@myfloridahouse.gov>) <james.buchanan@myfloridahouse.gov<mailto:james.buchanan@myfloridahouse.gov>>; joe gruters <gruters.joe@flsenate.gov<mailto:gruters.joe@flsenate.gov>>; kay mathers <kay.mathers@myfloridahouse.gov<mailto:kay.mathers@myfloridahouse.gov>>; meagan hebel <meagan.hebel@myfloridahouse.gov<mailto:meagan.hebel@myfloridahouse.gov>>; michele McCloskey <michele.McCloskey@myfloridahouse.gov<mailto:michele.McCloskey@myfloridahouse.gov>>; michelle grimsley <michelle.grimsley@myfloridahouse.gov<mailto:michelle.grimsley@myfloridahouse.gov>>; Rep Margaret Good <margaret.good@myfloridahouse.gov<mailto:margaret.good@myfloridahouse.gov>>; Tommy Gregory <tommy.gregory@myfloridahouse.gov<mailto:tommy.gregory@myfloridahouse.gov>>; Victoria Brill <Victoria.brill@myfloridahouse.gov<mailto:Victoria.brill@myfloridahouse.gov>>; Wengay Newton <newt.newton@myfloridahouse.gov<mailto:newt.newton@myfloridahouse.gov>>; william robinson (william.robinson@myfloridahouse.gov<mailto:william.robinson@myfloridahouse.gov>) <william.robinson@myfloridahouse.gov<mailto:william.robinson@myfloridahouse.gov>>
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> Spanish https://www.youtube.com/watch?v=xxUwqw8y6xs<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.youtube.com_watch-3Fv-3DxxUwqw8y6xs&d=DwQGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=dkmbN1ZTRL4w4ufuKmYBRynJ-3TSeATjZtf8VT0JgNc&m=HF0p2w-fmarFi7xrrcclp6JaoEgJEGTX_RhQzRaOVLE&s=199oka6Jhw5VRJb2PYX1v7Ov_wBGbLyC-x_EmGQ9O0o&e=> "
>
> I hope you will join us for one or more of these events,
> Beth
>
>
> [cid:image001.png@01D38A0A.DCEF1B40]
>
> Beth Duda
> Director, Suncoast Campaign for Grade-Level Reading
> The Patterson Foundation
> 2 N. Tamiami Trail, Suite 206
> Sarasota, FL 34236
>
> Phone: 941-952-1413
>
> Fax: 941-952-1435
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> ThePattersonFoundation.org<http://www.thepattersonfoundation.org/>
> Pronouns: She, Her, Hers
>
> Join The Patterson Foundation and be a part of realizing the possibilities for Phase 1 of The Bay<https://www.thebaysarasota.org/make-a-gift/>
>

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From: Kathryn Shea <kathryn.shea@thefloridacenter.org>
Sent: Wednesday, October 09, 2019 1:32 PM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: Join us for a screening of Brain Matters

I will do that! Thanks, Victoria!

-----Original Message-----
From: Brill, Victoria [mailto:Brill.Victoria@flsenate.gov]
Sent: Wednesday, October 9, 2019 12:32 PM
To: Kathryn Shea <kathryn.shea@thefloridacenter.org>
Subject: Re: Join us for a screening of Brain Matters

Thanks Kathryn!

Unfortunately, all those dates we will be in Tallahassee for committee weeks.

I appreciate you thinking of us and if there is any additional information, please feel free to pass it along.

Best,
Vickie

Sent from my iPhone

> On Oct 8, 2019, at 1:41 PM, Kathryn Shea
> <kathryn.shea@thefloridacenter.org> wrote:
>
> Oops. Wrong email first time. ☺
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> >; james buchanan
> (james.buchanan@myfloridahouse.gov<mailto:james.buchanan@myfloridahous
> e.gov>)
> <james.buchanan@myfloridahouse.gov<mailto:james.buchanan@myfloridahous
> e.gov>>; joe gruters
> <gruters.joe@flsenate.gov<mailto:gruters.joe@flsenate.gov>>; kay
> mathers
> <kay.mathers@myfloridahouse.gov<mailto:kay.mathers@myfloridahouse.gov>
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> v>>; michele McCloskey
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> <margaret.good@myfloridahouse.gov<mailto:margaret.good@myfloridahouse.
> gov>>; Tommy Gregory
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> <Victoria.brill@myfloridahouse.gov<mailto:Victoria.brill@myfloridahous
> e.gov>>; Wengay Newton
> <newt.newton@myfloridahouse.gov<mailto:newt.newton@myfloridahouse.gov>
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> (william.robinson@myfloridahouse.gov<mailto:william.robinson@myflorida
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> English
> https://www.facebook.com/watch/?v=1197693800410767<https://urldefense.

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> proofpoint.com/v2/url?u=https-3A__www.facebook.com_watch_-3Fv-3D119769
> 3800410767&d=DwQGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=dk
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> https://www.youtube.com/watch?v=xxUwqw8y6xs<https://urldefense.proofpo
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> VLE&s=199oka6Jhw5VRJb2PYX1v7Ov_wBGbLyC-x_EmGQ9O0o&e=> "
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>
> Join The Patterson Foundation and be a part of realizing the
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> Bay<https://www.thebaysarasota.org/make-a-gift/>
>

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From: Michael Holderness <mike@mikeholderness.com>
Sent: Tuesday, December 31, 2019 3:12 PM EST
To: jg@joegruters.com <jg@joegruters.com>; Brill, Victoria <Brill.Victoria@flsenate.gov>; stephanie.kopelousos@eog.myflorida.com <stephanie.kopelousos@eog.myflorida.com>
CC: Lukis, Adrian <Adrian.Lukis@eog.myflorida.com>; Alex Blair <alexblair812@gmail.com>
Subject: RE: Lido FINALLY has a crescent shaped beach, first time in it's creation. Groins only benefit is to privatize sections of lido
Attachment(s): "2014-12 Attachment 38-2 Groin modeling.pdf","_Attach 38-2 Lido Key Groin Field Report.pdf","_Attach No. 38-4 - USACE Value Engineering Report.pdf","2014 Value Engineering extract on Erosion rates.pdf"

we found no record in the DOAH or any application materials, where FDEP could review modeling of changes to the critical erosion control line for Siesta Key.
https://geodata.dep.state.fl.us/datasets/coastal-critical-erosion-areas?geometry=-82.667%2C27.260%2C-82.408%2C27.313

-----Original Message-----
From: Michael Holderness <mike@mikeholderness.com>
Sent: Monday, December 30, 2019 3:46 PM
To: jg@joegruters.com; Brill, Victoria <Brill.Victoria@flsenate.gov>; stephanie.kopelousos@eog.myflorida.com
Cc: Lukis, Adrian <Adrian.Lukis@eog.myflorida.com>; Alex Blair <alexblair812@gmail.com>; Michael Holderness <mike@mikeholderness.com>
Subject: Lido FINALLY has a crescent shaped beach, first time in it's creation. Groins only benefit is to privatize sections of lido

Senator, You must convince the County to require a WNCA permit for the Groins. City's plan to avoid environmental regulations (quietly supported by many at the county) as just too risky to dredge Cut B and C, add unneeded groins and use Ted Spirling park as construction site... Other than these 3 things I just can't care anymore.

Lido is crescent; if left alone it'll be sustainable on its own... If they go off-shore and do NOTHING ELSE... My God, they'd finally have a beach that does not erode like the last 15 times we paid to nourish it only to have private property signs go up... these groins are just that.

EIS and IMP will support what I am saying. We looked at outcomes with all the dredge cuts, BUT we should be very worried about the Groins all by themselves. We (w/SKA) didn't have standing to focus on Groins as structures. Only City Commission or County Commission have this authority.
SKA (us) did make comments about permeable adjustable groins; it was rejected without factual rationale by Alex Davis-Shaw.

THINK ABOUT THIS; If they only placed Groins and didn't dredge, we have big problems that include starving the pass of sand resulting in big deep water where ICW were shoals and shoreline protection up to/ beyond Shell Rd. Shoreline erosion up beyond Shell Rd, and ACOE shows devastation erosion of the park and sand would move out, miss the pass.

Just look at what we had before Bird Key and Lido; and what's healed so far. Look at the ACOE reports.

Reminder: In 2002-2006 (I think) So many people drowned DIED in the dangerous rip currents off S. Lido that the airs of Ted Sperling park closed it to swimming. IT WILL 100% CREAT THE SAME.

Public funds can't pay for groins that cut off public access and erode public beach park... With our growth; we can NOT afford to lose this park. Beaches are already stressed to the point of owners closing them.

Sincerely,
Paul Revere

Sent from my iPhone

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U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT



116680 LIDO KEY HURRICANE AND STORM DAMAGE REDUCTION PROJECT (Preconstruction, Engineering and Design Phase) SARASOTA COUNTY, FL

VALUE ENGINEERING REPORT

31 October 2013

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PROPOSAL NO. 1 (33.00): ***Base beachfill quantities and erosion rates on P&S scope development and include post 2004 information instead of using 2004 report alone***

ORIGINAL DESIGN:

The beach template design presented in the 2004 Feasibility Study would require placement of approximately 1,074,700 cubic yards (CY) of sand fill, consisting of 460,200 CY of design fill volume and approximately 614,500 CY of sacrificial advance fill. The design volumes were "…based on nourishment of the entire active profile rather than a design template." Paragraph A-75 of the study indicated "the width of the advance fill section is based on the 5 year renourishment interval and the observed rates of erosion and shoreline recession between 1991 and 1998." Therefore, this would indicate a 122,900 CY/YR of erosion would occur to support the 614,500 CY value.

However, the tabulation of the 122,900 CY/YR cannot be ascertained within the report. Please review and consider the following:

1. Table A-27 indicates the design erosion rate of 95,251 cy/yr.
2. The 1974-1992 sediment budget indicates a 117,000 Cubic Yards (CYs) losses on the island with 17,000 CY/YR of erosional losses to the north.
3. A response to an ITR comment indicated that "The engineering appendix suggests that aggravated erosion is not expected at the north end."
4. A review of the 3-year post-construction monitoring report after the most recent placement event in 2009, indicates 464,176 of cubic yards were placed, but after three years, 282,742 cubic yards still remain, or essentially 60,478 CY/YR of erosional loses.
5. Of the selected plan which considers placement of three terminal structures at the south end of the island, I am not sure if the erosion rate was adjusted by the presence of these structures. Now, the meeting minutes from ITR conference held on 02 May 2012 indicated that "modeling showed that over 50,000 cubic yards of material per year could be reduced from the diffusion losses at the south end of the project with these structures.

Therefore, it would seem clear to use a 65,000 CY/YR erosion rate from the existing area.

PROPOSED DESIGN:

The proposed design will based on the design provided in table A-25 and not meeting volume requirements as specified in the 2004 report. In addition, the cost savings will include the reduction in other project costs related to the shortened construction schedule such as environmental monitoring, construction vibration controls and monitoring, etc…

ADVANTAGES:

There will be two advantages. The first advantage would be the decrease in costs associated with the project from 1,074,700 cubic yards to about 880,000 cubic yards. The last value was attained comparing the 2013 survey of the area to the template provided in table A-25 which tallied to 750,000 cubic yards and assuming a 65,000 cubic yard erosion rate for two years

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would be appropriate. This amount could be considerable less if the sponsor proceeds with the schedule nourishment of 122,000 cubic yards of material within reaches 2 and 3.

The second advantage is a reduced quantity of fill material needed within the selected borrow area. This should help the borrow area in recovery of lost material when it erodes back to the dredged areas.

DISADVANTAGES:

None.

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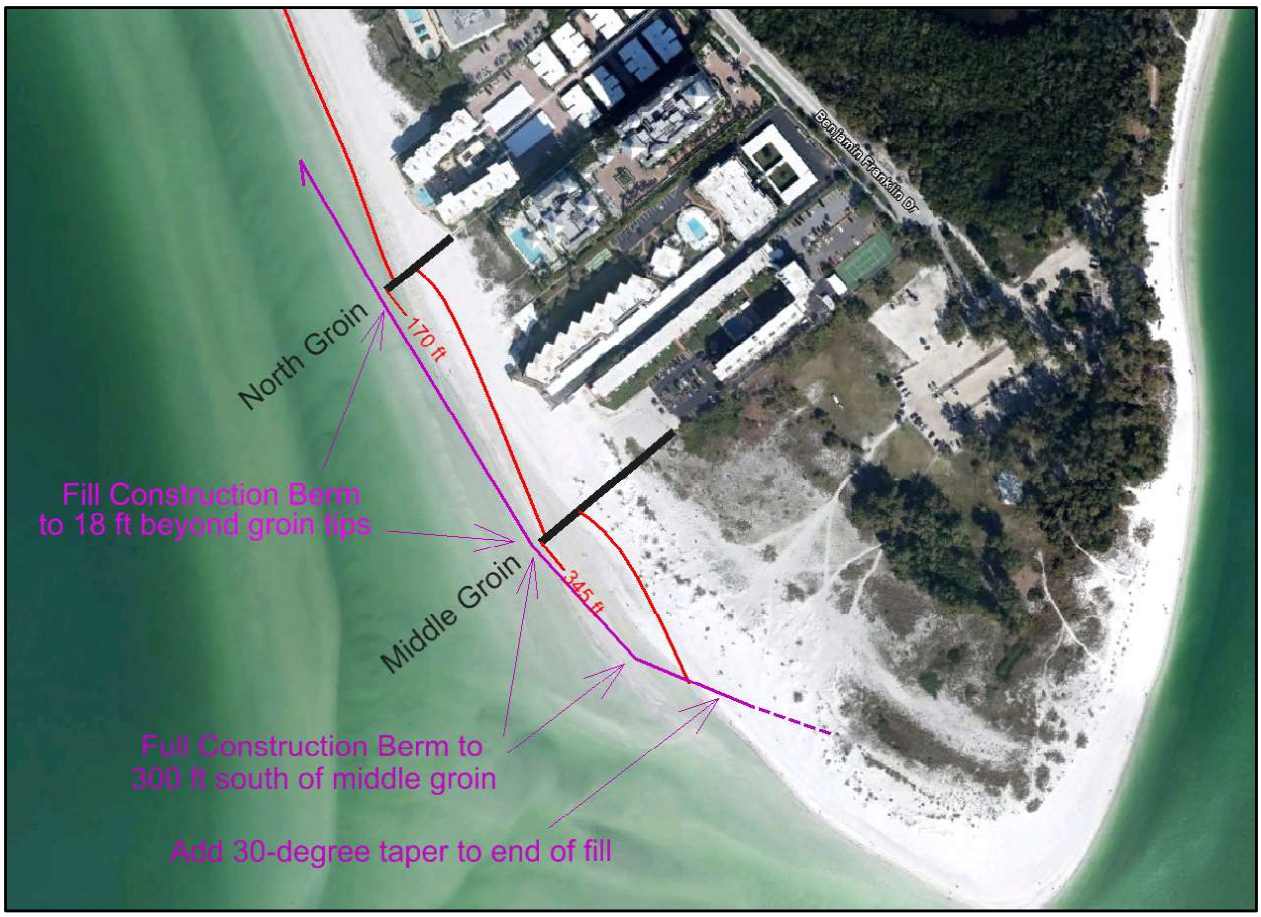


Figure 9. Proposed beach fill placement.

Conclusions.

In order to promote a more favorable shoreline response along the southern portion of Lido Key the following design changes are recommended. The northern groin would be reduced in length to 170 feet. The middle groin would be reduced in length to 345 feet. These values represent the lengths along the crest of the structures; adding the front slopes and 5-foot scour aprons at the end of each structure yields total lengths along the foundations of 187 feet and 362 feet, respectively. In order to promote more efficient bypassing of sediment and to reduce downdrift impacts, the permeability of the two groins will be increased by removing the chinking stone that was proposed in the VE analysis. Other than this minor change, the cross-sections of each groin would remain the same as was proposed in the VE Study. Finally, the beach fill configuration has been modified to shift some material from the southern tip of the island northward to central Lido Key, to act as a feeder beach. The seaward edge of the berm for the revised beach fill construction template is shown in Figure 9. The exact volumes of placement will be determined based on surveys taken prior to project construction.

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Sarasota County, Florida
HSDR Project

Analysis of Lido Key Groin Field
December 2014



U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT

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Analysis of Lido Key Groin Field
December 2014

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Design Considerations	3
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Redesign of Southern Groin	13
Redesign of Beach Fill	14
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Engineering Analysis
Lido Key Groin Field

Purpose and Goals of This Analysis.

The purpose of this analysis is to re-examine the overall design of the proposed groin field and the associated beach fill along southern Lido Key, with the goal of minimizing any adverse impacts to the region, particularly downdrift of the groin structures. To accomplish this goal, alternative methods of analysis will be used to determine the minimum possible lengths of the northern and middle groins that are required to hold the project berm in place along southern Lido Key. The importance of the terminal groin will be re-evaluated in light of the recommended changes to the design of the northern and middle groins. Finally, the beach fill placement plan will be re-examined to assure that fill will be placed along this region of Lido Key in the most effective manner possible, to maintain the design conditions that were laid out in the 2004 Sarasota County, Lido Key Feasibility Report throughout the 5-year renourishment interval.

History of Lido Key Groin Design.

Two previous studies have been performed to date, to establish the design of the groin field at the southern end of Lido Key. Each of these studies are briefly summarized:

1. The design of the three-groin system at the south end of Lido Key was originally formulated in the *2004 Sarasota County / Lido Key Feasibility Report*[1]. The resulting lengths of the structures from that analysis were 320 ft (north), 440 ft (middle), and 650 ft (south). The structures were included in the selected plan in the 2004 feasibility report to address the very high erosion rates along southern Lido Key beaches. That study concluded that a combination of groins and beach fill would provide the most cost effective storm damage reduction over the 50-year period of analysis; whereas beach fill alone would be more costly due to the need to renourish more frequently and with a higher overall volume of sand. The 2004 report noted that additional design and engineering work was recommended prior to construction to optimize the design of the groins. This report details this recommended final groin design process.

2. A *Value Engineering (VE) Study*[2] was performed in 2013 to examine various cost-savings measures for the project. One of the main recommendations of the VE study was to examine the possibility of constructing shorter groin structures. To support this re-analysis of groin lengths, a GENESIS numerical modeling shoreline change simulation was performed. The recommended structure lengths were shortened as a result of this analysis, to 270 ft (north), and 405 ft (middle). The southern terminal groin remained 650 feet in length. It should be noted that the length of the southern groin was not examined in that 2013 study effort, since it did not ever extend into the water and therefore could not be simulated using GENESIS. Figure 1 shows an aerial photograph of the study area with overlays indicating the positions of the three groins, and the lengths of the structures as recommended in the Feasibility Report and the 2013 VE Study. Figure 2 shows the recommended cross-section of each groin, from the 2013 VE Study.

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Figure 1. South Lido Key groin field. Recommended structure lengths from the Feasibility Study (FS) and Value Engineering Study (VE).

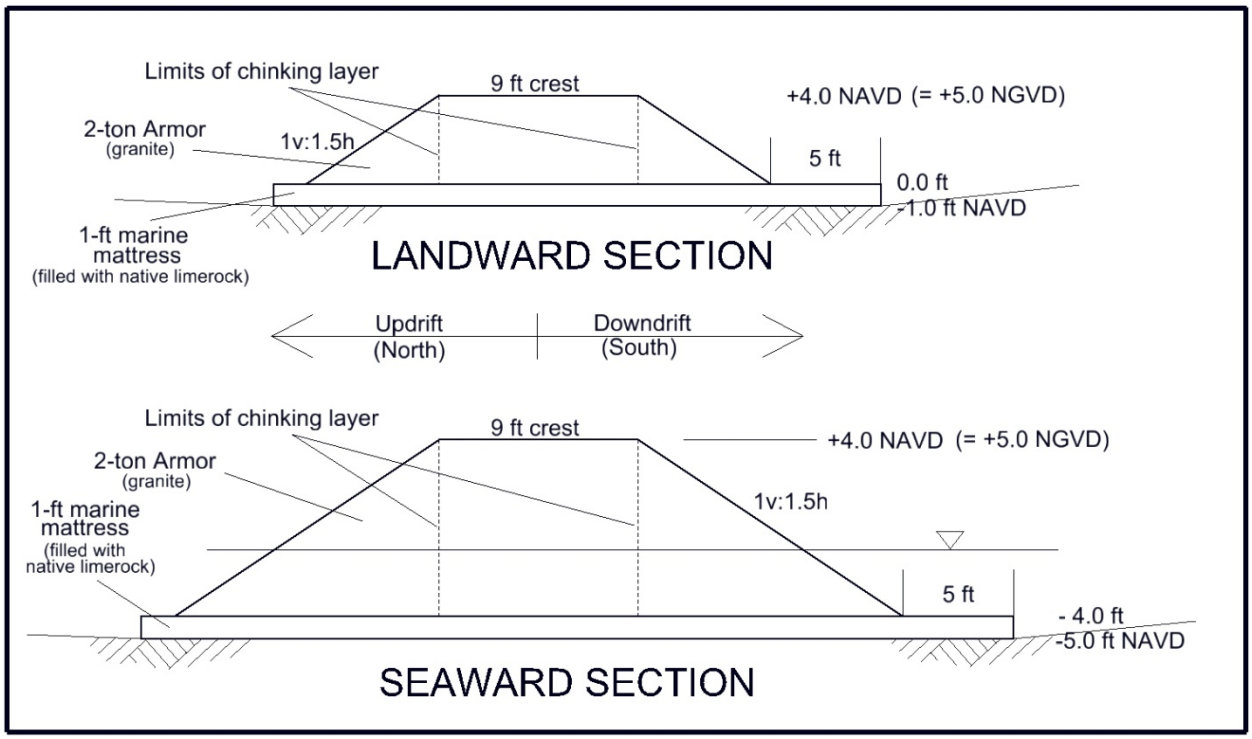


Figure 2. Recommended groin cross-section, from 2013 VE Study.

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Some shortcomings were noted in the use of the GENESIS shoreline change model in this study effort. First, GENESIS is not particularly well-suited for use adjacent to tidal inlets, as tidal currents can drive significant amounts of sediment transport and the model is unable to account for this movement of material. Tidal currents can also refract the waves that drive longshore transport, and these effects cannot be fully accounted for either. The assumption of straight and parallel depth contours is often not valid near inlets, and the model uses this assumption to shoal waves in to breaking depths. Also, GENESIS was originally set up to simulate sediment movement along the full length of Lido Key (about 2.5 miles). As a result a coarse grid spacing (50 meters/164 feet) was used, and this large grid size did not provide the desired level of detail in the relatively confined region of the groin field at the south end of the island. For these reasons additional analysis of the groin field design was warranted, using alternative design methods. This report presents the results of these analyses.

Design Considerations Used in This Analysis.

Several methods of analysis are available to determine the most effective design of groin fields. Various predictive techniques have been formulated over the years that can determine shoreline responses to various groin / beach fill configurations, and these equilibrium shoreline positions are a key component of successful groin field design. As described above, the GENESIS numerical shoreline simulation model is a widely-used tool that can be applied under a wide variety of conditions for formulating groin field / beach fill design, but its application in this case was difficult for the reasons cited. Other analytical techniques have been presented in the Corps of Engineers' Shore Protection Manual (1984) and more recent Coastal Engineering Manual (2002). Other researchers including Silvester, Hsu, and Bodge have presented methods that are applicable to the conditions observed at southern Lido Key.

Under normal conditions, groin design is a relatively straightforward process and can be accomplished using a range of methods, from relatively simple empirical methods to detailed numerical analyses using predictive (and relatively complicated) models such as GENESIS. In many cases (such as for Lido Key) the results from the two methods corroborate each other.

Due to the location of the groin field within the area of tidal influence of Big Sarasota Pass, some special design considerations may apply. Some key points to consider in designing these structures are:

- Tidal currents can influence sediment transport along the shoreline in ways that may be difficult or impossible for the predictive models to account for. In the case of southern Lido Key, ebb and flood tidal currents could influence sediment movement as far north as the middle groin location. However, the groins can also provide some localized protection against tidal currents running directly along the beach.

- Two obvious sediment pathways exist for longshore transport along most of Lido Key, and particularly along the southern portion of the island. The primary pathway appears to be the offshore bar, which is well-defined and obvious in most surveys and aerial photographs. The seaward face of the bar is located about 150-200 feet seaward of the waterline along most of the barrier island, and larger storm waves break along this region, transporting sediment in a

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predominantly southward direction. Smaller waves pass over the bar with little effect, and result in much lower rates of transport directly along the shoreline.

- Beginning about 3,000 feet north of the pass, the bar begins to diverge from the shoreline. At the position of the northern groin the seaward edge of the bar is about 500 feet offshore, and at the middle groin it is over 800 feet offshore. Interference with transport along this bar system should be avoided, as this mechanism feeds sand directly into the Big Sarasota Pass shoal system, and this process plays a key role in replenishing the proposed borrow area. Since the groins would extend only a fraction of this distance off of the shoreline they will not impact the sediment transport along this offshore bar system, even accounting for natural fluctuations of the position of the bar system.

- The groins are intended to accumulate sand from the immediate vicinity of the shoreline only. This pathway will have much less effect on the shoaling rate of the inlet shoal than the outer bar, as described above. In order to confine the effects of the structures to the nearshore system, all groin construction should be contained within the active nearshore profile.

- In order to reduce downdrift effects and promote maximum bypassing of material, the groin field should be pre-filled with sediment at the time of construction.

- A relatively deep trough exists between the shoreline and the nearshore bar; the groins should in no case extend across this trough and interfere substantially with tidal currents. Care should be taken so that the groins do not 'jet' sediment out into this flow pathway, where sediment can be lost from the nearshore system. The offshore transport of sediment caused by the rip currents that frequently form along the updrift sides of groins can be minimized by increasing the porosity of the structures.

- A primary goal in this groin redesign process is to maintain at least the minimum required width of shoreline along southern Lido Key. This has proven difficult without stabilizing structures, especially in the region between survey monuments DNR- 42 to DNR-44, shown in Figure 3. Along this region in particular the post-renourishment shoreline typically recedes in a relatively short period of time, in some cases to landward of the Erosion Control Line (ECL) / seawall positions. As described in the 2004 Feasibility Report, the authorized project berm width is 80 feet as measured from the project baseline, and the baseline is defined in that report as follows : "*The project is defined in terms of a mean high water (MHW) extension. Over the project length, the May 2000 MHW shoreline position is adopted as the project baseline. The design shoreline lies 80 feet seaward of the baseline and defines the Lido Key project*". Along this reach of southern Lido Key (R-42 to R-44) the baseline generally extends along the seawall fronting the oceanfront developments, as shown by the red lines in Figure 3. The corresponding design MHW shoreline lies approximately 80 feet seaward of the seawall line along most of the length of the groin field, and is indicated in Figure 3 by the orange lines. A primary goal of groin redesign in this report will be to maintain the equilibrated MHW position at / seaward of this position during the entire interval between renourishments as outlined in the 2004 feasibility study.

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Re-analysis of the groin system at southern Lido Key will proceed in the direction of littoral transport, i.e. from north to south. This will allow the equilibrated shoreline positions to be more accurately predicted based on analytical techniques. The lengths of the northern and middle groins will be calculated first, based on the minimum required positions of the resulting equilibrated shorelines. Then the design of the terminal (southern) groin will be examined separately, since the function of that structure is fundamentally different than that of the northern two groins.



Figure 3. Minimum required shoreline positions along southern Lido Key.

Redesign of the Northern and Middle Groins.

The purpose of the northern and middle groins is to maintain a stable beach berm along these erosive areas of Lido Key. The alongshore positions of these groins are shown in Figure 1. In the original design as presented in the 2004 Feasibility Report the lengths of the northern and middle groins were given as 320 and 440 feet, respectively. As a result of GENESIS shoreline modeling conducted as part of the VE Study effort in 2013, the lengths were reduced to 270 feet and 405 feet respectively, with no significant loss of performance anticipated. In Figure 1 the original lengths of the structures are indicated by the solid red lines; the seaward positions of the original and reduced structures are indicated numerically as shown.

As described above, using the required minimum 80-foot offset as the most landward allowable position of the MHW line, the minimum lengths of the northern and middle groin will be determined based on the estimated position of the equilibrated shoreline under incrementally adjusted values of groin lengths. The minimum lengths of groins that are required to hold the design 80-foot MHW extension will then be selected as the recommended plan. The two groins

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will be designed to hold the 80-foot offset MHW position along this erosive area and still have minimal impact on the downdrift shoreline. This can be accomplished by minimizing structure lengths while increasing permeability. Once the groin field has been properly backfilled and an adequate supply of sediment placed to the north, the beach planform will stabilize to its new equilibrium position. Existing littoral processes should then continue along southern Lido Key, largely unaffected by the presence of the structures.

Two different methods will be used to predict the equilibrated shoreline position under the influence of various groin lengths : a case study method, and empirical methods. In both analyses it will be assumed that the Lido Key shoreline will be provided with adequate supplies of sand in the future, either from bypassing southward around New Pass (whether material is provided naturally or mechanically is unimportant), or through periodic beach fill placements. By periodically placing adequate supplies of sand along the central and southern shoreline of Lido Key, sufficient volumes of sediment will remain available for natural littoral transport southward. This will in turn maintain the beaches along the southern tip of Lido Key, the southern shoreline inside Big Sarasota Pass, and the shoal within the Pass.

Method #1 – Case Study. As described in the U.S. Army Corps of Engineers' Shore Protection Manual[3], the *"best estimation of this* (equilibrated shoreline) *orientation is determined by observing fillets at nearby structures with similar coastal processes."* Such a structure exists a short distance northward on Lido Key. A relic rubble-mound groin of similar dimensions as the proposed structures is located approximately 0.8 miles north of the project site. In order to determine the minimum effective lengths of the proposed northern and middle groins, the shoreline responses in the vicinity of this structure will be examined.

Using Google Earth, shoreline positions were examined in the vicinity of this groin throughout a 20-year period (1994-2014). Shoreline configurations varied between symmetrical positioning of the waterline on either side of the groin, to relatively large offsets of shoreline positions, with the shoreline to the north always extending further seaward. It can be assumed that these fluctuations in shoreline position are due to the volume of sediment in the system, as well as recent wave intensity and direction. In most cases when there is little or no shoreline offset north/south of the groin, either the area is fully impounded with large volumes of sand, and/or the offset has been equalized by recent northward sediment transport. Conversely, when large offsets are observed the shoreline is usually in a more depleted condition, and/ or sediment transport has been predominantly in a southward direction in response to recent wave activity.

For this analysis adequate volumes of sand must always be available north of the northern groin for transport, as a minimal shoreline offset is desired. To achieve a minimal offset the northern groin will also be reduced in length to the shortest possible structure required to maintain the design (80-ft) shoreline offset seaward of the ECL as shown in Figure 3. The most critical (farthest seaward) location of the ECL is along the property immediately north of the northern groin, where the seawall line is displaced further westward than adjacent properties. This is the point where shoreline recession first encroaches on the design berm, and shoreline response in this area will be examined in detail.

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For this case study, an appropriate set of shoreline positions at the existing structure must first be selected. The entire 20-year period of record of aerial photographs was examined in Google Earth to select these shoreline positions. These positions should ideally reflect the beach in a nourished condition (as the project shoreline will always be provided an adequate source of updrift sand), and the positions should not reflect an excessively high (or low) degree of offset due to recent storm activity. With these parameters in mind, a reasonable "average" shoreline condition was selected from the 24 January 2013 shoreline in Google Earth. This shoreline is shown in Figure 4.

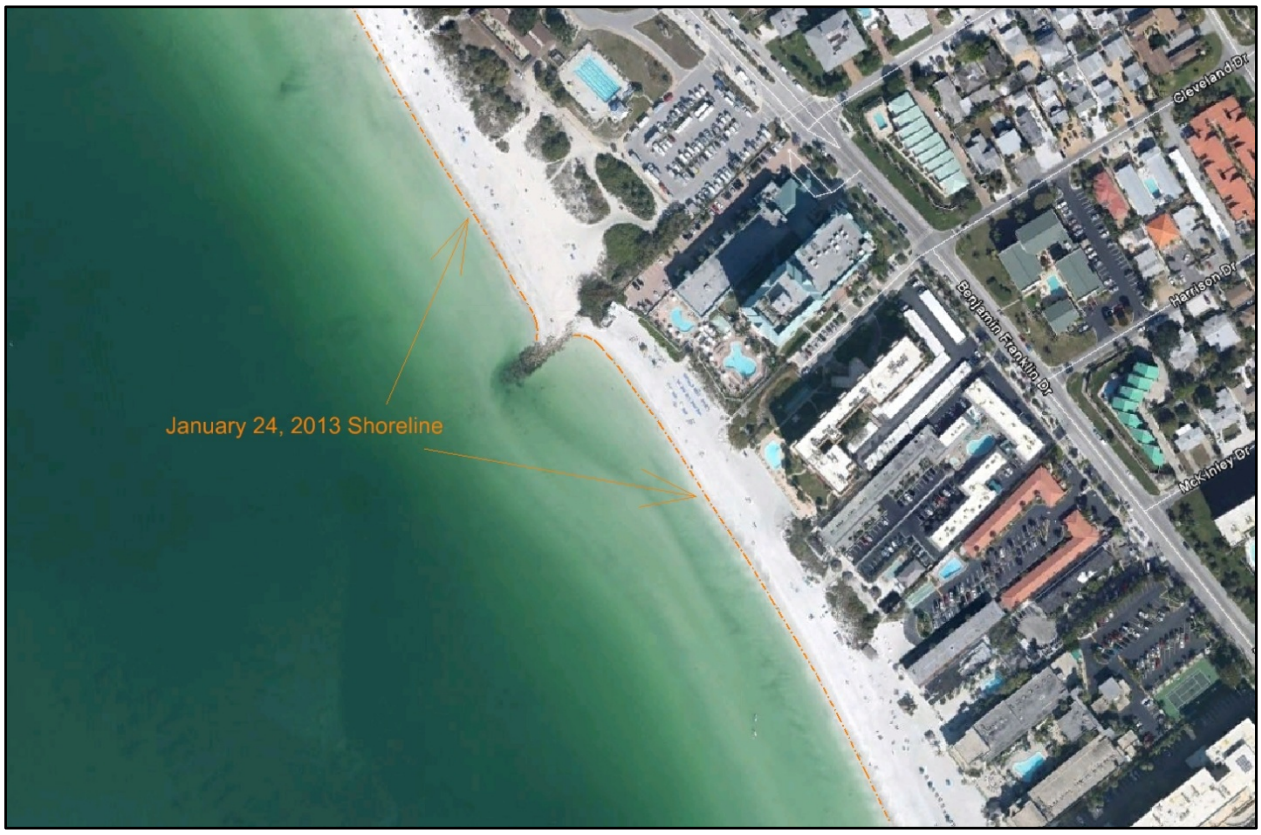


Figure 4. Shoreline positions at existing groin chosen for Case Study, Lido Key.

Once selected, this shoreline was transposed to the location of the proposed northern groin and adjusted landward/seaward in a CADD program, until the updrift shoreline approximated the position of the minimum allowable shoreline position shown in Figure 5. Care was also taken to ensure that the downdrift shoreline did not cross below the 80-ft threshold south of the groin. Once this position was set, the corresponding length of the groin could be measured. The length along the crest of the structure was measured as 163 feet.

Based on observations of the performance of the existing groin at central Lido Key, a 163-ft long northern groin will be adequate to maintain the desired berm width along the shoreline to the north, with minimal disruption to the natural southward flow of sediment along the coast. To further aid the southward bypassing of material, this northern groin will not be chinked (as was recommended in the VE Study). Similar to the groin at central Lido Key, the voids between the 2-ton armor stones will be left open; this will further aid in bypassing, while at the same time

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further reducing construction costs. Increasing the porosity of the groin will also reduce the potential for scouring around the structure, and reduce rip current formation as more longshore current is able to pass through the structure instead of around the seaward tip.



Figure 5. Predicted groin lengths and shoreline positions resulting from the Case Study.

With the position of the northern groin established, the predicted shape of the downdrift shoreline (between the northern and middle groins) can be readily determined by using the transposed downdrift shoreline from the existing groin at central Lido Key. Translating this waterline configuration to the shoreline cell south of the 163-foot northern groin yields an approximate position for the reach of shoreline between the northern and middle groins. Repeating the methodology used at the northern groin, the required length of the middle structure is determined as 323 feet. Again, this length will coincide with the approximate position of the seaward end of the crest of the structure as shown in Figure 5.

Note that approximately half of the length of the middle groin is well inland of the beach berm, and is required only to tie the structure into the existing highly-recessed seawall. One possible variation to the recommended rubble-mound design could be to construct the landward 150 feet +/- (the region of the groin landward of the dune field) using sheet pile only. The sheet pile would still prevent flanking of the structure during extreme storm events, while also greatly reducing the footprint of the structure and saving on construction costs.

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The same procedure is repeated once again to predict the shoreline configuration south of the middle groin. Due to the complex offshore bathymetry and strong tidal currents along this reach, this shoreline position is more difficult to predict, but applying the same methodology yields the approximate shoreline position shown in Figure 5. Although this figure indicates a substantial amount of erosion along this southernmost shoreline cell, this predicted position was based on a 'worst-case' scenario, so actual shoreline recession would most likely be considerably less.

Method #2 – Empirical Analysis. This alternative analysis will be performed using various methods to best suit the existing site conditions. Design will proceed from north to south, following the direction of littoral flow. As with the previous Case Study analysis, a primary assumption of this analysis will be that adequate volumes of sediment are present at all times along the beaches north of the groin field; the area to the north will in effect function as a feeder beach throughout each renourishment cycle.

The first step in this empirical analysis is to establish the position of the shoreline updrift/north of the northern groin. As described in Bodge[5], for shorelines with adequate supplies of updrift sediment (as the proposed project will be), the updrift depth contour will intersect the seaward end of the groin at 1.0 to 1.5 times the difference between mean sea level (MSL) and mean low water (MLW). In this case, the difference between MSL and MLW is 0.68 feet, based on tidal data for Sarasota from the 2004 Feasibility Study. Following this methodology and allowing for a 'maximum-erosion' scenario (1.5 x 0.68 ft = 1.02 ft), the -1.02 ft contour would be positioned along the seaward tip of the northern groin. Applying the 1v:12h beach slope to calculate the position of the MHW line yields a landward offset of 32 feet from the -1.02 ft contour. In the CADD file, graphically translating the position of the MHW line on/offshore to provide the proper 80-foot offset from the baseline (ECL) position results in a minimum corresponding groin length of 170 feet, as measured along the crest of the structure. This is in very close agreement with the value of 163 feet as determined in the Case Study. Due to the 1v on 1.5h front slope of the groin and the 5-ft wide scour apron, the corresponding position of the seaward tip of the foundation of the groin will be at 187 feet, relative to the ECL.

With the length and position of the northern groin established, the resulting equilibrated position of the shoreline between the northern and middle groins can be calculated. Many methods for performing this calculation have been proposed over the years, and most rely on a logarithmic spiral routine. The method described in the U.S. Army Corps of Engineers' Coastal Engineering Manual[4] (CEM) was selected as the most applicable, due to the compatibility of the actual project area with the parameters required by the methodology. This method was developed by Hsu, Silvester, and Xia and is described in the CEM, Part III, Chapter 2, Section 3(i).

A diagram showing the definitions of the variables used in these computations for Lido Key is shown in Figure 6. Using equation III-2-24 from the CEM (also shown in Figure 6), the variable R_o is set to the distance between the northern and middle groins, 585 feet. The wave angle Beta is incrementally varied from 10 to 40 degrees to cover the range of incident wave conditions and to perform a sensitivity analysis of wave angle vs shoreline response. For the sake of clarity, Figure 6 shows only one such series of calculations based on an incident wave angle of 17

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degrees. This appeared to be the most prominent incident wave angle observed throughout the record of aerial photographs. The values for C_o, C_1, and C_2 are derived from the graph in Figure III-2-27 of the CEM. Equation III-2-24 is then solved for the equilibrated shoreline position R at each of the incrementally-adjusted values for the radial angle Theta (shown by orange lines varying from 3 to 85 degrees in Figure 6). In this manner a calculated log-spiral shoreline can be derived for each incident wave angle.

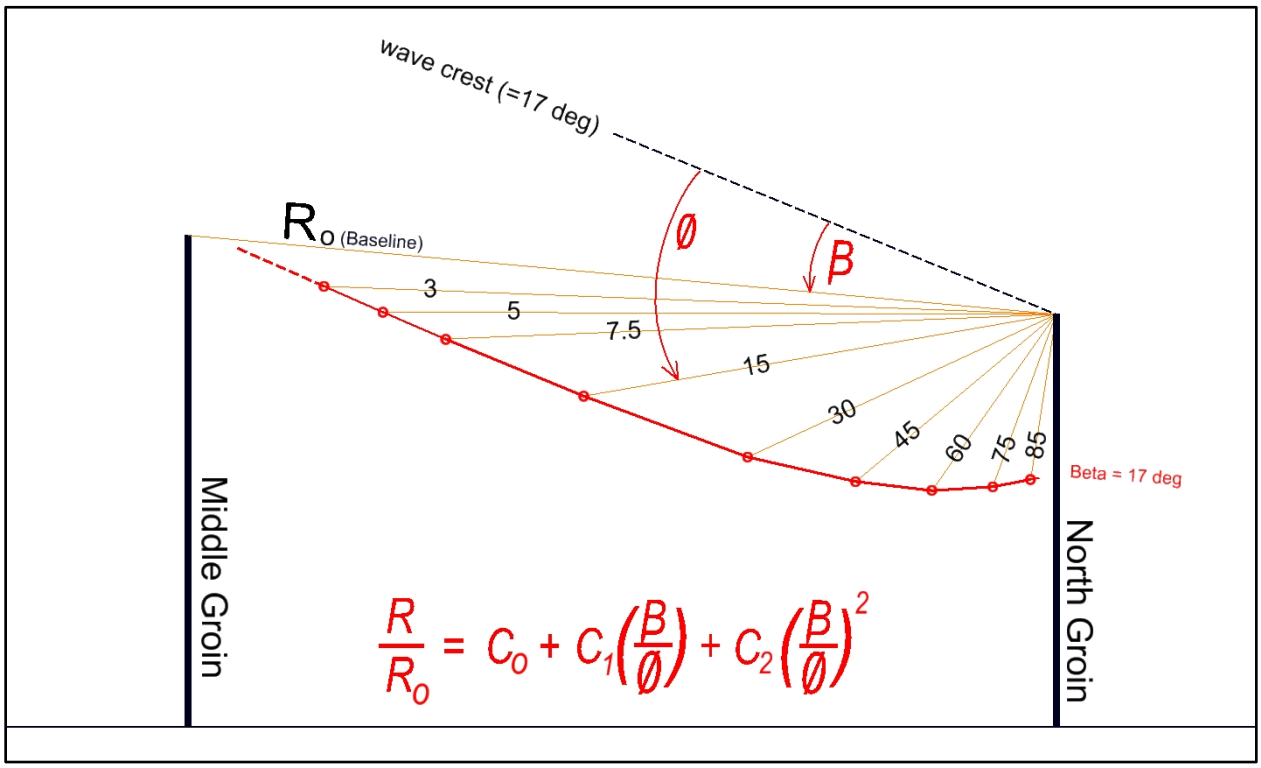


Figure 6. Definition of parameters for Eq. III-2-24.

Since the outer sandbar tends to align waves parallel to the shoreline before they can enter the nearshore area, smaller wave angles would be more applicable to calculations applied to the region of shoreline near the groin field. Based on historical aerial photography contained in Google Earth, a maximum nearshore incident wave angle of about 17 degrees is measured for visible swell. Greater angles can be observed for small wind-generated waves but the sediment-transport potential of those waves is very low. Shoreline positions for the 10, 17, and 20 – degree incident wave angles were calculated and plotted over an aerial photograph of the area. It was observed that the 10-degree calculated log-spiral shoreline best matched the observed site conditions, and agreed very closely with the shoreline from the case study. The 10-degree shoreline was therefore selected for further use in design of the groin field.

Once this design shoreline was selected the required minimum length of the middle groin could then be determined by using the proper offsets as described in the Bodge method (described above and in reference 5). It should be noted that the effects of wave angle on the equilibrium shoreline position decrease rapidly with distance from the updrift (in this case, northern) groin. Therefore the calculated position of the tip of the middle groin was not very sensitive to the wave

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angle selected, but increasing the incident wave angle did result in increasing erosion immediately downdrift of the northern groin.

In a manner similar to that used for design of the northern groin, the method suggested by Bodge was again used to properly position the seaward tip of the middle groin. By starting with the log-spiral shorelines calculated above, then extending the seaward end of the middle groin to coincide with the calculated position of the -1.02-ft contour (adjusting for slope down from the MSL line), the length of the crest of this structure is calculated to be 345 feet (or 362 feet along the length of the foundation). This value is 22 feet longer than the length calculated in the case study, and will be adopted as the recommended length of the middle groin because it represents a slightly more conservative value in terms of maintaining the design berm condition between the northern and middle groins. Downdrift erosion would be minimized by proper beach fill placement and by increasing the porosity of the structure by eliminating the placement of chinking stone, as was recommended for the northern groin.

This empirical method can then be repeated to calculate the approximate position of the shoreline on the downdrift (south) side of the middle groin. Due to a shift in shoreline orientation near Big Sarasota Pass, an incident wave angle of 20 degrees is recommended. Repeating the calculations using Equation III-2-24, the shoreline position south of the middle groin is determined. The final equilibrated MSL shoreline positions that were calculated using these empirical methods are shown in Figure 7.



Figure 7. Calculated final equilibrated shoreline positions.

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Summary of Design : Northern and Middle Groins. The northern and middle groins would each be constructed according to the two design cross-sections shown in Figure 8. The cross-sections as shown in Figure 8 differ from those in Figure 2 only in that the chinking stone has been removed. The length of the northern groin is calculated to be 170 feet, and the length of the middle groin is calculated to be 345 feet. Both values represent distances along the crest of the structures; the corresponding lengths along the foundations would be 187 and 372 feet, respectively. These values represent the minimum length of structures that can maintain the minimum-required 80-foot offset MHW shoreline along southern Lido Key throughout the 5-year renourishment interval. Due to their reduced lengths and increased porosity, these structures would have minimal impact on littoral processes along southern Lido Key and should not create significant adverse downdrift effects.

The proposed layout of the structures is described as follows. Construction of the north groin would begin at the southwest corner of the seawall shown in Figure 7, and would proceed seaward using the 'Landward Section' in Figure 8 for the first 50 feet, followed by a 50-foot transition, then the remaining 70 feet of the structure would be constructed using the 'Seaward Section'. For the middle groin, construction would tie into the southwest corner of the existing rock wall as shown in Figure 7 and would proceed seaward using the 'Landward Section' for the first 140 feet, followed by a 50-foot transition, then the remaining 155 feet of the structure would be constructed using the 'Seaward Section'. All lengths are measured along the crest of the structures. Both structures would be constructed along an azimuth of 235 degrees, measured clockwise from due north. The stone sizes and gradations as described in the 2013 VE Study would be used in the construction of both groins, as shown in Figure 8. The quantities of materials required to construct the two groins are shown in Table 1.

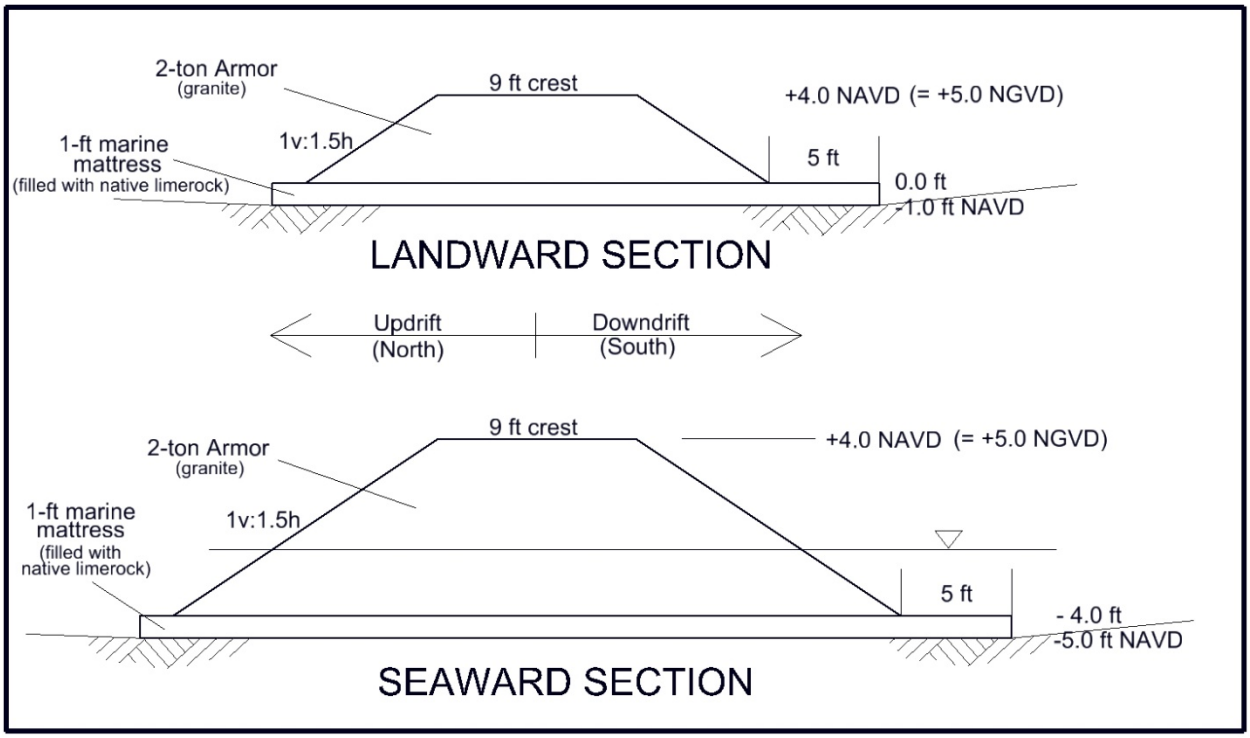


Figure 8. Recommended design cross-sections of northern and middle groins.

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TABLE 1 QUANTITIES OF MATERIALS REQUIRED NORTH AND MIDDLE GROINS				
SUBTOTAL - NORTH GROIN (170') :				
Armor stone	814	CY	1496	Tons
Bedding stone	246	CY	332	Tons
12-inch Foundation mats	737	SY		
Geotextile fabric	737	SY		
SUBTOTAL - MIDDLE GROIN (345') :				
Armor stone	1543	CY	2835	Tons
Bedding stone	465	CY	628	Tons
12-inch Foundation mats	1394	SY		
Geotextile fabric	1394	SY		
TOTAL - BOTH STRUCTURES				
Armor stone (granite)	**2356**	**CY**	**4331**	**Tons**
Bedding stone (limerock)	**710**	**CY**	**960**	**Tons**
12-inch Foundation mats	**2131**	**SY**		
Geotextile fabric	**2131**	**SY**		

Redesign of the Southern (Terminal) Groin.

The original purpose of the southern, or terminal, groin as formulated in the 2004 Feasibility Report was to stabilize the southern tip of Lido Key. This would be accomplished by impounding a large volume of material to the north of this 650-foot long structure, to guard against excessive downdrift erosion that could be caused by the much longer northern and middle groins that were recommended in that report. The originally-proposed lengths and positions of all three structures are shown in Figure 1.

The seaward end of the terminal structure was originally located at/near the waterline at the time of the 2004 Feasibility Study. Due to steady accretion of this area the structure was located well inland at the time of the 2013 VE Study. The 2013 VE Study recommended that the structure remain in place as an assurance against loss of the south end of Lido Key due to either ongoing erosion, or in the event of catastrophic storm damage. However, due to the re-engineering of the northern and middle groins at southern Lido Key as part of this current redesign effort, the risk of these types of damages occurring has now been greatly reduced.

The southern tip of the island has proven highly stable in recent years, and this stability is expected to continue following construction of the groins and beach fill placement. The ongoing renourishment of Lido Key as a result of the Federal HSDR project should maintain the stability of this area into the future, without the addition of the terminal structure. The pre-project littoral processes along the south end of the island will continue largely uninterrupted after project construction: in addition to allowing material to bypass the northern and middle groins and nourish the Gulf shoreline, material will be free to flow around the southern tip of the island and nourish the bay-side shoreline inside Big Sarasota Pass. A portion of this material will ultimately be transported into the Big Sarasota Pass shoal system, as presently occurs. Continuation of these natural processes should promote a stable, and possibly slightly accretionary, shoreline along the southern end of the island.

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Since the risk of potential damages along the southernmost end of Lido Key has been greatly reduced as a result of this groin redesign effort, it is recommended that the construction of the terminal groin be deferred. The southern Lido Key shoreline should be monitored following construction of the beach fill and groins, and construction of the terminal groin would proceed only if it is proven necessary in the future. In the event that a terminal groin is determined to be necessary, it is further recommended that a sheet-pile design be examined instead of the rubble-mound structure recommended in the 2004 Feasibility Study. This would greatly reduce construction costs as well as the overall footprint of the structure.

Redesign of Beach Fill.

In accordance with the design of the groin system as presented above, the plan for placement of beach fill has been modified to shift a portion of the placement volume from the southern tip of Lido Key to the central region of the island, where it will be used to much greater benefit as a feeder beach. This will ensure that a steady supply of sediment is available to feed into the groin system throughout the 5-year period between renourishments. To accomplish this without increasing the overall volume of fill to be placed, the volume placed throughout the groin field will be reduced and the volume placed north of the groin field will be correspondingly increased.

Specifically, the construction berm will be reduced to the width required to extend to the tips of the northern and middle groins, after post-construction slope adjustment. This will accomplish the pre-filling of the shoreline cells between the groins that is required in order to minimize downdrift erosion. According to information presented in the 2004 Feasibility Study, the construction template features a 1v : 10h slope and the equilibrated slope averages 1v : 12h above MLW. Therefore, as this steeper construction slope equilibrates, the seaward edge of the level berm will recede landward by approximately 18 feet. In order to position the seaward edge of the equilibrated berm at the tip of the groin crest, the berm will be constructed 18 feet wider than the position of the northern and middle groin tips. The resulting construction berm widths along the length of the groin field will vary, but the maximum width will be about 190 feet as measured from the ECL.

In the shoreline cell south of the middle groin, the equilibrated shoreline position (as determined by the log-spiral method) indicates the potential for some minor downdrift erosion along the first 300 feet +/- south of that structure. Therefore, in order to adequately pre-fill that region, fill will be placed to the full construction template along the first 300 feet south of the middle groin. At that point a taper would be constructed at a 30-degreee angle to tie into the existing +4.0 ft contour on the existing shoreline. The proposed fill placement plan is shown in Figure 9.

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Figure 9. Proposed beach fill placement.

Conclusions.

In order to promote a more favorable shoreline response along the southern portion of Lido Key the following design changes are recommended. The northern groin would be reduced in length to 170 feet. The middle groin would be reduced in length to 345 feet. These values represent the lengths along the crest of the structures; adding the front slopes and 5-foot scour aprons at the end of each structure yields total lengths along the foundations of 187 feet and 362 feet, respectively. In order to promote more efficient bypassing of sediment and to reduce downdrift impacts, the permeability of the two groins will be increased by removing the chinking stone that was proposed in the VE analysis. Other than this minor change, the cross-sections of each groin would remain the same as was proposed in the VE Study. Finally, the beach fill configuration has been modified to shift some material from the southern tip of the island northward to central Lido Key, to act as a feeder beach. The seaward edge of the berm for the revised beach fill construction template is shown in Figure 9. The exact volumes of placement will be determined based on surveys taken prior to project construction.

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References.

1. U.S. Army Corps of Engineers, Sarasota County, Florida, Hurricane and Storm Damage Reduction Project, Lido Key Segment, Feasibility Report with Environmental Impact Statement, April 2004.

2. U.S. Army Corps of Engineers, 116680 Lido Key Hurricane and Storm Damage Reduction Project, Preconstruction, Engineering and Design Phase, Sarasota County, FL, Value Engineering Report, October 2013.

3. U.S. Army Corps of Engineers, Shore Protection Manual, 1984.

4. U.S. Army Corps of Engineers, Coastal Engineering Manual, EM-1110-2-1100, April 2002.

5. Bodge, K.R., Design Aspects of Groins and Jetties, ASCE, ISBN 0-7844-0689-8.

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116680 LIDO KEY HURRICANE AND STORM DAMAGE REDUCTION PROJECT (Preconstruction, Engineering and Design Phase) SARASOTA COUNTY, FL

VALUE ENGINEERING REPORT

31 October 2013

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DOD SERVICE: USACE **VALUE ENGINEERING OFFICER:** Jimmy Matthews, PE, CVS
CONTROL NO: CESAJ-VE-2014-001C

REPORT INFORMATION

VALUE ENGINEERING FIRM: U. S. Army Corps of Engineers
Jacksonville District
701 San Marco Blvd
Jacksonville, FL 32232-0019
(904) 232-2087

VALUE ENGINEERING WORKSHOP CONDUCTED: 7-11 October 2013

VALUE ENGINEERING STUDY TEAM LEADER: Jimmy Matthews, P.E., CVS

VALUE ENGINEERING STUDY TEAM MEMBERS: Team member names and contact information are in Appendix B.

STUDY RESULTS:

Evidence of Unfettered Creativity: 69 ideas generated, several ideas were combined into alternatives and comments

Number of Proposals: 7
Number of Accepted Proposals: 7

Number of Comments: 12
Number of Comments Accepted: 12

Maximum Cost Avoidance (Gross): $3,627,000
Accepted Cost Avoidance (Gross): $2,866,000 to 3,627,000, tbd after award

Study Cost to Government: $28,000 (total)
Return on Investment: *102:1*

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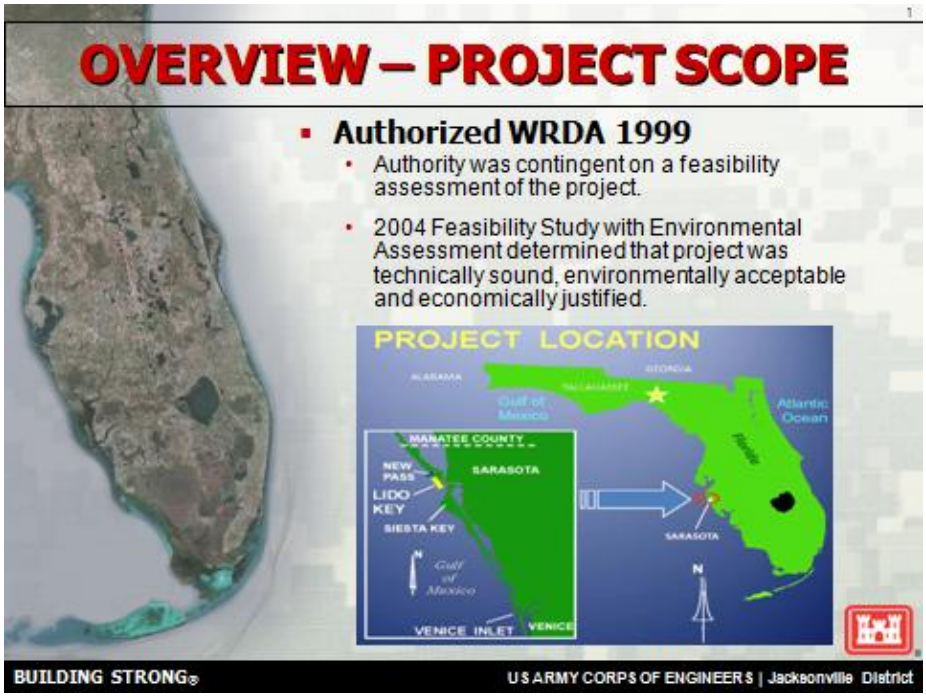
INTRODUCTION

This Value Engineering (VE) Report documents the completion of the Lido Key Hurricane and Storm Damage Reduction Project (Preconstruction, Engineering and Design Phase), Sarasota County, FL, October 2013.value analysis. The project is at the Preconstruction, Engineering and Design (PED) phase, preliminary phase of development for the Plans and Specifications (P&S). Value improvements proposed herein will be addressed during further P&S refinements.

PROJECT DESCRIPTION (on date of VE Study, 7-11Oct13)

The Hurricane and Storm Damage Reduction (HSDR) Project, Lido Key, Sarasota County, Florida (Lido Key Project) is described in a Final Integrated Project Implementation Report and Environmental Impact Statement dated October 2002 with April 2004 Addendum. The Chief of Engineers Report was signed 22 December 2004. Congress re-authorized the project in Section 364 of the Water Resources Development Act of 1999, Public Law 106-53. The non-Federal sponsor is the City of Sarasota. A Design Agreement for the Lido Key Project was signed 12 September 2007 between The Department of the Army and The City of Sarasota, Florida.

The Lido Project consists of a set of features that will improve shore protection while reducing coastal erosion and wave or surge impacts to upland development for 8,280 ft segment of the Lido Key Gulf of Mexico shoreline. The authorized plan as recommended in the Chief's Report includes construction of an 80-foot-wide beach berm at elevation +5 feet National Geodetic Vertical Datum (NGVD) over 8,200 ft. of shoreline, with 3 groins located near the southern limits of the project. Periodic nourishment, at a five (5) year interval, would optimize the net benefits over the 50 year period of analysis. Construction of the project would require placement of approximately 460,200 cy of design fill and 614,500 cy of advanced fill material. Three borrow areas, delineated for use, are located between 7.2 and 9.5 nautical miles offshore. The Lido Key shoreline is made up of private and extensively used public beaches. The project will improve storm damage prevention to coastal development and existing structures, while providing recreational benefits to Lido Key. A vicinity map and the recommended plan are displayed below.



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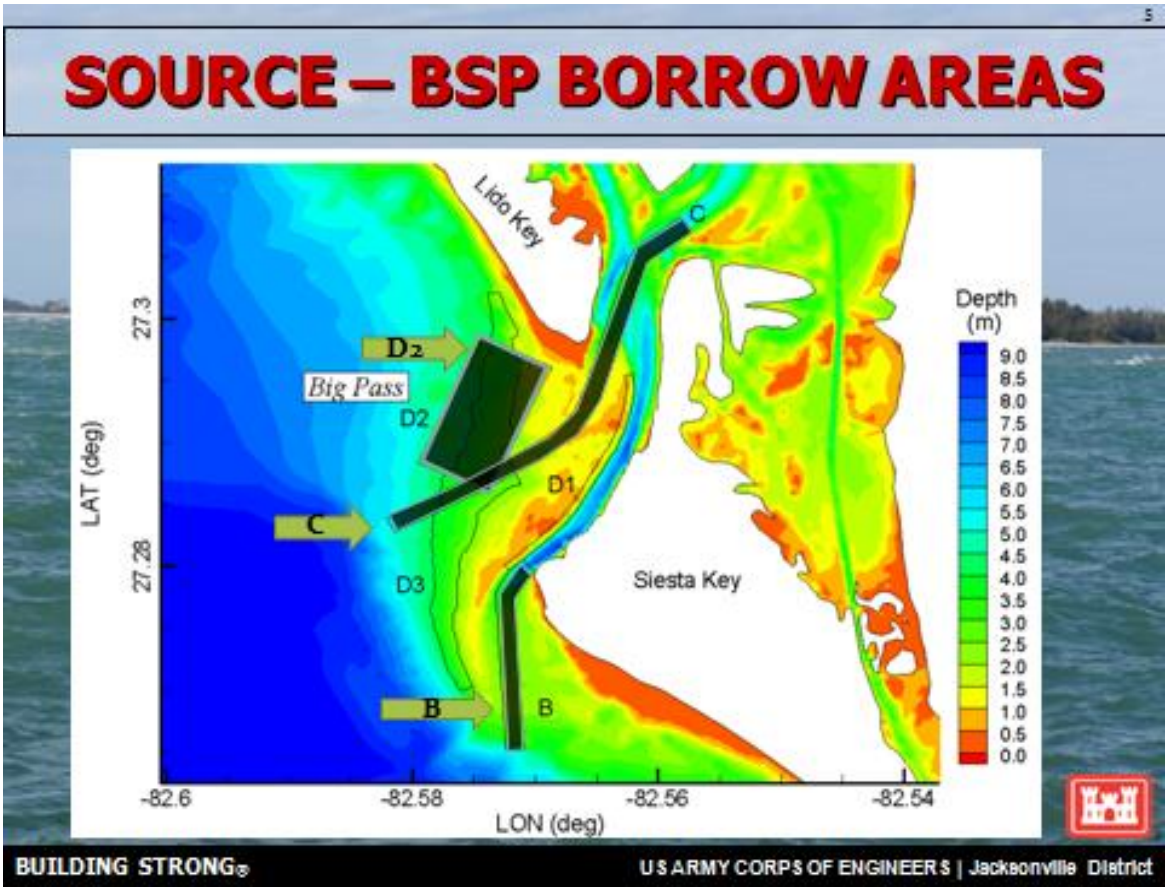
2004 Feasibility Study Features

- Project Length (ft) = 8,280 (R-35 to R43)
- Design berm elevation = +5 ft NGVD
- Approximately 460,000 cy of design and 615,000 cy of advance material (1,075,000 cy)
- Three Borrow areas were delineated (5, 6 & 7)
- 5-year nourishment interval over 50-year life
- 615,000 cy required for each re-nourishment
- Three groins are part of the project along the southern portion
- Initial Estimated Construction cost = $22,708,000 (62.4%/37.6%)



Subsequent to the Chiefs Report, borrow area clearances were updated to protect habitats of concern. The result was the borrow areas in the decision document needed to replaced or augmented. Further detailed analyses and coordination changed the borrow area to Big Shoal Pass. The current alternative borrow alternatives at Big Pass are depicted on the following graphic.

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PROJECT ISSUES, CONCERNS AND VALUE IMPROVEMENT OPPORTUNITIES

The Project Delivery Team identified the follow topics that could be improved via a Value Analysis. These topics were discussed and improvement ideas vetted during this VE study.

- Cost versus 902 Limits
- Use of Groins and Optimization
- Project schedule needs
- PED activities and costs
- NEPA and Permitting
- Non-Federal Sponsor Concerns
- Navigability of Big Pass
- Dredging of B/A
- Prevention of erosion on south end of Lido Key
- Bay side erosion, South Lido Park Area

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VALUE METHODOLOGY

This report documents the VE workshop conducted 11-17 October 2013. The workshop was conducted using the six-phase Value Engineering Job Plan as sanctioned by USACE and the Society of American Value Engineers International (SAVE). This process, as explained below, was executed as part of daily activities as described in the Workshop Agenda exhibited in Appendix A. The VE Team was comprised of USACE Team Members from the Jacksonville District. The roster is located in Appendix B.

The VE Workshop culminated in the development phase where ideas were captured and refined into proposals or design comments. Design comments are topics that warrant consideration but their savings were not computable (quantitative) with current information. Appendix E contains the related documentation.

Information Phase

At the beginning of the study, the project team presents current planning and design status of the project. This includes a general overview and various project requirements. Project details are presented as appropriate. Discussion with the VE Team enhances the Team's knowledge and understanding of the project.

Function Analysis Phase

Key to the VE process is the Function Analysis. Analyzing the functional requirements of a project is essential to assuring an owner that the project has been designed to meet the stated criteria and its need and purpose. The analysis of these functions is a primary element in a value study, and is used to create ideas and develop proposals. This procedure is beneficial to the team, as it forces the participants to think in terms of functions. For this study, team members developed a function list and then considered the list in regards to the report's recommended plan features. This facilitated a deeper understanding of the project. The function analysis is presented in Appendix C.

Creativity Phase

The Creativity Phase involves identifying and listing creative ideas. During this phase, the team participates in a brainstorming session to identify as many means as possible to provide the necessary project functions. Judgment of the ideas is not permitted in order to generate a broad range of ideas. The creative phase continues through the other phases as ideas can, and often times do, create other ideas.

Evaluation Phase

The purpose of the Evaluation Phase was to systematically assess the potential impacts of ideas generated during the Creativity Phase relative to their potential for value improvement. Each idea is evaluated in terms of its potential impact to cost and overall project performance. Once each idea is fully evaluated, it is given a rating to identify whether it would be carried forward and/or developed as an alternative, combined with other ideas, presented as a design suggestion, dismissed from further consideration or that it is already being done by Project Delivery Team. Appendix D lists those ideas

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with their evaluation disposition. The appendix tables also display the evolution of ideas from creation through their embodiment into proposals or comments.

Development Phase

During the Development Phase, ideas passing evaluation are expanded and developed into comments. The development process considers such things as the impact to performance, cost, constructability, and schedule of the alternative concepts relative to the baseline concept. This analysis is prepared as appropriate for each alternative, and the information may include an initial cost and/or life cycle cost comparisons. Each alternative or idea describes the baseline concept and proposed changes and includes a technical discussion.

Presentation Phase

The VE Workshop concluded with a preliminary presentation of the value team's assessment of the project and value alternatives and ideas. The presentation provides an opportunity for the owner, project team, and stakeholders to preview the alternatives and develop an understanding of the rationale behind them. The presentation is also used to refine proposal justification to include the corporate perspective. The presentation was conducted 4Nov13.

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STUDY RESULTS AND RECOMMENDATIONS

Study results are summarized below in proposals where quantitative cost avoidance opportunities can be realized and in comments where those ideas are captured that warrant further consideration by the PDT. Related cost avoidance will be developed for awarded contract and reported in the Value Engineering Reporting System (VERS). Should ideas/comments result in quantifiable cost avoidance, those ideas/comments will be documented as proposals and appended to this report.

The VE team developed seven proposal alternatives that warrant more detailed investigation. In general, VE team proposals centered on:

- Updating the beach fill erosion rates with post 2004 information; and
- Optimizing groin design.

PROPOSALS

The following proposals and potential cost avoidance will be evaluated by the PDT for incorporation into the project's design.

P1. Base beachfill quantities and erosion rates on P&S scope development and include post 2004 information instead of using 2004 report alone, $1,476,000.

P2A. Groin Optimization (Optimize dimensions, use local stone in marine mattresses, reduce sheet pile lengths), $1,139,000.

P2B. Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with grouted chinking stone), $1,390,000.

P2C. Groin Optimization (Optimize dimensions, use local stone in marine mattresses, reduce sheet pile lengths, selectively shorten groins), $1,422,000.

P2D. Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with grouted chinking stone, selectively shorten groins), $1,661,000.

P2E1. Eliminate the grouting from the chinking for P2B, $1,910,000.

P2E2. Eliminate the grouting from the chinking for P2D, $2,151,000.

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COMMENTS

The following comments are offered for consideration by the PDT during further P&S and Design Documentation Report development. Should comments result in quantitative cost avoidance, this report will be appended with the proposal.

C1. Consider allowing the use of truck hauled sand.

C2. Reevaluate the use of T-groins (other alternatives to rubble mound groins).

C3. Revisit the northwest borrow area for contour dredging/backpassing for beachfill.

C4. Reconsider the equipment assumptions in the current estimate and address sequencing in the order of work.

C5. Check environmental windows for piping plover versus construction period.

C6. Consider RFP for acquisition.

C7. Plant dune vegetation.

C8. Use park for staging area.

C9. Reuse any remnant stone from the beach in groins.

C10. Revisit Current Working Estimate construction period for groins.

C11. Recommend reviewing the Cost and Schedule Risk Analysis for related VE improvements.

C12. Using sheet pile to the top elevation in the groins will pose a safety hazard to the public. Reduce several feet below top of groin or do not use.

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APPENDIX A: VALUE ENGINEERING WORKSHOP AGENDA

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VALUE ENGINEERING WORKSHOP AGENDA
116680 LIDO KEY HURRICANE AND STORM DAMAGE REDUCTION PROJECT
SARASOTA COUNTY, FL
7-11 OCTOBER 2013

Meeting Location:
Engineering Conference Room, 381, 3E

MONDAY
7Oct13:

0900-0930	Introductions and Workshop Purpose – Jimmy Matthews
	VE Process, How it will be used, and Agenda - Jimmy Matthews
0930-1100	*Information Phase:* Presentation of Project Status and Recommended Plan Summary - PDT
	Project Overview Presentation – PDT Cost Estimate Overview – Tony Ledford NEPA Compliance – PDT Project Issues and Goals
	Q & A
Hourly	Break as needed
1100-1200	Lunch
1200-1400	*Function Analysis Phase:* - J Matthews
1400-1500	Day One Recap - J Matthews

TUESDAY
8Oct13:

0900-1100	*Creativity Phase:* (Brainstorming – Ideas by PDT/VE Team) – VE Team
Hourly	Break as needed
1100-1200	Lunch
1200-1400	*Evaluation Phase:* (Critical assessment of Brainstorming) – VE Team
Hourly	Break as needed
1400-1500	*Explain and Start Development Phase:* (Start development of priority ideas into proposals or comments) - J Matthews
1500-1600	*Proposal and Comment Development Assignments*: - J Matthews

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WEDNESDAY
9Oct13:

0900-1200	*Complete Development Phase:*
Hourly	Break as needed
1100-1200	Lunch
1200-1600	*Complete Development Phase:*
1600-1700	VE Recap

THURSDAY
10Oct13:

0900-1200	*Start Report &Report Development Phase Results:*
Hourly	Break as needed
1200-1300	Lunch
1300-1600	*Complete draft Report and Start Presentation:*

FRIDAY
11Oct13:

0900-1200	*Complete draft Report &Complete Presentation:*
Hourly	Break as needed
1200-1300	Lunch
1300-1500	*Complete draft Report and Complete Presentation:*
1500-1600	Summarize and present follow up actions

14Oct13:	Send Report to PDT for Review and Comment
TBD:	Decision Makers VE Results Briefings, if required
TBD:	Final VE Report – Jimmy Matthews

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APPENDIX B: WORKSHOP PARTICIPANT ROSTER

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Value Engineering Workshop - Lido Key HSDR Project
7-12 October 2013

				Attendance				
Name	**Office**	**Phone**	**E-mail (@usace.army.mil)**	**7-Oct-13**	**8-Oct-13**	**9-Oct-13**	**10-Oct-13**	**11-Oct-13**
Jimmy Matthews	CESAJ-EN-Q	(904) 232-2087	Jimmy.D.Matthews@usace.army.mil	x	x	x	x	x
Tom Martin	CESAJ-EN-HC	(904) 232-2428	Tom.R.Martin@usace.army.mil	x	x	x	x	x
Tony Ledford	CESAJ-EN-TC	(904) 232-3695	Tony.W.Ledford@usace.army.mil	x	x	x	x	x
Rafael Rios	CESAJ-EN-GG	(904) 232-3916	Rafael.A.Rios@usace.army.mil	x	x	x	x	x
Jim Lagrone	CESAJ-EN-DW	(904) 232-2437	James.W.Lagrone@usace.army.mil		x	x	x	
Millan Mora	CESAJ-PM-WN	(910) 251-1454	Millan.A.Mora@usace.army.mil	x	x	x	x	x

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APPENDIX C: FUNCTION ANALYSIS

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DOD VE and Efficiency Initiatives

In an effort to provide better value for the taxpayer and the warfighter.... *(examine)* five broad areas of initiatives as follows:

- *Target affordability and control cost growth;*
- *Incentivize productivity and innovation in industry;*
- *Promote real competition;*
- *Improve tradecraft in services acquisition; and*
- *Reduce non-productive processes and bureaucracy.*

LIDO KEY, FL- FUNCTION LIST		
Reduce Storm/Hurricane Damage	Identify/Distribute Sand Sources	Attract User
Maintain Sand in coastal system	Vegetate dunes	
Protect Property/Infrastructure	Distribute Sand (Pipe/Truck)	Target Affordability
Minimize Erosion Impacts	Protect Environmental Habitat	Control Cost Growth
Enhance Beach/Shoreline	Minimize Environmental Impacts	Incentivize innovation
Add Beachfill	Monitor Impacts	Incentivize productivity
		Promote Competition
Develop Sand Delivery/Placement Options		
	Satisfy User	Reduce Processes
Widen Advanced Sand Nourishment		
		Reduce Bureaucracy

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LIDO KEY, FL- FUNCTION LIST

Install Groins		
Block Sand Transport		
or		
Impede Sand Transport		
Retain fill template		
Block longshore currents		
Provide habitat		
Anchor tip of island		
Protect park		

RUBBLE MOUND GROIN FUNCTIONS

Other Breakwater, Groin or Training Wall Functions

- Allow overtopping
- Reduce wave heights
- Dissipate or reflect wave energy
- Force currents along structure
- Reduce or address wave run-up

Rubble Mound Training Wall Functions

- Break waves
- Reduce wave height/climate
- Block transverse current
- Retain fill
- Prevent scour

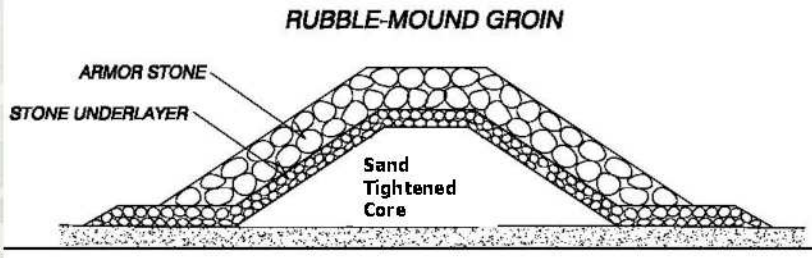


Figure VI-2-9. Examples of groin structures

Mat or Blanket/Foundation Layer Functions

- Retain fill
- Prevent Scour
- Distribute weight

Sand Tightened Core Functions

- Impede or limit energy transmission
- Block Sand
- Retain blanket or underlayer

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APPENDIX D: CREATIVITY AND EVALUATION

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LIDO KEY VE - Created Ideas			
Idea	Idea Group	Action	Created Ideas
1			truck inland sand
2			use local rock
3			project w/o groins
4			less groins
5			geotubes instead of groins
6			put a covering on geotubes
7			cover geotubes with rock
8			modify groin xsec design
9			min groin dimensions
10			use local rock only
11			use local rock for sublayers then granite for armor
12			revisit Top groin elevations
13			revisit interior groin elevations
14			variable base el for groins
15			use t-groins
16			use retaining walls instead of rubble mound groins
17			use cribs
18			use matresses for foundation layer
19			innovative materials for groins
20			base sand quantity on recent survey
21			was 2004 survey post storm
22			use breakwaters instead of groins
23			revisit n nw b/a for contour dredging/backpassing/ beachfill
24			reconsider equip assumptions
25			address sequencing of work
26			optimize use of new pass O&M material
27			use combo plan anything but shoal.. New pass, truck
28			Use D2 square only
29			revisit northern limit to see if it could be moved southward
30			nearshore placement of material
31			overbuild nothern section and let migrate
32			look at bird windows (piping plover)
33			base all quantities on P&S scope development
34			longer renourishment intervals
35			alternative means of sand tightening
36			model verification group/committee to build consensus with non-federal
37			update overfill ratio
38			reconsider equip assumptions
39			reconsider dredge plant possibilities
40			Use RFP
41			Use MATOC
42			evaluate USCG certified versus non-USCG certified
43			plant dune vegetation
44			Meet authorization timeline
45			eliminate overwidened beach from renourishment calculation
46			don't renourish overwidened beach
47			consider low profile groins
48			staggered heights of groins
49			staggered lengths of groins

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LIDO KEY VE - Created Ideas			
Idea	Idea Group	Action	Created Ideas
50			rip rap south inlet groin
51			combination of the above, hybrid
52			sandtightening of groins, needed or not
53			geotubes instead of groins
54			low profile groins being geotubes and regular groins being of rock
55			use park for staging area (needed to meet the schedule)
56			order of construction for groins and beachfill
57			model the installation sequence to avoid construction issues and to select best
58			phase the installation of groins between the construction and renourishement
59			phase the installation of groins during initial construction
60			remove remnant groin on beach
61			reuse remnant stone from beach
62			don't extend vinyl sheet pile to El 5, safety hazard
63			Reduce the vinyl sheet pile depth to extend into the foundation mattress only
64			use one t groin instead of two northern groins
65			revisit CWE construction period for groins
66			verify stone source assumptions in CWE
67			recommend CSRA and VE of risk register
68			develop list of Cost DX topics and vet with VE team and PDT

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Lido Key VE - Evaluated and Grouped Ideas

Idea	Idea Group	Action	Already Being Done or Eliminate, Idea Group = 0.00; Keep Idea, Idea Group = Number; Combine into another idea, Idea Group = N.ii
3	0.00	bd	project w/o groins
4	0.00		optimize number of groins
5	0.00		geotubes instead of groins (they have UV coating)
6	0.00		put a covering on geotubes
7	0.00		cover geotubes with rock
10	0.00		use local rock only
20	0.00		base sand quantity on recent survey
21	0.00		was 2004 survey post storm
22	0.00		use breakwaters instead of groins
26	0.00	bd	optimize use of new pass O&M material
29	0.00	bd	revisit northern limit to see if it could be moved southward
30	0.00		nearshore placement of material
31	0.00		overbuild northern section and let migrate
34	0.00	bd	longer renourishment intervals
36	0.00		model verification group/committee to build consensus with non-federal
37	0.00	bd	update overfill ratio
38	0.00		reconsider equip assumptions
39	0.00		reconsider dredge plant possibilities
44	0.00	bd	Meet authorization timeline
45	0.00	bd	eliminate overwidened beach from renourishment calculation
46	0.00		don't renourish overwidened beach
50	0.00		rip rap south inlet instead of groin
51	0.00		combination of the above, hybrid
52	0.00	bd	sandtightening of groins, needed or not
53	0.00		geotubes instead of groins
54	0.00		low profile groins being geotubes and regular groins being of rock
57	0.00		model the installation sequence to avoid construction issues and to select best
58	0.00		phase the installation of groins between the construction and renourishement
59	0.00		phase the installation of groins during initial construction (stage groin
66	0.00	bd	verify stone source assumptions in CWE
68	0.00		develop list of Cost DX topics and vet with VE team and PDT
1	1.00		truck inland sand alternative
27	1.27		use combo plan anything but shoal.. New pass, truck
2	2.00		use local rock in groin xsec
11	2.11		use local rock for sublayers then granite for armor
8	8.00		Groin Modification (modify groin xsec design)
9	8.09		min groin dimensions
12	8.12		revisit Top width and top groin elevation
13	8.13		revisit groin side slopes
14	8.14		variable base el for groins
18	8.18		use matresses for foundation layer
35	8.35		alternative means of sand tightening
47	8.47		consider low profile groins
48	8.48		staggered heights of groins
49	8.49		staggered lengths of groins
62	8.62		don't extend vinyl sheet pile to El 5, safety hazard
63	8.63		Reduce the vinyl sheet pile depth to extend into the foundation mattress only
15	15.00		use t-groins (other alternatives to rubble mound groins)

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Idea	Idea Group	Action	Already Being Done or Eliminate, Idea Group = 0.00; Keep Idea, Idea Group = Number; Combine into another idea, Idea Group = N.ii
16	15.16		use retaining walls instead of rubble mound groins
17	15.17		use cribs
19	15.19		innovative materials for groins (WADS, etc..)
64	15.64		use one t groin instead of two northern groins
23	23.00		revisit n nw b/a for contour dredging/backpassing/ beachfill
28	23.28		Use D2 square only
24	24.00		reconsider equip assumptions
25	25.00		address sequencing of the order of work
56	25.56		order of construction for groins and beachfill
32	32.00		look at bird windows (piping plover)
33	33.00		base all quantities on P&S scope development instead of 2004 report
40	40.00		Use RFP (Acquisition Plan)
41	40.41		Use MATOC
42	40.42		evaluate USCG certified versus non-USCG certified equip
43	43.00		plant dune vegetation
55	55.00		use park for staging area (needed to meet the schedule)
60	60.00		remove remnant groin on beach
61	60.61		reuse remnant stone from beach
65	65.00		revisit CWE construction period for groins
67	67.00		recommend CSRA and VE of risk register

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Lido Key VE - Proposals and Comments				9-Oct-13
Idea	Idea Group	Cmnt or Proposal	Created Ideas	POC
1	1.00	**C1**	truck inland sand alternative	**Tony/Rafael**
27	1.27	**C1**	truck inland sand alternative	
15	15.00	**C2**	use t-groins (other alternatives to rubble mound groins)	**Jim**
16	15.16	**C2**	use retaining walls instead of rubble mound groins	
17	15.17	**C2**	use cribs	
19	15.19	**C2**	innovative materials for groins (WADS, etc..)	
64	15.64	**C2**	use one t groin instead of two northern groins	
23	23.00	**C3**	revisit n nw b/a for contour dredging/backpassing/ beachfill	**Jim**
28	23.28	**C3**	Use D2 square only	
24	24.00	**C4**	reconsider equip assumptions	**Tony**
25	25.00	**C4**	address sequencing of the order of work	**Tony**
56	25.56	**C4**	order of construction for groins and beachfill	
32	32.00	**C5**	look at bird windows (piping plover)	
40	40.00	**C6**	Use RFP (Acquisition Plan)	**Tony/Rafael**
41	40.41	**C6**	Use MATOC	
42	40.42	**C6**	evaluate USCG certified versus non-USCG certified equip	
43	43.00	**C7**	plant dune vegetation	**Jim**
55	55.00	**C8**	use park for staging area (needed to meet the schedule)	**Jim**
60	60.00	**C9**	remove remnant groin on beach	**Jim**
61	60.61	**C9**	reuse remnant stone from beach	
65	65.00	**C10**	revisit CWE construction period for groins	**Tony**
67	67.00	**C11**	recommend CSRA and VE of risk register	**Tony**
69	69.00	**C12**	Using sheet pile to the top elevation in the groins will pose a safety hazard to the public. Reduce several feet below top of groin or do not use.	
33	33.00	**P1**	base all quantities on P&S scope development instead of 2004 report	**Jim**
2	2.00	**P2**	use local rock in groin xsec	**Tom**
11	2.11	**P2**	use local rock for sublayers then granite for armor	
8	8.00	**P2**	Groin Modification (modify groin xsec design)	**Tom**
9	8.09	**P2**	min groin dimensions	
12	8.12	**P2**	revisit Top width and top groin elevation	
13	8.13	**P2**	revisit groin side slopes	
14	8.14	**P2**	variable base el for groins	
18	8.18	**P2**	use matresses for foundation layer	
35	8.35	**P2**	alternative means of sand tightening	
47	8.47	**P2**	consider low profile groins	
48	8.48	**P2**	staggered heights of groins	
49	8.49	**P2**	staggered lengths of groins	
62	8.62	**P2**	don't extend vinyl sheet pile to El 5, safety hazard	
63	8.63	**P2**	Reduce the vinyl sheet pile depth to extend into the foundation mattress only	
69	8.69	**P2**	Do not grout the groin chinking stone	

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APPENDIX E: PROPOSAL AND RECOMMENDATION DOCUMENTATION

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PROPOSAL NO. 1 (33.00): ***Base beachfill quantities and erosion rates on P&S scope development and include post 2004 information instead of using 2004 report alone***

ORIGINAL DESIGN:

The beach template design presented in the 2004 Feasibility Study would require placement of approximately 1,074,700 cubic yards (CY) of sand fill, consisting of 460,200 CY of design fill volume and approximately 614,500 CY of sacrificial advance fill. The design volumes were "…based on nourishment of the entire active profile rather than a design template." Paragraph A-75 of the study indicated "the width of the advance fill section is based on the 5 year renourishment interval and the observed rates of erosion and shoreline recession between 1991 and 1998." Therefore, this would indicate a 122,900 CY/YR of erosion would occur to support the 614,500 CY value.

However, the tabulation of the 122,900 CY/YR cannot be ascertained within the report. Please review and consider the following:

1. Table A-27 indicates the design erosion rate of 95,251 cy/yr.
2. The 1974-1992 sediment budget indicates a 117,000 Cubic Yards (CYs) losses on the island with 17,000 CY/YR of erosional losses to the north.
3. A response to an ITR comment indicated that "The engineering appendix suggests that aggravated erosion is not expected at the north end."
4. A review of the 3-year post-construction monitoring report after the most recent placement event in 2009, indicates 464,176 of cubic yards were placed, but after three years, 282,742 cubic yards still remain, or essentially 60,478 CY/YR of erosional loses.
5. Of the selected plan which considers placement of three terminal structures at the south end of the island, I am not sure if the erosion rate was adjusted by the presence of these structures. Now, the meeting minutes from ITR conference held on 02 May 2012 indicated that "modeling showed that over 50,000 cubic yards of material per year could be reduced from the diffusion losses at the south end of the project with these structures.

Therefore, it would seem clear to use a 65,000 CY/YR erosion rate from the existing area.

PROPOSED DESIGN:

The proposed design will based on the design provided in table A-25 and not meeting volume requirements as specified in the 2004 report. In addition, the cost savings will include the reduction in other project costs related to the shortened construction schedule such as environmental monitoring, construction vibration controls and monitoring, etc…

ADVANTAGES:

There will be two advantages. The first advantage would be the decrease in costs associated with the project from 1,074,700 cubic yards to about 880,000 cubic yards. The last value was attained comparing the 2013 survey of the area to the template provided in table A-25 which tallied to 750,000 cubic yards and assuming a 65,000 cubic yard erosion rate for two years

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would be appropriate. This amount could be considerable less if the sponsor proceeds with the schedule nourishment of 122,000 cubic yards of material within reaches 2 and 3.

The second advantage is a reduced quantity of fill material needed within the selected borrow area. This should help the borrow area in recovery of lost material when it erodes back to the dredged areas.

DISADVANTAGES:

None.

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COST ESTIMATE WORK SHEET

COST ESTIMATE WORKSHEET				
Proposal NO.	**P1**			
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
BEACH FILL	CY	1,074,700	$7.58	$8,146,226
==========	==========	==========	==========	==========
		Total Deletions		**$8,146,226**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
BEACH FILL	CY	880,000	$7.58	$6,670,400
==========	==========	==========	==========	==========
		Total Additions		**$6,670,400**
	Net Cost Decrease/Increase			**$1,475,826**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,475,826**
			Rounded:	

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PROPOSAL NO. P2, (See Idea List): *Groin Optimization* (optimize groin design and layout)

VE ANALYSIS OF THE LIDO KEY GROIN FIELD.

The purpose of this VE Study is to examine the authorized project features, with the goal of reducing costs without sacrificing project performance. The first step of this process involved a review of the development of the currently authorized project, as presented in the 2004 report "*Sarasota County, Florida, Hurricane and Storm Damage Reduction Project, Lido Key, Feasibility Report, April 2004 Addendum*". This report served as the basis of design for the proposed beach fill template and groin structures.

Some more recent follow-up investigations have been performed by Dr. Kelly Legault (SAJ-EN-WC). These investigations involved modeling of the project area with the numerical model GENESIS (to determine optimal groin design) and CMS (to determine changes to flow through Big Sarasota Pass under a number of borrow area dredging scenarios). As a result of this modeling effort there were no changes recommended to the groin system as presented in the 2004 Feasibility Report. Dr. Legault's modeling did suggest some additional refinements of the borrow areas originally proposed in the 2004 report however.

Since no changes to the layout of the groin field were recommended during this recent numerical modeling investigation, the plan as presented in the 2004 Feasibility Study will be the subject of this VE Study. The plan consists of 3 groins, located at the southern end of Lido Key. The southernmost groin is located at the very southern tip of the island and will function as a terminal structure, anchoring the southern end of Lido Key. This groin will be 650 feet long, with the landward half of the structure positioned along the northern bank of Big Sarasota Pass. The next groin will be located 800 feet north of the terminal groin, and will extend from the +5 ft NGVD (= +4.0 ft NAVD88) contour, seaward for a distance of 440 feet. The northernmost groin will be located 1,400 feet north of the terminal groin, and will extend from the existing seawall, seaward for a distance of 320 feet. Each structure will be oriented along an azimuth of 235 degrees, as measured from due north, clockwise.

