



LOCAL GOVERNMENT AFFAIRS SUBCOMMITTEE

ACTION PACKET

Wednesday, November 4, 2015

8:00 a.m.

Webster Hall (212 Knott)

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

Summary:

Local Government Affairs Subcommittee

Wednesday November 04, 2015 08:00 am

HB 59	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 837859 Adopted Without Objection		
CS/HB 91	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 358881 Adopted Without Objection		
HB 95	Favorable	Yeas: 11	Nays: 0
HB 97	Favorable	Yeas: 11	Nays: 0
HJR 165	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 081815 Adopted Without Objection		
	Amendment 704469 Adopted		
HB 181	Favorable With Committee Substitute	Yeas: 7	Nays: 3
	Amendment 620061 Adopted Without Objection		

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Debbie Mayfield (Chair)	X		
Matt Caldwell	X		
Daphne Campbell	X		
Jose Diaz			X
Dwight Dudley	X		
George Moraitis, Jr.	X		
Amanda Murphy	X		
Cary Pigman	X		
Kevin Rader			X
Lake Ray	X		
Jimmie