These groin positions, lengths, and orientations were modeled in some detail in the 2004 study using the numerical model GENESIS. Additional design parameters for the groins were established in the 2004 report as well. Median stone size, crest elevation, side slopes, foundation elevation etc were all specified in the 2004 report. Some of these parameters may be evaluated and changed based on updated information on site conditions. These re-evaluations are presented in the following sections of this discussion.

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As part of the VE process, a matrix of suggested cost-saving alternatives to the recommended plan was developed. The table below represents the portion of this matrix that is specific to reducing costs associated with construction of the groins only. Other portions of the overall VE proposal matrix focus on cost-reducing measures for beach fill placement, borrow areas, construction methodology, etc, and will be included in the final VE report.

Lido Key VE - Evaluated and Grouped Ideas

Idea	Idea Group	Action	Already Being Done or Eliminate, Idea Group = 0.00; Keep Idea, Idea Group = Number; Combine into another idea, Idea Group = N.ii
2	2.00		use local rock in groin xsec
11	2.11		use local rock for sublayers then granite for armor
5	5.00		geotubes instead of groins (they have UV coating)
8	8.00		Groin Modification (modify groin xsec design)
9	8.09		min groin dimensions
12	8.12		revisit Top width and top groin elevation
13	8.13		revisit groin side slopes
14	8.14		variable base el for groins
18	8.18		use matresses for foundation layer
35	8.35		alternative means of sand tightening
47	8.47		consider low profile groins
48	8.48		staggered heights of groins
49	8.49		staggered lengths of groins
62	8.62		don't extend vinyl sheet pile to El 5, safety hazard
63	8.63		Reduce the vinyl sheet pile depth to extend into the foundation mattress only

The matrix of VE proposals from the table above were investigated, discussed, and recommendations made as to whether to pursue the proposed action further. Because many of these options were logically combined together to optimize project performance and/or reduce costs, a much shorter final matrix of proposals resulted from this analysis, and is summarized in the following table.

Groin Optimization Alternatives	
P2A	Optimize Dimensions, use local stone in mattresses, reduce sheet pile lenghts
P2B	Optimize Dimensions, use local stone in mattresses, replace sheet pile w/chinking
P2C	P2A with selective shortened groins
P2D	P2B with selective shortened groins
P2E1	P2C without grouted chinking stone
P2E2	P2D without grouted chinking stone

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PROPOSAL NO. P2A, (Ideas 2.11, 8.18, 8.14, 8.62, 8.63): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, reduce sheet pile lengths).***

ORIGINAL DESIGN:

The groin cross-section design as described in the 2004 Feasibility Study consists of the following: all three structures would be constructed of 2-ton, 165 pcf granite, with a crest elevation of +5 ft NGVD (= +4.0 ft NAVD), a crest width of 12 feet, and side slopes of 1v : 2h. Two layers of granite (total 6 ft thick) would be placed over a layer of 400-lb core stone. Core and armor stone are placed over a layer of unconstrained bedding stone. A vinyl sheet pile wall would be driven down the centerline of each groin to -24 feet to sand-tighten the structures.

PROPOSED DESIGN:

Several VE proposals are included in this design since these improvements represent current construction practice and/or changing site conditions since the 2004 study. The use of foundation mattresses **(VE # 8.18)** is recommended in accordance with current design practices and as a cost-saving measure. Furthermore, the foundation mattresses can be filled with either native Florida limerock or imported granite, whichever is cheaper **(VE # 2.11)**, with no loss of performance. Side slopes will be steepened to 1v : 1.5h along both sides of each groin **(VE # 8.13)** in order to reduce the quantity of materials (and cost) required. The original 1v : 2h side slope will be maintained at the head of each structure, to avoid compromising structural stability. A variable base elevation **(VE # 8.14)** was incorporated into all VE alternatives as described in the general overview document, based on the latest survey data. The top elevation of the sheet pile was reduced **(VE # 8.62)** to +3.5 ft NAVD, which equates to 6 inches below the crest of the groins. This modification was recommended for safety reasons, as all structures are expected to accommodate heavy pedestrian traffic. The depth of embedment of the sheet piles was reduced **(VE # 8.63)** from -24 feet to 5 feet below existing grade, because the piles are included only to provide a sand-tight barrier, not as structural members. Armor stone placement will provide the required lateral stability of the sheet pile wall. Other VE proposals recommended further reducing groin cross-sectional dimensions **(VE # 8.09, 8.12)**, but this was not possible because the groin crest widths and elevations as described above are currently at the minimum dimensions required to still be in accordance with current design guidance.

ADVANTAGES:

Incorporation of the proposals described above would significantly reduce the quantities of materials required, without compromising the function or the longevity of the structures. Use of foundation mattresses would improve the overall stability of the structures, as the bedding material would be more effectively contained than in the original design, and a thinner bedding layer could be used. The side slopes of 1v:1.5h provide adequate stability along the sides of the structures, while the flatter slope of 1v : 2h would be used only at the heads, where waves impact the structures head-on. The variable base elevations of the groins are generally only about 2-4 feet below existing grade and minimize the volume of excavation, and the quantity of materials required to construct the structures. Lowering the top elevation and raising the bottom elevation of sheet piles significantly reduces the quantities of piles required.

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DISADVANTAGES:

Marginally increased sediment bypassing could occur during storm events due to the slight lowering of the sheet pile elevation. This rate is expected to be minimal, and would only occur during period of heavy overwash. However, some bypassing is desirable in order to renourish the downdrift beaches. Decrease in depth of penetration of sheet piles can result in loss of stability of the pile wall during construction; stone should be placed along the newly-constructed wall to increase lateral stability. A shallower base elevation could result in an increased potential for scouring along the downdrift (south) side of the structures. To avoid scouring damage a 5-ft wide scour apron would be constructed by extending the foundation mattresses beyond the southward-facing toe of the structures as shown.

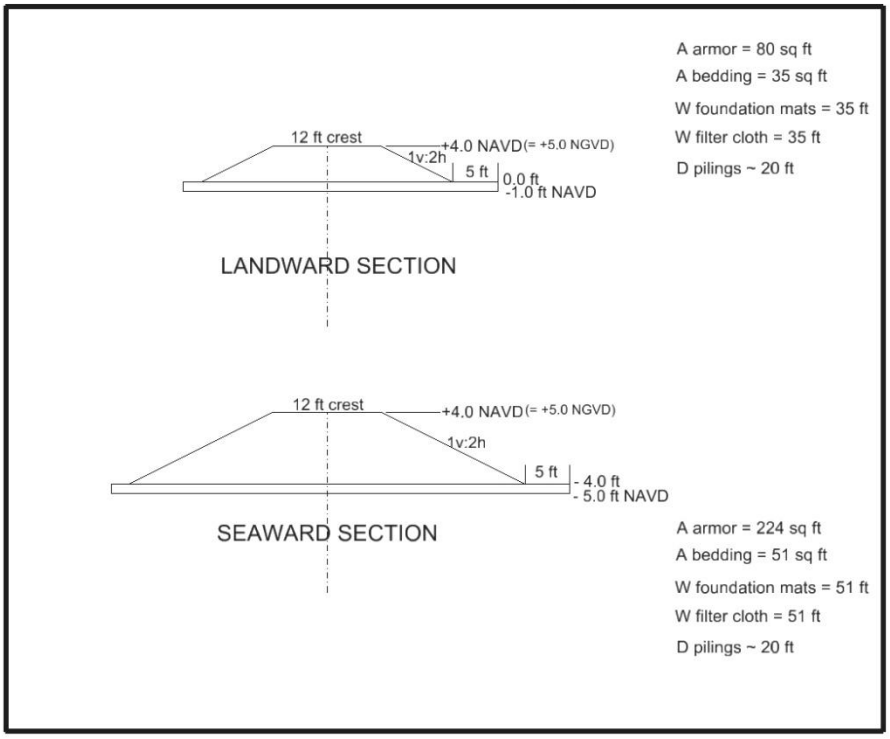
ACTIVITIES TO IMPLEMENT:

Obtain cost estimates, determine availability of local limerock for bedding material.

JUSTIFICATION: The justification for considering this alternative is below.

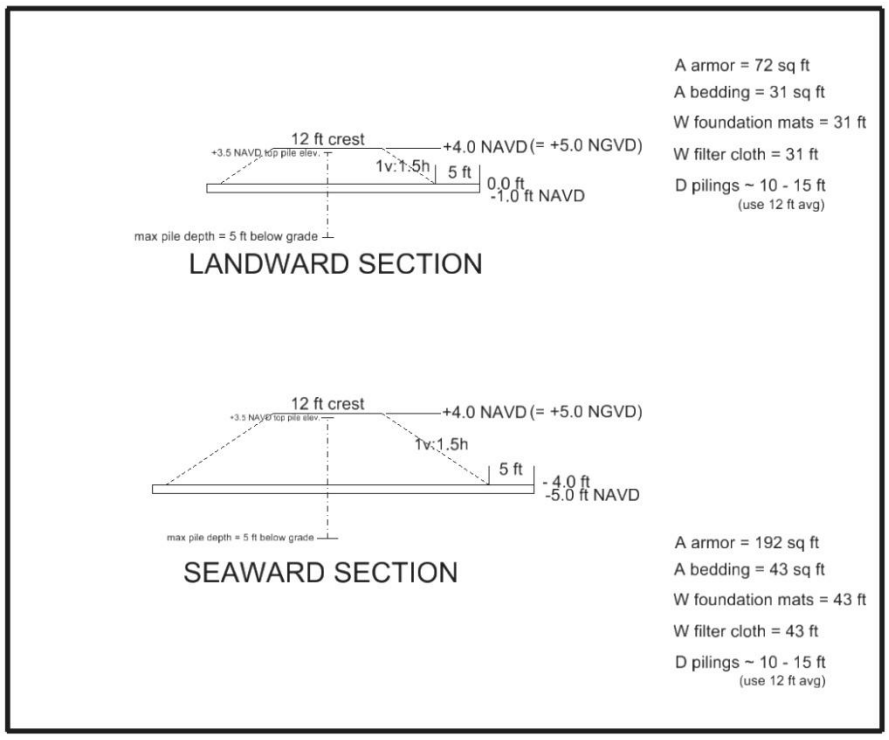
DRAWINGS – EXISTING and PROPOSED (AS APPLICABLE)

BASE CONDITION - AS PER 2004 REPORT.



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VE P2A - MODIFY GROIN XS'S.



NOTES AND CALCULATIONS (AS APPLICABLE)

Summary of Quantities of Materials Required – Proposal VE P2A.

SUB TOTAL - ALL 3 GROINS :					
Armor stone	8582	CY	1.838	15774	TONS
Bedding stone	2101	CY	1.593	3347	TONS
12-inch Foundation mats	6303	SY			
Geotextile fabric	6303	SY			
Vinyl sheet piles	16920	SF			

Summary of Quantities of Materials Required – 2004 Feasibility Study

QUANTITIES OF MATERIALS PRESENTED IN 2004 REPORT :				
Armor stone			15400	TONS
Core stone			3000	TONS
Bedding stone			8300	TONS
12-inch Foundation mats	N/A			
Geotextile fabric	9644	SY		
Vinyl sheet piles	34200	SF		

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COST ESTIMATE WORK SHEET

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2A**			
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING	SF	16920	$28.70	$485,604
GEOTEXTILE	SY	6303	$14.85	$93,600
BEDDING STONE	TON	0	$136.14	$0
MATS (L)	SY	6303	$189.00	$1,191,267
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	15774	$188.51	$2,973,557
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$4,866,497**
	Net Cost Decrease/Increase			**$1,139,022**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,139,022**
			Rounded:	

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PROPOSAL NO. P2B (Ideas 2.11, 8.18, 8.14): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with grouted chinking stone).***

ORIGINAL DESIGN:

The three groins would be constructed as rubble-mound structures. Sand-tightening would be achieved using a vinyl sheet pile wall, driven down the centerline of the structure.

PROPOSED DESIGN:

This proposal further refines the design presented in Alternative P2A, substituting the use of chinking stone instead of sheet pile to provide the required sand-tightening. The sheet pile wall would be removed from all three structures and replaced with chinking stone, which would be placed within the voids of the armor stone during construction. Chinking stone would be grouted as it was placed, to further reduce voids and increase stability of the chinking layer. Chinking stone density would be 165 pcf, to further decrease the potential for any ungrouted stone to be washed out of structure by wave action. Corps guidance requires a minimum of 3 stone-widths across the crest of such rubble-mound structures. The original groin design was 4 stones wide (12 ft), to allow for the placement of 2 stones on each side of the sheet pile wall. Without this sheet pile wall the crest can be reduced to 3 stones wide (9 ft), which will reduce the volume of stone accordingly.

ADVANTAGES:

In addition to frequently providing cost savings over other methods, chinking and grouting have proven to be effective means of sand-tightening structures. Construction is simplified : typically, a layer of armor stone will be placed along the foundation, then a layer of smaller chinking stone placed within the voids, grouted if necessary, then the next armor layer is placed, etc. This method is often easier to construct in the field vs the difficulties (and specialized equipment) associated with driving sheet piles in a wave-prone environment. Chinking to the top elevation of the structure could provide a smooth surface to drive equipment over, and for public use of the structure for recreational purposes. Chinking stone is flexible and can settle, etc, along with the structure over time, typically with little or no damage.

DISADVANTAGES:

The use of the more expensive granite (vs locally-produced limerock) is recommended for the chinking stone, due to its greater density and resistance to breaking. The use of this more expensive stone could negate some cost savings. Grout would be added to the chinking stone as it is placed, both to further decrease the permeability of the structure and to bind the chinking stone together so that wave action does not displace the chinking stone outward through voids in the armor stone. This option also increases the cost somewhat, and includes the risk that grout may leak into adjacent waters during construction. Heavily-grouted sections may crack and break over time due to differential settlement, possibly compromising the long term sand-tightness of the structure.

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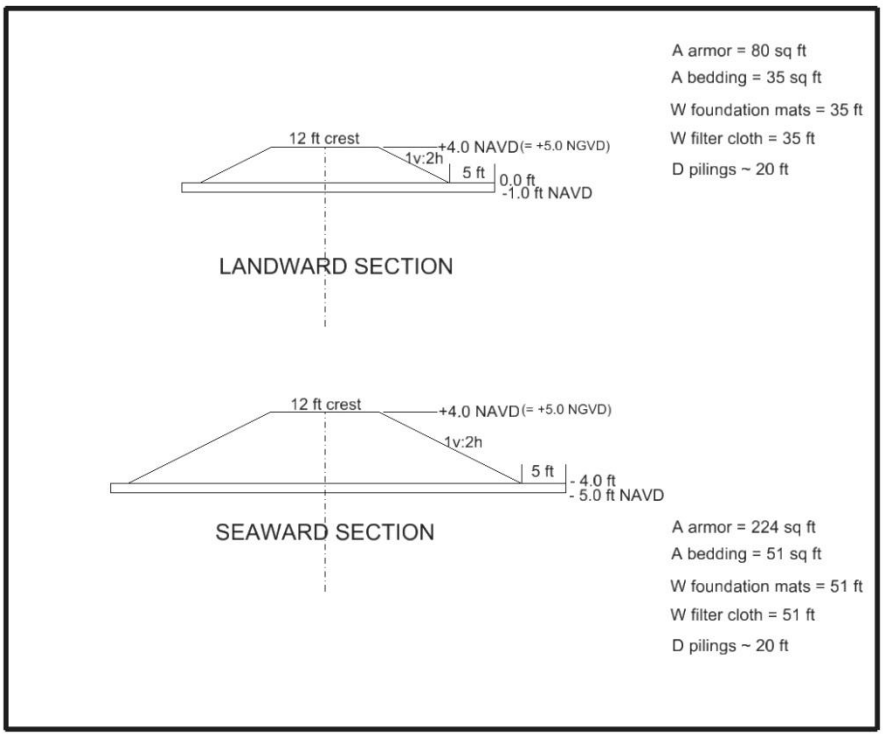
ACTIVITIES TO IMPLEMENT:

Develop cost estimates for chinking/grouting based on revised quantities attached to this proposal.

JUSTIFICATION: The justification for considering this alternative is below.

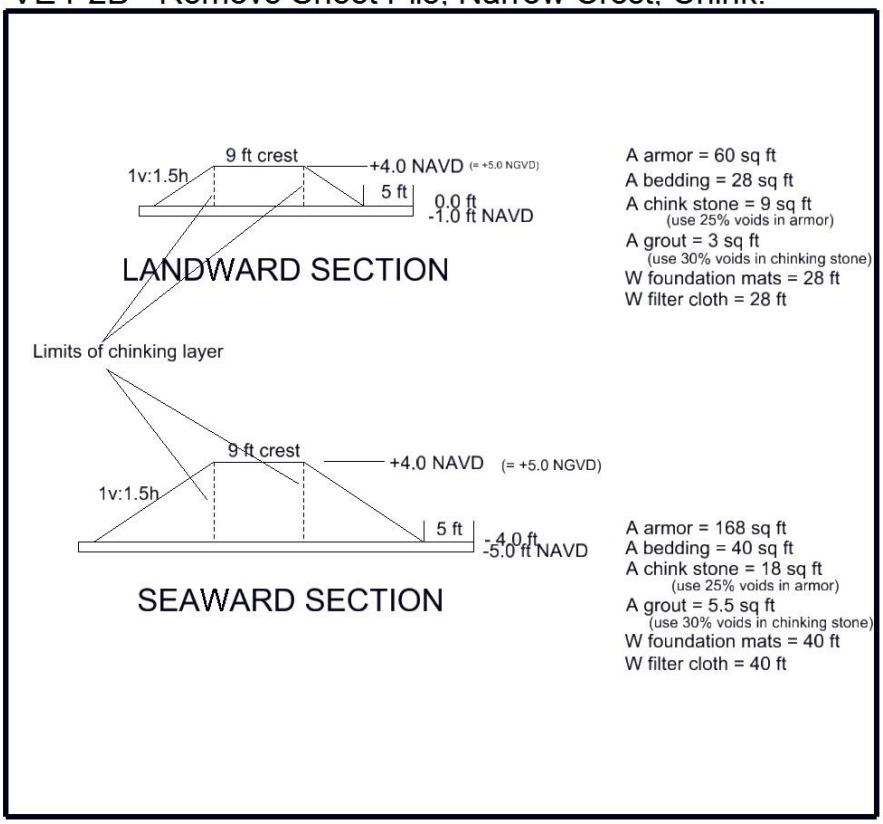
DRAWINGS – EXISTING and PROPOSED (AS APPLICABLE)

BASE CONDITION - AS PER 2004 REPORT.



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VE P2B - Remove Sheet Pile, Narrow Crest, Chink.



NOTES AND CALCULATIONS (AS APPLICABLE)

Summary of Quantities of Materials Required – Proposal VE P2B.

SUB TOTAL - ALL 3 GROINS :					
Armor stone (granite)	7473	CY	1.838	13736	TONS
Bedding stone (limerock)	1944	CY	1.593	3098	TONS
12-inch Foundation mats	5833	SY			
Geotextile fabric	5833	SY			
Chinking stone (granite)	832	CY	1.715	1426	TONS
Grout	257	CY			

Summary of Quantities of Materials Required – 2004 Feasibility Study

QUANTITIES OF MATERIALS PRESENTED IN 2004 REPORT :				
Armor stone			15400	TONS
Core stone			3000	TONS
Bedding stone			8300	TONS
12-inch Foundation mats	N/A			
Geotextile fabric	9644	SY		
Vinyl sheet piles	34200	SF		

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COST ESTIMATE WORK SHEET (AS APPLICABLE)

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2B**			
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING (VINYL)	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING (PZC 13)	SF	0	$0.00	$0
GEOTEXTILE	SY	5833	$14.85	$86,620
CHINKING STONE	TON	1426	$136.14	$194,136
MATS (L)	SY	5833	$189.00	$1,102,437
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	13736	$188.51	$2,589,373
GROUT	CY	257	$2,025.00	$520,425
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$4,615,461**
	Net Cost Decrease/Increase			**$1,390,058**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,390,058**
			Rounded:	

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PROPOSAL NO. P2C (Ideas 2.11, 8.18, 8.14, 8.62, 8.63, 8.49): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, reduce sheet pile lengths, selectively shorten groins).***

ORIGINAL DESIGN:

The groin field was designed as an interactive system of structures, working together to stabilize the south end of Lido Key. The number, positions, and lengths of the structures were fine-tuned in the 2004 Feasibility Study, using the numerical shoreline simulation model GENESIS. The end result of this analysis was a system of 3 groins, described as follows. A terminal groin is located at the south end of Lido Key, and its purpose is to anchor the southern end of the island. This structure is 650 feet long, with a portion of the groin extending along the bayside shoreline of the island. The second groin is located 800 feet north of the terminal structure, and extends 440 feet seaward of the +4 ft NAVD contour. The northernmost groin is located 1,400 feet north of the terminal structure, and extends 320 feet seaward of the seawall at that location. All structures are oriented roughly shore-normal, at an azimuth of 235 degrees as measured from north, clockwise. All three groins would be sand-tightened by driving vinyl sheet piling down the centerlines during construction.

PROPOSED DESIGN:

VE proposal 8.49 suggest a re-examination of the lengths of the groins, to determine if any of the structures could be shortened without compromising project performance. A re-analysis of the plan-view layout of the groin system is not the intention of this proposal; Proposal #8.49 is more of a response to changing site conditions since the numerical modeling was performed for the 2004 Feasibility Study. At the time of the shoreline modeling analysis for the 2004 Feasibility Study, aerial photography shows that the offshore positions of the seaward tips of the northern 2 groins were about equal, with each situated about 275 feet seaward of the shoreline position at that time. Since that time the shoreline has been renourished and its position has changed considerably, and the future performance of the groin field could be impacted as a result. Based on current shoreline aerial photography, the position of the seaward tip of the northern groin would be approximately 175 feet from the (2013) waterline, while the position of the seaward tip of the central groin is only about 100 feet from the waterline. By extending the northern (updrift) structure further offshore, this arrangement has the potential to impound large volumes of sediment updrift of the groin field. While beneficial to the shoreline to the north of the groin system, the shoreline within the field could be starved of material until the northern groin becomes fully impounded. Based on the present shoreline position it appears that the northernmost groin could be shortened by up to about 75 feet with no significant loss of performance of the groin field system. This would position the seaward end of the northern groin approximately 100 feet seaward of the waterline, which is the same relative position as the second groin. Shortening this structure could improve performance of the groin field by allowing additional material to bypass the northernmost structure, allowing more material to enter the two shoreline cells contained within the groin field. This layout would provide more effective nourishment of the shoreline along the south end of Lido Key. Essentially, this VE proposal recommends all of the design modifications as described in VE Proposal # P2A, with the only additional change being that the seaward end of the northern groin be shortened by 75 feet.

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FL-SEN-20-0201-A-002340

ADVANTAGES:

Incorporation of the proposals described above should still maintain berm widths in excess of the design template to the north (updrift) of the structure, while allowing more material to bypass and nourish the two remaining shoreline cells to the south. Shortening the north groin by 75 feet would reposition the seaward tip of the structure to approximately 100 feet seaward of the waterline, which is the same position as the second groin. This would tend to equalize the bypass rates between the two northern groins, as was the goal of the 2004 design. Additionally, the quantities of materials required to construct the north groin would be reduced substantially. Groin construction would be mostly eliminated through some of the deepest waters observed in the project area.

DISADVANTAGES:

The width of the accreted beach berm north of the northern groin would be reduced accordingly, but would still be well in excess of the 80-foot design template. Increased sediment bypassing would occur, especially during storm events as material bypasses around the seaward tip of the structure due to wave action. However, adequate bypassing is essential to maintaining the downdrift beaches.

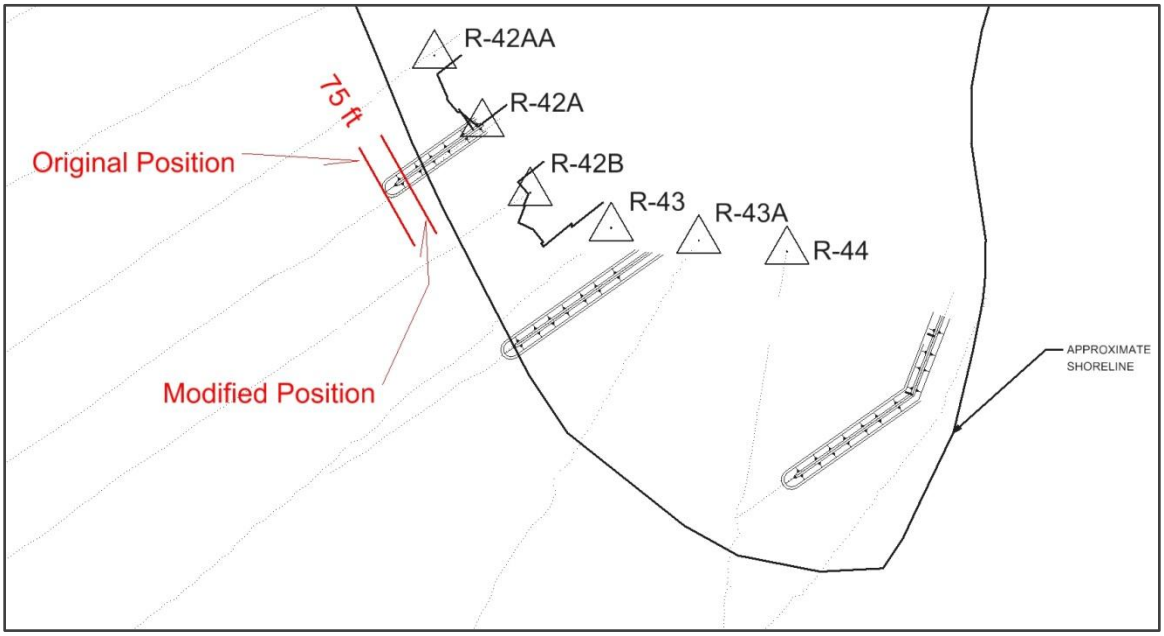
ACTIVITIES TO IMPLEMENT:

Obtain consensus from modelers that any reduction in length of the northern groin would not be detrimental to the project.

JUSTIFICATION: The justification for considering this alternative is below.

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DRAWINGS – EXISTING and PROPOSED (AS APPLICABLE)



NOTES AND CALCULATIONS (AS APPLICABLE)

Summary of Quantities of Materials Required – Proposal VE P2C.

SUB TOTAL - ALL 3 GROINS :					
Armor stone	8049	CY	1.838	14794	TONS
Bedding stone	1982	CY	1.593	3157	TONS
12-inch Foundation mats	5945	SY			
Geotextile fabric	5945	SY			
Vinyl sheet piles	16020	SF			

Summary of Quantities of Materials Required – 2004 Feasibility Study

QUANTITIES OF MATERIALS PRESENTED IN 2004 REPORT :				
Armor stone			15400	TONS
Core stone			3000	TONS
Bedding stone			8300	TONS
12-inch Foundation mats	N/A			
Geotextile fabric	9644	SY		
Vinyl sheet piles	34200	SF		

AMERICAN OVERSIGHT

COST ESTIMATE WORK SHEET (AS APPLICABLE)

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2C**			
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING	SF	16020	$28.70	$459,774
GEOTEXTILE	SY	5945	$14.85	$88,283
BEDDING STONE	TON	0	$136.14	$0
MATS (L)	SY	5945	$189.00	$1,123,605
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	14794	$188.51	$2,788,817
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$4,582,949**
	Net Cost Decrease/Increase			**$1,422,570**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,422,570**
			Rounded:	

AMERICAN OVERSIGHT

PROPOSAL NO. P2D (Ideas 2.11, 8.18, 8.14, 8.49): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with grouted chinking stone, selectively shorten groins).***

ORIGINAL DESIGN:

The three groins would be constructed as rubble-mound structures. Sand-tightening would be achieved using a vinyl sheet pile wall, driven down the centerline of the structure.

PROPOSED DESIGN:

This alternative further refines the design presented for proposal P2B. Specifically, the length of the northernmost groin would be reduced by 75 feet, in accordance with the changing site conditions described in the discussion for Proposal P2C above. All other aspects of the cross-section and plan-view layout would be the same as for Proposal P2B : chinking stone would still be the means of sand-tightening the three structures; the only difference is that the length of the northern groin would be reduced by 75 feet at its seaward end.

ADVANTAGES:

As described for Proposal P2B, chinking and grouting have proven to be effective means of sand-tightening structures, and can result in cost savings. This method is often easier to construct in the field vs the difficulties (and specialized equipment) associated with driving sheet piles in a wave-prone environment. The shortened northern groin would allow greater sand-bypassing to the two shoreline cells at the southern end of the island, and would result in additional savings of materials and cost during construction.

DISADVANTAGES:

Shortening the length of the northern structure by 75 feet would result in a narrowing of the berm width north of the structure by a similar amount, but the resulting berm would still be adequate to provide the desired level of protection.

ACTIVITIES TO IMPLEMENT:

Develop cost estimates for the groin field based on revised quantities attached to this proposal. Obtain consensus from modelers that any reduction in length of northern groin would not be detrimental to the project.

JUSTIFICATION:

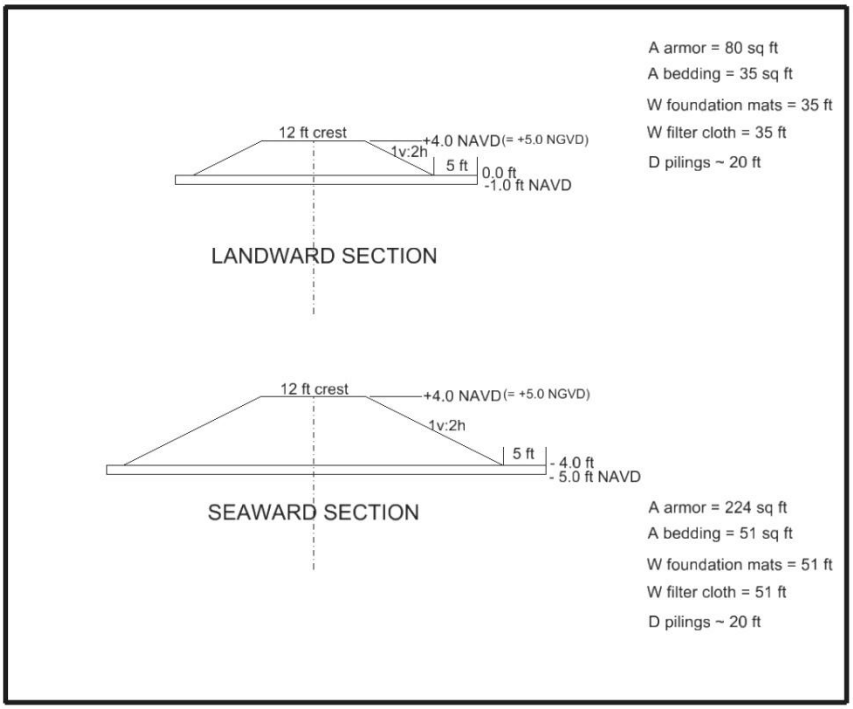
Proposal Financial Benefit – Quantified Value of Proposal

DETERMINATION: (PDT Responses)

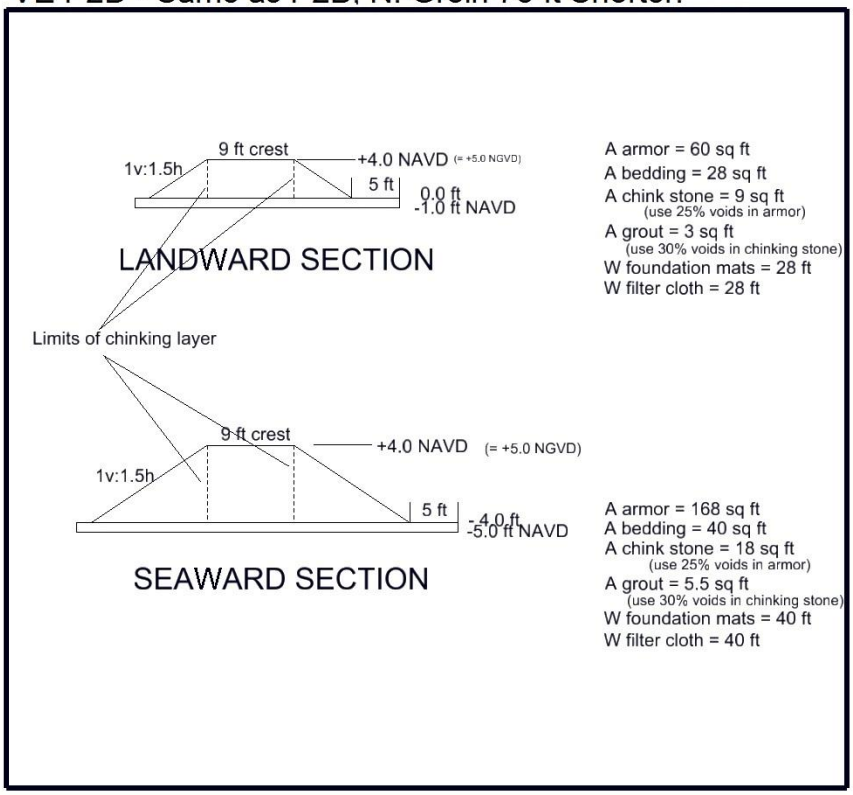
AMERICAN OVERSIGHT

DRAWINGS – EXISTING and PROPOSED (AS APPLICABLE)

BASE CONDITION - AS PER 2004 REPORT.



VE P2D - Same as P2B, N. Groin 75 ft Shorter.



AMERICAN OVERSIGHT

NOTES AND CALCULATIONS (AS APPLICABLE)

Summary of Quantities of Materials Required – Proposal VE P2D.

SUB TOTAL - ALL 3 GROINS :					
Armor stone (granite)	7007	CY	1.838	12878	TONS
Bedding stone (limerock)	1833	CY	1.593	2921	TONS
12-inch Foundation mats	5500	SY			
Geotextile fabric	5500	SY			
Chinking stone (granite)	782	CY	1.715	1341	TONS
Grout	242	CY			

Summary of Quantities of Materials Required – 2004 Feasibility Study

QUANTITIES OF MATERIALS PRESENTED IN 2004 REPORT :					
Armor stone				15400	TONS
Core stone				3000	TONS
Bedding stone				8300	TONS
12-inch Foundation mats	N/A				
Geotextile fabric	9644	SY			
Vinyl sheet piles	34200	SF			

AMERICAN OVERSIGHT

COST ESTIMATE WORK SHEET

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2D**			
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING (VINYL)	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING (PZC 13)	SF	0	$0.00	$0
GEOTEXTILE	SY	5500	$14.85	$81,675
CHINKING STONE	TON	1341	$136.14	$182,564
MATS (L)	SY	5500	$189.00	$1,039,500
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	12878	$188.51	$2,427,632
GROUT	CY	242	$2,025.00	$490,050
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$4,343,891**
	Net Cost Decrease/Increase			**$1,661,629**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,661,629**
			Rounded:	

AMERICAN OVERSIGHT

PROPOSAL NO. P2E1. (Ideas 2.11, 8.18, 8.14): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with chinking stone without grout).***

ORIGINAL DESIGN:

The original design for proposal P2B calls for chinking all three structures, then grouting the chinking stone.

PROPOSED DESIGN:

This proposal eliminates the grouting from the chinking for Proposal P2B. There are some opinions that if properly installed the grouting can be eliminated.

ADVANTAGES:

Eliminating the grouting will make the groin installation much easier, faster and less expensive.

DISADVANTAGES:

The structures could become slightly more permeable without the use of grout to seal voids in the chinking layer. This increase in permeability is expected to be minimal however. There is an increased chance that chinking stone could be washed out of the groins and onto adjacent beaches without grout to bind the chinking stone together.

JUSTIFICATION:

If upon further analysis and coordination the grouting can be eliminated, definite savings can be realized through cost savings by removal of the grouting from the bid schedule plus any additional savings associated with shortening the construction schedule.

AMERICAN OVERSIGHT

COST ESTIMATE WORK SHEETS

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2E-1**	**2B w/o grout**		
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING (VINYL)	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING (PZC 13)	SF	0	$0.00	$0
GEOTEXTILE	SY	5833	$14.85	$86,620
CHINKING STONE	TON	1426	$136.14	$194,136
MATS (L)	SY	5833	$189.00	$1,102,437
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	13736	$188.51	$2,589,373
GROUT	CY	0	$2,025.00	$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$4,095,036**
	Net Cost Decrease/Increase			**$1,910,483**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$1,910,483**
			Rounded:	

AMERICAN OVERSIGHT

PROPOSAL NO. P2E2. (Ideas 2.11, 8.18, 8.14, 8.49): ***Groin Optimization (Optimize dimensions, use local stone in marine mattresses, replace sheet pile with chinking stone without grout, selectively shorten groins).***

ORIGINAL DESIGN:

The original design for proposal P2D calls for chinking all three structures, then grouting the chinking stone.

PROPOSED DESIGN:

This proposal eliminates the grouting from the chinking for Proposal P2D. There are some opinions that if properly installed the grouting can be eliminated.

ADVANTAGES:

Eliminating the grouting will make the groin installation much easier, faster and less expensive.

DISADVANTAGES:

The structures could become slightly more permeable without the use of grout to seal voids in the chinking layer. This increase in permeability is expected to be minimal however. There is an increased chance that chinking stone could be washed out of the groins and onto adjacent beaches without grout to bind the chinking stone together.

JUSTIFICATION:

If upon further analysis and coordination the grouting can be eliminated, definite savings can be realized through cost savings by removal of the grouting from the bid schedule plus any additional savings associated with shortening the construction schedule.

AMERICAN OVERSIGHT

COST ESTIMATE WORKSHEET				
PROPOSAL NO.	**2E-2**	**2D w/o grout**		
Title:				
DELETIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	53000	$6.62	$350,860
SHEETPILING (VINYL)	SF	34200	$28.70	$981,540
GEOTEXTILE	SY	9644	$14.85	$143,213
BEDDING STONE (G)	TON	8300	$136.14	$1,129,962
CORE STONE (G)	TON	3000	$165.63	$496,890
ARMOR STONE (G)	TON	15400	$188.51	$2,903,054
				$0
				$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Deletions		**$6,005,519**
ADDITIONS				
ITEM	**UNITS**	**QUANTITY**	**UNIT COST**	**TOTAL**
				$0
EXCAVATION	CY	18500	$6.62	$122,470
SHEETPILING (PZC 13)	SF	0	$0.00	$0
GEOTEXTILE	SY	5500	$14.85	$81,675
CHINKING STONE	TON	1341	$136.14	$182,564
MATS (L)	SY	5500	$189.00	$1,039,500
CORE STONE (G)	TON	0	$165.63	$0
ARMOR STONE (G)	TON	12878	$188.51	$2,427,632
GROUT	CY	0	$2,025.00	$0
				$0
				$0
				$0
				$0
==========	==========	==========	==========	==========
		Total Additions		**$3,853,841**
	Net Cost Decrease/Increase			**$2,151,679**
	Mark-ups	**0.00%**		**$0**
	Total Cost Decrease/Increase			**$2,151,679**
			Rounded:	

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, November 07, 2019 6:43 PM EST
To: Frank Walker <fwalker@flchamber.com>
Subject: Re: meeting request - FL Chamber Board Chair

9:30 am on the 13th?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 7, 2019, at 3:12 PM, Frank Walker <fwalker@flchamber.com> wrote:

Vicki/Josh –

The Florida Chamber of Commerce's newly elected Chairman of the Board of Directors, Charley Caulkins, will be in town Tuesday, **November 12** and Wednesday, **November 13**, for meetings with executive branch and legislative leaders. He requested that we try and schedule him a brief meeting with Senator Gruters on either day he is town to introduce himself and briefly discuss the 2020 legislative session.

I know this is relatively last minute, but after all the good things he's heard about Joe, he's anxious to meet him. Let me know if you can squeeze him in.

Thank you!
Frank

Frank C. Walker, III
Vice President of Governmental Affairs
Florida Chamber of Commerce
136 S. Bronough Street, Tallahassee, FL 32301
P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com

Register Today: Transportation, Growth and Infrastructure Summit
December 5, 2019
Hollywood, FL

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, November 07, 2019 4:54 PM EST
To: Frank Walker <fwalker@flchamber.com>
Subject: Re: meeting request - FL Chamber Board Chair

Hey Frank,

Does 4:15 pm on the 12th work for you?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 7, 2019, at 3:12 PM, Frank Walker <fwalker@flchamber.com> wrote:

Vicki/Josh –

The Florida Chamber of Commerce's newly elected Chairman of the Board of Directors, Charley Caulkins, will be in town Tuesday, **November 12** and Wednesday, **November 13**, for meetings with executive branch and legislative leaders. He requested that we try and schedule him a brief meeting with Senator Gruters on either day he is town to introduce himself and briefly discuss the 2020 legislative session.

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Vice President of Governmental Affairs
Florida Chamber of Commerce
136 S. Bronough Street, Tallahassee, FL 32301
P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com

Register Today: Transportation, Growth and Infrastructure Summit
December 5, 2019
Hollywood, FL

AMERICAN OVERSIGHT

From: Frank Walker <fwalker@flchamber.com>
Sent: Thursday, November 07, 2019 6:38 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: meeting request - FL Chamber Board Chair

Anything on the 13th?

Sent from my iPhone

On Nov 7, 2019, at 4:53 PM, Barnhill, Josh <Barnhill.Josh@flsenate.gov> wrote:

> Hey Frank,
>
> Does 4:15 pm on the 12th work for you?
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> On Nov 7, 2019, at 3:12 PM, Frank Walker <fwalker@flchamber.com> wrote:
>
> Vicki/Josh –
>
> The Florida Chamber of Commerce's newly elected Chairman of the Board of Directors, Charley Caulkins, will be in town Tuesday, **November 12** and Wednesday, **November 13**, for meetings with executive branch and legislative leaders. He requested that we try and schedule him a brief meeting with Senator Gruters on either day he is town to introduce himself and briefly discuss the 2020 legislative session.
>
> I know this is relatively last minute, but after all the good things he's heard about Joe, he's anxious to meet him. Let me know if you can squeeze him in.
>
> Thank you!
> Frank
>
> **Frank C. Walker, III**
> Vice President of Governmental Affairs
> Florida Chamber of Commerce
> 136 S. Bronough Street, Tallahassee, FL 32301
> P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com
>
> **Register Today: Transportation, Growth and Infrastructure Summit**
> December 5, 2019
> Hollywood, FL

AMERICAN OVERSIGHT

From: Frank Walker <fwalker@flchamber.com>
Sent: Thursday, November 07, 2019 6:46 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: meeting request - FL Chamber Board Chair

Bingo - thanks, amigo!

Sent from my iPhone

On Nov 7, 2019, at 6:42 PM, Barnhill, Josh <Barnhill.Josh@flsenate.gov> wrote:

> 9:30 am on the 13th?
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> On Nov 7, 2019, at 3:12 PM, Frank Walker <fwalker@flchamber.com> wrote:
>
> Vicki/Josh –
>
> The Florida Chamber of Commerce's newly elected Chairman of the Board of Directors, Charley Caulkins, will be in town Tuesday, **November 12** and Wednesday, **November 13**, for meetings with executive branch and legislative leaders. He requested that we try and schedule him a brief meeting with Senator Gruters on either day he is town to introduce himself and briefly discuss the 2020 legislative session.
>
> I know this is relatively last minute, but after all the good things he's heard about Joe, he's anxious to meet him. Let me know if you can squeeze him in.
>
> Thank you!
> Frank
>
> **Frank C. Walker, III**
> Vice President of Governmental Affairs
> Florida Chamber of Commerce
> 136 S. Bronough Street, Tallahassee, FL 32301
> P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com
>
> **Register Today: Transportation, Growth and Infrastructure Summit**
> December 5, 2019
> Hollywood, FL

AMERICAN OVERSIGHT

From: Gordon Waldo <gwaldo@fsu.edu>
Sent: Wednesday, January 29, 2020 5:16 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: Meeting Request

11:00 on the 6th will work great for me. Thank you for your assistance.

gordon

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Wednesday, January 29, 2020 2:55 PM
To: Gordon Waldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request

Dr Waldo,

Thanks for reaching out, does 11 am on the 6th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Jan 29, 2020, at 11:44 AM, Gordon Waldo <gwaldo@fsu.edu> wrote:
>
> Hello Mr. Barnhill,
>
> This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal Justice at Florida State University.
>
> I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.
>
> If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu
>
> Thank you for your consideration
>
> Gordon Waldo

AMERICAN OVERSIGHT

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Tuesday, November 12, 2019 10:04 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: RE: Meeting Request

Good Morning Josh!

The Secretary is traveling today and tomorrow. Any chance he has some availability on Thursday afternoon or Friday morning? We only need about 15 min.

Thank you!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Thursday, November 7, 2019 4:52 PM
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Re: Meeting Request

EMAIL RECEIVED FROM EXTERNAL SOURCE

Brittany,

Does 4:45 pm on the 12th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Nov 7, 2019, at 10:38 AM, Dover, Brittany N. <Brittany.Dover@dos.myflorida.com> wrote:
>
> Good Morning!
>
> The Secretary of State and myself would like to schedule a meeting with the Senator at his convenience to discuss legislation that we are looking at proposing from the Department of State. Do you mind looking at his calendar and letting me know when would be a good time for him to meet with us (next week is good) for 15 min.?
>
> Thank you much!
>
> **Brittany N. Dover**
> **Legislative Affairs Director**
> **Department of State**
> **850.245.6509 (office)**
> **850.274.3105 (cell)**

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Wednesday, January 29, 2020 2:55 PM EST
To: Gordon Waldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request

Dr Waldo,

Thanks for reaching out, does 11 am on the 6th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Jan 29, 2020, at 11:44 AM, Gordon Waldo <gwaldo@fsu.edu> wrote:

Hello Mr. Barnhill,

This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal Justice at Florida State University.

I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.

If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu

Thank you for your consideration

Gordon Waldo

AMERICAN OVERSIGHT

From: Gordonwaldo <gwaldo@fsu.edu>
Sent: Thursday, February 06, 2020 9:30 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: Meeting Request

Hi Josh, Please reschedule for next week. Thank you. Gordon

Sent from my Verizon Motorola Smartphone
On Feb 6, 2020 8:24 AM, "Barnhill, Josh" <Barnhill.Josh@flsenate.gov> wrote:

> Dr. Waldo,
>
> The Senate changed the calendar and are now on the floor from 10-2:30 for session. The senator will be leaving town after. Staff is happy to meet with you at the same time today or we can reschedule for next week. Just let me know. Thanks.
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> On Jan 29, 2020, at 5:16 PM, Gordon Waldo <gwaldo@fsu.edu> wrote:
>
> 11:00 on the 6th will work great for me. Thank you for your assistance.
>
> gordon
>
> ---
>
> **From:** Barnhill, Josh <Barnhill.Josh@flsenate.gov>
> **Sent:** Wednesday, January 29, 2020 2:55 PM
> **To:** Gordon Waldo <gwaldo@fsu.edu>
> **Subject:** Re: Meeting Request
> Dr Waldo,
>
> Thanks for reaching out, does 11 am on the 6th work?
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> On Jan 29, 2020, at 11:44 AM, Gordon Waldo <gwaldo@fsu.edu> wrote:
>
> Hello Mr. Barnhill,
> This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal Justice at Florida State University.
> I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.
> If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu
> Thank you for your consideration
> Gordon Waldo

AMERICAN OVERSIGHT

From: Gordonwaldo <gwaldo@fsu.edu>
Sent: Thursday, February 06, 2020 9:58 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: Meeting Request

Yes that will work.

Sent from my Verizon Motorola Smartphone
On Feb 6, 2020 9:49 AM, "Barnhill, Josh" <Barnhill.Josh@flsenate.gov> wrote:

1:15 pm on the 11th?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Feb 6, 2020, at 9:30 AM, Gordonwaldo <gwaldo@fsu.edu> wrote:

Hi Josh, Please reschedule for next week. Thank you. Gordon

Sent from my Verizon Motorola Smartphone
On Feb 6, 2020 8:24 AM, "Barnhill, Josh" <Barnhill.Josh@flsenate.gov> wrote:

Dr. Waldo,

The Senate changed the calendar and are now on the floor from 10-2:30 for session. The senator will be leaving town after. Staff is happy to meet with you at the same time today or we can reschedule for next week. Just let me know. Thanks.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Jan 29, 2020, at 5:16 PM, Gordon Waldo <gwaldo@fsu.edu> wrote:

11:00 on the 6th will work great for me. Thank you for your assistance.

gordon

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Wednesday, January 29, 2020 2:55 PM
To: Gordon Waldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request
Dr Waldo,

Thanks for reaching out, does 11 am on the 6th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Jan 29, 2020, at 11:44 AM, Gordon Waldo <gwaldo@fsu.edu> wrote:

Hello Mr. Barnhill,
This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal

AMERICAN OVERSIGHT

Justice at Florida State University.
I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.
If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu
Thank you for your consideration
Gordon Waldo

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, February 06, 2020 8:24 AM EST
To: Gordon Waldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request

Dr. Waldo,

The Senate changed the calendar and are now on the floor from 10-2:30 for session. The senator will be leaving town after. Staff is happy to meet with you at the same time today or we can reschedule for next week. Just let me know. Thanks.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Jan 29, 2020, at 5:16 PM, Gordon Waldo <gwaldo@fsu.edu> wrote:
>
> 11:00 on the 6th will work great for me. Thank you for your assistance.
>
> gordon

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Wednesday, January 29, 2020 2:55 PM
To: Gordon Waldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request

Dr Waldo,

Thanks for reaching out, does 11 am on the 6th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Jan 29, 2020, at 11:44 AM, Gordon Waldo <gwaldo@fsu.edu> wrote:
>
> Hello Mr. Barnhill,
>
> This is Dr. Gordon Waldo, Professor Emeritus in the College of Criminology and Criminal Justice at Florida State University.
>
> I would like to schedule a meeting with Senator Gruter as soon as possible to discuss some criminal justice issues. Next week would be good for me but the following week, or even later if necessary, will be okay. Monday is the only day I cannot arrange a meeting because of my teaching schedule, but I can work around all of my other activities on Tuesday, Wednesday, and Thursday. Friday is a possibility but less convenient for me.
>
> If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu
>
> Thank you for your consideration
>
> Gordon Waldo

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, February 06, 2020 9:49 AM EST
To: Gordonwaldo <gwaldo@fsu.edu>
Subject: Re: Meeting Request

1:15 pm on the 11th?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

> On Feb 6, 2020, at 9:30 AM, Gordonwaldo <gwaldo@fsu.edu> wrote:
>
> Hi Josh, Please reschedule for next week. Thank you. Gordon
>
> *Sent from my Verizon Motorola Smartphone*
> On Feb 6, 2020 8:24 AM, "Barnhill, Josh" <Barnhill.Josh@flsenate.gov> wrote:
> Dr. Waldo,
>
> The Senate changed the calendar and are now on the floor from 10-2:30 for session. The senator will be leaving town after. Staff is happy to meet with you at the same time today or we can reschedule for next week. Just let me know. Thanks.
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> > On Jan 29, 2020, at 5:16 PM, Gordon Waldo <gwaldo@fsu.edu> wrote:
> >
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> > gordon
> >
> > ---
> >
> > **From:** Barnhill, Josh <Barnhill.Josh@flsenate.gov>
> > **Sent:** Wednesday, January 29, 2020 2:55 PM
> > **To:** Gordon Waldo <gwaldo@fsu.edu>
> > **Subject:** Re: Meeting Request
> > Dr Waldo,
> >
> > Thanks for reaching out, does 11 am on the 6th work?
> >
> > Josh Barnhill
> > Legislative Aide
> > Senator Joe Gruters, District 23
> > Cell: (850) 933-9792
> >
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If you have any questions or there is anything you would like to discuss prior to setting a meeting date you can call me at 850-228-1200 or e-mail me at gwaldo@fsu.edu
Thank you for your consideration
Gordon Waldo

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Tuesday, November 12, 2019 10:08 AM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Re: Meeting Request

Hi Brittany,

Unfortunately, he is leaving town Wednesday night. We can move it to next committee week in December if that works.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 12, 2019, at 10:05 AM, Dover, Brittany N. <Brittany.Dover@dos.myflorida.com> wrote:

Good Morning Josh!

The Secretary is traveling today and tomorrow. Any chance he has some availability on Thursday afternoon or Friday morning? We only need about 15 min.

Thank you!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Thursday, November 7, 2019 4:52 PM
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Re: Meeting Request

EMAIL RECEIVED FROM EXTERNAL SOURCE

Brittany,

Does 4:45 pm on the 12th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 7, 2019, at 10:38 AM, Dover, Brittany N. <Brittany.Dover@dos.myflorida.com> wrote:

Good Morning!

The Secretary of State and myself would like to schedule a meeting with the Senator at his convenience to discuss legislation that we are looking at proposing from the Department of State. Do you mind looking at his calendar and letting me know when would be a good time for him to meet with us (next week is good) for 15 min.?

Thank you much!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

AMERICA OVERSIGHT

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Thursday, November 07, 2019 4:51 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: Re: Meeting Request

Brittany,

Does 4:45 pm on the 12th work?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Nov 7, 2019, at 10:38 AM, Dover, Brittany N. <Brittany.Dover@dos.myflorida.com> wrote:

Good Morning!

The Secretary of State and myself would like to schedule a meeting with the Senator at his convenience to discuss legislation that we are looking at proposing from the Department of State. Do you mind looking at his calendar and letting me know when would be a good time for him to meet with us (next week is good) for 15 min.?

Thank you much!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

AMERICAN OVERSIGHT

From: Amber Widgery <amber.widgery@ncsl.org>
Sent: Tuesday, February 04, 2020 4:42 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: RE: NCSL Invitation

Thanks for letting me know!

Amber Widgery, Esq.
National Conference of State Legislatures
Senior Policy Specialist, Criminal Justice Program
303.856.1466 (o) | 303.601.4289 (m)



From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, February 4, 2020 2:41 PM
To: Amber Widgery <amber.widgery@ncsl.org>
Subject: [EXTERNAL] RE: NCSL Invitation

Thank you for this invitation to Senator Gruters to attend the NCSL event on Feb 7 and 8th. Unfortunately, Senator Gruters will not be able to join you due to a previous commitment.

From: Amber Widgery <amber.widgery@ncsl.org>
Sent: Tuesday, February 4, 2020 11:06 AM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: NCSL Invitation

Thank you for taking my call just now. I've attached the invitation. You can ignore the registration link, we would take care of that for you on our end if the Senator decides he can attend.

Regards,

Amber

Amber Widgery, Esq.
National Conference of State Legislatures
Senior Policy Specialist, Criminal Justice Program
303.856.1466 (o) | 303.601.4289 (m)



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AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Tuesday, February 04, 2020 4:40 PM EST
To: Amber Widgery <amber.widgery@ncsl.org>
Subject: RE: NCSL Invitation

Thank you for this invitation to Senator Gruters to attend the NCSL event on Feb 7 and 8th. Unfortunately, Senator Gruters will not be able to join you due to a previous commitment.

From: Amber Widgery <amber.widgery@ncsl.org>
Sent: Tuesday, February 4, 2020 11:06 AM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: NCSL Invitation

Thank you for taking my call just now. I've attached the invitation. You can ignore the registration link, we would take care of that for you on our end if the Senator decides he can attend.

Regards,

Amber

Amber Widgery, Esq.
National Conference of State Legislatures
Senior Policy Specialist, Criminal Justice Program
303.856.1466 (o) | 303.601.4289 (m)



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AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Thursday, October 10, 2019 12:23 PM EDT
To: erquiaga1@verizon.net <erquiaga1@verizon.net>
Subject: RE: Please support SB 404/HB 265 Parental Consent Prior to a Minor's Abortion

Thank you for contacting our office.
Senator Gruters is co-sponsoring this legislation.

-----Original Message-----
From: Victoria Erquiaga <user@votervoice.net>
Sent: Tuesday, October 8, 2019 3:14 PM
To: Joe Gruters (Web) <Gruters.Joe.Web@flsenate.gov>
Subject: Please support SB 404/HB 265 Parental Consent Prior to a Minor's Abortion

Dear Senator Gruters,

As a general rule, a parent must consent to a minor's medical treatment. The same should be true for abortion.

Abortion can involve lifelong emotional and physical trauma, especially for minors. Family involvement is critical when making an irreversible decision, especially one that ends a life.

Please sign on as a co-sponsor of SB 404/HB 265 and support the successful passage of this important legislation.

Sincerely,

Victoria Erquiaga
1200 Thicket Ln
Sarasota, FL 34240
erquiaga1@verizon.net

AMERICAN OVERSIGHT

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Tuesday, January 07, 2020 9:49 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: RE: SB 1212
Attachment(s): "State Protocol Officer Talking Points.docx"

Hi Victoria!

Happy New Year to you as well! Sorry for my delay I am just getting back to the office after a week out. I have attached the Talking Points for SB 1212 and we are still working on securing a House sponsor…it looks like we will probably run it as a PCB.

We are closing the details within the next day or so, I will follow up with you once our plan is in play.

Thank you so much!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, January 6, 2020 11:08 AM
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: FW: SB 1212

EMAIL RECEIVED FROM EXTERNAL SOURCE

Hi Brittany,

Happy New Year! I am following up on my e-mail below. Could you please let me know about talking points as well as a House Sponsor?

Thanks!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Brill, Victoria
Sent: Monday, December 16, 2019 4:20 PM
To: 'Dover, Brittany N.' <Brittany.Dover@dos.myflorida.com>
Subject: SB 1212

Hi Brittany,

I hope this e-mail finds you well. I wanted to see if you had talking points and background for SB 1212? Also, I wrote down Rep. Jamie Grant was potentially going to sponsor the legislation in the House. Is that correct?

I look forward to the updates.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

State Protocol Officer (Office of International Affairs) Talking Points:

- State protocol officer functions resided with the Secretary of State as the state protocol officer prior to 2004, when they were transferred to the Office of Tourism, Trade and Economic Development within the Office of Governor.

- In 2011, some functions were delegated to the newly created Department of Economic Opportunity while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the EOG.

- This bill returns certain state protocol officer and intergovernmental relations functions back to the Secretary of State.

- Bill requires (1) FTE at $117,896 for FY 20-21. Which has been included in the Governor's recommended budget.

- The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder such as establishing new programs as needed.

- The bill removes issuing certificates to foreign governmental officials after verification pursuant to proper investigations through the United States DOS and the appropriate foreign government.

- The bill removes verifying entitlement to sales and use tax exemptions pursuant to the United States DOS guidelines and identification methods.

- The bill removes maintaining a current and accurate listing of all such affiliations.

- Lastly, the bill removes the language prescribing certain parameters on the sister city and state affiliations.

AMERICAN OVERSIGHT

From: Beth Cicchetti, CEcD <Bkirkland@fedconline.org>
Sent: Tuesday, December 03, 2019 9:54 AM EST
To: Mark Huey <mhuey@edcsarasotacounty.com>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: Jill Blackman <jblackman@fedconline.org>
Subject: RE: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Thank you, Mark. Josh, we are looking at Thursday Feb 6 for the Capitol Press Event to launch Florida Economic Development Week, which is planned for Feb 9-15. How does this date look for Senator Gruters? Once we have confirmation from your office, we can work with the Sergeant at Arms to schedule the appropriate Capitol location. I can supply a copy of the 2019 resolution presented by Senator Gruters if need be.

Thank you,

Beth

Beth Cicchetti, CEcD
Executive Director
Florida Economic Development Council
3551 Blairstone Rd., Ste. 105-138
Tallahassee, FL 32301
850.212.1056
www.FEDConline.org
Educate. Advocate. Connect.

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, December 3, 2019 9:34 AM
To: Beth Cicchetti, CEcD <Bkirkland@fedconline.org>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Hi Beth. Meet Josh below. He will assist in working with you/ FEDC in coordinating Sen. Gruters participation in Economic Development Week.

Thanks Josh!

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
http://www.edcsarasotacounty.com

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EDC
ECONOMIC DEVELOPMENT CORPORATION
SARASOTA COUNTY

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EDC Founders: Buchanan Automotive Group; Casto Lifestyle Properties; Coldwell Banker Residential Real Estate, Inc.; Gulf Coast Community Foundation; Halfacre Construction Company; Kerkering, Barberio & Co.; Michael Saunders & Company; Osprey Real Estate Services; RE/MAX Alliance Group; Realtor Association of Sarasota and Manatee; Schroeder-Manatee Ranch, Inc.; SunTrust; Verizon; Wagner Realty; Williams Parker Harrison Dietz & Getzen; WilsonMiller - Stantec, Inc.

AMERICAN OVERSIGHT



From: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Sent: Monday, December 2, 2019 9:51 PM
To: Mark Huey <mhuey@edcsarasotacounty.com>
Subject: Re: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Yes, please do.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Dec 2, 2019, at 6:58 PM, Mark Huey <mhuey@edcsarasotacounty.com> wrote:

I doubt it. But FEDC - the organizing entity- will. Can I connect you to them?

Sent from my iPhone

On Dec 2, 2019, at 6:18 PM, Barnhill, Josh <barnhill.josh@flsenate.gov> wrote:

Good evening, Mark.

I'm sure the Senator would love to participate. Will you be up in Tallahassee anytime before that week in February?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Dec 2, 2019, at 6:04 PM, Mark Huey <mhuey@edcsarasotacounty.com> wrote:

Thanks for the introduction GeeDee.

Josh, let me know if you have any questions.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
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EDC Founders: Buchanan Automotive Group; Casto Lifestyle Properties; Coldwell Banker Residential Real Estate, Inc.; Gulf Coast Community Foundation; Halfacre Construction Company; Kerkering, Barberio & Co.; Michael Saunders & Company; Osprey Real Estate Services; RE/MAX Alliance Group; Realtor Association of Sarasota and Manatee; Schroeder-Manatee Ranch, Inc.; SunTrust; Verizon; Wagner Realty; Williams Parker Harrison Dietz & Getzen; WilsonMiller - Stantec, Inc.



From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Monday, December 2, 2019 2:22 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Cc: Mark Huey <mhuey@edcsarasotacounty.com>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Josh:
Mark Huey, the Executive Director for the Sarasota EDC, called today and was wondering about the status of this request.
I have included him in this e-mail.
It is a Tallahassee scheduling matter. He knows you do not have the calendar for that week yet, but he wanted your contact info.
GeeDee

From: Mark Huey <mhuey@edcsarasotacounty.com>
Sent: Tuesday, November 19, 2019 1:50 PM
To: Joe Gruters <jg@joegruters.com>
Cc: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: FW: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Greetings Senator Gruters.

The Florida Economic Development Council would again like to invite you to return as the host of the Capitol press event announcing Florida Economic Development Week. The press event will take place Thursday, Feb 6, preferably outside the Senate Chambers. However, this year session will have begun, whereas last year, we were in committee weeks. Our intention is to partner with the Association of Florida Colleges Council of Presidents as we did last year. It was a tremendous event that received great press coverage and launched a week of social media highlighting the impact of economic development in Florida. Photos from last year are attached.

Ideally, FEDC would like to schedule a call or a meeting with Senator Gruters to plan the press event. Would very much like to get his support in inviting a House member to join him in providing resolutions in support of Florida Economic Development Week. Another new component this year, is the interest of the Governor's office to potentially participate in the press event. This could be in the form of a resolution and/or remarks from Jamal Sowell.

Here is a link to the FEDC Feature in Expansion Solutions magazine. It is a great piece that showcases the reach and impact of FEDC in improving Florida communities and elevating Florida's global competitiveness. https://expansionsolutionsonline.advanced-pub.com/?issueID=39&pageID=80

Thanks for your consideration, and for all you are doing to prosper Florida citizens.

AMERICAN OVERSIGHT

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
http://www.edcsarasotacounty.com

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EDC Founders: Buchanan Automotive Group; Casto Lifestyle Properties; Coldwell Banker Residential Real Estate, Inc.; Gulf Coast Community Foundation; Halfacre Construction Company; Kerkering, Barberio & Co.; Michael Saunders & Company; Osprey Real Estate Services; RE/MAX Alliance Group; Realtor Association of Sarasota and Manatee; Schroeder-Manatee Ranch, Inc.; SunTrust; Verizon; Wagner Realty; Williams Parker Harrison Dietz & Getzen; WilsonMiller - Stantec, Inc.

<image008.jpg>

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Monday, December 02, 2019 6:18 PM EST
To: Mark Huey <mhuey@edcsarasotacounty.com>
CC: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Good evening, Mark.

I'm sure the Senator would love to participate. Will you be up in Tallahassee anytime before that week in February?

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Dec 2, 2019, at 6:04 PM, Mark Huey <mhuey@edcsarasotacounty.com> wrote:

Thanks for the introduction GeeDee.

Josh, let me know if you have any questions.

Mark Huey
President & CEO
Economic Development Corporation of Sarasota County
1680 Fruitville Road, Suite 402
Sarasota, FL 34236
(t) 941.309.1200 ext. 100 (f) 941.309.1209
(toll free) 1.888.ROLL.SRQ - 1.888.765.5777
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Cc: Mark Huey <mhuey@edcsarasotacounty.com>
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<image008.jpg>

AMERICAN OVERSIGHT

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Sent: Monday, December 02, 2019 9:51 PM EST
To: Mark Huey <mhuey@edcsarasotacounty.com>
Subject: Re: SCHEDULE- FEDC 2020 Florida Economic Development Week February 9-15

Yes, please do.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

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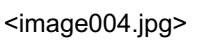
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srq SARASOTA BRADENTON INTERNATIONAL

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AMERICAN OVERSIGHT



SARASOTA
BRADENTON
INTERNATIONAL

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AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Monday, February 10, 2020 1:54 PM EST
To: edtaylor <edtaylor@comcast.net>
Subject: RE: Senator Gruter's March Schedule

Ed:
Just as an fyi….we won't know for sure until March 12th….next to last day of Session.
GeeDee

From: edtaylor <edtaylor@comcast.net>
Sent: Monday, February 10, 2020 1:00 PM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>; Laura Benson <laurabenson62@gmail.com>
Cc: Kathy Lehner <KLehner@venicechamber.com>
Subject: Re: Senator Gruter's March Schedule

Dear GeeDee,
Thank you. We have another program tentatively scheduled for that day. We will move them to April once we know Sen. Gruters is a go. Please let us know as soon as possible.
best,
ed taylor
c# 941.650.6088

date/venue:
Friday, March 27, 2020
Hotel Venezia
425 U.S. 41 ByPass
Venice, Florida 34285

Registration: 11:30a.m.
Lunch: 11:45a.m.
Call to order/program: 12:15p.m.
Adjourn: 1:30p.m.

On 2/10/2020 11:33 AM, Kerr, GeeDee wrote:

> Okay…thank you. I'll put this on his calendar with a ? mark.
> As soon as I know it is a definite, I'll e-mail you right away.
> GeeDee
>
> **From:** Laura Benson <laurabenson62@gmail.com>
> **Sent:** Monday, February 10, 2020 10:51 AM
> **To:** Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
> **Cc:** Kathy Lehner <KLehner@venicechamber.com>; Ed Taylor <edtaylor@comcast.net>
> **Subject:** Re: Senator Gruter's March Schedule
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> Hi GeeDee,
>
> Glad we got together!!
>
> I was mistaken about the Chamber joining us although there are several chamber members who are part of South County Tiger Bay and we would encourage them to bring a friend.
>
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AMERICAN OVERSIGHT

From: Kathy Lehner <klehner@venicechamber.com>
Sent: Saturday, February 8, 2020 2:38 PM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>; Laura Benson <laurabenson62@gmail.com>
Subject: FW: Senator Gruter's March Schedule

I think GeeDee may not have received any of these…
So I've tried this address….
Sincerely,

kathy

Kathy Lehner
President/CEO

Venice Area Chamber of Commerce
597 Tamiami Trail S.
Venice, FL 34285
(941) 488-2236
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From: Laura Benson <laurabenson62@gmail.com>
Sent: Friday, February 7, 2020 11:00 AM
To: Kerr.geedee@glsenate.com
Cc: Ed Taylor <edtaylor@comcast.net>; Kathy Lehner <klehner@venicechamber.com>
Subject: Senator Gruter's March Schedule

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AMERICAN OVERSIGHT

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Laura Benson
Florida Realtors Key Contact to Senator Gruters
South County Tiger Bay Board member
(941) 780-4348

AMERICAN OVERSIGHT

From: edtaylor <edtaylor@comcast.net>
Sent: Monday, February 10, 2020 4:17 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: Senator Gruter's March Schedule

thanks GeeDee - that cuts it razor thin but it is what it is.
I understand.
many thanks.

On 2/10/2020 1:54 PM, Kerr, GeeDee wrote:

> Ed:
> Just as an fyi….we won't know for sure until March 12th….next to last day of Session.
> GeeDee
>
> ---
>
> **From:** edtaylor <edtaylor@comcast.net>
> **Sent:** Monday, February 10, 2020 1:00 PM
> **To:** Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>; Laura Benson <laurabenson62@gmail.com>
> **Cc:** Kathy Lehner <KLehner@venicechamber.com>
> **Subject:** Re: Senator Gruter's March Schedule
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> **Dear GeeDee,**
> **Thank you. We have another program tentatively scheduled for that day. We will move them to April once we know Sen. Gruters is a go. Please let us know as soon as possible.**
> **best,**
> **ed taylor**
> **c# 941.650.6088**
>
> **date/venue:**
> **Friday, March 27, 2020**
> **Hotel Venezia**
> **425 U.S. 41 ByPass**
> **Venice, Florida 34285**
>
> **Registration: 11:30a.m.**
> **Lunch: 11:45a.m.**
> **Call to order/program: 12:15p.m.**
> **Adjourn: 1:30p.m.**
>
> On 2/10/2020 11:33 AM, Kerr, GeeDee wrote:
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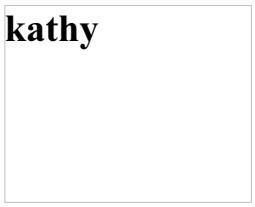
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AMERICAN OVERSIGHT



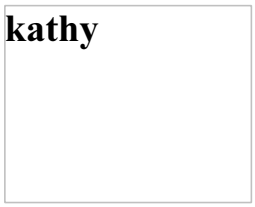
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Laura Benson
Florida Realtors Key Contact to Senator Gruters
South County Tiger Bay Board member

AMERICAN OVERSIGHT

(941) 780-4348

AMERICAN OVERSIGHT

From: Langston, Jennifer <JenniferLangston@flhsmv.gov>
Sent: Tuesday, January 21, 2020 4:40 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>; LADHelp <LADHelp@flhsmv.gov>
Subject: RE: Senator Gruters constituent Fred Nassar re: Amateur Radio Special License Plate

Hi GeeDee,

We will have staff take another look at this one and reach out to Mr. Nassar.

Thx,
Jennifer

From: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Sent: Tuesday, January 21, 2020 1:50 PM
To: Langston, Jennifer <JenniferLangston@flhsmv.gov>
Subject: [EXT] Senator Gruters constituent Fred Nassar re: Amateur Radio Special License Plate

Good morning Jennifer:
Our constituent has a question,,pls see below e-mail
Name: Fred Nassar
Address: **1336 Natrona Dr.North Port, FL 34286**
Tel # 903-204-2666

Please let me know if you need anything further from me.
Thank you.
GeeDee

Dear Senator Gruters:
I wrote the Department back in November concerning an issue I was having obtaining an amateur radio specialty plate for my vehicle. Currently, my assigned FCC call sign is currently in use and the Department is not inclined to recall or re-issue the plate. I went back and looked at the statute (provided below for your convenience) again and wanted to suggest another way to have an amateur radio specialty plate issued to my vehicle that includes my call sign. I would like to get your feedback to see if the Department would issue such a plate without going through a vanity plate. My suggestion is to issue the **amateur specialty plate** with my call sign preceded with a prefix. That way the tag is unique and still contains my call sign and would meet the statute. I would propose the plate "CQ KE4Q" . Is this something the Department would approve, and if so would I be able to make application through the local DMV office?

Thank you,
Fred Nassar

20.083 Amateur radio operators; special license plates; fees.—

(1) A person who is the owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use; who is a resident of the state; and who holds a valid official amateur radio station license recognized by the Federal Communications Commission **shall be issued a special license plate upon application**, accompanied by proof of ownership of such radio station license, and payment of the following tax and fees:

(a) The license tax required for the vehicle, as prescribed by s. 320.08(2), (3)(a), (b), or (c), (4)(a), (b), (c), (d), (e), or (f), or (9); and

(b) An initial additional fee of $5, and an additional fee of $1.50 thereafter.

(2) The license plate issued shall meet the requirements of s. 320.06, **except that, in lieu of the numbers as prescribed by s. 320.06, it shall be inscribed with the official amateur radio call letters of the applicant, as assigned by the Federal Communications Commission,** including as a prefix, when applicable, those call letters assigned by the Armed Services of the United States of America, not to exceed eight characters. In lieu of the name of the county or the designation “Sunshine State” on the bottom of the plate as prescribed in s. 320.06, the words “Amateur Radio” shall be inscribed.

(3) All applications for such plates shall be made to the department.

320.06(6) F.S.

(6) All license plates issued pursuant to this chapter are the property of the state.

On Wed, Dec 4, 2019 at 10:57 AM LADHelp <LADHelp@flhsmv.gov> wrote:

> Good morning Mr. Nassar,
> Thank you for reaching out to the Department of Highway Safety and Motor Vehicles regarding your specialty plate request. I have been asked to review and respond to your request.
> Our Department does comply with statute to issue amateur radio license plates, however, we do not issue plates with the same configuration. I did speak to Paula, our specialty and special license plate expert (whom you have previously spoken to). The Department does typically recall plates that are deemed offensive or plates where the applicant no longer meets statutory criteria to possess them, but it is not regular practice to recall plates for other reasons.
> Since this request was asking the Bureau of Issuance Oversight to go beyond common practices and procedures, I felt it warranted

AMERICAN OVERSIGHT

review by the Director of Motorist Services, Robert Kynoch. He understood your concern and considered the request. Ultimately, since your request would greatly inconvenience another constituent who has done nothing in this case to warrant the action, he decided against fulfilling your request to recall their plate. The desired configuration may come available in September of 2029, unless the other driver changes their plate of their own volition before that time.

Respectfully,

Patrice DeVore
Legislative Liaison
Office of Legislative Affairs
Department of Highway Safety and Motor Vehicles
For constituent assistance, please e-mail: LADhelp@flhsmv.gov

FLHSMV
FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES

From: Fred Nassar <fnassar62@gmail.com>
Sent: Tuesday, November 26, 2019 11:45 AM
To: Hatcher, Karen <KarenHatcher@flhsmv.gov>
Cc: gruters.joe@flsenate.gov; james.buchanan@myfloridahouse.gov
Subject: [EXT] Amateur Radio Special License Plate

Ms. Hatcher, I was referred to you as someone who could, or put me in touch with someone who may be able to help me resolve an issue I am having with obtaining an amateur radio license plate under F.S. 320.083 for my vehicle.

Here is my problem: I am the current holder of the FCC issued amateur radio call sign KE4Q. I understand this configuration is already in use on an Enduring Freedom specialty plate. I also understand that this was a random Department issued plate (e.g. not a vanity/personalized plate). The statute below (I have highlighted pertinent sections) indicates the Department shall issue a special license plate upon application, showing proof of license and paying applicable fees. I have spoken to your staff at the local tag office and in Tallahassee and they are telling me that the Department will not recall a tag already in use to accommodate my request.

I can not find anything in the F.A.C. or F.S. that addresses this conflict. However, Section 320.06(6) indicates all plates are property of the State and it seems that the Department has the authority to recall a tag. This is certainly true with offensive personalized plates. I would like to appeal this to someone and ask the Department to comply with the Statute. Since the configuration I am seeking is not a personalized plate, it seems logical that the plate in question could be recalled and reissued with another configuration for the current registration holder. Thus, allowing you to comply with the Statue and my request.

I look forwarded to hearing back from you. I have also copied my local representative in the hopes that my request can be evaluated further.

Thank you,
Frederick Nassar
1336 Natrona Dr.
North Port, FL 34286

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(1) A person who is the owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d), which is not used for hire or commercial use; who is a resident of the state; and who holds a valid official amateur radio station license recognized by the Federal Communications Commission shall be issued a special license plate upon application, accompanied by proof of ownership of such radio station license, and payment of the following tax and fees:

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CAUTION: This email originated from outside of the organization.

AMERICAN OVERSIGHT

Do not click links or open attachments unless you recognize the sender and know the content is safe.
This email has been scanned by the Symantec Email Security.cloud service.

This email originated from a Florida Department of Highway Safety and Motor Vehicles email address.
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Please Note: Florida has very broad public records laws. Unless a statutory exemption applies, emails are subject to public disclosure.
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AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Wednesday, October 09, 2019 11:24 AM EDT
To: Frank Walker <fwalker@flchamber.com>
Subject: Re: speaking invite

Hey Frank,

Thanks for letting me know, there's no conflicts on our end so I'm adding it to the calendar. See you next week.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Oct 9, 2019, at 10:58 AM, Frank Walker <fwalker@flchamber.com> wrote:

Josh,

Hope you're well, amigo. Spoke with the Senator about the below and got a big yes from him on the ask but of course want to make sure everything lines up from a calendar perspective. See below and let me know when we can confirm him and start marketing his attendance to potential attendees:

WHAT: Florida Chamber of Commerce's Annual Meeting, the Future of Florida Forum
WHERE: Hyatt Regency Grand Cypress, Orlando, FL
WHEN: Monday, October 28 @ 12:40pm

ASK: 10-12 min TED talk on Internet Sales Tax - tentatively would list it in the program as"Online Sales Tax: It's a Fairness Issue"

More details, including hotel room block (which is quickly filling up) here:https://www.flchamber.com/event_post/future-of-florida-forum/

Of course we'd love to have him stay for as much of the program (Oct 28-29) as his schedule allows.

Thanks,
Frank

Frank C. Walker, III
Vice President of Governmental Affairs
Florida Chamber of Commerce
136 S. Bronough Street, Tallahassee, FL 32301
P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com

Join the Conversation to Secure Florida's Future.

Register Today: Future of Florida Forum
October 28-29, 2019
Orlando, FL

AMERICAN OVERSIGHT

From: Frank Walker <fwalker@flchamber.com>
Sent: Wednesday, October 09, 2019 11:25 AM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: Emily Fisher <efisher@flchamber.com>
Subject: RE: speaking invite

Awesome – much appreciated. Get him booked pronto if he's staying overnight

Frank C. Walker, III
Vice President of Governmental Affairs
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AMERICAN OVERSIGHT

From: Phil Masi <phil.masi@assuredpartners.com>
Sent: Thursday, October 17, 2019 11:33 AM EDT
To: Mercier, Matthew <mmercier@CBIZ.com>; Webb, Jennifer <Jennifer.Webb@myfloridahouse.gov>; Buchanan, James <James.Buchanan@myfloridahouse.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>
CC: Stitt, Bill <bstitt@CBIZ.com>; Travis W. Moore <travis@moore-relations.com>; Craig N. Holland <cnh@babbins.com>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Lewis, Jessica <Jessica.Lewis@myfloridahouse.gov>; Negar Sharifi <negar.sharifi@assuredpartners.com>; Jennica Mandarano <jennica.mandarano@assuredpartners.com>; Christie Lawrence <Christie.Lawrence@assuredpartners.com>
Subject: RE: Subrogation impacting Florida Communities

Matt: Thank you very much for your detailed email. For the Representatives on this email I can back up what Matt is saying 100%. I have been specializing in the Community Association industry for 15 years and my partner Negar and I insure over 500 condo associations through out the State. I have been heavily involved with CAI (Community Association Institute) on the local and National level as well. This homeowner carrier subrogation issue is causing real harm to associations. Two quick points I would add below for you all to consider…

- **AOB Fight:** As you all know there was a lot of pressure from insurance carriers to pass AOB legislation due to what the carriers felt were unfair practices that were hurting the carrier's ability to do business in the State. I find this issue to be very similar and creates a hypocritical position for the carriers. The carriers that are pursuing this subrogation are absolutely taking advantage of a loop hole in the law that shouldn't be there that only serves their interest. Very similar to how they felt about the law firms pushing the AOBs.

- **Carriers Argument to Keep It:** I have yet to hear any insurance carrier provide a compelling reason why they need to keep the ability for this subrogation in the law the way it is currently constructed. I also have no idea how carriers that are practicing this can defend it and I bet they wouldn't want to publicly because it plays horribly. It is absolutely self-serving and in the end defeats the purpose of the insurance policy. They are an insurance carrier in place to pay property insurance claims. The ability to blindly subrogate any claim paid regardless of fact to recoup whatever payments you can is nothing more than an opportunistic money grab. I have seen them do this on claims in the Panhandle with Hurricane Michael. How is the condo association negligent or responsible for a Category 5 hurricane causing damage to the interior of a condo unit? To me situations like the Hurricane Michael claim subrogation shows exactly what this is about. The carriers aren't even looking at the merits of these cases, they are just subrogating everything because they can. See details of one of these below that should tell you everything you need to know…

Message Details:
Name: KENELMA ZAHARIS
Email: kz0423@universalproperty.com
Add a message: Please be advised that Universal Property and Casualty Insurance Company ("Universal") insures KAREN HUFF under the above-referenced policy. Universal is writing to you with respect to a considerable amount of property damage that occurred to our insured's property. The damage occurred on or about 10/10/2018; as a result of a roof leak. Universal is looking to you for assistance with obtaining all documents pertaining to this loss. Universal's policyholder has filed a claim for property damage, please note this letter will serve as Universal's notice that it will be exercising its subrogation rights against the at fault party for the damages to the residence 8817 S THOMAS DR UNIT 123, PANAMA CITY BEACH, FL 32408. Finally, please read the following carefully; according to Florida Statute §627.4137, your disclosure of certain information is required within thirty (30) days. Pursuant to Florida State Statute §627.4137, please provide Universal with a copy of the incident report created for this loss. Please allow this correspondence to serve as our formal written request for your participation. By the above Florida Statute, you have thirty (30) days to respond to this request. Should you have any questions, please do not hesitate to contact me at telephone number 954-958-1200 extension 6554 or by e-mail at kz0423@universalproperty.com. Thank you for your prompt attention to this correspondence. We would like to settle this matter in the most amicable method possible. Sincerely, Kenelma Zaharis Subrogation Examiner

I hope this helps and anything I can do or my team can do please do not hesitate to let us know. Thank you all for your time and your service to our State.

Phillip Masi, CIRMS
Agency President

AssuredPartners

Direct: 407-278-1627
Cell: 407-756-4538
300 Colonial Center Parkway | Suite 270 | Lake Mary, FL 32746
pmasi@assuredptr.com
www.assuredptr.com

From: Mercier, Matthew <mmercier@CBIZ.com>
Sent: Wednesday, October 16, 2019 9:36 AM
To: Jennifer.Webb@myfloridahouse.gov; James.Buchanan@myfloridahouse.gov; gruters.joe@flsenate.gov
Cc: Stitt, Bill <bstitt@CBIZ.com>; Travis W. Moore <travis@moore-relations.com>; Craig N. Holland <cnh@babbins.com>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Lewis, Jessica <Jessica.Lewis@myfloridahouse.gov>; Phil Masi <phil.masi@assuredpartners.com>; Negar Sharifi <negar.sharifi@assuredpartners.com>
Subject: Subrogation impacting Florida Communities

AMERICAN OVERSIGHT

Importance: High

Good Morning Senator Gruters, Representative Buchanan, and Representative Webb,

First and foremost, thank you for everything you do for the Great State of Florida. As a native of Florida, I am grateful for the blood, sweat and tears you put into serving the people of Florida.

I am writing you this morning to voice my concerns about the insurance subrogation issue in the State of Florida. In the past week alone, I've had three separate associations in Sarasota and Manatee Counties served with a demand letter from the insurance company Universal.

A few years ago, when rewriting the condominium law, changes were made to the special assessments and other association's issues, and the *waiver of subrogation* was to be moved to an insurance bill, but it was overlooked. This oversight allows the condo unit owners insurance carrier, that writes an HO-6 policy, to sue the associations and is now producing thousands of subrogation claims against condominium associations throughout the State of Florida.

These demands claim negligence on behalf of the associations and that the association is responsible for these damages due to the association's negligence in maintaining these common area pipes, which is not reasonable for an association to constantly maintain and replace piping behind the walls. The majority of claims are from sudden and accidental water damage, the most common case of loss for condominium associations. Many of these claims are filed years after the water damage event, which makes them impossible for the associations' general liability insurance carriers to inspect and adjust.

To be clear, the HO-6 or unit owners policy's carrier is collecting premiums from the owners to provide coverages for water damage claims, per the terms of their policy. All is good, until the association receives a suit or demand notice from the HO-6 carrier for the damages they have paid under the terms of their own policy.

Every owner is an additional insured on the association's policy; therefore, the suit/demand is being made against that same owner that received payment that is now being subrogated against. Full circle, the HO-6 insurance company wins, and their profits soar. Ultimately, the unit owner who is a member of the association is penalized as their association's dues now increase and they might be unaware that their unit owner carrier has caused this to happen.

This practice of subrogation as stated above is ***not*** performed by the majority of the HO-6 insurance carriers and is used on a limited basis when negligence may be apparent by the responsible party.

In the beginning, many association's carriers were paying the demand from the HO-6 carrier at first in order to avoid going to court without further investigating the demand and determining if their insured was negligent. This has led to the HO-6 carrier sending demand letters on almost all HO-6 claims they receive, even if there was not negligence on the association's part.

In addition, these few HO-6 carriers that are subrogating, also refer their own contractors to make the repairs. The number one claim for condominium associations is water damage, it's a sweet sound to those carriers that take the unit owner's premium, make money on the repairs, and subrogate against to the association for their "losses." How is this not a conflict of interest?

The premium increases and/or lack of liability coverage for the association has become a huge issue. As a result of the increased frequency of subrogation claims, the costs for carriers to defend a rise in water damage claims, is becoming the association's problem from their unit owners. At this time, associations are seeing 15-30% increases on their general liability and the premiums will continue to climb. Eventually the demand for subrogation will cause the general liability carriers to impose a large deductible or in the case of Mt. Hawley just exclude water damage altogether. Consumers owning condominiums will in turn have to self-insure and will feel the effects through higher association dues or imposed special assessments. This may lead to consumers not purchasing condominiums due to the high association dues and potential for large association assessments.

Below, I have provided a detailed analysis of the subrogation issue in Florida.

Subrogation History

1. In 2010, legislature made a change to FS 718.111 (11) (g) section about unit owner coverage wording that prohibited a unit owner's policy from subrogating against the condominium association in which their unit is contained in. This section was moved to FS 627.714 and the subrogation language was left out on the move so the current language is silent on the topic.
2. Starting in 2016, HO-6 carriers caught on to this change and began to start subrogating against associations on almost all water damage claims. Claims starting coming in for subrogation against associations on incidents that occurred all the way back to 2012 at this time.
3. During this time, almost all HO-6 carriers had language in their policy contract still stating they would not subrogate against the associations matching the statute that was changed back in 2010.
4. In 2016, most of the HO-6 carriers started filing form changes to remove this subrogation language preventing them from subrogation against the association.
5. Since the form changes, HO-6 carriers have become more aggressive with subrogation against the condominium associations.
6. Condominium associations are not lender compliant if they have the ability to subrogate against a unit owner in the coverage forms, which is often checked and required by lenders.
7. The solution is to amend the Florida Statute 627 language to amend language so that neither the association nor the unit owner

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carriers can subrogate against each other.

Subrogation Process//Difficulty for Association Carriers to Adjust

1. HO-6 carrier sends letter to pay back damages for the HO-6 carrier paid.
2. Association carrier is sent first notice of loss and they are typically a year or so after.
3. Primarily water damage claims, which is the most common type of loss for this class of business.
4. Association's carrier requests information such as full details of the claim, documentation, photos, copies of service providers' information, and copies of the HO-6 policy.
5. HO-6 carrier refuses to provide information, offers a quick way out which is settlement and threatens suit if not paid.
6. HO-6 carrier rarely provides the information to prove the association is negligent.
7. HO-6 carrier e-files lawsuit at minimal cost to them.
8. Association has to get an attorney involved, which typically costs $4K on the average.
9. Negligence still hasn't been proven by HO-6 carrier but costs are rising to adjust the claim.
10. Carrier will back down if the association's declaration of covenants do not allow for the unit owner to subrogate against the association.

Examples of subrogation Claims That Show No Negligence Against the Association:

EX. 1: Subrogating for water damages caused by Hurricane Irma, especially potential water damage issues caused by the roof failing from the high winds.

EX. 2: Subrogating for water damages caused by a unit owner's hot water heater bursting in the unit above.
EX. 2.1: In one case, the unit owner's water heater was over fifteen years old when it burst. The association has a policy in place that any water heater over ten years old must be replaced by the individual owner. The HO-6 insurance company still subrogated against the association even though they weren't negligent.

EX. 3: Contractor renovating a unit for a unit owner shoved blue towels down the drain lines causing a sewer backup.

EX. 4: Water damage on a 4th floor unit claimed to be caused by failure to maintain the roof. Building is six stories and no other units surrounding this 4th floor unit sustained water damage.

EX. 5: Subrogation demand made against association for allowing upstairs unit owner to hire contractor that caused damage to downstairs unit. Contractor was licensed and insured.

EX. 6: Carrier filed a subrogation action against an association for an alleged water intrusion through a window resulting from the irrigation system spraying at the building for many years. Unit had been vacant for some time because the owner had moved to an assisted living facility. The window maintenance was the responsibility of the unit owner and the window was found to be 25 years old, never maintained. The carrier demanded reimbursement from the association for a full mold remediation of the unit, along with personal belongings.

Influx of Subrogation Claims by the Numbers

In the last year, sample carrier received 232 claims which on average costs $4,200 a claim. The frequency of claims have more than doubled over the past 12 months than years before. There are approximately 6 insurance carriers actively writing liability coverage for Florida condominium associations. We would expect that those carriers are receiving similar if not more claims than the sample carrier since the sample carrier has done a good job of making it more difficult on the HO-6 carrier to want to subrogate against insureds and have been successful with getting them closed out or the suit dismissed. The influx of liability claims for subrogation has a result of almost $6M of loss adjustment expense into the liability market for association risks.

Why should this be a concern for associations?

The majority of claims are from sudden and accidental water damage, the most common case of loss for condominium associations. Many of these claims are filed years after the water damage event, which makes these claims impossible for the associations' general liability insurance carriers to inspect and adjust with the proper information.

To be clear, the HO-6 or unit owners' insurance carrier is collecting premiums from the owners to provide coverages for water damage claims per the terms of their policy. All is good, until the association receives a suit or demand notice from the HO-6 carrier for the damages they have paid under the terms of their own policy.

Every owner is an additional insured on the association's policy; therefore, the suit/demand is being made against that same owner that received payment that is now being subrogated against. Full circle, the HO-6 insurance company wins, and their profits soar. Ultimately, the unit owner, who is a member of the association, is penalized as their association's monthly assessments now increase and they might be unaware that their unit owner carrier has caused this to happen.

In addition, these few HO-6 carriers that are subrogating often refer their own contractors to make the repairs. Since the number one claim for condominium associations is water damage, it's a sweet sound to those carriers that take the unit owner's premium, make money on the repairs, and subrogate against to the association for their "losses."

The premium increases and/or lack of availability to obtain liability coverage for the associations has become a huge issue, as a result of

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the increased frequency of subrogation claims costing carriers to defend. At this time, associations are seeing 15-30% increases on their general liability premiums and with continued subrogation claims flowing in the premiums will continue to climb. Eventually the demand for subrogation will cause the general liability carriers to impose a large deductible or just exclude water damage from their policy. If this happens, consumers owning condominiums will in turn have to self-insure and will feel the effects through higher association monthly assessments or imposed special assessments to cover the deductibles. This may lead to consumers not purchasing a condominium unit due the potential of high association monthly assessments and potential for large association assessments that are not expected.

What is the solution?
Suggested language so that it is fair to both the HO-6 carriers and the association carriers:

Subsection (4) of section 627.714 Florida Statutes, is amended to read:
Residential condominium unit owner coverage; loss assessment coverage required-
(4) Every individual unit owner's residential property policy must contain a provision stating that the coverage afforded by such policy is excess coverage over the amount recoverable under any other policy covering the same property. If a condominium association's insurance policy for the association does not provide rights for subrogation against the unit owners in the association, an insurance policy issued to an individual unit owner located in the association may not provide rights of subrogation against the condominium association.

If your schedules permits, I would like to arrange a meeting in the next week to discuss the subrogation issue in greater detail. 2020 is the year of action on the subrogation issue. If this issue is not addressed, it will have a long term effect on community associations in Florida. It is worth noting that Florida has the most community associations out of any other State in the country.

If you have any questions or concerns, please do not hesitate to contact me.

Take care,

Matt

Matthew Mercier, AAI, CIRMS, CMCA, LCAM
National Director - Community Association Division
CBIZ
2033 Main Street | Suite 407
Sarasota, FL 34237
(941) 960-8782 | phone
(941) 586-0702 | mobile
(941) 960-8787 | fax
mmercier@cbiz.com
cbiz.com | map | bio | my linkedin | vCard | video

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AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Friday, October 18, 2019 3:47 PM EDT
To: Carlos Cruz <cruz@convergegov.com>
CC: Cesar Fernandez <cesar@convergegov.com>
Subject: RE: Swimming pool contractors
Attachment(s): "billdraft74879.DOCX"

Hey!

Happy Friday! Please see the attached draft. Should line 25 say "specialty contractor license" instead of just "specialty license"? Please let me know.

Thanks,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Brill, Victoria
Sent: Friday, October 11, 2019 2:40 PM
To: 'Carlos Cruz' <cruz@convergegov.com>
Cc: Cesar Fernandez <cesar@convergegov.com>
Subject: RE: Swimming pool contractors

Hi Carlos,

I have submitted the bill into drafting. Is there a house companion/been submitted the bill drafting yet?

Thanks,

Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Carlos Cruz <cruz@convergegov.com>
Sent: Wednesday, October 9, 2019 2:44 PM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Cc: Cesar Fernandez <cesar@convergegov.com>; Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Fwd: Swimming pool contractors

Victoria,

Attached is a bill and talking points that we discussed with the Senator when he met with our swimming pool folks. Kyle in McClure's office has placed it into bill drafting on his end. Below are the talking points and attached bill language for you. Please call me should you have any questions prior to filing.

-C

AMERICAN OVERSIGHT

23-00833-20

A bill to be entitled

An act relating to specialty contracting services; amending s. 489.117, F.S.; authorizing certain persons under the supervision of specified licensed contractors to perform certain specialty contracting services for commercial or residential swimming pools, hot tubs or spas, or interactive water features; providing that such supervision does not require a direct contract between specified persons; providing an effective date.

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

Section 1. Paragraph (e) is added to subsection (4) of section 489.117, Florida Statutes, to read:

489.117 Registration; specialty contractors.—

(4)

(e) Any person who is not required to be certified or registered under s. 489.105(3)(d)-(i) or s. 489.105(3)(m)-(o) may perform specialty contracting services for the construction, remodeling, repair, or improvement of commercial or residential swimming pools, hot tubs or spas, or interactive water features, as defined in the Florida Building Code, without obtaining a local contractor license or specialty license if such person is under the supervision of a person who is certified or registered under s. 489.105(3)(j)-(l), provided that the work is within the scope of the supervising contractor's license. Such supervision does not require a direct contract between a person certified or registered under s. 489.105(3)(j)-(l) and the person performing

AMERICAN OVERSIGHT

specialty contracting services.

Section 2. This act shall take effect July 1, 2020.

AMERICAN OVERSIGHT

From: Julie Michelle Cable <cablejmichelle@gmail.com>
Sent: Thursday, January 09, 2020 2:28 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: test

Dear Senator Gruters,
My name is Julie Michelle Cable. My birth name is Julie Michelle Brown.
I have been a resident here of Sarasota County living mostly in Venice for 56 years. I was born in Alabama and lived with my biological mother who then married and that man(became my step father) Wayne Freeman adopted me, changing my last name to Freeman. It appears though that my birth certificate was never amended to support the name change as expected.

I am reaching out to you on the advise of my brother who tells me that instead of approaching a constitutional attorney I should start with the Senator for my area. I hope you can help me, I am at my wits end with searching for resolution.

My driver's license expired November 2019. Upon renewal procedure the Department of Motor Vehicles has advised me that they cannot renew my driver's license due to the fact that my birth certificate is not the correct name to be in line with the paper trail of who I am. My first driver's license was issued with Freeman being my last name around 1977-78 ...they should have record of that.....I have all the papers in line to show my name changes from that point to this current day....(ie: marriage, divorce). My parents are elderly and totally uncooperative .....they are telling me that the adoption record papers were stolen.

Due to this invalid license a hardship is being created because I cannot open a bank account without a valid license. I have a company newly registered with the State of Florida for home inspecting and I cannot get the first job because I cannot open a bank account. I need your help please. This new business is so I can support my family. I have lived here in Sarasota County since I was 1 year old.....every registration of my vehicles, purchasing a home, a passport have all taken place in this county.
The following is pertinent information to who I am and how I can be reached.
Julie Michelle Cable
340 Glen Oak Rd.
Venice, FL 34293

Phone 941-525-6311

email : cablejmichelle@gmail.com

I grew up on Shamrock Dr in South Venice....spent 17 yrs there and then moved about for a few years, then I purchased a home 1821 Faun Rd. where I lived for almost 30 years.....I have been on Glen Oak rd in Venice Gardens for approx 5 years.

I am happy to answer any questions for you.
Desperate for help,
Julie Michelle Cable

On Thu, Jan 9, 2020 at 2:07 PM Kerr, GeeDee <Kerr.GeeDee@flsenate.gov> wrote:

AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Monday, February 10, 2020 1:37 PM EST
To: Jennifer Green <jennifer@libertypartnersfl.com>
Subject: RE: test
Attachment(s):
"amendmentdraft77442.DOCX","amendmentdraft77439.DOCX","amendmentdraft77437.DOCX","0987C1692451.pdf"

I have 3 of the 4 amendments drafted to the strike-all. The last one is currently being drafted which I have attached as a PDF.

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Jennifer Green <jennifer@libertypartnersfl.com>
Sent: Monday, February 10, 2020 1:29 PM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Re: test

Yes ma'am!

Jennifer J. Green, CAE, DPL
President
Liberty Partners of Tallahassee, LLC
113 E. College Avenue, Suite 400
P.O. Box 390
Tallahassee, FL 32302
(850) 841-1726 - Office
(850) 528-8809 - Mobile
(850) 841-7097 - Fax
www.libertypartnersfl.com

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> On Feb 10, 2020, at 1:28 PM, Brill, Victoria <Brill.Victoria@flsenate.gov> wrote:
>
> Hi Jennifer,
>
> Wanted to make sure this was you…
>
> Vickie Brill, MBA
> Senior Legislative Aide
> Sen. Joe Gruters, District 23
> (941) 378-6309
> (850) 487-5023

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COMMITTEE/SUBCOMMITTEE ACTION

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

Committee/Subcommittee hearing bill: Commerce Committee
Representative Goff-Marcil offered the following:

Amendment (with title amendment)

Between lines 60 and 61, insert:

Section 2. Section 509.113, Florida Statutes, is created to read:

509.113 Certain registration for vacation rentals.—A sexual offender as defined in s. 944.606(1)(f) must register at the sheriff's office in the county in which the sexual offender is temporarily residing pursuant to s. 775.21 at least 48 hours before arrival at the vacation rental, regardless of the length of stay. A vacation rental owner or operator who rents a vacation rental to a sexual offender must notify all property owners within 1,000 feet of the vacation rental property at least 24 hours before the sexual offender's arrival. The

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-002412

division may fine, suspend, or revoke the license of any owner or operator of a vacation rental if such owner or operator is not in compliance with the requirements of this section. Any advertisement for a vacation rental posted online must prominently display the physical address of the vacation rental and a link to a website created by the Department of Law Enforcement pursuant to s. 943.043 to notify the public of any information regarding sexual offenders. Such advertisement must prominently display a link to s. 943.0435 and include the following statement: "Every sexual offender intending to temporarily reside at a vacation rental in Florida is required by Florida law to register in accordance with section 509.113, Florida Statutes."

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

Remove line 6 and insert:
exception; creating s. 509.113, F.S.; requiring sexual offenders to register with the sheriff's office of the county in which they will be temporarily residing in a vacation rental within a certain timeframe; providing requirements for such registration; requiring an owner or operator of a vacation rental to notify specified property owners within a certain timeframe; providing penalties;

AMERICAN OVERSIGHT
FL-SEN-20-0201-A-002413

requiring advertisements for a vacation rental to include specified information; amending s. 509.241, F.S.; revising

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FL-SEN-20-0201-A-002414

LEGISLATIVE ACTION

Senate . House

. . . . .

The Committee on Commerce and Tourism (Gruters) recommended the following:

Senate Amendment to Amendment (758236) (with title amendment)

Delete lines 20 - 22
and insert:
Section 2. Subsection (9) of section 509.221, Florida Statutes, is amended to read:
509.221 Sanitary regulations.—
(9) Subsections (2), (5), and (6) do not apply to any facility or unit classified as a ~~vacation rental,~~ nontransient apartment~~,~~ or timeshare project as described in s. 509.242(1)(d)

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and (g), respectively ~~s. 509.242(1)(c), (d), and (g)~~. Paragraph (2)(a) does not apply to a vacation rental.

Section 3. Paragraph (a) of subsection (2) and subsection (7) of section 509.032, Florida Statutes, are amended to read:

509.032 Duties.—

(2) INSPECTION OF PREMISES.—

(a) The division has jurisdiction and is responsible for all inspections required by this chapter. The division is responsible for quality assurance. The division shall inspect each licensed public lodging establishment at least biannually, except for transient and nontransient apartments, which shall be inspected at least annually. Each establishment licensed by the division shall be inspected at such other times as the division determines is necessary to ensure the public's health, safety, and welfare. The division shall adopt by rule a risk-based inspection frequency for each licensed public food service establishment. The rule must require at least one, but not more than four, routine inspections that must be performed annually, and may include guidelines that consider the inspection and compliance history of a public food service establishment, the type of food and food preparation, and the type of service. The division shall reassess the inspection frequency of all licensed public food service establishments at least annually. Public lodging units classified as ~~vacation rentals or~~ timeshare projects are not subject to this requirement but shall be made available to the division upon request. If, during the inspection of a public lodging establishment classified for renting to transient or nontransient tenants, an inspector identifies vulnerable adults who appear to be victims of

AMERICAN OVERSIGHT

neglect, as defined in s. 415.102, or, in the case of a building that is not equipped with automatic sprinkler systems, tenants or clients who may be unable to self-preserve in an emergency, the division shall convene meetings with the following agencies as appropriate to the individual situation: the Department of Health, the Department of Elderly Affairs, the area agency on aging, the local fire marshal, the landlord and affected tenants and clients, and other relevant organizations, to develop a plan that improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements such as facilities licensed under part II of chapter 400 or under chapter 429.

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

And the title is amended as follows:

Delete line 170

and insert:

platform"; amending s. 509.221, F.S.; deleting an exemption for vacation rentals from certain sanitary requirements; specifying that vacation rentals are exempt from certain public bathroom facility requirements; amending s. 509.032, F.S.; removing an exemption for vacation rentals from certain inspection requirements; preempting the

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LEGISLATIVE ACTION

Senate . House

. . . . .

The Committee on Commerce and Tourism (Gruters) recommended the following:

Senate Amendment to Amendment (758236) (with title amendment)

Delete lines 24 - 48
and insert:
(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a

AMERICAN OVERSIGHT

local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not ~~prohibit vacation rentals or~~ regulate the duration or frequency of rental of vacation rentals. A local law, ordinance, or regulation may regulate vacation rentals, but not in a manner that is more restrictive than the local government's local laws, ordinances, or regulations regulating bed and breakfast inns. This paragraph does not apply to any local

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

And the title is amended as follows:

Delete lines 170 - 176

and insert:

platform"; amending s. 509.032, F.S.; authorizing a local law, ordinance, or regulation to regulate vacation rentals under certain circumstances; expanding an exemption

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LEGISLATIVE ACTION

Senate . House

. . . . .

The Committee on Commerce and Tourism (Gruters) recommended the following:

Senate Amendment to Amendment (758236) (with title amendment)

Delete lines 24 - 52
and insert:
(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a

AMERICAN OVERSIGHT

local government or local enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

(b) A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local government or local law, ordinance, or regulation adopted on or before March 14, 2020, or amended on or before that date to be less restrictive with regard to a prohibition or to duration or frequency of such rentals ~~June 1, 2011~~.

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

And the title is amended as follows:

Delete lines 170 - 178

and insert:

platform"; amending s. 509.032, F.S.; expanding an exemption to allow certain laws, ordinances, or regulations adopted or amended on or before a specified date to be amended to be less restrictive;

AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Friday, January 17, 2020 4:07 PM EST
To: Joe Gruters <joegruters@gmail.com>
Subject: Re: Tuesday
Attachment(s): "image001.png","image003.png","image005.png","image002.png","image004.png"

Already talked to Todd and told him you weren't taking meetings Tuesday.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Jan 17, 2020, at 3:57 PM, Joe Gruters <joegruters@gmail.com> wrote:

---------- Forwarded message ---------
From: **Todd J. Pokrywa** <Todd.Pokrywa@viera.com>
Date: Fri, Jan 17, 2020 at 2:51 PM
Subject: Tuesday
To: joegruters@gmail.com <joegruters@gmail.com>

Joe,

Happy New Year! Hope you are doing well.

I sent a message through the Senate website and to your Senate email address requesting an appointment for next Tuesday (1/21/2020). I am traveling with the Brevard County Chambers to Tallahassee and wondering if you have availability for a short appointment with our group?

Thanks,

Todd J. Pokrywa

<image001.png>

<image002.png> **Todd J. Pokrywa**
President

todd.pokrywa@viera.com
t: 321.242.1200 x4573
f: 321.253.1800

www.Viera.com

7380 Murrell Road, Suite 201
Viera, FL 32940

<image003.png> <image004.png> <image005.png>

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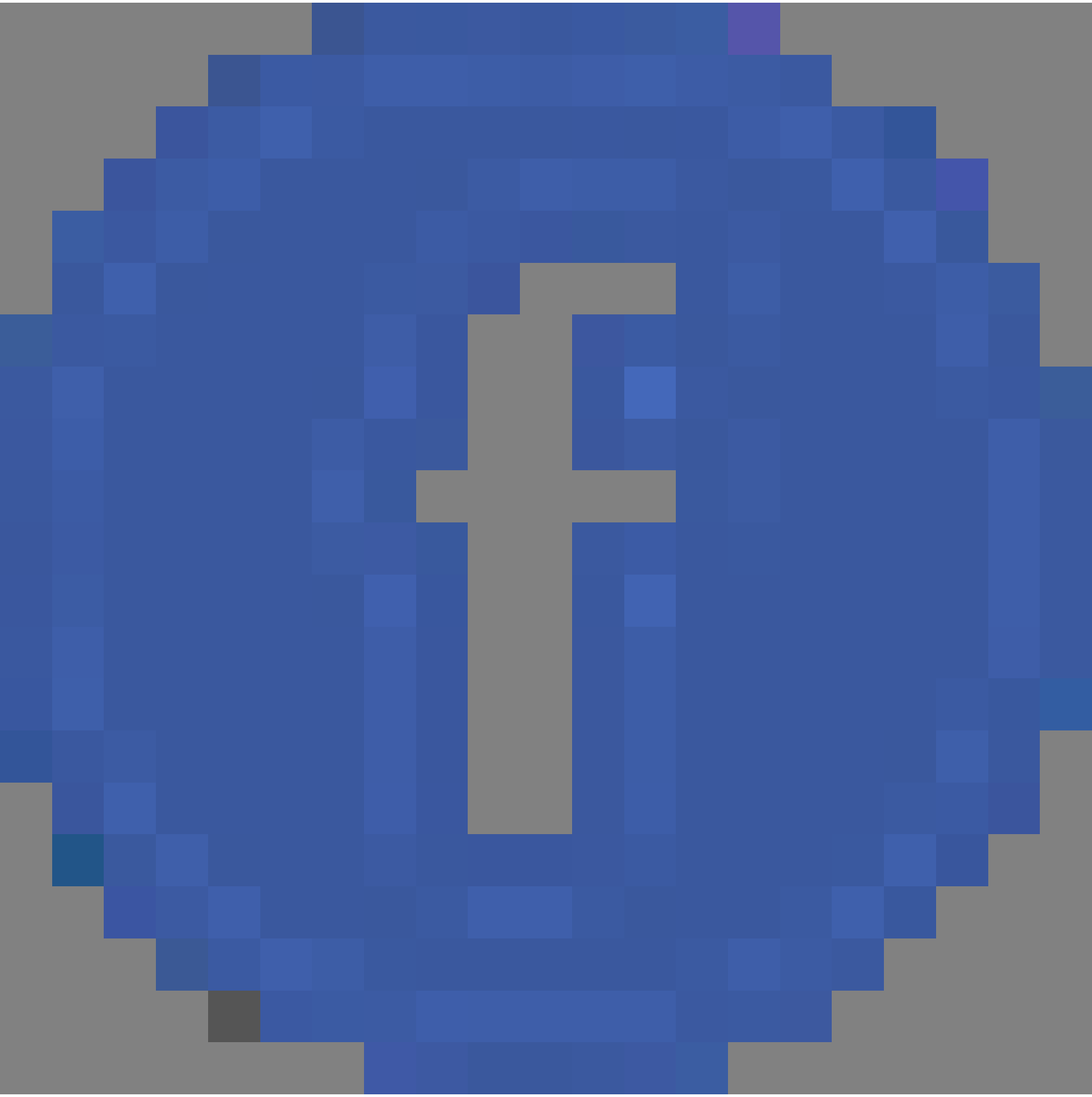
AMERICAN OVERSIGHT



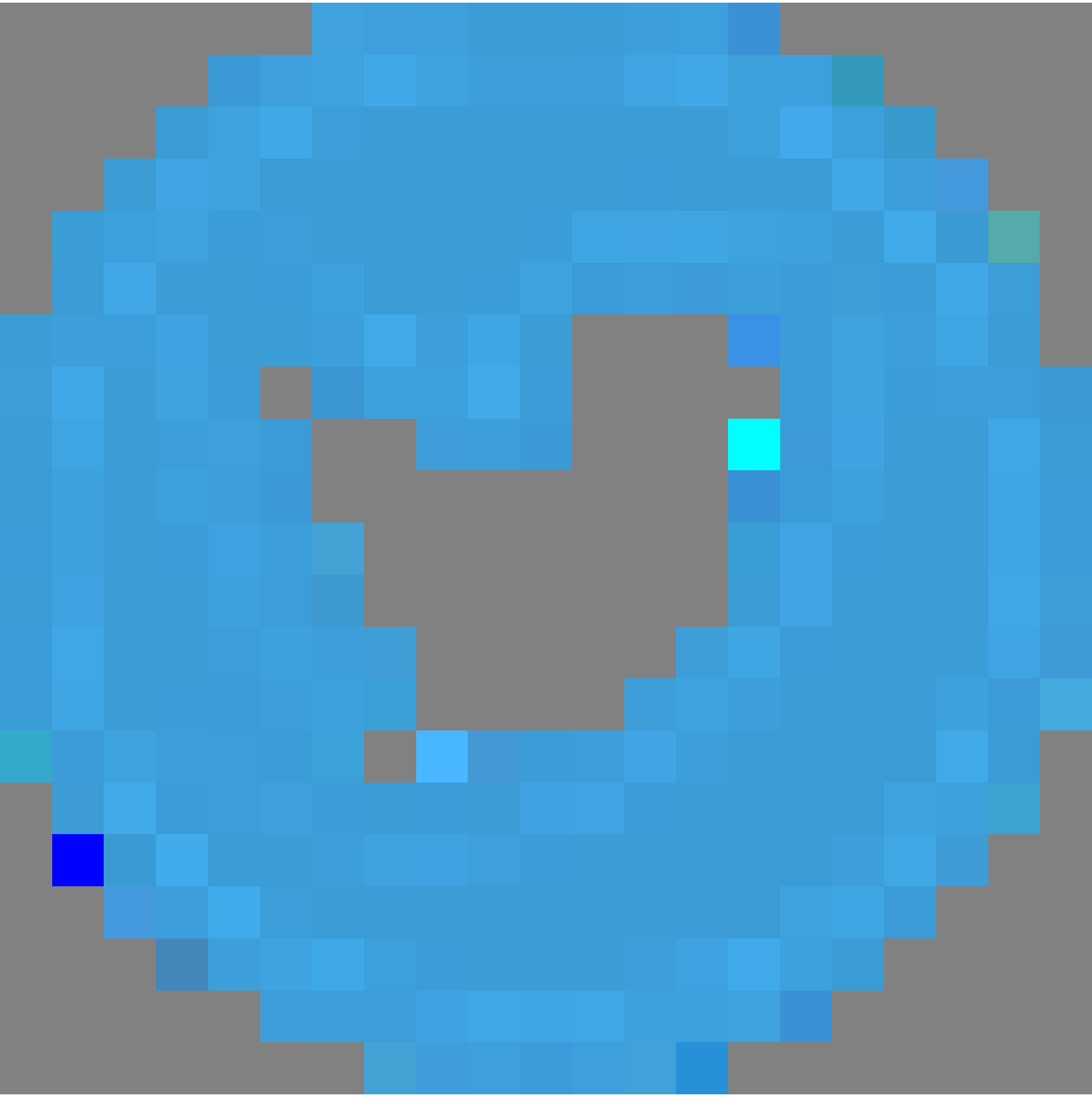
AMERICAN OVERSIGHT



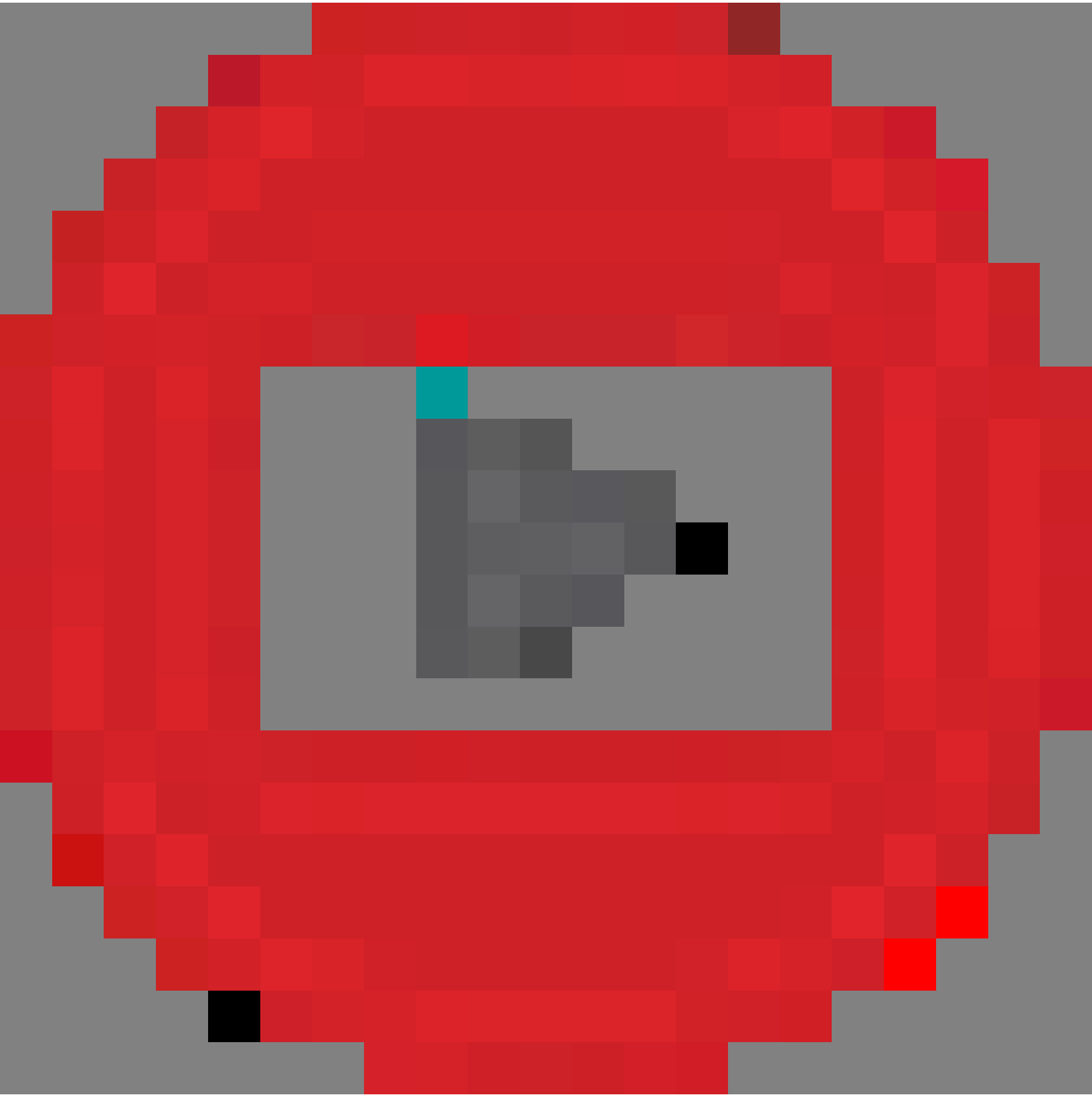
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: Barnhill, Josh
Sent: Tuesday, February 04, 2020 9:59 AM EST
To: Colleen Thayer <colleen@namisarasotacounty.org>
Subject: Re: Update

Hey Colleen,

Thanks for reaching out. No update on our end, I know we didn't make it into the chairs proposal but it is still early so just keep pushing it. I'll let you know if I hear anything.

Josh Barnhill
Legislative Aide
Senator Joe Gruters, District 23
Cell: (850) 933-9792

On Feb 3, 2020, at 5:50 PM, Colleen Thayer <colleen@namisarasotacounty.org> wrote:

Hi there - just wanted to reach out and see if there was any thought on conference for the HOPE appropriation we are supporting?! I know it made it through a committee in House but not their main budget which was expected - at least by me :-)

Anyway - if we can provide any information to you - or do anything on this end (wish I was there more but won't be up until week of 24th) just let me know. I am happy to reach out to some folks I have contact with if Sen. Gruters is going to pursue it!

Much appreciated!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

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AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Tuesday, February 04, 2020 2:30 PM EST
To: Colleen Thayer <colleen@namisarasotacounty.org>
Subject: RE: Update

Hey there,

Thanks for looping me in. Make sure whoever sponsored the House Bill is working with the Budget Chair in the house for a little amount J

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Colleen Thayer <colleen@namisarasotacounty.org>
Sent: Monday, February 3, 2020 5:50 PM
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Update

Hi there - just wanted to reach out and see if there was any thought on conference for the HOPE appropriation we are supporting?! I know it made it through a committee in House but not their main budget which was expected - at least by me :-)

Anyway - if we can provide any information to you - or do anything on this end (wish I was there more but won't be up until week of 24th) just let me know. I am happy to reach out to some folks I have contact with if Sen. Gruters is going to pursue it!

Much appreciated!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

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AMERICAN OVERSIGHT

From: Colleen Thayer <colleen@namisarasotacounty.org>
Sent: Tuesday, February 04, 2020 12:10 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Re: Update

Hi Josh -

Thanks so much for the update. Please let me know if there is something we can do at this time to assist!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

On Tue, Feb 4, 2020 at 10:00 AM Barnhill, Josh <Barnhill.Josh@flsenate.gov> wrote:

> Hey Colleen,
>
> Thanks for reaching out. No update on our end, I know we didn't make it into the chairs proposal but it is still early so just keep pushing it. I'll let you know if I hear anything.
>
> Josh Barnhill
> Legislative Aide
> Senator Joe Gruters, District 23
> Cell: (850) 933-9792
>
> On Feb 3, 2020, at 5:50 PM, Colleen Thayer <colleen@namisarasotacounty.org> wrote:
>
> Hi there - just wanted to reach out and see if there was any thought on conference for the HOPE appropriation we are supporting?! I know it made it through a committee in House but not their main budget which was expected - at least by me :-)
>
> Anyway - if we can provide any information to you - or do anything on this end (wish I was there more but won't be up until week of 24th) just let me know. I am happy to reach out to some folks I have contact with if Sen. Gruters is going to pursue it!
>
> Much appreciated!
>
> *Colleen*
>
> Colleen Thayer, MA, APR, CPRC
> Executive Director
> NAMI Sarasota County
> *Serving Sarasota and Manatee Counties*
> 941-376-9361
>
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AMERICAN OVERSIGHT

From: p.watrous <p.watrous@verizon.net>
Sent: Friday, January 24, 2020 12:20 PM EST
To: Mitch Lucas <mlucas@mgmt-assoc.com>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <Hutson.Travis@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; Plasencia, Rene <Rene.Plasencia@myfloridahouse.gov>; Williamson, Jayer <Jayer.Williamson@myfloridahouse.gov>; Brown, Kamia <Kamia.Brown@myfloridahouse.gov>; Ausley, Loranne <Loranne.Ausley@myfloridahouse.gov>; Daley, Dan <Dan.Daley@myfloridahouse.gov>; Davis, Tracie <Tracie.Davis@myfloridahouse.gov>; chip.lamarca@myfloridahouse.com <chip.lamarca@myfloridahouse.com>; Polo, Cindy <Cindy.Polo@myfloridahouse.gov>; Roach, Spencer <Spencer.Roach@myfloridahouse.gov>; anamaria.rodriquez@myfloridahouse.gov <anamaria.rodriquez@myfloridahouse.gov>; anthony.rodriquez@myfloridahouse.com <anthony.rodriquez@myfloridahouse.com>; Roth, Rick <Rick.Roth@myfloridahouse.gov>; anthony.sabatini@myfloridahouse.com <anthony.sabatini@myfloridahouse.com>; jason.shoaf@myfloridahouse.com <jason.shoaf@myfloridahouse.com>; tyler.sirois@myfloridahouse.com <tyler.sirois@myfloridahouse.com>
CC: Emma Bartlett <EBartlett@mgmt-assoc.com>; Dominick Scannavino <DScannavino@mgmt-assoc.com>; cynthiab54@gmail.com <cynthiab54@gmail.com>; Winnie Abbott <winnies22@yahoo.com>; k62kjmt@yahoo.com <k62kjmt@yahoo.com>; dfaimali@gmail.com <dfaimali@gmail.com>
Subject: Re: Urgent Response HB1011 & SB1128 Short-Term Rentals

Mitch, if you are looking for Board approval.
You have mine to proceed.
Peggy

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: Mitch Lucas
Date: 1/24/20 10:18 AM (GMT-05:00)
To: gruters.joe@flsenate.gov, torres.victor@flsenate.gov, hutson.travis@flsenate.gov, stewart.linda@flsenate.gov, wright.tom@flsenate.gov, rene.plasencia@myfloridahouse.gov, jayer.williamson@myfloridahouse.gov, kamia.brown@myfloridahouse.gov, loranne.ausley@myfloridahouse.gov, dan.daley@myfloridahouse.gov, tracie.davis@myfloridahouse.gov, chip.lamarca@myfloridahouse.com, cindy.polo@myfloridahouse.gov, spencer.roach@myfloridahouse.gov, anamaria.rodriquez@myfloridahouse.gov, anthony.rodriquez@myfloridahouse.com, rick.roth@myfloridahouse.gov, anthony.sabatini@myfloridahouse.com, jason.shoaf@myfloridahouse.com, tyler.sirois@myfloridahouse.com
Cc: Emma Bartlett , Dominick Scannavino , cynthiab54@gmail.com, Winnie Abbott , "p.watrous" , k62kjmt@yahoo.com, dfaimali@gmail.com
Subject: Urgent Response HB1011 & SB1128 Short-Term Rentals

To All Honorable State Senators and State Representatives,

I am contacting you today to urge you to **OPPOSE HB 1011 and SB 1128 as currently drafted** . At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please HB 1011 and SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Clearview Oaks Condominium Association's Board of Directors

Respectfully,

Mitch Lucas LCAM

Property Manager

Management & Associates

4140 55th St. N. Unit #1113

Kenneth City, FL 33709

Phone: (727)329-8071

AMERICAN OVERSIGHT

Facsimile: (727)498-8801

Email: mlucas@mgmt-assoc.com

Website: www.mgmt-assoc.com

If you are inquiring about: a homeowner questionnaire; an estoppel; a sale balance; a transfer of ownership balance; association governing documents or any other closing documentation, please log-on to wwwhomewisedocs.com.

AMERICAN OVERSIGHT

From: Marquez, Nicole <nsmarquez@usf.edu>
Sent: Wednesday, December 11, 2019 6:15 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Re: Wednesday @ 2 p.m.
Attachment(s): "2016_CCHD_Newborn_Screening_State_Actions.pdf","chd-tracking-and-research-factsheet-h.pdf","CDC-CHD-research-tracking-h.pdf"

Good morning Vickie,

I received these documents this morning from a contact that I have and wanted to share them. I was hoping you could help me understand the newborn screening actions by state document. Looking forward to meeting a little later this morning 😁

Get Outlook for iOS

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, December 9, 2019 4:51:45 PM
To: Marquez, Nicole <nsmarquez@usf.edu>
Subject: RE: Wednesday @ 2 p.m.

Hi Nicole,

You are more than welcome to stop by. The Senator has two bill presentations at 10 AM so I am not sure what it will look like in the AM. If not, I am happy to meet with you after the Health Policy meeting.

Thanks!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

From: Marquez, Nicole <nsmarquez@usf.edu>
Sent: Monday, December 9, 2019 11:26 AM
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Re: Wednesday @ 2 p.m.

Sure. That should work.

Would you be available to meet with Savannah and I tomorrow morning prior to the health policy committee meeting?

Thanks!

Nicole

Get Outlook for iOS

From: Brill, Victoria <Brill.Victoria@flsenate.gov>
Sent: Monday, December 9, 2019 11:21:59 AM
To: Marquez, Nicole <nsmarquez@usf.edu>
Subject: Wednesday @ 2 p.m.

Hi Nicole,

Are you available to meet with Chestin Goodman, who works for Sen. Bean at 2 p.m. on Wednesday? Unfortunately, Sen. Bean is unable to meet this week but Chestin will be able to relay the story and convey the information about SB 518.

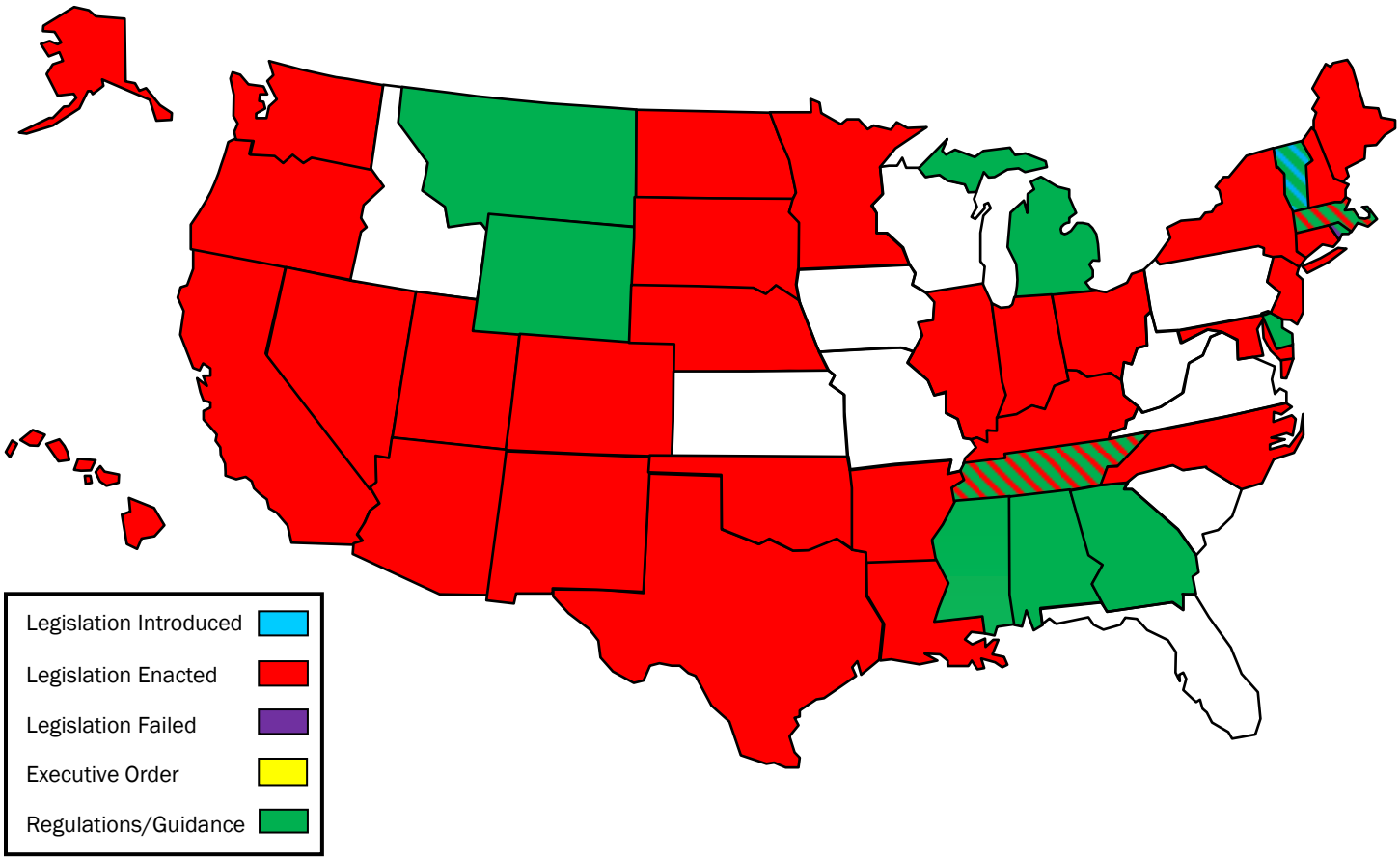
Thank you!
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

American Academy of Pediatrics
NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DISEASE (CCHD)–2016 STATE ACTIONS

(As of August 9, 2016)



LEGISLATION INTRODUCED/PROPOSED REGULATIONS

VERMONT

VT H 639 Rep. George W. Till
An act relating to pulse oximetry to screen newborns for congenital heart defects
An act relating to pulse oximetry to screen newborns for congenital heart defects
House - Read First Time and Referred to the Committee on Health Care - 01/26/2016

STATE GOVERNMENT AFFAIRS
American Academy of Pediatrics
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LEGISLATION ENACTED

ALASKA–2013 (Effective Date–January 2014)
Alaska Statutes Chapter 18.15 Section 205

ARIZONA–2014 (Effective Date–July 2015)
Arizona Revised Statutes Title 36 Section 694

ARKANSAS–2013 (Effective Date–August 2013)
Arkansas Code Title 20 Chapter 9 Subchapter 1 Section 103

CALIFORNIA–2012 (Effective Date–July 2013)
California Health and Safety Code Division 106 Part 2 Chapter 3 Article 6.6

COLORADO–2015 (Effective Date–August 2015)
Colorado Revised Statutes Title 25 Part 4 Section 1004.3

COLORADO-2016 (Effective Date–August 2016)
Session Laws of Colorado 2016 Chapter 350

**Requires direct entry midwives to perform newborn screening for CCHD on a newborn under their care or if unable to, to refer the newborn to a physician or nonphysician clinician who is able to perform the screen.*

CONNECTICUT–2012 (Effective Date–January 2013)
General Statutes of Connecticut Title 19a Chapter 368a Section 19a-55(b)(2)

DISTRICT OF COLUMBIA–2015 (Effective Date–September 2015)
District of Columbia Act 21-90

FLORIDA –2013
Florida 2013 Session Law: Chapter 2013-40 (*Appropriations*)

** Chapter 2013-40 does not mandate newborn screening for CCHD. The law appropriates $155,592 in reoccurring funds and $50,000 in nonreoccurring funds for the inclusion of newborn screening for CCHD into the state's newborn screening program.*

HAWAII–2015 (Effective Date–July 1, 2015)
Hawaii Act 212

ILLINOIS–2013 (Effective Date–January 1, 2014)
Illinois Compiled Statutes Chapter 410 Section 240.1.10

INDIANA–2011 (Effective Date–January 2012)
Indiana Code Title 16 Article 41 Chapter 17 Section 2(b)

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INDIANA–2013
Indiana Public Law 205 (*Appropriations*)
**Appropriations for the state's newborn screening program include funding for the implementation of newborn screening for CCHD.*

IOWA–2013 (Effective Date–July 2013)
Iowa Code Title IV Chapter 136A Section 5A

KENTUCKY–2013 (Effective Date–January 2014)
Kentucky Revised Statutes Title XVIII – Public Health Chapter 214 Diseases Section 155

LOUSIANA–2013 (Effective Date–August 2013)
Louisiana Revised Statutes Title 40 Chapter 1300 Section 373

MAINE– 2013 (Effective Date–July 2013)
Maine Revised Statutes Annotated Title 22 Chapter 261-A Section 1532

MARYLAND–2011 (Effective Date–July 2011)
Maryland HEALTH-GENERAL Code Annotated Section 13-111

MARYLAND–2015 (Effective Date–June 2015)
Maryland Chapter Law 393
**Requires direct entry midwives to perform newborn screening for CCHD. If they are unable to perform screening, they must refer the newborn to a pediatrician to be screened between 24 and 48 hours after birth.*

MASSACHUSETTS–2014 (Effective Date–January 2015)
Massachusetts General Laws Chapter 111 Section 110C

MINNESOTA–2013 (Effective Date–August 2013)
Minnesota Statutes Chapter 144 Section 1251

MISSOURI–2013 (Effective Date–January 2014)
Missouri Revised Statutes Title XII Chapter 191 Section 334

NEBRASKA–2013 (Effective Date–September 2013)
Newborn Critical Congenital Heart Disease Screening Act

NEVADA–2013 (Effective Date–July 2015)
Nevada Revised Statutes Chapter 442 Section 680

NEW HAMPSHIRE–2012 (Effective Date–August 2012)
New Hampshire Revised Statutes Title X Public Health Chapter 132 Section 10aa

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NEW JERSEY–2011 (Effective Date–October 2011)
New Jersey Revised Statutes Title 26 Section 2-111.3-.4

NEW MEXICO–2014 (Effective Date–May 2014)
New Mexico Statutes Chapter 24 Article 1-6

NEW YORK–2013 (Effective Date–January 2014)
New York Public Health Law Section 2500-a

NORTH CAROLINA–2013 (Effective Date–May 2013)
North Carolina General Statutes Chapter 130A Section 125

NORTH DAKOTA–2013 (Effective Date–August 2013)
North Dakota Century Code Title 25 Chapter 17 Section 6

OHIO–2013 (Effective Date–September 2013)
Ohio Revised Code Title XXXVII Chapter 3701 Section 5010

OKLAHOMA–2013 (Effective Date–July 2013)
Oklahoma Statutes Title 63 Section 1-550.4

OREGON–2013 (Effective Date–June 2013)
Oregon Revised Statutes Chapter 433 Section 318

PENNSYLVANIA–2014 (Effective September 2014)
2014 Regular Session Act 94

SOUTH CAROLINA–2013 (Effective Date–June 2013)
South Carolina Code of Laws Title 44 Chapter 37 Section 70

SOUTH DAKOTA–2013 (Effective Date–July 2013)
South Dakota Codified Law Title 34 Chapter 24 Section 32

TENNESSEE–2012 (Effective Date–January 2013)
Tennessee Code Annotated Title 68 Chapter 5 Part 5 Section 507

TEXAS–2013 (Effective Date–September 2013)
Texas Health and Safety Code Title 2 Chapter 33 Section 33.011

UTAH–2013 (Effective Date–October 2014)
Utah Code Title 26 Chapter 10 Section 6

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VIRGINIA–2014 (Effective Date–July 2014)
Code of Virginia Title 32.1 Chapter 2 Section 65.1

WASHINGTON–2015 (Effective Date–July 2015)
Revised Code of Washington Title 70 Section 83

WEST VIRGINIA–2012 (Effective Date–June 2012)
Code of West Virginia 1931 Chapter 16 Part 44 Section 1-2

WISCONSIN–2014 (Effective Date–March 2014)
Wisconsin Statutes and Annotations Chapter 253 Section 13 (1)

**Chapter 253 Section 13 (1) does not require newborn screening for CCHD; it gives authority to the WI Department of Health to add new conditions to the state's newborn screening panel.*

LEGISLATION FAILED

KANSAS
KS HB 2239 Committee on Judiciary
Newborn screening for critical congenital heart disease.

RHODE ISLAND
RI H 5757 Rep. Joseph Solomon (DEM-RI)
AN ACT RELATING TO HEALTH AND SAFETY -- MATERNAL AND CHILD HEALTH SERVICES FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS (Requires all birthing facilities to perform a pulse oximetry screening within twenty-four (24) hours of the birth of every newborn in its care.)
This act would require all birthing facilities to perform a pulse oximetry screening within 1 twenty-four (24) hours of the birth of every newborn in its care. 2 This act would take effect upon passage. 3

CQ StateTrack

EXECUTIVE ORDER

VIRGINIA–2012
Executive Directive 4 (2012)

REGULATIONS/GUIDANCE/OTHER

ALABAMA–2012/2013 (Effective Date–May 2013)
Alabama Department of Public Health: Hospital Guidelines for Implementing Pulse Oximetry Screening for Critical Congenital Heart Disease

Alabama State Board of Health Regulations: 420-10-1-.03 Designation of Additional Heritable Diseases (*Adopted May 17, 2013*)

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DELAWARE–2013 (Effective Date–May 2013)
Delaware Division of Public Health: 4107 Screening of Newborn Infants for Metabolic, Hematologic, Endocrinologic, and Certain Structural Disorders

FLORIDA–2014 (Effective Date–October 2014)
Florida Department of Health – Addition of CCHD to Newborn Screening Panel

GEORGIA–2014 (Effective Date–May 2014)
Georgia Department of Public Health: Rules of Department of Public Health Chapter 511-5-5 Georgia Newborn Screening Program

IOWA–2012 (Effective Date–August 2012)
Iowa Department of Public Health: Guidelines for Newborn Screening for Critical Congenital Heart Disease

MASSACHUSETTS–2013 (Effective Date–May 2013)
Massachusetts Department of Public Health: #13-5-590 Screening for Critical Congenital Heart Disease in Newborns

MASSACHUSETTS–2015 (Effective Date–October 2014)
Massachusetts Department of Health: 105 CMR 130.000, Hospital Licensure and 105 CMR 142.000 Operation and Maintenance of Birth Centers

MICHIGAN–2013 (Effective Date–April 2014)
Michigan Department of Community Health: Guidelines for Implementing CCHD Screening Tool-kit

Michigan Department of Community Health: Addition to Mandated Newborn Screening Panel/Newborn Screening Panel

MISSISIPPI–2014 (Effective Date–November 2014)
Mississippi Department of Health: Mississippi Administrative Code Title 15 Mississippi Department of Health Part 4 Office of Health Services Chapter 1 Newborn Screening and Birth Defects Registry *(Adopted October 17, 2014)*

MONTANA–2014 (Effective Date–July 2014)
Montana Department of Public Health and Human Services: Montana Administrative Register Notice 37-677–Proposed Amendments to Administrative Rules of Montana Pertaining to Newborn Screenings and Follow-up of Failed Screenings (*Adopted June 26, 2014*)

PENNSYLVANIA–2013 (Effective Date–March 2013)
Pennsylvania Department of Health: Addition of Disease to the Newborn Screening and Follow-Up Program

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RHODE ISLAND–2014 (Effective Date–July 2015)
Rhode Island Department of Health: Rules and Regulations Pertaining to the Newborn Metabolic, Endocrine, and Hemoglobinopathy Screening Program and the Newborn Hearing Loss Screening Program *(Adopted August 12, 2014)*

Rhode Island Department of Health: Newborn Pulse Oximetry Screening Information for Healthcare Providers

TENNESSEE–2013 (Effective Date–May 2013)
Tennessee Department of Health: Rules of Tennessee Department of Health, Family Health and Wellness, Material & Child Health Chapter 1200-15-01 Newborn Hearing Testing, Screening for Metabolic/Genetic Disorders and Critical Congenital Heart Disease

WISCONSIN–2014 (Effective Date–July 2014)
Wisconsin Department of Health Services: Emergency Rule Issued to Add Critical Congenital Heart Disease to Newborn Screening

Wisconsin Department of Health Services: Emergency Rule 1410 Order of the Department of Health Services to Adopt Emergency Rules

WYOMING–2016 (Effective Date–January 2017)

VERMONT–2016 (Effective Date–May 2016)
Vermont Department of Health: Newborn Screening Program Regulations

AMERICAN OVERSIGHT

Improving the Health of People Across the Lifespan:

NCBDDD'S CONGENITAL HEART DEFECTS TRACKING AND RESEARCH







NCBDDD is committed to helping individuals with congenital heart defects in each phase of life, through public health tracking, research and prevention.

WHAT'S THE PROBLEM?

Congenital heart defects are **common, costly, and critical** conditions that affect people throughout their lives.

Every **15 minutes**, a baby is born with a congenital heart defect in the United States.

In 2013, hospital costs exceeded **$6 billion** to care for children with congenital heart defects.

More than **2.4 million** U.S. children and adults are living with congenital heart defects.

About **20-30%** of people with congenital heart defects have other physical problems or problems with achieving skills, learning, or understanding.

WHAT'S THE SOLUTION?

NCBDDD is learning more about congenital heart defects through public health **tracking** and **research** to develop interventions to help prevent congenital heart defects and **improve** the lives of those living with these conditions.

NCBDDD has worked with programs to **evaluate and conduct newborn screening for critical congenital heart defects** and conducted a cost-effectiveness analysis.

About **1 in 4** babies with congenital heart defects have critical congenital heart defects that might be identified through screening by pulse oximetry.



NCBDDD funds 14 state programs to **track birth defects**, including congenital heart defects.

Pooling data across states helps us see the national picture. For example, we know that **more than 1,600** U.S. babies are born with tetralogy of Fallot (a critical congenital heart defect) each year.

nbdps

bdsteps

NCBDDD funds several **research centers** across the nation to help understand the **causes** of birth defects, including congenital heart defects.

For example, we found a **2-fold** increased risk for hypoplastic left heart syndrome (another critical congenital heart defect) in babies of mothers who took opioid pain medications early in pregnancy.

NCBDDD expanded **tracking** to look at health issues and needs for people **of all ages** living with congenital heart defects.

NCBDDD launched **CH STRONG,** a survey of adults living with congenital heart defects.

While we have learned a lot, much work remains. For more information on congenital heart defects, visit **www.cdc.gov/heartdefects.**

Centers for Disease Control and Prevention
National Center on Birth Defects and Developmental Disabilities

Saving Babies | Helping Children | Protecting People | Improving Health

AMERICAN OVERSIGHT
CS30258.8_R
FL-SEN-20-0201-A-002441

CDC's Tracking and Research for the Prevention of Congenital Heart Defects

CDC is working with partners to identify the causes of congenital heart defects (CHDs) and learn more about how to prevent them. We want to learn more about individuals living with CHDs and identify strategies to improve their health.



Understanding Congenital Heart Defects

CHDs are conditions present at birth that can affect the structure of a baby's heart and the way it works. They are the most common type of birth defect.

- Nearly 40,000 infants in the United States are born with a CHD each year.
- CHDs are a leading cause of birth defect-related infant death during the first year of life.
- In 2013, hospital costs to care for children with CHDs exceeded $6 billion.
- About 1.4 million adults and 1.0 million children in the United States are living with CHDs.

Tracking Congenital Heart Defects

CDC supports state-based birth defects tracking systems to collect information about many birth defects, including CHDs. Information on children with CHDs obtained from these systems is used to:

- Understand their characteristics.
- Identify disparities in health and survival.
- Plan for services across the lifespan.
- Help to ensure they receive necessary medical care and services.
- This information provides a basis for research studies designed to identify potential causes of CHDs and find ways to prevent them.

Identifying Preventable Causes

The Centers for Birth Defects Research and Prevention (CBDRP) are CDC-funded research centers examining the causes of birth defects, including CHDs.

- The CBDRP collaborate on two large studies: the National Birth Defects Prevention Study (NBDPS) and the Birth Defects Study To Evaluate Pregnancy exposureS (BD-STEPS). These studies can help to identify the possible causes of birth defects with a focus on risk factors that can be changed.
- For example, CBDRP researchers have learned that women who are obese, use tobacco and/or take certain medications have an increased risk of having a baby with a CHD. Changing these risk factors may hold promise for preventing some CHDs.



Although researchers are learning more about CHDs and their risk factors, the causes of most CHDs are unknown and more research is needed.

Centers for Disease Control and Prevention
National Center on Birth Defects and Developmental Disabilities

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Newborn Screening for Critical Congenital Heart Defects

Of the 40,000 babies born each year with a CHD in the United States, about 7,200 have a critical CHD (CCHD),which are some of the most serious types of CHDs. Babies with a CCHD usually require surgery or catheter procedure in the first year of life. CCHD newborn screening has been implemented in nearly every state.

- States that require CCHD screening have 33% fewer infant deaths from CCHD compared to states without screening requirements.
- CCHD screening is projected to save at least 120 babies each year in the United States.
- CDC is working with partners to better understand how newborn screening is impacting the lives of those with CCHD.





Congenital Heart Defects across the Lifespan

As medical care and treatment have advanced, babies with CHDs are living longer and healthier lives, many into adulthood. Although this is remarkable progress, it presents new challenges to meet the special needs of these individuals. CDC is working to learn the number of people living with CHDs and to collect information about their long-term health outcomes, healthcare costs, and quality of life. This information can help identify opportunities to support the health and wellness of all persons living with CHDs.

- In 2012, CDC received funding to track adolescents and adults with CHDs. From 2012--2015, CDC worked on a pilot project with Emory University in Georgia, the New York State Department of Health, and the Massachusetts Department of Public Health to develop population-based tracking of adolescents and adults with CHD.
- In 2015, CDC started a four-year project to expand upon the pilot project. Five sites—University of Colorado, Duke University in North Carolina, Emory University in Georgia, the New York State Department of Health, and the University of Utah—are working to better understand the survival, healthcare use, and longer term health outcomes of individuals of all ages with CHDs.
- Since 2015, CDC has collaborated with the New York State Department of Health to evaluate geographic barriers to care and healthcare costs for adolescents with CHDs.
- In 2016, CDC, in partnership with March of Dimes, the University of Arizona College of Medicine, and the Arkansas Center for Birth Defects Research and Prevention launched the Congenital Heart Survey To Recognize Outcomes, Needs, and well-beinG (CH STRONG), a survey among adults with CHDs to assess their health, social and educational status, and quality of life.

These activities can provide important insights to guide our continued efforts to prevent CHDs and support families affected by them. To learn more about CHDs, please visit www.cdc.gov/heartdefects.

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Friday, October 11, 2019 1:56 PM EDT
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Registration Deadline Extended- GCBX EXECUTIVE GOLF OUTING AT INNISBROOK- November 13 & 14

Dear Senator Joe Gruters,
You are invited to the followingevent:

GCBX EXECUTIVE GOLF OUTING AT INNISBROOK

When: 13 Nov 2019 10:00 AM, EST
Where: Innisbrook Resort- 36750 U.S. HIGHWAY 19 NORTH PALM HARBOR, FL 34684

Will you be attending?

Register | Not attending

Registration Deadline Extended- Must Register by next Friday, October 18th!

EVENT DETAILS:

GCBX Executive Golf Outing
at Innisbrook

Wednesday, November 13th &
Thursday, November 14th

Golf Package Includes:

Lunch, 2 rounds of Golf, complimentary cocktail reception Wednesday evening, room for two nights (room for Nov. 12 & 13 included in pricing) and full breakfast buffet both mornings.

Single Occupancy Executive Suite: $675

Double Occupancy Executive Suite: $550 pp

Single Occupancy 1-Bedroom Suite: $710

Registration Deadline: October 18th; Limited Spaces Available

November 13th, 2019 - Guarateed Tee Time options

Copperhead 1st Tee: 7:30, 7:40, 7:50, 8:00, 8:10 AM

Copperhead 10th Tee: 7:40, 7:50 AM

November 14th, 2019- Guaranteed Tee Time options

North Course: 7:55, 8:04, 8:12, 8:21, 8:38, 8:46, 8:55 AM (7 Tee Times)

Please email your Tee Time choice to AlbaniHogan@gcbx.org ASAP once registered.

Exclusive & Unique Sponsorship Opportunity- Cocktail Reception Sponsorships Available!

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Click for Flyer

Best regards,
Gulf Coast Builders Exchange

If you no longer wish to receive these emails you canunsubscribe at any time.

This email contains links that will automatically log you into the Gulf Coast Builders Exchange site.
These links will work for the next 7 days only. Please, don't forward this email to anyone!

AMERICAN OVERSIGHT

From: Mark Segel <Mark@fiba.io>
Sent: Friday, November 08, 2019 11:48 AM EST
CC: Mark Segel <Mark@fiba.io>
Subject: REMINDER: FIBA Southwest Florida Showcase Invitation - November 19, 20, and 21

Hello.

This is a friendly reminder of the three upcoming FIBA events in your area. If you've not registered yet, please do so at your earliest opportunity. Also, please feel free forward this invitation to anyone you believe would like to join us. Thank you!

Event details: The Florida-Israel Business Accelerator (FIBA) Southwest Florida Showcase events will be in Naples (Tuesday, 11/19), Fort Myers (Wednesday, 11/20), and Sarasota/Manatee (Thursday, 11/21) all taking place 9:30 to 11:30 AM. You can register for the event(s) of your choice via this link: **FIBA Registration**. There is no charge to participate and attendees will hear about investing in tech, our FIBA companies, and how FIBA can impact economic development in your community. We look forward to seeing you there!

See below for the event flyer which also links to the registration site.

Mark

Mark Segel
Senior Consultant
FIBA Services, Inc.
522 N. Howard Avenue
Tampa, FL 33606
813.263.4976 (M)

FLORIDA-ISRAEL
business accelerator

AMERICAN OVERSIGHT

Israeli Technology: What You Need to Know About Investing

FLORIDA-ISRAEL
business accelerator

Please join the Florida-Israel Business Accelerator (FIBA) at one of the three upcoming special events in a community near you for a panel discussion plus presentations from three Israeli tech companies participating in the FIBA progam:

ECOncrete, QinFlow & UC-Care

PANELISTS:



Brian Rosenzweig
Partner
JANVEST Capital Partners



Saxon Baum
Director of Business Development
Florida Funders



Tom Wallace
Managing Partner/ Investment Committee
Florida Funders

- **Tuesday, Nov 19 - Naples:** Florida SouthWestern State College
- **Wednesday, Nov 20 - Fort Myers:**
  Florida Gulf Coast University School of Entrepreneurship
- **Thursday, Nov 21 - Sarasota/Manatee:**
  USF Sarasota-Manatee Campus

ALL EVENTS ARE SCHEDULED 9:30-11:30AM

RSVP: fibaevents.eventbrite.com | Inquiries: mark@fiba.io

In cooperation with: Tampa Jewish Community Centers & Federation; Jewish Federation of Greater Naples; Jewish Federation Lee and Charlotte Counties; The Jewish Federation of Sarasota-Manatee

FIBA is funded by: DEO Florida Department of Economic Opportunity; Hillsborough County Florida

Event sponsored by: Israel Bonds; Florida Gulf Coast University; Janvest Capital Partners; University of South Florida Sarasota-Manatee; Florida Funders

AMERICAN OVERSIGHT

From: FLIMEN Alert <Alert@FLIMEN.org>
Sent: Monday, January 27, 2020 4:26 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: REMINDER: Have you contacted the Senators?

Floridians for Immigration Enforcement

www.flimen.org

REMINDER: Have you contacted the Senators?
Do so before 4PM Tuesday, 1/28/2020.

Update from FLIMEN;

The dots are getting connected. FLIMEN takes no position on gun legislation, **but CS/SR214, per the references in the articles below, will likely used as a basis for red-flag laws.**

Because this resolution CS/SR214 is so wide and inconsistent with definitions, then Second Amendment defenders might want to be worried about the linkage of this 'White Nationalism' resolution to redflag laws. Below the articles have numerous references to a relationship.

https://www.politico.com/states/florida/story/2019/08/05/tipping-point-in-shift-florida-republicans-blame-shootings-on-white-nationalism-1129971

> When asked by POLITICO Monday, most prominent Florida Republicans agreed that white nationalism is playing a bigger role in mass shootings.
> "Yes. White nationalism is definitely a big factor and has been in other acts of violence in recent years," Senate President Bill Galvano told POLITICO.

https://www.voanews.com/usa/florida-leaders-move-condemn-white-nationalism

> Earlier this week, Sen. Kamala Harris of California, a Democratic presidential hopeful, called for a federal ``red flag'' law that would allow law enforcement to take away guns from white nationalists, if a judge agrees if a person poses an imminent danger.
>
> While Galvano says he's open to possibly expanding the Florida's ``red flag'' laws, he told the Associated Press on Thursday that the two issues should be addressed separately.
>
> ``Do both issues need to be considered and talked about? The answer is yes, but I don't know if you can just merge them,'' Galvano said.
>
> ….
> Galvano said ``everything would be on the table'' as his chamber begins work on strengthening laws to curb mass violence and to expand the laws enacted in response to the Parkland shootings. But when pressed, Galvano said he would leave it to legislative committees to come up with specific legislation.

https://www.miaminewtimes.com/news/florida-lawmakers-rewrite-bill-condemning-white-supremacy-11439413

> "I am hopeful that if the legislature is at least willing to vote for this revised resolution, that they would consider updates to Florida Hate Crime statute and meaningful policies to reduce gun violence."

Florida Senators Should Endorse Racial Equality,
Not SPLC Hate Labels!

Republican leadership, Senate President Galvano and resolutuion sponsor Senator Simpson, are rushing a dangerous resolution through the Senate. Masses of calls and emails are needed before 4PM, Tuesday, January 28th, 2020.

It won't take but 10 minutes to call President Galvano, Senator Simpson and five Judiciary Committee members.
Just leave messages with your name and a statement

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"I oppose the racist White Nationalist resolution CS/SR 214 because (one talking point)."
It is easy to send emails messages as the message is pre-loaded with subject and body, just add your name.

While resolutions do not carry the same importance as legislation, CS/SR 214, a resolution denouncing 'White Nationalists' is naïve, inaccurate, misguided, dangerous, without merit and divisive. FLIMEN requests every concerned citizen take action against this resolution which is substantially based on information from the highly discredited and extremely polarizing Southern Poverty Law Center (SPLC). See SPLC Exposed.

While Floridians for Immigration Enforcement (FLIMEN) *agrees* with substantial parts of the resolution FLIMEN suggests one of the following changes;

1. A total revision focusing on The American Principle of Racial Equality, as proposed in this letter.
2. Striking of the ambiguous, dangerous, liberal, weaponized terms 'white nationalists, white supremacists,' or better yet.
3. Table the divisive resolution and move onto legislation that has real benefits to Floridians.

FLIMEN has virtually no media coverage so it is mainly up to concerned citizens who receive this message to take action. Please make the calls below and FORWARD THIS MESSAGE TO YOUR LISTS, especially groups.

Talking Points;

- Racist – This resolution is flat-out racist. Only the white race was targeted. What about determining wrong doings based upon American Rule of Law and not immutable characteristics?
- Racial Equality The resolution should affirm support for the American Principle of Racial Equality.
- Inaccurate – Rather than some empirical data proving white violence, the biased and incompetent Bill Analysis is basically a rendition of SPLC's infamous hate labels.
- Liberal Narrative Weaponization - The Alinsky-style name-calling used by liberals will cause many innocent citizens to be swept up by *the wide, wide net of 'white nationalists*'

Call to Senate President

- Senate President Bill Galvano (R), Email, (850) 487-5021

Call to Resolution Sponsor

- Senator Wilton Simpson (R), Email, (850) 487-5010

Calls to Judiciary

- Senator David Simmons (R) Chair, Email, (850) 487-5009
- Senator Dennis Baxley (R), Email, (850) 487-5012
- Senator Travis Hutson (R), Email, (850) 487-5007
- Senator Kelli Stargel (R), Email, (850) 487-5022

Optional calls to Infrastruture and Security committee that passed the resolution favorably

- Senator Tom Lee (R) Chair, Email, (850) 487-5020
- Senator Keith Perry (R), Vice Chair, Email, (850) 487-5008
- Senator Aaron Bean (R), Email, (850) 487-5004
- Senator Ed Hooper (R), Email, (850) 487-5016
- Senator Travis Hutson (R), Email, 850) 487-5007

Attend Judiciary Meeting

MEETING DATE: Tuesday, January 28, 2020
TIME: 4:00—6:00 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building, Tallahassee, FL

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EXPANDED AGENDA
Watch Judiciary Meeting Live

Racist

Can you find any other race targeted in the SPLC-centric Bill Analysis?

Racial Equality

Adopting the American principle of Racial Equality provides an opportunity to redirect the narrative and would provide a more universally acceptable goal.

FLIMEN has provided a draft resolution based on the American Principle of Racial Equality in this letter.

Inaccurate

The Bill Analysis states;

> "Florida has been the site of several mass shootings that include Pulse Nightclub in Orlando, Marjory Stoneman Douglas High School in Parkland, Fort Lauderdale-Hollywood International Airport, Jacksonville Landing, as well as a SunTrust Bank in Sebring.1 Many of these acts of targeted mass violence appear to have been motivated by violent extremism based on a variety of supremacy philosophies."

The very next paragraph is about 'white nationalists.' It is inaccurate and simplistic to equate these atrocities exclusively to 'white nationalists.'

The left never fails to sensationalize tragedies like these, even if there is no connection to 'White Nationalism and White Supremacy' if it benefits their narrative.

Liberal Narrative Weaponization

The major problem with the term 'White Nationalist' is that it is the Democrats' way of redefining terminology to smear Republicans or anyone who opposes their views, often those who support immigration enforcement. FLIMEN has been the target of liberal Democrat smear campaigns for a long time, so we are a bit of an expert in this area.

SPLC is the main driver of much of the ongoing "Hate" and "Racist" rhetoric. SPLC is an antagonistic opponent to most every value for which Republicans stand, especially immigration enforcement. As an example, the SPLC instigated the boycott of Mark Krikorian of Center for Immigration Studies during a committee meeting last year. SPLC, was one of the parties involved in the federal lawsuit against the Anti-Sanctuary bill SB 168. Judge Bloom upheld all but a minor aspect of the bill. Yet Senate Republicans made SPLC central to this resolution!

SPLC calls any organization that supports immigration enforcement a "Hate Group, Racist, White Supremist, or Neo Nazi." Their definition of 'White Nationalist' is wrong and ridiculously broad per their web page.

The wide, wide net caused by the ambiguous definition of 'white nationalist' will certainly be used against Republican by Democrats in the next critical 2020 election and thereafter.

Remember, Democrats have already changed the national narrative by overusing the word 'racist' as well as using the term 'undocumented immigrant' in place of the actual legal term of "illegal alien!" Democrats are now falsely claiming that anyone using the term "illegal alien" should be accused of hate speech. With the current language in the proposed revision, Democrats will achieve equating people who support the rule of law and immigration enforcement in any form to be 'White Nationalists or White Supremacists'.

We simply must not continue to allow the Democrats to define and control the narrative and the rhetoric!

Unbelievable but the very biased Bill Analysis even references this page below THAT CLEARLY SHOWS LIBERALS EQUATE NEO-NAZIS to 'white nationalists.' This is OUTRAGEOUS!

SPLC Defines White Nationalist
https://www.splcenter.org/fighting-hate/extremist-files/ideology/white-nationalist

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Their definition obviously equates “White Nationalist” to “neo-Nazi”!

So, what is a "White Nationalist?" To many it means a Caucasian who supports the concept of America First. It should be noted that America's Founding Fathers were White, and they were decidedly Nationalists. Much of the deep difference between Democrats and Republicans is a different view of globalism vs. nationalism. President Trump has often expressed the concept of taking care of USA first, along with a skepticism on the ‘New World Order’ which is typically embraced by the Democrats.

“White Supremacy” means racial superiority which we despise.

Neo-Nazi has yet a different meaning, as an advocate of fascism, which we despise.

The common use liberal definition of “White Nationalism” is conveniently shown in an OP-ED by the Palm Beach (Com)Post.
https://www.palmbeachpost.com/opinion/20190331/editorial-florida-lawmakers-must-soundly-denounce-white-nationalism-shut-down-sanctuary-cities-bill

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There you have it very clearly; Democrats consider Republicans who support immigration law enforcement “white nationalism.”

Using simple logic with these examples;

Republicans supporting immigration enforcement=
White Nationalists =
White Supremacists =
Neo-Nazis

Links clearly showing liberals constantly and viciously branding Republicans with SPLC labels;

- https://www.breitbart.com/2nd-amendment/2020/01/20/watch-2a-activist-media-smearing-virginia-protesters-as-nothing-but-white-rednecks/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/politics/2020/01/19/new-york-times-smears-trump-supporter-as-white-nativist/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/politics/2020/01/20/nbc-news-reporter-deletes-post-calling-pro-2a-event-white-nationalist-rally/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/tech/2020/01/20/u-of-oklahoma-workshop-leader-being-on-time-is-white-supremacy/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.westernjournal.com/black-virginia-pro-gun-protester-crushes-medias-white-supremacist-narrative/?utm_source=Email&utm_medium=c50breaking&utm_campaign=wj-breaking&utm_content=conservative-50
- https://floridianpress.com/2020/01/juice-florida-politics-juicy-read-1-22-20-mutilating-children-genitalia-in-florida-iguana-freeze-gun-owners-all-support-white-supremacy/
- https://floridianpress.com/2020/01/david-hogg-states-gun-owners-only-support-white-supremacy/
- https://www.facebook.com/FloridaImmigrantCoalition/videos/507015910097466/

More Information

This letter was sent to all Republican members of the Infrastructure and Security Committee (IS), the first committee to hear the resolution.

The IS Committee voted 7-0 for the resolution.

Video of the Infrastructure and Security Committee hearing is from 22:50 to 45:50 .

January 26, 2020

Unsubscribe

AMERICAN OVERSIGHT

From: Suzan Kearns <skearns@celebrationtownhall.com>
Sent: Monday, February 10, 2020 9:36 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: REMOVE Lines 87-90 and Lines 96-98 in SB 1128

Senator Gruters,
Please REMOVE Lines 87-90 and Lines 96-98 in SB 1128.

Thank you.

Suzan Kearns, CMCA, AMS, PCAM
Community Manager
851 Celebration Ave. • Celebration, FL 34747
www.CCMCnet.com www.celebration.fl.us
p: (407) 566-1200 x205 • **f:** (407) 566-1210

CCMC

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From: NCSL TODAY <enews@ncsl.org>
Sent: Tuesday, November 19, 2019 10:52 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Researchers: 2020 Census guides $1.5 trillion in spending

TOP NEWS Nov. 19, 2019

Researchers: 2020 Census guides $1.5 trillion in spending

Associated Press

More than $1.5 trillion in federal funding to state and local governments is parceled out according to census data, much more than previously thought, researchers said Monday.

Read the full report.

Ban on hotel shampoo bottles is latest effort to curb plastic waste

Stateline

The bottle bans follow recent efforts to curb other single-use plastic products, including shopping bags, eating utensils, straws and balloons. Supporters say the moves will reduce the amount of plastic waste filling landfills and polluting the seas.

Wyoming governor's budget would cut costs but use reserves

Associated Press

A two-year state budget proposed Monday by Wyoming Gov. Mark Gordon would avoid further agency spending cuts for now but dip into a reserve fund to make ends meet amid declining revenue.

Bank groups sue Washington state over tax increase

Chicago Tribune

They want the court to invalidate House Bill 2167, which increases the business and occupation tax on financial institutions with an annual net income of at least $1 billion, which currently affects 20 institutions, all based outside of the state.

Clerks facing challenges with absentee voting skyrocketing in Michigan

Detroit Free Press

With absentee voting skyrocketing since voters approved a ballot proposal last year allowing for its expansion, clerks across the state are worrying about counting ballots next year, when a record turnout is expected for the presidential race.

GAO: 60% of superfund sites at higher risk in climate change

Associated Press

The worsening wildfires, floods and hurricanes of climate change threaten at least 60% of U.S. Superfund sites, and efforts to strengthen the hazardous waste sites are stalling in some vulnerable regions as the Trump administration plays down the threat, a congressional watchdog agency says.

Medicaid payments blamed as rural nursing home closures pick up pace in Nebraska

Omaha World Herald

A total of 34 Nebraska nursing homes have closed during the past eight years. All but two were in rural counties.

placeholder

FEATURED

Final day to save on registration and hotel for NCSL Capitol Forum Dec. 10-12 in Phoenix

Today is the day! If you plan to join us Dec. 10-12 in sunny Phoenix for the 2019 NCSL Capitol Forum, you'll want to register and book your hotel today to take advantage of special pricing. After today, prices for both go up! This is a great opportunity to join your colleagues from across the country and get ready for session together. Register TODAY!

NEW@NCSL

Capitol to Capitol: FY appropriations update; another CR likely

State Legislatures magazine: Urgent infrastructure needs are straining resources

Webinar Wednesday: Keys to an effective message

BLOG

Get ready for

AMERICAN OVERSIGHT

session tip: Perfect your public speaking
No matter how formal or informal the occasion, your presentation matters. You may be speaking to inform, persuade, analyze or facilitate, but whatever the goal, and no matter how well you know the subject matter, the event's success or failure can hinge on how you deliver your remarks.

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Denver: 303-364-7700
Washington: 202-624-5400

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7700 East First Place, Denver, CO 80230

From: Brill, Victoria
Sent: Saturday, January 18, 2020 1:28 PM EST
To: Joe Gruters <joegruters@gmail.com>
CC: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: SB 1102 - Specialty Contracting Services
Attachment(s): "SB 1102 Talking Points.docx","Q&A.docx","1102_ITT_Staff Analysis.PDF"

Senator,

Here is the package for SB 1102, Specialty Contracting Services for Innovation, Industry, and Technology on Tuesday. Please let me know if you would like anything changed.

This bill has not been previously filed. The House companion is being carried by Rep. McClure. It has not been heard yet in a House committee. There are not any amendments.

Link to bill webpage: https://www.flsenate.gov/Session/Bill/2020/1102

-Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Innovation, Industry, and Technology

BILL:	SB 1102
INTRODUCER:	Senator Gruters
SUBJECT:	Specialty Contracting Services
DATE:	January 17, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kraemer	Imhof	IT	**Pre-meeting**
2.			CA	
3.			RC	

I. Summary:

SB 1102 creates an exemption from local and state licensing for persons under the supervision of a certified or registered pool contractor for the construction, remodeling, or repair of swimming pools, hot tubs, and other water features. The supervising contractor need not have a direct contract with the unlicensed person performing the specialty contracting services. The exemption is not available for persons required to be certified or registered as contractors for specified trade categories described in current law.[1]

The bill has no impact on state government.

The bill provides an effective date of July 1, 2020.

II. Present Situation:

Part I of ch. 489, F.S., dealing with Constructing Contracting, sets forth requirements for qualified persons to be licensed if they have sufficient technical expertise in the applicate trade.[2]

A contractor is a person who undertakes a job or submits a bid to construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure for others, and whose job scope is substantially similar to one of 17 specified scopes of work.[3] A contractor

[1] *See* ss. 489.105(3)(a) through (i) and (m) through (o), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[2] *See* ss. 489.101-489.146, F.S.
[3] *See* ss. 489.105(3)(a) through (q), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, commercial pool/spa contractor, residential pool/spa contractor, swimming pool servicing contractor, plumbing contractor, underground utility and excavation contractor, solar contractor, pollutant storage systems contractor, and specialty contractor.

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must be licensed by the Department of Business and Professional Regulation's Construction Industry Licensing Board (board) or certified by the county in which he or she wishes to work.[4] In most circumstances, a contractor must subcontract all electrical, mechanical, plumbing, roofing, sheet metal, swimming pool, and air-conditioning work unless the contractor holds a state certificate or registration in the appropriate trade category.[5]

A subcontractor who does not have a state certificate or registration may work under the supervision of a licensed or certified contractor, if:

- The work of the subcontractor falls within the scope of the contractor's license; and
- The subcontractor is not engaged in construction work that would require specified contractor licensing (i.e., licensure as an electrical contractor,[6]a septic tank contractor,[7] a sheet metal contractor, roofing contractor, Class A, B, or C air-conditioning contractor, mechanical contractor, commercial pool/spa contractor, residential pool/spa contractor, swimming pool servicing contractor, plumbing contractor, underground utility and excavation contractor, or solar contractor.[8]

The term "certification" means the act by a contractor obtaining or holding a geographically unlimited certificate of competency from the DBPR.[9] A contractor registered with the DBPR has fulfilled competency requirements only in those jurisdictions in which a registration is issued, and registered contractors may contract only in those jurisdictions.[10]

The term "specialty contractor" means a contractor whose scope of practice is limited to:

- A particular construction category adopted by board rule; and
- A subset of the [trade categories for contractors listed in s. 489.105(3)(a) through (p), F.S., such as roofing, air-conditioning, plumbing, etc.].[11]

The board has adopted rules for the voluntary certification of swimming pool specialty contractors and residential pool/spa servicing contractors.[12] Licenses for these contractors include those for:

- Swimming Pool Layout;
- Swimming Pool Structural;
- Swimming Pool Excavation;
- Swimming Pool Trim;
- Swimming Pool Decking;
- Swimming Pool Piping; and
- Swimming Pool Finishes.

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[4] Sections 489.107(1), 489.113(1), and 489.117(1)(b), F.S.
[5] Section 489.113(3), F.S. Various exceptions for general, building, residential, and solar contractors are set forth in ss. 489.113(3)(a) through (g), F.S.
[6] *See* Part II, of ch. 489, F.S., relating to Electrical and Alarm System Contracting,
[7] *See* Part III of ch. 489, F.S., relating to Septic Tank Contracting.
[8] Section 489.113(2), F.S.
[9] *See* s. 489.105(7) and (8), F.S.
[10] *See* ss. 489.105((9) and (10), F.S.
[11] Section 489.105(3)(q), F.S.
[12] *See* Fla. Admin. Code R. 61G4-15.032 and 61G4-15.040 (2020) available at https://www.flrules.org/gateway/ChapterHome.asp?Chapter=61G4-15 (last visited Jan. 14, 2020).

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Section 489.117(4(d), F.S., similarly allows unlicensed persons to perform contracting services[13] related to the construction, remodeling, repair, or improvement of single-family residences and townhomes, under supervision by a certified or registered general, building, or residential contractor. The supervising contractor need not have a direct contract with the unlicensed person performing the contracting services. A legal challenge to the applicability of this exemption to local license requirements in St. Johns County was not successful.[14]

III. Effect of Proposed Changes:

SB 1102 amends s. 487.117(4), F.S., to exempt from local and state licensing for persons under the supervision of a certified or registered commercial pool/spa contractor, a residential pool/spa contractor, or a swimming pool/spa servicing contractor (a licensed pool contractor) for the performance of certain specialty contracting services. The bill provides a contractual relationship between the supervising contractor and those performing the specialty contracting services is not required (i.e., the performance of such contracting services is outside the business of contracting and need not be undertaken through a contractor/subcontractor relationship).

The services that may be performed by unlicensed persons under the supervision of a licensed pool contractor include the construction, remodeling, repair, or improvement of swimming pools, hot tubs, spas, and interactive water features, as defined in the Florida Building Code (code).[15] Of those terms, the current code does not appear to define "interactive water features." However, the described scope of work for "swimming pool piping specialty contractor" includes "decorative or interactive water displays or areas."[16]

The exemption is not available for persons required to be certified or registered as contractors for specified trade categories described in s. 489.105(3), F.S.[17]

The exemption from local contractor licensing and specialty contractor licensing created in the bill is similar to an exemption enacted in 1993.[18] Section 489.117(4)(d), F.S., allows unlicensed persons to perform contracting services related to the construction, remodeling, repair, or improvement of single-family residences and townhomes, under supervision by a certified or registered general, building, or residential contractor. The supervising contractor need not have a direct contract with the unlicensed person performing the contracting services.

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[13] The specified scopes of work are sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[14] *See Florida Home Builders Ass'n v. St. Johns County*, 914 So.2d 1035 (Fla. 5th DCA 2005).
[15] The term "swimming pool" is defined as "[a]ny structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, aboveground and on-ground pools; hot tubs; spas and fixed-in-place wading pools." *See* ch. 2 of the 2017 Florida Building Code (Sixth Edition), available at https://codes.iccsafe.org/content/FBC2017/chapter-2-definitions (last visited Jan. 14, 2020).
[16] *See* Fla. Admin. Code R. 61G4-15.032(2)(f), relating to certification of swimming pool piping specialty contractors, available at https://www.flrules.org/gateway/ChapterHome.asp?Chapter=61G4-15 (last visited Jan. 14, 2020).
[17] *See* ss. 489.105(3)(a) through (i) and (m) through (o), F.S. The specified scopes of work are identified as general contractor, building contractor, residential contractor, sheet metal contractor, roofing contractor, Class A, B, and C air-conditioning contractor, mechanical contractor, plumbing contractor, underground utility and excavation contractor, and solar contractor.
[18] *See* ch. 93-154, s. 3, and ch. 93-166, s. 12, Laws of Fla. These provisions have been subsequently amended.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons who are not licensed as contractors in a trade and have not been eligible to engage in such work may now, under the supervision of certified or registered contractors whose licenses cover such work, construct, remodel, repair, or improve swimming pools, hot tubs, spas, or interactive water features.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 489.117 of the Florida Statutes.

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IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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SB 1102 Questions & Answers

Q: Why is this bill needed?
A: There is a labor shortage in the swimming pool subcontractor market—there are not enough licensed swimming pool subcontractors to serve the active pool contractors (roughly 11:1 ratio of contractors to subcontractors—3893 active licensed swimming pool contractors and only 351 licensed swimming specialty subcontractors). Consequently, many pool contractors find themselves in a position where their only option to finish a job is use an unlicensed subcontractor. This bill will put more people to work legally in the swimming pool industry.

Q: Why can't subcontractors just get licensed?
A: The statutory requirements disincentivizes subcontractors from obtaining the subcontractor license. They have to demonstrate 4 years of specific experience in the license area, pass a credit check or post a bond, and pass an exam—nearly the same requirements as full-fledged swimming pool contractor. Consequently, many elect not to obtain the license. As a result, there have only been 75 new specialty swimming pool sub-contractors licensed since 2016.

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Q: Wouldn't removing the licensing requirement lead to bad or dangerous work being done on swimming pools?
A: No. The prime swimming pool contractor is ultimately responsible for the construction of the swimming pool, whether it is an employee of the contractor or a subcontractor. The swimming pool contractor is supervising and checking the work and is responsible for the quality of the work.

Q: How would this bill effect the subcontractors' and contractors' workers comp insurance?
A: There should be no effect. A prime swimming pool contractor's workers comp policy should account for subcontractors on the job site and a subcontractor would still be able to carry a workers comp policy based on a local business license.

Q: What is Jim Walters Exemption?
A: The Jim Walter Exemption allows unlicensed contractors to perform work on single family residences and townhouses if the unlicensed contractor is supervised by a licensed general, building or residential contractor. Currently, a building general contractor can hire unlicensed on site because it falls under their GC license. The Jim Walters exemption ensures Florida's construction industry is able to safely and economically complete

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projects without being stifled by unnecessary government regulations.

Q: Difference between Construction and Swimming Pool Contractors?
A: Swimming pool contractors are similar to general, building, and residential contractors because they are largely responsible for the entire project, from the first turn of dirt to final completion of the project.

Q: Difference between current specialty license and general swimming pool contractor license?
A: The main difference is the ability to carry more liability insurance and two additional exams you are required to take. DBPR is responsible for the licensure of contractors.*(THIS IS GENERAL – not specific)*

Q: What are the 7 different types of voluntarily specialty licenses?
A: The board has adopted rules for the voluntary certification of swimming pool specialty contractors and residential pool/spa servicing contractors:

1. Swimming Pool **Layout** Specialty Contractor
    a. Scope: layout, shaping, steel installation, and rough piping of pools, spas, and hot tub shells

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2. Swimming Pool **Structural** Specialty Contractor
    a. Scope: shaping and shooting of gunite, shotcrete, concrete, or similar product mix used in the construction of swimming pools and spas. This scope of work includes the installation of fiberglass shells and vinyl liners
3. Swimming Pool **Excavation** Specialty Contractor
    a. Scope: the excavation and earthmoving required for the installation of pools, spas, and hot tub shells
4. Swimming Pool **Trim** Specialty Contractor
    a. Scope: installation of tile and coping for pools, spas, and hot tub shells. Decorative or interactive water displays or areas that use recirculated water, including waterfalls and spray nozzles, are also included
5. Swimming Pool **Decking** Specialty Contractor
    a. Scope: construction and installation of concrete flatwork, pavers and bricks, retaining walls, and footings associated with the construction of pools, spas, and hot tub shells
6. Swimming Pool **Piping** Specialty Contractor

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a. Scope: installation of piping or the installation of circulating, filtering, disinfecting, controlling, or monitoring equipment and devices used in the construction of pools, spas, hot tubs, and decorative or interactive water displays or areas

7. Swimming Pool **Finishes** Specialty Contractor
   a. Scope: coating or plastering of the interior surfaces of pools, spas, or hot tub shells

Q: What rule does this fall under?

A: Florida Administrative Rule under Rule 61G4-15.032.

LICENSURE NUMBERS: Swimming Pool Specialty Subcontractor Shortage

- 3893 Licensed Swimming Pool Contractors in the State of Florida
- 351 Licensed Swimming Pool Specialty Sub Contractors in the State of Florida
- Only 75 new Swimming Pool Specialty Contractors Since 2016
- Only 107 License Practical Exam Proctors throughout the state

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SB 1102 –Specialty Contracting Services

Thank you Mr. Chair.

- Senate Bill 1102 address a work force shortage by removing unnecessary regulatory burdens for swimming pool contractors and unlicensed workers.
- This bill creates an exemption, modeled after the Jim Walters exemption for local and state licensing requirements related to the swimming pool industry.
- Individuals under the supervision of a certified or registered pool contractor for the construction, remodeling, or repair of swimming pools, hot tubs, and other water features would be allowed to work without a specialty license.
- Currently, specialty licenses were created to allow swimming pool contractors to subcontract their work. There is a significant shortage of specialty contractors statewide with only 351 special contractor licensees compared to roughly 4,000 swimming pool contractors statewide. There have been less than 100 specialty licenses applied for in the last few years.
- The licensure requires 4 years of experience, a credit check or bond, and a practical exam.
- Supporting SB 1102 will generate growth in jobs and wages for Floridians by removing these burdens in the industry.

That is the bill Mr. Chair.

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From: Jenkins, Scott <SJenkins@carltonfields.com>
Sent: Friday, January 03, 2020 2:11 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
CC: Hebrank, Kari B. <KHebrank@carltonfields.com>
Subject: SB 1102

Hey Vickie,
I hope you had a great holiday.

We see that Sen. Gruters' SB 1102 has language to expand the "Jim Walters Exemption" to include pool and spa contractors.

The FHBA has an amendment that we would like to see included in the bill.

We would like the following amendmentto Florida Statues Section 489.117(4)(d):

(d) Any person who is not required to obtain registration or certification pursuant to s. 489.105(3)(d)-(o) may perform contracting services for the construction, remodeling, repair, or improvement of single-family residences, including a townhouse as defined in the Florida Building Code, and clubhouses or recreation buildings in a residential development, without obtaining a local license if such person is under the supervision of a certified or registered general, building, or residential contractor. As used in this paragraph, supervision shall not be deemed to require the existence of a direct contract between the certified or registered general, building, or residential contractor and the person performing specialty contracting services.

Would Sen. Gruters be amendable to the amendment? We can meet with him to discuss.

Please let us know and whether he would like to meet.

FYI, we are also working with the FSPA lobbyists to get the current or similar language of SB 1102 in other bills such as HB 3.

Thanks,
Scott

CARLTON FIELDS

C. Scott Jenkins
Senior Government Consultant

215 S. Monroe St., Ste. 500
Tallahassee, Florida 32301-1866
Direct: 850.513.3615 | Cell: 850.661.0829 | Fax: 850.222.0398

SJenkins@carltonfields.com | www.carltonfields.com
bio | vcard

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From: kcisarik@aol.com <kcisarik@aol.com>
Sent: Saturday, February 01, 2020 12:13 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
CC: Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; todd.mckay@flsenate.gov <todd.mckay@flsenate.gov>
Subject: SB 1128 is an unfundated mandate

Dear Chair Gruters and members of the Senate Committee on Commerce and Tourism,

I am writing to you about SB 1128, a very flawed Vacation Rental bill for both Florida residents and Vacation Rental guests alike. This bill proposes to preempt all licensing and inspections of Vacation Rentals to the State but provides ZERO funding for the already overburdened DBPR agency to handle that task. The Division of Hotels and Restaurants of the DBPR can't handle its current workload. **I reference an April 2018 Inspector General's performance audit report for # A-1617BPR-023.**

In that report I.G. Lynne T. Winston states that **the Division of Hotels and Restaurants: "has struggled to meet the approved performance standards for the food service and lodging inspection measures. Our office concluded that absent other factors and given the current trends, the division will continue to struggle to meet the performance standards for these measures."** That report was issued before SB 1128 proposed to add many thousands of Vacation Rentals to the DBPR's workload.

A staff analysis for HB 1011, the companion bill for SB 1128, shows an estimated $450,000 is needed in year one and over $412,000 on a recurring basis to hire 6 employees to accomplish licensing by the DBPR **but there is no mention of funding for *inspections.* The bill has no initial or recurring inspections mandated for sanitary conditions or fire safety.** There are many thousands of Vacation Rental properties that would need to be inspected and the only way to do that is to partner with local agencies. Does the bill sponsor intend that Vacation Rentals be left unregulated through lack of funding?

Florida has a fire code and this bill will likely interfere with the ability of local fire officials to inspect properties for egress windows, fire extinguishers and smoke detectors. SB 1128 tries to eliminate inspections by reclassifying all **Vacation Rentals as *"residential in nature, a residential use, and thus permitted in residential neighborhoods"*** A majority of Vacation Rentals are now owned by investors, not residents sharing a home. These rentals are business ventures and they are often poorly run because they are largely unregulated. This bill seeks to make that situation worse by eliminating any ability for local governments or local fire departments to do inspections.

Investors in Pinellas County often buy up older homes near the beaches and convert them to Vacation Rental businesses. In that scenario, the garage is more lucrative if used as a bedroom space. Normally a bedroom requires an egress window to pass a building inspection, but you can pass if the space is declared to be an office or den. So a garage can be easily converted and be used for lucrative,extra sleeping space, but without windows and that poses a fire safety hazard for guests (especially when a water heater or dryer is nearby). That's just one reason we need fire safety inspections. Another is a lack of fire extinguishers. A Vacation Rental in my neighborhood had a grill fire last year which required our local fire department to intervene. The guests could not locate a fire extinguisher in the unit.

Some of the other failings in SB 1128 are in a lack of unified registration requirements. If a guest can register with just a credit card and no positive ID, then the industry will continue to attract criminals that seek to take advantage of that anonymity. Any acceptable bill needs protections to keep sexual predators out of residential neighborhoods were kids live. Positive ID could help track down human traffickers and make Vacation Rentals less desirable for use in drug crimes too.

Thoughtful members in the Innovation, Industry and Technology committee asked for amendments to address some of these issues I've mentioned, but the bill has yet to be amended to address any of these concerns. **If the state wants to take over all regulation of vacation rentals then the state bears the burden to keep its residents and visitors safe.**

I urge you to vote NO on SB 1128

Thank you,

Kelly Cisarik
A concerned 28 year resident of Indian Rocks Beach, Florida

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From: Old City Bungalow <oldcitybungalow@gmail.com>
Sent: Sunday, February 09, 2020 8:56 PM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB 1128

Victoria:

As a permanent resident in the city of St. Augustine, we are extremely concerned about SB 1128 and what it would do to our lovely neighborhood and endanger those who rent some of the units that are available now. We know first hand of local rentals that are considered unsafe to occupy. The use of old extension cords powering appliances, no smoke detectors, no fire extinguishers. We need local city and county government to be regulating these properties to the effect that they are safe for rental by registration and inspection. The state of Florida really should not be handling the day to day aspects of this process. I trust our city and county legislators to manage this regulation. SB 1128 will undermine the local ability to help make for safe rentals. We are currently living in between two short term rental homes that have made the neighborhood more like a hotel space. Both owners of these properties live out of the state of Florida and are not actively involved in the neighborhood as someone who lives here full time. The city laws would help apply consistent and organized operation of these rentals plus provide communication access in the event there are problems caused by the short term occupants. I cannot see any reason why you would support SB 1128 and urge you to convey to our state Senate members that the citizens in our community DO NOT support it.

Best Regards.

Robert Bronson
St. Augustine, FL

AMERICAN OVERSIGHT

From: William Anderson <wlagmp@gmail.com>
Sent: Monday, February 10, 2020 9:35 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: SB 1128

My name is Bill Anderson. I am a longtime resident of St Augustine, and am writing you to discourage the passage of SB1128, which would remove local municipalities ability to regulate short term rentals. Our city has a reputation of being a living city, with beautiful residential neighborhoods. I have observed the erosion of these neighborhoods due to the explosion of STRs. Our City Commission has recently voted to approve 3 ordinances which would allow the city to regulate STRs within the city limits including mandatory registration, a registration fee, establish fire safety, intensity of use, and parking requirements. I strongly believe our city government should be permitted to regulate STRs.

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From: Old City Bungalow <oldcitybungalow@gmail.com>
Sent: Sunday, February 09, 2020 8:57 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: SB 1128

As a permanent resident in the city of St. Augustine, we are extremely concerned about SB 1128 and what it would do to our lovely neighborhood and endanger those who rent some of the units that are available now. We know first hand of local rentals that are considered unsafe to occupy. The use of old extension cords powering appliances, no smoke detectors, no fire extinguishers. We need local city and county government to be regulating these properties to the effect that they are safe for rental by registration and inspection. The state of Florida really should not be handling the day to day aspects of this process. I trust our city and county legislators to manage this regulation. SB 1128 will undermine the local ability to help make for safe rentals. We are currently living in between two short term rental homes that have made the neighborhood more like a hotel space. Both owners of these properties live out of the state of Florida and are not actively involved in the neighborhood as someone who lives here full time. The city laws would help apply consistent and organized operation of these rentals plus provide communication access in the event there are problems caused by the short term occupants. I cannot see any reason why you would support SB 1128 and urge you to convey to our state Senate members that the citizens in our community DO NOT support it.

Best Regards.

Robert Bronson
St. Augustine, FL

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From: Brill, Victoria
Sent: Friday, January 24, 2020 5:00 PM EST
To: Joe Gruters <joegruters@gmail.com>
CC: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: SB 1212 - International Affairs
Attachment(s): "SB 1212 International Affairs White Paper.pdf","Staff Analysis_GO.PDF","Talking Points_Q&A.docx"

Senator,

Please find attached the bill package for Senate Bill 1212, International Affairs which is up on Monday @ 1:30 p.m.

Thanks!

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

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FLORIDA DEPARTMENT of STATE

SB 1212 by Senator Gruters

International Affairs

- SB 1212 seeks to provide the Department of State with more of an active role in fostering strong international relationships and working more closely with the Consular Corp in Florida.

- The bill requires the Secretary of State to serve as the State Protocol Officer. These functions resided with the Secretary of State prior to 2004, when they were transferred to the Office of Tourism, Trade, and Economic Development within the Office of the Governor. In 2011, some functions were delegated to the newly created Department of Economic Opportunity, while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the Executive Office of the Governor.

- The bill authorizes the Department of State to support the establishment of citizen support organization (CSO) for certain purposes.

- The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder such as establishing new programs as needed.

- It also removes issuing certificates to foreign governmental officials after verification pursuant to proper investigations through the United States DOS and the appropriate foreign government.

- Additionally, The Department of State, Office of the Secretary and the Division of Administrative Services, requests $123,994 ($119,868 recurring and $4,126 nonrecurring) in budget authority from the General Revenue Fund for 1.00 Full Time Equivalent (FTE) position to establish the Office of International Affairs.

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The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL:	SB 1212
INTRODUCER:	Senator Gruters
SUBJECT:	International Affairs
DATE:	January 24, 2020
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ponder	McVaney	GO	**Pre-meeting**
2.			IS	
3.			RC	

I. Summary:

SB 1212 amends s. 15.01, F.S., to provide that the Secretary of State shall serve as the state protocol officer. The bill revises s. 15.182, F.S., such that the Department of State is the only entity that shall receive notice of intent to travel internationally by state-funded musical, cultural, or artistic organizations.

The bill creates s. 288.8165, F.S., providing for the establishment of citizen support organizations to assist the Office of International Affairs within the Department of State by providing assistance, funding and promotional support for intergovernmental programs.

The bill may have a minimal impact on government expenditures in the establishment of citizen support organizations. However, the Department of State will also experience a slightly positive impact as private resources from citizen support organizations augment the purpose and programs of the Office of International Affairs. The private sector will experience an indeterminate fiscal impact in establishing citizen support organizations as well as meeting the audit, transparency and reporting requirements.

The bill takes effect July 1, 2020.

II. Present Situation:

Secretary of State

The Secretary of State (the Secretary) holds a statutorily created office whose duties are "as provided by law."[1] The Secretary serves as the head of the Department of State.[2] The Department of State consists of the following six divisions:

[1] FLA. CONST. art. XII, s. 24. The Office of the Secretary of State was created in 1845, under the State Constitution.
[2] Section 20.10(1), F.S. *See* FLA. CONST. art. XII, s. 24.

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- Division of Elections;
- Division of Historical Resources;
- Division of Corporations;
- Division of Library and Information Services;
- Division of Cultural Affairs; and the
- Division of Administration.[3]

The Secretary is appointed by the Governor, subject to confirmation by the Senate and performs the functions conferred by the State Constitution upon the custodian of state records.[4] Pursuant to Chapter 15, F.S., the Secretary of State is the custodian of the constitution, the Great Seal of this state, the original statutes, and of the resolutions of the Legislature, and of all the official correspondence of the Governor.[5] The Department of State is required to maintain a register and an index of all official letters, orders, communications, messages, documents and other official acts issued or received by the Governor or the Secretary of State, and record these in a book numbered in chronological order.[6] Before issuing any order or transmission of an official letter, communication or document from the executive office or promulgation of any official act or proceeding, except military orders, the Governor is required to deliver the same or a copy thereof to the Department of State for recordation.[7]

Notice of International Travel

The Department of Economic Opportunity (DEO) "assist[s] the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to promote economic opportunities to all Floridians."[8]

In accordance with s. 15.182, F.S., if a musical, cultural or artistic organization that receives state funding is traveling internationally for a presentation, performance, or other significant public viewing, including an organization associated with a college or university, such an organization is required to notify the DEO of its intention to travel as well as the date, time and location of each appearance. DEO, in conjunction with Enterprise Florida, Inc.[9] (EFI), is required to act as an intermediary between artistic organizations and Florida businesses to encourage and coordinate joint undertakings, such as the sponsoring of cultural events.[10].

Section 15.182(3), F.S., requires an organization to provide notice to the Department of State at least 30 days prior to the date international travel is to commence. If the intention to travel internationally is not formed 30 days in advance, notice to the Department of State shall be given

[3] Section 20.01(2), F.S.
[4] Section 20.10(1), F.S.
[5] Section 15.01, F.S.
[6] Section 15.01, F.S.
[7] *Id.*
[8] Section 20.60, F.S.
[9] Enterprise Florida, Inc., created by s. 288.901, F.S., serves as the state's economic development organization, operating under a contract with DEO. Enterprise Florida, Inc., is a nonprofit corporation, governed by a board of directors chaired by the Governor.
[10] Section 15.182(2), F.S.

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as soon as feasible.[11] Thus, under this section, notice of intent to travel internationally by state-funded organizations must be given to both DEO and the Department of State. Section 15.182(3),F.S., further requires that the Department of State take "an active role in informing such groups of the responsibility to notify the [D]epartment [of State] of travel intentions."

The State Protocol Officer

The Governor, pursuant to s. 288.012(7), F.S., may designate a state protocol officer (SPO) who shall be housed within the Executive Office of the Governor. The SPO is required to develop maintain, publish, and distribute the state protocol manual.[12] The SPO is responsible for consular operations and the sister city and sister state program as well as serving as a liaison with foreign, federal and other international organizations and with local governments.[13] The SPO must maintain consular relations between the state and all foreign governments doing business in Florida and has the duty to ensure all federal treaties regarding foreign privileges and immunities are properly observed by monitoring U.S. Laws and directives.

Additionally, the SPO is required to:

- Establish a viable system of registration for foreign government officials residing or having jurisdiction in the state[14];
- Maintain and systematically update a current and accurate list of all such foreign governmental officials, consuls, or consulates;
- Issue certificates to such foreign governmental officials after verification pursuant to proper investigations through U.S. Department of State sources and the appropriate foreign government;
- Verify entitlement to sales and use tax exemptions pursuant to U.S. Department of State guidelines and identification methods;
- Verify entitlement to issuance of special motor vehicle license plates by the Department of Highway Safety and Motor Vehicles to honorary consuls or such other officials representing foreign governments who are not entitled to issuance of special Consul Corps license plates by the U.S. Government;
- Establish a system of communication to provide all state and local law enforcement agencies with information regarding proper procedures relating to the arrest or incarceration of a foreign citizen;
- Request the Department of Law Enforcement to provide transportation and protection services when necessary pursuant to s. 943.68;
- Coordinate, when necessary, special activities between foreign governments and Florida state and local governments (such as Consular Corps Day, Consular Corps conferences, and various other social, cultural, or educational activities);
- Notify all newly arrived foreign governmental officials of the services offered by the SPO.[15]

[11] Section 15.182(3), F.S.
[12] Section 288.012(7), F.S.
[13] Section 288.816(1), F.S.
[14] This provisions instructs that an emphasis shall be placed on maintaining active communication between the SPO and the U.S. Department of State in order to be currently informed regarding foreign governmental personnel stationed in, or with official responsibilities for, Florida. Active dialogue shall also be maintained with foreign countries which historically have had dealings with Florida in order to keep them informed of the proper procedure for registering with the state.
[15] Section 288.816(2), F.S.

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The duties of the SPO also include the operation of the sister city and sister state program and establishing such new programs as needed to further global understanding through the interchange of people, ideas, and culture between Florida and the world. In order to accomplish this purpose, the SPO has the power and authority to:

- Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries and their subdivisions[16];
- Encourage cooperation with and disseminate information pertaining to the Sister Cities International Program and any other program whose object is to promote linkages with foreign countries and their subdivisions;
- Maximize any aid available from all levels of government, public and private agencies, and other entities to facilitate such activities;
- Establish a viable system of registration for sister city and sister state affiliations between the state and foreign countries and their subdivisions. Such system shall include a method to determine that sufficient ties are properly established as well as a method to supervise how these ties are maintained; and
- Maintain a current and accurate listing of all such affiliations.[17]

The SPO serves as a contact for the state with the Florida Washington Office, the Florida Congressional Delegation, and United States Government agencies with respect to laws or policies which may affect the interests of the state in the area of international relations.[18] The SPO is directed to direct all inquiries regarding international economic trade development or reverse investment opportunities to Enterprise Florida, Inc.[19] The SPO serves as a liaison with other states regarding international programs of interest to Florida, and investigates and makes suggestions regarding possible areas of joint action or regional cooperation.[20] The SPO is granted the power and has the duty to encourage the relocation of consular offices and multilateral and international agencies and organizations to Florida.[21]

Under s. 288.816(6), F.S., the DEO and EFI must help to contribute an international perspective to the state's development efforts.

Citizen Support Organizations

Citizen support organizations (CSOs) and direct-support organizations (DSOs) are statutorily created private entities that are generally required to be non-profit corporations and are authorized to carry out specific tasks in support of public entities or public causes. The functions

[16] Such activities may include a State of Florida sister cities conference. Section 288.816(3)(a), F.S.
[17] Sister city affiliations shall not be discouraged between the state and any country specified in s. 620(f)(1) of the federal Foreign Assistance Act of 1961 (22 U.S.C.A. Section 2370(f)(1)), as amended, with whom the United States is currently conducting diplomatic relations unless a mandate from the United States Government expressly prohibits such affiliations.
[18] Section 288.816(4), F.S.
[19] *Id.*
[20] *Id.*
[21] Section 288.816(5), F.S.

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and purposes of a CSO or DSO are prescribed by its enabling statute and, for most, by a written contract with the agency the CSO or DSO was created to support.[22]

Legislature created s. 20.058, F.S., to establish a comprehensive set of transparency and reporting requirements for CSOs created or authorized pursuant to law or executive order and created, approved, or administered by a state agency.[23] Specifically, the law requires each CSO to annually submit, by August 1, the following information related to its organization, mission, and finances to the agency it supports:[24]

- The name, mailing address, telephone number, and website address of the organization;
- The statutory authority or executive order that created the organization;
- A brief description of the mission of, and results obtained by, the organization;
- A brief description of the organization's plans for the next three fiscal years;
- A copy of the organization's code of ethics; and
- A copy of the organization's most recent federal Internal Revenue Service (IRS) Return of Organization Exempt from Income Tax form (Form 990).[25]

Each agency receiving the above information must make the information available to the public through the agency's website. If the CSO maintains a website, the agency's website must provide a link to that website.[26] Additionally, any contract between an agency and a CSO must be contingent upon the CSO submitting and posting the information.[27] If a CSO fails to submit the required information for two consecutive years, the agency must terminate the contract with the CSO.[28] The contract must also include a provision for ending operations and returning state-issued funds to the state if the authorizing statute is repealed, the contract is terminated, or the organization is dissolved.[29]

By August 15 of each year, the agency must report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability the information provided by the CSO. The report must also include a recommendation by the agency, with supporting rationale, to continue, terminate, or modify the agency's association with each CSO.[30]

A law creating or authorizing the creation of a CSO must state that the creation or authorization for the CSO is repealed on October 1 of the fifth year after enactment, unless reviewed and saved from repeal by the Legislature. CSOs in existence prior to July 1, 2014, must be reviewed by the Legislature by July 1, 2019.[31]

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[22] Because the bill speaks to the establishment of a CSO, the analysis focuses on CSOs. DSOs are subject to the same transparency and reporting requirements as CSOs.
[23] Chapter 2014-96, Laws of Fla.
[24] Section 20.058(1), F.S.
[25] The IRS Form 990 is an annual information return required to be filed with the IRS by most organizations exempt from federal income tax under 26 U.S.C. 501.
[26] Section 20.058(2), F.S.
[27] Section 20.058(4), F.S.
[28] *Id*.
[29] *Id*.
[30] Section 20.058(3), F.S.
[31] Section 20.058(5), F.S

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III. Effect of Proposed Changes:

Section 1 amends s. 15.01, F.S., to provide that the Secretary shall serve as the state protocol officer and that the Secretary, in consultation with the Governor and other governmental officials, shall develop, maintain, publish, and distribute the state protocol manual.

Section 2 amends s. 15.182, F.S., to designate the Department of State as the agency to whom state-funded musical, cultural, or artistic organizations must provide notice of intent to travel internationally.

Section 3 amends s. 288.816(2), F.S., to remove from the SPO's responsibilities the requirement of (i) issuing certificates to such foreign governmental officials after verification pursuant to proper investigations through U.S. Department of State sources and the appropriate foreign governments; and (ii) verifying entitlement to sales and use tax exemptions pursuant to U.S. Department of State guidelines and identification methods.

The bill also amends s. 288.816(3), F.S., and makes permissive the SPO's role regarding sister city and sister state programs. The bill eliminates the requirement of a system of registration for sister city and sister state affiliations as well as the duty to maintain an accurate listing of all such affiliations.

Section 4 creates 288.8165, F.S., allowing the Office of International Affairs (OIA) within the Department of State to support the establishment of CSOs to provide assistance, funding and promotional support for intergovernmental programs. A CSO must be:

- A Florida corporation not for profit incorporated under chapter 617 and approved by the Department of State:
- Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of the OIA;
- Determined by the OIA to be consistent with the goals of the office an in the best interests of the State; and
- Approved in writing (by a letter of agreement) by the OIA to operate for the direct or indirect benefit of the office.

The bill specifies operational requirements and annual audit requirement for the CSOs.

The bill grants rulemaking authority to the OIA for the adoptions of rules requiring CSOs to meet certain requirements in order to use the office's administrative services, property, or facilities.

The bill provides for the future repeal of this section on October 1, 2025, unless it is reviewed and saved from repeal by the Legislature.

Section 5 amends s. 288.012, F.S., to make conforming changes.

Section 6 provides that the act will take effect on July 1, 2020.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

This bill does not impact state or local taxes or fees.

B. Private Sector Impact:

The bill will have an indeterminate fiscal impact on the private sector in the establishment of CSOs and in meeting the audit, transparency and reporting requirements.

C. Government Sector Impact:

The bill may have a minimal impact on government expenditures in the establishment of CSOs. However, the Department of State will experience an indeterminate positive fiscal impact as private resources from CSOs will augment the purpose and programs of the OIA.

VI. Technical Deficiencies:

None.

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VII. Related Issues:

The Office of International Affairs (OIA) is not created by statute or other provision of law. Section 20.04(3), F.S., mandates (with some exceptions not relevant here) the internal structure of all departments and provides that the principal unit of the department is the "division," the principal unit of the division is the "bureau," and the principal unit of the bureau is the "section." If further subdivision is required, s. 20.04(3)(d), F.S., instructs that sections may be divided into "subsections." Thus, the term "office" is not within the proper nomenclature.

Because the bill provides rulemaking authority to the OIA, it is suggested consideration be given to (i) granting rulemaking authority to the Department of State rather than OIA, or (ii) amending s. 20.10, F.S., to define the OIA as an entity within the Department of State.

The stated purpose of the CSOs is to provide assistance, funding and promotional support for *intergovernmental programs*. (emphasis added). The term "intergovernmental programs" is not defined. However, because the CSOs are supported by the OIA, it would suggest that such programs are to be international rather than national in nature. The bill specifies that OIA must make a determination that the CSO is "*consistent with the goals of the office* and in the best interests of the state." (emphasis added). As stated above, OIA is not created in law and the office cannot be located on the Department of State's website. Thus, there is little to no guidance as to the "goals of the office." It is suggested that consideration be given to either defining the term "intergovernmental programs" or providing more specificity as to the stated purpose of the CSOs. Alternatively, if, as suggested above, s. 20.10, F.S., is amended to define the OIA, the goals or purpose of the office could be stated therein.

VIII. Statutes Affected:

This bill substantially amends sections 15.01, 15.182, 288.816, and 288.012 of the Florida Statutes.

This bill creates s. 288.8165, F.S., of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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SB 1212 – International Affairs

1) *Explain Bill*
2) *Explain Amendment Barcode #316316*

Thank you Mr. Chairman.

- Senate Bill 1212 designates the Secretary of State to serve as the State Protocol Officer. This will continue growing Florida's relationships within the international community and provide a closer working relationships with the Consular Corps in Florida.

- The bill authorizes the creation of a citizen-support organization to assist the Department of State with assistance, funding, and promotional support of intergovernmental programs.

- Lastly, this bill removes language related the purpose statement of the sister city and sister state program, issuance of certificates after verification to foreign government officials, and verification of entitlement to sales and use tax exemptions already approved by the United States Department of State.

That is the bill Mr. Chairman. **If not prompted, "I have an amendment Mr. Chairman."*

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Amendment Talking Points – Barcode #316316

- This amendment was recommended by staff to fix technical issues related to rulemaking and statutory requirements.

- Removes any reference to the Office of International Affairs throughout and replaces it with the Department of State.

- Consolidates duplicative notice provisions regarding intent to travel internationally into one provision.

- Conforms the provisions authorizing the Department to establish Citizen Support Organizations to the requirements for such organizations under Florida Statute. (20.2551)

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QUESTIONS AND ANSWERS

Q: What is a Citizen Support Organization and a Direct-Support Organization?
A: Private entities (usually non-profit corporations) authorized to carry out specific tasks in support of a public entity. Example:

Q: Is there a fiscal?

A: Yes, this bill would create 1 full time employee at $123,994 ($119,868 recurring and $4,126 nonrecurring) from General Revenue to establish the Office of International Affairs. This amount was requested by the Governor.

Q: Who is currently the State Protocol Officer?

A: Governor DeSantis has not appointed one to my knowledge. These functions are currently in three different locations – EOG, DEO, and EFI. These functions resided with the Secretary of State prior to 2004, when they were transferred to the Office of Tourism, Trade, and Economic Development within the Office of the Governor. In 2011, some functions were delegated to the newly created Department of Economic Opportunity, while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the Executive Office of the Governor.

Q: What is the Consular Corps?
A: They are consulates and honorary consuls in Florida. The Honorary consult of Belarus is located in my district (North Port). I am also working with the British Consulate by sponsoring a Senate Memorial.

Q: Is there a repeal date for the CSO?
A: Yes, it is October 1, 2025 unless reinstate by the Legislature.

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Q: What is the Secretary of State currently responsible for?
A: Elections, Historical Resources, Corporations, Library and information Services, Cultural Affairs and Administration. They are appointed by the Governor and are the custodians of state records.

Q: Will this remove power from Enterprise Florida or Department of Economic Opportunity?
A: No, this will allow them to collaborate when working with groups when they travel internationally.

Q: What is the State Protocol Officer?
A: The SPO is required to develop maintain, publish, and distribute the state protocol manual. The SPO is responsible for consular operations and the sister city and sister state program as well as serving as a liaison with foreign, federal and other international organizations and with local governments. The SPO must maintain consular relations between the state and all foreign governments doing business in Florida and has the duty to ensure all federal treaties regarding foreign privileges and immunities are properly observed by monitoring U.S. Laws and directives.

AMERICAN OVERSIGHT

From: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Sent: Friday, January 24, 2020 11:19 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB 1212-International Affairs Office
Attachment(s): "SB1212_DOS 2020-01-22.docx","SB 1212 International Affairs White Paper (1).pdf","State Protocol Officer Talking Points.docx","amendmentdraft76421 01212020.docx"

Victoria,

Happy Friday! I have attached several documents that supports and gives information on SB 1212- Office of International Affairs. I have also attached the draft amendment language that has not been filed yet so we anticipate that popping out very soon. So keep that document between us until then J (again it is just a technical amendment to get it in line with statute and proper rulemaking- it doesn't do anything drastic).

Please let me know if you need anything additional. Happy to come by and meet with the Senator on Monday morning. Just let me know J

Thank you and have a great weekend!

Brittany N. Dover
Legislative Affairs Director
Department of State
850.245.6509 (office)
850.274.3105 (cell)

AMERICAN OVERSIGHT

LEGISLATIVE ACTION

Senate . House

. . . . .

The Committee on Governmental Oversight and Accountability recommended the following:

Senate Amendment (with title amendment)

Delete lines 54 - 173
and insert:
Section 2. Section 15.182, Florida Statutes, is amended to read:
15.182 International travel by state-funded musical, cultural, or artistic organizations; notification to the Department of State ~~Economic Opportunity~~.—
(1) If a musical, cultural, or artistic organization that receives state funding is traveling internationally for a

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FL-SEN-20-0201-A-002487

presentation, performance, or other significant public viewing, including an organization associated with a college or university, such organization shall notify the Department of State ~~Economic Opportunity~~ in writing of its intentions to travel, together with the date, time, and location of each appearance. The notice shall be provided to the department at least 30 days prior to the date the international travel is to commence or, when an intention to travel internationally is not formed at least 30 days in advance of the date the travel is to commence, as soon as feasible after forming such travel intention. The department shall take an active role in informing such artistic organizations of the responsibility to provide notice of international travel intentions.

(2) The Department of State ~~Economic Opportunity~~, in conjunction with the Department of Economic Opportunity and Enterprise Florida, Inc., shall act as an intermediary between performing musical, cultural, and artistic organizations and Florida businesses to encourage and coordinate joint undertakings. Such coordination may include, but is not limited to, encouraging business and industry to sponsor cultural events, assistance with travel of such organizations, and coordinating travel schedules of cultural performance groups and international trade missions.

~~(3) An organization shall provide the notification to the Department of State required by this section at least 30 days before the date the international travel is to commence or, when an intention to travel internationally is not formed at least 30 days in advance of the date the travel is to commence, as soon as feasible after forming such travel intention. The Department~~

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~~of State shall take an active role in informing such groups of the responsibility to notify the department of travel intentions.~~

Section 3. Paragraphs (c) and (d) of subsection (2) and subsection (3) of section 288.816, Florida Statutes, are amended to read:

288.816 Intergovernmental relations.—

(2) The state protocol officer shall be responsible for all consular relations between the state and all foreign governments doing business in Florida. The state protocol officer shall monitor United States laws and directives to ensure that all federal treaties regarding foreign privileges and immunities are properly observed. The state protocol officer shall:

~~(c) Issue certificates to such foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government.~~

~~(d) Verify entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods.~~

(3) The state protocol officer <u>may</u> ~~shall operate the sister city and sister state program and establish such new programs as needed to further global understanding through the interchange of people, ideas, and culture between Florida and the world. To accomplish this purpose, the state protocol officer shall have the power and authority to~~:

(a) Coordinate and carry out activities designed to encourage the state and its subdivisions to participate in sister city and sister state affiliations with foreign countries

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and their subdivisions. Such activities may include a State of Florida sister cities conference.

(b) Encourage cooperation with and disseminate information pertaining to the Sister Cities International Program and any other program whose object is to promote linkages with foreign countries and their subdivisions.

(c) Maximize any aid available from all levels of government, public and private agencies, and other entities to facilitate such activities.

~~(d) Establish a viable system of registration for sister city and sister state affiliations between the state and foreign countries and their subdivisions. Such system shall include a method to determine that sufficient ties are properly established as well as a method to supervise how these ties are maintained.~~

~~(e) Maintain a current and accurate listing of all such affiliations. Sister city affiliations shall not be discouraged between the state and any country specified in s. 620(f)(1) of the federal Foreign Assistance Act of 1961, as amended, with whom the United States is currently conducting diplomatic relations unless a mandate from the United States Government expressly prohibits such affiliations.~~

Section 4. Section 288.8165, Florida Statutes, is created to read:

288.8165 Citizen support organizations.—

(1) CITIZEN SUPPORT ORGANIZATIONS.—The Department of State may authorize the establishment of citizen support organizations to provide assistance, funding, and promotional support for the intergovernmental programs of the department. For the purposes

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of this section, a "citizen support organization" means an organization which:

(a) Is a Florida corporation not for profit incorporated under chapter 617 and approved by the Department of State.

(b) Is organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, invest, and administer, in its own name, securities, funds, or real or personal property; and make expenditures for the benefit of the intergovernmental programs of the department; except that such organization may not receive funds from the department by grant or gift unless specifically authorized by the Legislature. If the citizen support organization by contract provides fiscal and administrative services to the department for a grant or program that benefits the intergovernmental programs of the department, the organization may be reimbursed or compensated for such services by the department if the services are a direct benefit to the intergovernmental programs of the department.

(c) The department has determined to be consistent with the goals of the intergovernmental programs of the department and in the best interests of the state.

(d) Is approved in writing by the department to operate for the benefit of the intergovernmental programs of the department. Such approval must be stated in a letter of agreement from the Secretary of State.

(2) USE OF ADMINISTRATIVE SERVICES AND PROPERTY.—

(a) The department may permit a citizen support organization to use department property, facilities, and personnel free of charge. A citizen support organization may use

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commission property, facilities, and personnel if such use is consistent with the approved purpose of that citizen support organization and if such use does not unreasonably interfere with the general public's use of commission property, facilities, and personnel for established purposes.

(b) The department may prescribe conditions upon the use by a citizen support organization of commission property, facilities, or personnel.

(c) The department may not permit the use of any property, facilities, or personnel of the state by a citizen support organization that does not provide equal membership and employment opportunities to all persons regardless of race, color, national origin, religion, sex, or age.

(3) ANNUAL AUDIT.—Each citizen support organization shall provide for an annual financial audit in accordance with s. 215.981.

(4) FUTURE REPEAL.—This section is repealed October 1, 2025, unless reviewed and saved from repeal by the Legislature.

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

And the title is amended as follows:

Delete lines 16 - 21

and insert:

creating s. 288.8165; authorizing the Department of State to support the establishment of citizen support organizations for certain purposes; defining the term "citizen support organization"; authorizing the department to adopt rules; prohibiting the department from allowing a

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FLORIDA DEPARTMENT of STATE

SB 1212 by Senator Gruters

International Affairs

- SB 1212 seeks to provide the Department of State with more of an active role in fostering strong international relationships and working more closely with the Consular Corp in Florida.

- The bill requires the Secretary of State to serve as the State Protocol Officer. These functions resided with the Secretary of State prior to 2004, when they were transferred to the Office of Tourism, Trade, and Economic Development within the Office of the Governor. In 2011, some functions were delegated to the newly created Department of Economic Opportunity, while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the Executive Office of the Governor.

- The bill authorizes the Department of State to support the establishment of citizen support organization (CSO) for certain purposes.

- The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder such as establishing new programs as needed.

- It also removes issuing certificates to foreign governmental officials after verification pursuant to proper investigations through the United States DOS and the appropriate foreign government.

- Additionally, The Department of State, Office of the Secretary and the Division of Administrative Services, requests $123,994 ($119,868 recurring and $4,126 nonrecurring) in budget authority from the General Revenue Fund for 1.00 Full Time Equivalent (FTE) position to establish the Office of International Affairs.

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2020 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Department of State

BILL INFORMATION	
BILL NUMBER:	SB 1212
BILL TITLE:	State Protocol Officer
BILL SPONSOR:	Senator Gruters
EFFECTIVE DATE:	July 1, 2020

COMMITTEES OF REFERENCE
1) Governmental Oversight and Accountability
2) Infrastructure and Security
3) Rules
4) N/A
5) N/A

CURRENT COMMITTEE
Governmental Oversight and Accountability

SIMILAR BILLS	
BILL NUMBER:	N/A
SPONSOR:	N/A

PREVIOUS LEGISLATION	
BILL NUMBER:	N/A
SPONSOR:	N/A
YEAR:	N/A
LAST ACTION:	N/A

IDENTICAL BILLS	
BILL NUMBER:	N/A
SPONSOR:	N/A

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Is this bill part of an agency package?
N/A

BILL ANALYSIS INFORMATION	
DATE OF ANALYSIS:	1/15/2020
LEAD AGENCY ANALYST:	Brittany Dover
ADDITIONAL ANALYST(S):	Sandy Shaugnessy/Curtis Young
LEGAL ANALYST:	Colleen O'Brien
FISCAL ANALYST:	Click or tap here to enter text.

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

Returning state protocol officer designation to prior statutory placement and reviving prior language designating the Secretary of State as the state protocol officer; returning coordination functions and duties pertaining to international travel by state-funded musical, cultural, or artistic organizations to the Department of State, in conjunction with the Department of Economic Opportunity and Enterprise Florida, Inc.; removing or making discretionary certain intergovernmental relations functions of the state protocol officer; authorizing the establishment of citizen support organizations to provide assistance, funding, and promotional support for intergovernmental programs. Effective Date: July 1, 2020.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

State protocol officer functions resided with the Secretary of State as the state protocol officer prior to 2004, when they were transferred to the Office of Tourism, Trade, and Economic Development within the Office of the Governor. In 2011, some functions were delegated to the newly created Department of Economic Opportunity, while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the Executive Office of the Governor.

2. EFFECT OF THE BILL:

The bill names the Secretary of State as the state protocol officer, along with the attendant intergovernmental relations functions under sections 288.816 (with some amendments to duties) and 15.182, Florida Statutes.

As to amendments to duties, the bill strikes the following intergovernmental relations functions from section 288.816, Florida Statutes:

- Issuing certificates to foreign governmental officials after verification pursuant to proper investigations through United States Department of State sources and the appropriate foreign government;
- Verifying entitlement to sales and use tax exemptions pursuant to United States Department of State guidelines and identification methods;
- Establishing a viable system of registration and sister state affiliations between the state and foreign countries and their subdivisions, including establishing mechanisms to supervise the maintenance of these ties; and

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- Maintaining a current and accurate listing of all such affiliations.

The bill additionally strikes language prescribing certain parameters on sister city and state affiliations.

The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder, such as establishing new programs as needed.

The bill creates new section 288.8161, Florida Statutes, authorizing the establishment of citizen support organizations to provide assistance, funding, and promotional support to the Department of State for intergovernmental programs.

3. DOES THE BILL DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES? Y☐ N☒

If yes, explain:	Click or tap here to enter text.
Is the change consistent with the agency's core mission?	Y☐ N☐
Rule(s) impacted (provide references to F.A.C., etc.):	Click or tap here to enter text.

***4.* WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?**

Proponents and summary of position:	Unknown
Opponents and summary of position:	Unknown

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y☐ N☒

If yes, provide a description:	Click or tap here to enter text.
Date Due:	Click or tap here to enter text.
Bill Section Number(s):	Click or tap here to enter text.

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL? Y☒ N☐

Board:	Click or tap here to enter text.
Board Purpose:	Click or tap here to enter text.
Who Appoints:	Click or tap here to enter text.
Changes:	Under current section 288.012(7), Florida Statutes, the Governor designates a state protocol officer who is to be housed within the Executive Office of the Governor. The Bill designates, as was the case prior to 2004, the Secretary of State as the state protocol officer.
Bill Section Number(s):	Click or tap here to enter text.

AMERICAN OVERSIGHT

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y☐ N☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Does the legislation increase local taxes or fees? If yes, explain.	Click or tap here to enter text.
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	Click or tap here to enter text.

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT? Y☒ N☐

Revenues:	Click or tap here to enter text.
Expenditures:	The Department of State, Office of the Secretary and the Division of Administrative Services, requests $123,994 ($119,868 recurring and $4,126 nonrecurring) in budget authority from the General Revenue Fund for 1.00 Full Time Equivalent (FTE) position to establish the Office of International Affairs.
Does the legislation contain a State Government appropriation?	Yes
If yes, was this appropriated last year?	No

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR? Y☐ N☒

Revenues:	Click or tap here to enter text.
Expenditures:	Click or tap here to enter text.
Other:	Click or tap here to enter text.

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES? Y☐ N☒

If yes, explain impact.	Click or tap here to enter text.
Bill Section Number:	Click or tap here to enter text.

AMERICAN OVERSIGHT

TECHNOLOGY IMPACT

1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)? Y☐ N☒

If yes, describe the anticipated impact to the agency including any fiscal impact.	Click or tap here to enter text.

FEDERAL IMPACT

1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y☐ N☒

If yes, describe the anticipated impact including any fiscal impact.	Click or tap here to enter text.

ADDITIONAL COMMENTS

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments:	If the duties being stricken from section 288.816 are currently necessary and being performed, they may need to be specifically delegated to the performing entity or individual so as not to leave a void in duties. If they are unnecessary or duplicative of another entity or individual's existing responsibilities, striking them should suffice.

AMERICAN OVERSIGHT

State Protocol Officer (Office of International Affairs) Talking Points:

- State protocol officer functions resided with the Secretary of State as the state protocol officer prior to 2004, when they were transferred to the Office of Tourism, Trade and Economic Development within the Office of Governor.

- In 2011, some functions were delegated to the newly created Department of Economic Opportunity while the majority became duties of a state protocol officer to be named by the Governor and to be housed within the EOG.

- This bill returns certain state protocol officer and intergovernmental relations functions back to the Secretary of State.

- Bill requires (1) FTE at $117,896 for FY 20-21. Which has been included in the Governor's recommended budget.

- The bill removes the purpose statement of the sister city and sister state program and makes discretionary certain activities thereunder such as establishing new programs as needed.

- The bill removes issuing certificates to foreign governmental officials after verification pursuant to proper investigations through the United States DOS and the appropriate foreign government.

- The bill removes verifying entitlement to sales and use tax exemptions pursuant to the United States DOS guidelines and identification methods.

- The bill removes maintaining a current and accurate listing of all such affiliations.

- Lastly, the bill removes the language prescribing certain parameters on the sister city and state affiliations.

AMERICAN OVERSIGHT

From: Brill, Victoria
Sent: Monday, December 16, 2019 4:19 PM EST
To: Dover, Brittany N. <Brittany.Dover@dos.myflorida.com>
Subject: SB 1212

Hi Brittany,

I hope this e-mail finds you well. I wanted to see if you had talking points and background for SB 1212? Also, I wrote down Rep. Jamie Grant was potentially going to sponsor the legislation in the House. Is that correct?

I look forward to the updates.

Thank you,
Vickie

Vickie Brill, MBA
Senior Legislative Aide
Sen. Joe Gruters, District 23
(941) 378-6309
(850) 487-5023

AMERICAN OVERSIGHT

From: French Brown <FBrown@deanmead.com>
Sent: Monday, November 25, 2019 4:42 PM EST
To: Gross, Steve <Steve.Gross@LASPBS.STATE.FL.US>; Diez-Arguelles, Jose <Jose.Diez-Arguelles@LASPBS.STATE.FL.US>
CC: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB 126
Attachment(s): "_s00126__ (2).docx"

Jose and Steve,

Attached is the language we discussed. Let me know if you have questions.

French Brown
850-459-0992 (Mobile)

DEAN MEAD
ATTORNEYS AT LAW
www.deanmead.com

French Brown
Attorney at Law
FBrown@deanmead.com
850-999-4100 F: 850-577-0095 D: 850-270-5525
Dean, Mead & Dunbar
215 S. Monroe Street
Suite 815, Tallahassee, Florida 32301
Orlando | Fort Pierce | Tallahassee | Viera/Melbourne
Bio vCard

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AMERICAN OVERSIGHT

By Senator Gruters

23-00203-20 2020126__

A bill to be entitled

An act relating to the sales and use tax; amending s. 212.02, F.S.; revising the definition of the term "retail sale"; amending s. 212.05, F.S.; conforming a provision to changes made by the act; amending s. 212.0596, F.S.; renaming the term "mail order sale" to "remote sale" and revising the definition; revising conditions under which certain dealers are subject to sales tax levies and collection; defining the term "making a substantial number of remote sales"; deleting an exemption for certain dealers from collecting local option surtaxes; conforming provisions to changes made by the act; creating s. 212.05965, F.S.; defining terms; providing that certain marketplace providers are subject to registration, collection, and remittance requirements for sales taxes; requiring marketplace providers to provide a certain certification to their marketplace sellers; specifying requirements for marketplace sellers; requiring marketplace providers to allow the Department of Revenue to examine and audit their books and records; specifying the examination and audit authority of the department; providing that a marketplace seller, and not the marketplace provider, is liable for sales tax collection and remittance under certain circumstances; authorizing marketplace providers and marketplace sellers to enter into agreements for the recovery of certain taxes, interest, and penalties; authorizing the department to

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settle and compromise taxes, interest, or penalties assessed on sales conducted through a marketplace; providing construction and applicability; amending s. 212.06, F.S.; revising the definition of the term "dealer"; conforming provisions to changes made by the act; amending s. 212.12, F.S.; deleting an exclusion from certain dealers who are allowed a dealer's credit for collecting tax; deleting the authority of the department's executive director to negotiate a collection allowance with certain dealers; conforming a provision to changes made by the act; amending s. 212.18, F.S.; conforming a provision to changes made by the act; reenacting s. 212.20(4), F.S., relating to refunds of taxes adjudicated unconstitutionally collected, to incorporate the amendment made to s. 212.0596, F.S., in a reference thereto; authorizing the department to adopt emergency rules; providing for expiration of the authority; providing for severability; providing effective dates.

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

Section 1. Paragraph (e) of subsection (14) of section 212.02, Florida Statutes, is amended to read:

212.02 Definitions.—The following terms and phrases when used in this chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(14)

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(e) The term "retail sale" includes a remote ~~mail order~~ sale~~,~~ as defined in s. 212.0596(1).

(f) The term "retail sale" includes a sale facilitated through a marketplace as defined in s. 212.05965(1).

~~Section 2. Effective October 1, 2020, paragraph (f) is added to subsection (14) of section 212.02, Florida Statutes, to read:~~

~~212.02 Definitions.—The following terms and phrases when used in this chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~(14)~~

~~(f) The term "retail sale" includes a sale facilitated through a marketplace as defined in s. 212.05965(1).~~

Section ~~3~~2. Section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making remote ~~mail order~~ sales;~~, or~~ who rents or furnishes any of the things or services taxable under this chapter;~~,~~ or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

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(a)1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price which is less than 80 percent of the average loan price for the specified model and year of such vehicle as listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount

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of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management, direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in sub-subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

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(I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

(II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

(III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.

For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

b. The purchaser, within 30 days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within 30 days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

c. The purchaser, within 10 days of removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hangaring from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

d. The selling dealer, within 5 days of the date of sale,

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provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and

f. Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer's past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost $425.

(II) The proceeds from the sale of decals will be deposited

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into the administrative trust fund.

(III) Decals shall display information to identify the boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VII) The department is authorized to adopt rules necessary

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to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2). The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.

(b) At the rate of 6 percent of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state; however, for tangible property originally purchased exempt from tax for use exclusively for lease and which is converted to the owner’s own use, tax may be

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paid on the fair market value of the property at the time of conversion. If the fair market value of the property cannot be determined, use tax at the time of conversion shall be based on the owner's acquisition cost. Under no circumstances may the aggregate amount of sales tax from leasing the property and use tax due at the time of conversion be less than the total sales tax that would have been due on the original acquisition cost paid by the owner.

(c) At the rate of 6 percent of the gross proceeds derived from the lease or rental of tangible personal property, as defined herein; however, the following special provisions apply to the lease or rental of motor vehicles:

1. When a motor vehicle is leased or rented for a period of less than 12 months:

a. If the motor vehicle is rented in Florida, the entire amount of such rental is taxable, even if the vehicle is dropped off in another state.

b. If the motor vehicle is rented in another state and dropped off in Florida, the rental is exempt from Florida tax.

2. Except as provided in subparagraph 3., for the lease or rental of a motor vehicle for a period of not less than 12 months, sales tax is due on the lease or rental payments if the vehicle is registered in this state; provided, however, that no tax shall be due if the taxpayer documents use of the motor vehicle outside this state and tax is being paid on the lease or rental payments in another state.

3. The tax imposed by this chapter does not apply to the lease or rental of a commercial motor vehicle as defined in s. 316.003(13)(a) to one lessee or rentee for a period of not less

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than 12 months when tax was paid on the purchase price of such vehicle by the lessor. To the extent tax was paid with respect to the purchase of such vehicle in another state, territory of the United States, or the District of Columbia, the Florida tax payable shall be reduced in accordance with the provisions of s. 212.06(7). This subparagraph shall only be available when the lease or rental of such property is an established business or part of an established business or the same is incidental or germane to such business.

(d) At the rate of 6 percent of the lease or rental price paid by a lessee or rentee, or contracted or agreed to be paid by a lessee or rentee, to the owner of the tangible personal property.

(e)1. At the rate of 6 percent on charges for:

a. Prepaid calling arrangements. The tax on charges for prepaid calling arrangements shall be collected at the time of sale and remitted by the selling dealer.

(I) "Prepaid calling arrangement" has the same meaning as provided in s. 202.11.

(II) If the sale or recharge of the prepaid calling arrangement does not take place at the dealer's place of business, it shall be deemed to have taken place at the customer's shipping address or, if no item is shipped, at the customer's address or the location associated with the customer's mobile telephone number.

(III) The sale or recharge of a prepaid calling arrangement shall be treated as a sale of tangible personal property for purposes of this chapter, regardless of whether a tangible item evidencing such arrangement is furnished to the purchaser, and

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such sale within this state subjects the selling dealer to the jurisdiction of this state for purposes of this subsection.

(IV) No additional tax under this chapter or chapter 202 is due or payable if a purchaser of a prepaid calling arrangement who has paid tax under this chapter on the sale or recharge of such arrangement applies one or more units of the prepaid calling arrangement to obtain communications services as described in s. 202.11(9)(b)3., other services that are not communications services, or products.

b. The installation of telecommunication and telegraphic equipment.

c. Electrical power or energy, except that the tax rate for charges for electrical power or energy is 4.35 percent. Charges for electrical power and energy do not include taxes imposed under ss. 166.231 and 203.01(1)(a)3.

2. Section 212.17(3), regarding credit for tax paid on charges subsequently found to be worthless, is equally applicable to any tax paid under this section on charges for prepaid calling arrangements, telecommunication or telegraph services, or electric power subsequently found to be uncollectible. As used in this paragraph, the term "charges" does not include any excise or similar tax levied by the Federal Government, a political subdivision of this state, or a municipality upon the purchase, sale, or recharge of prepaid calling arrangements or upon the purchase or sale of telecommunication, television system program, or telegraph service or electric power, which tax is collected by the seller from the purchaser.

(f) At the rate of 6 percent on the sale, rental, use,

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consumption, or storage for use in this state of machines and equipment, and parts and accessories therefor, used in manufacturing, processing, compounding, producing, mining, or quarrying personal property for sale or to be used in furnishing communications, transportation, or public utility services.

(g)1. At the rate of 6 percent on the retail price of newspapers and magazines sold or used in Florida.

2. Notwithstanding other provisions of this chapter, inserts of printed materials which are distributed with a newspaper or magazine are a component part of the newspaper or magazine, and neither the sale nor use of such inserts is subject to tax when:

a. Printed by a newspaper or magazine publisher or commercial printer and distributed as a component part of a newspaper or magazine, which means that the items after being printed are delivered directly to a newspaper or magazine publisher by the printer for inclusion in editions of the distributed newspaper or magazine;

b. Such publications are labeled as part of the designated newspaper or magazine publication into which they are to be inserted; and

c. The purchaser of the insert presents a resale certificate to the vendor stating that the inserts are to be distributed as a component part of a newspaper or magazine.

(h)1. A tax is imposed at the rate of 4 percent on the charges for the use of coin-operated amusement machines. The tax shall be calculated by dividing the gross receipts from such charges for the applicable reporting period by a divisor, determined as provided in this subparagraph, to compute gross

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taxable sales, and then subtracting gross taxable sales from gross receipts to arrive at the amount of tax due. For counties that do not impose a discretionary sales surtax, the divisor is equal to 1.04; for counties that impose a 0.5 percent discretionary sales surtax, the divisor is equal to 1.045; for counties that impose a 1 percent discretionary sales surtax, the divisor is equal to 1.050; and for counties that impose a 2 percent sales surtax, the divisor is equal to 1.060. If a county imposes a discretionary sales surtax that is not listed in this subparagraph, the department shall make the applicable divisor available in an electronic format or otherwise. Additional divisors shall bear the same mathematical relationship to the next higher and next lower divisors as the new surtax rate bears to the next higher and next lower surtax rates for which divisors have been established. When a machine is activated by a slug, token, coupon, or any similar device which has been purchased, the tax is on the price paid by the user of the device for such device.

2. As used in this paragraph, the term "operator" means any person who possesses a coin-operated amusement machine for the purpose of generating sales through that machine and who is responsible for removing the receipts from the machine.

a. If the owner of the machine is also the operator of it, he or she shall be liable for payment of the tax without any deduction for rent or a license fee paid to a location owner for the use of any real property on which the machine is located.

b. If the owner or lessee of the machine is also its operator, he or she shall be liable for payment of the tax on the purchase or lease of the machine, as well as the tax on

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sales generated through the machine.

c. If the proprietor of the business where the machine is located does not own the machine, he or she shall be deemed to be the lessee and operator of the machine and is responsible for the payment of the tax on sales, unless such responsibility is otherwise provided for in a written agreement between him or her and the machine owner.

3.a. An operator of a coin-operated amusement machine may not operate or cause to be operated in this state any such machine until the operator has registered with the department and has conspicuously displayed an identifying certificate issued by the department. The identifying certificate shall be issued by the department upon application from the operator. The identifying certificate shall include a unique number, and the certificate shall be permanently marked with the operator's name, the operator's sales tax number, and the maximum number of machines to be operated under the certificate. An identifying certificate shall not be transferred from one operator to another. The identifying certificate must be conspicuously displayed on the premises where the coin-operated amusement machines are being operated.

b. The operator of the machine must obtain an identifying certificate before the machine is first operated in the state and by July 1 of each year thereafter. The annual fee for each certificate shall be based on the number of machines identified on the application times $30 and is due and payable upon application for the identifying device. The application shall contain the operator's name, sales tax number, business address where the machines are being operated, and the number of

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machines in operation at that place of business by the operator. No operator may operate more machines than are listed on the certificate. A new certificate is required if more machines are being operated at that location than are listed on the certificate. The fee for the new certificate shall be based on the number of additional machines identified on the application form times $30.

c. A penalty of $250 per machine is imposed on the operator for failing to properly obtain and display the required identifying certificate. A penalty of $250 is imposed on the lessee of any machine placed in a place of business without a proper current identifying certificate. Such penalties shall apply in addition to all other applicable taxes, interest, and penalties.

d. Operators of coin-operated amusement machines must obtain a separate sales and use tax certificate of registration for each county in which such machines are located. One sales and use tax certificate of registration is sufficient for all of the operator’s machines within a single county.

4. The provisions of this paragraph do not apply to coin-operated amusement machines owned and operated by churches or synagogues.

5. In addition to any other penalties imposed by this chapter, a person who knowingly and willfully violates any provision of this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

6. The department may adopt rules necessary to administer the provisions of this paragraph.

(i)1. At the rate of 6 percent on charges for all:

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a. Detective, burglar protection, and other protection services (NAICS National Numbers 561611, 561612, 561613, and 561621). Fingerprint services required under s. 790.06 or s. 790.062 are not subject to the tax. Any law enforcement officer, as defined in s. 943.10, who is performing approved duties as determined by his or her local law enforcement agency in his or her capacity as a law enforcement officer, and who is subject to the direct and immediate command of his or her law enforcement agency, and in the law enforcement officer's uniform as authorized by his or her law enforcement agency, is performing law enforcement and public safety services and is not performing detective, burglar protection, or other protective services, if the law enforcement officer is performing his or her approved duties in a geographical area in which the law enforcement officer has arrest jurisdiction. Such law enforcement and public safety services are not subject to tax irrespective of whether the duty is characterized as "extra duty," "off-duty," or "secondary employment," and irrespective of whether the officer is paid directly or through the officer's agency by an outside source. The term "law enforcement officer" includes full-time or part-time law enforcement officers, and any auxiliary law enforcement officer, when such auxiliary law enforcement officer is working under the direct supervision of a full-time or part-time law enforcement officer.

b. Nonresidential cleaning, excluding cleaning of the interiors of transportation equipment, and nonresidential building pest control services (NAICS National Numbers 561710 and 561720).

2. As used in this paragraph, "NAICS" means those

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classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.

3. Charges for detective, burglar protection, and other protection security services performed in this state but used outside this state are exempt from taxation. Charges for detective, burglar protection, and other protection security services performed outside this state and used in this state are subject to tax.

4. If a transaction involves both the sale or use of a service taxable under this paragraph and the sale or use of a service or any other item not taxable under this chapter, the consideration paid must be separately identified and stated with respect to the taxable and exempt portions of the transaction or the entire transaction shall be presumed taxable. The burden shall be on the seller of the service or the purchaser of the service, whichever applicable, to overcome this presumption by providing documentary evidence as to which portion of the transaction is exempt from tax. The department is authorized to adjust the amount of consideration identified as the taxable and exempt portions of the transaction; however, a determination that the taxable and exempt portions are inaccurately stated and that the adjustment is applicable must be supported by substantial competent evidence.

5. Each seller of services subject to sales tax pursuant to this paragraph shall maintain a monthly log showing each transaction for which sales tax was not collected because the services meet the requirements of subparagraph 3. for out-of-state use. The log must identify the purchaser’s name, location

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and mailing address, and federal employer identification number, if a business, or the social security number, if an individual, the service sold, the price of the service, the date of sale, the reason for the exemption, and the sales invoice number. The monthly log shall be maintained pursuant to the same requirements and subject to the same penalties imposed for the keeping of similar records pursuant to this chapter.

(j)1. Notwithstanding any other provision of this chapter, there is hereby levied a tax on the sale, use, consumption, or storage for use in this state of any coin or currency, whether in circulation or not, when such coin or currency:

a. Is not legal tender;

b. If legal tender, is sold, exchanged, or traded at a rate in excess of its face value; or

c. Is sold, exchanged, or traded at a rate based on its precious metal content.

2. Such tax shall be at a rate of 6 percent of the price at which the coin or currency is sold, exchanged, or traded, except that, with respect to a coin or currency which is legal tender of the United States and which is sold, exchanged, or traded, such tax shall not be levied.

3. There are exempt from this tax exchanges of coins or currency which are in general circulation in, and legal tender of, one nation for coins or currency which are in general circulation in, and legal tender of, another nation when exchanged solely for use as legal tender and at an exchange rate based on the relative value of each as a medium of exchange.

4. With respect to any transaction that involves the sale of coins or currency taxable under this paragraph in which the

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taxable amount represented by the sale of such coins or currency exceeds $500, the entire amount represented by the sale of such coins or currency is exempt from the tax imposed under this paragraph. The dealer must maintain proper documentation, as prescribed by rule of the department, to identify that portion of a transaction which involves the sale of coins or currency and is exempt under this subparagraph.

(k) At the rate of 6 percent of the sales price of each gallon of diesel fuel not taxed under chapter 206 purchased for use in a vessel, except dyed diesel fuel that is exempt pursuant to s. 212.08(4)(a)4.

(l) Florists located in this state are liable for sales tax on sales to retail customers regardless of where or by whom the items sold are to be delivered. Florists located in this state are not liable for sales tax on payments received from other florists for items delivered to customers in this state.

(m) Operators of game concessions or other concessionaires who customarily award tangible personal property as prizes may, in lieu of paying tax on the cost price of such property, pay tax on 25 percent of the gross receipts from such concession activity.

(2) The tax shall be collected by the dealer, as defined herein, and remitted by the dealer to the state at the time and in the manner as hereinafter provided.

(3) The tax so levied is in addition to all other taxes, whether levied in the form of excise, license, or privilege taxes, and in addition to all other fees and taxes levied.

(4) The tax imposed pursuant to this chapter shall be due and payable according to the brackets set forth in s. 212.12.

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(5) Notwithstanding any other provision of this chapter, the maximum amount of tax imposed under this chapter and collected on each sale or use of a boat in this state may not exceed $18,000 and on each repair of a boat in this state may not exceed $60,000.

Section 43. Section 212.0596, Florida Statutes, is amended to read:

212.0596 Taxation of remote ~~mail order~~ sales.—

(1) For purposes of this chapter, a "remote ~~mail order~~ sale" is a retail sale of tangible personal property~~,~~ ordered by mail, telephone, the Internet, or other means of communication, from a dealer who receives the order outside of this state ~~in another state of the United States, or in a commonwealth, territory, or other area under the jurisdiction of the United States,~~ and transports the property or causes the property to be transported~~, whether or not by mail,~~ from any jurisdiction ~~of the United States~~, including this state, to a person in this state, including the person who ordered the property.

(2) Every dealer as defined in s. 212.06(2)(c) who makes a remote ~~mail order~~ sale is subject to the power of this state to levy and collect the tax imposed by this chapter when any of the following applies:

(a) The dealer is a corporation doing business under the laws of this state or is a person domiciled in, a resident of, or a citizen of~~,~~ this state.~~,~~

(b) The dealer maintains retail establishments or offices in this state, regardless of whether the remote ~~mail order~~ sales thus subject to taxation by this state result from or are related in any other way to the activities of such

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establishments or offices.~~;~~

(c) The dealer has agents in this state who solicit business or transact business on behalf of the dealer, regardless of whether the remote ~~mail order~~ sales thus subject to taxation by this state result from or are related in any other way to such solicitation or transaction of business. For purposes of this paragraph, ~~except that~~ a printer who mails or delivers for an out-of-state print purchaser material the printer printed for it is ~~shall~~ not ~~be~~ deemed to be the print purchaser's agent. ~~for purposes of this paragraph;~~

(d) The property was delivered in this state in fulfillment of a sales contract that was entered into in this state, in accordance with applicable conflict of laws rules, when a person in this state accepted an offer by ordering the property.~~;~~

(e) The dealer, by purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, unsolicited distribution of catalogs, computer-assisted shopping, television, radio, or other electronic media, or magazine or newspaper advertisements or other media, creates nexus with this state.~~;~~

(f) Through compact or reciprocity with another jurisdiction of the United States, that jurisdiction uses its taxing power and its jurisdiction over the retailer in support of this state's taxing power.~~;~~

(g) The dealer consents, expressly or by implication, to the imposition of the tax imposed by this chapter.~~;~~

(h) The dealer is subject to service of process under s.

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48.181.~~;~~

(i) The dealer's remote ~~mail order~~ sales are subject to the power of this state to tax sales or to require the dealer to collect use taxes under a statute or statutes of the United States.~~;~~

(j) The dealer owns real property or tangible personal property that is physically in this state. For purposes of this paragraph, ~~except that~~ a dealer whose only property, ~~(~~including property owned by an affiliate,~~)~~ in this state is located at the premises of a printer with which the vendor has contracted for printing~~,~~ and is either a final printed product, ~~or~~ property that ~~which~~ becomes a part of the final printed product, or property from which the printed product is produced, is not deemed to own such property. ~~for purposes of this paragraph;~~

(k) The dealer, while not having nexus with this state on any of the bases described in paragraphs (a)-(j) or paragraph (l), is a corporation that is a member of an affiliated group of corporations, as defined in s. 1504(a) of the Internal Revenue Code, whose members are includable under s. 1504(b) of the Internal Revenue Code and whose members are eligible to file a consolidated tax return for federal corporate income tax purposes and any parent or subsidiary corporation in the affiliated group has nexus with this state on one or more of the bases described in paragraphs (a)-(j) or paragraph (l).~~; or~~

(l) The dealer or the dealer's activities, ~~have sufficient connection with or relationship to this state or its residents of some type~~ other than those described in paragraphs (a)-(k), result in making a substantial number of remote sales under subsection (3) ~~to create nexus empowering this state to tax its~~

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~~mail order sales or to require the dealer to collect sales tax or accrue use tax~~.

(3)(a) Every person ~~dealer~~ engaged in the business of making a substantial number of remote ~~mail order~~ sales is a dealer for purposes of this chapter ~~subject to the requirements of this chapter for cooperation of dealers in collection of taxes and in administration of this chapter, except that no fee shall be imposed upon such dealer for carrying out any required activity~~.

(b) As used in this section, the term "making a substantial number of remote sales" means:

1. Conducting 200 or more retail sales of tangible personal property in the previous calendar year to be delivered to a location within this state; or

2. Conducting any number of retail sales of tangible personal property in an amount exceeding $100,000 in the previous calendar year to be delivered to a location within this state.

For purposes of this paragraph, tangible personal property delivered to a location within this state is presumed to be used, consumed, distributed, or stored to be used or consumed in this state.

(4) The department shall, with the consent of another jurisdiction of the United States whose cooperation is needed, enforce this chapter in that jurisdiction, either directly or, at the option of that jurisdiction, through its officers or employees.

(5) The tax required under this section to be collected and

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any amount unreturned to a purchaser that is not tax but was collected from the purchaser under the representation that it was tax constitute funds of the State of Florida from the moment of collection.

(6) ~~Notwithstanding other provisions of law, a dealer who makes a mail order sale in this state is exempt from collecting and remitting any local option surtax on the sale, unless the dealer is located in a county that imposes a surtax within the meaning of s. 212.054(3)(a), the order is placed through the dealer's location in such county, and the property purchased is delivered into such county or into another county in this state that levies the surtax, in which case the provisions of s. 212.054(3)(a) are applicable.~~

~~(7)~~ The department may establish by rule procedures for collecting the use tax from unregistered persons who but for their remote ~~mail order~~ purchases would not be required to remit sales or use tax directly to the department. The procedures may provide for waiver of registration, provisions for irregular remittance of tax, elimination of the collection allowance, and nonapplication of local option surtaxes.

Section ~~54~~. ~~Effective October 1, 2020, section~~Section 212.05965, Florida Statutes, is created to read:

212.05965 Taxation of marketplace sales.—

(1) As used in this section, the term:

(a) "Marketplace" means any physical place or electronic medium through which tangible personal property is offered for sale.

(b) "Marketplace provider" means a person who facilitates a retail sale by a marketplace seller by listing or advertising

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for sale by the marketplace seller tangible personal property in a marketplace, and who directly, or indirectly through agreements or arrangements with third parties, collects payment from the customer and transmits the payment to the marketplace seller, regardless of whether the marketplace provider receives compensation or other consideration in exchange for its services.

1. The term does not include a person who solely provides travel agency services. As used in this subparagraph, the term "travel agency services" means arranging, booking, or otherwise facilitating for a commission, fee, or other consideration vacation or travel packages, rental cars, or other travel reservations; tickets for domestic or foreign travel by air, rail, ship, bus, or other mode of transportation; or hotel or other lodging accommodations.

2. The term does not include a person who is a delivery network company unless the delivery network company is a registered dealer for purposes of this chapter and the delivery network company notifies all local merchants that sell through the delivery network company's website or mobile application that the delivery network company is subject to the requirements of a marketplace provider under this section. As used in this subparagraph, the term:

a. "Delivery network company" means a person who maintains a website or mobile application used to facilitate delivery services, the sale of local products, or both.

b. "Delivery network courier" means an individual who provides delivery services through a delivery network company website or mobile application using a personal means of

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transportation, such as a motor vehicle as defined in s. 320.01(1), bicycle, scooter, or other similar means of transportation; using public transportation; or by walking.

c. "Delivery services" means the pickup and delivery by a delivery network courier of one or more local products from a local merchant to a customer, which may include the selection, collection, and purchase of the local product in connection with the delivery. The term does not include any delivery requiring more than 75 miles of travel from the local merchant to the customer.

d. "Local merchant" means a kitchen, restaurant, or a third-party merchant, including a grocery store, retail store, convenience store, or business of another type, which is not under common ownership or control of the delivery network company.

e. "Local product" means any tangible personal property, including food, but excluding freight, mail, or a package to which postage has been affixed.

3. The term does not include a payment processor business appointed by a dealer to handle payment transactions from various channels, such as credit cards, debit cards, and third party payment processors whose sole activity with respect to marketplace sales is to handle transactions between two parties.

(c) "Marketplace seller" means a person who has an agreement with a marketplace provider and who makes retail sales of tangible personal property through a marketplace owned, operated, or controlled by the marketplace provider.

(2) Every marketplace provider that has a physical presence in this state or that is making or facilitating through a

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marketplace a substantial number of remote sales as defined in s. 212.0596(3)(b) is subject to the requirements imposed by this chapter on dealers for registration and for the collection and remittance of taxes. Such marketplace providers must collect the tax pursuant to s. 212.05 on the sales price of each item or article of tangible personal property sold, including any services that are a part of the sale of the tangible personal property.

(3) A marketplace provider shall certify to its marketplace sellers that it will collect and remit the tax imposed under this chapter on taxable retail sales made through the marketplace. Such certification may be included in the agreement between the marketplace provider and marketplace seller.

(4)(a) A marketplace seller may not collect and remit the tax under this chapter on a taxable retail sale when the sale is made through the marketplace and the marketplace provider certifies, as required under subsection (3), that it will collect and remit such tax. A marketplace seller shall exclude such sales made through the marketplace from the marketplace seller's tax return under s. 212.11.

(b)1. A marketplace seller that has a physical presence in this state shall register and shall collect and remit the tax imposed under this chapter on all taxable retail sales made outside of the marketplace.

2. A marketplace seller making a substantial number of remote sales as defined in s. 212.0596(3)(b) shall register and shall collect and remit the tax imposed under this chapter on all taxable retail sales made outside of the marketplace. Sales made through the marketplace are not considered for the purposes

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of determining whether the seller has made a substantial number of remote sales.

(5)(a) A marketplace provider shall allow the department to examine and audit its books and records pursuant to s. 212.13. For retail sales facilitated through a marketplace, the department may not examine or audit the books and records of marketplace sellers, nor may the department assess marketplace sellers except to the extent the marketplace provider seeks relief under paragraph (b). The department may examine, audit, and assess a marketplace seller for retail sales made outside of the marketplace under paragraph (4)(b).

(b) The marketplace provider is relieved of liability for the tax on the retail sale and the marketplace seller or customer is liable for the tax imposed under this chapter if the marketplace provider demonstrates to the department's satisfaction that the marketplace provider made a reasonable effort to obtain accurate information related to the retail sales facilitated through the marketplace from the marketplace seller, but that the failure to collect and pay the correct amount of tax imposed under this chapter was due to the marketplace seller providing incorrect or incomplete information to the marketplace provider. This paragraph does not apply to a retail sale for which the marketplace provider is the seller if the marketplace provider and marketplace seller are related parties or if transactions between a marketplace seller and marketplace buyer are not conducted at arm's length.

(6) For purposes of registration pursuant to s. 212.18, a marketplace is deemed a separate place of business.

(7) A marketplace provider and marketplace seller may agree

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by contract or otherwise that if a marketplace provider pays the tax imposed under this chapter on a retail sale facilitated through a marketplace for a marketplace seller as a result of an audit or otherwise, the marketplace provider has the right to recover such tax and any associated interest and penalties from the marketplace seller.

(8) Consistent with s. 213.21, the department may settle and compromise any tax, interest, or penalty assessed on retail sales conducted through a marketplace.

(9) For purposes of this section, the limitations in ss. 213.30(3) and 213.756(2) apply.

(10) This section may not be construed to authorize the state to collect sales tax from both the marketplace provider and the marketplace seller on the same retail sale.

Section ~~65~~. Paragraph (c) of subsection (2) and paragraph (a) of subsection (5) of section 212.06, Florida Statutes, are amended to read:

212.06 Sales, storage, use tax; collectible from dealers; "dealer" defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(2)

(c) The term "dealer" is further defined to mean every person, as used in this chapter, who sells at retail or who offers for sale at retail, or who has in his or her possession for sale at retail; or for use, consumption, or distribution; or for storage to be used or consumed in this state, tangible personal property as defined herein, including a retailer who transacts a remote ~~mail order~~ sale or who is a marketplace provider under s. 212.05965.

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(5)(a)1. Except as provided in subparagraph 2., it is not the intention of this chapter to levy a tax upon tangible personal property imported, produced, or manufactured in this state for export, provided that tangible personal property may not be considered as being imported, produced, or manufactured for export unless the importer, producer, or manufacturer delivers the same to a licensed exporter for exporting or to a common carrier for shipment outside the state or mails the same by United States mail to a destination outside the state; or, in the case of aircraft being exported under their own power to a destination outside the continental limits of the United States, by submission to the department of a duly signed and validated United States customs declaration, showing the departure of the aircraft from the continental United States; and further with respect to aircraft, the canceled United States registry of said aircraft; or in the case of parts and equipment installed on aircraft of foreign registry, by submission to the department of documentation, the extent of which shall be provided by rule, showing the departure of the aircraft from the continental United States; nor is it the intention of this chapter to levy a tax on any sale which the state is prohibited from taxing under the Constitution or laws of the United States. Every retail sale made to a person physically present at the time of sale shall be presumed to have been delivered in this state.

2.a. Notwithstanding subparagraph 1., a tax is levied on each sale of tangible personal property to be transported to a cooperating state as defined in sub-subparagraph c., at the rate specified in sub-subparagraph d. However, a Florida dealer will be relieved from the requirements of collecting taxes pursuant

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to this subparagraph if the Florida dealer obtains from the purchaser an affidavit setting forth the purchaser's name, address, state taxpayer identification number, and a statement that the purchaser is aware of his or her state's use tax laws, is a registered dealer in Florida or another state, or is purchasing the tangible personal property for resale or is otherwise not required to pay the tax on the transaction. The department may, by rule, provide a form to be used for the purposes set forth herein.

b. For purposes of this subparagraph, "a cooperating state" is one determined by the executive director of the department to cooperate satisfactorily with this state in collecting taxes on remote ~~mail order~~ sales. No state shall be so determined unless it meets all the following minimum requirements:

(I) It levies and collects taxes on remote ~~mail order~~ sales of property transported from that state to persons in this state, as described in s. 212.0596, upon request of the department.

(II) The tax so collected shall be at the rate specified in s. 212.05, not including any local option or tourist or convention development taxes collected pursuant to s. 125.0104 or this chapter.

(III) Such state agrees to remit to the department all taxes so collected no later than 30 days from the last day of the calendar quarter following their collection.

(IV) Such state authorizes the department to audit dealers within its jurisdiction who make remote ~~mail order~~ sales that are the subject of s. 212.0596, or makes arrangements deemed adequate by the department for auditing them with its own

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personnel.

(V) Such state agrees to provide to the department records obtained by it from retailers or dealers in such state showing delivery of tangible personal property into this state upon which no sales or use tax has been paid in a manner similar to that provided in sub-subparagraph g.

c. For purposes of this subparagraph, "sales of tangible personal property to be transported to a cooperating state" means remote ~~mail order~~ sales to a person who is in the cooperating state at the time the order is executed, from a dealer who receives that order in this state.

d. The tax levied by sub-subparagraph a. shall be at the rate at which such a sale would have been taxed pursuant to the cooperating state's tax laws if consummated in the cooperating state by a dealer and a purchaser, both of whom were physically present in that state at the time of the sale.

e. The tax levied by sub-subparagraph a., when collected, shall be held in the State Treasury in trust for the benefit of the cooperating state and shall be paid to it at a time agreed upon between the department, acting for this state, and the cooperating state or the department or agency designated by it to act for it; however, such payment shall in no event be made later than 30 days from the last day of the calendar quarter after the tax was collected. Funds held in trust for the benefit of a cooperating state shall not be subject to the service charges imposed by s. 215.20.

f. The department is authorized to perform such acts and to provide such cooperation to a cooperating state with reference to the tax levied by sub-subparagraph a. as is required of the

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cooperating state by sub-subparagraph b.

g. In furtherance of this act, dealers selling tangible personal property for delivery in another state shall make available to the department, upon request of the department, records of all tangible personal property so sold. Such records shall include a description of the property, the name and address of the purchaser, the name and address of the person to whom the property was sent, the purchase price of the property, information regarding whether sales tax was paid in this state on the purchase price, and such other information as the department may by rule prescribe.

Section ~~76~~. Paragraph (a) of subsection (1) and paragraph (a) of subsection (5) of section 212.12, Florida Statutes, are amended to read:

212.12 Dealer's credit for collecting tax; penalties for noncompliance; powers of Department of Revenue in dealing with delinquents; brackets applicable to taxable transactions; records required.—

(1)(a)~~1.~~ Notwithstanding any other law and for the purpose of compensating persons granting licenses for and the lessors of real and personal property taxed hereunder, for the purpose of compensating dealers in tangible personal property, for the purpose of compensating dealers providing communication services and taxable services, for the purpose of compensating owners of places where admissions are collected, and for the purpose of compensating remitters of any taxes or fees reported on the same documents utilized for the sales and use tax, as compensation for the keeping of prescribed records, filing timely tax returns, and the proper accounting and remitting of taxes by

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them, such seller, person, lessor, dealer, owner, and remitter ~~(except dealers who make mail order sales)~~ who files the return required pursuant to s. 212.11 only by electronic means and who pays the amount due on such return only by electronic means shall be allowed 2.5 percent of the amount of the tax due, accounted for, and remitted to the department in the form of a deduction. However, if the amount of the tax due and remitted to the department by electronic means for the reporting period exceeds $1,200, an allowance is not allowed for all amounts in excess of $1,200. For purposes of this paragraph ~~subparagraph~~, the term "electronic means" has the same meaning as provided in s. 213.755(2)(c).

~~2. The executive director of the department is authorized to negotiate a collection allowance, pursuant to rules promulgated by the department, with a dealer who makes mail order sales. The rules of the department shall provide guidelines for establishing the collection allowance based upon the dealer's estimated costs of collecting the tax, the volume and value of the dealer's mail order sales to purchasers in this state, and the administrative and legal costs and likelihood of achieving collection of the tax absent the cooperation of the dealer. However, in no event shall the collection allowance negotiated by the executive director exceed 10 percent of the tax remitted for a reporting period.~~

(5)(a) The department is authorized to audit or inspect the records and accounts of dealers defined herein, including audits or inspections of dealers who make remote ~~mail order~~ sales ~~to the extent permitted by another state~~, and to correct by credit any overpayment of tax, and, in the event of a deficiency, an

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assessment shall be made and collected. No administrative finding of fact is necessary prior to the assessment of any tax deficiency.

Section ~~8~~7. Paragraph (f) of subsection (3) of section 212.18, Florida Statutes, is amended to read:

212.18 Administration of law; registration of dealers; rules.—

(3)

(f) As used in this paragraph, the term "exhibitor" means a person who enters into an agreement authorizing the display of tangible personal property or services at a convention or a trade show. The following provisions apply to the registration of exhibitors as dealers under this chapter:

1. An exhibitor whose agreement prohibits the sale of tangible personal property or services subject to the tax imposed in this chapter is not required to register as a dealer.

2. An exhibitor whose agreement provides for the sale at wholesale only of tangible personal property or services subject to the tax imposed by this chapter must obtain a resale certificate from the purchasing dealer but is not required to register as a dealer.

3. An exhibitor whose agreement authorizes the retail sale of tangible personal property or services subject to the tax imposed by this chapter must register as a dealer and collect the tax on such sales.

4. An exhibitor who makes a remote ~~mail order~~ sale pursuant to s. 212.0596 must register as a dealer.

A person who conducts a convention or a trade show must make his

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or her exhibitor's agreements available to the department for inspection and copying.

Section 8. Subsection (5) of section 213.27, Florida Statutes, is amended to read:

213.27 Contracts with debt collection agencies and certain vendors.--

(5) The department may, for the purpose of ascertaining 1064 the amount of or collecting any taxes due from a person making remote sales that are subject to s. 212.0596(2) or s. 212.05965 doing mail order business in this state, contract with any auditing agency doing business within or without this state for the purpose of conducting an audit of such remote sales mail order business; however, such audit agency may not conduct an audit on behalf of the department of any person domiciled in this state, person registered for sales and use tax purposes in this state, or corporation filing a Florida corporate tax return, if any such person or corporation objects to such audit in writing to the department and the auditing agency. The department shall notify the taxpayer by mail at least 30 days before the department assigns the collection of such taxes.

Section 9. For the purpose of incorporating the amendment made by this act to section 212.0596, Florida Statutes, in a reference thereto, subsection (4) of section 212.20, Florida Statutes, is reenacted to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(4) When there has been a final adjudication that any tax pursuant to s. 212.0596 was levied, collected, or both, contrary

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to the Constitution of the United States or the State Constitution, the department shall, in accordance with rules, determine, based upon claims for refund and other evidence and information, who paid such tax or taxes, and refund to each such person the amount of tax paid. For purposes of this subsection, a "final adjudication" is a decision of a court of competent jurisdiction from which no appeal can be taken or from which the official or officials of this state with authority to make such decisions has or have decided not to appeal.

Section 10. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering this act.

(2) Notwithstanding any other law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(3) This section shall take effect upon this act becoming a law and expires July 1, 2021.

Section 11. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 12. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1,

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From: Davis, Eva <DAVIS.EVA@flsenate.gov>
Sent: Tuesday, October 01, 2019 9:23 AM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB 168 - Sanctuary Cities Order
Attachment(s): "Sanctuary Cities Order (002).pdf"

Hi Vickie,

In case the earlier attachment would not open, I am re-attaching the court order.

Please let me know if you have any questions.

Thanks,
Eva

Eva M. Davis
Senior Attorney
Committee on Judiciary
The Florida Senate
515 Knott Building
404 South Monroe Street
Tallahassee, Florida 32399

(850) 487-5198

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 19-cv-22927-BLOOM/Louis

CITY OF SOUTH MIAMI, et al.,

Plaintiffs,

v.

RON DESANTIS, et al.,

Defendants.
_____/

ORDER

THIS CAUSE is before the Court on Plaintiffs'[1] Amended Motion for Preliminary Injunction and Request for Hearing. ECF No. [47] ("Amended Motion"). Defendants[2] filed a Response in Opposition to the Motion, ECF No. [19] ("Response"), to which Plaintiffs replied, ECF No. [39] ("Reply"). Defendants were also permitted to file a Surreply in Opposition, ECF No. [45] ("Surreply"), in order to respond to Plaintiffs' Amended Complaint, ECF No. [38] ("Amended Complaint"), which added one additional Plaintiff. The United States of America filed a Statement of Interest, ECF No. [23], to which Plaintiffs responded, ECF No. [50] ("SOI Response"). *Amici curiae* were permitted to file an amicus brief in support of Plaintiffs, ECF No. [61] ("Amicus Brief"). The instant Amended Motion requests that the Court grant a preliminary

[1] Plaintiffs include the City of South Miami; Philip K. Stoddard, Mayor of City of South Miami ("Mayor Stoddard"); Florida Immigrant Coalition, Inc. ("FLIC"), The Farmworker Association of Florida, Inc. ("FWAF"), Family Action Network Movement, Inc. ("FANM"), QLatinx, and WeCount!, Inc. ("WeCount"), on behalf of their members and their organizations as a whole; Americans for Immigrant Justice, Inc. ("AI Justice"), The Guatemalan-Maya Center, Inc. ("GMC"), Hope Community Center, Inc. ("Hope"), and Westminster Presbyterian Church United of Gainesville, Florida, Inc. ("Westminster"), on behalf of their organizations (collectively, "Plaintiffs").

[2] Defendants include Ron DeSantis, Governor of the State of Florida ("Governor DeSantis"), and Ashley Moody, Attorney General of the State of Florida (collectively, "Defendants").

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injunction enjoining Defendants from enforcing Chapter 908 of the Florida Statutes because the law is preempted by federal immigration law and is unconstitutionally vague. The Court has carefully considered the Amended Motion, all opposing and supporting submissions, the parties' arguments presented at the Hearing, the record in this case, and the applicable law, and is otherwise fully advised. For the reasons set forth below, Plaintiffs' Amended Motion is granted in part and denied in part.

I. BACKGROUND

On May 2, 2019, the Florida legislature passed Senate Bill 168 ("SB 168"), which aimed to further the State of Florida's interest in "cooperat[ing] and assist[ing] the federal government in the enforcement of federal immigration laws within this state." Fla. Stat. § 908.101 (2019); ECF No. [5-1] at 2. The law was adapted from a model law originally drafted by organizations designated by the Southern Poverty Law Center to be hate groups, based on their anti-immigrant platforms. ECF No. [38] at 26. Moreover, SB 168 was described by its sponsors as an "anti-sanctuary cities law." *Id.* at 26, 27. On June 14, 2019, Governor DeSantis signed SB 168 into law, and it was enacted as Chapter 908 of the Florida Statutes. *See* Fla. Stat. ch. 908; ECF No. [5-1] at 7. Among other things, SB 168 prohibits so-called "sanctuary policies" that indicate certain jurisdictions' intent not to cooperate with Immigration and Customs Enforcement ("ICE"). ECF No. [19] at 4. The law delineates specific immigration enforcement efforts with which local jurisdictions must comply. These include complying with immigration detainers and transporting aliens to federal facilities. *Id.* at 4-5; *see* Fla. Stat. § 908.105; Fla. Stat. § 908.104(4). Furthermore, under SB 168, the Attorney General and the Governor are vested with enforcement authority to seek injunctive relief or to exercise the Governor's suspension power, should a government official

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fail to comply with the law's mandates. Fla. Stat. § 908.107. This enforcement provision is scheduled to take effect on October 1, 2019. ECF No. [19] at 5.

The instant action challenges the constitutionality of numerous provisions of SB 168 and seeks injunctive and declaratory relief to prevent the law from taking effect. ECF No. [38] at 3.

A. Relevant SB 168 Provisions

The provisions of SB 168 that are being challenged are reproduced in full below. Any supplemental provisions that are relevant to the Court's analysis are also set forth below.

SB 168 sets forth the definition of certain terms used in the statute in § 908.102. Plaintiffs Amended Complaint specifically challenges § 908.102(6)'s definition of "sanctuary policy" ("Sanctuary Definition"). Nevertheless, many of the other definitions in this section are relevant to the Court's analysis.

> Definitions.—As used in this chapter, the term:
>
> (1) "Federal immigration agency" means the United States Department of Justice and the United States Department of Homeland Security, a division within such an agency, including United States Immigration and Customs Enforcement and United States Customs and Border Protection, any successor agency, and any other federal agency charged with the enforcement of immigration law.
>
> (2) "Immigration detainer" means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including detainers issued pursuant to 8 U.S.C. ss. 1226 and 1357 along with a warrant described in paragraph (c). For purposes of this subsection, an immigration detainer is deemed facially sufficient if:
>
> (a) The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law; or
>
> (b) The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law; and

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> (c) The federal immigration agency supplies with its detention request a Form I-200 Warrant for Arrest of Alien or a Form I-205 Warrant of Removal/Deportation or a successor warrant or other warrant authorized by federal law.
>
> (3) "Inmate" means a person in the custody of a law enforcement agency.
>
> (4) "Law enforcement agency" means an agency in this state charged with enforcement of state, county, municipal, or federal laws or with managing custody of detained persons in this state and includes municipal police departments, sheriffs' offices, state police departments, state university and college police departments, county correctional agencies, and the Department of Corrections.
>
> (5) "Local governmental entity" means any county, municipality, or other political subdivision of this state.
>
> (6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:
>
> (a) Complying with an immigration detainer;
>
> (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
>
> (c) Providing a federal immigration agency access to an inmate for interview;
>
> (d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357; or
>
> (e) Providing a federal immigration agency with an inmate's incarceration status or release date.
>
> (7) "State entity" means the state or any office, board, bureau, commission, department, branch, division, or institution thereof, including institutions within the State University System and the Florida College System.

Fla. Stat. § 908.102.

Based on § 908.102(6)'s Sanctuary Definition, § 908.103 states, "Sanctuary policies prohibited.—A state entity, law enforcement agency, or local governmental entity may not adopt or have in effect a sanctuary policy." Fla. Stat. § 908.103 ("Sanctuary Prohibition").[3]

The requirement that state and local law enforcement entities and agencies cooperate with federal immigration enforcement efforts, § 908.104, states:

[3] Collectively, the Sanctuary Definition and the Sanctuary Prohibition will be referred to as "Sanctuary Provisions."

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Cooperation with federal immigration authorities.—

(1) A law enforcement agency shall use best efforts to support the enforcement of federal immigration law. This subsection applies to an official, representative, agent, or employee of the entity or agency only when he or she is acting within the scope of his or her official duties or within the scope of his or her employment.[4]

(2) Except as otherwise expressly prohibited by federal law, a state entity, local governmental entity, or law enforcement agency, or an employee, an agent, or a representative of the entity or agency, may not prohibit or in any way restrict a law enforcement agency from taking any of the following actions with respect to information regarding a person's immigration status:

(a) Sending the information to or requesting, receiving, or reviewing the information from a federal immigration agency for purposes of this chapter.

(b) Recording and maintaining the information for purposes of this chapter.

(c) Exchanging the information with a federal immigration agency or another state entity, local governmental entity, or law enforcement agency for purposes of this chapter.

(d) Using the information to comply with an immigration detainer.

(e) Using the information to confirm the identity of a person who is detained by a law enforcement agency.

(3)(a) For purposes of this subsection, the term "applicable criminal case" means a criminal case in which:

1. The judgment requires the defendant to be confined in a secure correctional facility; and

2. The judge:

a. Indicates in the record under s. 908.105 that the defendant is subject to an immigration detainer; or

b. Otherwise indicates in the record that the defendant is subject to a transfer into federal custody.

(b) In an applicable criminal case, when the judge sentences a defendant who is the subject of an immigration detainer to confinement, the judge shall issue an order requiring the secure correctional facility in which the defendant is to be confined to reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody. For purposes of this paragraph, the term "secure correctional facility" means a state correctional institution as defined in s. 944.02 or a county detention facility or a municipal detention facility as defined in s. 951.23.

(c) If the information specified in sub-subparagraph (a)2.a. or sub-subparagraph (a)2.b. is not available at the time the sentence is pronounced in the case, but is received by a law enforcement agency afterwards, the law enforcement agency shall notify the judge who shall issue the order described by paragraph (b) as soon as the information becomes available.

[4] Section 908.104(1) will be referred to as the "Best Efforts" provision.

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> (4) When a county correctional facility or the Department of Corrections receives verification from a federal immigration agency that a person subject to an immigration detainer is in the law enforcement agency's custody, the agency may securely transport the person to a federal facility in this state or to another point of transfer to federal custody outside the jurisdiction of the law enforcement agency. The law enforcement agency may transfer a person who is subject to an immigration detainer and is confined in a secure correctional facility to the custody of a federal immigration agency not earlier than 12 days before his or her release date. A law enforcement agency shall obtain judicial authorization before securely transporting an alien to a point of transfer outside of this state.[5]
>
> (5) This section does not require a state entity, local governmental entity, or law enforcement agency to provide a federal immigration agency with information related to a victim of or a witness to a criminal offense if the victim or witness timely and in good faith responds to the entity's or agency's request for information and cooperation in the investigation or prosecution of the offense.
>
> (6) A state entity, local governmental entity, or law enforcement agency that, pursuant to subsection (5), withholds information regarding the immigration information of a victim of or witness to a criminal offense shall document the victim's or witness's cooperation in the entity's or agency's investigative records related to the offense and shall retain the records for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.
>
> (7) This section does not authorize a law enforcement agency to detain an alien unlawfully present in the United States pursuant to an immigration detainer solely because the alien witnessed or reported a crime or was a victim of a criminal offense.
>
> (8) This section does not apply to any alien unlawfully present in the United States if he or she is or has been a necessary witness or victim of a crime of domestic violence, rape, sexual exploitation, sexual assault, murder, manslaughter, assault, battery, human trafficking, kidnapping, false imprisonment, involuntary servitude, fraud in foreign labor contracting, blackmail, extortion, or witness tampering.

Fla. Stat. § 908.104.

Section 908.105 mandates that state and local law enforcement agencies comply with immigration detainers received by federal immigration authorities ("Detainer Mandate").

> Duties related to immigration detainers.—
>
> (1) A law enforcement agency that has custody of a person subject to an immigration detainer issued by a federal immigration agency shall:
>
> (a) Provide to the judge authorized to grant or deny the person's release on bail under chapter 903 notice that the person is subject to an immigration detainer.

[5] Section 908.104(4) will be referred to as the "Transport Requirement."

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> (b) Record in the person's case file that the person is subject to an immigration detainer.
>
> (c) Upon determining that the immigration detainer is in accordance with s. 908.102(2), comply with the requests made in the immigration detainer.
>
> (2) A law enforcement agency is not required to perform a duty imposed by paragraph (1)(a) or paragraph (1)(b) with respect to a person who is transferred to the custody of the agency by another law enforcement agency if the transferring agency performed that duty before the transfer.
>
> (3) A judge who receives notice that a person is subject to an immigration detainer shall cause the fact to be recorded in the court record, regardless of whether the notice is received before or after a judgment in the case.

Fla. Stat. § 908.105.

Moreover, § 908.106 requires county correctional facilities to enter into agreements with the federal government for the reimbursement of costs incurred pursuant to honoring immigration detainer requests ("Cost Reimbursement").

> Reimbursement of costs.—Each county correctional facility shall enter into an agreement or agreements with a federal immigration agency for temporarily housing persons who are the subject of immigration detainers and for the payment of the costs of housing and detaining those persons. A compliant agreement may include any contract between a correctional facility and a federal immigration agency for housing or detaining persons subject to immigration detainers, such as basic ordering agreements in effect on or after July 1, 2019, agreements authorized by s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, or successor agreements and other similar agreements authorized by federal law.

Fla. Stat. § 908.106.

Finally, in the event that state and local officers fail to comply with the immigration enforcement efforts specified in SB 168, § 908.107 sets forth the Governor and the Attorney General's ability to enforce Chapter 908.

> Enforcement.—
>
> (1) Any executive or administrative state, county, or municipal officer who violates his or her duties under this chapter may be subject to action by the Governor in the exercise of his or her authority under the State Constitution and state law. Pursuant to s. 1(b), Art. IV of the State Constitution, the Governor may initiate judicial proceedings in the name of the state against such officers to enforce compliance with any duty under this chapter or restrain any unauthorized act contrary to this chapter.

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> (2) In addition, the Attorney General may file suit against a local governmental entity or local law enforcement agency in a court of competent jurisdiction for declaratory or injunctive relief for a violation of this chapter.
>
> (3) If a local governmental entity or local law enforcement agency violates this chapter, the court must enjoin the unlawful sanctuary policy. The court has continuing jurisdiction over the parties and subject matter and may enforce its orders with the initiation of contempt proceedings as provided by law.
>
> (4) An order approving a consent decree or granting an injunction must include written findings of fact that describe with specificity the existence and nature of the sanctuary policy that violates this chapter.

Fla. Stat. § 908.107.

B. <u>This Action</u>

Following the enactment of SB 168, on July 16, 2019, Plaintiffs initiated this action against Defendants, ECF No. [1] ("Complaint"), and filed their original Motion for Preliminary Injunction, ECF No. [5], and accompanying memorandum of law, ECF No. [5-1]. Specifically, Plaintiffs sought declaratory and injunctive relief, arguing that SB 168's Detainer Mandate, Transport Requirement, and Cost Reimbursement provisions are preempted by federal law, and that the "Best Efforts" provision and the Sanctuary Provisions are unconstitutionally vague.

On August 21, 2019, Plaintiffs amended their Complaint to include Mayor Stoddard as a Plaintiff and added two counts relating to Mayor Stoddard's claims. ECF No. [38]; ECF No. [40]. The Amended Complaint asserts the following eleven counts on behalf of the different Plaintiffs: Count I – § 908.105's Detainer Mandate violates the Supremacy Clause, U.S. Const. art. VI, § 2; Count II – § 908.104(4)'s Transport Requirement violates the Supremacy Clause; Count III – § 908.160's Cost Reimbursement violates the Supremacy Clause; Counts IV, V, and VI – § 908.102(6)'s and § 908.103's Sanctuary Provisions violate the Due Process Clause; Counts VII, VIII, and IX – § 908.104(1)'s "Best Efforts" provision violates the Due Process Clause; Count X

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– § 908.104(1)'s "Best Efforts" provision violates the Equal Protection Clause; and Count XI – § 908.103's Sanctuary Prohibition violates the Equal Protection Clause.[6] *Id.*

On August 30, 2019, Plaintiffs amended their Motion for Preliminary Injunction to include additional arguments with regard to Mayor Stoddard's claims. ECF No. [47]. Plaintiffs' Amended Motion incorporated the arguments previously asserted in their Memorandum of Law attached to their original Motion, ECF No. [5-1], and their Reply, ECF No. [39]. Defendants filed their Response, ECF No. [19], and Surreply, ECF No. [45],[7] in opposition to the imposition of a preliminary injunction.

The Court held a hearing on September 26, 2019, ("Hearing"), which was attended by Plaintiffs' counsel, Defendants' counsel, and counsel for the United States of America, who sought the Court's leave to participate in the hearing, ECF No. [57]; *see also* ECF No. [60]. During the Hearing, Plaintiffs argued in support of a preliminary injunction that SB 168's challenged provisions are unconstitutional based on preemption and vagueness. Defendants argued that Plaintiffs lack standing and that a preliminary injunction is not warranted as SB 168 is neither preempted by federal law nor unconstitutionally vague. The United States of America participated and argued that federal immigration law does not preempt any of the challenged provisions of SB 168.

[6] It is relevant for the Court's standing analysis below to explain the relationship between each of the Plaintiffs and the counts asserted in the Amended Complaint. Count I is brought by the City of South Miami; FLIC, FWAF, FANM, QLatinx, and WeCount, on behalf of their members and their organizations as a whole; and AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Counts II, IV, VII, X, and XI are brought by FLIC, FWAF, FANM, QLatinx, and WeCount, on behalf of their members and their organizations as a whole; and AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Count III is brought by FLIC, FWAF, FANM, QLatinx, WeCount, AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Counts V and VIII are brought by the City of South Miami. Counts VI and IX are brought by Mayor Stoddard.

[7] Defendants' Surreply addresses arguments regarding the addition of Mayor Stoddard as a Plaintiff in the Amended Complaint.

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II. LEGAL STANDARD

A. Standing

Standing is a threshold question of "whether the litigant is entitled to have the court decide the merits of the dispute or of particular issues." *Sims v. Fla. Dep't of Highway Safety & Motor Vehicles*, 862 F.2d 1449, 1458 (11th Cir. 1989) (en banc). "[S]tanding requirements 'are not mere pleading requirements but rather [are] an indispensable part of the plaintiff's case.'" *Church v. City of Huntsville*, 30 F.3d 1332, 1336 (11th Cir. 1994) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)). "To establish standing, a plaintiff must have 'suffered an injury-in-fact that would be corrected by [a] favorable decision in the lawsuit.'" *Church*, 30 F.3d at 1335 (quoting *Cheffer v. McGregor*, 6 F.3d 705, 708 (11th Cir. 1993)).

> [A]t an irreducible minimum, Art. III requires the party who invokes the court's authority to "show that he personally has suffered some actual or threatened injury as a result of the putatively illegal conduct of the defendant," and that the injury "fairly can be traced to the challenged action" and "is likely to be redressed by a favorable decision."

Valley Forge Christian Coll. v. Americans United for Separation of Church and State, 454 U.S. 464, 472 (1982) (quoting *Gladstone, Realtors v. Vill. of Bellwood*, 441 U.S. 91, 99 (1979)).

B. Preliminary Injunction

"A preliminary injunction may be issued to protect the plaintiff from irreparable injury and to preserve the district court's power to render a meaningful decision after a trial on the merits." *Canal Auth. of the State of Fla. v. Callaway*, 489 F.2d 567, 572 (5th Cir. 1974);[8] *Ne. Fla. Chapter of Ass'n of Gen. Contractors of Am. v. City of Jacksonville, Fla.*, 896 F.2d 1283, 1285 (11th Cir. 1990) ("*NE Fla. CAGC of Am.*") ("The basis of injunctive relief in the federal courts has always

[8] The Court of Appeals for the Eleventh Circuit, in *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981), adopted all decisions of the Court of Appeals for the Fifth Circuit that were rendered prior to September 30, 1981.

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been irreparable harm and inadequacy of legal remedies." (quoting *Sampson v. Murray*, 415 U.S. 61, 90 (1974))). District courts ultimately have discretion on whether or not to grant a preliminary injunction. *Callaway*, 489 F.2d at 572. However, "a preliminary injunction is an extraordinary and drastic remedy which should not be granted unless the movant clearly carries the burden of persuasion." *Id.* at 573. Accordingly, a movant must prove four factors in order to establish that a preliminary injunction is appropriate: (1) "a substantial likelihood of success on the merits," (2) "that the preliminary injunction is necessary to prevent irreparable injury," (3) "that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant," and (4) "that the preliminary injunction would not be averse to the public interest." *Chavez v. Fla. SP Warden*, 742 F.3d 1267, 1271 (11th Cir. 2014) (citing *Parker v. State Bd. of Pardons & Paroles*, 275 F.3d 1032, 1034-35 (11th Cir. 2001)).

Because preliminary injunctions are drastic, often time-sensitive, remedies, they are "customarily granted on the basis of procedures that are less formal and evidence that is less complete than in a trial on the merits. A party thus is not required to prove his case in full at a preliminary-injunction hearing." *Univ. of Tex. v. Camenisch*, 451 U.S. 390, 395 (1981) (citation omitted). As such, "all of the well-pleaded allegations [in a movant's] complaint and uncontroverted affidavits filed in support of the motion for a preliminary injunction are taken as true." *Elrod v. Burns*, 427 U.S. 347, 350 n.1 (1976).

III. DISCUSSION

In their Amended Motion, Plaintiffs request that the Court preliminarily enjoin § 908.105(1)'s Detainer Mandate, § 908.104(4)'s Transport Requirement, § 908.106's Cost Reimbursement, § 908.104(1)'s "Best Efforts" provision, § 908.102(6)'s Sanctuary Definition, and § 908.103's Sanctuary Prohibition, based on their likelihood of success on the merits, the

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irreparable harm they will suffer if SB 168 takes effect, and the equitable factors weighing in their favor. ECF No. [47]. Specifically, Plaintiffs contend that the Detainer Mandate, the Transport Requirement, and the Cost Reimbursement provisions violate the Supremacy Clause because they are preempted by the Immigration and Nationality Act ("INA"). *Id.* at 2. Additionally, Plaintiffs argue that the "Best Efforts" provision and the Sanctuary Provisions violate the Due Process Clause of the Fourteenth Amendment because they are unconstitutionally vague. *Id.* Moreover, because Plaintiffs do not consider the provisions of SB 168 to be severable, they request that the Court preliminarily enjoin SB 168 in its entirety. *Id.*

Conversely, in their Response, Defendants argue that the Organizational Plaintiffs[9] lack standing to bring any of their claims, aside from the Detainer Mandate challenge; the City of South Miami lacks standing to bring its vagueness challenges; and Mayor Stoddard's[10] delay in joining this action rebuts any allegation that he will suffer irreparable harm under the preliminary injunction analysis. ECF No. [19]; *see also* ECF No. [45]. Defendants also assert that a preliminary injunction is not warranted because Plaintiffs cannot establish a likelihood of success on the merits on either their preemption claims or their vagueness challenges. ECF No. [19] at 10-18. Further, Defendants allege that the remaining equitable factors under the preliminary injunction analysis weigh in their favor. *Id.* at 19. Finally, if the Court determines that a preliminary injunction is warranted on any of the challenged provisions, Defendants request that the enjoined provisions be severed from the remainder of SB 168. *Id.* at 20.

[9] Any reference to the "Organizational Plaintiffs" includes FLIC, FWAF, FANM, QLatinx, WeCount, and AI Justice, GMC, Hope, and Westminster.
[10] Defendants' arguments as to Mayor Stoddard are set forth in their Surreply. ECF No. [45] at 2-3.

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A. Standing

As an initial matter, the Court will address the issue of Plaintiffs' standing. Defendants argue that the Organizational Plaintiffs lack standing to challenge the Transport Requirement, Cost Reimbursement, "Best Efforts" provision, and Sanctuary Provisions. ECF No. [19] at 7-9. Additionally, Defendants contest Plaintiff City of South Miami's standing to assert its vagueness challenges. *Id.* at 9-10.

"A threshold question in every federal case is whether the plaintiff has made out a justiciable case or controversy within the meaning of article III." *NE Fla. CAGC of Am.*, 896 F.2d at 1287 n.1 (Tjoflat, C.J., specially concurring) (quoting *Church of Scientology Flag Serv. Org. v. City of Clearwater*, 777 F.2d 598, 606 (11th Cir. 1985)). As explained above, to establish standing, a "plaintiff must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision." *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016). Moreover, "[s]tanding cannot be waived or conceded by the parties." *A&M Gerber Chiropractic LLC v. GEICO Gen. Ins. Co.*, 925 F.3d 1205, 1210 (11th Cir. 2019).

The United States Supreme Court has defined "injury in fact" as "an invasion of a judicially cognizable interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical." *Bennett v. Spear*, 520 U.S. 154, 167 (1997).

> When, as here, plaintiffs file a pre-enforcement, constitutional challenge to a state statute, the injury requirement may be satisfied by establishing "'a realistic danger of sustaining direct injury as a result of the statute's operation or enforcement.'" *Socialist Workers Party v. Leahy*, 145 F.3d 1240, 1245 (11th Cir. 1998) (quoting *Am. Civil Liberties Union v. The Fla. Bar (ACLU)*, 999 F.2d 1486, 1492 (11th Cir. 1993)). A plaintiff may meet this standard in any of three ways: "(1) [the plaintiff] was threatened with application of the statute; (2) application is likely; or (3) there is a credible threat of application." *Id.* (citing *ACLU*, 999 F.2d at 1492).

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Ga. Latino All. for Human Rights v. Governor of Ga., 691 F.3d 1250, 1257-58 (11th Cir. 2012) ("*GLAHR*"). Additionally, there must be a causal connection between a plaintiff's injury and a defendant's alleged illegal conduct. *Id.* at 1257. "Finally, it must be 'likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision.'" *Id.* (quoting *Bennett*, 520 U.S. at 167).

1. Organizational Plaintiffs' Standing

Defendants argue that the Organizational Plaintiffs do not have standing to assert any of their claims on behalf of themselves or their members. Defendants contend that the Organizational Plaintiffs will not suffer any irreparable injury as a result of SB 168's enactment because the law does not impose any obligation on the organizations or their members. ECF No. [19] at 7-9. Conversely, Organizational Plaintiffs contend that they have standing to represent themselves because they have had to, and will continue to need to, divert resources away from their core activities to respond to the increased concerns of their members and the community about SB 168's implications. ECF No. [39] at 2-5. Furthermore, these organizations assert that they can properly bring claims on behalf of their members, who have independent standing, because they have sufficiently pled that these members will be personally and adversely impacted by the heightened immigration enforcement efforts by state and local officials pursuant to SB 168. *Id.*

Organizations can establish standing to sue either on their own behalf or on behalf of their members. "[A]n organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts." *GLAHR*, 691 F.3d at 1259-60 (quoting *Common Cause/Ga. v. Billups*, 554 F.3d 1340, 1350 (11th Cir. 2009); *Fla. State Conference of the NAACP v. Browning*, 522 F.3d 1153, 1165 (11th Cir. 2008)). An organization can establish injury for standing purposes

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by showing either that it has already suffered a cognizable injury when it had to divert its resources, or that it reasonably anticipates that it will have to divert its resources in the future, to address the illegal conduct. *Billups*, 554 F.3d at 1350; *Browning*, 522 F.3d at 1165-66.

Additionally, "[i]t has long been settled that an organization has standing to sue to redress injuries suffered by its members without a showing of injury to the association itself." *Doe v. Stincer*, 175 F.3d 879, 882 (11th Cir. 1999); *see also Warth v. Seldin*, 422 U.S. 490, 511 (1975) ("Even in the absence of injury to itself, an association may have standing solely as the representative of its members."). The Supreme Court has explained that an association may sue on behalf of its members when: "(a) its members would otherwise have standing to sue in their own right; (b) the interests it seeks to protect are germane to the organization's purpose; and (c) neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit." *Hunt v. Wash. State Apple Advert. Comm'n*, 432 U.S. 333, 343 (1977).

> Accordingly, under *Hunt*, an association may bring suit on behalf of its members or constituents despite the fact that individual members have not actually brought suit themselves. Nor must the association name the members on whose behalf suit is brought. As we have stated, "neither unusual circumstances, inability of individual members to assert rights nor an explicit statement of representation are prerequisites."

Doe, 175 F.3d at 882 (quoting *Church of Scientology v. Cazares*, 638 F.2d 1272, 1279 (5th Cir. 1981)).

Each of the Organizational Plaintiffs has generally set forth facts in the Amended Complaint regarding the injuries the organizations and their members have sustained after the passage of SB 168. ECF No. [38]. The Organizational Plaintiffs' missions all center around immigrant communities and advocating for their rights. *Id.* at 6-23. Moreover, each of the Organizational Plaintiffs has detailed how SB 168 has forced it to divert its resources away from its core mission activities in order to address member concerns about the law and its implications.

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Id. at 9, 11, 13-14, 15, 17, 18, 19-20, 21-22, 23. These diversions of resources in order to specifically address SB 168 include, for example, operating a toll-free hotline to address increased calls requesting information on the law, *Id.* at 10; additional volunteer training, *Id.* at 11; hosting community meetings, *Id.* at 13; hiring additional staff, *Id.* at 15; addressing heightened requests for referrals to immigration attorneys, *Id.* at 18; conducting Know Your Rights presentations, *Id.* at 11, 20; answering member requests for clarification on the law, *Id.* at 21; and organizing forums and legal clinics to aid in the preparation of power of attorney's for members, *Id.* at 23. They also contend that they will continue to have to divert their resources in the future, in response to SB 168's ultimate application. *Id.* at 10, 12, 14, 15, 17, 18-19, 20, 22, 23. Moreover, the Organizational Plaintiffs will suffer diminished membership and beneficiaries if SB 168 takes effect. ECF No. [5-1] at 19.

Organizational Plaintiffs also explain how SB 168 has, and will continue to, injure their individual members. ECF No. [38] at 6-23. Specifically, Organizational Plaintiffs' assert that their members will suffer injuries "from racial and ethnic profiling, and unlawfully prolonged stops, arrests, and detentions on suspicion of civil immigration violations" by law enforcement. *Id.* at 14, 15, 22, 23; ECF No. [5-1] at 18. With SB 168 in force, Organizational Plaintiffs contend that these members will be reluctant to report crimes or act as witnesses due to their fear of interacting with law enforcement officers who may detain them. ECF No. [38] at 17, 20, 22; ECF No. [5-1] at 18. Further, they explain that members' fear and uncertainty about SB 168's implications "has and will continue to discourage members from accessing essential healthcare and government services, including shelter during a hurricane, enforcing their legal rights, including in cases of domestic violence, and applying to and enrolling in public schools and universities." ECF No. [38] at 15, 17, 19-20, 22; ECF No. [5-1] at 18.

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a. Detainer Mandate and Transport Requirement Challenges

In the preemption claims asserted in Counts I and II, Organizational Plaintiffs set forth the general injuries discussed above with regard to their present and future need to divert resources as a result of SB 168. ECF No. [38] at 6-23, 46-52. Additionally, they seek to protect the rights of their members to be free from unlawful immigration enforcement. ECF No. [39] at 4. Organizational Plaintiffs contend that at least one member of each membership-based organization will be unlawfully detained under SB 168's Detainer Mandate and will be unlawfully transported into federal immigration custody by un-deputized law enforcement officers. *Id.*

Defendants argue that the Organizational Plaintiffs lack standing because SB 168 does not impose any duties on the Organizational Plaintiffs upon which injury can be based. ECF No. [19] at 7-9.

> When a governmental prohibition or restriction imposed on one party causes specific harm to a third party, harm that a constitutional provision or statute was intended to prevent, the indirectness of the injury does not necessarily deprive the person harmed of standing to vindicate his rights. But it may make it substantially more difficult to meet the minimum requirement of Art. III: to establish that, in fact, the asserted injury was the consequence of the defendants' actions, or that prospective relief will remove the harm.

Warth, 422 U.S. at 505 (1975) (citation omitted).

In the instant action, Organizational Plaintiffs have sufficiently pled injury in fact with regard to their preemption challenges in Counts I and II. The organizations have diverted, and will continue to have to divert, resources away from core activities in order to respond to member inquiries about SB 168's enactment, implications, and enforcement. Moreover, Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp. v. Coleman*, 455 U.S.

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363, 379 (1982))). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168. *Babbitt v. United Farm Workers Nat. Union*, 442 U.S. 289, 298 (1979) ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending, that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. 553, 593 (1923))). These asserted injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining these provisions. Accordingly, the Court concludes that the Organizational Plaintiffs have standing to assert their preemption challenges on behalf of themselves and their members.

b. Cost Reimbursement Challenge

In Count III, Organizational Plaintiffs assert that the Cost Reimbursement provision is preempted and have set forth their respective injuries. ECF No. [38] at 6-23, 52-55. Specifically, Organizational Plaintiffs have had to divert resources away from core mission activities in order to address SB 168's application with their members. *Id.* at 9, 11, 13-14, 15, 17, 18, 19-20, 21-22, 23. These organizations anticipate having to continue to divert additional resources in the future to respond to members' needs as SB 168 is enforced. *Id.* at 10, 12, 14, 15, 17, 18-19, 20, 22, 23. Moreover, these Organizational Plaintiffs will suffer diminished membership and beneficiaries if SB 168 takes effect. ECF No. [5-1] at 19.

When asked at the Hearing what specific injuries were sustained regarding the Cost Reimbursement provision, counsel for Plaintiffs indicated that, in addition to the diversion of resources, Organizational Plaintiffs were engaging in discussions with state and local law enforcement agencies and government agencies about how to respond to SB 168 and the Cost Reimbursement provision in particular. While these communications with local agencies were not

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addressed in the Amended Complaint or in Plaintiffs' Amended Motion, it does not change the Court's analysis. Plaintiffs have not established any causal connection between SB 168's Cost Reimbursement provision and the injuries Plaintiffs have sustained and anticipate sustaining moving forward.

The Court finds that there is an insufficient nexus between the provision requiring local law enforcement agencies to seek reimbursement for costs incurred in complying with federal immigration efforts and Organizational Plaintiffs' diversion of resources. As alleged by the Organizational Plaintiffs, the diversion of resources to address the concerns and implications of SB 168 relate to the unlawful detention and transport of immigrants. *See generally* ECF No. [38] at 9-23. The injuries alleged stem directly from concerns and confusion regarding the legality and scope of the Detainer Mandate and the Transport Requirement, not the Cost Reimbursement provision. *See generally id.* Because Organizational Plaintiffs have failed to sufficiently establish a causal link between the injuries sustained and the Cost Reimbursement provision of SB 168, the Court concludes that Plaintiffs lack standing to assert this claim. *Browning*, 522 F.3d at 1160 ("a plaintiff must establish 'a realistic danger of sustaining a direct injury as a result of the statute's operation or enforcement" (quoting *Babbitt*, 442 U.S. 289)). As such, this Court lacks jurisdiction to review the Cost Reimbursement challenge in Count III. *Warth*, 422 U.S. at 499 ("A federal court's jurisdiction therefore can be invoked only when the plaintiff himself has suffered 'some threatened or actual injury resulting from the putatively illegal action.'" (quoting *Linda R.S. v. Richard D.*, 410 U.S. 614, 617 (1973))).

c. Sanctuary Provisions and "Best Efforts" Provision Challenges

Under Counts IV and VII, the vagueness challenges to the Sanctuary Provisions and "Best Efforts" provision, Organizational Plaintiffs' delineate the general injuries sustained due to their

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present and future need to divert resources as a result of SB 168. ECF No. [38] at 6-23, 55-57, 61-64. Additionally, they seek to protect the rights of their members to be free from unlawful immigration enforcement. ECF No. [39] at 4. Organizational Plaintiffs contend that at least one member of each membership-based organization will be subject to an unlawful, and potentially arbitrary, arrest pursuant to the "Best Efforts" provision and the Sanctuary Provisions. *Id.* at 5.

Similar to the preemption challenges in Counts I and II, Organizational Plaintiffs have sufficiently pled injury in fact with regard to their vagueness claims. The organizations have diverted, and will continue to have to divert, resources away from core activities in order to respond to member inquiries about SB 168's enactment, implications, and enforcement. Moreover, Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp.*, 455 U.S. at 379)). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168, which will be aggravated by the enforcement of the Sanctuary Prohibition and the "Best Efforts" provision. *Babbitt*, 442 U.S. at 298 ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending, that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. at 593)). These asserted injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining these provisions. Accordingly, the Court concludes that the Organizational Plaintiffs have standing to assert their vagueness challenges on behalf of themselves and their members.

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2. Plaintiff City of South Miami's Standing

Defendants concede the City of South Miami's standing to challenge the Detainer Mandate. However, Defendants argue that the City of South Miami lacks standing to assert its vagueness challenges in Counts V and VIII because Fourteenth Amendment protections only apply to "persons." ECF No. [19] at 9. Plaintiffs' Reply concedes that municipalities lack standing to raise Fourteenth Amendment claims. ECF No. [39] at 2. However, because "[s]tanding cannot be waived or conceded by the parties," *A&M Gerber Chiropractic LLC*, 925 F.3d at 1210, the Court must nevertheless examine whether the City of South Miami has standing to bring its claims.

"In assessing the standing to sue of a state entity, [courts] are bound by the Supreme Court's or [the Eleventh Circuit's] determination of whether any given constitutional provision or law protects the interests of the body in question." *United States v. State of Ala.*, 791 F.2d 1450, 1455 (11th Cir. 1986). Thus, a municipality's standing depends on the nature of the claim asserted. Political subdivisions have been permitted to challenge the constitutionality of state statutes under the Supremacy Clause. *See Rogers v. Brockette*, 588 F.2d 1057, 1071 (5th Cir. 1979). However, as the Supreme Court has explained, "Being but creatures of the State, municipal corporations have no standing to invoke . . . the provisions of the Fourteenth Amendment of the Constitution in opposition to the will of their creator." *Coleman v. Miller*, 307 U.S. 433, 441 (1939).

In examining whether a municipality has standing to assert a constitutional challenge to a state statute under the Supremacy Clause, the Fifth Circuit set forth three prerequisites that must be met: (1) "to sue in federal court, a plaintiff must allege 'a distinct and palpable injury' to itself"; (2) "ordinarily a plaintiff 'must assert his own legal rights and interests, and cannot rest his claim to relief on the legal rights or interests of third parties'"; and (3) "a claim must present a genuine,

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live case or controversy under Article III." *Rogers*, 588 F.2d at 1060 (citations omitted) (footnotes omitted).

a. Preemption Challenge

The City of South Miami has alleged its injuries under SB 168. ECF No. [38] at 6-7. Specifically, the City of South Miami "believes SB 168 does not provide [the City], [the police department], or its residents any actual and understandable notice of the statutory requirements that apply to their conduct." *Id.* at 7. With regard to Count I, the City of South Miami is unsure which provisions of SB 168 apply to it, and it is concerned that the resolutions and policies currently in place may violate SB 168's requirements, especially the City's resolution providing that immigration detainers will not be honored as a matter of course. *Id.* The City of South Miami's potential noncompliance with SB 168 could result in the suspension without pay of its leadership and enforcement actions by the Governor and the Attorney General. *Id.* However, the City of South Miami's attempts to comply with SB 168 will expose the City to liability and damage lawsuits for local law enforcement officers' improper immigration enforcement pursuant to SB 168. *Id.*

As noted above, political subdivisions may establish standing to challenge the constitutionality of state statutes under the Supremacy Clause. *See Rogers*, 588 F.2d at 1071. Here, the City of South Miami asserts a "distinct and palpable injury to itself" because it faces liability and damage lawsuits if its agencies unlawfully comply or attempt to comply with SB 168's Detainer Mandate when its law enforcement officers do not have the authority to do so under federal law, but it faces enforcement actions by the Attorney General if it fails to comply with the Detainer Mandate. *See id.* at 1061. Moreover, the question of whether Congress intended to preempt the field of immigration enforcement dictates the City of South Miami's authority, or lack thereof, to refuse compliance with the Detainer Mandate. *See id.* at 1062-63. Finally, the City of

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South Miami's preemption challenge presents a live case or controversy because the imposition of an injunction on the Detainer Mandate would directly remedy the City of South Miami's threatened injury of damage lawsuits by individuals whose constitutional rights were violated and enforcement actions by the Attorney General for noncompliance. *See id.* at 1063. Accordingly, the Court concludes that the City of South Miami has standing to bring its Detainer Mandate preemption claim.

b. Vagueness Challenges

In Count V, the City of South Miami asserts that the language of the Sanctuary Definition is so vague that it cannot determine what policies are prohibited and which immigration enforcement actions require law enforcement compliance. ECF No. [38] at 58. Similarly, in Count VIII, the City of South Miami argues that the lack of explicit standards in the "Best Efforts" provision fails to set forth any meaningful standard of conduct. *Id.* at 65. As a result, SB 168 will result in arbitrary and discriminatory enforcement. *Id.* Further, the City of South Miami is unable to determine what is prohibited or which local entities and agencies must comply with the "Best Efforts" provision due to SB 168's vague language and inconsistent references to local entities, agencies, and their employees. *Id*. at 66. The City of South Miami asserts that, because of the vague language in the Sanctuary Provisions and the "Best Efforts" provision, and the resulting inability to determine what conduct is proscribed, complying with SB 168 exposes the City to liability. *Id.* at 58, 66. Moreover, government entities that violate the requirements of SB 168 are subject to enforcement actions by the Attorney General. *Id.* at 58, 66. Furthermore, even if the City attempts to comply with SB 168, it may nonetheless face enforcement actions by the Attorney General due to SB 168's vagueness. *Id.* at 58, 66.

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As noted above, "[b]eing but creatures of the State, municipal corporations have no standing to invoke . . . the provisions of the Fourteenth Amendment of the Constitution in opposition to the will of their creator." *Coleman*, 307 U.S. at 441. Vagueness claims, such as those asserted in Counts V and VIII, are rooted in the Due Process Clause of the Fourteenth Amendment. *See Lanzetta v. N.J.*, 306 U.S. 451, 454 (1939); *Alabama*, 791 F.2d at 1455. As such, the City of South Miami lacks standing to assert its vagueness challenges.

3. Plaintiff Mayor Stoddard's Standing

In their Surreply, Defendants concede that Mayor Stoddard has standing to bring his vagueness challenges in Counts VI and IX. ECF No. [45] at 1. Nonetheless, as with the City of South Miami, this Court has an independent obligation to assess whether Mayor Stoddard has standing to assert his vagueness challenges.

While political subdivisions may not have standing to challenge the constitutionality of state statutes on vagueness grounds, the Supreme Court has recognized public officials' legitimate interest in challenging "the enforcement of statutes in relation to which they have official duties." *Coleman*, 307 U.S. at 441-42; *see also Finch v. Miss. State Med. Assoc., Inc.*, 585 F.2d 765, 773 (5th Cir. 1978) ("plaintiffs who sued in their official capacities may assert constitutional claims against the state." (quoting *City of New York v. Richardson*, 473 F.2d 923, 933 (2d Cir. 1973)). Moreover, the Supreme Court has explained that public officials have a sufficient personal stake in the outcome of a case for standing purposes when, believing a state statute to be unconstitutional, "they are in the position of having to choose between violating their oath [by complying with the statute] and taking a step — refusing to comply with [the statute] — that would be likely to bring their expulsion from office." *Bd. of Edu. of Cent. Sch. Dist. No. 1 v. Allen*, 392 U.S. 236, 241 n.5 (1968).

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In Count VI, Mayor Stoddard asserts that the language of the Sanctuary Definition is so vague that he has no way to determine what conduct or policy is prohibited and which immigration enforcement actions require law enforcement compliance. ECF No. [38] at 61. As a result, Mayor Stoddard's ability to establish policies and resolutions guiding local law enforcement agencies' conduct is undermined because he "is unable to determine whether any of the actions, resolutions, policies, or statements he makes place him in violation of SB 168." *Id.* at 60.

Similarly, in Count IX, Mayor Stoddard challenges the constitutionality of SB 168's "Best Efforts" provision because "[s]uch vague language fails to give Mayor Stoddard fair notice of what he must, and must not do, in order to be in compliance with SB 168 and to avoid an enforcement suit or removal from office." *Id.* at 67. Mayor Stoddard is unable to determine what conduct is prohibited or which local entities and agencies must comply with the "Best Efforts" provision due to SB 168's vague language and inconsistent references to local entities, agencies, and their employees. *Id*. at 68. SB 168's vague mandates undermine Mayor Stoddard's ability to establish policies and resolutions to guide police conduct on what actions satisfy "best efforts." *Id.*

Mayor Stoddard asserts that, because of the vague language in the Sanctuary Provisions and the "Best Efforts" provision, and his resulting inability to determine proscribed conduct, complying with SB 168 exposes him to liability. *Id.* at 61, 68. Moreover, officials who violate the requirements of SB 168 are subject to enforcement actions or suspension from office by the Governor. *Id.* at 68, 69. As such, Mayor Stoddard is now faced with the threat of suspension or removal for failing to comply with SB 168. *Id.* Alternatively, he faces political liability and damage lawsuits for improper immigration enforcement actions taken pursuant to SB 168. *Id.* at 61, 68-69. Furthermore, Mayor Stoddard's attempted, yet insufficient, compliance with SB 168 may result in suspension or removal from office. *Id.* at 61, 69.

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Mayor Stoddard has sufficiently alleged a concrete, imminent, and "realistic danger of sustaining direct injury as a result of the statute's operation or enforcement." *GLAHR*, 691 F.3d at 1257 (quoting *Socialist Workers Party*, 145 F.3d at 1245). Specifically, Mayor Stoddard is "in the position of having to choose between violating [his] oath [by complying with SB 168] and taking a step — refusing to comply with [SB 168] — that would likely bring [his] expulsion from office." *Allen*, 392 U.S. at 241 n.5. Accordingly, the Court concludes that Mayor Stoddard has satisfied the injury-in-fact requirement of the standing analysis. Moreover, the causal connection between the asserted injury and the alleged illegal conduct here is clear because Mayor Stoddard's injury stems directly from SB 168's application and enforcement. Finally, Mayor Stoddard's purported injury will be redressed if this Court ultimately enjoins SB 168. Therefore, Mayor Stoddard has standing to challenge the vagueness of the Sanctuary Provisions and "Best Efforts" provision.

B. Preliminary Injunction

Having determined that Plaintiffs have standing to sue, the Court turns to the merits of Plaintiffs' request for a preliminary injunction. A movant must prove four factors in order to establish that a preliminary injunction is appropriate: (1) "a substantial likelihood of success on the merits," (2) "that the preliminary injunction is necessary to prevent irreparable injury," (3) "that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant," and (4) "that the preliminary injunction would not be averse to the public interest." *Chavez*, 742 F.3d at 1271 (citing *Parker*, 275 F.3d at 1034-35). "Failure to show any of the four factors is fatal" to the preliminary injunction inquiry. *Am. Civil Liberties Union of Fla., Inc. v. Miami-Dade Sch. Bd.*, 557 F.3d 1177, 1198 (11th Cir. 2009).

> When a federal court before trial enjoins the enforcement of a municipal ordinance adopted by a duly elected city council, the court overrules the decision of the elected representatives of the people and, thus, in a sense interferes with the processes of democratic government. Such a step can occasionally be justified by the

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> Constitution (itself the highest product of democratic processes). Still, preliminary injunctions of legislative enactments—because they interfere with the democratic process and lack the safeguards against abuse or error that come with a full trial on the merits—must be granted reluctantly and only upon a clear showing that the injunction before trial is definitely demanded by the Constitution and by the other strict legal and equitable principles that restrain courts.

NE Fla. CAGC of Am., 896 F.2d at 1285.

Plaintiffs' Amended Motion requests that this Court grant a preliminary injunction to enjoin SB 168 from taking effect, pending the resolution of the instant case. ECF No. [47]. Plaintiffs assert that a preliminary injunction is appropriate because the challenged provisions of SB 168 are either preempted by federal law or are unconstitutionally vague. *Id.* Defendants contend that this Court should deny the Amended Motion because Plaintiffs' claims are meritless and unlikely to succeed, they have failed to sufficiently allege irreparable harm, and the equitable factors weigh in favor of denying the preliminary injunction. ECF No. [19].

1. Substantial Likelihood of Success on the Merits

With regard to the preliminary injunction factors, the Eleventh Circuit has stated that the substantial likelihood of success on the merits is "generally the most important [factor]." *Schiavo ex rel. Schindler v. Schiavo*, 403 F.3d 1223, 1232 (11th Cir. 2005). "A substantial likelihood of success on the merits requires a showing of only likely or probable, rather than certain, success." *Id.*

a. Preemption Challenges

Plaintiffs argue that the Detainer Mandate and the Transport Requirement[11] violate the Supremacy Clause because these provisions are preempted by federal immigration law. ECF No. [5-1] at 3-11.

[11] As discussed above, the Court does not address Plaintiffs' arguments regarding the Cost Reimbursement provision's preemption, as they lack standing to assert that claim.

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"Federalism, central to the constitutional design, adopts the principle that both the National and State Governments have elements of sovereignty the other is bound to respect." *Arizona v. United States*, 567 U.S. 387, 398 (2012). Nonetheless, the Supremacy Clause mandates that federal law "shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." U.S. Const. art. VI, § 2. Thus, "[w]here the two conflict, federal law trumps state law; that was always clear. What constitutes a conflict is often less clear." *Browning*, 522 F.3d at 1167 (citations omitted).

Under the preemption doctrine, Congress has the power to preempt state law, and this preemption typically falls into one of "three categories: (1) express preemption; (2) field preemption; and (3) conflict preemption." *Id.*; *Arizona*, 567 U.S. at 399-400. "Express preemption occurs when Congress manifests its intent to displace a state law using the text of a federal statute." *Browning*, 522 F.3d at 1167. "Implied preemption" has generally been used to encompass field and conflict preemption. *Id.* "Field preemption occurs when a congressional legislative scheme is 'so pervasive as to make the reasonable inference that Congress left no room for the states to supplement it,'" *id.* (quoting *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218, 230 (1947)), or "where there is a 'federal interest . . . so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject,'" *Arizona*, 567 U.S. at 399 (quoting *Rice*, 331 U.S. at 230). "Conflict preemption occurs either when it is physically impossible to comply with both the federal and state laws or when the state law stands as an obstacle to the objective of the federal law." *Browning*, 522 F.3d at 1167.

Two main considerations guide district courts' preemption analysis: "First, the purpose of Congress is the ultimate touchstone in every pre-emption case. Second, we assume that the historic police powers of the States were not to be superseded by the Federal Act unless that was the clear

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and manifest purpose of Congress." *United States v. Alabama*, 691 F.3d 1269, 1281-82 (11th Cir. 2012) (citations and internal quotation marks omitted).

As the Supreme Court has explained,

> The Government of the United States has broad, undoubted power over the subject of immigration and the status of aliens. This authority rests, in part, on the National Government's constitutional power to "establish an uniform Rule of Naturalization," Art. I, § 8, cl. 4, and its inherent power as sovereign to control and conduct relations with foreign nations. The federal power to determine immigration policy is well settled.

Arizona, 567 U.S. at 394-95 (citations omitted). The field of immigration governance "is extensive and complex." *Id.* at 395. As such, "Congress has specified which aliens may be removed from the United States and the procedures for doing so." *Id.* at 396. Nonetheless, the Supreme Court has emphasized that "[t]he pervasiveness of federal regulation does not diminish the importance of immigration policy to the States." *Id.* at 397.

The Executive Branch is tasked with the enforcement of immigration law, and immigration officials are given "broad discretion" in the exercise of their powers. *Id.* at 396-97. Although there are numerous agencies within the Department of Homeland Security ("DHS"), *id.* at 397, ICE is the agency relevant to the instant action. "ICE officers are responsible 'for the identification, apprehension, and removal of illegal aliens from the United States.'" *Id.*

"As a general rule, it is not a crime for a removable alien to remain present in the United States." *Id.* at 407. Moreover, "[r]emoval is a civil, not criminal, matter." *Id.* at 396.

> The federal statutory structure instructs when it is appropriate to arrest an alien during the removal process. For example, the Attorney General can exercise discretion to issue a warrant for an alien's arrest and detention "pending a decision on whether the alien is to be removed from the United States." [8 U.S.C.] § 1226(a). And if an alien is ordered removed after a hearing, the Attorney General will issue a warrant. See 8 CFR § 241.2(a)(1). In both instances, the warrants are executed by federal officers who have received training in the enforcement of immigration law. See §§ 241.2(b), 287.5(e)(3). If no federal warrant has been issued, those officers have more limited authority. See 8 U.S.C. § 1357(a).

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Id. at 407-08 (some citations omitted).

Congress has delineated specific, "limited circumstances in which state officers may perform the functions of an immigration officer." *Id.* at 408. Relevant to the instant case, the Attorney General may grant this authority to specific state or local law enforcement officers pursuant to a formal agreement, commonly referred to as a "287(g) Agreement,"[12] which allows officers to perform the duties of a federal immigration officer under the direction and supervision of the Attorney General after completing adequate immigration training. 8 U.S.C. § 1357(g)(1); *Arizona*, 567 U.S. at 408-09. Without a 287(g) Agreement, local law enforcement agencies are not permitted to unilaterally perform the functions of federal immigration officers, such as detaining an alien for being removable, "absent any request, approval, or other instruction from the Federal Government." *Arizona*, 567 U.S. at 410.

Nevertheless, the Supreme Court has recognized that "[c]onsultation between federal and state officials is an important feature of the immigration system." *Id.* at 411. Congress has explicitly stated that state and local law enforcement agencies do not need a 287(g) Agreement (A) "to communicate with the [Federal Government] regarding the immigration status of any individual," or (B) "otherwise to cooperate[[13]] with the [Federal Government] in the identification,

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[12] The federal government's authorization to enter into 287(g) Agreements is codified in 8 U.S.C. § 1357(g):

> (1) Notwithstanding section 1342 of Title 31, the Attorney General may enter into a written agreement with a State, or any political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to the extent consistent with State and local law.

8 U.S.C. § 1357(g)(1).

[13] The Court will refer to the provision in 8 U.S.C. § 1357(g)(10)(B) as the "cooperation clause."

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apprehension, detention, or removal of aliens not lawfully present in the United States." 8 U.S.C. § 1357(g)(10); *Arizona*, 567 U.S. at 411-12.

The parties in this case disagree on what the phrase "otherwise to cooperate" means, in the context of enforcing immigration detainers and transporting detained aliens into federal custody. Before examining each party's arguments, a brief history of immigration detainers is warranted.

Amici curiae in support of Plaintiffs provided the Court with an informative history on the evolution of the immigration detainer. ECF No. [61] at 17-23. There is only one reference to "detainers" in the INA. *See* 8 U.S.C. § 1357(d); *Arizona*, 567 U.S. at 410 ("State officials can also assist the Federal Government by responding to requests for information about when an alien will be released from their custody." (citing 8 U.S.C. § 1357(d))). *Amici* assert that detainers were historically understood to be requests for information about a suspected alien's expected release date and nothing more. ECF No. [61] at 18.

However, in 1997, federal immigration agencies began requesting that local law enforcement agencies, pursuant to detainer requests, hold suspected aliens in custody for up to forty-eight hours beyond their scheduled release from custody. *Id.* at 17. Specifically, the Code of Federal Regulation's Detainer Provisions state:

> (a) Detainers in general. Detainers are issued pursuant to sections 236 and 287 of the Act and this chapter 1. Any authorized immigration officer may at any time issue a Form I-247, Immigration Detainer – Notice of Action, to any other Federal, State, or local law enforcement agency. A detainer serves to advise another law enforcement agency that the Department seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien. The detainer is a request that such agency advise the Department, prior to release of the alien, in order for the Department to arrange to assume custody, in situations when gaining immediate physical custody is either impracticable or impossible.
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> . . . .
>
> (d) Temporary detention at Department request. Upon a determination by the Department to issue a detainer for an alien not otherwise detained by a criminal justice agency, such agency shall maintain custody of the alien for a period not to

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> exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit assumption of custody by the Department.

8 C.F.R. § 287.7. Based on this additional request to hold an individual beyond their custodial sentence, a detainer has developed into "a written request to state or local officials, asking them (1) to notify [DHS] as soon as practicable before an alien is released and (2) to maintain custody of the alien for up to 48 hours beyond the preexisting release date so that DHS may assume custody." *City of El Cenizo, Tex. v. Tex.*, 890 F.3d 164, 174 (5th Cir. 2018); 8 C.F.R. § 287.7; *United States v. Ovando-Garzo*, 752 F.3d 1161, 1164 (8th Cir. 2014) (holding that identifying an alien, communicating with federal immigration officers, and detaining an alien until federal officers could take custody was not unilateral conduct outside the scope of a local law enforcement officer's authority); *see Corley v. United States*, 556 U.S. 303, 314 (2009) ("one of the most basic interpretive canons, that "'[a] statute should be construed so that effect is given to all its provisions, so that no part will be inoperative or superfluous, void or insignificant.'" (quoting *Hibbs v. Winn*, 542 U.S. 88, 101 (2004))); *see also Lopez-Aguilar v. Marion Cty. Sheriff's Dep't*, 296 F. Supp. 3d 959, 969 (S.D. Ind. 2017) ("'An immigration detainer is a piece of paper issued by immigration officials that purports to command other law enforcement officials to hold a prisoner, who otherwise would be released, in custody and deliver that person to federal immigration officials.' It is 'the principle mechanism for [ICE] . . . to obtain custody over suspected immigration violators in the custody of state or local law enforcement officials.'" (quoting Christopher N. Lasch, *Federal Immigration Detainers After* Arizona v. United States, 46 Loy. L.A. L. Rev. 629, 634 (2013))). In April 2017, ICE implemented an internal policy that required all detainer requests to be accompanied by an administrative immigration warrant issued by a federal immigration officer indicating the immigration officer's probable cause to believe an individual is removable. ECF No. [19] at 3.

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Amici contend, and Plaintiffs agree, that this expansion of the detainer request is beyond the scope of power Congress intended to grant to federal immigration officers and the forty-eight-hour hold constitutes a subsequent arrest that requires probable cause that a criminal violation occurred. ECF No. [61]; *see Lopez-Aguilar*, 296 F. Supp. 3d at 972 ("Plainly, federal immigration law does not permit . . . every law enforcement officer employed by a state governmental body to engage in the enforcement of federal immigration law on the same terms and basis as federal officials, free from any restriction by the governmental body (even, presumably, as to enforcement priorities)."). Additionally, Plaintiffs and *amici* argue that detainer holds are arrests performed by local law enforcement officers who lack Congressional authorization under the INA, regardless of the detainer and accompanying administrative warrant. *Id.* As such, Plaintiffs assert that the Detainer Mandate requiring that local law enforcement officers comply with detainer holds is preempted by federal law.

In their Response, Defendants argue that "[c]onsultation between federal and state officials is an important feature of the immigration system," *Arizona*, 567 U.S. at 411, and that, by expressly including the cooperation clause under § 1357(g)(10)(B), Congress gave a clear indication that it sought to facilitate, not preempt, the type of cooperation that SB 168 mandates. ECF No. [19] at 12. Moreover, in its Statement of Interest, the United States of America asserts that local law enforcement agencies' compliance with detainer requests falls within the cooperation that Congress intended to allow under § 1357(g)(10)(B). ECF No. [23] at 12. Cooperating with immigration detainer requests falls squarely within *Arizona*'s reasoning because this cooperation is done only pursuant to a federal request, rather than unilaterally. *Id.* at 13 ("SB 168 provides for the very authorization Plaintiffs allude to in the form of federal immigration detainers.").

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Thus, the precise issue before the Court is whether SB 168's Detainer Mandate and Transport Requirement are preempted by federal law or whether these provisions regulate conduct that falls within the meaning of the cooperation clause's "otherwise to cooperate" language.

i. Field Preemption Challenge to the Detainer Mandate and Transport Requirement

Plaintiffs argue that the Detainer Mandate and Transport Requirement are field preempted because the INA occupies the field of when state and local law enforcement can participate in detaining aliens and "SB 168 rejects the Congressional framework and creates its own authorization for immigration arrest, detention, and transport by undeputized local officers." ECF No. [50] at 3.

"Field preemption occurs when a congressional legislative scheme is 'so pervasive as to make the reasonable inference that Congress left no room for the states to supplement it,'" *Browning*, 522 F.3d at 1167 (quoting *Rice*, 331 U.S. at 230), or "where there is a 'federal interest . . . so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject,'" *Arizona*, 567 U.S. at 399 (quoting *Rice*, 331 U.S. at 230). "To determine the boundaries that Congress sought to occupy within the field, we look to 'the federal statute itself, read in the light of its constitutional setting and its legislative history.'" *Alabama*, 691 F.3d at 1281 (quoting *De Canas v. Bica*, 424 U.S. 351, 360 n. 8 (1976)). Because neither provision is field preempted, the Court addresses these arguments first.

Considering the language of the INA itself, it is clear that Congress did not intend to preclude states from supplementing the field of how local law enforcement agencies can participate in federal immigration enforcement efforts. Specifically, the express language of the cooperation clause in § 1357(g)(10)(B) leaves numerous cooperative avenues open for law enforcement officers to participate in the immigration efforts of federal officers. 8 U.S.C. § 1357(g)(10)(B).

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"This provision indicates that Congress intended local cooperation without a formal agreement in a range of key enforcement functions." *City of El Cenizo*, 890 F.3d at 179.

The Fifth Circuit's field preemption reasoning in *City of El Cenizo* is informative here. *See generally id.* at 164. *City of El Cenizo* centered around the enactment of a law similar to SB 168. *Id.* at 173-75. In addressing the issue of field preemption, the Fifth Circuit in *City of El Cenizo* enunciated a critical distinction between the Texas law and the provisions of § 1357(g):

> To establish field preemption, moreover, the plaintiffs must prove that federal law evinces "the clear and manifest purpose of Congress" to preclude even complementary state legislation on the same subject. *De Canas*, 424 U.S. at 357. Federal law does not suggest the intent — let alone a "clear and manifest" one — to prevent states from regulating *whether* their localities cooperate in immigration enforcement. Section 1357 does not require cooperation at all. And the savings clause allowing cooperation without a 287(g) agreement indicates that some state and local regulation of cooperation is permissible.

Id. at 178; *see also id.* at 177 ("Federal law regulates *how* local entities may cooperate in immigration enforcement; [the Texas law] specifies *whether* they cooperate.").

Similarly, here, the Detainer Mandate regulates *whether* local entities cooperate in the federal government's immigration enforcement efforts by stating that law enforcement agencies "shall . . . comply with the requests made in the immigration detainer." Fla. Stat. § 908.105(1)(c). The Court must limit its analysis of Plaintiffs' field preemption challenges to whether Congress intended to preclude any further state regulation of local law enforcement agencies' cooperation with federal immigration enforcement. Similar reasoning also applies to the Transport Requirement. Plaintiffs have not established Congress's clear and manifest intent to preclude any complementary state regulation on cooperating with immigration officials for the transport of aliens. As the Fifth Circuit in *City of El Cenizo* held, § 1357(g)(10)(B)'s cooperation clause indicates that Congress intentionally left the issue of state and local law enforcement's cooperation

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with federal immigration efforts open to further regulation. *See* 890 F.3d at 178. Therefore, SB 168's Detainer Mandate and Transport Requirement are not field preempted.

ii. Conflict Preemption Challenge to the Detainer Mandate

Plaintiffs also argue that SB 168's Detainer Mandate is conflict preempted. ECF No. [5-1] at 8-10.

Conflict preemption can arise in two ways:

> First, conflict preemption can occur "when it is physically impossible to comply with both the federal and the state laws." Conflict preemption may also arise "when the state law stands as an obstacle to the objective of the federal law." We use our judgment to determine what constitutes an unconstitutional obstacle to federal law, and this judgment is "informed by examining the federal statute as a whole and identifying its purpose and intended effects."

Alabama, 691 F.3d at 1281 (citations omitted).

The Supreme Court, in *Arizona*, held that an Arizona law authorizing state and local police officers to make warrantless arrests of suspected aliens if they had probable cause to believe the alien was removable was conflict preempted by federal immigration law. 567 U.S. at 410. In so holding, the Supreme Court noted that the Arizona law would "provide state officers even greater authority to arrest aliens on the basis of possible removability than Congress has given to trained federal immigration officers." *Id.* at 408. The *Arizona* Court, in examining the statutory authorization for 287(g) Agreements and § 1357(g)(10)(B)'s cooperation clause, noted that Congress clearly accounted for some degree of federal-local cooperation in immigration efforts. *Id.* at 409-10. However, the Court found Arizona's law to be conflict preempted because the law granted local officials the unilateral authorization to make immigration arrests — something Congress exclusively entrusted to the Federal Government. *Id.* The Supreme Court distinguished this unilateral state action from permissible cooperation under § 1357(g)(10)(B) by explaining that cooperation necessarily requires some sort of "request, approval, or other instruction from the

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Federal Government" in order for local law enforcement officers to properly participate in immigration enforcement actions. *Id.* at 410. A state law that attempts to achieve its own immigration policy by authorizing law enforcement's unilateral immigration action impermissibly stands as an obstacle to the objectives of the INA and frustrates federal immigration objectives, such as foreign relations. *Id.* at 409-10.

Here, the Detainer Mandate states, in relevant part, "A law enforcement agency that has custody of a person subject to an immigration detainer issued by a federal immigration agency shall . . . comply with the requests made in the immigration detainer." Fla. Stat. 908.105(1)(c). Defendants assert that the Detainer Mandate falls within the conduct that was explicitly contemplated in the cooperation clause because it only grants local officers the power to temporarily detain suspected aliens after a federal immigration official has made a probable cause determination as to removability and has explicitly requested that the individual be held. ECF No. [19] at 12; *Arizona*, 567 U.S. at 411 ("Consultation between federal and state officials is an important feature of the immigration system."). Plaintiffs argue instead that the Detainer Mandate creates a system of enforcement where all local officers are authorized to make subsequent detainer arrests, absent a 287(g) Agreement granting them the power to do so.

The Court recognizes the body of case law across the nation that has determined that these immigration detainer holds are unconstitutional subsequent arrests in violation of the Fourth Amendment, two of which are in this District.[14] Plaintiffs rely on many of these cases for their preemption arguments. However, these cases concerned post-enforcement Fourth Amendment

[14] *See, e.g.*, *Morales v. Chadbourne*, 793 F.3d 208, 217 (1st Cir. 2015); *Santos v. Frederick Cty. Bd. Of Comm'rs*, 725 F.3d 451, 465-66 (4th Cir. 2013); *Melendres v. Arpaio*, 695 F.3d 990 (9th Cir. 2012); *C.F.C. v. Miami-Dade Cty.*, 349 F. Supp. 3d 1236 (S.D. Fla. 2018); *Creedle v. Miami-Dade Cty.*, 349 F. Supp. 3d 1276 (S.D. Fla. 2018); *Lopez-Aguilar*, 296 F. Supp. 3d 959; *Lunn v. Commonwealth*, 78 N.E.3d 1143, 1153 (Mass. 2017); *People ex rel. Swenson v. Ponte*, 46 Misc. 3d 273, 278 (N.Y. Sup. Ct. 2014); *see also Moreno v. Napolitano*, 213 F. Supp. 3d 999, 1005, n.3 (N.D. Ill. 2016).

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challenges to detainer holds, not a pre-enforcement facial challenge to a state statute mandating local officers' compliance with detainer requests. The Court believes this distinction to be critical.

As noted in *Creedle*,

> The Fifth Circuit stresses throughout its opinion [in *City of El Cenizo*] that plaintiffs had a stringent burden, not only because of the preliminary injunction standard, but also because of the "exacting standard" of bringing a "pre-enforcement facial challenge." In *El Cenizo*, no discovery had yet been taken and no facts had been adduced other than those alleged in the complaint. The Fifth Circuit noted that "such a challenge is the most difficult to mount successfully" because "it is not enough for the plaintiffs to demonstrate that the ICE-detainer mandate will often cause Fourth Amendment violations." Instead, plaintiffs "must establish that the mandate is unconstitutional in all of its applications." In analyzing whether the "ICE-detainer mandate" in [the Texas law] facially violated the Fourth Amendment, the Fifth Circuit stated that "plaintiffs must establish that every seizure authorized by the ICE-detainer mandate violates the Fourth Amendment" and concluded that plaintiffs could not satisfy that "exacting standard."

Creedle, 349 F. Supp. 3d at 1298 (footnote omitted) (quoting *City of El Cenizo*, 890 F.3d at 187). Similarly, here, Plaintiffs assert a facial pre-enforcement challenge to SB 168's Detainer Mandate. Thus, Plaintiffs must satisfy a "stringent burden" in order to be successful on their claims. *City of El Cenizo*, 890 F.3d at 187.

Moreover, those cases present markedly different situations than the instant case — namely, the cases cited did not address the situation where a detainer request was issued alongside an administrative warrant alleging probable cause. The combination of the detainer and the administrative warrant rectify many of the issues presented in those prior cases.

The Court finds the reasoning of *Lopez-Lopez v. County of Allegan*, to be particularly persuasive on this point. 321 F. Supp. 3d 794 (W.D. Mich. 2018). There, the district court addressed a Fourth Amendment challenge to a hold based on a detainer request and an accompanying administrative warrant. *Id.* at 796. In finding that the detainer hold did not violate the defendant's Fourth Amendment rights, in *Lopez-Lopez*, the court reviewed and distinguished the previous line of cases holding that immigration detainers violated the Fourth Amendment. *Id.*

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at 799-802; *id.* at 799 ("Plaintiff asserts that '[n]umerous federal district courts have found that detention by local authorities pursuant to ICE detainers alone violates the Constitutional rights of the detainee.' The problem is that Lopez-Lopez was not detained solely on the basis of an ICE detainer. Additionally, the detainers at issue in the cases he cites are substantively different from the detainer ICE issued in this case. Further, some of the cases are wholly irrelevant to the discussion because they determine only that cooperation with ICE detainers is discretionary rather than mandatory — a well-settled principle that does not bear on the outcome." (citation omitted)).[15] Specifically, the *Lopez-Lopez* court noted that, while a detainer alone or an administrative warrant alone may not comply with the Fourth Amendment's requirements because law enforcement officers "[e]ither [] lack probable cause (situations without an administrative warrant) or they lack a request to act (situations without a detainer)," the combination of the detainer and the administrative warrant rectifies these issues and complies with the Supreme Court's holding in *Arizona*. *Id.* at 801; *id.* ("ICE issued a facially valid administrative warrant for [defendant's] arrest, based on a determination that there was probable cause to believe he was removable. Then, ICE requested that the localities detain [defendant] through the use of an I-247 detainer — which also recited the basis for probable cause. [The] County cooperated by complying with the federal

[15] *See Lopez-Lopez*, 321 F. Supp. 3d at 800 (distinguishing *Buquer v. City of Indianapolis*, 797 F. Supp. 2d 905 (S.D. Ind. 2011), because *Buquer* involved a state law authorizing local officers to use their discretion in conducting warrantless immigration arrests); *id.* (distinguishing *Morales v. Chadbourne*, 996 F. Supp. 2d 19 (D. R.I. 2014), *aff'd in part, rev'd in part*, 793 F.3d 208 (1st Cir. 2015), because in *Morales*, ICE did not provide an arrest warrant with the detainer); *id.* at 800-01 (distinguishing *Santos*, 725 F.3d 451, because the plaintiff there was seized before ICE confirmed that a warrant had issued); *id.* at 801 (distinguishing *Ochoa v. Campbell*, 266 F. Supp. 3d 1237 (E.D. Wash. 2017), because ICE only presented an administrative warrant without a detainer); *see also Melendres*, 695 F.3d 990 (detention of aliens during a traffic stop "based on reasonable suspicion or knowledge that the person was unlawfully in the [country]," without a federal request); *C.F.C.*, 349 F. Supp. 3d 1236 (detainer not accompanied by an administrative warrant); *Creedle*, 349 F. Supp. 3d 1276 (detainer not accompanied by an administrative warrant); *Lopez-Aguilar*, 296 F. Supp. 3d 959 (no detainer issued).

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government's request (as allowed pursuant to § 1357(g)(10)) 'by providing operational support' by holding [defendant] until ICE could take custody of him the following day.").

The reasoning in *Lopez-Lopez* presents a clear instance where complying with a detainer satisfies the Fourth Amendment's requirements.[16] Moreover, the current detainer practice and the mandates of SB 168 require that all detainer requests be accompanied by administrative warrants. ECF No. [19] at 3; ECF No. [19-1] at 15-20. Plaintiffs cannot satisfy their burden on a facial challenge of establishing "that every seizure authorized by the ICE-detainer mandate violates the Fourth Amendment." *City of El Cenizo*, 890 F.3d at 187.

The Fifth Circuit in *City of El Cenizo* also examined the cooperation clause under § 1357(g)(10)(B) and recognized that "Congress intended local cooperation without formal agreement in a range of key enforcement functions." *Id.* at 179. Moreover, the *City of El Cenizo* noted that officers acting pursuant to a 287(g) Agreement "become de facto immigration officers, competent to act on their own initiative." *Id.* at 180. Thus, these 287(g) officers are expressly granted the authority to make unilateral decisions on immigration enforcement issues, absent any predicate request from the federal government. *Arizona*, 567 U.S. at 410.

In contrast, here, officers acting pursuant to the Detainer Mandate are only authorized to detain suspected aliens after receiving such a detainer request from federal immigration officers. These detainers must be accompanied by a Form I-200 "Warrant of Arrest of Alien" or a Form I-205 "Warrant of Removal/Deportation." *See* Appendix. Form I-247A is titled "Immigration Detainer – Notice of Action," which requests that local officers "[m]aintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have

[16] Moreover, as the Eleventh Circuit has noted, "The Fourth Amendment does not require warrants to be based on probable cause of a crime, as opposed to a civil offense. Nothing in the original public meaning of 'probable cause' or 'Warrants' excludes civil offenses." *United States v. Phillips*, 834 F.3d 1176, 1181 (11th Cir. 2016).

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been released from your custody to allow DHS to assume custody." *See* Appendix (emphasis in original); ECF No. [61] at 49. When questioned at the Hearing about acts local officers may properly conduct pursuant to a detainer request, Plaintiffs' counsel indicated that officers were limited to providing information about an inmate's release date. While a request for information is contained within the detainer, so is the request to temporarily detain. Further, while requests for information and communications between federal and state officials without a 287(g) Agreement are expressly contemplated in § 1357(g)(10)(A), Congress's addition of the § 1357(g)(10)(B) cooperation clause authorizes additional cooperative conduct, aside from communication, between federal immigration officers and local law enforcement. Absent any clear statutory indication to the contrary, and consistent with *City of El Cenizo*, the Court concludes that honoring federal immigration detainer requests falls within the scope of cooperation contemplated by Congress under § 1357(g)(10)(B).

Plaintiffs further argue that Defendants' examples of 287(g) Agreements with local law enforcement agencies reaffirm their interpretation that detainer holds fall within the purview of § 1357(g)(1). ECF No. [50] at 12. Specifically, Plaintiffs note that the 287(g) Agreement with Clay County, ECF No. [19-2], granting local officers the authority to "process [aliens] for immigration violations," "serve warrants of arrest for immigration violations," and "detain and transport" aliens, is rendered meaningless if officers can honor detainer requests under the cooperation clause absent such agreements. ECF No. [50] at 12. However, as the Fifth Circuit in *City of El Cenizo* explained, officers acting pursuant to a 287(g) Agreement "become de facto immigration officers, competent to act on their own initiative." 890 F.3d at 180. Thus, these 287(g) officers are expressly granted the authority to make unilateral decisions on immigration enforcement issues, absent any predicate request from the federal government. *Arizona*, 567 U.S. at 410. Conversely, officers

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operating under SB 168's Detainer Mandate are only permitted to hold a suspected alien for forty-eight hours if federal immigration officers explicitly request that they do so pursuant to a facially valid detainer request. Fla. Stat. § 908.105(1). Officers acting pursuant to 287(g) Agreements are allowed to hold suspected aliens without any prior request from the federal government. *City of El Cenizo*, 890 F.3d at 180.

Plaintiffs also provide no indication that local officers are taking any unilateral immigration action in honoring these detainer requests, such as serving or executing the administrative immigration warrants. *See* 8 C.F.R. § 287.5 (listing which officials may serve and execute administrative warrants). Absent unilateral conduct that circumvents the explicit grants of power Congress gave only to federal immigration authorities, honoring a detainer request complies with the Supreme Court's holding in *Arizona* that officers may not engage in unilateral state immigration actions, "*absent any request, approval, or other instruction from the Federal Government*." 567 U.S. at 410; *see also id.* ("examples of what would constitute cooperation under federal law. . . . include situations where States participate in a joint task force with federal officers, provide operational support in executing a warrant, or allow federal immigration officials to gain access to detainees held in state facilities." (citing Dept. of Homeland Security, Guidance on State and Local Governments' Assistance in Immigration Enforcement and Related Matters 13-14 (2011))). The Detainer Mandate in this case is contingent upon the receipt of a detainer request issued by an authorized federal immigration officer that indicates the federal officer has probable cause to believe that the detainee is unlawfully in the United States. The Court concludes that this hold, pursuant to federal request, falls within the cooperation clause's scope under § 1357(g)(10)(B).

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Based upon the plain language of § 1357(g)(10)(B), SB 168's Detainer Mandate on its face is not preempted because it falls within the scope of "cooperat[ion] . . . in the . . . detention . . . of aliens not lawfully present in the United States." 8. U.S.C. § 1357(g)(10)(B); *Arizona*, 567 U.S. 387; *City of El Cenizo*, 890 F.3d at 179. As such, the Court finds that Plaintiffs have failed to establish that SB 168's Detainer Mandate is conflict preempted.

iii. Conflict Preemption Challenge to the Transport Requirement

Moreover, Plaintiffs assert that SB 168's Transport Requirement is conflict preempted. ECF No. [5-1] at 8-10.

The Transport Requirement provides that,

> When a county correctional facility or the Department of Corrections receives verification from a federal immigration agency that a person subject to an immigration detainer is in the law enforcement agency's custody, the agency may securely transport the person to a federal facility in this state or to another point of transfer to federal custody outside the jurisdiction of the law enforcement agency. The law enforcement agency may transfer a person who is subject to an immigration detainer and is confined in a secure correctional facility to the custody of a federal immigration agency not earlier than 12 days before his or her release date. A law enforcement agency shall obtain judicial authorization before securely transporting an alien to a point of transfer outside of this state.

Fla. Stat. § 908.104(4). The plain language of this provision authorizes local agencies to transport individuals subject to an immigration detainer across state lines into federal custody. Plaintiffs allege that this provision is conflict preempted because it frustrates Congress's objectives in creating 287(g) Agreements. ECF No. [5-1] at 10-11. Specifically, Plaintiffs correctly note that, unlike complying with detainers, § 1357(g)(1) expressly lists the transport across state lines as a power that can only be delegated to local officers pursuant to a 287(g) Agreement. *See* 8 U.S.C. § 1357(g)(1) ("Notwithstanding section 1342 of Title 31, the Attorney General may enter into a written agreement with a State, or any political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified

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to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (*including the transportation of such aliens across State lines to detention centers*), may carry out such function at the expense of the State or political subdivision and to the extent consistent with State and local law." (emphasis added)). SB 168's attempt to grant this exact transport power to local officers frustrates Congress's objectives for immigration transport because it renders the express language in § 1357(g)(1) on the transport of aliens pursuant to a 287(g) Agreement meaningless. *Robbins v. Garrison Prop. & Cas. Ins. Co.*, 809 F.3d 583, 586 (11th Cir. 2015) ("It is 'axiomatic that all parts of a statute must be read together in order to achieve a consistent whole.' 'Where possible, courts must give full effect to all statutory provisions and construe related statutory provisions in harmony with one another.'" (quoting *Forsythe v. Longboat Key Beach Erosion Control Dist.*, 604 So. 2d 452, 455 (Fla. 1992))).

Moreover, the Transport Requirement's language explicitly grants local law enforcement agencies discretionary power to transport an alien into federal custody "absent any request, approval, or other instruction from the Federal Government." *Arizona*, 567 U.S. at 410. This is precisely the type of unilateral conduct that *Arizona* expressly prohibited. *Id.* Further, the mandate requiring law enforcement officers to obtain the prior judicial authorization does not rectify the issue of unilateral conduct in the Transport Requirement. Instead, this judicial authorization requirement seeks to vest additional powers in the state judiciary that could otherwise only be performed by federal immigration officials — namely, allowing state judges to unilaterally authorize transport across state lines into federal custody. *See* Fla. Stat. § 908.104(4). This unilateral decision by local officers and state judges, in effect, "allows the State to achieve its own immigration policy," which is not permitted. *Arizona*, 567 U.S. 408. Therefore, the Court concludes that the Transport Requirement is conflict preempted because it frustrates the purpose

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of 1357(g)(1). *See Browning*, 522 F.3d at 1167 ("Conflict preemption occurs [] when . . . when the state law stands as an obstacle to the objective of the federal law.").

b. Vagueness Challenges

Plaintiffs also argue that SB 168's "Best Efforts" provision and Sanctuary Provisions are unconstitutionally vague because the terms "best efforts" in § 908.104(1) and "impedes" in § 908.102(6) and, by reference, § 908.103, do not provide people of ordinary intelligence with a reasonable opportunity to understand what conduct is prohibited and because SB 168 authorizes the arbitrary and discriminatory enforcement of these provisions. ECF No. [5-1] at 12.

The Supreme Court has explained that a statute is void for vagueness (1) if it "fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by statute," and (2) if "it encourages arbitrary and erratic arrests and convictions." *Papachristou v. City of Jacksonville*, 405 U.S. 156, 162 (1972).

On a facial vagueness challenge, a movant must establish that the law is "incapable of any valid application." *Vill. of Hoffman Estates v. Flip Side, Hoffman Estates, Inc.*, 455 U.S. 489, 494 n.5 (1982). To sustain such a challenge, the movant "must prove that the enactment is vague 'not in the sense that it requires a person to conform his conduct to an imprecise but comprehensible normative standard, but rather in the sense that no standard of conduct is specified at all. Such a provision simply has *no* core.'" *Id*. at 495 n.7 (citations omitted). "The degree of vagueness that the Constitution tolerates — as well as the relative importance of fair notice and fair enforcement — depends in part on the nature of the enactment." *Id.* at 498. Therefore, courts must consider whether the law implicates civil penalties or criminal penalties, because the nature of the penalty affects the level of tolerance a court will have for the vague language. *Id*. at 489-90. Additionally, courts must examine whether the law "threatens to inhibit the exercise of constitutionally protected

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rights," *id*. at 490, and whether it places "unfettered discretion . . . in the hands of the [] police." *Papachristou*, 405 U.S. at 168.

"Condemned to the use of words, we can never expect mathematical certainty from our language." *Grayned v. City of Rockford*, 408 U.S. 104, 110 (1972). Yet, when the words of a challenged statute "are marked by 'flexibility and reasonable breadth, rather than meticulous specificity,'" the Supreme Court has upheld the challenged law. *Id.* Moreover, the Supreme Court has explained that a statute is not impermissibly vague when it "give[s] fair warning as to what is prohibited," and "'defines boundaries sufficiently distinct' for citizens, policemen, juries, and appellate judges." *Id.* at 114 (citations omitted).

A pre-enforcement challenge for vagueness centers primarily around whether the statute gives fair warning of the prohibited conduct because the danger of arbitrary enforcement is still speculative. *Vill. of Hoffman Estates*, 455 U.S. at 503. "Although it is possible that specific future applications . . . may engender concrete problems of constitutional dimension, it will be time enough to consider such problems when they arise." *Id.* (citations omitted). As such, a statute is unconstitutionally vague on its face when "it is plagued with such 'hopeless indeterminacy' that it precludes 'fair notice of the conduct it punishes,'" and invites arbitrary enforcement. *City of El Cenizo*, 890 F.3d at 190. Moreover, "pre-enforcement facial challenges are 'disfavored' because they 'often rest on speculation' and 'threaten to short circuit the democratic process by preventing laws embodying the will of the people from being implemented in a manner consistent with the Constitution.'" *Id*. at 191 (quoting *Wash. State Grange v. Wash. State Republican Party*, 552 U.S. 442, 450-51 (2008)). "In general, as-applied challenges brought in post-enforcement proceedings" are more appropriate for vagueness challenges because they are "the basic building blocks of constitutional adjudication." *Id*. (quoting *Gonzales v. Carhart*, 550 U.S. 124, 168 (2007)).

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Plaintiffs contend that the terms "best efforts" in § 908.104(1) and "impedes" in § 908.102(6) and, by reference, § 908.103, are unconstitutionally vague because they do not provide people of ordinary intelligence with a reasonable opportunity understand what conduct is prohibited and because SB 168 authorizes the arbitrary and discriminatory enforcement of these provisions. ECF No. [5-1] at 12. Conversely, Defendants argue that Plaintiffs have failed to establish that these provisions are unconstitutionally vague in every application, as required for a facial vagueness challenge. ECF No. [19] at 16. Additionally, Defendants explain that, when read within the context of SB 168 as a whole, the challenged provisions clearly indicate what conduct is prohibited or encouraged. *Id.*

i. Unconstitutional Vagueness of "Best Efforts" Under § 908.104(1)

Plaintiffs contend that the "Best Efforts" provision is unconstitutionally vague because it does not give fair notice as to what conduct falls short of "best efforts" and it encourages arbitrary and discriminatory enforcement.[17] ECF No. [5-1] at 12-16. Specifically, Plaintiffs assert that "best efforts" does not provide individuals the reasonable opportunity to understand what conduct is prohibited and enforceable, nor does the phrase provide law enforcement agencies any clarity about what efforts are sufficient under the statute. *Id.* at 12-13. Moreover, the lack of standards of conduct under "best efforts" encourages arbitrary and discriminatory enforcement against individuals and law enforcement agencies. *Id.* at 14-15. In response, Defendants argue that the

[17] Plaintiffs also argue that the "Best Efforts" provision's vagueness is aggravated by the language in the bill title. ECF No. [5-1] at 15. This argument is meritless. Although the bill title does state that "[a]n Act relating to federal immigration enforcement . . . requiring state entities, local governmental entities, and law enforcement agencies to use best efforts to support the enforcement of federal immigration law," *id.*, it clearly references § 908.104's application as a whole. Specifically, while the mandates of § 908.104(1) explicitly apply to "law enforcement agenc[ies]," § 908.104(2) then goes on to regulate the conduct of "a state entity, local governmental entity, or law enforcement entity, or an employee, an agent, or a representative of the entity or agent." Fla. Stat. § 908.104(1)-(2). Accordingly, when read in the context of the statute as a whole, the "Best Efforts" provision is sufficiently clear on who it applies to.

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"Best Efforts" provision is not unconstitutionally vague because the phrase "best efforts" is used in numerous Florida Statutes. ECF No. [19] at 17. Additionally, Defendants assert that ICE policies detail the extent of the agency's desired cooperation from local law enforcement agencies, which provides sufficient context to rebut any vagueness. *Id.*

The "Best Efforts" provision states, in relevant part, "A law enforcement agency shall use best efforts to support the enforcement of federal immigration law." Fla. Stat. § 908.104(1). Moreover, *Black's Law Dictionary* defines "best efforts" as

> Diligent attempts to carry out an obligation; esp., all actions rationally calculated to achieve a usu. stated objective, to the point of leaving no possible route to success untried. As a standard, a best-efforts obligation is stronger than a good-faith obligation. Best efforts are measured by the measures that a reasonable person in the same circumstances and of the same nature as the acting party would take.

BEST EFFORTS, *Black's Law Dictionary* (11th ed. 2019). This definition, while marked by "flexibility and reasonable breadth, rather than meticulous specificity," provides sufficient notice as to what efforts are required of law enforcement agencies. *Grayned*, 408 U.S. at 110.

Moreover, on a pre-enforcement facial challenge for vagueness, the Court's examination centers primarily around whether the statute gives fair warning of the prohibited conduct because the danger of arbitrary enforcement is still speculative. *Vill. of Hoffman Estates*, 455 U.S. at 503. With regard to Plaintiffs' assertion that "best efforts" encourages arbitrary and discriminatory enforcement, on a pre-enforcement challenge, "There is a basic uncertainty about what the law means and how it will be enforced. . . .[W]ithout the benefit of a definitive interpretation from the state courts, it would be inappropriate to assume [the "Best Efforts" provision] will be construed in a way that creates a conflict with federal law." *Arizona*, 567 U.S. at 415; *cf. Fox v. Washington*, 236 U.S. 273, 277 (1915) ("So far as statutes fairly may be construed in such a way as to avoid doubtful constitutional questions they should be so construed; and it is to be presumed that state laws will be construed in that way by the state courts." (citation omitted)). This type of speculative

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constitutional challenge is more appropriately brought under an as-applied challenge at the post-enforcement stage. *City of El Cenizo*, 890 F.3d at 191. Therefore, at this pre-enforcement stage, this Court will not "adopt limiting constructions that are not strictly necessary to preserve the constitutionality of a statute." *Id.* Accordingly, the Court believes "best efforts" to be sufficiently clear as to what conduct is or is not required for a facial pre-enforcement vagueness challenge.

ii. Unconstitutional Vagueness of "Impede" Under § 908.102(6) and Unconstitutionality, by Reference, of § 908.103

Plaintiffs also assert that the Sanctuary Provisions are unconstitutionally vague because individuals are not provided a reasonable opportunity to understand what conduct constitutes "imped[ing]." ECF No. [5-1] at 16-17. The Court concludes that, when read in context, the term "impedes" in the Sanctuary Definition is not unconstitutionally vague. Specifically, the Sanctuary Definition states in full,

> (6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:
>
> (a) Complying with an immigration detainer;
>
> (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
>
> (c) Providing a federal immigration agency access to an inmate for interview;
>
> (d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357; or
>
> (e) Providing a federal immigration agency with an inmate's incarceration status or release date.

Fla. Stat. § 908.102(6). Reading this provision as a whole, subsections (a) through (e) clearly set forth specific actions that state and local government entities are not allowed to "impede" or "prohibit." *Id.* § 908.102(6)(a)-(e).

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"Impedes" is not so vague, when read in the context of the Sanctuary Definition as a whole, that it fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by statute. *Papachristou*, 405 U.S. at 162. Moreover, because Plaintiffs assert a facial pre-enforcement vagueness challenge, they must establish that the Sanctuary Definition "is plagued with such 'hopeless indeterminacy' that it precludes 'fair notice of the conduct it punishes.'" *City of El Cenizo*, 890 F.3d at 190. The Court concludes that Plaintiffs have failed to sufficiently establish that the Sanctuary Definition is plagued with "hopeless indeterminacy" as to proscribed conduct. *Id.* "Impedes" does not render SB 168's Sanctuary Definition unconstitutionally vague, when read alongside the explicit list of immigration efforts set forth in subsections (a) through (e), because it "give[s] fair warning as to what is prohibited," and "'defines boundaries sufficiently distinct' for citizens, policemen, juries, and appellate judges." *Grayned*, 408 U.S. at 114.

2. Irreparable Injury

"The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies." *Sampson v. Murray,* 415 U.S. 61, 88 (1974). "A showing of irreparable harm is 'the *sine qua non* of injunctive relief.' The injury must be 'neither remote nor speculative, but actual and imminent.' An injury is 'irreparable only if it cannot be undone through monetary remedies." *NE Fla. CAGC of Am.*, 896 F.2d at 1285 (quoting *Frejlach v. Butler,* 573 F.2d 1026, 1027 (8th Cir. 1978); *Tucker Anthony Realty Corp. v. Schlesinger,* 888 F.2d 969, 973 (2d Cir. 1989)). Courts have stated that the purpose of a preliminary injunction is to preserve the status quo when, absent the preservation of the status quo, a movant will suffer irreparable harm. *See Callaway*, 489 F.2d at 576.

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Plaintiffs state that they will suffer irreparable harm if SB 168 is not enjoined because their injuries cannot be redressed through an award of monetary damages. ECF No. [5-1] at 17; *NE Fla. CAGC of Am.*, 896 F.2d at 1285. Plaintiffs' allegations regarding their irreparable injuries are the same injuries discussed above with regard to standing. ECF No. [5-1] at 17-19. Organizational Plaintiffs have had to divert resources away from core mission activities to respond to SB 168 and anticipate having to divert more resources in the future to address SB 168's enforcement. *Id.* Organizational Plaintiffs' individual members will face an actual and imminent threat of irreparable harm from racial profiling, ethnic profiling, and unlawful detentions and transport across state lines by local law enforcement officers once SB 168 takes effect. *Id.* at 18.

Defendants argue that Plaintiffs have not sufficiently alleged any actual or imminent threat of irreparable injury. ECF No. [19] at 19. Further, Defendants assert that any allegation that Mayor Stoddard will suffer irreparable injury from SB 168 is rebutted by his delay in joining this action as a Plaintiff. ECF No. [45] at 2. However, because Plaintiffs have only established a substantial likelihood of success on the Transport Requirement, the Court will not address Defendants' arguments with regard to Mayor Stoddard's irreparable injury.

Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp.*, 455 U.S. at 379)). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168. *Babbitt*, 442 U.S. at 298 ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending,

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that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. at 593)). These injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining the conflict-preempted Transport Requirement. Accordingly, the Court concludes that the Plaintiffs have established that the enactment of the Transport Requirement will cause them immediate, irreparable harm sufficient to satisfy this component of the preliminary injunction test.

3. Threatened Injury Outweighs the Harm of Imposing a Preliminary Injunction

The third preliminary injunction factor requires that the movant prove that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant. *Chavez*, 742 F.3d at 1271. "A preliminary injunction is an extraordinary remedy never awarded as of right. In each case, courts 'must balance the competing claims of injury and must consider the effect on each party of the granting or withholding of the requested relief,'" paying particular attention to "the public consequences in employing the extraordinary remedy of injunction." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008).

"The equities weigh in favor of enjoining those provisions that are preempted by federal law. The United States suffers injury when its valid laws in a domain of federal authority are undermined by impermissible state regulations." *Alabama*, 691 F.3d at 1301. Conversely, "[A]ny time a State is enjoined by a court from effectuating statutes enacted by representatives of its people, it suffers a form of irreparable injury." *Maryland v. King*, 567 U.S. 1301 (2012).

Where, as here, Plaintiff has demonstrated a substantial likelihood of success on the merits of their preemption challenge to SB 168's Transport Requirement, the State's interest in enforcing its statutes is outweighed by the injury sustained by the United States "when its valid laws in a domain of federal authority are undermined by impermissible state regulations." *Alabama*, 691 F.3d at 1301. Additionally, absent a preliminary injunction to preserve the status quo, Plaintiffs

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have established that they will suffer serious and irreparable harm. *See Callaway*, 489 F.2d at 576. Therefore, the Court concludes that Plaintiffs' threatened injuries outweigh the harm a preliminary injunction would cause Defendants.

4. Preliminary Injunction is not Averse to the Public Interest

Finally, in establishing that a preliminary injunction is appropriate, a movant must prove that the injunction would not be averse to the public interest. *Chavez*, 742 F.3d at 1271. "Frustration of federal statutes and prerogatives are not in the public interest, and we discern no harm from the state's nonenforcement of invalid legislation." *Alabama*, 691 F.3d at 1301. Furthermore, because Plaintiffs' threatened injuries implicate the State's infringement upon significant constitutional and civil rights, a preliminary injunction that protects these rights pending a decision on the merits is in the public interest. *Alabama*, 691 F.3d at 1301; *Melendres*, 695 F.3d at 1002 ("it is always in the public interest to prevent the violation of a party's constitutional rights." (citations omitted)).

C. Severability

Plaintiffs argue that, if the Court enjoins any provision of SB 168, it must enjoin SB 168 in its entirety because the individual provisions are not severable. ECF No. [5-1] at 3. Conversely, Defendants contend that, as a matter of law, the Court should sever any enjoined clauses from SB 168 because Florida law "clearly favors" severability. ECF No. [19] at 20.

The Eleventh Circuit has previously explained the issue of severability.

> Severability of a local ordinance is a question of state law. And Florida law clearly favors (where possible) severance of the invalid portions of a law from the valid ones. According to the Florida Supreme Court, "[s]everability is a judicial doctrine recognizing the obligation of the judiciary to uphold the constitutionality of legislative enactments where it is possible to strike only the unconstitutional portions." The doctrine of severability is "derived from the respect of the judiciary for the separation of powers, and is 'designed to show great deference to the legislative prerogative to enact laws.'"

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> Severability is not possible, however, when "the taint of an illegal provision has infected the entire enactment, requiring the whole unit to fail." Whether a statute is severable is determined by "its relation to the overall legislative intent of the statute of which it is a part, and whether the statute, less the invalid provisions, can still accomplish this intent." The doctrine of severability, thus, "recognizes that federal courts have an affirmative duty to preserve the validity of legislative enactments when it is at all possible to do so."

Coral Springs St. Sys., Inc. v. City of Sunrise, 371 F.3d 1320, 1347 (11th Cir. 2004) (citations omitted).

As discussed above, the Court finds that the Transport Requirement is preempted by federal immigration law. Accordingly, the Court must assess whether this provision is severable from SB 168. The "taint" of SB 168's Transport Requirement does not "infect the entire enactment" because the unconstitutional authorization to transport aliens across state lines into federal custody does not implicate any of the other statutory provisions of SB 168. Thus, given the "affirmative duty to preserve the validity of legislative enactments when it is at all possible to do so," the Court concludes that the Transport Requirement is severable from the rest of SB 168. *Id.*

D. Posting a Bond

Plaintiffs request that this Court issue the preliminary injunction without requiring them to post a bond. ECF No. [5-1] at 20. Defendants make no mention of any opposition to Plaintiffs' request in their Response and Surreply.

Before a district court may issue a preliminary injunction, Federal Rule of Civil Procedure 65(c) requires that a movant "give[] security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined." Fed. R. Civ. P. 65(c). The Eleventh Circuit has explained that "it is well-established that 'the amount of security required by the rule is a matter within the discretion of the trial court . . . [, and] the court may elect to require no security at all.'" *BellSouth Telecomm., Inc. v. MCIMetro Access Transmission Servs., LLC*, 425 F.3d 964, 971 (11th Cir. 2005) (quoting *City of Atlanta v. Metro.*

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Atlanta Rapid Transit Auth., 636 F.2d 1084, 1094 (5th Cir. Unit B Feb. 1981)); *Corrigan Dispatch Co. v. Casa Guzman, S. A.*, 569 F.2d 300, 302-03 (5th Cir. 1978) ("Rule [65(c)] requires security only in 'such sum as the court deems proper.' The amount of security required is a matter for the discretion of the trial court; it may elect to require no security at all." (citations omitted)). Moreover, where plaintiffs "seek only to vindicate their federal statutory and constitutional rights, this case implicates the public interest and the balance of hardships tips sharply in favor of plaintiffs," district courts have exercised their discretion in not requiring plaintiffs to give security. *Campos v. Immigration and Naturalization Serv.*, 70 F. Supp. 2d 1296, 1310 (S.D. Fla. 1998).

In requesting that the Court issue a preliminary injunction, Plaintiffs seek only to vindicate their federal statutory and constitutional rights. *Id.* Moreover, as discussed above, the equitable factors weigh heavily in Plaintiffs' favor. *Id.* Accordingly, the Court will not require Plaintiffs to post a security bond.

IV. CONCLUSION

For the foregoing reasons, it is **ORDERED AND ADJUDGED** that Plaintiffs' Amended Motion, ECF No. [47], is **GRANTED in part and DENIED in part** consistent with this Order.

DONE AND ORDERED in Chambers at Miami, Florida, on September 30, 2019.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record

AMERICAN OVERSIGHT

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APPENDIX
Form I-247A

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: Event #:	File No: Date:
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)	FROM: (Department of Homeland Security Office Address)

Name of Alien: _____

Date of Birth: _____ Citizenship: _____ Sex: _____

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON *(complete box 1 or 2).*

- ☐ A final order of removal against the alien;
- ☐ The pendency of ongoing removal proceedings against the alien;
- ☐ Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION *(complete box 1 or 2).*

- ☐ Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

- **Notify DHS** as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling ☐ U.S. Immigration and Customs Enforcement (ICE) or ☐ U.S. Customs and Border Protection (CBP) at _____. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at: (802) 872-6020.
- **Maintain custody** of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien **must be served with a copy of this form** for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters
- Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.
- Notify this office in the event of the alien's death, hospitalization or transfer to another institution.

☐ If checked: please cancel the detainer related to this alien previously submitted to you on _____ (date).

SAMPLE

_____ (Name and title of Immigration Officer)

_____ (Signature of Immigration Officer) (Sign in ink)

Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____ .

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____ , in the following manner:

☐ in person ☐ by inmate mail delivery ☐ other (please specify): _____

_____ (Name and title of Officer)

_____ (Signature of Officer) (Sign in ink)

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NOTICE TO THE DETAINEE

The Department of Homeland Security (DHS) has placed an immigration detainer on you. An immigration detainer is a notice to a law enforcement agency that DHS intends to assume custody of you (after you otherwise would be released from custody) because there is probable cause that you are subject to removal from the United States under federal immigration law. DHS has requested that the law enforcement agency that is currently detaining you maintain custody of you for a period not to exceed 48 hours beyond the time when you would have been released based on your criminal charges or convictions. **If DHS does not take you into custody during this additional 48 hour period, you should contact your custodian** (the agency that is holding you now) to inquire about your release. **If you believe you are a United States citizen or the victim of a crime, please advise DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.**

NOTIFICACIÓN A LA PERSONA DETENIDA

El Departamento de Seguridad Nacional (DHS) le ha puesto una retención de inmigración. Una retención de inmigración es un aviso a una agencia de la ley que DHS tiene la intención de asumir la custodia de usted (después de lo contrario, usted sería puesto en libertad de la custodia) porque hay causa probable que usted está sujeto a que lo expulsen de los Estados Unidos bajo la ley de inmigración federal. DHS ha solicitado que la agencia de la ley que le tiene detenido actualmente mantenga custodia de usted por un periodo de tiempo que no exceda de 48 horas más del tiempo original que habría sido puesto en libertad en base a los cargos judiciales o a sus antecedentes penales. **Si DHS no le pone en custodia durante este periodo adicional de 48 horas, usted debe de contactarse con su custodio** (la agencia que le tiene detenido en este momento) para preguntar acerca de su liberación. **Si usted cree que es un ciudadano de los Estados Unidos o la víctima de un crimen, por favor avise al DHS llamando gratuitamente al Centro de Apoyo a la Aplicación de la Ley ICE al (855) 448-6903.**

AVIS AU DETENU OU À LA DÉTENUE

Le Département de la Sécurité Intérieure (DHS) a placé un dépositaire d'immigration sur vous. Un dépositaire d'immigration est un avis à une agence de force de l'ordre que le DHS a l'intention de vous prendre en garde à vue (après celà vous pourrez par ailleurs être remis en liberté) parce qu'il y a une cause probable que vous soyez sujet à expulsion des États-Unis en vertu de la loi fédérale sur l'immigration. Le DHS a demandé que l'agence de force de l'ordre qui vous détient actuellement puisse vous maintenir en garde pendant une période ne devant pas dépasser 48 heures au-delà du temps après lequel vous auriez été libéré en se basant sur vos accusations criminelles ou condamnations. **Si le DHS ne vous prenne pas en garde à vue au cours de cette période supplémentaire de 48 heures, vous devez contacter votre gardien (ne)** (l'agence qui vous détient maintenant) pour vous renseigner sur votre libération. **Si vous croyez que vous êtes un citoyen ou une citoyenne des États-Unis ou une victime d'un crime, s'il vous plaît aviser le DHS en appelant gratuitement le centre d'assistance de force de l'ordre de l'ICE au (855) 448-6903**

NOTIFICAÇÃO AO DETENTO

O Departamento de Segurança Nacional (DHS) expediu um mandado de detenção migratória contra você. Um mandado de detenção migratória é uma notificação feita à uma agência de segurança pública que o DHS tem a intenção de assumir a sua custódia (após a qual você, caso contrário, seria liberado da custódia) porque existe causa provável que você está sujeito a ser removido dos Estados Unidos de acordo com a lei federal de imigração. ODHS solicitou à agência de segurança pública onde você está atualmente detido para manter a sua guarda por um período de no máximo 48 horas além do tempo que você teria sido liberado com base nas suas acusações ou condenações criminais. **Se o DHS não leva-lo sob custódia durante este período adicional de 48 horas, você deve entrar em contato com quem tiver a sua custódia** (a agência onde você está atualmente detido) para perguntar a respeito da sua liberação. **Se você acredita ser um cidadão dos Estados Unidos ou a vítima de um crime, por favor informe ao DHS através de uma ligação gratuita ao Centro de Suporte de Segurança Pública do Serviço de Imigração e Alfândega (ICE) pelo telefone (855) 448-6903.**

SAMPLE

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THÔNG BÁO CHO NGƯỜI BỊ GIAM

Bộ Nội An (DHS) đã ra lệnh giam giữ di trú đối với quý vị. Giam giữ di trú là một thông báo cho cơ quan công lực rằng Bộ Nội An sẽ đảm đương việc lưu giữ quý vị (sau khi quý vị được thả ra) bởi có lý do khả tín quý vị là đối tượng bị trục xuất khỏi Hoa Kỳ theo luật di trú liên bang. Sau khi quý vị đã thi hành đầy đủ thời gian của bản án dựa trên các tội phạm hay các kết án, thay vì được thả tự do, Bộ Nội An đã yêu cầu cơ quan công lực giữ quý vị lại thêm không quá 48 tiếng đồng hồ nữa. Nếu Bộ Nội An không đến bắt quý vị sau 48 tiếng đồng hồ phụ trội đó, quý vị cần liên lạc với cơ quan hiện đang giam giữ quý vị để tham khảo về việc trả tự do cho quý vị. Nếu quý vị là công dân Hoa Kỳ hay tin rằng mình là nạn nhân của một tội ác, xin vui lòng báo cho Bộ Nội An bằng cách gọi số điện thoại miễn phí 1(855) 448-6903 cho Trung Tâm Hỗ Trợ Cơ Quan Công Lực Di Trú.

被拘留者通知書

國土安全部(Department of Homeland Security，簡稱DHS)已經對你發出移民拘留令。移民拘留令為一給予執法機構的通知書，闡明DHS意欲獲取對你的羈押權(若非有此羈押權，你將會被釋放)；因為根據聯邦移民法例，並基於合理的原由，你將會被遞解離美國國境。DHS亦已要求現正拘留你的執法機構，在你因受到刑事檢控或定罪後，而在本應被釋放的程序下，繼續對你作出不超過四十八小時的監管。若你在這附加的四十八小時內，仍未及移交至**DHS**的監管下，你應當聯絡你的監管人(即現正監管你的機構)查詢有關你釋放的事宜。若你認為你是美國公民或為罪案受害者，請致電**ICE**執法部支援中心**(Law Enforcement Support Center)**知會**DHS**，免費電話號碼：**(855)448-6903**。

SAMPLE

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Form I-200

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

SAMPLE

_____
(Signature of Authorized Immigration Officer)

_____
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

_____ Name and Signature of Officer

_____ Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

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Form I-205

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

File No: _____

Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____
(Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☐ an immigration judge in exclusion, deportation, or removal proceedings
- ☐ a designated official
- ☐ the Board of Immigration Appeals
- ☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

SAMPLE

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

_____
(Signature of immigration officer)

_____
(Title of immigration officer)

_____
(Date and office location)

ICE Form I-205 (8/07) Page 1 of 2

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To be completed by immigration officer executing the warrant: Name of alien being removed:

_____

Port, date, and manner of removal: _____

Photograph of alien removed

Right index fingerprint of alien removed

_____
(Signature of alien being fingerprinted)

_____
(Signature and title of immigration officer taking print)

Departure witnessed by: _____
(Signature and title of immigration officer)

If actual departure is not witnessed, fully identify source or means of verification of departure:

_____

_____

_____

_____

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here. ☐

Departure Verified by: _____
(Signature and title of immigration officer)

SAMPLE

ICE Form I-205 (8/07)

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AMERICAN OVERSIGHT

FL-SEN-20-0201-A-002603

From: Davis, Eva <DAVIS.EVA@flsenate.gov>
Sent: Tuesday, October 01, 2019 9:18 AM EDT
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB 168 - Sanctuary Cities Order.pdf
Attachment(s): "Sanctuary Cities Order.pdf"

Hi Vickie,

You might have already seen the judge's order from yesterday where the plaintiffs challenged SB 168 in federal court in Miami. But if you haven't, here is a copy for you.

I haven't read it in its entirety, but it sounds like the judge has upheld all provisions that were challenged except the provision for transporting detainees across state lines.

Please let me know if you have any questions and we will try to answer them … after we read the 61 page decision.

Thanks,
Eva

Eva M. Davis
Senior Attorney
Committee on Judiciary
The Florida Senate
515 Knott Building
404 South Monroe Street
Tallahassee, Florida 32399

(850) 487-5198

AMERICAN OVERSIGHT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 19-cv-22927-BLOOM/Louis

CITY OF SOUTH MIAMI, et al.,

Plaintiffs,

v.

RON DESANTIS, et al.,

Defendants.
_____/

ORDER

THIS CAUSE is before the Court on Plaintiffs'[1] Amended Motion for Preliminary Injunction and Request for Hearing. ECF No. [47] ("Amended Motion"). Defendants[2] filed a Response in Opposition to the Motion, ECF No. [19] ("Response"), to which Plaintiffs replied, ECF No. [39] ("Reply"). Defendants were also permitted to file a Surreply in Opposition, ECF No. [45] ("Surreply"), in order to respond to Plaintiffs' Amended Complaint, ECF No. [38] ("Amended Complaint"), which added one additional Plaintiff. The United States of America filed a Statement of Interest, ECF No. [23], to which Plaintiffs responded, ECF No. [50] ("SOI Response"). *Amici curiae* were permitted to file an amicus brief in support of Plaintiffs, ECF No. [61] ("Amicus Brief"). The instant Amended Motion requests that the Court grant a preliminary

[1] Plaintiffs include the City of South Miami; Philip K. Stoddard, Mayor of City of South Miami ("Mayor Stoddard"); Florida Immigrant Coalition, Inc. ("FLIC"), The Farmworker Association of Florida, Inc. ("FWAF"), Family Action Network Movement, Inc. ("FANM"), QLatinx, and WeCount!, Inc. ("WeCount"), on behalf of their members and their organizations as a whole; Americans for Immigrant Justice, Inc. ("AI Justice"), The Guatemalan-Maya Center, Inc. ("GMC"), Hope Community Center, Inc. ("Hope"), and Westminster Presbyterian Church United of Gainesville, Florida, Inc. ("Westminster"), on behalf of their organizations (collectively, "Plaintiffs").

[2] Defendants include Ron DeSantis, Governor of the State of Florida ("Governor DeSantis"), and Ashley Moody, Attorney General of the State of Florida (collectively, "Defendants").

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injunction enjoining Defendants from enforcing Chapter 908 of the Florida Statutes because the law is preempted by federal immigration law and is unconstitutionally vague. The Court has carefully considered the Amended Motion, all opposing and supporting submissions, the parties' arguments presented at the Hearing, the record in this case, and the applicable law, and is otherwise fully advised. For the reasons set forth below, Plaintiffs' Amended Motion is granted in part and denied in part.

I. BACKGROUND

On May 2, 2019, the Florida legislature passed Senate Bill 168 ("SB 168"), which aimed to further the State of Florida's interest in "cooperat[ing] and assist[ing] the federal government in the enforcement of federal immigration laws within this state." Fla. Stat. § 908.101 (2019); ECF No. [5-1] at 2. The law was adapted from a model law originally drafted by organizations designated by the Southern Poverty Law Center to be hate groups, based on their anti-immigrant platforms. ECF No. [38] at 26. Moreover, SB 168 was described by its sponsors as an "anti-sanctuary cities law." *Id.* at 26, 27. On June 14, 2019, Governor DeSantis signed SB 168 into law, and it was enacted as Chapter 908 of the Florida Statutes. *See* Fla. Stat. ch. 908; ECF No. [5-1] at 7. Among other things, SB 168 prohibits so-called "sanctuary policies" that indicate certain jurisdictions' intent not to cooperate with Immigration and Customs Enforcement ("ICE"). ECF No. [19] at 4. The law delineates specific immigration enforcement efforts with which local jurisdictions must comply. These include complying with immigration detainers and transporting aliens to federal facilities. *Id.* at 4-5; *see* Fla. Stat. § 908.105; Fla. Stat. § 908.104(4). Furthermore, under SB 168, the Attorney General and the Governor are vested with enforcement authority to seek injunctive relief or to exercise the Governor's suspension power, should a government official

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fail to comply with the law's mandates. Fla. Stat. § 908.107. This enforcement provision is scheduled to take effect on October 1, 2019. ECF No. [19] at 5.

The instant action challenges the constitutionality of numerous provisions of SB 168 and seeks injunctive and declaratory relief to prevent the law from taking effect. ECF No. [38] at 3.

A. Relevant SB 168 Provisions

The provisions of SB 168 that are being challenged are reproduced in full below. Any supplemental provisions that are relevant to the Court's analysis are also set forth below.

SB 168 sets forth the definition of certain terms used in the statute in § 908.102. Plaintiffs Amended Complaint specifically challenges § 908.102(6)'s definition of "sanctuary policy" ("Sanctuary Definition"). Nevertheless, many of the other definitions in this section are relevant to the Court's analysis.

> Definitions.—As used in this chapter, the term:
>
> (1) "Federal immigration agency" means the United States Department of Justice and the United States Department of Homeland Security, a division within such an agency, including United States Immigration and Customs Enforcement and United States Customs and Border Protection, any successor agency, and any other federal agency charged with the enforcement of immigration law.
>
> (2) "Immigration detainer" means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including detainers issued pursuant to 8 U.S.C. ss. 1226 and 1357 along with a warrant described in paragraph (c). For purposes of this subsection, an immigration detainer is deemed facially sufficient if:
>
> (a) The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law; or
>
> (b) The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law; and

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> (c) The federal immigration agency supplies with its detention request a Form I-200 Warrant for Arrest of Alien or a Form I-205 Warrant of Removal/Deportation or a successor warrant or other warrant authorized by federal law.
>
> (3) "Inmate" means a person in the custody of a law enforcement agency.
>
> (4) "Law enforcement agency" means an agency in this state charged with enforcement of state, county, municipal, or federal laws or with managing custody of detained persons in this state and includes municipal police departments, sheriffs' offices, state police departments, state university and college police departments, county correctional agencies, and the Department of Corrections.
>
> (5) "Local governmental entity" means any county, municipality, or other political subdivision of this state.
>
> (6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:
>
> (a) Complying with an immigration detainer;
>
> (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
>
> (c) Providing a federal immigration agency access to an inmate for interview;
>
> (d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357; or
>
> (e) Providing a federal immigration agency with an inmate's incarceration status or release date.
>
> (7) "State entity" means the state or any office, board, bureau, commission, department, branch, division, or institution thereof, including institutions within the State University System and the Florida College System.

Fla. Stat. § 908.102.

Based on § 908.102(6)'s Sanctuary Definition, § 908.103 states, "Sanctuary policies prohibited.—A state entity, law enforcement agency, or local governmental entity may not adopt or have in effect a sanctuary policy." Fla. Stat. § 908.103 ("Sanctuary Prohibition").[3]

The requirement that state and local law enforcement entities and agencies cooperate with federal immigration enforcement efforts, § 908.104, states:

[3] Collectively, the Sanctuary Definition and the Sanctuary Prohibition will be referred to as "Sanctuary Provisions."

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Cooperation with federal immigration authorities.—

(1) A law enforcement agency shall use best efforts to support the enforcement of federal immigration law. This subsection applies to an official, representative, agent, or employee of the entity or agency only when he or she is acting within the scope of his or her official duties or within the scope of his or her employment.[4]

(2) Except as otherwise expressly prohibited by federal law, a state entity, local governmental entity, or law enforcement agency, or an employee, an agent, or a representative of the entity or agency, may not prohibit or in any way restrict a law enforcement agency from taking any of the following actions with respect to information regarding a person's immigration status:

(a) Sending the information to or requesting, receiving, or reviewing the information from a federal immigration agency for purposes of this chapter.

(b) Recording and maintaining the information for purposes of this chapter.

(c) Exchanging the information with a federal immigration agency or another state entity, local governmental entity, or law enforcement agency for purposes of this chapter.

(d) Using the information to comply with an immigration detainer.

(e) Using the information to confirm the identity of a person who is detained by a law enforcement agency.

(3)(a) For purposes of this subsection, the term "applicable criminal case" means a criminal case in which:

1. The judgment requires the defendant to be confined in a secure correctional facility; and

2. The judge:

a. Indicates in the record under s. 908.105 that the defendant is subject to an immigration detainer; or

b. Otherwise indicates in the record that the defendant is subject to a transfer into federal custody.

(b) In an applicable criminal case, when the judge sentences a defendant who is the subject of an immigration detainer to confinement, the judge shall issue an order requiring the secure correctional facility in which the defendant is to be confined to reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody. For purposes of this paragraph, the term "secure correctional facility" means a state correctional institution as defined in s. 944.02 or a county detention facility or a municipal detention facility as defined in s. 951.23.

(c) If the information specified in sub-subparagraph (a)2.a. or sub-subparagraph (a)2.b. is not available at the time the sentence is pronounced in the case, but is received by a law enforcement agency afterwards, the law enforcement agency shall notify the judge who shall issue the order described by paragraph (b) as soon as the information becomes available.

[4] Section 908.104(1) will be referred to as the "Best Efforts" provision.

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> (4) When a county correctional facility or the Department of Corrections receives verification from a federal immigration agency that a person subject to an immigration detainer is in the law enforcement agency's custody, the agency may securely transport the person to a federal facility in this state or to another point of transfer to federal custody outside the jurisdiction of the law enforcement agency. The law enforcement agency may transfer a person who is subject to an immigration detainer and is confined in a secure correctional facility to the custody of a federal immigration agency not earlier than 12 days before his or her release date. A law enforcement agency shall obtain judicial authorization before securely transporting an alien to a point of transfer outside of this state.[5]
>
> (5) This section does not require a state entity, local governmental entity, or law enforcement agency to provide a federal immigration agency with information related to a victim of or a witness to a criminal offense if the victim or witness timely and in good faith responds to the entity's or agency's request for information and cooperation in the investigation or prosecution of the offense.
>
> (6) A state entity, local governmental entity, or law enforcement agency that, pursuant to subsection (5), withholds information regarding the immigration information of a victim of or witness to a criminal offense shall document the victim's or witness's cooperation in the entity's or agency's investigative records related to the offense and shall retain the records for at least 10 years for the purpose of audit, verification, or inspection by the Auditor General.
>
> (7) This section does not authorize a law enforcement agency to detain an alien unlawfully present in the United States pursuant to an immigration detainer solely because the alien witnessed or reported a crime or was a victim of a criminal offense.
>
> (8) This section does not apply to any alien unlawfully present in the United States if he or she is or has been a necessary witness or victim of a crime of domestic violence, rape, sexual exploitation, sexual assault, murder, manslaughter, assault, battery, human trafficking, kidnapping, false imprisonment, involuntary servitude, fraud in foreign labor contracting, blackmail, extortion, or witness tampering.

Fla. Stat. § 908.104.

Section 908.105 mandates that state and local law enforcement agencies comply with immigration detainers received by federal immigration authorities ("Detainer Mandate").

> Duties related to immigration detainers.—
>
> (1) A law enforcement agency that has custody of a person subject to an immigration detainer issued by a federal immigration agency shall:
>
> (a) Provide to the judge authorized to grant or deny the person's release on bail under chapter 903 notice that the person is subject to an immigration detainer.

[5] Section 908.104(4) will be referred to as the "Transport Requirement."

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> (b) Record in the person's case file that the person is subject to an immigration detainer.
>
> (c) Upon determining that the immigration detainer is in accordance with s. 908.102(2), comply with the requests made in the immigration detainer.
>
> (2) A law enforcement agency is not required to perform a duty imposed by paragraph (1)(a) or paragraph (1)(b) with respect to a person who is transferred to the custody of the agency by another law enforcement agency if the transferring agency performed that duty before the transfer.
>
> (3) A judge who receives notice that a person is subject to an immigration detainer shall cause the fact to be recorded in the court record, regardless of whether the notice is received before or after a judgment in the case.

Fla. Stat. § 908.105.

Moreover, § 908.106 requires county correctional facilities to enter into agreements with the federal government for the reimbursement of costs incurred pursuant to honoring immigration detainer requests ("Cost Reimbursement").

> Reimbursement of costs.—Each county correctional facility shall enter into an agreement or agreements with a federal immigration agency for temporarily housing persons who are the subject of immigration detainers and for the payment of the costs of housing and detaining those persons. A compliant agreement may include any contract between a correctional facility and a federal immigration agency for housing or detaining persons subject to immigration detainers, such as basic ordering agreements in effect on or after July 1, 2019, agreements authorized by s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357, or successor agreements and other similar agreements authorized by federal law.

Fla. Stat. § 908.106.

Finally, in the event that state and local officers fail to comply with the immigration enforcement efforts specified in SB 168, § 908.107 sets forth the Governor and the Attorney General's ability to enforce Chapter 908.

> Enforcement.—
>
> (1) Any executive or administrative state, county, or municipal officer who violates his or her duties under this chapter may be subject to action by the Governor in the exercise of his or her authority under the State Constitution and state law. Pursuant to s. 1(b), Art. IV of the State Constitution, the Governor may initiate judicial proceedings in the name of the state against such officers to enforce compliance with any duty under this chapter or restrain any unauthorized act contrary to this chapter.

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> (2) In addition, the Attorney General may file suit against a local governmental entity or local law enforcement agency in a court of competent jurisdiction for declaratory or injunctive relief for a violation of this chapter.
>
> (3) If a local governmental entity or local law enforcement agency violates this chapter, the court must enjoin the unlawful sanctuary policy. The court has continuing jurisdiction over the parties and subject matter and may enforce its orders with the initiation of contempt proceedings as provided by law.
>
> (4) An order approving a consent decree or granting an injunction must include written findings of fact that describe with specificity the existence and nature of the sanctuary policy that violates this chapter.

Fla. Stat. § 908.107.

B. <u>This Action</u>

Following the enactment of SB 168, on July 16, 2019, Plaintiffs initiated this action against Defendants, ECF No. [1] ("Complaint"), and filed their original Motion for Preliminary Injunction, ECF No. [5], and accompanying memorandum of law, ECF No. [5-1]. Specifically, Plaintiffs sought declaratory and injunctive relief, arguing that SB 168's Detainer Mandate, Transport Requirement, and Cost Reimbursement provisions are preempted by federal law, and that the "Best Efforts" provision and the Sanctuary Provisions are unconstitutionally vague.

On August 21, 2019, Plaintiffs amended their Complaint to include Mayor Stoddard as a Plaintiff and added two counts relating to Mayor Stoddard's claims. ECF No. [38]; ECF No. [40]. The Amended Complaint asserts the following eleven counts on behalf of the different Plaintiffs: Count I – § 908.105's Detainer Mandate violates the Supremacy Clause, U.S. Const. art. VI, § 2; Count II – § 908.104(4)'s Transport Requirement violates the Supremacy Clause; Count III – § 908.160's Cost Reimbursement violates the Supremacy Clause; Counts IV, V, and VI – § 908.102(6)'s and § 908.103's Sanctuary Provisions violate the Due Process Clause; Counts VII, VIII, and IX – § 908.104(1)'s "Best Efforts" provision violates the Due Process Clause; Count X

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– § 908.104(1)'s "Best Efforts" provision violates the Equal Protection Clause; and Count XI – § 908.103's Sanctuary Prohibition violates the Equal Protection Clause.[6] *Id.*

On August 30, 2019, Plaintiffs amended their Motion for Preliminary Injunction to include additional arguments with regard to Mayor Stoddard's claims. ECF No. [47]. Plaintiffs' Amended Motion incorporated the arguments previously asserted in their Memorandum of Law attached to their original Motion, ECF No. [5-1], and their Reply, ECF No. [39]. Defendants filed their Response, ECF No. [19], and Surreply, ECF No. [45],[7] in opposition to the imposition of a preliminary injunction.

The Court held a hearing on September 26, 2019, ("Hearing"), which was attended by Plaintiffs' counsel, Defendants' counsel, and counsel for the United States of America, who sought the Court's leave to participate in the hearing, ECF No. [57]; *see also* ECF No. [60]. During the Hearing, Plaintiffs argued in support of a preliminary injunction that SB 168's challenged provisions are unconstitutional based on preemption and vagueness. Defendants argued that Plaintiffs lack standing and that a preliminary injunction is not warranted as SB 168 is neither preempted by federal law nor unconstitutionally vague. The United States of America participated and argued that federal immigration law does not preempt any of the challenged provisions of SB 168.

[6] It is relevant for the Court's standing analysis below to explain the relationship between each of the Plaintiffs and the counts asserted in the Amended Complaint. Count I is brought by the City of South Miami; FLIC, FWAF, FANM, QLatinx, and WeCount, on behalf of their members and their organizations as a whole; and AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Counts II, IV, VII, X, and XI are brought by FLIC, FWAF, FANM, QLatinx, and WeCount, on behalf of their members and their organizations as a whole; and AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Count III is brought by FLIC, FWAF, FANM, QLatinx, WeCount, AI Justice, GMC, Hope, and Westminster, on behalf of their organizations. Counts V and VIII are brought by the City of South Miami. Counts VI and IX are brought by Mayor Stoddard.

[7] Defendants' Surreply addresses arguments regarding the addition of Mayor Stoddard as a Plaintiff in the Amended Complaint.

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II. LEGAL STANDARD

A. Standing

Standing is a threshold question of "whether the litigant is entitled to have the court decide the merits of the dispute or of particular issues." *Sims v. Fla. Dep't of Highway Safety & Motor Vehicles*, 862 F.2d 1449, 1458 (11th Cir. 1989) (en banc). "[S]tanding requirements 'are not mere pleading requirements but rather [are] an indispensable part of the plaintiff's case.'" *Church v. City of Huntsville*, 30 F.3d 1332, 1336 (11th Cir. 1994) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)). "To establish standing, a plaintiff must have 'suffered an injury-in-fact that would be corrected by [a] favorable decision in the lawsuit.'" *Church*, 30 F.3d at 1335 (quoting *Cheffer v. McGregor*, 6 F.3d 705, 708 (11th Cir. 1993)).

> [A]t an irreducible minimum, Art. III requires the party who invokes the court's authority to "show that he personally has suffered some actual or threatened injury as a result of the putatively illegal conduct of the defendant," and that the injury "fairly can be traced to the challenged action" and "is likely to be redressed by a favorable decision."

Valley Forge Christian Coll. v. Americans United for Separation of Church and State, 454 U.S. 464, 472 (1982) (quoting *Gladstone, Realtors v. Vill. of Bellwood*, 441 U.S. 91, 99 (1979)).

B. Preliminary Injunction

"A preliminary injunction may be issued to protect the plaintiff from irreparable injury and to preserve the district court's power to render a meaningful decision after a trial on the merits." *Canal Auth. of the State of Fla. v. Callaway*, 489 F.2d 567, 572 (5th Cir. 1974);[8] *Ne. Fla. Chapter of Ass'n of Gen. Contractors of Am. v. City of Jacksonville, Fla.*, 896 F.2d 1283, 1285 (11th Cir. 1990) ("*NE Fla. CAGC of Am.*") ("The basis of injunctive relief in the federal courts has always

[8] The Court of Appeals for the Eleventh Circuit, in *Bonner v. City of Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981), adopted all decisions of the Court of Appeals for the Fifth Circuit that were rendered prior to September 30, 1981.

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been irreparable harm and inadequacy of legal remedies." (quoting *Sampson v. Murray*, 415 U.S. 61, 90 (1974))). District courts ultimately have discretion on whether or not to grant a preliminary injunction. *Callaway*, 489 F.2d at 572. However, "a preliminary injunction is an extraordinary and drastic remedy which should not be granted unless the movant clearly carries the burden of persuasion." *Id.* at 573. Accordingly, a movant must prove four factors in order to establish that a preliminary injunction is appropriate: (1) "a substantial likelihood of success on the merits," (2) "that the preliminary injunction is necessary to prevent irreparable injury," (3) "that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant," and (4) "that the preliminary injunction would not be averse to the public interest." *Chavez v. Fla. SP Warden*, 742 F.3d 1267, 1271 (11th Cir. 2014) (citing *Parker v. State Bd. of Pardons & Paroles*, 275 F.3d 1032, 1034-35 (11th Cir. 2001)).

Because preliminary injunctions are drastic, often time-sensitive, remedies, they are "customarily granted on the basis of procedures that are less formal and evidence that is less complete than in a trial on the merits. A party thus is not required to prove his case in full at a preliminary-injunction hearing." *Univ. of Tex. v. Camenisch*, 451 U.S. 390, 395 (1981) (citation omitted). As such, "all of the well-pleaded allegations [in a movant's] complaint and uncontroverted affidavits filed in support of the motion for a preliminary injunction are taken as true." *Elrod v. Burns*, 427 U.S. 347, 350 n.1 (1976).

III. DISCUSSION

In their Amended Motion, Plaintiffs request that the Court preliminarily enjoin § 908.105(1)'s Detainer Mandate, § 908.104(4)'s Transport Requirement, § 908.106's Cost Reimbursement, § 908.104(1)'s "Best Efforts" provision, § 908.102(6)'s Sanctuary Definition, and § 908.103's Sanctuary Prohibition, based on their likelihood of success on the merits, the

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irreparable harm they will suffer if SB 168 takes effect, and the equitable factors weighing in their favor. ECF No. [47]. Specifically, Plaintiffs contend that the Detainer Mandate, the Transport Requirement, and the Cost Reimbursement provisions violate the Supremacy Clause because they are preempted by the Immigration and Nationality Act ("INA"). *Id.* at 2. Additionally, Plaintiffs argue that the "Best Efforts" provision and the Sanctuary Provisions violate the Due Process Clause of the Fourteenth Amendment because they are unconstitutionally vague. *Id.* Moreover, because Plaintiffs do not consider the provisions of SB 168 to be severable, they request that the Court preliminarily enjoin SB 168 in its entirety. *Id.*

Conversely, in their Response, Defendants argue that the Organizational Plaintiffs[9] lack standing to bring any of their claims, aside from the Detainer Mandate challenge; the City of South Miami lacks standing to bring its vagueness challenges; and Mayor Stoddard's[10] delay in joining this action rebuts any allegation that he will suffer irreparable harm under the preliminary injunction analysis. ECF No. [19]; *see also* ECF No. [45]. Defendants also assert that a preliminary injunction is not warranted because Plaintiffs cannot establish a likelihood of success on the merits on either their preemption claims or their vagueness challenges. ECF No. [19] at 10-18. Further, Defendants allege that the remaining equitable factors under the preliminary injunction analysis weigh in their favor. *Id.* at 19. Finally, if the Court determines that a preliminary injunction is warranted on any of the challenged provisions, Defendants request that the enjoined provisions be severed from the remainder of SB 168. *Id.* at 20.

[9] Any reference to the "Organizational Plaintiffs" includes FLIC, FWAF, FANM, QLatinx, WeCount, and AI Justice, GMC, Hope, and Westminster.
[10] Defendants' arguments as to Mayor Stoddard are set forth in their Surreply. ECF No. [45] at 2-3.

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A. Standing

As an initial matter, the Court will address the issue of Plaintiffs' standing. Defendants argue that the Organizational Plaintiffs lack standing to challenge the Transport Requirement, Cost Reimbursement, "Best Efforts" provision, and Sanctuary Provisions. ECF No. [19] at 7-9. Additionally, Defendants contest Plaintiff City of South Miami's standing to assert its vagueness challenges. *Id.* at 9-10.

"A threshold question in every federal case is whether the plaintiff has made out a justiciable case or controversy within the meaning of article III." *NE Fla. CAGC of Am.*, 896 F.2d at 1287 n.1 (Tjoflat, C.J., specially concurring) (quoting *Church of Scientology Flag Serv. Org. v. City of Clearwater*, 777 F.2d 598, 606 (11th Cir. 1985)). As explained above, to establish standing, a "plaintiff must have (1) suffered an injury in fact, (2) that is fairly traceable to the challenged conduct of the defendant, and (3) that is likely to be redressed by a favorable judicial decision." *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1547 (2016). Moreover, "[s]tanding cannot be waived or conceded by the parties." *A&M Gerber Chiropractic LLC v. GEICO Gen. Ins. Co.*, 925 F.3d 1205, 1210 (11th Cir. 2019).

The United States Supreme Court has defined "injury in fact" as "an invasion of a judicially cognizable interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical." *Bennett v. Spear*, 520 U.S. 154, 167 (1997).

> When, as here, plaintiffs file a pre-enforcement, constitutional challenge to a state statute, the injury requirement may be satisfied by establishing "'a realistic danger of sustaining direct injury as a result of the statute's operation or enforcement.'" *Socialist Workers Party v. Leahy*, 145 F.3d 1240, 1245 (11th Cir. 1998) (quoting *Am. Civil Liberties Union v. The Fla. Bar (ACLU)*, 999 F.2d 1486, 1492 (11th Cir. 1993)). A plaintiff may meet this standard in any of three ways: "(1) [the plaintiff] was threatened with application of the statute; (2) application is likely; or (3) there is a credible threat of application." *Id.* (citing *ACLU*, 999 F.2d at 1492).

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Ga. Latino All. for Human Rights v. Governor of Ga., 691 F.3d 1250, 1257-58 (11th Cir. 2012) ("*GLAHR*"). Additionally, there must be a causal connection between a plaintiff's injury and a defendant's alleged illegal conduct. *Id.* at 1257. "Finally, it must be 'likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision.'" *Id.* (quoting *Bennett*, 520 U.S. at 167).

1. Organizational Plaintiffs' Standing

Defendants argue that the Organizational Plaintiffs do not have standing to assert any of their claims on behalf of themselves or their members. Defendants contend that the Organizational Plaintiffs will not suffer any irreparable injury as a result of SB 168's enactment because the law does not impose any obligation on the organizations or their members. ECF No. [19] at 7-9. Conversely, Organizational Plaintiffs contend that they have standing to represent themselves because they have had to, and will continue to need to, divert resources away from their core activities to respond to the increased concerns of their members and the community about SB 168's implications. ECF No. [39] at 2-5. Furthermore, these organizations assert that they can properly bring claims on behalf of their members, who have independent standing, because they have sufficiently pled that these members will be personally and adversely impacted by the heightened immigration enforcement efforts by state and local officials pursuant to SB 168. *Id.*

Organizations can establish standing to sue either on their own behalf or on behalf of their members. "[A]n organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts." *GLAHR*, 691 F.3d at 1259-60 (quoting *Common Cause/Ga. v. Billups*, 554 F.3d 1340, 1350 (11th Cir. 2009); *Fla. State Conference of the NAACP v. Browning*, 522 F.3d 1153, 1165 (11th Cir. 2008)). An organization can establish injury for standing purposes

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by showing either that it has already suffered a cognizable injury when it had to divert its resources, or that it reasonably anticipates that it will have to divert its resources in the future, to address the illegal conduct. *Billups*, 554 F.3d at 1350; *Browning*, 522 F.3d at 1165-66.

Additionally, "[i]t has long been settled that an organization has standing to sue to redress injuries suffered by its members without a showing of injury to the association itself." *Doe v. Stincer*, 175 F.3d 879, 882 (11th Cir. 1999); *see also Warth v. Seldin*, 422 U.S. 490, 511 (1975) ("Even in the absence of injury to itself, an association may have standing solely as the representative of its members."). The Supreme Court has explained that an association may sue on behalf of its members when: "(a) its members would otherwise have standing to sue in their own right; (b) the interests it seeks to protect are germane to the organization's purpose; and (c) neither the claim asserted nor the relief requested requires the participation of individual members in the lawsuit." *Hunt v. Wash. State Apple Advert. Comm'n*, 432 U.S. 333, 343 (1977).

> Accordingly, under *Hunt*, an association may bring suit on behalf of its members or constituents despite the fact that individual members have not actually brought suit themselves. Nor must the association name the members on whose behalf suit is brought. As we have stated, "neither unusual circumstances, inability of individual members to assert rights nor an explicit statement of representation are prerequisites."

Doe, 175 F.3d at 882 (quoting *Church of Scientology v. Cazares*, 638 F.2d 1272, 1279 (5th Cir. 1981)).

Each of the Organizational Plaintiffs has generally set forth facts in the Amended Complaint regarding the injuries the organizations and their members have sustained after the passage of SB 168. ECF No. [38]. The Organizational Plaintiffs' missions all center around immigrant communities and advocating for their rights. *Id.* at 6-23. Moreover, each of the Organizational Plaintiffs has detailed how SB 168 has forced it to divert its resources away from its core mission activities in order to address member concerns about the law and its implications.

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Id. at 9, 11, 13-14, 15, 17, 18, 19-20, 21-22, 23. These diversions of resources in order to specifically address SB 168 include, for example, operating a toll-free hotline to address increased calls requesting information on the law, *Id.* at 10; additional volunteer training, *Id.* at 11; hosting community meetings, *Id.* at 13; hiring additional staff, *Id.* at 15; addressing heightened requests for referrals to immigration attorneys, *Id.* at 18; conducting Know Your Rights presentations, *Id.* at 11, 20; answering member requests for clarification on the law, *Id.* at 21; and organizing forums and legal clinics to aid in the preparation of power of attorney's for members, *Id.* at 23. They also contend that they will continue to have to divert their resources in the future, in response to SB 168's ultimate application. *Id.* at 10, 12, 14, 15, 17, 18-19, 20, 22, 23. Moreover, the Organizational Plaintiffs will suffer diminished membership and beneficiaries if SB 168 takes effect. ECF No. [5-1] at 19.

Organizational Plaintiffs also explain how SB 168 has, and will continue to, injure their individual members. ECF No. [38] at 6-23. Specifically, Organizational Plaintiffs' assert that their members will suffer injuries "from racial and ethnic profiling, and unlawfully prolonged stops, arrests, and detentions on suspicion of civil immigration violations" by law enforcement. *Id.* at 14, 15, 22, 23; ECF No. [5-1] at 18. With SB 168 in force, Organizational Plaintiffs contend that these members will be reluctant to report crimes or act as witnesses due to their fear of interacting with law enforcement officers who may detain them. ECF No. [38] at 17, 20, 22; ECF No. [5-1] at 18. Further, they explain that members' fear and uncertainty about SB 168's implications "has and will continue to discourage members from accessing essential healthcare and government services, including shelter during a hurricane, enforcing their legal rights, including in cases of domestic violence, and applying to and enrolling in public schools and universities." ECF No. [38] at 15, 17, 19-20, 22; ECF No. [5-1] at 18.

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a. Detainer Mandate and Transport Requirement Challenges

In the preemption claims asserted in Counts I and II, Organizational Plaintiffs set forth the general injuries discussed above with regard to their present and future need to divert resources as a result of SB 168. ECF No. [38] at 6-23, 46-52. Additionally, they seek to protect the rights of their members to be free from unlawful immigration enforcement. ECF No. [39] at 4. Organizational Plaintiffs contend that at least one member of each membership-based organization will be unlawfully detained under SB 168's Detainer Mandate and will be unlawfully transported into federal immigration custody by un-deputized law enforcement officers. *Id.*

Defendants argue that the Organizational Plaintiffs lack standing because SB 168 does not impose any duties on the Organizational Plaintiffs upon which injury can be based. ECF No. [19] at 7-9.

> When a governmental prohibition or restriction imposed on one party causes specific harm to a third party, harm that a constitutional provision or statute was intended to prevent, the indirectness of the injury does not necessarily deprive the person harmed of standing to vindicate his rights. But it may make it substantially more difficult to meet the minimum requirement of Art. III: to establish that, in fact, the asserted injury was the consequence of the defendants' actions, or that prospective relief will remove the harm.

Warth, 422 U.S. at 505 (1975) (citation omitted).

In the instant action, Organizational Plaintiffs have sufficiently pled injury in fact with regard to their preemption challenges in Counts I and II. The organizations have diverted, and will continue to have to divert, resources away from core activities in order to respond to member inquiries about SB 168's enactment, implications, and enforcement. Moreover, Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp. v. Coleman*, 455 U.S.

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363, 379 (1982))). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168. *Babbitt v. United Farm Workers Nat. Union*, 442 U.S. 289, 298 (1979) ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending, that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. 553, 593 (1923))). These asserted injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining these provisions. Accordingly, the Court concludes that the Organizational Plaintiffs have standing to assert their preemption challenges on behalf of themselves and their members.

b. Cost Reimbursement Challenge

In Count III, Organizational Plaintiffs assert that the Cost Reimbursement provision is preempted and have set forth their respective injuries. ECF No. [38] at 6-23, 52-55. Specifically, Organizational Plaintiffs have had to divert resources away from core mission activities in order to address SB 168's application with their members. *Id.* at 9, 11, 13-14, 15, 17, 18, 19-20, 21-22, 23. These organizations anticipate having to continue to divert additional resources in the future to respond to members' needs as SB 168 is enforced. *Id.* at 10, 12, 14, 15, 17, 18-19, 20, 22, 23. Moreover, these Organizational Plaintiffs will suffer diminished membership and beneficiaries if SB 168 takes effect. ECF No. [5-1] at 19.

When asked at the Hearing what specific injuries were sustained regarding the Cost Reimbursement provision, counsel for Plaintiffs indicated that, in addition to the diversion of resources, Organizational Plaintiffs were engaging in discussions with state and local law enforcement agencies and government agencies about how to respond to SB 168 and the Cost Reimbursement provision in particular. While these communications with local agencies were not

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addressed in the Amended Complaint or in Plaintiffs' Amended Motion, it does not change the Court's analysis. Plaintiffs have not established any causal connection between SB 168's Cost Reimbursement provision and the injuries Plaintiffs have sustained and anticipate sustaining moving forward.

The Court finds that there is an insufficient nexus between the provision requiring local law enforcement agencies to seek reimbursement for costs incurred in complying with federal immigration efforts and Organizational Plaintiffs' diversion of resources. As alleged by the Organizational Plaintiffs, the diversion of resources to address the concerns and implications of SB 168 relate to the unlawful detention and transport of immigrants. *See generally* ECF No. [38] at 9-23. The injuries alleged stem directly from concerns and confusion regarding the legality and scope of the Detainer Mandate and the Transport Requirement, not the Cost Reimbursement provision. *See generally id.* Because Organizational Plaintiffs have failed to sufficiently establish a causal link between the injuries sustained and the Cost Reimbursement provision of SB 168, the Court concludes that Plaintiffs lack standing to assert this claim. *Browning*, 522 F.3d at 1160 ("a plaintiff must establish 'a realistic danger of sustaining a direct injury as a result of the statute's operation or enforcement" (quoting *Babbitt*, 442 U.S. 289)). As such, this Court lacks jurisdiction to review the Cost Reimbursement challenge in Count III. *Warth*, 422 U.S. at 499 ("A federal court's jurisdiction therefore can be invoked only when the plaintiff himself has suffered 'some threatened or actual injury resulting from the putatively illegal action.'" (quoting *Linda R.S. v. Richard D.*, 410 U.S. 614, 617 (1973))).

c. Sanctuary Provisions and "Best Efforts" Provision Challenges

Under Counts IV and VII, the vagueness challenges to the Sanctuary Provisions and "Best Efforts" provision, Organizational Plaintiffs' delineate the general injuries sustained due to their

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present and future need to divert resources as a result of SB 168. ECF No. [38] at 6-23, 55-57, 61-64. Additionally, they seek to protect the rights of their members to be free from unlawful immigration enforcement. ECF No. [39] at 4. Organizational Plaintiffs contend that at least one member of each membership-based organization will be subject to an unlawful, and potentially arbitrary, arrest pursuant to the "Best Efforts" provision and the Sanctuary Provisions. *Id.* at 5.

Similar to the preemption challenges in Counts I and II, Organizational Plaintiffs have sufficiently pled injury in fact with regard to their vagueness claims. The organizations have diverted, and will continue to have to divert, resources away from core activities in order to respond to member inquiries about SB 168's enactment, implications, and enforcement. Moreover, Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp.*, 455 U.S. at 379)). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168, which will be aggravated by the enforcement of the Sanctuary Prohibition and the "Best Efforts" provision. *Babbitt*, 442 U.S. at 298 ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending, that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. at 593)). These asserted injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining these provisions. Accordingly, the Court concludes that the Organizational Plaintiffs have standing to assert their vagueness challenges on behalf of themselves and their members.

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2. Plaintiff City of South Miami's Standing

Defendants concede the City of South Miami's standing to challenge the Detainer Mandate. However, Defendants argue that the City of South Miami lacks standing to assert its vagueness challenges in Counts V and VIII because Fourteenth Amendment protections only apply to "persons." ECF No. [19] at 9. Plaintiffs' Reply concedes that municipalities lack standing to raise Fourteenth Amendment claims. ECF No. [39] at 2. However, because "[s]tanding cannot be waived or conceded by the parties," *A&M Gerber Chiropractic LLC*, 925 F.3d at 1210, the Court must nevertheless examine whether the City of South Miami has standing to bring its claims.

"In assessing the standing to sue of a state entity, [courts] are bound by the Supreme Court's or [the Eleventh Circuit's] determination of whether any given constitutional provision or law protects the interests of the body in question." *United States v. State of Ala.*, 791 F.2d 1450, 1455 (11th Cir. 1986). Thus, a municipality's standing depends on the nature of the claim asserted. Political subdivisions have been permitted to challenge the constitutionality of state statutes under the Supremacy Clause. *See Rogers v. Brockette*, 588 F.2d 1057, 1071 (5th Cir. 1979). However, as the Supreme Court has explained, "Being but creatures of the State, municipal corporations have no standing to invoke . . . the provisions of the Fourteenth Amendment of the Constitution in opposition to the will of their creator." *Coleman v. Miller*, 307 U.S. 433, 441 (1939).

In examining whether a municipality has standing to assert a constitutional challenge to a state statute under the Supremacy Clause, the Fifth Circuit set forth three prerequisites that must be met: (1) "to sue in federal court, a plaintiff must allege 'a distinct and palpable injury' to itself"; (2) "ordinarily a plaintiff 'must assert his own legal rights and interests, and cannot rest his claim to relief on the legal rights or interests of third parties'"; and (3) "a claim must present a genuine,

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live case or controversy under Article III." *Rogers*, 588 F.2d at 1060 (citations omitted) (footnotes omitted).

a. Preemption Challenge

The City of South Miami has alleged its injuries under SB 168. ECF No. [38] at 6-7. Specifically, the City of South Miami "believes SB 168 does not provide [the City], [the police department], or its residents any actual and understandable notice of the statutory requirements that apply to their conduct." *Id.* at 7. With regard to Count I, the City of South Miami is unsure which provisions of SB 168 apply to it, and it is concerned that the resolutions and policies currently in place may violate SB 168's requirements, especially the City's resolution providing that immigration detainers will not be honored as a matter of course. *Id.* The City of South Miami's potential noncompliance with SB 168 could result in the suspension without pay of its leadership and enforcement actions by the Governor and the Attorney General. *Id.* However, the City of South Miami's attempts to comply with SB 168 will expose the City to liability and damage lawsuits for local law enforcement officers' improper immigration enforcement pursuant to SB 168. *Id.*

As noted above, political subdivisions may establish standing to challenge the constitutionality of state statutes under the Supremacy Clause. *See Rogers*, 588 F.2d at 1071. Here, the City of South Miami asserts a "distinct and palpable injury to itself" because it faces liability and damage lawsuits if its agencies unlawfully comply or attempt to comply with SB 168's Detainer Mandate when its law enforcement officers do not have the authority to do so under federal law, but it faces enforcement actions by the Attorney General if it fails to comply with the Detainer Mandate. *See id.* at 1061. Moreover, the question of whether Congress intended to preempt the field of immigration enforcement dictates the City of South Miami's authority, or lack thereof, to refuse compliance with the Detainer Mandate. *See id.* at 1062-63. Finally, the City of

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South Miami's preemption challenge presents a live case or controversy because the imposition of an injunction on the Detainer Mandate would directly remedy the City of South Miami's threatened injury of damage lawsuits by individuals whose constitutional rights were violated and enforcement actions by the Attorney General for noncompliance. *See id.* at 1063. Accordingly, the Court concludes that the City of South Miami has standing to bring its Detainer Mandate preemption claim.

b. Vagueness Challenges

In Count V, the City of South Miami asserts that the language of the Sanctuary Definition is so vague that it cannot determine what policies are prohibited and which immigration enforcement actions require law enforcement compliance. ECF No. [38] at 58. Similarly, in Count VIII, the City of South Miami argues that the lack of explicit standards in the "Best Efforts" provision fails to set forth any meaningful standard of conduct. *Id.* at 65. As a result, SB 168 will result in arbitrary and discriminatory enforcement. *Id.* Further, the City of South Miami is unable to determine what is prohibited or which local entities and agencies must comply with the "Best Efforts" provision due to SB 168's vague language and inconsistent references to local entities, agencies, and their employees. *Id*. at 66. The City of South Miami asserts that, because of the vague language in the Sanctuary Provisions and the "Best Efforts" provision, and the resulting inability to determine what conduct is proscribed, complying with SB 168 exposes the City to liability. *Id.* at 58, 66. Moreover, government entities that violate the requirements of SB 168 are subject to enforcement actions by the Attorney General. *Id.* at 58, 66. Furthermore, even if the City attempts to comply with SB 168, it may nonetheless face enforcement actions by the Attorney General due to SB 168's vagueness. *Id.* at 58, 66.

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As noted above, "[b]eing but creatures of the State, municipal corporations have no standing to invoke . . . the provisions of the Fourteenth Amendment of the Constitution in opposition to the will of their creator." *Coleman*, 307 U.S. at 441. Vagueness claims, such as those asserted in Counts V and VIII, are rooted in the Due Process Clause of the Fourteenth Amendment. *See Lanzetta v. N.J.*, 306 U.S. 451, 454 (1939); *Alabama*, 791 F.2d at 1455. As such, the City of South Miami lacks standing to assert its vagueness challenges.

3. Plaintiff Mayor Stoddard's Standing

In their Surreply, Defendants concede that Mayor Stoddard has standing to bring his vagueness challenges in Counts VI and IX. ECF No. [45] at 1. Nonetheless, as with the City of South Miami, this Court has an independent obligation to assess whether Mayor Stoddard has standing to assert his vagueness challenges.

While political subdivisions may not have standing to challenge the constitutionality of state statutes on vagueness grounds, the Supreme Court has recognized public officials' legitimate interest in challenging "the enforcement of statutes in relation to which they have official duties." *Coleman*, 307 U.S. at 441-42; *see also Finch v. Miss. State Med. Assoc., Inc.*, 585 F.2d 765, 773 (5th Cir. 1978) ("plaintiffs who sued in their official capacities may assert constitutional claims against the state." (quoting *City of New York v. Richardson*, 473 F.2d 923, 933 (2d Cir. 1973)). Moreover, the Supreme Court has explained that public officials have a sufficient personal stake in the outcome of a case for standing purposes when, believing a state statute to be unconstitutional, "they are in the position of having to choose between violating their oath [by complying with the statute] and taking a step — refusing to comply with [the statute] — that would be likely to bring their expulsion from office." *Bd. of Edu. of Cent. Sch. Dist. No. 1 v. Allen*, 392 U.S. 236, 241 n.5 (1968).

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In Count VI, Mayor Stoddard asserts that the language of the Sanctuary Definition is so vague that he has no way to determine what conduct or policy is prohibited and which immigration enforcement actions require law enforcement compliance. ECF No. [38] at 61. As a result, Mayor Stoddard's ability to establish policies and resolutions guiding local law enforcement agencies' conduct is undermined because he "is unable to determine whether any of the actions, resolutions, policies, or statements he makes place him in violation of SB 168." *Id.* at 60.

Similarly, in Count IX, Mayor Stoddard challenges the constitutionality of SB 168's "Best Efforts" provision because "[s]uch vague language fails to give Mayor Stoddard fair notice of what he must, and must not do, in order to be in compliance with SB 168 and to avoid an enforcement suit or removal from office." *Id.* at 67. Mayor Stoddard is unable to determine what conduct is prohibited or which local entities and agencies must comply with the "Best Efforts" provision due to SB 168's vague language and inconsistent references to local entities, agencies, and their employees. *Id*. at 68. SB 168's vague mandates undermine Mayor Stoddard's ability to establish policies and resolutions to guide police conduct on what actions satisfy "best efforts." *Id.*

Mayor Stoddard asserts that, because of the vague language in the Sanctuary Provisions and the "Best Efforts" provision, and his resulting inability to determine proscribed conduct, complying with SB 168 exposes him to liability. *Id.* at 61, 68. Moreover, officials who violate the requirements of SB 168 are subject to enforcement actions or suspension from office by the Governor. *Id.* at 68, 69. As such, Mayor Stoddard is now faced with the threat of suspension or removal for failing to comply with SB 168. *Id.* Alternatively, he faces political liability and damage lawsuits for improper immigration enforcement actions taken pursuant to SB 168. *Id.* at 61, 68-69. Furthermore, Mayor Stoddard's attempted, yet insufficient, compliance with SB 168 may result in suspension or removal from office. *Id.* at 61, 69.

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Mayor Stoddard has sufficiently alleged a concrete, imminent, and "realistic danger of sustaining direct injury as a result of the statute's operation or enforcement." *GLAHR*, 691 F.3d at 1257 (quoting *Socialist Workers Party*, 145 F.3d at 1245). Specifically, Mayor Stoddard is "in the position of having to choose between violating [his] oath [by complying with SB 168] and taking a step — refusing to comply with [SB 168] — that would likely bring [his] expulsion from office." *Allen*, 392 U.S. at 241 n.5. Accordingly, the Court concludes that Mayor Stoddard has satisfied the injury-in-fact requirement of the standing analysis. Moreover, the causal connection between the asserted injury and the alleged illegal conduct here is clear because Mayor Stoddard's injury stems directly from SB 168's application and enforcement. Finally, Mayor Stoddard's purported injury will be redressed if this Court ultimately enjoins SB 168. Therefore, Mayor Stoddard has standing to challenge the vagueness of the Sanctuary Provisions and "Best Efforts" provision.

B. Preliminary Injunction

Having determined that Plaintiffs have standing to sue, the Court turns to the merits of Plaintiffs' request for a preliminary injunction. A movant must prove four factors in order to establish that a preliminary injunction is appropriate: (1) "a substantial likelihood of success on the merits," (2) "that the preliminary injunction is necessary to prevent irreparable injury," (3) "that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant," and (4) "that the preliminary injunction would not be averse to the public interest." *Chavez*, 742 F.3d at 1271 (citing *Parker*, 275 F.3d at 1034-35). "Failure to show any of the four factors is fatal" to the preliminary injunction inquiry. *Am. Civil Liberties Union of Fla., Inc. v. Miami-Dade Sch. Bd.*, 557 F.3d 1177, 1198 (11th Cir. 2009).

> When a federal court before trial enjoins the enforcement of a municipal ordinance adopted by a duly elected city council, the court overrules the decision of the elected representatives of the people and, thus, in a sense interferes with the processes of democratic government. Such a step can occasionally be justified by the

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> Constitution (itself the highest product of democratic processes). Still, preliminary injunctions of legislative enactments—because they interfere with the democratic process and lack the safeguards against abuse or error that come with a full trial on the merits—must be granted reluctantly and only upon a clear showing that the injunction before trial is definitely demanded by the Constitution and by the other strict legal and equitable principles that restrain courts.

NE Fla. CAGC of Am., 896 F.2d at 1285.

Plaintiffs' Amended Motion requests that this Court grant a preliminary injunction to enjoin SB 168 from taking effect, pending the resolution of the instant case. ECF No. [47]. Plaintiffs assert that a preliminary injunction is appropriate because the challenged provisions of SB 168 are either preempted by federal law or are unconstitutionally vague. *Id.* Defendants contend that this Court should deny the Amended Motion because Plaintiffs' claims are meritless and unlikely to succeed, they have failed to sufficiently allege irreparable harm, and the equitable factors weigh in favor of denying the preliminary injunction. ECF No. [19].

1. Substantial Likelihood of Success on the Merits

With regard to the preliminary injunction factors, the Eleventh Circuit has stated that the substantial likelihood of success on the merits is "generally the most important [factor]." *Schiavo ex rel. Schindler v. Schiavo*, 403 F.3d 1223, 1232 (11th Cir. 2005). "A substantial likelihood of success on the merits requires a showing of only likely or probable, rather than certain, success." *Id.*

a. Preemption Challenges

Plaintiffs argue that the Detainer Mandate and the Transport Requirement[11] violate the Supremacy Clause because these provisions are preempted by federal immigration law. ECF No. [5-1] at 3-11.

[11] As discussed above, the Court does not address Plaintiffs' arguments regarding the Cost Reimbursement provision's preemption, as they lack standing to assert that claim.

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"Federalism, central to the constitutional design, adopts the principle that both the National and State Governments have elements of sovereignty the other is bound to respect." *Arizona v. United States*, 567 U.S. 387, 398 (2012). Nonetheless, the Supremacy Clause mandates that federal law "shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." U.S. Const. art. VI, § 2. Thus, "[w]here the two conflict, federal law trumps state law; that was always clear. What constitutes a conflict is often less clear." *Browning*, 522 F.3d at 1167 (citations omitted).

Under the preemption doctrine, Congress has the power to preempt state law, and this preemption typically falls into one of "three categories: (1) express preemption; (2) field preemption; and (3) conflict preemption." *Id.*; *Arizona*, 567 U.S. at 399-400. "Express preemption occurs when Congress manifests its intent to displace a state law using the text of a federal statute." *Browning*, 522 F.3d at 1167. "Implied preemption" has generally been used to encompass field and conflict preemption. *Id.* "Field preemption occurs when a congressional legislative scheme is 'so pervasive as to make the reasonable inference that Congress left no room for the states to supplement it,'" *id.* (quoting *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218, 230 (1947)), or "where there is a 'federal interest . . . so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject,'" *Arizona*, 567 U.S. at 399 (quoting *Rice*, 331 U.S. at 230). "Conflict preemption occurs either when it is physically impossible to comply with both the federal and state laws or when the state law stands as an obstacle to the objective of the federal law." *Browning*, 522 F.3d at 1167.

Two main considerations guide district courts' preemption analysis: "First, the purpose of Congress is the ultimate touchstone in every pre-emption case. Second, we assume that the historic police powers of the States were not to be superseded by the Federal Act unless that was the clear

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and manifest purpose of Congress." *United States v. Alabama*, 691 F.3d 1269, 1281-82 (11th Cir. 2012) (citations and internal quotation marks omitted).

As the Supreme Court has explained,

> The Government of the United States has broad, undoubted power over the subject of immigration and the status of aliens. This authority rests, in part, on the National Government's constitutional power to "establish an uniform Rule of Naturalization," Art. I, § 8, cl. 4, and its inherent power as sovereign to control and conduct relations with foreign nations. The federal power to determine immigration policy is well settled.

Arizona, 567 U.S. at 394-95 (citations omitted). The field of immigration governance "is extensive and complex." *Id.* at 395. As such, "Congress has specified which aliens may be removed from the United States and the procedures for doing so." *Id.* at 396. Nonetheless, the Supreme Court has emphasized that "[t]he pervasiveness of federal regulation does not diminish the importance of immigration policy to the States." *Id.* at 397.

The Executive Branch is tasked with the enforcement of immigration law, and immigration officials are given "broad discretion" in the exercise of their powers. *Id.* at 396-97. Although there are numerous agencies within the Department of Homeland Security ("DHS"), *id.* at 397, ICE is the agency relevant to the instant action. "ICE officers are responsible 'for the identification, apprehension, and removal of illegal aliens from the United States.'" *Id.*

"As a general rule, it is not a crime for a removable alien to remain present in the United States." *Id.* at 407. Moreover, "[r]emoval is a civil, not criminal, matter." *Id.* at 396.

> The federal statutory structure instructs when it is appropriate to arrest an alien during the removal process. For example, the Attorney General can exercise discretion to issue a warrant for an alien's arrest and detention "pending a decision on whether the alien is to be removed from the United States." [8 U.S.C.] § 1226(a). And if an alien is ordered removed after a hearing, the Attorney General will issue a warrant. See 8 CFR § 241.2(a)(1). In both instances, the warrants are executed by federal officers who have received training in the enforcement of immigration law. See §§ 241.2(b), 287.5(e)(3). If no federal warrant has been issued, those officers have more limited authority. See 8 U.S.C. § 1357(a).

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Id. at 407-08 (some citations omitted).

Congress has delineated specific, "limited circumstances in which state officers may perform the functions of an immigration officer." *Id.* at 408. Relevant to the instant case, the Attorney General may grant this authority to specific state or local law enforcement officers pursuant to a formal agreement, commonly referred to as a "287(g) Agreement,"[12] which allows officers to perform the duties of a federal immigration officer under the direction and supervision of the Attorney General after completing adequate immigration training. 8 U.S.C. § 1357(g)(1); *Arizona*, 567 U.S. at 408-09. Without a 287(g) Agreement, local law enforcement agencies are not permitted to unilaterally perform the functions of federal immigration officers, such as detaining an alien for being removable, "absent any request, approval, or other instruction from the Federal Government." *Arizona*, 567 U.S. at 410.

Nevertheless, the Supreme Court has recognized that "[c]onsultation between federal and state officials is an important feature of the immigration system." *Id.* at 411. Congress has explicitly stated that state and local law enforcement agencies do not need a 287(g) Agreement (A) "to communicate with the [Federal Government] regarding the immigration status of any individual," or (B) "otherwise to cooperate[13] with the [Federal Government] in the identification,

[12] The federal government's authorization to enter into 287(g) Agreements is codified in 8 U.S.C. § 1357(g):

> (1) Notwithstanding section 1342 of Title 31, the Attorney General may enter into a written agreement with a State, or any political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to the extent consistent with State and local law.

8 U.S.C. § 1357(g)(1).

[13] The Court will refer to the provision in 8 U.S.C. § 1357(g)(10)(B) as the "cooperation clause."

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apprehension, detention, or removal of aliens not lawfully present in the United States." 8 U.S.C. § 1357(g)(10); *Arizona*, 567 U.S. at 411-12.

The parties in this case disagree on what the phrase "otherwise to cooperate" means, in the context of enforcing immigration detainers and transporting detained aliens into federal custody. Before examining each party's arguments, a brief history of immigration detainers is warranted.

Amici curiae in support of Plaintiffs provided the Court with an informative history on the evolution of the immigration detainer. ECF No. [61] at 17-23. There is only one reference to "detainers" in the INA. *See* 8 U.S.C. § 1357(d); *Arizona*, 567 U.S. at 410 ("State officials can also assist the Federal Government by responding to requests for information about when an alien will be released from their custody." (citing 8 U.S.C. § 1357(d))). *Amici* assert that detainers were historically understood to be requests for information about a suspected alien's expected release date and nothing more. ECF No. [61] at 18.

However, in 1997, federal immigration agencies began requesting that local law enforcement agencies, pursuant to detainer requests, hold suspected aliens in custody for up to forty-eight hours beyond their scheduled release from custody. *Id.* at 17. Specifically, the Code of Federal Regulation's Detainer Provisions state:

> (a) Detainers in general. Detainers are issued pursuant to sections 236 and 287 of the Act and this chapter 1. Any authorized immigration officer may at any time issue a Form I-247, Immigration Detainer – Notice of Action, to any other Federal, State, or local law enforcement agency. A detainer serves to advise another law enforcement agency that the Department seeks custody of an alien presently in the custody of that agency, for the purpose of arresting and removing the alien. The detainer is a request that such agency advise the Department, prior to release of the alien, in order for the Department to arrange to assume custody, in situations when gaining immediate physical custody is either impracticable or impossible.
>
> . . . .
>
> (d) Temporary detention at Department request. Upon a determination by the Department to issue a detainer for an alien not otherwise detained by a criminal justice agency, such agency shall maintain custody of the alien for a period not to

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> exceed 48 hours, excluding Saturdays, Sundays, and holidays in order to permit assumption of custody by the Department.

8 C.F.R. § 287.7. Based on this additional request to hold an individual beyond their custodial sentence, a detainer has developed into "a written request to state or local officials, asking them (1) to notify [DHS] as soon as practicable before an alien is released and (2) to maintain custody of the alien for up to 48 hours beyond the preexisting release date so that DHS may assume custody." *City of El Cenizo, Tex. v. Tex.*, 890 F.3d 164, 174 (5th Cir. 2018); 8 C.F.R. § 287.7; *United States v. Ovando-Garzo*, 752 F.3d 1161, 1164 (8th Cir. 2014) (holding that identifying an alien, communicating with federal immigration officers, and detaining an alien until federal officers could take custody was not unilateral conduct outside the scope of a local law enforcement officer's authority); *see Corley v. United States*, 556 U.S. 303, 314 (2009) ("one of the most basic interpretive canons, that "'[a] statute should be construed so that effect is given to all its provisions, so that no part will be inoperative or superfluous, void or insignificant.'" (quoting *Hibbs v. Winn*, 542 U.S. 88, 101 (2004))); *see also Lopez-Aguilar v. Marion Cty. Sheriff's Dep't*, 296 F. Supp. 3d 959, 969 (S.D. Ind. 2017) ("'An immigration detainer is a piece of paper issued by immigration officials that purports to command other law enforcement officials to hold a prisoner, who otherwise would be released, in custody and deliver that person to federal immigration officials.' It is 'the principle mechanism for [ICE] . . . to obtain custody over suspected immigration violators in the custody of state or local law enforcement officials.'" (quoting Christopher N. Lasch, *Federal Immigration Detainers After* Arizona v. United States, 46 Loy. L.A. L. Rev. 629, 634 (2013))). In April 2017, ICE implemented an internal policy that required all detainer requests to be accompanied by an administrative immigration warrant issued by a federal immigration officer indicating the immigration officer's probable cause to believe an individual is removable. ECF No. [19] at 3.

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Amici contend, and Plaintiffs agree, that this expansion of the detainer request is beyond the scope of power Congress intended to grant to federal immigration officers and the forty-eight-hour hold constitutes a subsequent arrest that requires probable cause that a criminal violation occurred. ECF No. [61]; *see Lopez-Aguilar*, 296 F. Supp. 3d at 972 ("Plainly, federal immigration law does not permit . . . every law enforcement officer employed by a state governmental body to engage in the enforcement of federal immigration law on the same terms and basis as federal officials, free from any restriction by the governmental body (even, presumably, as to enforcement priorities)."). Additionally, Plaintiffs and *amici* argue that detainer holds are arrests performed by local law enforcement officers who lack Congressional authorization under the INA, regardless of the detainer and accompanying administrative warrant. *Id.* As such, Plaintiffs assert that the Detainer Mandate requiring that local law enforcement officers comply with detainer holds is preempted by federal law.

In their Response, Defendants argue that "[c]onsultation between federal and state officials is an important feature of the immigration system," *Arizona*, 567 U.S. at 411, and that, by expressly including the cooperation clause under § 1357(g)(10)(B), Congress gave a clear indication that it sought to facilitate, not preempt, the type of cooperation that SB 168 mandates. ECF No. [19] at 12. Moreover, in its Statement of Interest, the United States of America asserts that local law enforcement agencies' compliance with detainer requests falls within the cooperation that Congress intended to allow under § 1357(g)(10)(B). ECF No. [23] at 12. Cooperating with immigration detainer requests falls squarely within *Arizona*'s reasoning because this cooperation is done only pursuant to a federal request, rather than unilaterally. *Id.* at 13 ("SB 168 provides for the very authorization Plaintiffs allude to in the form of federal immigration detainers.").

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Thus, the precise issue before the Court is whether SB 168's Detainer Mandate and Transport Requirement are preempted by federal law or whether these provisions regulate conduct that falls within the meaning of the cooperation clause's "otherwise to cooperate" language.

i. Field Preemption Challenge to the Detainer Mandate and Transport Requirement

Plaintiffs argue that the Detainer Mandate and Transport Requirement are field preempted because the INA occupies the field of when state and local law enforcement can participate in detaining aliens and "SB 168 rejects the Congressional framework and creates its own authorization for immigration arrest, detention, and transport by undeputized local officers." ECF No. [50] at 3.

"Field preemption occurs when a congressional legislative scheme is 'so pervasive as to make the reasonable inference that Congress left no room for the states to supplement it,'" *Browning*, 522 F.3d at 1167 (quoting *Rice*, 331 U.S. at 230), or "where there is a 'federal interest . . . so dominant that the federal system will be assumed to preclude enforcement of state laws on the same subject,'" *Arizona*, 567 U.S. at 399 (quoting *Rice*, 331 U.S. at 230). "To determine the boundaries that Congress sought to occupy within the field, we look to 'the federal statute itself, read in the light of its constitutional setting and its legislative history.'" *Alabama*, 691 F.3d at 1281 (quoting *De Canas v. Bica*, 424 U.S. 351, 360 n. 8 (1976)). Because neither provision is field preempted, the Court addresses these arguments first.

Considering the language of the INA itself, it is clear that Congress did not intend to preclude states from supplementing the field of how local law enforcement agencies can participate in federal immigration enforcement efforts. Specifically, the express language of the cooperation clause in § 1357(g)(10)(B) leaves numerous cooperative avenues open for law enforcement officers to participate in the immigration efforts of federal officers. 8 U.S.C. § 1357(g)(10)(B).

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"This provision indicates that Congress intended local cooperation without a formal agreement in a range of key enforcement functions." *City of El Cenizo*, 890 F.3d at 179.

The Fifth Circuit's field preemption reasoning in *City of El Cenizo* is informative here. *See generally id.* at 164. *City of El Cenizo* centered around the enactment of a law similar to SB 168. *Id.* at 173-75. In addressing the issue of field preemption, the Fifth Circuit in *City of El Cenizo* enunciated a critical distinction between the Texas law and the provisions of § 1357(g):

> To establish field preemption, moreover, the plaintiffs must prove that federal law evinces "the clear and manifest purpose of Congress" to preclude even complementary state legislation on the same subject. *De Canas*, 424 U.S. at 357. Federal law does not suggest the intent — let alone a "clear and manifest" one — to prevent states from regulating *whether* their localities cooperate in immigration enforcement. Section 1357 does not require cooperation at all. And the savings clause allowing cooperation without a 287(g) agreement indicates that some state and local regulation of cooperation is permissible.

Id. at 178; *see also id.* at 177 ("Federal law regulates *how* local entities may cooperate in immigration enforcement; [the Texas law] specifies *whether* they cooperate.").

Similarly, here, the Detainer Mandate regulates *whether* local entities cooperate in the federal government's immigration enforcement efforts by stating that law enforcement agencies "shall . . . comply with the requests made in the immigration detainer." Fla. Stat. § 908.105(1)(c). The Court must limit its analysis of Plaintiffs' field preemption challenges to whether Congress intended to preclude any further state regulation of local law enforcement agencies' cooperation with federal immigration enforcement. Similar reasoning also applies to the Transport Requirement. Plaintiffs have not established Congress's clear and manifest intent to preclude any complementary state regulation on cooperating with immigration officials for the transport of aliens. As the Fifth Circuit in *City of El Cenizo* held, § 1357(g)(10)(B)'s cooperation clause indicates that Congress intentionally left the issue of state and local law enforcement's cooperation

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with federal immigration efforts open to further regulation. *See* 890 F.3d at 178. Therefore, SB 168's Detainer Mandate and Transport Requirement are not field preempted.

ii. Conflict Preemption Challenge to the Detainer Mandate

Plaintiffs also argue that SB 168's Detainer Mandate is conflict preempted. ECF No. [5-1] at 8-10.

Conflict preemption can arise in two ways:

> First, conflict preemption can occur "when it is physically impossible to comply with both the federal and the state laws." Conflict preemption may also arise "when the state law stands as an obstacle to the objective of the federal law." We use our judgment to determine what constitutes an unconstitutional obstacle to federal law, and this judgment is "informed by examining the federal statute as a whole and identifying its purpose and intended effects."

Alabama, 691 F.3d at 1281 (citations omitted).

The Supreme Court, in *Arizona*, held that an Arizona law authorizing state and local police officers to make warrantless arrests of suspected aliens if they had probable cause to believe the alien was removable was conflict preempted by federal immigration law. 567 U.S. at 410. In so holding, the Supreme Court noted that the Arizona law would "provide state officers even greater authority to arrest aliens on the basis of possible removability than Congress has given to trained federal immigration officers." *Id.* at 408. The *Arizona* Court, in examining the statutory authorization for 287(g) Agreements and § 1357(g)(10)(B)'s cooperation clause, noted that Congress clearly accounted for some degree of federal-local cooperation in immigration efforts. *Id.* at 409-10. However, the Court found Arizona's law to be conflict preempted because the law granted local officials the unilateral authorization to make immigration arrests — something Congress exclusively entrusted to the Federal Government. *Id.* The Supreme Court distinguished this unilateral state action from permissible cooperation under § 1357(g)(10)(B) by explaining that cooperation necessarily requires some sort of "request, approval, or other instruction from the

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Federal Government" in order for local law enforcement officers to properly participate in immigration enforcement actions. *Id.* at 410. A state law that attempts to achieve its own immigration policy by authorizing law enforcement's unilateral immigration action impermissibly stands as an obstacle to the objectives of the INA and frustrates federal immigration objectives, such as foreign relations. *Id.* at 409-10.

Here, the Detainer Mandate states, in relevant part, "A law enforcement agency that has custody of a person subject to an immigration detainer issued by a federal immigration agency shall . . . comply with the requests made in the immigration detainer." Fla. Stat. 908.105(1)(c). Defendants assert that the Detainer Mandate falls within the conduct that was explicitly contemplated in the cooperation clause because it only grants local officers the power to temporarily detain suspected aliens after a federal immigration official has made a probable cause determination as to removability and has explicitly requested that the individual be held. ECF No. [19] at 12; *Arizona*, 567 U.S. at 411 ("Consultation between federal and state officials is an important feature of the immigration system."). Plaintiffs argue instead that the Detainer Mandate creates a system of enforcement where all local officers are authorized to make subsequent detainer arrests, absent a 287(g) Agreement granting them the power to do so.

The Court recognizes the body of case law across the nation that has determined that these immigration detainer holds are unconstitutional subsequent arrests in violation of the Fourth Amendment, two of which are in this District.[14] Plaintiffs rely on many of these cases for their preemption arguments. However, these cases concerned post-enforcement Fourth Amendment

[14] *See, e.g.*, *Morales v. Chadbourne*, 793 F.3d 208, 217 (1st Cir. 2015); *Santos v. Frederick Cty. Bd. Of Comm'rs*, 725 F.3d 451, 465-66 (4th Cir. 2013); *Melendres v. Arpaio*, 695 F.3d 990 (9th Cir. 2012); *C.F.C. v. Miami-Dade Cty.*, 349 F. Supp. 3d 1236 (S.D. Fla. 2018); *Creedle v. Miami-Dade Cty.*, 349 F. Supp. 3d 1276 (S.D. Fla. 2018); *Lopez-Aguilar*, 296 F. Supp. 3d 959; *Lunn v. Commonwealth*, 78 N.E.3d 1143, 1153 (Mass. 2017); *People ex rel. Swenson v. Ponte*, 46 Misc. 3d 273, 278 (N.Y. Sup. Ct. 2014); *see also Moreno v. Napolitano*, 213 F. Supp. 3d 999, 1005, n.3 (N.D. Ill. 2016).

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challenges to detainer holds, not a pre-enforcement facial challenge to a state statute mandating local officers' compliance with detainer requests. The Court believes this distinction to be critical.

As noted in *Creedle*,

> The Fifth Circuit stresses throughout its opinion [in *City of El Cenizo*] that plaintiffs had a stringent burden, not only because of the preliminary injunction standard, but also because of the "exacting standard" of bringing a "pre-enforcement facial challenge." In *El Cenizo*, no discovery had yet been taken and no facts had been adduced other than those alleged in the complaint. The Fifth Circuit noted that "such a challenge is the most difficult to mount successfully" because "it is not enough for the plaintiffs to demonstrate that the ICE-detainer mandate will often cause Fourth Amendment violations." Instead, plaintiffs "must establish that the mandate is unconstitutional in all of its applications." In analyzing whether the "ICE-detainer mandate" in [the Texas law] facially violated the Fourth Amendment, the Fifth Circuit stated that "plaintiffs must establish that every seizure authorized by the ICE-detainer mandate violates the Fourth Amendment" and concluded that plaintiffs could not satisfy that "exacting standard."

Creedle, 349 F. Supp. 3d at 1298 (footnote omitted) (quoting *City of El Cenizo*, 890 F.3d at 187). Similarly, here, Plaintiffs assert a facial pre-enforcement challenge to SB 168's Detainer Mandate. Thus, Plaintiffs must satisfy a "stringent burden" in order to be successful on their claims. *City of El Cenizo*, 890 F.3d at 187.

Moreover, those cases present markedly different situations than the instant case — namely, the cases cited did not address the situation where a detainer request was issued alongside an administrative warrant alleging probable cause. The combination of the detainer and the administrative warrant rectify many of the issues presented in those prior cases.

The Court finds the reasoning of *Lopez-Lopez v. County of Allegan*, to be particularly persuasive on this point. 321 F. Supp. 3d 794 (W.D. Mich. 2018). There, the district court addressed a Fourth Amendment challenge to a hold based on a detainer request and an accompanying administrative warrant. *Id.* at 796. In finding that the detainer hold did not violate the defendant's Fourth Amendment rights, in *Lopez-Lopez*, the court reviewed and distinguished the previous line of cases holding that immigration detainers violated the Fourth Amendment. *Id.*

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at 799-802; *id.* at 799 ("Plaintiff asserts that '[n]umerous federal district courts have found that detention by local authorities pursuant to ICE detainers alone violates the Constitutional rights of the detainee.' The problem is that Lopez-Lopez was not detained solely on the basis of an ICE detainer. Additionally, the detainers at issue in the cases he cites are substantively different from the detainer ICE issued in this case. Further, some of the cases are wholly irrelevant to the discussion because they determine only that cooperation with ICE detainers is discretionary rather than mandatory — a well-settled principle that does not bear on the outcome." (citation omitted)).[15] Specifically, the *Lopez-Lopez* court noted that, while a detainer alone or an administrative warrant alone may not comply with the Fourth Amendment's requirements because law enforcement officers "[e]ither [] lack probable cause (situations without an administrative warrant) or they lack a request to act (situations without a detainer)," the combination of the detainer and the administrative warrant rectifies these issues and complies with the Supreme Court's holding in *Arizona*. *Id.* at 801; *id.* ("ICE issued a facially valid administrative warrant for [defendant's] arrest, based on a determination that there was probable cause to believe he was removable. Then, ICE requested that the localities detain [defendant] through the use of an I-247 detainer — which also recited the basis for probable cause. [The] County cooperated by complying with the federal

[15] *See Lopez-Lopez*, 321 F. Supp. 3d at 800 (distinguishing *Buquer v. City of Indianapolis*, 797 F. Supp. 2d 905 (S.D. Ind. 2011), because *Buquer* involved a state law authorizing local officers to use their discretion in conducting warrantless immigration arrests); *id.* (distinguishing *Morales v. Chadbourne*, 996 F. Supp. 2d 19 (D. R.I. 2014), *aff'd in part, rev'd in part*, 793 F.3d 208 (1st Cir. 2015), because in *Morales*, ICE did not provide an arrest warrant with the detainer); *id.* at 800-01 (distinguishing *Santos*, 725 F.3d 451, because the plaintiff there was seized before ICE confirmed that a warrant had issued); *id.* at 801 (distinguishing *Ochoa v. Campbell*, 266 F. Supp. 3d 1237 (E.D. Wash. 2017), because ICE only presented an administrative warrant without a detainer); *see also Melendres*, 695 F.3d 990 (detention of aliens during a traffic stop "based on reasonable suspicion or knowledge that the person was unlawfully in the [country]," without a federal request); *C.F.C.*, 349 F. Supp. 3d 1236 (detainer not accompanied by an administrative warrant); *Creedle*, 349 F. Supp. 3d 1276 (detainer not accompanied by an administrative warrant); *Lopez-Aguilar*, 296 F. Supp. 3d 959 (no detainer issued).

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government's request (as allowed pursuant to § 1357(g)(10)) 'by providing operational support' by holding [defendant] until ICE could take custody of him the following day.").

The reasoning in *Lopez-Lopez* presents a clear instance where complying with a detainer satisfies the Fourth Amendment's requirements.[16] Moreover, the current detainer practice and the mandates of SB 168 require that all detainer requests be accompanied by administrative warrants. ECF No. [19] at 3; ECF No. [19-1] at 15-20. Plaintiffs cannot satisfy their burden on a facial challenge of establishing "that every seizure authorized by the ICE-detainer mandate violates the Fourth Amendment." *City of El Cenizo*, 890 F.3d at 187.

The Fifth Circuit in *City of El Cenizo* also examined the cooperation clause under § 1357(g)(10)(B) and recognized that "Congress intended local cooperation without formal agreement in a range of key enforcement functions." *Id.* at 179. Moreover, the *City of El Cenizo* noted that officers acting pursuant to a 287(g) Agreement "become de facto immigration officers, competent to act on their own initiative." *Id.* at 180. Thus, these 287(g) officers are expressly granted the authority to make unilateral decisions on immigration enforcement issues, absent any predicate request from the federal government. *Arizona*, 567 U.S. at 410.

In contrast, here, officers acting pursuant to the Detainer Mandate are only authorized to detain suspected aliens after receiving such a detainer request from federal immigration officers. These detainers must be accompanied by a Form I-200 "Warrant of Arrest of Alien" or a Form I-205 "Warrant of Removal/Deportation." *See* Appendix. Form I-247A is titled "Immigration Detainer – Notice of Action," which requests that local officers "[m]aintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have

[16] Moreover, as the Eleventh Circuit has noted, "The Fourth Amendment does not require warrants to be based on probable cause of a crime, as opposed to a civil offense. Nothing in the original public meaning of 'probable cause' or 'Warrants' excludes civil offenses." *United States v. Phillips*, 834 F.3d 1176, 1181 (11th Cir. 2016).

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been released from your custody to allow DHS to assume custody." *See* Appendix (emphasis in original); ECF No. [61] at 49. When questioned at the Hearing about acts local officers may properly conduct pursuant to a detainer request, Plaintiffs' counsel indicated that officers were limited to providing information about an inmate's release date. While a request for information is contained within the detainer, so is the request to temporarily detain. Further, while requests for information and communications between federal and state officials without a 287(g) Agreement are expressly contemplated in § 1357(g)(10)(A), Congress's addition of the § 1357(g)(10)(B) cooperation clause authorizes additional cooperative conduct, aside from communication, between federal immigration officers and local law enforcement. Absent any clear statutory indication to the contrary, and consistent with *City of El Cenizo*, the Court concludes that honoring federal immigration detainer requests falls within the scope of cooperation contemplated by Congress under § 1357(g)(10)(B).

Plaintiffs further argue that Defendants' examples of 287(g) Agreements with local law enforcement agencies reaffirm their interpretation that detainer holds fall within the purview of § 1357(g)(1). ECF No. [50] at 12. Specifically, Plaintiffs note that the 287(g) Agreement with Clay County, ECF No. [19-2], granting local officers the authority to "process [aliens] for immigration violations," "serve warrants of arrest for immigration violations," and "detain and transport" aliens, is rendered meaningless if officers can honor detainer requests under the cooperation clause absent such agreements. ECF No. [50] at 12. However, as the Fifth Circuit in *City of El Cenizo* explained, officers acting pursuant to a 287(g) Agreement "become de facto immigration officers, competent to act on their own initiative." 890 F.3d at 180. Thus, these 287(g) officers are expressly granted the authority to make unilateral decisions on immigration enforcement issues, absent any predicate request from the federal government. *Arizona*, 567 U.S. at 410. Conversely, officers

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operating under SB 168's Detainer Mandate are only permitted to hold a suspected alien for forty-eight hours if federal immigration officers explicitly request that they do so pursuant to a facially valid detainer request. Fla. Stat. § 908.105(1). Officers acting pursuant to 287(g) Agreements are allowed to hold suspected aliens without any prior request from the federal government. *City of El Cenizo*, 890 F.3d at 180.

Plaintiffs also provide no indication that local officers are taking any unilateral immigration action in honoring these detainer requests, such as serving or executing the administrative immigration warrants. *See* 8 C.F.R. § 287.5 (listing which officials may serve and execute administrative warrants). Absent unilateral conduct that circumvents the explicit grants of power Congress gave only to federal immigration authorities, honoring a detainer request complies with the Supreme Court's holding in *Arizona* that officers may not engage in unilateral state immigration actions, "*absent any request, approval, or other instruction from the Federal Government*." 567 U.S. at 410; *see also id.* ("examples of what would constitute cooperation under federal law. . . . include situations where States participate in a joint task force with federal officers, provide operational support in executing a warrant, or allow federal immigration officials to gain access to detainees held in state facilities." (citing Dept. of Homeland Security, Guidance on State and Local Governments' Assistance in Immigration Enforcement and Related Matters 13-14 (2011))). The Detainer Mandate in this case is contingent upon the receipt of a detainer request issued by an authorized federal immigration officer that indicates the federal officer has probable cause to believe that the detainee is unlawfully in the United States. The Court concludes that this hold, pursuant to federal request, falls within the cooperation clause's scope under § 1357(g)(10)(B).

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Based upon the plain language of § 1357(g)(10)(B), SB 168's Detainer Mandate on its face is not preempted because it falls within the scope of "cooperat[ion] . . . in the . . . detention . . . of aliens not lawfully present in the United States." 8. U.S.C. § 1357(g)(10)(B); *Arizona*, 567 U.S. 387; *City of El Cenizo*, 890 F.3d at 179. As such, the Court finds that Plaintiffs have failed to establish that SB 168's Detainer Mandate is conflict preempted.

iii. Conflict Preemption Challenge to the Transport Requirement

Moreover, Plaintiffs assert that SB 168's Transport Requirement is conflict preempted. ECF No. [5-1] at 8-10.

The Transport Requirement provides that,

> When a county correctional facility or the Department of Corrections receives verification from a federal immigration agency that a person subject to an immigration detainer is in the law enforcement agency's custody, the agency may securely transport the person to a federal facility in this state or to another point of transfer to federal custody outside the jurisdiction of the law enforcement agency. The law enforcement agency may transfer a person who is subject to an immigration detainer and is confined in a secure correctional facility to the custody of a federal immigration agency not earlier than 12 days before his or her release date. A law enforcement agency shall obtain judicial authorization before securely transporting an alien to a point of transfer outside of this state.

Fla. Stat. § 908.104(4). The plain language of this provision authorizes local agencies to transport individuals subject to an immigration detainer across state lines into federal custody. Plaintiffs allege that this provision is conflict preempted because it frustrates Congress's objectives in creating 287(g) Agreements. ECF No. [5-1] at 10-11. Specifically, Plaintiffs correctly note that, unlike complying with detainers, § 1357(g)(1) expressly lists the transport across state lines as a power that can only be delegated to local officers pursuant to a 287(g) Agreement. *See* 8 U.S.C. § 1357(g)(1) ("Notwithstanding section 1342 of Title 31, the Attorney General may enter into a written agreement with a State, or any political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified

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to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (*including the transportation of such aliens across State lines to detention centers*), may carry out such function at the expense of the State or political subdivision and to the extent consistent with State and local law." (emphasis added)). SB 168's attempt to grant this exact transport power to local officers frustrates Congress's objectives for immigration transport because it renders the express language in § 1357(g)(1) on the transport of aliens pursuant to a 287(g) Agreement meaningless. *Robbins v. Garrison Prop. & Cas. Ins. Co.*, 809 F.3d 583, 586 (11th Cir. 2015) ("It is 'axiomatic that all parts of a statute must be read together in order to achieve a consistent whole.' 'Where possible, courts must give full effect to all statutory provisions and construe related statutory provisions in harmony with one another.'" (quoting *Forsythe v. Longboat Key Beach Erosion Control Dist.*, 604 So. 2d 452, 455 (Fla. 1992))).

Moreover, the Transport Requirement's language explicitly grants local law enforcement agencies discretionary power to transport an alien into federal custody "absent any request, approval, or other instruction from the Federal Government." *Arizona*, 567 U.S. at 410. This is precisely the type of unilateral conduct that *Arizona* expressly prohibited. *Id.* Further, the mandate requiring law enforcement officers to obtain the prior judicial authorization does not rectify the issue of unilateral conduct in the Transport Requirement. Instead, this judicial authorization requirement seeks to vest additional powers in the state judiciary that could otherwise only be performed by federal immigration officials — namely, allowing state judges to unilaterally authorize transport across state lines into federal custody. *See* Fla. Stat. § 908.104(4). This unilateral decision by local officers and state judges, in effect, "allows the State to achieve its own immigration policy," which is not permitted. *Arizona*, 567 U.S. 408. Therefore, the Court concludes that the Transport Requirement is conflict preempted because it frustrates the purpose

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of 1357(g)(1). *See Browning*, 522 F.3d at 1167 ("Conflict preemption occurs [] when . . . when the state law stands as an obstacle to the objective of the federal law.").

b. Vagueness Challenges

Plaintiffs also argue that SB 168's "Best Efforts" provision and Sanctuary Provisions are unconstitutionally vague because the terms "best efforts" in § 908.104(1) and "impedes" in § 908.102(6) and, by reference, § 908.103, do not provide people of ordinary intelligence with a reasonable opportunity to understand what conduct is prohibited and because SB 168 authorizes the arbitrary and discriminatory enforcement of these provisions. ECF No. [5-1] at 12.

The Supreme Court has explained that a statute is void for vagueness (1) if it "fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by statute," and (2) if "it encourages arbitrary and erratic arrests and convictions." *Papachristou v. City of Jacksonville*, 405 U.S. 156, 162 (1972).

On a facial vagueness challenge, a movant must establish that the law is "incapable of any valid application." *Vill. of Hoffman Estates v. Flip Side, Hoffman Estates, Inc.*, 455 U.S. 489, 494 n.5 (1982). To sustain such a challenge, the movant "must prove that the enactment is vague 'not in the sense that it requires a person to conform his conduct to an imprecise but comprehensible normative standard, but rather in the sense that no standard of conduct is specified at all. Such a provision simply has *no* core.'" *Id*. at 495 n.7 (citations omitted). "The degree of vagueness that the Constitution tolerates — as well as the relative importance of fair notice and fair enforcement — depends in part on the nature of the enactment." *Id.* at 498. Therefore, courts must consider whether the law implicates civil penalties or criminal penalties, because the nature of the penalty affects the level of tolerance a court will have for the vague language. *Id*. at 489-90. Additionally, courts must examine whether the law "threatens to inhibit the exercise of constitutionally protected

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rights," *id*. at 490, and whether it places "unfettered discretion . . . in the hands of the [] police." *Papachristou*, 405 U.S. at 168.

"Condemned to the use of words, we can never expect mathematical certainty from our language." *Grayned v. City of Rockford*, 408 U.S. 104, 110 (1972). Yet, when the words of a challenged statute "are marked by 'flexibility and reasonable breadth, rather than meticulous specificity,'" the Supreme Court has upheld the challenged law. *Id.* Moreover, the Supreme Court has explained that a statute is not impermissibly vague when it "give[s] fair warning as to what is prohibited," and "'defines boundaries sufficiently distinct' for citizens, policemen, juries, and appellate judges." *Id.* at 114 (citations omitted).

A pre-enforcement challenge for vagueness centers primarily around whether the statute gives fair warning of the prohibited conduct because the danger of arbitrary enforcement is still speculative. *Vill. of Hoffman Estates*, 455 U.S. at 503. "Although it is possible that specific future applications . . . may engender concrete problems of constitutional dimension, it will be time enough to consider such problems when they arise." *Id.* (citations omitted). As such, a statute is unconstitutionally vague on its face when "it is plagued with such 'hopeless indeterminacy' that it precludes 'fair notice of the conduct it punishes,'" and invites arbitrary enforcement. *City of El Cenizo*, 890 F.3d at 190. Moreover, "pre-enforcement facial challenges are 'disfavored' because they 'often rest on speculation' and 'threaten to short circuit the democratic process by preventing laws embodying the will of the people from being implemented in a manner consistent with the Constitution.'" *Id*. at 191 (quoting *Wash. State Grange v. Wash. State Republican Party*, 552 U.S. 442, 450-51 (2008)). "In general, as-applied challenges brought in post-enforcement proceedings" are more appropriate for vagueness challenges because they are "the basic building blocks of constitutional adjudication." *Id*. (quoting *Gonzales v. Carhart*, 550 U.S. 124, 168 (2007)).

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Plaintiffs contend that the terms "best efforts" in § 908.104(1) and "impedes" in § 908.102(6) and, by reference, § 908.103, are unconstitutionally vague because they do not provide people of ordinary intelligence with a reasonable opportunity understand what conduct is prohibited and because SB 168 authorizes the arbitrary and discriminatory enforcement of these provisions. ECF No. [5-1] at 12. Conversely, Defendants argue that Plaintiffs have failed to establish that these provisions are unconstitutionally vague in every application, as required for a facial vagueness challenge. ECF No. [19] at 16. Additionally, Defendants explain that, when read within the context of SB 168 as a whole, the challenged provisions clearly indicate what conduct is prohibited or encouraged. *Id.*

i. Unconstitutional Vagueness of "Best Efforts" Under § 908.104(1)

Plaintiffs contend that the "Best Efforts" provision is unconstitutionally vague because it does not give fair notice as to what conduct falls short of "best efforts" and it encourages arbitrary and discriminatory enforcement.[17] ECF No. [5-1] at 12-16. Specifically, Plaintiffs assert that "best efforts" does not provide individuals the reasonable opportunity to understand what conduct is prohibited and enforceable, nor does the phrase provide law enforcement agencies any clarity about what efforts are sufficient under the statute. *Id.* at 12-13. Moreover, the lack of standards of conduct under "best efforts" encourages arbitrary and discriminatory enforcement against individuals and law enforcement agencies. *Id.* at 14-15. In response, Defendants argue that the

[17] Plaintiffs also argue that the "Best Efforts" provision's vagueness is aggravated by the language in the bill title. ECF No. [5-1] at 15. This argument is meritless. Although the bill title does state that "[a]n Act relating to federal immigration enforcement . . . requiring state entities, local governmental entities, and law enforcement agencies to use best efforts to support the enforcement of federal immigration law," *id.*, it clearly references § 908.104's application as a whole. Specifically, while the mandates of § 908.104(1) explicitly apply to "law enforcement agenc[ies]," § 908.104(2) then goes on to regulate the conduct of "a state entity, local governmental entity, or law enforcement entity, or an employee, an agent, or a representative of the entity or agent." Fla. Stat. § 908.104(1)-(2). Accordingly, when read in the context of the statute as a whole, the "Best Efforts" provision is sufficiently clear on who it applies to.

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"Best Efforts" provision is not unconstitutionally vague because the phrase "best efforts" is used in numerous Florida Statutes. ECF No. [19] at 17. Additionally, Defendants assert that ICE policies detail the extent of the agency's desired cooperation from local law enforcement agencies, which provides sufficient context to rebut any vagueness. *Id.*

The "Best Efforts" provision states, in relevant part, "A law enforcement agency shall use best efforts to support the enforcement of federal immigration law." Fla. Stat. § 908.104(1). Moreover, *Black's Law Dictionary* defines "best efforts" as

> Diligent attempts to carry out an obligation; esp., all actions rationally calculated to achieve a usu. stated objective, to the point of leaving no possible route to success untried. As a standard, a best-efforts obligation is stronger than a good-faith obligation. Best efforts are measured by the measures that a reasonable person in the same circumstances and of the same nature as the acting party would take.

BEST EFFORTS, *Black's Law Dictionary* (11th ed. 2019). This definition, while marked by "flexibility and reasonable breadth, rather than meticulous specificity," provides sufficient notice as to what efforts are required of law enforcement agencies. *Grayned*, 408 U.S. at 110.

Moreover, on a pre-enforcement facial challenge for vagueness, the Court's examination centers primarily around whether the statute gives fair warning of the prohibited conduct because the danger of arbitrary enforcement is still speculative. *Vill. of Hoffman Estates*, 455 U.S. at 503. With regard to Plaintiffs' assertion that "best efforts" encourages arbitrary and discriminatory enforcement, on a pre-enforcement challenge, "There is a basic uncertainty about what the law means and how it will be enforced. . . .[W]ithout the benefit of a definitive interpretation from the state courts, it would be inappropriate to assume [the "Best Efforts" provision] will be construed in a way that creates a conflict with federal law." *Arizona*, 567 U.S. at 415; *cf. Fox v. Washington*, 236 U.S. 273, 277 (1915) ("So far as statutes fairly may be construed in such a way as to avoid doubtful constitutional questions they should be so construed; and it is to be presumed that state laws will be construed in that way by the state courts." (citation omitted)). This type of speculative

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constitutional challenge is more appropriately brought under an as-applied challenge at the post-enforcement stage. *City of El Cenizo*, 890 F.3d at 191. Therefore, at this pre-enforcement stage, this Court will not "adopt limiting constructions that are not strictly necessary to preserve the constitutionality of a statute." *Id.* Accordingly, the Court believes "best efforts" to be sufficiently clear as to what conduct is or is not required for a facial pre-enforcement vagueness challenge.

ii. Unconstitutional Vagueness of "Impede" Under § 908.102(6) and Unconstitutionality, by Reference, of § 908.103

Plaintiffs also assert that the Sanctuary Provisions are unconstitutionally vague because individuals are not provided a reasonable opportunity to understand what conduct constitutes "imped[ing]." ECF No. [5-1] at 16-17. The Court concludes that, when read in context, the term "impedes" in the Sanctuary Definition is not unconstitutionally vague. Specifically, the Sanctuary Definition states in full,

> (6) "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from:
>
> (a) Complying with an immigration detainer;
>
> (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
>
> (c) Providing a federal immigration agency access to an inmate for interview;
>
> (d) Participating in any program or agreement authorized under s. 287 of the Immigration and Nationality Act, 8 U.S.C. s. 1357; or
>
> (e) Providing a federal immigration agency with an inmate's incarceration status or release date.

Fla. Stat. § 908.102(6). Reading this provision as a whole, subsections (a) through (e) clearly set forth specific actions that state and local government entities are not allowed to "impede" or "prohibit." *Id.* § 908.102(6)(a)-(e).

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"Impedes" is not so vague, when read in the context of the Sanctuary Definition as a whole, that it fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by statute. *Papachristou*, 405 U.S. at 162. Moreover, because Plaintiffs assert a facial pre-enforcement vagueness challenge, they must establish that the Sanctuary Definition "is plagued with such 'hopeless indeterminacy' that it precludes 'fair notice of the conduct it punishes.'" *City of El Cenizo*, 890 F.3d at 190. The Court concludes that Plaintiffs have failed to sufficiently establish that the Sanctuary Definition is plagued with "hopeless indeterminacy" as to proscribed conduct. *Id.* "Impedes" does not render SB 168's Sanctuary Definition unconstitutionally vague, when read alongside the explicit list of immigration efforts set forth in subsections (a) through (e), because it "give[s] fair warning as to what is prohibited," and "'defines boundaries sufficiently distinct' for citizens, policemen, juries, and appellate judges." *Grayned*, 408 U.S. at 114.

2. Irreparable Injury

"The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies." *Sampson v. Murray,* 415 U.S. 61, 88 (1974). "A showing of irreparable harm is 'the *sine qua non* of injunctive relief.' The injury must be 'neither remote nor speculative, but actual and imminent.' An injury is 'irreparable only if it cannot be undone through monetary remedies." *NE Fla. CAGC of Am.*, 896 F.2d at 1285 (quoting *Frejlach v. Butler,* 573 F.2d 1026, 1027 (8th Cir. 1978); *Tucker Anthony Realty Corp. v. Schlesinger,* 888 F.2d 969, 973 (2d Cir. 1989)). Courts have stated that the purpose of a preliminary injunction is to preserve the status quo when, absent the preservation of the status quo, a movant will suffer irreparable harm. *See Callaway*, 489 F.2d at 576.

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Plaintiffs state that they will suffer irreparable harm if SB 168 is not enjoined because their injuries cannot be redressed through an award of monetary damages. ECF No. [5-1] at 17; *NE Fla. CAGC of Am.*, 896 F.2d at 1285. Plaintiffs' allegations regarding their irreparable injuries are the same injuries discussed above with regard to standing. ECF No. [5-1] at 17-19. Organizational Plaintiffs have had to divert resources away from core mission activities to respond to SB 168 and anticipate having to divert more resources in the future to address SB 168's enforcement. *Id.* Organizational Plaintiffs' individual members will face an actual and imminent threat of irreparable harm from racial profiling, ethnic profiling, and unlawful detentions and transport across state lines by local law enforcement officers once SB 168 takes effect. *Id.* at 18.

Defendants argue that Plaintiffs have not sufficiently alleged any actual or imminent threat of irreparable injury. ECF No. [19] at 19. Further, Defendants assert that any allegation that Mayor Stoddard will suffer irreparable injury from SB 168 is rebutted by his delay in joining this action as a Plaintiff. ECF No. [45] at 2. However, because Plaintiffs have only established a substantial likelihood of success on the Transport Requirement, the Court will not address Defendants' arguments with regard to Mayor Stoddard's irreparable injury.

Organizational Plaintiffs face, among other things, decreased membership and participation due to SB 168's impact. *Browning*, 522 F.3d at 1165 ("an organization has standing to sue on its own behalf if the defendant's illegal acts impair its ability to engage in its projects by forcing the organization to divert resources to counteract those illegal acts" (citing *Havens Realty Corp.*, 455 U.S. at 379)). Similarly, Organizational Plaintiffs have established an actual and imminent threat of injury to their members from the unlawful detention, transportation, and enforcement under SB 168. *Babbitt*, 442 U.S. at 298 ("[o]ne does not have to await the consummation of threatened injury to obtain preventive relief. If the injury is certainly impending,

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that is enough." (quoting *Pennsylvania v. West Virginia*, 262 U.S. at 593)). These injuries to the organizations and their members arise directly from SB 168's enactment and can be redressed by enjoining the conflict-preempted Transport Requirement. Accordingly, the Court concludes that the Plaintiffs have established that the enactment of the Transport Requirement will cause them immediate, irreparable harm sufficient to satisfy this component of the preliminary injunction test.

3. Threatened Injury Outweighs the Harm of Imposing a Preliminary Injunction

The third preliminary injunction factor requires that the movant prove that the threatened injury outweighs the harm the preliminary injunction would cause the other litigant. *Chavez*, 742 F.3d at 1271. "A preliminary injunction is an extraordinary remedy never awarded as of right. In each case, courts 'must balance the competing claims of injury and must consider the effect on each party of the granting or withholding of the requested relief,'" paying particular attention to "the public consequences in employing the extraordinary remedy of injunction." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008).

"The equities weigh in favor of enjoining those provisions that are preempted by federal law. The United States suffers injury when its valid laws in a domain of federal authority are undermined by impermissible state regulations." *Alabama*, 691 F.3d at 1301. Conversely, "[A]ny time a State is enjoined by a court from effectuating statutes enacted by representatives of its people, it suffers a form of irreparable injury." *Maryland v. King*, 567 U.S. 1301 (2012).

Where, as here, Plaintiff has demonstrated a substantial likelihood of success on the merits of their preemption challenge to SB 168's Transport Requirement, the State's interest in enforcing its statutes is outweighed by the injury sustained by the United States "when its valid laws in a domain of federal authority are undermined by impermissible state regulations." *Alabama*, 691 F.3d at 1301. Additionally, absent a preliminary injunction to preserve the status quo, Plaintiffs

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have established that they will suffer serious and irreparable harm. *See Callaway*, 489 F.2d at 576. Therefore, the Court concludes that Plaintiffs' threatened injuries outweigh the harm a preliminary injunction would cause Defendants.

4. Preliminary Injunction is not Averse to the Public Interest

Finally, in establishing that a preliminary injunction is appropriate, a movant must prove that the injunction would not be averse to the public interest. *Chavez*, 742 F.3d at 1271. "Frustration of federal statutes and prerogatives are not in the public interest, and we discern no harm from the state's nonenforcement of invalid legislation." *Alabama*, 691 F.3d at 1301. Furthermore, because Plaintiffs' threatened injuries implicate the State's infringement upon significant constitutional and civil rights, a preliminary injunction that protects these rights pending a decision on the merits is in the public interest. *Alabama*, 691 F.3d at 1301; *Melendres*, 695 F.3d at 1002 ("it is always in the public interest to prevent the violation of a party's constitutional rights." (citations omitted)).

C. Severability

Plaintiffs argue that, if the Court enjoins any provision of SB 168, it must enjoin SB 168 in its entirety because the individual provisions are not severable. ECF No. [5-1] at 3. Conversely, Defendants contend that, as a matter of law, the Court should sever any enjoined clauses from SB 168 because Florida law "clearly favors" severability. ECF No. [19] at 20.

The Eleventh Circuit has previously explained the issue of severability.

> Severability of a local ordinance is a question of state law. And Florida law clearly favors (where possible) severance of the invalid portions of a law from the valid ones. According to the Florida Supreme Court, "[s]everability is a judicial doctrine recognizing the obligation of the judiciary to uphold the constitutionality of legislative enactments where it is possible to strike only the unconstitutional portions." The doctrine of severability is "derived from the respect of the judiciary for the separation of powers, and is 'designed to show great deference to the legislative prerogative to enact laws.'"

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> Severability is not possible, however, when "the taint of an illegal provision has infected the entire enactment, requiring the whole unit to fail." Whether a statute is severable is determined by "its relation to the overall legislative intent of the statute of which it is a part, and whether the statute, less the invalid provisions, can still accomplish this intent." The doctrine of severability, thus, "recognizes that federal courts have an affirmative duty to preserve the validity of legislative enactments when it is at all possible to do so."

Coral Springs St. Sys., Inc. v. City of Sunrise, 371 F.3d 1320, 1347 (11th Cir. 2004) (citations omitted).

As discussed above, the Court finds that the Transport Requirement is preempted by federal immigration law. Accordingly, the Court must assess whether this provision is severable from SB 168. The "taint" of SB 168's Transport Requirement does not "infect the entire enactment" because the unconstitutional authorization to transport aliens across state lines into federal custody does not implicate any of the other statutory provisions of SB 168. Thus, given the "affirmative duty to preserve the validity of legislative enactments when it is at all possible to do so," the Court concludes that the Transport Requirement is severable from the rest of SB 168. *Id.*

D. Posting a Bond

Plaintiffs request that this Court issue the preliminary injunction without requiring them to post a bond. ECF No. [5-1] at 20. Defendants make no mention of any opposition to Plaintiffs' request in their Response and Surreply.

Before a district court may issue a preliminary injunction, Federal Rule of Civil Procedure 65(c) requires that a movant "give[] security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined." Fed. R. Civ. P. 65(c). The Eleventh Circuit has explained that "it is well-established that 'the amount of security required by the rule is a matter within the discretion of the trial court . . . [, and] the court may elect to require no security at all.'" *BellSouth Telecomm., Inc. v. MCIMetro Access Transmission Servs., LLC*, 425 F.3d 964, 971 (11th Cir. 2005) (quoting *City of Atlanta v. Metro.*

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Atlanta Rapid Transit Auth., 636 F.2d 1084, 1094 (5th Cir. Unit B Feb. 1981)); *Corrigan Dispatch Co. v. Casa Guzman, S. A.*, 569 F.2d 300, 302-03 (5th Cir. 1978) ("Rule [65(c)] requires security only in 'such sum as the court deems proper.' The amount of security required is a matter for the discretion of the trial court; it may elect to require no security at all." (citations omitted)). Moreover, where plaintiffs "seek only to vindicate their federal statutory and constitutional rights, this case implicates the public interest and the balance of hardships tips sharply in favor of plaintiffs," district courts have exercised their discretion in not requiring plaintiffs to give security. *Campos v. Immigration and Naturalization Serv.*, 70 F. Supp. 2d 1296, 1310 (S.D. Fla. 1998).

In requesting that the Court issue a preliminary injunction, Plaintiffs seek only to vindicate their federal statutory and constitutional rights. *Id.* Moreover, as discussed above, the equitable factors weigh heavily in Plaintiffs' favor. *Id.* Accordingly, the Court will not require Plaintiffs to post a security bond.

IV. CONCLUSION

For the foregoing reasons, it is **ORDERED AND ADJUDGED** that Plaintiffs' Amended Motion, ECF No. [47], is **GRANTED in part and DENIED in part** consistent with this Order.

DONE AND ORDERED in Chambers at Miami, Florida, on September 30, 2019.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record

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APPENDIX
Form I-247A

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: Event #:	File No: Date:
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)	FROM: (Department of Homeland Security Office Address)

Name of Alien: _____

Date of Birth: _____ Citizenship: _____ Sex: _____

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON *(complete box 1 or 2).*

- ☐ A final order of removal against the alien;
- ☐ The pendency of ongoing removal proceedings against the alien;
- ☐ Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION *(complete box 1 or 2).*

- ☐ Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

- **Notify DHS** as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling ☐ U.S. Immigration and Customs Enforcement (ICE) or ☐ U.S. Customs and Border Protection (CBP) at _____. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at: (802) 872-6020.
- **Maintain custody** of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien **must be served with a copy of this form** for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters
- Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.
- Notify this office in the event of the alien's death, hospitalization or transfer to another institution.

☐ If checked: please cancel the detainer related to this alien previously submitted to you on _____ (date).

SAMPLE

_____ (Name and title of Immigration Officer)

_____ (Signature of Immigration Officer) (Sign in ink)

Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____ .

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____ , in the following manner:

☐ in person ☐ by inmate mail delivery ☐ other (please specify): _____

_____ (Name and title of Officer)

_____ (Signature of Officer) (Sign in ink)

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NOTICE TO THE DETAINEE

The Department of Homeland Security (DHS) has placed an immigration detainer on you. An immigration detainer is a notice to a law enforcement agency that DHS intends to assume custody of you (after you otherwise would be released from custody) because there is probable cause that you are subject to removal from the United States under federal immigration law. DHS has requested that the law enforcement agency that is currently detaining you maintain custody of you for a period not to exceed 48 hours beyond the time when you would have been released based on your criminal charges or convictions. **If DHS does not take you into custody during this additional 48 hour period, you should contact your custodian** (the agency that is holding you now) to inquire about your release. **If you believe you are a United States citizen or the victim of a crime, please advise DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.**

NOTIFICACIÓN A LA PERSONA DETENIDA

El Departamento de Seguridad Nacional (DHS) le ha puesto una retención de inmigración. Una retención de inmigración es un aviso a una agencia de la ley que DHS tiene la intención de asumir la custodia de usted (después de lo contrario, usted sería puesto en libertad de la custodia) porque hay causa probable que usted está sujeto a que lo expulsen de los Estados Unidos bajo la ley de inmigración federal. DHS ha solicitado que la agencia de la ley que le tiene detenido actualmente mantenga custodia de usted por un periodo de tiempo que no exceda de 48 horas más del tiempo original que habría sido puesto en libertad en base a los cargos judiciales o a sus antecedentes penales. **Si DHS no le pone en custodia durante este periodo adicional de 48 horas, usted debe de contactarse con su custodio** (la agencia que le tiene detenido en este momento) para preguntar acerca de su liberación. **Si usted cree que es un ciudadano de los Estados Unidos o la víctima de un crimen, por favor avise al DHS llamando gratuitamente al Centro de Apoyo a la Aplicación de la Ley ICE al (855) 448-6903.**

AVIS AU DETENU OU À LA DÉTENUE

Le Département de la Sécurité Intérieure (DHS) a placé un dépositaire d'immigration sur vous. Un dépositaire d'immigration est un avis à une agence de force de l'ordre que le DHS a l'intention de vous prendre en garde à vue (après celà vous pourrez par ailleurs être remis en liberté) parce qu'il y a une cause probable que vous soyez sujet à expulsion des États-Unis en vertu de la loi fédérale sur l'immigration. Le DHS a demandé que l'agence de force de l'ordre qui vous détient actuellement puisse vous maintenir en garde pendant une période ne devant pas dépasser 48 heures au-delà du temps après lequel vous auriez été libéré en se basant sur vos accusations criminelles ou condamnations. **Si le DHS ne vous prenne pas en garde à vue au cours de cette période supplémentaire de 48 heures, vous devez contacter votre gardien (ne)** (l'agence qui vous détient maintenant) pour vous renseigner sur votre libération. **Si vous croyez que vous êtes un citoyen ou une citoyenne des États-Unis ou une victime d'un crime, s'il vous plaît aviser le DHS en appelant gratuitement le centre d'assistance de force de l'ordre de l'ICE au (855) 448-6903**

NOTIFICAÇÃO AO DETENTO

O Departamento de Segurança Nacional (DHS) expediu um mandado de detenção migratória contra você. Um mandado de detenção migratória é uma notificação feita à uma agência de segurança pública que o DHS tem a intenção de assumir a sua custódia (após a qual você, caso contrário, seria liberado da custódia) porque existe causa provável que você está sujeito a ser removido dos Estados Unidos de acordo com a lei federal de imigração. ODHS solicitou à agência de segurança pública onde você está atualmente detido para manter a sua guarda por um período de no máximo 48 horas além do tempo que você teria sido liberado com base nas suas acusações ou condenações criminais. **Se o DHS não leva-lo sob custódia durante este período adicional de 48 horas, você deve entrar em contato com quem tiver a sua custódia** (a agência onde você está atualmente detido) para perguntar a respeito da sua liberação. **Se você acredita ser um cidadão dos Estados Unidos ou a vítima de um crime, por favor informe ao DHS através de uma ligação gratuita ao Centro de Suporte de Segurança Pública do Serviço de Imigração e Alfândega (ICE) pelo telefone (855) 448-6903.**

SAMPLE

AMERICAN OVERSIGHT

THÔNG BÁO CHO NGƯỜI BỊ GIAM

Bộ Nội An (DHS) đã ra lệnh giam giữ di trú đối với quý vị. Giam giữ di trú là một thông báo cho cơ quan công lực rằng Bộ Nội An sẽ đảm đương việc lưu giữ quý vị (sau khi quý vị được thả ra) bởi có lý do khả tín quý vị là đối tượng bị trục xuất khỏi Hoa Kỳ theo luật di trú liên bang. Sau khi quý vị đã thi hành đầy đủ thời gian của bản án dựa trên các tội phạm hay các kết án, thay vì được thả tự do, Bộ Nội An đã yêu cầu cơ quan công lực giữ quý vị lại thêm không quá 48 tiếng đồng hồ nữa. Nếu Bộ Nội An không đến bắt quý vị sau 48 tiếng đồng hồ phụ trội đó, quý vị cần liên lạc với cơ quan hiện đang giam giữ quý vị để tham khảo về việc trả tự do cho quý vị. Nếu quý vị là công dân Hoa Kỳ hay tin rằng mình là nạn nhân của một tội ác, xin vui lòng báo cho Bộ Nội An bằng cách gọi số điện thoại miễn phí 1(855) 448-6903 cho Trung Tâm Hỗ Trợ Cơ Quan Công Lực Di Trú.

被拘留者通知書

國土安全部(Department of Homeland Security，簡稱DHS)已經對你發出移民拘留令。移民拘留令為一給予執法機構的通知書，闡明DHS意欲獲取對你的羈押權(若非有此羈押權，你將會被釋放)；因為根據聯邦移民法例，並基於合理的原由，你將會被遞解離美國國境。DHS亦已要求現正拘留你的執法機構，在你因受到刑事檢控或定罪後，而在本應被釋放的程序下，繼續對你作出不超過四十八小時的監管。若你在這附加的四十八小時內，仍未及移交至**DHS**的監管下，你應當聯絡你的監管人(即現正監管你的機構)查詢有關你釋放的事宜。若你認為你是美國公民或為罪案受害者，請致電**ICE**執法部支援中心**(Law Enforcement Support Center)**知會**DHS**，免費電話號碼：**(855)448-6903**。

SAMPLE

AMERICAN OVERSIGHT

Form I-200

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

SAMPLE

_____
(Signature of Authorized Immigration Officer)

_____
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

_____ Name and Signature of Officer

_____ Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

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AMERICAN OVERSIGHT

Form I-205

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

File No: _____

Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____
(Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☐ an immigration judge in exclusion, deportation, or removal proceedings
- ☐ a designated official
- ☐ the Board of Immigration Appeals
- ☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

SAMPLE

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

_____
(Signature of immigration officer)

_____
(Title of immigration officer)

_____
(Date and office location)

ICE Form I-205 (8/07)

Page 1 of 2

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AMERICAN OVERSIGHT

To be completed by immigration officer executing the warrant: Name of alien being removed:

_____

Port, date, and manner of removal: _____

Photograph of alien removed

Right index fingerprint of alien removed

_____
(Signature of alien being fingerprinted)

_____
(Signature and title of immigration officer taking print)

Departure witnessed by: _____
(Signature and title of immigration officer)

If actual departure is not witnessed, fully identify source or means of verification of departure:

_____

_____

_____

_____

If self-removal (self-deportation), pursuant to 8 CFR 241.7, check here. ☐

Departure Verified by: _____
(Signature and title of immigration officer)

SAMPLE

AMERICAN OVERSIGHT

FL-SEN-20-0201-A-002665

From: William Anderson <wlagmp@gmail.com>
Sent: Monday, February 10, 2020 9:04 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: SB1128

My name is Bill Anderson. I am a longtime resident of St Augustine, and am writing you to discourage the passage of SB 1128, which would remove local municipalities ability to regulate short term rentals. Our city has a reputation of being a living city, with beautiful residential neighborhoods. I have observed the erosion of these neighborhoods due to the explosion of short term rentals. Our City Commission has recently voted to approve 3 ordinances which would allow the city to regulate STRs within the city limits, including mandatory registration in the city, a registration fee, establish fire safety, intensity of use, and parking requirements. I strongly believe our city government should be permitted to regulate STRs.

AMERICAN OVERSIGHT

From: nancy antorena <nancyantorena@yahoo.com>
Sent: Monday, February 10, 2020 10:09 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: SB1128

My name is Nancy Antorena
I live in 7400 Beachview Drive, North Bay Village, Fl since 1998.
Please vote NO for SB1128

I am contacting you today to urge you to **OPPOSE SB 1128 as currently drafted**. At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.

Please OPPOSE SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Floridian

Sent from Yahoo Mail for iPad

AMERICAN OVERSIGHT

From: William Anderson <wlagmp@gmail.com>
Sent: Monday, February 10, 2020 9:31 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: SB1128

My name is Bill Anderson. I am a longtime resident of St Augustine., and am writing to discourage the passage of SB1128, which would remove local municipalities ability to regulate short term rentals. Our city has a reputation of being a living city, with beautiful residential neighborhoods. I have observed the erosion of these neighborhoods due to the explosion of STRs. Our City Commission has recently voted to approve 3 ordinances would allow the city to regulate STRs within the city limits, including mandatory registration, a registration fee, establish fire safety, intensity of use, and parking requirements. I strongly believe our city government should be permitted to regulate STRs.

AMERICAN OVERSIGHT

From: SEN-AP@laspbs.state.fl.us <SEN-AP@laspbs.state.fl.us>
Sent: Thursday, October 24, 2019 9:18 AM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: See Something-Say Something - Senator Joe Gruters
Attachment(s): "See Something-Say Something - Senator Joe Gruters.pdf"

Confirmation of Senate Local Funding Initiative Request

This is a system generated email. Please do not reply to this email.

This email confirms receipt by the Senate Appropriations Committee of the following Local Funding Initiative Request, sponsored by **Senator Joe Gruters**, with the title:

See Something-Say Something

Attached is a copy of the appropriations project information you submitted.

Please note that your Local Funding Initiative Request will be reviewed and assigned to the appropriations subcommittee under whose jurisdiction it falls. If additional information is needed, you will be contacted by a member of the appropriations staff.

If this request has been submitted in error or you have any questions, please contact the Appropriations Committee at 850-487-5140.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

1. **Project Title** See Something-Say Something

2. **Senate Sponsor** Joe Gruters

3. **Date of Request** 10/24/2019

4. **Project/Program Description**

First Step of Sarasota in conjunction with the Sarasota School District providing a comprehensive school based program. Service components include health promotion; attention to students at risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure, suspension or dropping out; early problem identification, referral, and intervention fo studentrs exhibiting problem behaviors. Working with a Student Assistance Specialist to partner with students, families, parents, school resorce officers, school faculty and community agencies in seeking to remove barriers that impede student success Making sue that students and families have early access to referrals for additional services both social and emotional health. Providing high quality prevention and intervention programs to support safe environment for all students and faculty.

5. **State Agency to receive requested funds** Department of Education

State Agency contacted? ○ Yes ◉ No

6. **Amount of the Nonrecurring Request for Fiscal Year 2020-2021**

Type of Funding	Amount
Operations	823,807
Fixed Capital Outlay	000
Total State Funds Requested	823,807

7. **Total Project Cost for Fiscal Year 2020-2021 (including matching funds available for this project)**

Type of Funding	Amount	Percentage
Total State Funds Requested (from question #6)	823807	100.0 %
Matching Funds		
Federal	00	0 %
State (excluding the amount of this request)	00	0 %
Local	00	0 %
Other	00	0 %
Total Project Costs for Fiscal Year 2020-2021	823,807	100 %

8. **Has this project previously received state funding?** ○ Yes ◉ No

If yes, provide the most recent instance:

Fiscal Year (yyyy-yy)	Amount		Specific Appropriation #	Vetoed
	Recurring	Nonrecurring		

9. **Is future-year funding likely to be requested?** ○ Yes ◉ No

If yes, indicate nonrecurring amount per year. to be determinded

AMERICAN OVERSIGHT

10. **Details on how the requested state funds will be expended**

Spending Category	Description	Amount
Administrative Costs:		
Executive Director/Project Head Salary and Benefits	1 School Board of Sarasota County, FL Project Manager Salary and Benefits	104,376
Other Salary and Benefits	1 Project Manager	75,000
Expense/Equipment/ Travel/Supplies/Other		
Consultants/Contracted Services/Study	Project Evaluation	20,000
Operational Costs: Other		
Salary and Benefits	4 HS and 1 Second Chance School Student Assistance Program Specialists 5 tMHFA Coordinators Benefits	581,250
Expense/Equipment/ Travel/Supplies/Other	Microsoft Surface Laptops (11 X $799 each) Cell Phones (11 phones @ $30/month X 12 months) Local Travel 1200 Miles a month X 12 months X $.405/mile Consumable Supplies $300/month X 12 months	22,181
Consultants/Contracted Services/Study	Teen Mental Health First Aid Train the Trainer-Training $3000/person X 5 Coordinators 1 Project Director and Travel (flight, room and board) est. $1200/person X 5 Coordinators and 1 Project Director	21,000
Fixed Capital Construction/Major Renovation:		
Construction/Renovation/ Land/Planning Engineering		
Total State Funds Requested (must equal total from question #6)		823,807

AMERICAN OVERSIGHT

11. **Program Performance**

a. What specific purpose or goal will be achieved by the funds requested?

To provide high quality prevention and intervention programs to support a safe learning environment for all students and faculty. To provide early substance abuse and mental health prevention and intervention services to students. To develop collaborative relationships with community partners to better serve students.

b. What activities and services will be provided to meet the intended purpose of these funds?

Service components of the program include health promotion for the general student body; attention to students who are at specie risk for substance abuse, teen pregnancy, violence/bullying, suicide, academic failure suspension,, or dropping out; and early problem identification, referral, and intervention for students exhibiting problem behaviors.

c. What direct services will be provided to citizens by the appropriation project?

Making available a Student Assistance Specialisty to identify and refer students to services/specialists specific to the needs of the student to address their issues.

d. Who is the target population served by this project? How many individuals are expected to be served?

The Sarasota School District for students in 9th through 12th grade.

e. What is the expected benefit or outcome of this project? What is the methodology by which this outcome will be measured?

To assure that the students and faculty by using effective practices, principle, and strategies will remove barriers that impede students success. The overall evaluation will be the cooperative responsibility of the Office of Research and Evaluation, the Sarasota School Board and the Student Assistance Program Coordinator and/or First Step Program Director, and a contracter external evaluation.

f. What are the suggested penalties that the contracting agency may consider in addition to its standard penalties for failing to meet deliverables or performance measures provided for in the contract?

Either to re-write the program or shut the program down and return unused funds.

AMERICAN OVERSIGHT

The Florida Senate
Local Funding Initiative Request
Fiscal Year 2020-2021

Tracking # 8866

12. **The owners of the facility to receive, directly or indirectly, any fixed capital outlay funding. Include the relationship between the owners of the facility and the entity.**

N/A

13. **Requestor Contact Information**

a. First Name: David Last Name: Beesley

b. Organization: First Step of Saraota

c. E-mail Address: dbeesley@fsos.org

d. Phone Number: (941)366-5333 Ext.

14. **Recipient Contact Information**

a. Organization: First Step of Saraota

b. Municipality and County: Sarasota

c. Organization Type

- ○ For-profit Entity
- ● Non-Profit 501(c) (3)
- ○ Non-Profit 501(c) (4)
- ○ Local Entity
- ○ University or College
- ○ Other (please specify)

d. First Name: David Last Name: Beesley

e. E-mail Address: dbeesley@fsos.org

f. Phone Number: (941)366-5333

15. **Lobbyist Contact Information**

a. Name: Carole Green

b. Firm Name: Capitol Strategies Consulting Inc.

c. E-mail Address: Carole@capitolstrategiesinc.com

d. Phone Number: (850)590-2206 Ext.

AMERICAN OVERSIGHT

From: Kerr, GeeDee
Sent: Thursday, January 09, 2020 2:37 PM EST
To: Langston, Jennifer <JenniferLangston@flhsmv.gov>
Subject: Senator Gruters constituent - Julia Michelle Cable

Hello Jennifer:
Please see below a problem re: drivers' license renewal from our constituent.
Let me know if you need anything further from us.
Many thanks.
GeeDee

Name: Julie Michelle Cable
Address: 340 Glen Oak Rd.
Venice, FL 34293

Phone 941-525-6311

email : cablejmichelle@gmail.com

From: Julie Michelle Cable <cablejmichelle@gmail.com>
Sent: Thursday, January 9, 2020 2:29 PM
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Re: test

Dear Senator Gruters,
My name is Julie Michelle Cable. My birth name is Julie Michelle Brown.
I have been a resident here of Sarasota County living mostly in Venice for 56 years. I was born in Alabama and lived with my biological mother who then married and that man(became my step father) Wayne Freeman adopted me, changing my last name to Freeman. It appears though that my birth certificate was never amended to support the name change as expected.

I am reaching out to you on the advise of my brother who tells me that instead of approaching a constitutional attorney I should start with the Senator for my area. I hope you can help me, I am at my wits end with searching for resolution.

My driver's license expired November 2019. Upon renewal procedure the Department of Motor Vehicles has advised me that they cannot renew my driver's license due to the fact that my birth certificate is not the correct name to be in line with the paper trail of who I am. My first driver's license was issued with Freeman being my last name around 1977-78 ...they should have record of that.....I have all the papers in line to show my name changes from that point to this current day....(ie: marriage, divorce). My parents are elderly and totally uncooperative .....they are telling me that the adoption record papers were stolen.

Due to this invalid license a hardship is being created because I cannot open a bank account without a valid license. I have a company newly registered with the State of Florida for home inspecting and I cannot get the first job because I cannot open a bank account. I need your help please. This new business is so I can support my family. I have lived here in Sarasota County since I was 1 year old.....every registration of my vehicles, purchasing a home, a passport have all taken place in this county.
The following is pertinent information to who I am and how I can be reached.
Julie Michelle Cable
340 Glen Oak Rd.
Venice, FL 34293

Phone 941-525-6311

email : cablejmichelle@gmail.com

I grew up on Shamrock Dr in South Venice....spent 17 yrs there and then moved about for a few years, then I purchased a home 1821 Faun Rd. where I lived for almost 30 years.....I have been on Glen Oak rd in Venice Gardens for approx 5 years.

I am happy to answer any questions for you.
Desperate for help,
Julie Michelle Cable

AMERICAN OVERSIGHT

From: Frank Walker <fwalker@flchamber.com>
Sent: Wednesday, October 09, 2019 10:58 AM EDT
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
CC: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: speaking invite

Josh,

Hope you're well, amigo. Spoke with the Senator about the below and got a big yes from him on the ask but of course want to make sure everything lines up from a calendar perspective. See below and let me know when we can confirm him and start marketing his attendance to potential attendees:

WHAT: Florida Chamber of Commerce's Annual Meeting, the Future of Florida Forum
WHERE: Hyatt Regency Grand Cypress, Orlando, FL
WHEN: Monday, October 28 @ 12:40pm

ASK: 10-12 min TED talk on Internet Sales Tax - tentatively would list it in the program as"Online Sales Tax: It's a Fairness Issue"

More details, including hotel room block (which is quickly filling up) here: https://www.flchamber.com/event_post/future-of-florida-forum/

Of course we'd love to have him stay for as much of the program (Oct 28-29) as his schedule allows.

Thanks,
Frank

Frank C. Walker, III
Vice President of Governmental Affairs
Florida Chamber of Commerce
136 S. Bronough Street, Tallahassee, FL 32301
P: 850.521.1200 | C: 850.661.0824 | www.FloridaChamber.com

Join the Conversation to Secure Florida's Future.

Register Today: Future of Florida Forum
October 28-29, 2019
Orlando, FL

AMERICAN OVERSIGHT

From: Kathy Bird Carvajal <kathy@impacfund.org>
Sent: Friday, October 25, 2019 11:13 AM EDT
To: Ron.desantis@myflorida.com <Ron.desantis@myflorida.com>; Galvano, Bill <GALVANO.BILL@flsenate.gov>; Oliva, Jose <Jose.Oliva@myfloridahouse.gov>
Subject: Statement from IMPAC and ABIC regarding Sen. Tom Lee's E-verify legislation filed yesterday



Click here for a shareable version of this email

AMERICAN OVERSIGHT

FOR IMMEDIATE RELEASE

MEDIA CONTACT:
Kathy Bird Carvajal Kathy@impacfund.org **786-210-9030**
Mariana Castro mariana@impacfund.org **470-269-4962**

Below is a statement from IMPAC and ABIC regarding Sen. Tom Lee's E-verify legislation filed yesterday

ORLANDO, FLORIDA- Today, Florida Sen. Tom Lee (R) whose district covers Pasco, Hillsborough, and Polk County, has filed SB 664, mandatory E-verify legislation. Mandating the use of E-Verify absent a path to legal status is economically harmful and morally wrong. E-verify will hurt Florida's economic growth and industries already struggling to find workers. E-Verify has a 12% error rate and could jeopardize the jobs of 1.1 million U.S. citizens and lawfully present Floridians and cost Florida employers $4.7 billion to replace lawfully present workers that receive false disqualification, according to CATO Institute, a conservative think tank.

Bob Dickinson, Carnival Cruises retired CEO "With a record low unemployment and crushing worker shortages in the hospitality, construction, elderly care and agriculture, Florida's economic growth will continue to struggle unless we find solutions and E-verify is **shooting ourselves in the foot** Instead, our Florida legislature should pass legislation to train, license and insure every Florida driver, regardless of their immigration status."

Paul Dimare, President of Dimare Fresh Inc. Florida Farmer of the Year 2016 "E-verify will destroy our agriculture and service economy. We are already dealing with staggering worker shortages and raising wages to keep workers here. Our government needs to listen to business voices and protect Florida's economy and stop playing politics. Our immigration system is broken and our federal government needs to find solutions; but while that is stuck in DC politics remain at an impasse, Florida can take action by providing driver's licenses for all to increase our prosperity and safety. "

Major employers and job creators representing nearly every industry across Florida have already signed a letter opposing mandatory statewide E-verify. These business leaders are asking the legislature and the governor to instead support sensible laws such as driver's licenses and insurance for all.

For more information on how to sign on to the letter or media inquires, please contact:

Kathy Bird Carvajal
Executive Director
IMPAC Fund
kathy@impacfund.org

Mariana Castro
Central Florida Business
Organizer
IMPAC Fund
mariana@impacfund.org

AMERICAN OVERSIGHT

Donate Now!

Read full letter below and add your name through the following link.

Retweet us by going to our Twitter @impac_fund
Share the letter with your networks and retweet tagging @GovRonDeSantis @RepJoseOliva @BillGalvano

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AMERICAN OVERSIGHT

An Open Letter from Florida Business Leaders

Dear Governor Ron DeSantis, Senate President Bill Galvano and House Speaker Jose Oliva,

Florida businesses and our economy rely and benefit from the hard work, entrepreneurship, and optimism that our immigrant communities bring to our state. Immigrants are vital to Florida, representing over 25 percent of our workforce. Immigrant business owners employ over 500,000 fellow Floridians, and immigrants in Florida add over $83 billion annually to our economy. The innovative spirit of new Americans keeps our Florida moving forward. This is why we urge you to:

1) Oppose an unfunded and notoriously flawed mandatory E-Verify system that hurts both immigrant and U.S. born workers, and

2) Support driver's license legislation that is sensible pro-business and pro-public safety measure to train, test, license and insure every driver in Florida, regardless of their immigration status. We live in polarized and divisive times, and in the wake of El Paso shooting that targeted Hispanics, it is time for Florida leaders to come together for sensible immigration solutions rather than irresponsible rhetoric and policy that could harm the economy and encourage violence.

According to the Insurance Research Council, Florida tops the nation with the highest rate of uninsured drivers, currently at 26.5 percent of drivers driving without insurance. By denying nearly one million Florida residents the ability to be licensed and insured, we not only force them into the shadows and jeopardize the safety of all who use our roads, we also elevate insurance rates for every licensed Florida driver. Mandating auto insurance and licensing all drivers will increase public safety and decrease costs for everyone. It will also bring millions of much needed dollars to the automobile insurance pool and generate state revenue in the form of driver's license and tag/registration fees, and sales tax on new automobile sales. Finally, it will serve as a boost for auto dealers in the form of thousands of new drivers.

E-Verify, on the other hand, would be a disaster for Florida's economy. With record low unemployment and staggering worker shortages in the hospitality and agriculture sectors, imposing mandatory E-Verify would only further hold back the growth of our economy. According to data from the Cato Institute, E-Verify could jeopardize the jobs of 1.1 million U.S. citizens and lawfully present Floridians, and cost Florida employers $4.7 billion to replace lawfully present workers that receive false disqualification. Mandating a flawed and costly system will devastate our economy.

Now is the time to make sure there are powerful, reasonable voices speaking out and ensuring our roads and neighborhoods are safe and Florida businesses are not hurt by additional expensive, burdensome regulations. We encourage you to bring all stakeholders to the table to find common ground and address our state's challenges in a manner that embraces pro-business, pro-immigrant, and pro-public safety solutions.

Signatories here:

AMERICAN OVERSIGHT

1. Mike Fernandez, CEO and Chairman, MBF Healthcare Partners
2. Bob Dickinson, Retired CEO, Carnival Cruise Lines
3. Tony Argiz, Chairman and CEO, Morrison, Brown, Argiz & Farra
4. Tony Dimare, Vice-President, Dimare Fresh Inc.
5. Thomas P. Murphy, Jr., Coastal Construction Group
6. Al Cardenas, Senior Partner, Squire Patton Boggs (US) LLP (Former Chairman of the Republican Party of Florida)
7. Sam Scott, Former Chairman/President/CEO, Corn Products International (Ingredion Inc.)
8. Glenn Tilton, Retired Chairman of the Board, United Continental Holdings & CEO United Airlines
9. John Rowe, Chairman Emeritus, Exelon Corporation
10. Joe Natoli, Executive Vice-President, Baptist Health Miami
11. Michelle Boggs, President, Nicklaus Children's Hospital
12. William C. Kunkler, Executive Vice President, CC Industries, Inc.
13. David Lawrence Jr., Chairman, Children's Movement of Florida
14. Santiago Moises, Chief Operating Officer, Palm Medical Centers
15. Andrew Smulian, Chairman & CEO, Akerman LLP
16. Pedro A Freyre, Attorney, Akerman LLP
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32. Pilar Guzman Zavala, CEO, Half Moon Empanadas
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40. Martin Merzer, Owner and president, Martin Merzer Creative Associates
41. Jose R. Gonzalez, Owner, Pepi Bertini
42. Daisy J. Baez, Health Care Consultant, Consulting Management Solutions, LLC
43. Rene Garcia, Former State Senator, New Century Partnership
44. Josh Weber, Director of Business Development, MBF Healthcare Partners
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46. David Linnemeier, President, Linnemeier Aviation Advisers LLC
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48. Pam Segal Rhodes, Sr. VP-Wealth Advisor, UBS
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50. Steven L. Beiley, Attorney/Partner, Aaronson Schantz Beiley P.A.
51. Marleine Bastien, Executive Director, Family Action Network Movement
52. Marya Meyer Consulting, LLC, Principal, MMC
53. Kristie De Pena, VP of Policy, Niskanen Center
54. Cramer Verde, Owner, Casa Verde Real Estate Sarasota
55. Michael Fernandez, Two Centuries Investments
56. Stephanie L Rakofsky, President, CEO, Rakofsky Limited Partnership
57. Ana Valdez, CEO, Valdez Productions, Inc. The Latino Donor Collaborative
58. Jeff Berkowitz, Chairman Berkowitz Development Group Miami,
59. Christopher M. Jones, Executive Director Florida Legal Services, Inc. Orlando, Florida
60. Paul Cejas, Chairman and CEO PLC Investments, INC. Miami Beach
61. Sanford I Rakofsky, MD Director Sanford I Rakofsky, MDPA Coral Gables
62. Felix Alberto Paneca, Co-Owner Copacabana Cuban Cafe Inc Altamonte Springs, Seminole County
63. Antonio Lerma, Owner Fiesta Grande Mexican Grill Mount Dora, FL, The Villages FL, Orange City FL
64. Ed Williamson, Chair and CEO Williamson Auto Group
65. Jacob Rhodes, Professional, Kobi's Place, Wellington, FL
66. Jean Stockdale, DIrector, Still Waters Anti-Trafficking Program
67. Dakota Hirsch, Alliance Global Partners
68. Kevin Hirsch, MD, Pinellas County

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*The **American Business Immigration Coalition (ABIC)** promotes sensible immigration reform that supports the economy of the United States, provides American companies with both the high-skilled and low-skilled talent they need, and allows the integration of immigrants into our economy as consumers, workers, entrepreneurs and citizens. For more information, visit http://americanbic.biz.*

*The **Immigration Partnership and Coalition Fund (IMPAC)** works to change public policy around immigration through building a coalition of reasonable, rational moderates to facilitate bipartisan action that is economically necessary, politically smart, and morally correct. Learn more at https://impacfund.org.*

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From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Tuesday, October 29, 2019 2:27 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Strategies for Rural Economic Development

ECONOMIC DEVELOPMENT

Strategies for Rural Economic Development

Florida's economy has seen a significant reshaping over the past 20 years. By 2030, rapid advancements in technology and automation will replace nearly half of all jobs that currently exist. While many urban areas of Florida have already begun preparing for this change, a large number of our rural areas are still reeling from the economic realities of the changes in agriculture and the devastation of Hurricane Michael.

At the Florida Chamber Foundation's Future of Florida Forum, Todd Powell, Chairman of the Foundation's Board of Trustees led a panel addressing the challenges to rural economic development and pathways to achieve the Blueprint 2030 goal of doubling the rural county share of Florida's gross domestic product. The panel was made up of Michelle Dennard, President and CEO of CareerSource Florida, Jeff Hendry, Executive Director of the North Florida Economic Development Partnership, and Gray Swoope, President and CEO of VisionFirst Advisors.

A focus on rural and inland Florida economic development include:

- Supporting development of manufacturing and logistics operations along existing corridors such as I-10 and U.S. 27.
- Strengthening the effectiveness of Florida's Rural Areas of Opportunity and other targeted rural development programs.
- Increase broadband access to Florida's rural and inland counties.
- Provide higher levels of connectivity options between Florida's urban and rural communities.

"In addition to the Florida Scorecard, the Florida Chamber has created regional scorecards for our three rural regions so we can track our metrics," said Jeff Hendry. "The first one available is Opportunity Florida, covering the panhandle."

"Please don't forget about the people in Northwest Florida," Hendry continued. "You can't appreciate the devastation that Hurricane Michael caused if you haven't been there. Speak with your legislators about doing what's right to make these communities whole. It won't happen overnight but we have to start somewhere, and we have to start now."

Get Involved Today

Learn more about the Florida Chamber's Blueprint 2030 Targets and Strategies.

Florida Chamber Foundation l www.FLFoundation.org l Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

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From: Pam Nichols <sexxypam1999@gmail.com>
Sent: Thursday, October 24, 2019 8:23 AM EDT
To: Alexander, Ramon <Ramon.Alexander@myfloridahouse.gov>; Aloupis, Vance <Vance.Aloupis@myfloridahouse.gov>; Altman, Thad <Thad.Altman@myfloridahouse.gov>; Andrade, Alex <Alex.Andrade@myfloridahouse.gov>; Antone, Bruce <Bruce.Antone@myfloridahouse.gov>; Ausley, Loranne <Loranne.Ausley@myfloridahouse.gov>; Avila, Bryan <Bryan.Avila@myfloridahouse.gov>; Baxley, Dennis <Baxley.Dennis@flsenate.gov>; Bean, Aaron <Bean.Aaron@flsenate.gov>; Bell, Melony <Melony.Bell@myfloridahouse.gov>; Beltran, Mike <Mike.Beltran@myfloridahouse.gov>; Benacquisto, Lizbeth <Benacquisto.Lizbeth@flsenate.gov>; Berman, Lori <Berman.Lori@flsenate.gov>; Book, Lauren <Book.Lauren@flsenate.gov>; Bracy, Randolph <Bracy.Randolph@flsenate.gov>; Bradley, Rob <Bradley.Rob@flsenate.gov>; Brandes, Jeff <Brandes.Jeff@flsenate.gov>; Brannan, Chuck <Chuck.Brannan@myfloridahouse.gov>; Braynon, Oscar <Braynon.Oscar@flsenate.gov>; Brown, Kamia <Kamia.Brown@myfloridahouse.gov>; Broxson.Doug <Broxson.Doug@flsenate.gov>; Buchanan, James <James.Buchanan@myfloridahouse.gov>; Burton, Colleen <Colleen.Burton@myfloridahouse.gov>; Bush, James <James.Bush@myfloridahouse.gov>; Byrd, Cord <Cord.Byrd@myfloridahouse.gov>; Caruso, Mike <Mike.Caruso@myfloridahouse.gov>; Casello, Joseph <Joseph.Casello@myfloridahouse.gov>; Clemons, Chuck <Chuck.Clemons@myfloridahouse.gov>; Cortes, John <John.Cortes@myfloridahouse.gov>; Cruz, Janet <Cruz.Janet@flsenate.gov>; Cummings, Travis <Travis.Cummings@myfloridahouse.gov>; Daley, Dan <Dan.Daley@myfloridahouse.gov>; Daniels, Kimberly <Kimberly.Daniels@myfloridahouse.gov>; Davis, Tracie <Tracie.Davis@myfloridahouse.gov>; Diamond, Ben <Ben.Diamond@myfloridahouse.gov>; Diaz, Manny <Diaz.Manny@flsenate.gov>; DiCeglie, Nick <Nick.DiCeglie@myfloridahouse.gov>; Donalds, Byron <Byron.Donalds@myfloridahouse.gov>; Drake, Brad <Brad.Drake@myfloridahouse.gov>; Driskell, Fentrice <Fentrice.Driskell@myfloridahouse.gov>; DuBose, Bobby <Bobby.DuBose@myfloridahouse.gov>; Duggan, Wyman <Wyman.Duggan@myfloridahouse.gov>; Duran, Nicholas <Nicholas.Duran@myfloridahouse.gov>; Eagle, Dane <Dane.Eagle@myfloridahouse.gov>; Eskamani, Anna <Anna.Eskamani@myfloridahouse.gov>; Farmer, Gary <Farmer.Gary@flsenate.gov>; Fernandez, Javier <Javier.Fernandez@myfloridahouse.gov>; Barquin, JuanF <JuanF.Barquin@myfloridahouse.gov>; Fetterhoff, Elizabeth <Elizabeth.Fetterhoff@myfloridahouse.gov>; Fine, Randy <Randy.Fine@myfloridahouse.gov>; Fischer, Jason <Jason.Fischer@myfloridahouse.gov>; Fitzenhagen, Heather <Heather.Fitzenhagen@myfloridahouse.gov>; Flores, Anitere <Flores.Anitere@flsenate.gov>; Gainer, George <Gainer.George@flsenate.gov>; Galvano, Bill <Galvano.Bill@flsenate.gov>; Geller, Joseph <Joseph.Geller@myfloridahouse.gov>; Gibson, Audrey <Gibson.Audrey@flsenate.gov>; Goff-Marcil, Joy <Joy.Goff-Marcil@myfloridahouse.gov>; Good, Margaret <Margaret.Good@myfloridahouse.gov>; Gottlieb, Michael <Michael.Gottlieb@myfloridahouse.gov>; Grall, Erin <Erin.Grall@myfloridahouse.gov>; Grant, James <James.Grant@myfloridahouse.gov>; Grant, Michael <Michael.Grant@myfloridahouse.gov>; Gregory, Tommy <Tommy.Gregory@myfloridahouse.gov>; Grieco, Michael <Michael.Grieco@myfloridahouse.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Hage, Brett <Brett.Hage@myfloridahouse.gov>; Harrell, Gayle <Harrell.Gayle@flsenate.gov>; Hart, Dianne <Dianne.Hart@myfloridahouse.gov>; Hattersley, Adam <Adam.Hattersley@myfloridahouse.gov>; Hill, Mike <Mike.Hill@myfloridahouse.gov>; HoganJohnson, Delores <Delores.HoganJohnson@myfloridahouse.gov>; Hooper, Ed <Hooper.Ed@flsenate.gov>; Hutson, Travis <Hutson.Travis@flsenate.gov>; Ingoglia, Blaise <Blaise.Ingoglia@myfloridahouse.gov>; Jacobs, Kristin <Kristin.Jacobs@myfloridahouse.gov>; Jacquet, Al <Al.Jacquet@myfloridahouse.gov>; Jenne, Evan <Evan.Jenne@myfloridahouse.gov>; Jones, Shevrin <Shevrin.Jones@myfloridahouse.gov>; Joseph, Dotie <Dotie.Joseph@myfloridahouse.gov>; Killebrew, Sam <Sam.Killebrew@myfloridahouse.gov>; La Rosa, Mike <Mike.LaRosa@myfloridahouse.gov>; LaMarca, Chip <Chip.LaMarca@myfloridahouse.gov>; Latvala, Chris <Chris.Latvala@myfloridahouse.gov>; Lee, Tom <Lee.Tom@flsenate.gov>; Leek, Tom <Tom.Leek@myfloridahouse.gov>; Magar, MaryLynn <MaryLynn.Magar@myfloridahouse.gov>; Maggard, Randy <Randy.Maggard@myfloridahouse.gov>; Mariano, Amber <Amber.Mariano@myfloridahouse.gov>; Massullo, Ralph <Ralph.Massullo@myfloridahouse.gov>; Mayfield, Debbie <Mayfield.Debbie@flsenate.gov>; McClain, Stan <Stan.McClain@myfloridahouse.gov>; McClure, Lawrence <Lawrence.McClure@myfloridahouse.gov>; McGhee, Kionne <Kionne.McGhee@myfloridahouse.gov>; Mercado, Amy <Amy.Mercado@myfloridahouse.gov>; Montford, Bill <Montford.Bill@flsenate.gov>; Newton, Newt <Newt.Newton@myfloridahouse.gov>; Oliva, Jose <Jose.Oliva@myfloridahouse.gov>; Omphroy, Anika <Anika.Omphroy@myfloridahouse.gov>; Overdorf, Toby <Toby.Overdorf@myfloridahouse.gov>; Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>; Payne, Bobby <Bobby.Payne@myfloridahouse.gov>; Perez, Daniel <Daniel.Perez@myfloridahouse.gov>; Perry, Keith <Perry.Keith@flsenate.gov>; Pigman, Cary <Cary.Pigman@myfloridahouse.gov>; Pizzo, Jason <Pizzo.Jason@flsenate.gov>; Plakon, Scott <Scott.Plakon@myfloridahouse.gov>; Plasencia, Rene <Rene.Plasencia@myfloridahouse.gov>; Polo, Cindy <Cindy.Polo@myfloridahouse.gov>; Polsky, Tina <Tina.Polsky@myfloridahouse.gov>; Ponder, Mel <Mel.Ponder@myfloridahouse.gov>; Powell, Bobby <Powell.Bobby@flsenate.gov>; Pritchett, Sharon <Sharon.Pritchett@myfloridahouse.gov>; Rader, Kevin <Rader.Kevin@flsenate.gov>; Raschein, Holly <Holly.Raschein@myfloridahouse.gov>; Renner, Paul <Paul.Renner@myfloridahouse.gov>; Roach, Spencer <Spencer.Roach@myfloridahouse.gov>; Robinson, Will <Will.Robinson@myfloridahouse.gov>; Rodrigues, Ray <Ray.Rodrigues@myfloridahouse.gov>; Rodriguez, AnaMaria <AnaMaria.Rodriguez@myfloridahouse.gov>; Rodriguez, Jose <Rodriguez.Jose@flsenate.gov>; Rodriguez, Anthony <Anthony.Rodriguez@myfloridahouse.gov>; Rommel, Bob <Bob.Rommel@myfloridahouse.gov>; Roth, Rick <Rick.Roth@myfloridahouse.gov>; Sabatini, Anthony <Anthony.Sabatini@myfloridahouse.gov>; Rouson, Darryl <Rouson.Darryl@flsenate.gov>; Santiago, David <David.Santiago@myfloridahouse.gov>; Silvers, David <David.Silvers@myfloridahouse.gov>; Simmons, David <SIMMONS.DAVID@flsenate.gov>; Simpson, Wilton <Simpson.Wilton@flsenate.gov>; Slosberg, Emily <Emily.Slosberg@myfloridahouse.gov>; Smith, Carlos <Carlos.Smith@myfloridahouse.gov>; Smith, David <David.Smith@myfloridahouse.gov>; Sprowls, Chris <Chris.Sprowls@myfloridahouse.gov>; Stargel, Kelli <Stargel.Kelli@flsenate.gov>; Stark, Richard <Richard.Stark@myfloridahouse.gov>; Stevenson, Cyndi <Cyndi.Stevenson@myfloridahouse.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Stone, Charlie <Charlie.Stone@myfloridahouse.gov>; Sullivan, Jennifer <Jennifer.Sullivan@myfloridahouse.gov>; Taddeo, Annette <Taddeo.Annette@flsenate.gov>; Thompson, Geraldine <Geraldine.Thompson@myfloridahouse.gov>; Thurston, Perry

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<Thurston.Perry@flsenate.gov>; Toledo, Jackie <Jackie.Toledo@myfloridahouse.gov>; Tomkow, Josie <Josie.Tomkow@myfloridahouse.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Trumbull, Jay <Jay.Trumbull@myfloridahouse.gov>; Valdes, Susan <Susan.Valdes@myfloridahouse.gov>; Watson, Barbara <Barbara.Watson@myfloridahouse.gov>; Watson, Clovis <Clovis.Watson@myfloridahouse.gov>
Subject: Support bill SB564 for 2020
Attachment(s): "html (19).pdf"

Hello

I am writing you to ask for your support bill SB564. I ask that you help us reform Florida prison system. Don't you want to be apart of history? Florida is currently rank third in the nation for the amount of incarcerated individuals. We need change, we need to help this broken system, we the people who voted for you are asking for you to support this reform.

Sincerely,

Wife of incarcerated love one and Florida Voter

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By Senator Bracy

11-00222-20 2020564__

A bill to be entitled

An act relating to murder; amending s. 782.04, F.S.; revising the elements of murder in the first degree and murder in the second degree; revising the elements of what constitutes felony murder, for murder in the second degree; deleting provisions relating to felony murder, for murder in the third degree; creating s. 782.041, F.S.; authorizing persons convicted under certain murder provisions to file a petition with the sentencing court to have his or her murder conviction vacated or to be resentenced, as applicable, on or after a specified date; amending ss. 27.401, 394.912, 775.0823, 782.065, 921.0022, 944.275, 947.146, and 948.012, F.S.; conforming provisions to changes made by the act; amending s. 921.0024, F.S.; conforming cross-references; providing an effective date.

WHEREAS, there is a need for statutory changes to more equitably sentence offenders in accordance with their level of involvement in homicides, and

WHEREAS, it is a bedrock principle of the law and of equity that a person should be punished for his or her actions according to his or her level of individual culpability, and

WHEREAS, it is necessary to amend Florida's felony murder rule to limit convictions and subsequent sentencing so that the laws of this state fairly address the culpability of the individual and assist in the reduction of prison overcrowding, which partially results from lengthy sentences that are not commensurate with the culpability of the individual, NOW,

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FL-SEN-20-0201-A-002685

THEREFORE,

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

Section 1. Section 782.04, Florida Statutes, is amended to read:

782.04 Murder.—

(1)(a) The unlawful killing of a human being:

1. When perpetrated from a premeditated design to effect the death of the person killed or any human being;

~~2. When committed by a person engaged in the perpetration of, or in the attempt to perpetrate, any:~~

~~a. Trafficking offense prohibited by s. 893.135(1),~~

~~b. Arson,~~

~~c. Sexual battery,~~

~~d. Robbery,~~

~~e. Burglary,~~

~~f. Kidnapping,~~

~~g. Escape,~~

~~h. Aggravated child abuse,~~

~~i. Aggravated abuse of an elderly person or disabled adult,~~

~~j. Aircraft piracy,~~

~~k. Unlawful throwing, placing, or discharging of a destructive device or bomb,~~

~~l. Carjacking,~~

~~m. Home-invasion robbery,~~

~~n. Aggravated stalking,~~

~~o. Murder of another human being,~~

~~p. Resisting an officer with violence to his or her person,~~

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~~q. Aggravated fleeing or eluding with serious bodily injury or death,~~

~~r. Felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35, or~~

~~s. Human trafficking;~~ or

2.~~3.~~ Which resulted from the unlawful distribution by a person 18 years of age or older of any of the following substances, or mixture containing any of the following substances, when such substance or mixture is proven to be the proximate cause of the death of the user:

a. A substance controlled under s. 893.03(1);

b. Cocaine, as described in s. 893.03(2)(a)4.;

c. Opium or any synthetic or natural salt, compound, derivative, or preparation of opium;

d. Methadone;

e. Alfentanil, as described in s. 893.03(2)(b)1.;

f. Carfentanil, as described in s. 893.03(2)(b)6.;

g. Fentanyl, as described in s. 893.03(2)(b)9.;

h. Sufentanil, as described in s. 893.03(2)(b)30.; or

i. A controlled substance analog, as described in s. 893.0356, of any substance specified in sub-subparagraphs a.-h.,

is murder in the first degree and constitutes a capital felony, punishable as provided in s. 775.082.

(b) In all cases under this section, the procedure set forth in s. 921.141 shall be followed in order to determine sentence of death or life imprisonment. If the prosecutor intends to seek the death penalty, the prosecutor must give

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notice to the defendant and file the notice with the court within 45 days after arraignment. The notice must contain a list of the aggravating factors the state intends to prove and has reason to believe it can prove beyond a reasonable doubt. The court may allow the prosecutor to amend the notice upon a showing of good cause.

(2) The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.

(3)(a) The unlawful killing of a human being when committed by a person or a participant engaged in the perpetration of, or in the attempt to perpetrate, any of the violations listed in paragraph (b) is murder in the second degree, a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084, only if one of the following is proven:

1. The person was the actual killer.

2. The person was not the actual killer, but, with the intent to kill, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted the actual killer in the commission of murder.

3. The person was a major participant in the underlying felony and acted with reckless indifference to human life.

(b)1. Trafficking offense prohibited by s. 893.135(1).

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2. Arson.

3. Sexual battery.

4. Robbery.

5. Burglary.

6. Kidnapping.

7. Escape.

8. Aggravated child abuse.

9. Aggravated abuse of an elderly person or disabled adult.

10. Aircraft piracy.

11. Unlawful throwing, placing, or discharging of a destructive device or bomb.

12. Carjacking.

13. Home-invasion robbery.

14. Aggravated stalking.

15. Murder of another human being.

16. Resisting an officer with violence to his or her person.

17. Aggravated fleeing or eluding with serious bodily injury or death.

18. A felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35.

19. Human trafficking.

~~(3) When a human being is killed during the perpetration of, or during the attempt to perpetrate, any:~~

~~(a) Trafficking offense prohibited by s. 893.135(1),~~

~~(b) Arson,~~

~~(c) Sexual battery,~~

~~(d) Robbery,~~

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~~(c) Burglary,~~

~~(f) Kidnapping,~~

~~(g) Escape,~~

~~(h) Aggravated child abuse,~~

~~(i) Aggravated abuse of an elderly person or disabled adult,~~

~~(j) Aircraft piracy,~~

~~(k) Unlawful throwing, placing, or discharging of a destructive device or bomb,~~

~~(l) Carjacking,~~

~~(m) Home-invasion robbery,~~

~~(n) Aggravated stalking,~~

~~(o) Murder of another human being,~~

~~(p) Aggravated fleeing or eluding with serious bodily injury or death,~~

~~(q) Resisting an officer with violence to his or her person, or~~

~~(r) Felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35,~~

~~by a person other than the person engaged in the perpetration of or in the attempt to perpetrate such felony, the person perpetrating or attempting to perpetrate such felony commits murder in the second degree, which constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.~~

~~(4) The unlawful killing of a human being, when perpetrated~~

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~~without any design to effect death, by a person engaged in the perpetration of, or in the attempt to perpetrate, any felony other than any:~~

~~(a) Trafficking offense prohibited by s. 893.135(1),~~

~~(b) Arson,~~

~~(c) Sexual battery,~~

~~(d) Robbery,~~

~~(e) Burglary,~~

~~(f) Kidnapping,~~

~~(g) Escape,~~

~~(h) Aggravated child abuse,~~

~~(i) Aggravated abuse of an elderly person or disabled adult,~~

~~(j) Aircraft piracy,~~

~~(k) Unlawful throwing, placing, or discharging of a destructive device or bomb,~~

~~(l) Unlawful distribution of any substance controlled under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or opium or any synthetic or natural salt, compound, derivative, or preparation of opium by a person 18 years of age or older, when such drug is proven to be the proximate cause of the death of the user,~~

~~(m) Carjacking,~~

~~(n) Home-invasion robbery,~~

~~(o) Aggravated stalking,~~

~~(p) Murder of another human being,~~

~~(q) Aggravated fleeing or eluding with serious bodily injury or death,~~

~~(r) Resisting an officer with violence to his or her~~

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~~person, or~~

~~(s) Felony that is an act of terrorism or is in furtherance of an act of terrorism, including a felony under s. 775.30, s. 775.32, s. 775.33, s. 775.34, or s. 775.35,~~

~~is murder in the third degree and constitutes a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(4)~~(5)~~ As used in this section, the term "terrorism" means an activity that:

(a)1. Involves a violent act or an act dangerous to human life which is a violation of the criminal laws of this state or of the United States; or

2. Involves a violation of s. 815.06; and

(b) Is intended to:

1. Intimidate, injure, or coerce a civilian population;

2. Influence the policy of a government by intimidation or coercion; or

3. Affect the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.

Section 2. Section 782.041, Florida Statutes, is created to read:

782.041 Retroactive application relating to s. 782.04; resentencing.—A person convicted and sentenced under s. 782.04 as it existed on or before June 30, 2020, may file a petition with the court that sentenced the petitioner to have the petitioner's murder conviction vacated or to be resentenced, as applicable, under the revised provisions of s. 782.04 on or after July 1, 2020.

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Section 3. Subsection (2) of section 27.401, Florida Statutes, is amended to read:

27.401 Cross-Circuit Conflict Representation Pilot Program.—

(2) Notwithstanding ss. 27.40 and 27.5305:

(a) If the public defender in the Tenth Judicial Circuit is unable to provide representation to an indigent defendant charged with a crime under s. 782.04(2) or~~,~~ (3)~~, or (4)~~ due to a conflict of interest and the criminal conflict and civil regional counsel of the Second Region is also unable to provide representation for the case due to a conflict of interest, the public defender in the Thirteenth Judicial Circuit shall be appointed. If the public defender in the Thirteenth Judicial Circuit is unable to provide representation for the case due to a conflict of interest, the criminal conflict and civil regional counsel in the Fifth Region shall be appointed. If the criminal conflict and civil regional counsel in the Fifth Region is unable to provide representation due to a conflict of interest, private counsel shall be appointed.

(b) If the public defender in the Thirteenth Judicial Circuit is unable to provide representation to an indigent defendant charged with a crime under s. 782.04(2) or~~,~~ (3)~~, or (4)~~ due to a conflict of interest and the criminal conflict and civil regional counsel of the Second Region is also unable to provide representation for the case due to a conflict of interest, the public defender in the Tenth Judicial Circuit shall be appointed. If the public defender in the Tenth Judicial Circuit is unable to provide representation for the case due to a conflict of interest, the criminal conflict and civil regional

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counsel in the Fifth Region shall be appointed. If the criminal conflict and civil regional counsel in the Fifth Region is unable to provide representation due to a conflict of interest, private counsel shall be appointed.

Section 4. Subsection (9) of section 394.912, Florida Statutes, is amended to read:

394.912 Definitions.—As used in this part, the term:

(9) "Sexually violent offense" means:

(a) Murder of a human being while engaged in sexual battery in violation of s. 782.04(3)(b)3. ~~s. 782.04(1)(a)2.~~;

(b) Kidnapping of a child under the age of 13 and, in the course of that offense, committing:

1. Sexual battery; or

2. A lewd, lascivious, or indecent assault or act upon or in the presence of the child;

(c) Committing the offense of false imprisonment upon a child under the age of 13 and, in the course of that offense, committing:

1. Sexual battery; or

2. A lewd, lascivious, or indecent assault or act upon or in the presence of the child;

(d) Sexual battery in violation of s. 794.011;

(e) Lewd, lascivious, or indecent assault or act upon or in presence of the child in violation of s. 800.04 or s. 847.0135(5);

(f) An attempt, criminal solicitation, or conspiracy, in violation of s. 777.04, of a sexually violent offense;

(g) Any conviction for a felony offense in effect at any time before October 1, 1998, which is comparable to a sexually

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violent offense under paragraphs (a)-(f) or any federal conviction or conviction in another state for a felony offense that in this state would be a sexually violent offense;

(h) Any criminal act that, either at the time of sentencing for the offense or subsequently during civil commitment proceedings under this part, has been determined beyond a reasonable doubt to have been sexually motivated; or

(i) A criminal offense in which the state attorney refers a person to the department for civil commitment proceedings pursuant to s. 394.9125.

Section 5. Subsections (6) and (7) of section 775.0823, Florida Statutes, are amended to read:

775.0823 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.—The Legislature does hereby provide for an increase and certainty of penalty for any person convicted of a violent offense against any law enforcement or correctional officer, as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); against any state attorney elected pursuant to s. 27.01 or assistant state attorney appointed under s. 27.181; or against any justice or judge of a court described in Art. V of the State Constitution, which offense arises out of or in the scope of the officer's duty as a law enforcement or correctional officer, the state attorney's or assistant state attorney's duty as a prosecutor or investigator, or the justice's or judge's duty as a judicial officer, as follows:

~~(6) For murder in the third degree as described in s. 782.04(4), a sentence pursuant to s. 775.082, s. 775.083, or s.~~

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~~775.084.~~

~~(7) For attempted murder in the third degree as described in s. 782.04(4), a sentence pursuant to s. 775.082, s. 775.083, or s. 775.084.~~

Notwithstanding the provisions of s. 948.01, with respect to any person who is found to have violated this section, adjudication of guilt or imposition of sentence shall not be suspended, deferred, or withheld.

Section 6. Section 782.065, Florida Statutes, is amended to read:

782.065 Murder; law enforcement officer, correctional officer, correctional probation officer.—Notwithstanding ss. 775.082, 775.0823, 782.04, 782.051, and chapter 921, a defendant shall be sentenced to life imprisonment without eligibility for release upon findings by the trier of fact that, beyond a reasonable doubt:

(1) The defendant committed murder in the first degree in violation of s. 782.04(1) and a death sentence was not imposed; murder in the second ~~or third~~ degree in violation of s. 782.04(2) or~~,~~ (3)~~, or (4)~~; attempted murder in the first or second degree in violation of s. 782.04(1)(a)1. or (2); or attempted felony murder in violation of s. 782.051; and

(2) The victim of any offense described in subsection (1) was a law enforcement officer, part-time law enforcement officer, auxiliary law enforcement officer, correctional officer, part-time correctional officer, auxiliary correctional officer, correctional probation officer, part-time correctional probation officer, or auxiliary correctional probation officer,

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as those terms are defined in s. 943.10, engaged in the lawful performance of a legal duty.

Section 7. Paragraph (h) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193 (3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(6)	1st	Knowing trafficking in contraband prescription drugs.
499.0051(7)	1st	Knowing forgery of prescription labels or prescription drug labels.

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560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding $20,000, but less than $100,000 by money transmitter.
560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding $20,000, but less than $100,000.
655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding $20,000, but less than $100,000 by financial institutions.
777.03(2)(a)	1st	Accessory after the fact, capital felony.
~~782.04(4)~~	~~2nd~~	~~Killing of human without design when engaged in act or attempt of any~~

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		~~felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.~~
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
787.06(3)(a)1.	1st	Human trafficking for labor and services of a child.

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787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
787.06(3)(e)1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
787.06(3)(f)2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property

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		damage.
794.011(5)(a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
794.011(5)(b)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
794.011(5)(c)	2nd	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
794.011(5)(d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury;

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		prior conviction for specified sex offense.
794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
800.04(4)(b)	2nd	Lewd or lascivious battery.
800.04(4)(c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st,PBL	Burglary with assault or battery.
810.02(2)(b)	1st,PBL	Burglary; armed with explosives or dangerous

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		weapon.
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or $1,000 or more property damage.
812.014(2)(a)2.	1st	Property stolen; cargo valued at $50,000 or more, grand theft in 1st degree.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.505(4)(c)	1st	Patient brokering; 20 or more patients.
817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
817.535(3)(a)	2nd	Filing false lien or other unauthorized

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		document; property owner is a public officer or employee.
817.535(4)(a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
817.535(5)(a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
817.611(2)(c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
825.102(2)	1st	Aggravated abuse of an

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		elderly person or disabled adult.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
825.103(3)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at $50,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

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860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135 (1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

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893.135 (1)(c)2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
893.135 (1)(c)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
893.135 (1)(c)4.b.(II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
893.135 (1)(d)1.b.	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
893.135 (1)(f)1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.

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893.135 (1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135 (1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135 (1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135 (1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
893.135 (1)(m)2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
893.135 (1)(n)2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than

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		200 grams.
893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding $20,000, but less than $100,000.

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896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding $20,000 but less than $100,000.

Section 8. Paragraph (e) of subsection (4) of section 944.275, Florida Statutes, is amended to read:

944.275 Gain-time.—

(4)

(e) Notwithstanding subparagraph (b)3., for sentences imposed for offenses committed on or after October 1, 2014, the department may not grant incentive gain-time if the offense is a violation of s. 782.04(3)(b)3. ~~s. 782.04(1)(a)2.c.~~; s. 787.01(3)(a)2. or 3.; s. 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s. 800.04; s. 825.1025; or s. 847.0135(5).

Section 9. Subsection (3) of section 947.146, Florida Statutes, is amended to read:

947.146 Control Release Authority.—

(3) Within 120 days prior to the date the state correctional system is projected pursuant to s. 216.136 to exceed 99 percent of total capacity, the authority shall determine eligibility for and establish a control release date for an appropriate number of parole ineligible inmates committed to the department and incarcerated within the state who have

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been determined by the authority to be eligible for discretionary early release pursuant to this section. In establishing control release dates, it is the intent of the Legislature that the authority prioritize consideration of eligible inmates closest to their tentative release date. The authority shall rely upon commitment data on the offender information system maintained by the department to initially identify inmates who are to be reviewed for control release consideration. The authority may use a method of objective risk assessment in determining if an eligible inmate should be released. Such assessment shall be a part of the department's management information system. However, the authority shall have sole responsibility for determining control release eligibility, establishing a control release date, and effectuating the release of a sufficient number of inmates to maintain the inmate population between 99 percent and 100 percent of total capacity. Inmates who are ineligible for control release are inmates who are parole eligible or inmates who:

(a) Are serving a sentence that includes a mandatory minimum provision for a capital offense or drug trafficking offense and have not served the number of days equal to the mandatory minimum term less any jail-time credit awarded by the court;

(b) Are serving the mandatory minimum portion of a sentence enhanced under s. 775.087(2) or (3), or s. 784.07(3);

(c) Are convicted, or have been previously convicted, of committing or attempting to commit sexual battery, incest, or any of the following lewd or indecent assaults or acts: masturbating in public; exposing the sexual organs in a

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perverted manner; or nonconsensual handling or fondling of the sexual organs of another person;

(d) Are convicted, or have been previously convicted, of committing or attempting to commit assault, aggravated assault, battery, or aggravated battery, and a sex act was attempted or completed during commission of such offense;

(e) Are convicted, or have been previously convicted, of committing or attempting to commit kidnapping, burglary, or murder, and the offense was committed with the intent to commit sexual battery or a sex act was attempted or completed during commission of the offense;

(f) Are convicted, or have been previously convicted, of committing or attempting to commit false imprisonment upon a child under the age of 13 and, in the course of committing the offense, the inmate committed aggravated child abuse, sexual battery against the child, or a lewd or lascivious offense committed upon or in the presence of a person less than 16 years of age;

(g) Are sentenced, have previously been sentenced, or have been sentenced at any time under s. 775.084, or have been sentenced at any time in another jurisdiction as a habitual offender;

(h) Are convicted, or have been previously convicted, of committing or attempting to commit assault, aggravated assault, battery, aggravated battery, kidnapping, manslaughter, or murder against an officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); against a state attorney or assistant state attorney; or against a justice or judge of a court described in Art. V of the State Constitution; or against an officer, judge,

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or state attorney employed in a comparable position by any other jurisdiction; ~~or~~

(i) Are convicted, or have been previously convicted, of committing or attempting to commit murder in the first or~~,~~ second~~, or third~~ degree under s. 782.04(1), (2), or (3)~~, or (4),~~ or have ever been convicted of any degree of murder or attempted murder in another jurisdiction;

(j) Are convicted, or have been previously convicted, of DUI manslaughter under s. 316.193(3)(c)3., and are sentenced, or have been sentenced at any time, as a habitual offender for such offense, or have been sentenced at any time in another jurisdiction as a habitual offender for such offense;

(k)1. Are serving a sentence for an offense committed on or after January 1, 1994, for a violation of the Law Enforcement Protection Act under s. 775.0823(2), (3), (4), or (5), ~~or (6),~~ and the subtotal of the offender's sentence points is multiplied pursuant to former s. 921.0014 or s. 921.0024;

2. Are serving a sentence for an offense committed on or after October 1, 1995, for a violation of the Law Enforcement Protection Act under s. 775.0823(2), (3), (4), (5), (6), or (7), ~~(8), or (9),~~ and the subtotal of the offender's sentence points is multiplied pursuant to former s. 921.0014 or s. 921.0024;

(l) Are serving a sentence for an offense committed on or after January 1, 1994, for possession of a firearm, semiautomatic firearm, or machine gun in which additional points are added to the subtotal of the offender's sentence points pursuant to former s. 921.0014 or s. 921.0024; or

(m) Are convicted, or have been previously convicted, of committing or attempting to commit manslaughter, kidnapping,

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robbery, carjacking, home-invasion robbery, or a burglary under s. 810.02(2).

In making control release eligibility determinations under this subsection, the authority may rely on any document leading to or generated during the course of the criminal proceedings, including, but not limited to, any presentence or postsentence investigation or any information contained in arrest reports relating to circumstances of the offense.

Section 10. Paragraph (a) of subsection (5) of section 948.012, Florida Statutes, is amended to read:

948.012 Split sentence of probation or community control and imprisonment.—

(5)(a) Effective for offenses committed on or after October 1, 2014, if the court imposes a term of years in accordance with s. 775.082 which is less than the maximum sentence for the offense, the court must impose a split sentence pursuant to subsection (1) for any person who is convicted of a violation of:

1. Section 782.04(3)(b)3. ~~782.04(1)(a)2.c.~~;

2. Section 787.01(3)(a)2. or 3.;

3. Section 787.02(3)(a)2. or 3.;

4. Section 794.011, excluding s. 794.011(10);

5. Section 800.04;

6. Section 825.1025; or

7. Section 847.0135(5).

Section 11. Paragraph (b) of subsection (1) of section 921.0024, Florida Statutes, is amended to read:

921.0024 Criminal Punishment Code; worksheet computations;

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scoresheets.—

(1)

(b) WORKSHEET KEY:

Legal status points are assessed when any form of legal status existed at the time the offender committed an offense before the court for sentencing. Four (4) sentence points are assessed for an offender’s legal status.

Community sanction violation points are assessed when a community sanction violation is before the court for sentencing. Six (6) sentence points are assessed for each community sanction violation and each successive community sanction violation, unless any of the following apply:

1. If the community sanction violation includes a new felony conviction before the sentencing court, twelve (12) community sanction violation points are assessed for the violation, and for each successive community sanction violation involving a new felony conviction.

2. If the community sanction violation is committed by a violent felony offender of special concern as defined in s. 948.06:

a. Twelve (12) community sanction violation points are assessed for the violation and for each successive violation of felony probation or community control where:

I. The violation does not include a new felony conviction; and

II. The community sanction violation is not based solely on the probationer or offender’s failure to pay costs or fines or

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make restitution payments.

b. Twenty-four (24) community sanction violation points are assessed for the violation and for each successive violation of felony probation or community control where the violation includes a new felony conviction.

Multiple counts of community sanction violations before the sentencing court shall not be a basis for multiplying the assessment of community sanction violation points.

Prior serious felony points: If the offender has a primary offense or any additional offense ranked in level 8, level 9, or level 10, and one or more prior serious felonies, a single assessment of thirty (30) points shall be added. For purposes of this section, a prior serious felony is an offense in the offender's prior record that is ranked in level 8, level 9, or level 10 under s. 921.0022 or s. 921.0023 and for which the offender is serving a sentence of confinement, supervision, or other sanction or for which the offender's date of release from confinement, supervision, or other sanction, whichever is later, is within 3 years before the date the primary offense or any additional offense was committed.

Prior capital felony points: If the offender has one or more prior capital felonies in the offender's criminal record, points shall be added to the subtotal sentence points of the offender equal to twice the number of points the offender receives for the primary offense and any additional offense. A prior capital felony in the offender's criminal record is a previous capital

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felony offense for which the offender has entered a plea of nolo contendere or guilty or has been found guilty; or a felony in another jurisdiction which is a capital felony in that jurisdiction, or would be a capital felony if the offense were committed in this state.

Possession of a firearm, semiautomatic firearm, or machine gun: If the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(2) while having in his or her possession: a firearm as defined in s. 790.001(6), an additional eighteen (18) sentence points are assessed; or if the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(3) while having in his or her possession a semiautomatic firearm as defined in s. 775.087(3) or a machine gun as defined in s. 790.001(9), an additional twenty-five (25) sentence points are assessed.

Sentencing multipliers:

Drug trafficking: If the primary offense is drug trafficking under s. 893.135, the subtotal sentence points are multiplied, at the discretion of the court, for a level 7 or level 8 offense, by 1.5. The state attorney may move the sentencing court to reduce or suspend the sentence of a person convicted of a level 7 or level 8 offense, if the offender provides substantial assistance as described in s. 893.135(4).

Law enforcement protection: If the primary offense is a

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violation of the Law Enforcement Protection Act under s. 775.0823(2), (3), or (4), the subtotal sentence points are multiplied by 2.5. If the primary offense is a violation of s. 775.0823(5), (6), or (7), ~~(8), or (9),~~ the subtotal sentence points are multiplied by 2.0. If the primary offense is a violation of s. 784.07(3) or s. 775.0875(1), or of the Law Enforcement Protection Act under s. 775.0823(8) or (9) ~~s. 775.0823(10) or (11)~~, the subtotal sentence points are multiplied by 1.5.

Grand theft of a motor vehicle: If the primary offense is grand theft of the third degree involving a motor vehicle and in the offender's prior record, there are three or more grand thefts of the third degree involving a motor vehicle, the subtotal sentence points are multiplied by 1.5.

Offense related to a criminal gang: If the offender is convicted of the primary offense and committed that offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang as defined in s. 874.03, the subtotal sentence points are multiplied by 1.5. If applying the multiplier results in the lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

Domestic violence in the presence of a child: If the offender is convicted of the primary offense and the primary offense is a crime of domestic violence, as defined in s. 741.28, which was

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committed in the presence of a child under 16 years of age who is a family or household member as defined in s. 741.28(3) with the victim or perpetrator, the subtotal sentence points are multiplied by 1.5.

Adult-on-minor sex offense: If the offender was 18 years of age or older and the victim was younger than 18 years of age at the time the offender committed the primary offense, and if the primary offense was an offense committed on or after October 1, 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed a sexual battery under chapter 794 or a lewd act under s. 800.04 or s. 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s. 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s. 800.04; or s. 847.0135(5), the subtotal sentence points are multiplied by 2.0. If applying the multiplier results in the lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

Section 12. This act shall take effect July 1, 2020.

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From: Dani Fattizzi <danifattizzi@gmail.com>
Sent: Friday, February 07, 2020 8:28 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Support for SB1128

Hello Senator Gruters,

I know that you will be hearing Senate Bill 1128 on Feb 11th and respectfully ask for your support for the bill. It provides clear and concise regulations for vacation rentals statewide.

I own and operate a boutique vacation rental property management company in St. Augustine, FL, and my company exclusively manages 30 homes in the area. It is absolutely my passion to care for these homes, the guests who travel from all over to come to them and the owners who trust me with them.

Our city has recently implemented unfair "one-size-fits-all" ordinances on the oldest city in the country, one that was around before cars were invented, before streets were paved and way before the internet! It is deeply affecting the homeowners whom I work for. All of them are local St. Augustinians like me, who love our town and want to see the local economy continue to grow and thrive. The success of our local economy is nearly entirely driven by our only industry - tourism.

By implementing these new ordinances the city is shutting out a huge demographic of tourists who enjoy renting homes for their travels rather than utilizing the hotels. This is damaging the livelihoods of the owners - many of them will be forced to sell their rental homes, or live-in hosts will be unable to subsidize their social security and be forced to move out of the city altogether. It is also damaging the city's reputation overall as a tourist destination. Imagine what people will think of St. Augustine when they hear that vacation rentals here have 7 night and 30 night minimums? Out bread and butter is a 2 night stay. Rarely do we receive a 7 night booking. The stigma over the city will be "don't go there unless you're staying for a week." We can't afford to lose our tourists, and there will never be enough hotel rooms in our small city to support even 50% of the tourists who come here (which statistics say is 8 million per year and climbing).

These ordinances came to fruition because there are a few bad actors in our town who are managing from out of state and do not know what goes on at their properties, nor is there any contact information for them on record so there is no one to contact when a party breaks out or a neighbor is disturbed. It is these same few homes that continue to bring a bad name to the vacation rental industry.

This is why we NEED SB1128 to pass. It would be a framework for the whole state to adhere to and no longer would the few bad actors be able to continue causing the demonization of this industry.

Another reason we so desperately need SB1128 to pass is because within St. John's county alone, there are 3 separate municipalities, each with their own legislation related to short term rentals (County, City of St. Aug & City of St. Aug Beach). This patchwork has caused confusion and is not well known to the public, therefore people continue to buy homes with the intent to short term rent them in areas where they are not allowed, or there are major restrictions that would make the investment not worthwhile. Clients I work with who are able to rent on their street who refer me to manage their neighbor's house 3 streets over are shocked when I can't help because their neighbor happens to live in a completely different municipality.

We need one overall framework to help unify the state so that we can all be regulated as one body from a registration standpoint.
Please support SB1128!

Thank you for your time and consideration,

--
Dani Fattizzi

Euphoria Vacation Homes
Owner and Founder
+1.904.501.3755
danifattizzi@gmail.com

AMERICAN OVERSIGHT

From: Gulf Coast Builders Exchange <admin@gcbx.org>
Sent: Wednesday, January 29, 2020 9:14 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Table Reservations Filling Up! GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER- February 20, 2020

Dear Senator Joe Gruters,
You are invited to the following event:

GCBX 68th ANNUAL INSTALLATION & AWARDS DINNER

When: 20 Feb 2020 6:00 PM, EST
Where: Hyatt Regency Sarasota- 1000 Blvd of the Arts

Reserve your table or become an Annual Dinner Sponsor to showcase your business to over 500 GCBX Members!

Will you be attending?

REGISTER

Hyatt Regency Sarasota

Networking 6:00 - 7:00 pm
Program 7:00 - 9:00 pm

Registration opens at 5:45 PM

Keynote Speaker:
Attorney General Ashley Moody

Join us in Welcoming Incoming Chairman

Senator Michael Bennett, Manatee County Supervisor of Elections

Lifetime Achievement Awardee:
Rich Stehle, Climatic Conditioning Company

Posthumous Lifetime Achievement Awardee:
Nathan Benderson, Benderson Development

Chairman's Awardee:
C.J. Dupre, Manatee County Building Official

Plus a Surprise Volunteer of the Year!

AMERICAN OVERSIGHT

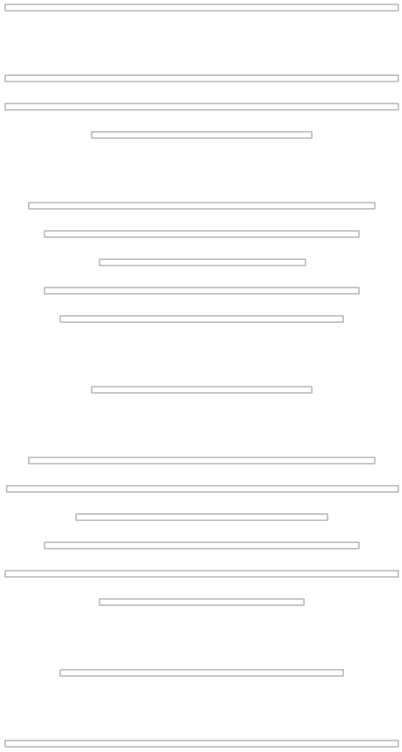
This year's dinner theme will be *Preserving Our Past and Building Our Future* We are asking members to submit local projects for consideration to be showcased at the dinner in different ways including table settings, PowerPoint features and more. Please send your project submission to AlbaniHogan@gcbx.org. We are looking for local projects that fit this theme so please submit your project name for consideration!

*Click here for Flyer

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Best regards,
Gulf Coast Builders Exchange

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From: Florida Chamber Foundation <emartin@flchamber.com>
Sent: Monday, October 28, 2019 5:16 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Taking Florida's Students From Learners To Earners

WORKFORCE DEVELOPMENT

Taking Florida's Students From Learners To Earners

At the Florida Chamber Foundation's Future of Florida Forum, a panel led by Tallahassee Community College Provost Madeline Pumariega discussed how Florida can better prepare today's students to be tomorrow's workforce.

By 2030, rapid advancements in technology and automation will replace nearly half of all jobs that currently exist. Our education system must adapt to ensure our future workforce has the skillsets required for the next generation of employment opportunities.

"Talent is universal, but opportunity is not. When we think about our poverty rates, disconnected youth and others that we need to ensure are part of the human capital pipeline; how then do we strengthen those pathways?" said **Madeline Pumariega**. "The Florida Chamber Jobs 2030 Report lays out the industries growing in Florida and what we can expect. The 2030 Report lays out the pillars and the strategies that connect us in all areas in terms of our economic growth and success."

Also serving on the panel were **Dr. Michelle Horton**, Director of Complete Florida, **Representative Rene Plascencia**, Florida House of Representatives, and **Roland Selby, Jr.**, Executive Director of Year Up Baltimore.

Get Involved Today

The Florida Chamber is focused on growing Florida from the 17th largest economy to the 10th by 2030 and we need your help. Take the **Talent Skills Gap survey** and tell us what your workflow and training needs are.

Florida Chamber Foundation l www.FLFoundation.org l Unsubscribe
136 S. Bronough Street, Tallahassee, Florida 32301 l (850) 521-1200

AMERICAN OVERSIGHT

From: NCSL TODAY <enews@ncsl.org>
Sent: Monday, November 18, 2019 11:44 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: The fire next time: the threat to the west

TOP NEWS Nov. 18, 2019

The fire next time: the threat to the west
State Net Capitol Journal
What California does — or fails to do — to prevent and combat wildfires has impact beyond state borders. Wildfires are a scourge of the West, and the firefighting practices of one state are often copied by another. Mutual aid pacts enable firefighting crews to travel across state borders.

Colonias to immigrants: We need you at census time
Associated Press
After a few months and less publicity about the new hands-free law, "sure enough, that awareness seems to have worn off."
NCSL resources on the 2020 census.

Illinois lawmakers approve measure to cap insulin at $100 for 30-day supply
Chicago Tribune
Illinois lawmakers voted to cap out-of-pocket insulin costs at $100 for a 30-day supply in the state, a measure advocates say is badly needed to address soaring prescription drug costs.

Idaho Medicaid plan amendments approved
Idaho Press
Idaho has received approval from federal officials for the amendments to its state plan for Medicaid that allow Medicaid expansion to proceed on schedule on Jan. 1; enrollment already is underway.

Indiana lawmaker wants young age requirement for Legislature
Associated Press
A 26-year-old lawmaker wants to see Indiana's Constitution changed so that people as young as 18 could run for the state Legislature. The constitution currently sets minimum ages of 21 to serve in the Indiana House and 25 for the Indiana Senate.

New tax on internet sales boosts Maine's budget further into the black
Portland Press Herald
The state has about $30 million more in its bank account than when lawmakers passed the most recent two-year budget in June. The biggest chunk of the increase, about $16.6 million, comes from a new law that requires sales tax collection by online retailers like eBay and Amazon.

placeholder

FEATURED

One more day to save on registration for NCSL Capitol Forum Dec. 10-12 in Phoenix
Special pricing for registration and hotel expires tomorrow. Don't miss Michael Bidwell, president of the Arizona Cardinals, sharing his game plan for leadership both on and off the field. In addition to huddling up with an NFL president, this year's NCSL Capitol Forum offers a full agenda that covers the issues that matter the most to your state.

NEW@NCSL

NCSL podcast: How kids learn

State Legislatures magazine: Urgent infrastructure

AMERICAN OVERSIGHT

needs are straining resources

Webinar Nov. 20: Keys to an effective message

BLOG

Get ready for session: Resources for legislative staff

NCSL knows how vital legislative staff are to their legislatures. To help you prepare for the upcoming legislative session, we've planned a week of tips and resources chosen specifically for staff, including a webinar on Wednesday: "Keys to an Effective Message: Story Principles, Focused Messaging and Communication Styles."

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Washington: 202-624-5400

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7700 East First Place, Denver, CO 80230

From: SENATE MAJORITY (REPUBLICAN) OFFICE <SENATE.MAJORITY@flsenate.gov>
Sent: Thursday, December 12, 2019 4:10 PM EST
To: Senators and District Staff – All Republican <SenateRepublicanMembersAll@flsenate.gov>
CC: Senate President's Office <SenatePresident'sOffice1@flsenate.gov>; SENATE MAJORITY (REPUBLICAN) OFFICE <SENATE.MAJORITY@flsenate.gov>
Subject: This Week in the Senate: December 9 – 13, 2019
Attachment(s): "This Week in the Senate Dec. 9 - 13.pdf","12.10 Sen. Stargel.JPG","12.9 IIT.JPG","12.9 Sen. Hooper.JPG","12.10 HP.JPG","SB 7020 Graphic.jfif"

Senators,

Attached is This Week in the Senate for December 9 – 13, 2019 and photos highlighting this week's events. Please do not hesitate to share this information with your constituents. Our office is available to assist you should you have any questions.

Sincerely,

The Senate Majority Office
330 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100
850.487.5184 (o)
850.487.5842 (f)

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THE FLORIDA SENATE

SENATE MAJORITY OFFICE

Location
330 Senate Office Building

Mailing Address
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5184
FAX (850) 487-5842

Senate's Website: *www.flsenate.gov*

KATHLEEN PASSIDOMO
Majority Leader

THIS WEEK IN THE FLORIDA SENATE
December 9 – 13, 2019

Legislation to Create Permanent Staging Areas for Emergencies Passes First Senate Committee



Senate Proposed Bill (SPB) 7020: *Emergency Staging Areas* passed the Senate Committee on Infrastructure and Security, chaired by Senator Tom Lee. The legislation provides for the plan, design and construction of permanent Staging Areas for Emergencies (SAFE) as part of Florida's Turnpike System. SPB 7020 aims to create a reliable and consistent approach to emergency staging and ensure that nothing stands in the way of critical supplies and assistance reaching communities struck by a natural disaster or an emergency situation. The staging areas created through this legislation would be large enough to accommodate the staging of a significant amount of emergency-related supplies and equipment; provide space in support of emergency preparedness and evacuation activities, such as fuel reserve capacity; and could be used during non-emergency periods for commercial motor vehicle parking.

Bill to Combat Animal Abuse Passes Committee

The Senate Committee on Criminal Justice, chaired by Senator Keith Perry, unanimously approved Senate Bill 522: *Cruelty to Dogs,* by Senator Joe Gruters. SB 522 prohibits a person from restraining a dog outside and unattended during a natural disaster, such as a hurricane, and defines this offense as a first degree misdemeanor. It is reported that a startling number of dog deaths occurred during Hurricanes Irma and Michael. This legislation intends to ensure dogs are not neglected in times of a natural disaster.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

Pro-First Responder Bills Advance



Two bills aimed at benefiting first responders were unanimously approved in Senate committees. Senate Bill 476: *Law Enforcement Vehicles,* by Senator Ed Hooper, passed the Senate Committee on Innovation, Industry, and Technology, chaired by Senator Wilton Simpson. This legislation ensures law enforcement officers have the ability to park their patrol cars at their homes without fear of penalties or fines from homeowners or condominium associations. SB 476 targets a problem that arose after a Clearwater police officer was threatened with daily fines by her homeowners association for parking her squad car outside of her home.

In the Senate Committee on Community Affairs, chaired by Senator Anitere Flores, Senators voted to approve Senate Bill 484: *First Responder Property Tax Exemption,* by Senator David Simmons. This legislation expands the First Responder Property Tax Exemption to include a law enforcement officer or firefighter who, prior to residing in Florida, was employed in another state and sustained a permanent disability while serving in the line of duty. Currently, the First Responder Property Tax Exemption is only afforded to first responders who sustain a disability in the line of duty while in Florida. The Florida Senate stands with our first responders and will fight for legislation that ensures they feel welcome in our communities and neighborhoods throughout the Sunshine State.

Measure to Require Parental Consent for Abortions Advances



Senate Bill 404: *Parental Consent for Abortion,* by Senator Kelli Stargel, passed the Senate Committee on Health Policy, chaired by Senator Gayle Harrell. The legislation requires a parent or guardian give consent before a physician can perform an abortion on a minor, with the exception of medical emergencies. SB 404 also allows for a minor to petition any circuit court in the area where she resides for a waiver of consent in order to obtain an abortion. The legislation aims to strengthen family units and ensure parental or guardian involvement and guidance in major decisions of their minor daughter during unplanned pregnancies. SB 406, accompanying legislation which exempts the name of minors using the court waiver process from being disclosed in public records, also passed the Committee on Health Policy.

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

Committee Approves Legislation to Save Florida ABLE, Inc. Program from Repeal

The Senate Committee on Children, Families, and Elder Affairs unanimously voted to approve Senate Bill 828: *Florida ABLE Program*, by Senator Lizbeth Benacquisto. The bill saves Florida ABLE, Inc., the direct-support organization that administers the Florida ABLE Program, from repeal. The Florida ABLE Program was created in 2015 to encourage and assist individuals and families with tax-free savings and investment to support individuals with unique abilities in maintaining health, independence, and quality of life. The program serves over 4,000 Florida Families and helps families with children with unique abilities to better prepare for the future.

Committee Approves Bill to "Keep Our Graduates Working"

As student loan debt continues to climb, Senate Bill 356: *Keep Our Graduates Working Act,* by Senator Travis Hutson, prevents a healthcare practitioner or other individual from losing their professional license, certificate, registration, or permit solely on the basis of defaulting on a student loan payment. The bill does not forgive any student debt or remove the ability to suspend or revoke a health care practitioner's license for other violations specified in law. The *Keep Our Graduates Working Act* passed unanimously in the Senate Committee on Innovation, Industry, and Technology, chaired by Senator Wilton Simpson.



Senate Subcommittees Review Governor DeSantis' Budget Recommendations

Senate appropriations subcommittees reviewed Governor Ron DeSantis' $91.4 billion budget proposal for the 2020-2021 fiscal year. The Governor's recommended budget includes significant funding for priorities areas of: education, hurricane recovery, tax relief for Floridians, Everglades restoration and water quality protection, health and human services, transportation and economic development, public safety and elections security.

Over the course of the upcoming Legislative Session, the Senate will take these recommendations into consideration and work with the House of Representatives and Governor DeSantis to pass a balanced budget while funding our state's critical needs and continuing to keep taxes low.

Welcome to the Florida Senate

This week the Florida Senate welcomed the following groups to the Capitol:

Florida Association of Postsecondary Schools and Colleges
Florida Farm Bureau
State Prevention Coalitions

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore

AMERICAN OVERSIGHT

From: Florida Trend Education <news@floridatrend.com>
Sent: Thursday, January 23, 2020 11:01 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: To get free tuition, graduates would agree to work in Florida under new bill

Florida Trend

Subscribe to: Florida Trend

Florida Trend Education

Thursday, January 23, 2020

To get free tuition, graduates would agree to work in Florida under new bill

Community college could soon become free for many Florida students — as long as they don't go elsewhere for a job. Students who accept the money would have to stay in Florida after graduation to work the same amount of time they received the aid.

Florida lawmakers consider 'do not hire list' for 'disqualified' school employees

Every so often, stories pop up about school employees committing acts of sexual misconduct against students. Too frequently, state lawmakers say, the cases involve someone who faced similar allegations in past jobs.

Yes, Florida ranks at bottom of states on school funding

Florida has long had a reputation of lagging behind many states in education funding. But just how close to the bottom of the barrel is the Sunshine State?

Florida lawmakers revisit post-Parkland school safety, student mental health

For the third time since the 2018 Parkland shooting, the Florida Legislature is taking up school safety, proposing tweaks in laws relating to armed security, mental health services and district oversight.

Florida Poly sees exceptional rise in applications

At only two-thirds of the way through the 2020 recruitment cycle, the University has received 31% more freshman applications compared to this time last year.

Are you a Florida business professional? We want to hear from you!

Our new question and answer series **In Focus** asks experts in Florida's business community to share real-life lessons, tips and experiences learned along the way.

Top responses will be published in our Afternoon Update newsletter. Submit your response and accompanying photo to: **floridatrend.com/infocus/submit**

Best Companies To Work For In Florida

Last chance to join the winner list! Florida Trend's Best Companies To Work For In Florida program is a great way to find out how your company ranks. Participation is FREE, and you'll receive a benchmark summary just for participating. Registration closes on Friday, January 24th so sign up today at http://BestCompaniesFL.com

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Also trending:

+ TCC, Flagler College-Tallahassee sign partnership to address critical teacher shortage

+ Faculty members held jobs in China while working for UF, report says

+ MCSD leaders push for change to technical college nursing programs

+ Northwest Florida State College named a top online school

• **More Education Stories »**

Florida's Most Influential Business Leaders

George Hanbury initially pursued a degree in engineering but changed his focus to public service after JFK's assassination. He was a city manager, first in Virginia, then in Fort Lauderdale, before becoming Nova Southeastern University's president.
Read More.

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From: Florida Trend <news@floridatrend.com>
Sent: Thursday, December 12, 2019 8:06 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Top Story: Florida officially joins national voter database network

Florida Trend Daily Pulse

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Thursday, December 12, 2019

AMERICAN OVERSIGHT

Florida officially joins national voter database network

The state's voter registration rolls are now linked to a national database that could help elections officials detect possible fraud — or spot multiple voter registration files across state lines.

New project to test humans for health risks from toxic blue-green algae

New funding will support researchers in their efforts to improve the understanding of the potential long-term human-health impacts of harmful algal blooms like blue-green algae and red tide.

Researchers finally figured out how to grow hops in Florida

Florida might be known as the Sunshine State, but it doesn't have enough rays to naturally produce hops -- one of the key ingredients for making craft beer.

Trade between U.S. and Latin American countries is boosting industrial real estate in South Florida

Although demand for warehouse space and rent growth come primarily from more consumers in South Florida, continual trade activity will contribute to an increase in industrial leases in 2020.

Retire in Florida? Sure. But eight states are better bets, survey says

The Sunshine State has been a retreat for snowbirds for generations and the subject of retiring to Florida has served as fodder in the popular arts.

Also around Florida:

· Boca Raton approves new Brightline express train station

· AmeriPro EMS acquires longtime Ambulance Service in Jacksonville

· 84 more hotels in the wings for Miami-Dade market

· Sea urchins to the rescue: Florida researchers launch breeding program to help revive ailing reefs

· **More News »**

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Who said that?

> **"When you're here, I think you're here to just kind of decompress, sit outside, read a book — just soak it up."**

Video Pick

Surfing at Sebastian Inlet since she was a kid, Caroline Marks of Melbourne Beach has taken the surfing world by storm. A look at her career -- so far. **Video report.**

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From: Florida Trend <news@floridatrend.com>
Sent: Tuesday, January 14, 2020 8:02 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Top Story: Florida won't vote on legalizing pot this year

Subscribe to: Florida Trend

Florida Trend Daily Pulse

Tuesday, January 14, 2020

Florida won't vote on legalizing pot this year

Despite strong support, Florida voters won't get to decide this year whether to make recreational marijuana legal. A group pushing a constitutional amendment is dropping its bid to get the proposal on this year's ballot and instead will focus on 2022.

Florida Trend Exclusive

Economic outlook: Southeast Florida - Workforce, environment, infrastructure

Florida Trend's Economic Outlook focuses on specific issues that challenge the cities and counties across the state, assessing whether progress has been made in each category.

After years of wrangling, Florida vacation rental preemption bills poised for 2020 adoption

Among the many aspects of Florida's on-going preemption battles between the Legislature and local governments is the tussle over who should regulate the state's $31 billion short-term vacation rental industry.

Gov. Ron DeSantis announces cut to Florida Prepaid prices

Families investing in the Florida Prepaid Program may get a check in the mail this week. The new price cuts will lower plan prices by $1.3 billion, helping over 200,000 customers.

USDA: Florida grapefruit crop on upswing

Larger average fruit size led the U.S. Department of Agriculture to increase Florida's projected grapefruit crop for the second straight month.

Best Companies To Work For In Florida

Is your company one of the best?
Best Companies To Work For In Florida is a survey and awards program dedicated to identifying and recognizing the area's best employers and providing organizations with valuable employee feedback. **Register Now! Registration Deadline: January 24, 2020**

'You can do it'

Growing up in Crawfordville, Florida, Carol Broxton, Pharm. D., had dreams but no direct path to them until she received a Bright Futures Scholarship funded by the Florida Lottery that paved her way to a college education.*[Sponsored]*

AMERICAN OVERSIGHT

Also around Florida:

· St. Pete-Clearwater International Airport sets record with 2.2 million passengers in 2019

· Proposed law would bring Florida up to speed on electric bicycling

· Hurricane Irma tore through Matheson Hammock Park in 2017. The park is still a mess

· PGT offers $50 million in notes to finance NewSouth deal

· **More News »**

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Who said that?

"My dog's not getting in that water."

Video Pick

The 525 ft. Vehicle Assembly Building at KSC was named a National Historic Civil Engineering Landmark by the American Society of Civil Engineers. **Video report.**

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From: Florida Trend <news@floridatrend.com>
Sent: Wednesday, December 18, 2019 8:15 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Top Story: Lawsuits could spark 'existential crisis' in Florida cities trying to survive climate change

Florida Trend Daily Pulse

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Wednesday, December 17, 2019

Lawsuits could spark 'existential crisis' in Florida cities trying to survive climate change

As local governments try to navigate the new world of sea level rise swamping their roads, one thing is clear. Whether they raise them or abandon them, someone is probably going to sue.

Orange County leaders approve $125 million road deal with Universal Orlando

In a late-night decision following hours of testimony, Orange County commissioners voted to approve a controversial plan to give $125 million to Universal Orlando to build a new road.

Florida House defends marijuana law in high-stakes case

The Florida House contends a disputed 2017 law helps prevent "diversion" of pot to the illegal recreational market, minors, and other states.

Florida lawmakers to ponder cuts, exemptions to Business Rental Tax in 2020

Florida lawmakers have slashed the state's Business Rental Tax (BRT) three consecutive years and, apparently, will seek to do so again in 2020.

Explained: What is the water crisis Southwest Florida is battling?

Water is Florida's most precious resource. It not only surrounds our state, but it also connects communities within Florida.

Amaya's story: Why she trusted Nemours Children's for personalized care

Nemours Children's Health System has one of the nation's most respected pediatric orthopedic programs and is a national leader in the non-operative management of scoliosis. *[Sponsored]*

Also around Florida:

· Aaron Zahn out as JEA CEO; Melissa Dykes takes over as interim CEO

· Visit Florida should stay alive, Senate President Galvano says

· Florida's Xendoo raises $3.5 million seed to help small businesses with accounting

· Publix shopping list: Eggs, milk, auto registration

AMERICAN OVERSIGHT

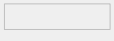
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Who said that?

> **"I hope it works. I really do. There is a lot of safe cargo in these vehicles that people don't think about."**

Video Pick



Located in downtown St. Petersburg, The Dalí Museum serves as one of the best art museums in Florida. The Dalí is the first and only museum in the Southeastern United States to be recognized internationally by the Michelin Guide with a three-star rating. **Video report.**

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From: Hodge, Chris <Chris.Hodge@myfloridahouse.gov>
Sent: Monday, February 10, 2020 10:57 AM EST
To: Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Uncondensed talking points.
Attachment(s): "HB 941 Commitee Information Request.pdf","HB 941 Summary.docx","dui-brochure.pdf","SarasotaDUICourtInfo.pdf","TBVME App Privacy Policy - JL - 6-4-2019 - CLEAN.docx"

Biggest take away:

- The Senate language could be read as a mandate
- "electronic verification is key"
- House PCS shifted to "May" instead of "Shall"
- The courts referenced need to be specific as to clarify whether the bill pertains to criminal or civil courts- it's been specified to Drug courts.

Christopher Hodge, MBA
Legislative Aide
C:(850)-375-2532

REPRESENTATIVE JAMES V. BUCHANAN
Florida House of Representatives, District 74

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DUI COURT

1751 Mound Street
Sarasota, Florida 34236.
Ph: 941-861-8120 Fax: 941-316-1637

R.L. Anderson Administration Building,
4000 South Tamiami Trail,
Venice, FL. 34293.
Ph: 941-861-3717 Fax: 941-861-3723
www.jud12.flcourts.org

David Denkin
Presiding Judge

Nicole Durston
Program Director

Mollie Cool
Assistant Program Director

Tanaya Shepperd
Professional Probation Services

Robyn LaPorta / Zjohnae Milton
Counselors - First Step of Sarasota

Assistant Public Defender
Twelfth Judicial Circuit

State Attorney's Office
Twelfth Judicial Circuit

Sarasota County Sheriff's Office

Law Enforcement

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SARASOTA COUNTY DUI COURT PROGRAM

NEVER A WRONG TIME
TO DO THE RIGHT THING

For additional information and to view the program contract please visit our website at www.jud12.flcourts.org

DUI Court Mission Statement

To reduce the number of repeat DUI offenders by providing alternative community-based treatment, thereby increasing both offender productivity and public safety.



The Sarasota DUI Court is dedicated to changing behavior, targeting offenders who are alcohol dependent currently charged with driving under the influence having one or more prior drug and/or alcohol related arrest(s). Specialized DUI Courts are a proven method to effectively address community struggles with habitual DUI offenders. It's modeled after the highly successful Drug Court concept, having a graduated sanction / reward structure and following specific *Guiding Principles*. Furthermore, it adds elements within the Court such as mandatory counseling, case management, drug and alcohol testing, and community supervision.

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The requirements of the DUI Court are as follows:

How do people find their way into DUI Court?

- Referral from First Appearance
- Pretrial screening
- Post arrest- conditional release terms
- Opportunity presented at Arraignment
- Attorney referral

DUI Court Application

Referrals can be made directly to the Judge, Public Defender's office, Probation and Program Director.

◊ *Individual Interviews / assessments*

The clinical screening and assessment are conducted by the Counselor, Case Manager and Probation. Additional screenings may be required at anytime by the court.

Upon acceptance of the offender's plea to the DUI charge the offender is placed on supervised probation for a minimum of one year. During this time, the DUI offender is required to comply with the mandatory requirements of Florida Statutes 316.193 and 322.28 and complete all phases of DUI Court.

Financial Requirements

Participants are required to provide a portion of costs towards their individualized DUI program. An initial $100.00 application/ assessment fee and $200.00 monthly program fees are required. Participants are also required to pay their mandatory minimum fines and supervision costs as ordered. Mandatory contributions from participants has therapeutic benefits, allowing participants to be empowered having a sense of ownership through their steps of sobriety and recovery.

Phase I
Orientation
Duration - up to 45 days

Phase II
Early Recovery
Duration - approximately 90 days

Phase III
Maintenance & Relapse Prevention
Duration - approximately 115 days

Phase IV
Continuance of Care &
Commencement
Duration - approximately 115 days

Alumni Support Group Network

Participants must follow all rules and regulations of treatment. Program length is a minimum of 12 months. There are four distinct phases of the DUI Court program. Each phase must be fully completed in order for participants to reach commencement.

Supervision is a crucial link between participants and the DUI Court. Random home visits are conducted in the community by local law enforcement, Probation and case management services throughout every phase of DUI Court. Participants are also monitored through other ways such as ongoing random drug and alcohol tests, electronic monitoring, comprehensive case management and medication maintenance.

Eligibility Criteria

◊ Defendant currently charged with Driving Under the Influence.

◊ Defendant has 1 or more prior alcohol and/ or drug related arrest(s).

◊ Defendant is alcohol and/or drug dependent and desires to change behavior, participate in a treatment program and participate in recovery.

◊ No serious violent criminal history.

◊ No evidence of drug dealing

◊ 18 years of age or older.

◊ Must reside in Sarasota County.

◊ Willing to...Show Up, Be Honest & Try

Staffing and Participants Progress

Each participant's progress is reported to the entire DUI Court through weekly team staffings held prior to the status conference. A review of their treatment and overall program status is discussed, along with any program violations and recommendations. All rewards and sanctions are finalized by the judge.

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District Office
5900 Pan American Blvd.
Building A: Unit 102
North Port, FL 34287

Tallahassee Office
1401 The Capitol
402 South Monroe Street
Tallahassee, FL 32399

THE FLORIDA HOUSE OF REPRESENTATIVES

Representative James Buchanan
District74

HB 941 *Substance Abuse Services* Act Children, Family, Seniors Question

Follow-Up to January 16th Staff Meeting

How often do people ordered to substance abuse treatment receive self-help group mandates?

- 59% of AA members received treatment / counseling prior to entering the program
- 397.334: "Treatment-based drug court programs may include pretrial intervention programs as provided in ss. 948.08, 948.16, and 985.345, treatment-based drug court programs authorized in chapter 39, postadjudicatory programs as provided in ss. 948.01, 948.06, and 948.20, and review of the status of compliance or noncompliance of sentenced offenders through a treatment-based drug court program. While enrolled in a treatment-based drug court program, the participant is subject to a coordinated strategy developed by a drug court team under subsection (4). The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but is not limited to, placement in a substance abuse treatment program offered by a licensed service provider as defined in s. 397.311"
- substance abuse services FL statutes link
  - http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0397/0397.html
- Alcohol.org
  - https://www.alcohol.org/laws/court-ordered/
-

If Marchman Acted (sent to licensed treatment center) is there also a self-help component?

- Submitted by person on behalf of another individual (in county where individual is located)
- Assessment (up to 5 days), stabilization and long-term treatment (up to 60 days)
- Trained medical professionals assess patient and make treatment recommendations (delivered to the court)
- No punishment for non-compliance, however petitioner can open civil case and repercussions can be put in place if patient does not comply with Marchman rules

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How successful are groups like AA?

- 2014 Member Survey
  - 27% Sober < 1 Year
  - 24% 1-5 Years
- **https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2746426/**
  - Rates of abstinence are about twice as high among those who attend AA (study)
  - Higher levels of attendance are related to higher rates of abstinence (study)
  - Prior AA attendance is predictive of subsequent abstinence (study)

Are there any mandated self-help assignments in prior statutes?

- **Proof of Attendance at Meetings**
- Some judges require written proof that offenders have attended a certain number of meetings. Often, when the court-ordered newcomer attends an A.A. meeting, the group secretary (or other group officer) is willing to sign their first name, or to initial a slip furnished by the court saying so-and-so was at the meeting on a particular date. Hopefully, all involved recognize that neither the group nor its members are "bound" in any way by the signature, nor does this courtesy signify affiliation of the A.A. group with any other program or guarantee that the attendee was present for the entire meeting; it simply illustrates cooperation. Court professionals should understand too, that attendance at A.A. meetings doesn't guarantee sobriety.
- Placing great emphasis on A.A.'s principle of Anonymity, we understand that some A.A. members are uncomfortable when asked to sign their full name or to supply other personal information indicating that they are A.A. members. This cherished Tradition of Anonymity provides protection to all A.A.s from being publicly identified as alcoholics, a safeguard especially important to the newcomer. Since each group is autonomous, and providing proof of attendance at meetings is *not* a specific part of A.A.'s program, each group and group member has the right to choose whether or not to sign court slips.
- While some groups have elected not to sign court cards, it is our experience that most groups will try to cooperate with our professional friends. In some areas, courts furnish cooperating A.A. groups with sealed, stamped envelopes addressed to the court. In general, the secretary of the group announces that anybody needing an envelope may get it after the meeting. The newcomer takes the envelope, privately writes his or her name and/or return address on it, and mails it. In other areas, each cooperating group has a sheet, furnished by the court, that the secretary announces is available for court ordered newcomers to sign after the meeting. The secretary returns the sheets in envelopes furnished by the referring agency. In this way, it is not the A.A. group, but the prospect's own signature which affirms he or she was at the meeting.
  - https://www.aa.org/pages/en_US/alcoholics-anonymous-as-a-resource-for-drug-and-alcohol-court-professionals

- So doing violates the Establishment Clause, guaranteeing that at a minimum, "government may not coerce anyone to support or participate in religion or its exercise, or otherwise act in a way which establishes a [state] religion or religious faith, or tends to

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do so." (Lee v. Weisman, 1992, U.S. Supreme Court on school prayer.) In short, while not deemed an actual religion, AA – with the steps' numerous references to "God" – is considered to contain enough religious components to make coerced attendance unconstitutional, despite the fact that attendees commonly argue that the 12 steps are "spiritual," not religious.

- https://www.rehabs.com/pro-talk-articles/you-cant-make-me-or-can-you-mandated-aa-attendance/
- https://www.drugrehab.com/treatment/court-ordered/

Who would be paying for the app? Users, groups or states?

- Users ($20 / Month for specific service in HB 941
- Provide to state
- Intent is to provide no mandate for exclusive electronic verification

Biometric concerns – data storage and usage?

1. Pear reSET https://peartherapeutics.com/
   a. Pear reSET is a medical tool for substance use disorder treatment approved by the Food and Drug Administration
   b. Privacy Policy- https://peartherapeutics.com/privacy-policy/
      1. Pear Therapeutics uses secure server software (SSL), firewalls, and end-to-end encryption to protect your PII from unauthorized access, disclosure, alteration, or destruction. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.
      2. We will retain PII for as long as necessary to provide our services, but no later than 6 years following termination of Services. We will retain and use PII as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.
2. Sobertool www.sobertool.com
   a. Sobertool was designed specifically for people in recovery from alcohol addiction.
3. Affinity eHealth www.affinityehealth.com
   a. Affinity eHealth enhances lives by improving compliance outcomes.
4. WEconnect Health Management www.weconnectrecovery.com
   a. WEconnect helps people stay connected and accountable on their recovery journey.
5. DynamiCare Health www.dynamicarehealth.com
   a. Dynamicare is an evidenced based digital platform that reinforces a person's recovery from addiction and rewards healthy behavior.

Example of End User License Agreement and Privacy Policy for Florida based business

TBV ME, CO.
TBV ME End-User License Agreement (Android)

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d. Modify, translate or adapt the Software or documentation, incorporate the Software or documentation in whole or in part in any other product or create derivative works based on all or part of the Software or documentation;
e. Copy the Software or documentation in any manner or for any purpose.
f. Install or use the Software in a network or similar configuration which permits access by more than one user or device at a time;
g. Disassemble, decrypt, extract, reverse engineer or reverse compile the Software, or otherwise attempt to discover the confidential algorithms and techniques incorporated in the Software, or disclose or use any confidential information of Licensor in any manner other than as expressly authorized in this Agreement; or
h. Share Your login with any other person (including another user or other third party).

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5. Term

This Agreement is effective until terminated. The Agreement and Your right to install and use the Software and documentation will automatically terminate without notice in the event of any failure by You to comply with any of the above restrictions or any term of this Agreement. Upon termination, You shall destroy or delete all copies of the Software in Your possession. All provisions of Sections 1, 7 and 8 of this Agreement shall survive termination.

6. Android-Enabled Software Applications:

Licensor offers software applications that are intended to be operated in connection with products made commercially available by third parties that operate using the Android operating system, which is owned by Google Inc. ("Google"). With respect to the Software that is made available for your use in connection with a Google-branded product, in addition to the other terms and conditions set forth in this Agreement, the following terms and conditions apply:

a. Licensor and you acknowledge that this Agreement is concluded between Licensor and you only, and not with Google, and that as between Licensor and Google, Licensor, not Google, is solely responsible for the Software and the content thereof.
b. The Google Play marketplace is owned and operated by Google. Your use of Google Play is governed by a legal agreement between you and Google consisting of the Google Terms of Service (found at http://www.google.com/intl/en/policies/terms/) and the Google Play Terms of Service (found at https://play.google.com/intl/en-US_us/about/play-terms.html, and together with the Google Terms of Service called the "Terms"). In addition, your use of Google Play is subject to the Google Play Business and Program Policies (found at http://play.google.com/about/android-developer-policies.html). The Google Play Market Terms of Service, Google Play Business and Program Policies, and Google Terms of Service shall take precedence in that order in the event of a conflict between them, to the extent of such conflict.
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TBV ME Application Privacy Policy

TBV ME, Co., ("**TBV**", "**We**", "**Us**") has created this privacy policy ("**Privacy Policy**") in order to set out how we collect, use, and disclose personal information through the TBV platform and our related personal contact management services and applications (collectively, together with the TBV platform, the "**Services**"). Any capitalized terms in this Privacy Policy shall have the same meaning as set out in our Terms of Service.

The privacy of our users is of great importance to us. By using the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy and you hereby consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

1 WHAT DOES THIS PRIVACY POLICY COVER?

This Privacy Policy covers our collection, use and disclosure of information about identifiable individuals ("**Personal Information**"), who use the Services ("**Users**").

2 COLLECTION AND USE OF PERSONAL INFORMATION

2.1 User Information

In order to use certain Services, Users must have a valid TBV App account to log into the Services ("**Account**").

When you register for an Account using email registration, TBV collects your name, cell phone number, email address, and location,. This Personal Information is used for the following purposes:

- Verifying the User's identity;
- Allowing Users to create a profile; and
- Contacting Users about relevant information related to the Services.

2.2 Transaction History

When Users use the Services, TBV collects information about the User's activity and transaction history. In particular, TBV keeps track of the device used to log in, the time of day, the time spent on the app, location, actions completed and IP address, and you may also be asked to provide other personal data such as age, location, gender, personal history, etc. ("Personal Information"). This Personal Information is used for the following purposes:

- To allow Users to keep track of their history;
- To store and report activities tracked by the Services;
- To support research and efficacy of the Services;

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- For TBV's accounting records;
- To enhance and customize User experience, including showing Users relevant contents; and
- To monitor compliance with our Terms of Service.

2.3 Marketing Communications

TBV will use the contact information provided to notify Users of important information that is relevant to the Services and for marketing communications if the User chooses to opt in. Despite your indicated e-mail preferences, we may send you relevant notices where permitted by law.

2.4 Usage Data

TBV may also collect certain information from Users of the Website and Services, such as Internet addresses, time spent logged into the Services and other usage data ("**Usage Data**"). This Usage Data is logged to help diagnose technical problems, and to administer our Website and Services in order to constantly improve the quality of the Website and Services.

2.5 Cookies

TBV uses tracking technologies, such as cookies, beacons, scripts and tags, are used by us and our third-party partners. These technologies are used in analyzing trends, administering the Services, tracking Users' movements around the Services, gathering demographic information about our User base as a whole and collecting information about your browsing activities over time and across different websites following your use of the Services. We may receive reports based on the use of these technologies by these companies on an individual and aggregated basis. Various browsers may offer their own management tools for removing these types of tracking technologies.

Standing alone, cookies do not identify you personally. They merely recognize your browser. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer.

TBV uses session cookies containing encrypted information to allow the system to uniquely identify you while you are logged in. This information allows TBV to process online transactions and requests. Session cookies help us make sure you are who you say you are after you've logged in and are required in order to use the Service.

TBV uses persistent cookies that only TBV can read and use, to identify the fact that you are a TBV User. We are especially careful about the security and confidentiality of the information stored in persistent cookies. Users who disable their web browser's ability to

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accept cookies will be able to browse our Website but may not be able to use all features of our Services.

3 SECURITY AND STORAGE

3.1 Storage Location

TBV stores its data, including Personal Information, on Amazon Web Services servers located in the United States. By submitting any Personal Information or using the Services, you agree to this transfer, storing or processing of your Personal Information in the United States. You acknowledge and agree that your Personal Information may be accessible to law enforcement and governmental agencies in those countries under lawful access regimes or court order.

3.2 Security

The security of your Personal Information is important to us. We use commercially reasonable efforts to store and maintain your Personal Information in a secure environment. We take technical, contractual, administrative, and physical security steps designed to protect Personal Information that you provide to us. We have implemented procedures designed to limit the dissemination of your Personal Information to only such designated staff as are reasonably necessary to carry out the stated purposes we have communicated to you. However, no Internet or email transmission is ever fully secure or error free. In particular, email sent to or from the Services may not be secure. Therefore, you should take special care in deciding what information you send to us via email. Please keep this in mind when disclosing any Personal Information to us via the Internet.

You are also responsible for helping to protect the security of your Personal Information. For instance, never give out your email account information or password for the Services to third parties.

4 DISCLOSURE OF PERSONAL INFORMATION WITH THIRD PARTIES

4.1 Disclosure to our Service Providers

We may from time to time employ or engage other companies and people to perform tasks on our behalf and need to share Personal Information with them to provide the Services. Unless we tell you differently, we only provide such third parties with the Personal Information that they need to perform their specific function. This includes third party companies and individuals employed or engaged by us to facilitate our products and services, including the provision of maintenance services, database management, customer relationship management, web analytics and general improvement of the Services, and businesses who engage our Services (to the extent provided for above). In particular, TBV uses the following service providers: Google Cloud Platform, Amazon AWS, Stripe and Google Analytics.

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4.2 Business Transfers

If we (or any of our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information may be made available or otherwise transferred to the new controlling entity, where permitted under applicable law.

4.3 With Your Consent

If we need to use or disclose any Personal Information in a way not identified in this Privacy Policy, we will notify you and/or obtain your express consent as required under applicable privacy laws.

4.4 Affiliates

We may also share your Personal Information with our subsidiaries or other affiliated companies for purposes consistent with this Privacy Policy.

4.5 As required by law

We may disclose your Personal Information to third parties without your consent if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other Users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities. Further, we may disclose Personal Information when we believe in good faith that such disclosure is required by and in accordance with the law. We also reserve the right to access, read, preserve, and disclose any information as we reasonably believe is necessary to:

- satisfy any applicable law, regulation, legal process or governmental request;
- enforce our contracts or user agreement (Terms of Service), including investigation of potential violations hereof; and
- detect, prevent, or otherwise address fraud, security or technical issues.

5 RETENTION

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable data, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy.

6 ACCESS, CORRECTION AND ACCURACY

You have the right to access the Personal Information we hold about you in order to verify the Personal Information we have collected in respect to you and to have a general account of

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our uses of that information. Upon receipt of your written request, we will provide you with a copy of your Personal Information, although in certain limited circumstances, and as permitted under law, we may not be able to make all relevant information available to you, such as where that information also pertains to another User. In such circumstances we will provide reasons for the denial to you upon request. We will endeavor to deal with all requests for access and modifications in a timely manner.

We will make every reasonable effort to keep your Personal Information accurate and up to date, and we will provide you with mechanisms to update, correct, delete or add to your Personal Information as appropriate. As appropriate, this amended Personal Information will be transmitted to those parties to which we are permitted to disclose your information. Having accurate Personal Information about you enables us to give you the best possible service.

7 CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time. Use of Personal Information we collect is subject to the Privacy Policy in effect at the time such information is collected, used or disclosed. If we make material changes or changes in the way we use Personal Information, we will notify you by posting an announcement on our Website or sending you an email prior to the change becoming effective. You are bound by any changes to the Privacy Policy when you use the Website or Services after such changes have been first posted.

8 CHILDREN

TBV does not knowingly collect Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through or use the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children never to provide Personal Information through Services without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to TBV through the Services, please contact us, and we will endeavor to delete that information from our databases.

9 LINKS TO OTHER WEBSITES AND SERVICES

This Privacy Policy applies only to the Services. The Services may contain links to other web sites or services not operated or controlled by TBV (the "Third Party Services"). The policies and procedures we described here do not apply to the Third Party Services. The links from the Services do not imply that we endorse or have reviewed the Third Party Services. We suggest contacting those third parties directly for information on their privacy policies.

10 EXCLUSIONS

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11 ADDITIONAL INFORMATION

You can help by keeping us informed of any changes such as a change of address or telephone number. If you would like to access your Personal Information, if you have any questions, comments or suggestions about our Privacy Policy or practice, or if you find any errors in our Personal Information about you, please contact us at: support@tbvme.com

Last Updated: June 4, 2019

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Thank You Chair Ponder,

This bill allows for the option for Drug Courts to use electronic verification methods to ensure attendance at court ordered attendance to pre-trial treatment based programs.

There is an Amendment on the Bill-
The amendment is a product of working closely with staff to clarify the language from the Senate version. It changes the Thank You Mr. Chair and Thank You Staff for working with us on this good bill.

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“Shall” to “may” and provides for he focus on drug court programs.

Thank You Mr. Chair and Thank You Staff for working with us on this good bill.

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DUI Court

Sarasota **DUI Court** Program

The mission of DUI Court is to reduce the number of repeat DUI offenders by providing alternative community-based treatment, thereby increasing both offender productivity and public safety.

Target Population, Model & Structure

The Sarasota County DUI Court began June of 2008 within the 12th Judicial Circuit. This specialized court is very unique, there being only four other such courts in the state of Florida. The Sarasota DUI Court has received full support from the Sarasota County Board of County Commissioners and the Criminal Justice Commission. The program was started with the support of grant funds petitioned and awarded through the Highway Traffic Safety Administration of the Florida Department of Transportation.

The Sarasota DUI Court is dedicated to changing behavior by targeting offenders who are alcohol/drug dependent and are currently charged with a DUI and have 1 or more prior arrest(s) for alcohol and/or drug related offenses.

It has been noted that Florida is the third highest - ranking state in the country in alcohol related traffic fatalities. This specialty court has been designed to address this problem. Specialized DUI Courts are modeled after the highly successful Drug Court concept, having a graduated sanction/reward structure and following specific guiding principles. Furthermore, it adds elements within the court such as immediate accountability, mandatory counseling, case management, drug and alcohol testing, and community supervision. Statistics from operational DUI Courts show that recidivism decreases substantially after completion.

Upon acceptance of the offender's plea to the pending DUI charge the offender is placed on supervised probation for a period of at least one year. During this time, the DUI offender is required to comply with the mandatory statutory requirements of Florida Statutes 316.193 and 322.28 andcomplete all phases of DUI Court.

Staffing and Participants Progress

Each participant's progress is reported to the DUI Court through weekly team staffings held prior to court with the participants. Detailed status reports are prepared and copied for the Judge and all team members to review as a part of the staffing process. A review of their treatment and overall program status is discussed, along with any program violations and recommendations. The judge makes the final decision on all rewards and sanctioning.

Financial Requirements

Participants are required to provide a portion of costs towards their individualized DUI program. An initial $100.00 administrative fee and $200.00 monthly program fees are required. Mandatory financial contribution from participants has therapeutic benefits, allowing participants to be empowered having a sense of ownership through their steps of sobriety and recovery. Participants are also required to pay their mandatory minimum fines and supervision costs as ordered. In appropriate cases, participants deemed qualified by the judge may work off all or part of their fines and court costs by doing community service work. *Section 938.30, Florida Statutes (2016).*

Eligibility Requirements for **DUI Court**

- ✔ Defendant currently charged with Driving Under the Influence.
- ✔ Defendant has 1 or more prior arrest(s) for alcohol and/or drug related offenses.

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- ✓ Defendant is alcohol dependent and desires to change behavior having a willingness to complete a treatment program and participate in recovery.
- ✓ No serious violent criminal history.
- ✓ No evidence of drug dealing.
- ✓ 18 years of age or older.
- ✓ Must reside in the 12th Judicial Circuit.
- ✓ Defendant acknowledges they will be able to attend all required court appearances, treatment sessions and support meetings.
- ✓ Defendant willing to... Show Up, Be Honest & Try

PHASE I: Orientation, Duration - (Approx. 45 days)

- ✓ Mandatory jail time.
- ✓ Weekly court appearances.
- ✓ Clinical assessment
- ✓ Mental Health assessment
- ✓ Attend weekly scheduled case management meetings.
- ✓ Probation orientation and assessment
- ✓ Minimum of one home visit by probation, case manager or law enforcement.
- ✓ Submit to a minimum of three random alcohol/drug screens per week.
- ✓ Attend a minimum of three support/sober network meetings per week.
- ✓ Attend a minimum of three "in house" group meetings per week.
- ✓ Weekly individual counseling sessions.
- ✓ Comply with any additional requirements recommended by the treatment provider

To advance to Phase II:
Completed jail time, completed all assessments, minimum 14 consecutive days clean and sober, pay no less than $100 assessment fee, signed Phase II contract.

PHASE II: Early Recovery, Duration - (Approx. 90 days)

- ✓ Follow all rules and regulations of treatment.
- ✓ Weekly court appearances
- ✓ Attend weekly scheduled case management meetings.
- ✓ Attend scheduled monthly meetings with Probation Officer.
- ✓ Attend a minimum of three support/sober network meetings per week.
- ✓ Attend scheduled meetings with counselor as recommended.
- ✓ Submit to a minimum of three random alcohol/drug screens per week.
- ✓ Attend a minimum of two "in house" group meetings per week
- ✓ Enroll in DUI School and Victim Impact Panel.
- ✓ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by judge
- ✓ Minimum of one home visit by probation, case manager or law enforcement.
- ✓ Pay DUI Court Program fees.
- ✓ Obtain verified sponsor.

To advance to Phase III:
Completed all phase requirements; current on program fees, enroll in DUI School and Victim Impact Panel, minimum of 30 consecutive days clean and sober, signed Phase III contract.

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PHASE III - Maintenance & Relapse Prevention, Duration - (Approx. 115 days)

- ✔ Follow all rules and regulations of treatment.
- ✔ Bi-weekly court appearances
- ✔ Attend scheduled monthly meetings with Probation Officer.
- ✔ Attend scheduled case management meetings as recommended.
- ✔ Minimum of one home visit by probation, case management or law enforcement.
- ✔ Attend scheduled meetings with counselor as recommended.
- ✔ Attend a minimum of three support/sober network meetings per week.
- ✔ Attend a minimum of two "in house" group meetings per week.
- ✔ Submit to a minimum of three random alcohol/drug screens per week.
- ✔ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by the judge.
- ✔ Pay DUI Court program fees
- ✔ Begin and attend financial counseling as determined by the court.

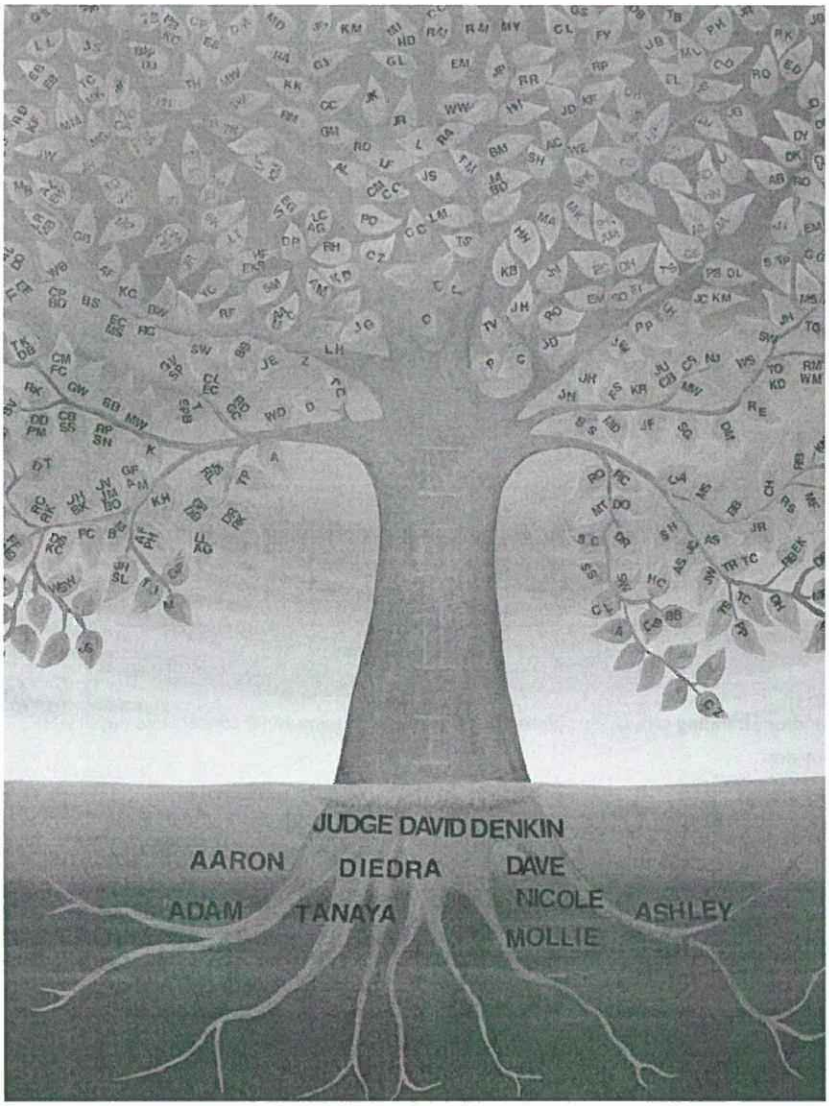
To advance to Phase IV:
Completed all phase requirements, must be employed and/or attending school, completed DUI School/VIP, minimum 90 consecutive days clean and sober, current on program fees, signed Phase IV contract.

PHASE IV - Continuance of Care & Commencement, Duration - (Approx. 115 days)

- ✔ Follow all rules and regulations of treatment.
- ✔ Monthly court appearances.
- ✔ Attend scheduled monthly meetings with Probation Officer.
- ✔ Attend case management meetings as recommended.
- ✔ Minimum of one home visit by probation, case management or law enforcement.
- ✔ Attend scheduled meetings with counselor as recommended.
- ✔ Submit to a minimum of three random alcohol/drug screens per week.
- ✔ Attend a minimum of three support/sober network meetings per week.
- ✔ Attend a minimum of two "in house" group meetings per week
- ✔ Maintain employment, vocational training or educational opportunities / Complete community service work as imposed by the judge.
- ✔ Pay DUI Court program fees, court costs and fines.
- ✔ Develop Relapse prevention plan
- ✔ Continue to address medical and mental health issues.
- ✔ Complete program exit interview
- ✔ DUI Court Commencement

DUI Court Graduation Tree

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Policy & Procedure

Brochure

Related Links

- Sarasota DUI Court Admission Application
- Sarasota DUI Court Adopt a Road

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- ✔ Sarasota DUI Court Agreement
- ✔ Drug Court Program
- ✔ Veterans Treatment Court

Information Links

- Accessibility Information
- Career Opportunities
- Contact information
- Frequently Asked Questions
- Subscription Service
- courtweb@jud12.flcourts.org

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About the Courts

The courts are an independent branch of government constitutionally entrusted with the fair and just resolution of disputes to protect the rights and liberties guaranteed by the Constitution and laws of the United States and the State of Florida.

Read More About the Court ...

Courthouse Locations

DESOTO COUNTY
- DeSoto County Courthouse

MANATEE COUNTY
- Manatee County Judicial Center

SARASOTA COUNTY
- Judge Lynn N. Silvertooth Judicial Center (Main Courthouse)
- R. L. Anderson Administration Building (Venice/South County)
- Sarasota County Justice Center

Follow Us

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TBV ME Application Privacy Policy

TBV ME, Co., ("**TBV**", "**We**", "**Us**") has created this privacy policy ("**Privacy Policy**") in order to set out how we collect, use, and disclose personal information through the TBV platform and our related personal contact management services and applications (collectively, together with the TBV platform, the "**Services**"). Any capitalized terms in this Privacy Policy shall have the same meaning as set out in our Terms of Service.

The privacy of our users is of great importance to us. By using the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy and you hereby consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

1 WHAT DOES THIS PRIVACY POLICY COVER?

This Privacy Policy covers our collection, use and disclosure of information about identifiable individuals ("**Personal Information**"), who use the Services ("**Users**").

2 COLLECTION AND USE OF PERSONAL INFORMATION

2.1 User Information

In order to use certain Services, Users must have a valid TBV App account to log into the Services ("**Account**").

When you register for an Account using email registration, TBV collects your name, cell phone number, email address, and location,. This Personal Information is used for the following purposes:

- Verifying the User's identity;
- Allowing Users to create a profile; and
- Contacting Users about relevant information related to the Services.

2.2 Transaction History

When Users use the Services, TBV collects information about the User's activity and transaction history. In particular, TBV keeps track of the device used to log in, the time of day, the time spent on the app, location, actions completed and IP address, and you may also be asked to provide other personal data such as age, location, gender, personal history, etc. ("Personal Information"). This Personal Information is used for the following purposes:

- To allow Users to keep track of their history;
- To store and report activities tracked by the Services;
- To support research and efficacy of the Services;
- For TBV's accounting records;
- To enhance and customize User experience, including showing Users relevant contents; and
- To monitor compliance with our Terms of Service.

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2.3 Marketing Communications

TBV will use the contact information provided to notify Users of important information that is relevant to the Services and for marketing communications if the User chooses to opt in. Despite your indicated e-mail preferences, we may send you relevant notices where permitted by law.

2.4 Usage Data

TBV may also collect certain information from Users of the Website and Services, such as Internet addresses, time spent logged into the Services and other usage data ("**Usage Data**"). This Usage Data is logged to help diagnose technical problems, and to administer our Website and Services in order to constantly improve the quality of the Website and Services.

2.5 Cookies

TBV uses tracking technologies, such as cookies, beacons, scripts and tags, are used by us and our third-party partners. These technologies are used in analyzing trends, administering the Services, tracking Users' movements around the Services, gathering demographic information about our User base as a whole and collecting information about your browsing activities over time and across different websites following your use of the Services. We may receive reports based on the use of these technologies by these companies on an individual and aggregated basis. Various browsers may offer their own management tools for removing these types of tracking technologies.

Standing alone, cookies do not identify you personally. They merely recognize your browser. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer.

TBV uses session cookies containing encrypted information to allow the system to uniquely identify you while you are logged in. This information allows TBV to process online transactions and requests. Session cookies help us make sure you are who you say you are after you've logged in and are required in order to use the Service.

TBV uses persistent cookies that only TBV can read and use, to identify the fact that you are a TBV User. We are especially careful about the security and confidentiality of the information stored in persistent cookies. Users who disable their web browser's ability to accept cookies will be able to browse our Website but may not be able to use all features of our Services.

3 SECURITY AND STORAGE

3.1 Storage Location

TBV stores its data, including Personal Information, on Amazon Web Services servers located in the United States. By submitting any Personal Information or using the Services, you agree to this transfer, storing or processing of your Personal Information in the United States. You acknowledge and agree that your Personal Information may be accessible to law enforcement and governmental agencies in those countries under lawful access regimes or court order.

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3.2 Security

The security of your Personal Information is important to us. We use commercially reasonable efforts to store and maintain your Personal Information in a secure environment. We take technical, contractual, administrative, and physical security steps designed to protect Personal Information that you provide to us. We have implemented procedures designed to limit the dissemination of your Personal Information to only such designated staff as are reasonably necessary to carry out the stated purposes we have communicated to you. However, no Internet or email transmission is ever fully secure or error free. In particular, email sent to or from the Services may not be secure. Therefore, you should take special care in deciding what information you send to us via email. Please keep this in mind when disclosing any Personal Information to us via the Internet.

You are also responsible for helping to protect the security of your Personal Information. For instance, never give out your email account information or password for the Services to third parties.

4 DISCLOSURE OF PERSONAL INFORMATION WITH THIRD PARTIES

4.1 Disclosure to our Service Providers

We may from time to time employ or engage other companies and people to perform tasks on our behalf and need to share Personal Information with them to provide the Services. Unless we tell you differently, we only provide such third parties with the Personal Information that they need to perform their specific function. This includes third party companies and individuals employed or engaged by us to facilitate our products and services, including the provision of maintenance services, database management, customer relationship management, web analytics and general improvement of the Services, and businesses who engage our Services (to the extent provided for above). In particular, TBV uses the following service providers: Google Cloud Platform, Amazon AWS, Stripe and Google Analytics.

4.2 Business Transfers

If we (or any of our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information may be made available or otherwise transferred to the new controlling entity, where permitted under applicable law.

4.3 With Your Consent

If we need to use or disclose any Personal Information in a way not identified in this Privacy Policy, we will notify you and/or obtain your express consent as required under applicable privacy laws.

4.4 Affiliates

We may also share your Personal Information with our subsidiaries or other affiliated companies for purposes consistent with this Privacy Policy.

4.5 As required by law

We may disclose your Personal Information to third parties without your consent if we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against

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someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other Users, or anyone else (including the rights or property of anyone else) that could be harmed by such activities. Further, we may disclose Personal Information when we believe in good faith that such disclosure is required by and in accordance with the law. We also reserve the right to access, read, preserve, and disclose any information as we reasonably believe is necessary to:

- satisfy any applicable law, regulation, legal process or governmental request;
- enforce our contracts or user agreement (Terms of Service), including investigation of potential violations hereof; and
- detect, prevent, or otherwise address fraud, security or technical issues.

5 RETENTION

We will keep your Personal Information for as long as it remains necessary for the identified purpose or as required by law, which may extend beyond the termination of our relationship with you. We may retain certain data as necessary to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of aggregated, non-personally-identifiable data, account recovery, or if required by law. All retained Personal Information will remain subject to the terms of this Privacy Policy.

6 ACCESS, CORRECTION AND ACCURACY

You have the right to access the Personal Information we hold about you in order to verify the Personal Information we have collected in respect to you and to have a general account of our uses of that information. Upon receipt of your written request, we will provide you with a copy of your Personal Information, although in certain limited circumstances, and as permitted under law, we may not be able to make all relevant information available to you, such as where that information also pertains to another User. In such circumstances we will provide reasons for the denial to you upon request. We will endeavor to deal with all requests for access and modifications in a timely manner.

We will make every reasonable effort to keep your Personal Information accurate and up to date, and we will provide you with mechanisms to update, correct, delete or add to your Personal Information as appropriate. As appropriate, this amended Personal Information will be transmitted to those parties to which we are permitted to disclose your information. Having accurate Personal Information about you enables us to give you the best possible service.

7 CHANGES TO THIS PRIVACY POLICY

We may amend this Privacy Policy from time to time. Use of Personal Information we collect is subject to the Privacy Policy in effect at the time such information is collected, used or disclosed. If we make material changes or changes in the way we use Personal Information, we will notify you by posting an announcement on our Website or sending you an email prior to the change becoming effective. You are bound by any changes to the Privacy Policy when you use the Website or Services after such changes have been first posted.

8 CHILDREN

TBV does not knowingly collect Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through or use the Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce

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our Privacy Policy by instructing their children never to provide Personal Information through Services without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to TBV through the Services, please contact us, and we will endeavor to delete that information from our databases.

9 LINKS TO OTHER WEBSITES AND SERVICES

This Privacy Policy applies only to the Services. The Services may contain links to other web sites or services not operated or controlled by TBV (the "Third Party Services"). The policies and procedures we described here do not apply to the Third Party Services. The links from the Services do not imply that we endorse or have reviewed the Third Party Services. We suggest contacting those third parties directly for information on their privacy policies.

10 EXCLUSIONS

This Privacy Policy does not apply to any Personal Information collected by TBV other than Personal Information collected through the Services. This Privacy Policy shall not apply to any unsolicited information you provide to TBV through the Services or through any other means. This includes, but is not limited to, information posted to any public areas of the Services, such as forums, any ideas for new products or modifications to existing products, and other unsolicited submissions (collectively, "Unsolicited Information"). All Unsolicited Information shall be deemed to be non-confidential and TBV shall be free to reproduce, use, disclose, and distribute such Unsolicited Information to others without limitation or attribution.

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Last Updated: June 4, 2019

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From: Tracey Lowe <tlowe@flfoundation.org>
Sent: Thursday, January 09, 2020 4:47 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: Uniting Business for Good in 2020 Will Keep Momentum Going

2020 FLORIDA ECONOMIC OUTLOOK

UNITING BUSINESS FOR GOOD IN 2020 WILL KEEP THE MOMENTUM GOING

Florida Expected to Continue Outpacing the Nation in Job Creation

Uniting business for good in 2020 will keep the momentum going, and help ensure Florida continues to outpace the nation in job creation, according to the Florida Chamber Foundation's 2020 Florida Economic Outlook.

Florida's economic outlook is positive, according to Chamber Foundation Chief Economist **Dr. Jerry Parrish**, and with rising consumer sentiment, he expects Florida to create 200,000 jobs this year. Dr. Parrish also projects Florida will see 900 net new people moving to Florida each day throughout 2020 – a number that had dropped to 640 net new residents per day in 2019.

In further good news, Florida's probability for a recession continues to decline – down to 21.2 percent on **TheFloridaScorecard.org**.

"Florida has 284,800 open jobs, and 323,000 people looking for jobs. Those 284,800 open jobs are more than a year's supply. As we work to continue to get Floridians the skills they need, keep in mind that getting those jobs filled would have a monster economic impact on our state," Parrish explained.

But, as Florida Chamber President and CEO **Mark Wilson** explained, there are a few clouds on the horizon that pose threats to Florida's economy, including $15 an hour mandated wages, lawsuit abuse, the Florida-only business rent tax, and legislative signaling to defund tourism marketing efforts.

The Florida Chamber is the only state chamber in the country with a full-time economist, and the research and data produced is well-respected among state leaders.

What Others are Saying

"Understanding the underpinnings of Florida's economy is vital to projecting a state's future success. That's why we look forward to the economic data produced by the Florida Chamber; it's a vital resource in our decision-making process,' said **Rick Harper**, Ph.D., Economic Advisory, **Triumph Gulf Coast**.

"The Florida Chamber is the only state chamber in the country that has a full-time Chief Economist on staff. That's because they put high value on providing members with the best economic resources to help grow Florida's economy. At Bank of America, we're pleased to call the Florida Chamber partners in securing Florida's future," said **Doug Davidson**, Market Executive, Global Commercial Banking, **Bank of America.**

"The Florida Chamber and Chief Economist Dr. Jerry Parrish are hands down among the very best at forecasting how Florida's economy will perform. When the Florida Chamber speaks, people listen," said **Chris Westley**, Ph.D., Interim Dean – Lutgert School of Business, **Florida Gulf Coast University**.

Miss the Presentation?

Don't worry, we've got you covered. Visit **2020 Florida Economic Outlook** to:

- Watch Dr. Parrish's presentation,
- Download his report, and
- Sign up to receive the Florida Chamber's 2020 Business Agenda.

News Headlines

Florida Chamber forecasts strong Sunshine State economy in 2020 – Florida Politics

Florida Chamber's economist predicts more jobs, population – Associated Press

Florida's job growth outpaces national average again, economic outlook shows – Florida Today, Tallahassee Democrat

Florida Chamber economist sees migration rising, recession risks dropping – Sarasota Herald Tribune

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From: NCSL Webinars <events@ncsl.org>
Sent: Monday, January 13, 2020 1:36 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Upcoming January Webinars

NCSL

Upcoming January Webinars

Start your new year brushing up on your skills and delving into our resources with three new webinars: Tips for Effective Testimony, 2019 Trends in Occupational Licensing and Student-Centered Learning: A Review of the Research. Reserve your spot today!

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Tips for Effective Testimony

Thursday, Jan. 16, 2020 | 1 p.m. ET/ Noon CT/ 11 a.m. MT/ 10 a.m. PT

Presenting information to legislators is one of the most important tasks legislative staff perform. The information staff present can help shape policy discussions, and influence the decisions of lawmakers. Testifying before a committee, or presenting to a group of legislators can be stressful and challenging for legislative staff. As states prepare for their 2020 legislative sessions, Jonathan Ball shares some guidance and advice for conveying information to legislators.

Speaker | Jonathan Ball is Utah's Legislative Fiscal Analyst, leading a team of non-partisan public finance experts who forecast state revenue, recommend budgets, and estimate the cost of proposed legislation.

Ball has been in public service for over twenty years, serving both the executive and legislative branches of government. Ball has served on NCSL's Executive Committee and been president of the National Association of Legislative Fiscal Offices (NALFO) and the Western States Legislative Fiscal Officers Association (WSLFOA). In 2016, NCSL awarded Ball the Steven D. Gold Award for his commitment to improving the legislative institution and state budgeting practices around the country.

Register Here

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2019 Trends in Occupational Licensing

Friday, Jan. 17, 2020 | 1 p.m. ET/ Noon CT/ 11 a.m. MT/ 10 a.m. PT

This webinar will include an overview of 2019 trends in occupational licensing legislation, and a brief overview of NCSL's own research on the topic, as well as a demonstration on how to use our National Occupational Licensing Database.

We will be looking at trends in our four key populations: ex-offenders, immigrants with work authorization, military families, and dislocated workers. We will also be recapping general trends in the supervision of boards and regulations.

Register Here

Student-Centered Learning: A Review of the Research

Friday, Jan. 24, 2020 | 2 p.m. ET/ 1 p.m. CT/ Noon MT/ 11 a.m. PT

The future of learning and innovative policy options that enable student-centered learning to thrive were at the center of a national dialogue among state legislators participating in the NCSL Student-Centered Learning Commission, a bipartisan group of state legislators and legislative staff that studied personalized and student-centered learning environments and policy options from 2017 to 2019. The commission learned about policy

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options including competency-based learning and mastery-based progressions, personalized learning, and expanded learning opportunities, along with new approaches to classroom and school building design and staffing.

During this one-hour webinar, legislators and legislative staff will hear from Eve Goldberg, Director of Research for the Nellie Mae Education Foundation, about the body of research that supports student-centered learning. What are lessons learned, to date, about school environments that enable student-centered learning? How might the research inform state policy going forward?

This webinar is the sixth in a series sponsored by the NCSL Student-Centered Learning Commission, with generous support from the Nellie Mae Education Foundation. Other webinars include An Overview of K-12 Competency-Based Education, ESSA and Personalized Learning, Performance-based Assessments for Teaching and Learning, Support for Teachers and Leaders in Student-Centered Learning Environments, and Student-Centered Learning for All Learners, all available for viewing at any time.

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Denver: 303-364-7700
Washington: 202-624-5400

Register Here

Note about registering for webinars:

We have recently updated our website and starting Nov. 1, 2019 you will need to reactivate your account to proceed with registration. Simply click the "Create Account" button at the top right and follow instructions. Need help? Options for assistance are available on the page.

Unsubscribe from these messages.

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From: NCSL Webinars <events@ncsl.org>
Sent: Tuesday, January 07, 2020 6:06 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Upcoming January Webinars

NCSL

Upcoming January Webinars

Start your new year brushing up on your skills and delving into our resources with two new webinars: Tips for Effective Testimony and 2019 Trends in Occupational Licensing. Reserve your spot today!

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Register Here

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From: NCSL Webinars <events@ncsl.org>
Sent: Tuesday, December 03, 2019 3:36 PM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Upcoming Webinar | Dealing With Difficulty: Converting Stakeholders and Colleagues into Allies and

NCSL

Webinar This Week

Dealing With Difficulty:
Converting Stakeholders and Colleagues into Allies and Partners

Thursday, Dec. 5, 2019 2 p.m. ET/ 1 p.m. CT/ Noon MT/ 11 a.m. PT

Our work inside legislatures invariably brings conflict—whether it be within our own offices, with other legislators or agencies, or with and among external stakeholders.

Even if the conflict itself is inevitable, our approach to mitigating, managing, and resolving it need not consume so much time and energy. **In this fast-paced and interactive webinar,** Larry Schooler will use his background and expertise in mediation and conflict management to guide you through a new approach to conflict resolution, both for your internal team and with competing public interests. You will learn how best to analyze conflict and how to tailor your approach, as well as how to create conditions for less conflict or conflict with less severity.

Larry Schooler is a mediator, facilitator and public engagement consultant for outside clients through Public Participation Partners and as a senior fellow for the National Civic League and the Annette Strauss Institute for Civic Life at the University of Texas. Schooler holds a bachelor's degree in history, a master's degree in conflict analysis and resolution and is pursuing a doctorate in the same field. He is the author of the manual "The 'Public' in Public Policy: Keys to a Successful Community Meeting" and a forthcoming book on the first Truth and Reconciliation Commission in the United States.

Note about registering for this webinar:
We have recently updated our website and starting Nov. 1, 2019 you will need to reactivate your account to proceed with registration. Simply click the "Create Account" button at the top right and follow instructions. Need help? Options for assistance are available on the page.

Register Here

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Denver: 303-364-7700
Washington: 202-624-5400

AMERICAN OVERSIGHT

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7700 East First Place, Denver, CO 80230

AMERICAN OVERSIGHT

From: NCSL Webinars <events@ncsl.org>
Sent: Monday, January 27, 2020 11:36 AM EST
To: Kerr, GeeDee <Kerr.GeeDee@flsenate.gov>
Subject: Upcoming Webinars

NCSL

Upcoming Webinars

Dive into our resources with three new webinars: Paid Family and Medical Leave Policies in the States, Countdown to Real ID: Next Steps for States? and Environmental Concerns in Child Care Settings. Reserve your spot today!

Paid Family and Medical Leave Policies in the States

Thursday, Feb. 6, 2020 | 2 p.m. ET/ 1 p.m. CT/ Noon MT/ 11 a.m. PT

Research has found that caring and nurturing relationships between infants and adults support healthy development long into the future. While polls show overwhelming bipartisan support for paid family and medical leave, the United States is the only developed country without a national paid leave policy. Some states are responding to the need for parents to bond with their babies by implementing their own policies. Register for this 60-minute webinar to learn what actions states are taking to realize the health, educational and financial benefits of paid family and medical leave.

Speakers | Jackson Brainerd, policy specialist, NCSL and Jamie Colvard, director of state policy, Zero to Three
Moderators | Alison May and Jennifer Palmer, policy associates, NCSL

Register Here

Countdown to Real ID: Next Steps for States?

Thursday, Feb. 13, 2020 | 2 p.m. ET/ 1 p.m. CT/ Noon MT/ 11 a.m. PT

The Department of Homeland Security will begin full enforcement of Real ID at commercial airports in less than 10 months. This will require all members of the public to have their own Real ID to pass through security. Join NCSL and the DHS for an in-depth discussion on what's next for the department and what states should know as they head into the new year and new legislative session.

Speaker | Steve Yonkers, Department of Homeland Security
Moderator | Ben Husch, NCSL

Register Here

AMERICAN OVERSIGHT

Environmental Concerns in Child Care Settings

Friday, March 20, 2020 | 2 p.m. ET/ 1 p.m. CT/ Noon MT/ 11 a.m. PT

For young children in the United States, almost half (40%) spend their days in licensed child care facilities. States have enacted laws and policies to limit environmental hazards and promote better health and safety in child care settings. In 13 states, facilities are required to perform environmental tests for issues such as lead-based paint, lead in water, asbestos and radon. More than 40 states require fire, health or building code inspections.

Speakers:

- **Jennifer A. Freed**, technical project officer, Agency for Toxic Substances and Disease Registry (ATSDR). ATSDR, based in Atlanta, is a federal public health agency of the U.S. Department of Health and Human Services. ATSDR protects communities from harmful health effects related to exposure to natural and man-made hazardous substances.
- **Tarah Somers**, registered nurse, MSN/MPH, director region 1, Agency for Toxic Substances and Disease Registry (ATSDR)

Moderator: Doug Farquhar, director of environmental health, NCSL

Register Here

Note about registering for webinars:

We have recently updated our website and starting Nov. 1, 2019 you will need to reactivate your account to proceed with registration. Simply click the "Create Account" button at the top left and follow instructions. Need help? Options for assistance are available on the page.

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Unsubscribe from these messages.

7700 East First Place, Denver, CO 80230

From: Colleen Thayer <colleen@namisarasotacounty.org>
Sent: Monday, February 03, 2020 5:50 PM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>; Brill, Victoria <Brill.Victoria@flsenate.gov>
Subject: Update

Hi there - just wanted to reach out and see if there was any thought on conference for the HOPE appropriation we are supporting?! I know it made it through a committee in House but not their main budget which was expected - at least by me :-)

Anyway - if we can provide any information to you - or do anything on this end (wish I was there more but won't be up until week of 24th) just let me know. I am happy to reach out to some folks I have contact with if Sen. Gruters is going to pursue it!

Much appreciated!

Colleen

Colleen Thayer, MA, APR, CPRC
Executive Director
NAMI Sarasota County
Serving Sarasota and Manatee Counties
941-376-9361

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AMERICAN OVERSIGHT

From: FLIMEN Alert <Alert@FLIMEN.org>
Sent: Monday, January 27, 2020 11:40 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: Urgent - Florida Senators Should Endorse Racial Equality, Not SPLC Hate Labels!

Floridians for Immigration Enforcement

www.flimen.org

Florida Senators Should Endorse Racial Equality, Not SPLC Hate Labels!

Republican leadership, Senate President Galvano and resolutuion sponsor Senator Simpson, are rushing a dangerous resolution through the Senate. Masses of calls and emails are needed before 4PM, Tuesday, January 28th, 2020.

It won't take but 10 minutes to call President Galvano, Senator Simpson and five Judiciary Committee members.
Just leave messages with your name and a statement
"I oppose the racist White Nationalist resolution CS/SR 214 because (one talking point)."
It is easy to send emails messages as the message is pre-loaded with subject and body, just add your name.

While resolutions do not carry the same importance as legislation, CS/SR 214, a resolution denouncing 'White Nationalists' is naïve, inaccurate, misguided, dangerous, without merit and divisive. FLIMEN requests every concerned citizen take action against this resolution which is substantially based on information from the highly discredited and extremely polarizing Southern Poverty Law Center (SPLC). See SPLC Exposed.

While Floridians for Immigration Enforcement (FLIMEN) *agrees* with substantial parts of the resolution FLIMEN suggests one of the following changes;

1. A total revision focusing on The American Principle of Racial Equality, as proposed in this letter.
2. Striking of the ambiguous, dangerous, liberal, weaponized terms 'white nationalists, white supremacists,' or better yet.
3. Table the divisive resolution and move onto legislation that has real benefits to Floridians.

FLIMEN has virtually no media coverage so it is mainly up to concerned citizens who receive this message to take action. Please make the calls below and FORWARD THIS MESSAGE TO YOUR LISTS, especially groups.

Talking Points;

- Racist – This resolution is flat-out racist. Only the white race was targeted. What about determining wrong doings based upon American Rule of Law and not immutable characteristics?
- Racial Equality The resolution should affirm support for the American Principle of Racial Equality.
- Inaccurate – Rather than some empirical data proving white violence, the biased and incompetent Bill Analysis is basically a rendition of SPLC's infamous hate labels.
- Liberal Narrative Weaponization - The Alinsky-style name-calling used by liberals will cause many innocent citizens to be swept up by *the wide, wide net of 'white nationalists*'

Call to Senate President

- Senate President Bill Galvano (R), Email, (850) 487-5021

Call to Resolution Sponsor

- Senator Wilton Simpson (R), Email, (850) 487-5010

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Calls to Judiciary

- Senator David Simmons (R) Chair, Email, (850) 487-5009
- Senator Dennis Baxley (R), Email, (850) 487-5012
- Senator Travis Hutson (R), Email, (850) 487-5007
- Senator Kelli Stargel (R), Email, (850) 487-5022

Optional calls to Infrastruture and Security committee that passed the resolution favorably

- Senator Tom Lee (R) Chair, Email, (850) 487-5020
- Senator Keith Perry (R), Vice Chair, Email, (850) 487-5008
- Senator Aaron Bean (R), Email, (850) 487-5004
- Senator Ed Hooper (R), Email, (850) 487-5016
- Senator Travis Hutson (R), Email, 850) 487-5007

Attend Judiciary Meeting

MEETING DATE: Tuesday, January 28, 2020
TIME: 4:00—6:00 p.m.
PLACE: Toni Jennings Committee Room, 110 Senate Building, Tallahassee, FL
EXPANDED AGENDA
Watch Judiciary Meeting Live

Racist

Can you find any other race targeted in the SPLC-centric Bill Analysis?

Racial Equality

Adopting the American principle of Racial Equality provides an opportunity to redirect the narrative and would provide a more universally acceptable goal.

FLIMEN has provided a draft resolution based on the American Principle of Racial Equality in this letter.

Inaccurate

The Bill Analysis states;

> "Florida has been the site of several mass shootings that include Pulse Nightclub in Orlando, Marjory Stoneman Douglas High School in Parkland, Fort Lauderdale-Hollywood International Airport, Jacksonville Landing, as well as a SunTrust Bank in Sebring.1 Many of these acts of targeted mass violence appear to have been motivated by violent extremism based on a variety of supremacy philosophies."

The very next paragraph is about 'white nationalists.' It is inaccurate and simplistic to equate these atrocities exclusively to 'white nationalists.'

The left never fails to sensationalize tragedies like these, even if there is no connection to 'White Nationalism and White Supremacy' if it benefits their narrative.

Liberal Narrative Weaponization

The major problem with the term 'White Nationalist' is that it is the Democrats' way of redefining terminology to smear Republicans or anyone who opposes their views, often those who support immigration enforcement. FLIMEN has been the target of liberal Democrat smear campaigns for a long time, so we are a bit of an expert in this area.

SPLC is the main driver of much of the ongoing "Hate" and "Racist" rhetoric. SPLC is an antagonistic opponent to most every value for which Republicans stand, especially immigration enforcement. As an example, the SPLC instigated the boycott of Mark Krikorian of Center for Immigration Studies during a committee meeting last year. SPLC, was one of the parties involved in the federal lawsuit against the Anti-Sanctuary bill SB 168. Judge Bloom upheld all but a minor aspect of the bill. Yet Senate Republicans made SPLC central to this resolution!

AMERICAN OVERSIGHT

SPLC calls any organization that supports immigration enforcement a “Hate Group, Racist, White Supremist, or Neo Nazi.” Their definition of ‘White Nationalist’ is wrong and ridiculously broad per their web page.

The wide, wide net caused by the ambiguous definition of ‘white nationalist’ will certainly be used against Republican by Democrats in the next critical 2020 election and thereafter.

Remember, Democrats have already changed the national narrative by overusing the word ‘racist’ as well as using the term 'undocumented immigrant' in place of the actual legal term of “illegal alien!” Democrats are now falsely claiming that anyone using the term “illegal alien” should be accused of hate speech. With the current language in the proposed revision, Democrats will achieve equating people who support the rule of law and immigration enforcement in any form to be 'White Nationalists or White Supremacists'.

We simply must not continue to allow the Democrats to define and control the narrative and the rhetoric!

Unbelievable but the very biased Bill Analysis even references this page below THAT CLEARLY SHOWS LIBERALS EQUATE NEO-NAZIS to ‘white nationalists.’ This is OUTRAGEOUS!

SPLC Defines White Nationalist
https://www.splcenter.org/fighting-hate/extremist-files/ideology/white-nationalist

---

Their definition obviously equates “White Nationalist” to “neo-Nazi”!

So, what is a "White Nationalist?" To many it means a Caucasian who supports the concept of America First. It should be noted that America's Founding Fathers were White, and they were decidedly Nationalists. Much of the deep difference between Democrats and Republicans is a different view of globalism vs. nationalism. President Trump has often expressed the concept of taking care of USA first, along with a skepticism on the ‘New World Order’ which is typically embraced by the Democrats.

“White Supremacy” means racial superiority which we despise.

Neo-Nazi has yet a different meaning, as an advocate of fascism, which we despise.

The common use liberal definition of “White Nationalism” is conveniently shown in an OP-ED by the Palm Beach (Com)Post.
https://www.palmbeachpost.com/opinion/20190331/editorial-florida-lawmakers-must-soundly-denounce-white-nationalism-shut-down-sanctuary-cities-bill

---

There you have it very clearly; Democrats consider Republicans who support immigration law enforcement “white nationalism.”

Using simple logic with these examples;

Republicans supporting immigration enforcement=
White Nationalists =
White Supremacists =
Neo-Nazis

Links clearly showing liberals constantly and viciously branding Republicans with SPLC labels;

- https://www.breitbart.com/2nd-amendment/2020/01/20/watch-2a-activist-media-smearing-virginia-protesters-as-nothing-but-white-rednecks/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/politics/2020/01/19/new-york-times-smears-trump-supporter-as-white-nativist/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/politics/2020/01/20/nbc-news-reporter-deletes-post-calling-pro-2a-event-white-nationalist-rally/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.breitbart.com/tech/2020/01/20/u-of-oklahoma-workshop-leader-being-on-time-is-white-supremacy/?utm_source=newsletter&utm_medium=email&utm_term=daily&utm_campaign=20200120&utm_content=B
- https://www.westernjournal.com/black-virginia-pro-gun-protester-crushes-medias-white-supremacist-narrative/?

AMERICAN OVERSIGHT

utm_source=Email&utm_medium=c50breaking&utm_campaign=wj-breaking&utm_content=conservative-50

- https://floridianpress.com/2020/01/juice-florida-politics-juicy-read-1-22-20-mutilating-children-genitalia-in-florida-iguana-freeze-gun-owners-all-support-white-supremacy/
- https://floridianpress.com/2020/01/david-hogg-states-gun-owners-only-support-white-supremacy/
- https://www.facebook.com/FloridaImmigrantCoalition/videos/507015910097466/

More Information

This letter was sent to all Republican members of the Infrastructure and Security Committee (IS), the first committee to hear the resolution.

The IS Committee voted 7-0 for the resolution.

Video of the Infrastructure and Security Committee hearing is from 22:50 to 45:50.

January 26, 2020

Unsubscribe

From: Mitch Lucas <mlucas@mgmt-assoc.com>
Sent: Friday, January 24, 2020 10:18 AM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <Hutson.Travis@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; Plasencia, Rene <Rene.Plasencia@myfloridahouse.gov>; Williamson, Jayer <Jayer.Williamson@myfloridahouse.gov>; Brown, Kamia <Kamia.Brown@myfloridahouse.gov>; Ausley, Loranne <Loranne.Ausley@myfloridahouse.gov>; Daley, Dan <Dan.Daley@myfloridahouse.gov>; Davis, Tracie <Tracie.Davis@myfloridahouse.gov>; chip.lamarca@myfloridahouse.com <chip.lamarca@myfloridahouse.com>; Polo, Cindy <Cindy.Polo@myfloridahouse.gov>; Roach, Spencer <Spencer.Roach@myfloridahouse.gov>; anamaria.rodriquez@myfloridahouse.gov <anamaria.rodriquez@myfloridahouse.gov>; anthony.rodriquez@myfloridahouse.com <anthony.rodriquez@myfloridahouse.com>; Roth, Rick <Rick.Roth@myfloridahouse.gov>; anthony.sabatini@myfloridahouse.com <anthony.sabatini@myfloridahouse.com>; jason.shoaf@myfloridahouse.com <jason.shoaf@myfloridahouse.com>; tyler.sirois@myfloridahouse.com <tyler.sirois@myfloridahouse.com>
CC: Emma Bartlett <EBartlett@mgmt-assoc.com>; Dominick Scannavino <DScannavino@mgmt-assoc.com>; cynthiab54@gmail.com <cynthiab54@gmail.com>; Winnie Abbott <winnies22@yahoo.com>; p.watrous <p.watrous@verizon.net>; k62kjmt@yahoo.com <k62kjmt@yahoo.com>; dfaimali@gmail.com <dfaimali@gmail.com>
Subject: Urgent Response HB1011 & SB1128 Short-Term Rentals
Attachment(s): "Letter to Legislature Signed 1.24.2020.pdf"

To All Honorable State Senators and State Representatives,

I am contacting you today to urge you to **OPPOSE HB 1011 and SB 1128 as currently drafted** . At a minimum, meaningful registration and data reporting by short-term rental operators and platforms should be required, as it is for every other commercial enterprise in the state. Not only does fail to do that but these bills nullify the few sensible rules that are protecting communities from being overrun by illegal hotels.
Please HB 1011 and SB 1128 and protect our state's residential neighborhoods.

Sincerely, a concerned Clearview Oaks Condominium Association's Board of Directors

Respectfully,

Mitch Lucas LCAM
Property Manager
Management & Associates
4140 55th St. N. Unit #1113
Kenneth City, FL 33709
Phone: (727)329-8071
Facsimile: (727)498-8801
Email: mlucas@mgmt-assoc.com
Website: www.mgmt-assoc.com

MANAGEMENT AND ASSOCIATES
Community Association Management

If you are inquiring about: a homeowner questionnaire; an estoppel; a sale balance; a transfer of ownership balance; association governing documents or any other closing documentation, please log-on to www.homewisedocs.com.

AMERICAN OVERSIGHT

Clearview Oaks Condominiums Association, Inc.
4140 55th St. N. Kenneth City, FL 33709

January 23, 2020

All Florida Senators and Representatives
The Capital
Tallahassee, FL 32399-1300

Dear Senators and Representatives:

The Board of Directors of the Clearview Oaks Condominium Association, Inc. is writing you today with very strong concerns on the upcoming Bills HB 1011 and SB 1128 as they are currently drafted that would cancel existing short-term rental rules in the state and does not provide for any meaningful regulation of vacation rentals in the future. And its negative impact on communities and associations across the state.

As one of the first condominium associations in the United States and the first organized condominium association in the state of Florida we have the unique distinction of also having the oldest Condominium buildings in the state of Florida and with that the oldest infrastructure that requires continuous maintenance. It is with that in mind the Association prohibits all rentals of any kind, long or short term in our community. With the advent of the internet and Air BnB it is a never ending struggle to keep Unit Owner's from renting their units out when they are not in residence.

State regulations only benefit digital platforms and imposing statewide rental standards is unfair to local community associations who struggle on a daily basis to keep short-term rentals out of their communities and feel that at the very least we should have a say in how they are regulated. Polls show that nearly three-quarters of state voters believe that local city and county commissioners should be the ultimate authority on short-term rental regulations. The Florida League of Cities say these bills will preempt the actions of the state's cities and are yet another example of Tallahassee violating the concept of home -rule

It is for these reasons and more that we urge you to vote no on the above referenced Bills and keep the regulation of short-term rentals in the hands of local cities and communities as it should be.

Thanks all of you for your service to our state and please let me know your thoughts

You can contact me at 727-329-8071 or email mlucas@mgmt-assoc.com.

Sincerely,

Mitch Lucas, LCAM
Property Manager, Clearview Oaks Condominiums

AMERICAN OVERSIGHT

From: Paul Nichols <paulanthonynichols@gmail.com>
Sent: Sunday, February 09, 2020 4:52 PM EST
To: Gruters, Joe <Gruters.Joe@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Stewart, Linda <Stewart.Linda@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>
CC: Smith Holly <Holly.Smith@mysanibel.com>; Kate Nichols <nicholskate57@gmail.com>
Subject: Vote no on SB 1128 Vacation Rentals

Dear State Senators,

Please use your vote wisely on this matter and vote "NO" to this amendment on Tuesday. I am sure you have had a ton of emails and letters asking you the same and stating multiple reasons relating to the nature of short term rentals and the negative affects they have on a community, I will not repeat these here.

Our perspective is relating to the uniqueness of the island and city that we have chosen as our home. Sanibel Island is unique in its character and nature and as you know, when it was incorporated as a City, our goal was to help protect that very special character. In fact so much so that when we moved our family home to the Island, I volunteered and was selected to sit on our Planning Commission. As I explained to the mayor during my interview, I feel so motivated to protect this jewel in the Gulf that I would be happy to commit my working efforts to this cause. It is now this same desire to protect our beautiful and unique island that motivates me to implore you to vote "NO" on Tuesday.

We are full time residents on Sanibel and welcome the thousands of visitors that flock over the causeway during the year, many stay in the inns and hotels and many others rent residences for periods of anything from 1 to 5 months and are a valued and welcome addition to our community. Indeed, many of our best friends are snowbirds and l, just like their feathered namesakes, we look forward to their return each year. What we don't need is more weekly and shorter term rentals, this is a headache for traffic and noise and threatens the security of neighborhoods with the frequent turnover in traffic. Any renter less than a month in a residential property increases the risk and uncertainty for my family and other residents without a proper registration process and restriction on the length of stay. We are all working hard with the council to introduce a short term rental registration process to help us control this growing issue, please vote "NO" to allow us to continue to protect our community.

Thank you for your service!

Yours respectfully
Paul and Catherine Nichols
Sanibel Planning Commission and year round residents

Regards
Paul

AMERICAN OVERSIGHT

From: Katie Kiselewski <kkiselewski@flfoundation.org>
Sent: Friday, October 25, 2019 4:23 PM EDT
To: Gruters, Joe <Gruters.Joe@flsenate.gov>
Subject: What To Know Before You Go: The 2019 Future of Florida Forum

What To Know Before You Go

Thank you for registering to attend the Florida Chamber Foundation's 2019 Future of Florida Forum, **October 28-29** in Orlando. We look forward to interactive discussions on how Florida's businesses can help pave the way toward a brighter future for all Floridians.

On Oct. 28, join us to kick off our conversation on Florida's long-term future. Discussions will examine where Florida stands today and how we will reach our goals set in the *Florida 2030 Blueprint*. The day will end with our Welcome Reception, followed by the Women's Hall of Fame Induction Dinner. On Oct. 29, we continue the discussion with breakfast and presentations starting at 7:30 a.m.

The complete schedule is as follows:

Monday, October 28	**Location**
8:00 a.m. Future of Florida Forum Registration Opens	Pre-Function Area
11:00 a.m. Future of Florida Forum Opening Session & Luncheon	Grand Cypress DEF
5:30 p.m. Welcome Reception	Pre-Function Area
7:00 p.m. Women's Hall of Fame Induction Dinner _	Grand Cypress DEF
Tuesday, October 29	
7:00 a.m. Future of Florida Forum Registration Opens	Pre-Function Area
7:30 a.m. Breakfast, General Session, Florida Chamber of Commerce Board of Governor's Annual Meeting and Luncheon	Grand Cypress DEF

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Below are a few things to know before you go:

VENUE

Hyatt Regency Grand Cypress
One Grand Cypress Blvd
Orlando, FL 32836
407-239-1234

- We are pleased to offer Future of Florida Forum Attendees a discount code provided by our sponsor, Lyft. Use the code **FUTUREOFFL19** to receive 25% off two Lyft rides. Click here for more details.
- The hotel's self-parking lot is currently blocked with construction. Complimentary self-parking is located in Lot 7 with shuttles running 24 hours a day. The hotel recommends dropping off luggage at the front entrance/lobby before parking.
- Or, valet parking is $22 per day.
- For a map and more information, click here.

SCHEDULE

Click here to find the most updated agenda.

DRESS

Business

ENGAGEMENT

We encourage you to share your event experience with on Twitter, using #FutureofFL and tagging @FLChamberFDN.

AMERICAN OVERSIGHT

From: Amanda Palmer <amanda.flfamilypolicycouncil@gmail.com>
Sent: Thursday, January 23, 2020 1:06 PM EST
To: Broxson.Doug <Broxson.Doug@flsenate.gov>; Gainer, George <Gainer.George@flsenate.gov>; Montford, Bill <MONTFORD.BILL@flsenate.gov>; Bean, Aaron <BEAN.AARON@flsenate.gov>; Bradley, Rob <BRADLEY.ROB@flsenate.gov>; Hutson, Travis <HUTSON.TRAVIS@flsenate.gov>; Perry, Keith <Perry.Keith@flsenate.gov>; Simmons, David <SIMMONS.DAVID@flsenate.gov>; Simpson, Wilton <SIMPSON.WILTON@flsenate.gov>; Wright, Tom <Wright.Tom@flsenate.gov>; Torres, Victor <Torres.Victor@flsenate.gov>; Hooper, Ed <Hooper.Ed@flsenate.gov>; Mayfield, Debbie <Mayfield.Debbie@flsenate.gov>; Lee, Tom <LEE.TOM@flsenate.gov>; Galvano, Bill <GALVANO.BILL@flsenate.gov>; Gruters, Joe <Gruters.Joe@flsenate.gov>; Brandes, Jeff <BRANDES.JEFF@flsenate.gov>; Harrell, Gayle <Harrell.Gayle@flsenate.gov>; Albritton, Ben <Albritton.Ben@flsenate.gov>; Benacquisto, Lizbeth <BENACQUISTO.LIZBETH@flsenate.gov>; Passidomo, Kathleen <Passidomo.Kathleen@flsenate.gov>; Rader, Kevin <Rader.Kevin@flsenate.gov>; Powell, Bobby <Powell.Bobby@flsenate.gov>; Berman, Lori <Berman.Lori@flsenate.gov>; Book, Lauren <Book.Lauren@flsenate.gov>; Thurston, Perry <Thurston.Perry@flsenate.gov>; Farmer, Gary <Farmer.Gary@flsenate.gov>; Braynon, Oscar <BRAYNON.OSCAR@flsenate.gov>; Diaz, Manny <Diaz.Manny@flsenate.gov>; Rodriguez, Jose <Rodriguez.Jose@flsenate.gov>; Pizzo, Jason <Pizzo.Jason@flsenate.gov>; Flores, Anitere <FLORES.ANITERE@flsenate.gov>; Taddeo, Annette <Taddeo.Annette@flsenate.gov>
Subject: You're Invited to the Florida Family Policy Council Prayer Breakfast
Attachment(s): "Pro-Family Days 2020 flier final (1).pdf"

Senators,

We would like to reach out to invite you to the Florida Family Policy Council's Annual Dinner and Legislative Prayer Breakfast this coming Monday night, January 27th, and Tuesday Morning, January 28th.

We would be honored to have you join us for this time of fellowship and prayer as we pray for the legislation you will be working on, and the tough decisions you will be making in the coming weeks. I have attached our flyer which tells you about our event.

If you would like to participate in our events the cost is as follows:

- Dinner will begin at 6:00pm Monday January 28th at the Donald L Tucker Civic Center. The cost is $50.
- The Legislative Prayer Breakfast will begin at 7:30am on Tuesday, January 28th and is $35.

If you would like to attend you may register on line at https://ffpc.regfox.com/prolifeprofamilydays or just reply to this email and I can get you registered.

If you would simply like to attend the prayer breakfast so that you can join us in prayer, but not have a plate provided or participate in the whole event, please let me know and I will make note of that as well.

Thank you so much for all that you do for our great state. Please let me know if you have any questions.

Have a blessed day,

Amanda Palmer
Event Coordinator
Florida Family Policy Council
(615)720-0185

--
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Florida Family Policy Council
(615)720-0185

AMERICAN OVERSIGHT

Pro-Family Days at the Capitol

Monday, January 27 to Tuesday, January 28, 2020

Donald L. Tucker Civic Center
505 West Pensacola Street, Tallahassee

Special Guest Speakers



Luis Ruiz and Angel Colon, Pulse Massacre Survivors



Walt Heyer, Detransitioned Formerly Trangendered

Monday
Registration opens 2:30 pm
Legislative Training 3:30 pm
Dinner 6:30 pm

Tuesday
Prayer Breakfast 7:30 am followed by meetings with Legislators.
Concludes at 2:00 pm

Tickets on sale now at FLfamily.org/profamilydays. For further information call 407-251-5130 or email FrontDesk @FLfamily.org.

FLORIDA FAMILY POLICY COUNCIL

Jan. 27 & 28, 2020 – Register now at FLfamily.org/profamilydays

Confirmed Special Guests include:



Speaker Designate Rep. Chris Sprowls



FL Senator Dennis Baxley



FL Senator Kelli Stargel



FL Representative Erin Grall



FL Representative Clay Yarborough

Two Exciting Days of: **Briefing | Training | Lobbying | Fellowship | Prayer | Speakers**

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From: Sherlock Technology Staffing <Alex@SherlockTalent.com>
Sent: Tuesday, February 11, 2020 2:55 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: ☎ $130K Dev Mgr. Miami; STATE OF THE CIO; Job Report; ITEXPO; DEVCON

$130K Dev Mgr. Miami; STATE OF THE CIO; Job Report; ITEXPO; DEVCON

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Tech Events

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ITEXPO East – Digital Transformation Happens Here

Wednesday, Feb 12 2020

vBeersPlus @ General Provision Downtown Ft. Lauderdale

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Monthly Linux Meetup (also covering Open Source, UNIX and UNIX-Like Systems)

Boca Java Meeting

Wednesday, Feb 19 2020

Miami's tech industry is experiencing strong job growth

Miami's tech industry is experiencing strong job growth. Local employers posted more than 300 new jobs over the past week and almost 700 in the last month, ranking third among local industries, according to ZipRecruiter, a leading online employment marketplace. The tech s... Read More

$135K Top Job Pick: Development Manager North Bay Village, Florida

Full Time/On-Site, Miami, FL, $110K – $135K Do you want to help save planet earth's marine life? Are you passionate about managing software development and delivering world-class code? Your opportunity to impact change is now. Join a rapidly g... Read More

Get Your Copy! The Dice Tech Job Report (FREE Download)

We are excited to introduce the Dice Tech Job Report, taking a deep dive into tech's fastest-growing skills, occupations, and hubs. Using data from Burning Glass Technologies, we've analyzed over 6 million tech job postings throughout the United States from 2018 and 2019 to ... Read More

Register! Jeff Smith (World Fuel, IBM) to Keynote State of the CIO, Mar 4

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vBeers @ Biergarten Boca

Thursday, Feb 20 2020

Decomposing DevOps: What is and what is not DevOps?

February 2020 Monthly Meeting

Friday, Feb 21 2020

ISACA South Florida, 13th Annual WOW Conference

Saturday, Feb 22 2020

SQLSATURDAY #946, South Florida, BI Edition

SFAA and RMJ Solutions presents a workshop on Project Management Fundamentals

Monday, Feb 24 2020

DNN Summit 2020

LeanAgileUS 2020!

Tuesday, Feb 25 2020

Intro to R Markdown

SFAA SIG – SAFe Scaling Agile : What , How and When ?

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PowerBI Business Analyst Dashboard Developer, West Palm Beach
Business Analyst Logistics/Automated Warehousing, Riviera Beach
Sr. Office Manager, North Bay Village
Software Developer, North Bay Village

Business Analyst – Customer, North Bay Village
Helpdesk Technician, North Bay Village

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Release Manager, North Bay Village
Project Manager, North Bay Village
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Technology Manager, Miami
Senior Java Developer, Miami
Sr. Manager, Digital Product, Miami
Director, Digital Product, Miami
Salesforce Cloud Dev/Admin contract, Weston
Node.js / Full Stack Developer, Miami
Systems Engineer, Boca Raton
Pre-Sales Engineer – Mobile, Boca Raton
Director – End User Experience, Miami
Director, Global Network Services, Miami
Graphic Designer, San Francisco
Senior iOS Developer, Webster
Data Science & Analytics Manager, Miami
Director of PR Business Development, Miami
Shopify eCommerce Manager, Fort Lauderdale
Jr. SEM Specialist, Miami
Software Developer – Full Stack, Fort Lauderdale
QA – Engineer, Boca Raton
Developer – Magento, Boca Raton
BI Analyst, Coral Gables
Java – Developer, Boca Raton
Social Media Creative Director, San Francisco
Social Media Account Director, San Francisco
IT Security – Director, Boca Raton
PR Account Supervisor, Miami
PR Account Coordinator, Miami
VoIP – Developer, Fort Lauderdale
Bilingual IBM Project Manager – Technical, Boca Raton
Sr. Security Development Engineer, Miami
Social Media – Account Executive, San Francisco
Account Executive – PR, Miami
Lead QA – Analyst, Fort Lauderdale
SharePoint – Developer – Admin, Boca Raton
Social Media – Account Supervisor, San Francisco
Business Analyst – Medicare C & D, Fort Lauderdale
Developer – Evangelist, New York
Senior Cloud Data Engineer, Miami
Marketing Manager – BD, Miami
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From: Sherlock Technology Staffing <Alex@SherlockTalent.com>
Sent: Tuesday, February 04, 2020 2:50 AM EST
To: Barnhill, Josh <Barnhill.Josh@flsenate.gov>
Subject: □$150K DevOps Miami; Jeff Smith to Keynote State of the CIO; Sunshine PHP; ITEXPO

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Tuesday, Feb 04 2020

Online Love + Data Analytics – Learn the data behind your favorite dating sites

rstudio::conf 2020 viewing party □□□

Wednesday, Feb 05 2020

Boca JS – Node JS 101 – Learn NodeJS w/ Damian Montero

Thursday, Feb 06 2020

Sunshine PHP DevCon – Miami

WCMIA, Using Block Editor For Page Layout, And More

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What does the future of food look like?

Miami's top food-delivery startup is opening a new kitchen. You won't be able to eat there. Miami-based REEF Technology, a combination food, real estate and technology business valued at more than $1 billion, has purchased a space in Midtown where it plans to build a c... Read More

$150K Top Job Pick: DevOps Manager North Bay Village, Florida

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Join us for Sunshine PHP, Miami, Feb 6-8

The SunshinePHP Developer Conference is hosted by the South Florida PHP community (SoFloPHP) in Miami, Florida from February 6th – 8th, 2020, and you're invited! We'll host some of the best speakers, awesome talk topics, latest technologies, and up to date news in ... Read More

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Director, Global Network Services, Miami
Graphic Designer, San Francisco
Senior iOS Developer, Webster
Data Science & Analytics Manager, Miami
Director of PR Business Development, Miami
System Engineer, Miami
Shopify eCommerce Manager, Fort Lauderdale
Jr. SEM Specialist, Miami
Software Developer – Full Stack, Fort Lauderdale
QA – Engineer, Boca Raton
Developer – Magento, Boca Raton
BI Analyst, Coral Gables
Java – Developer, Boca Raton
Social Media Creative Director, San Francisco
Social Media Account Director, San Francisco
IT Security – Director, Boca Raton
PR Account Supervisor, Miami
PR Account Coordinator, Miami
VoIP – Developer, Fort Lauderdale
Bilingual IBM Project Manager – Technical, Boca Raton
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Mid Java Developer, Miami
Senior Low-Level Programmer with Video Drivers experience, Miami, FL
Senior DevOps Engineer – Remote, Miami
SQL BI Banking Integration Developer, Miami
Account Manager, Miami Beach

Tech Recruiter, North Bay Village
Help Desk Specialist, Miami
MS SQL DBA Engineer, Miramar

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Agile Business Analyst, Miami

Business Development Professional Sales, North Bay Village

Sports Lover Lead Software Developer, Miami

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Server Field Application Engineer, Farmington Hills

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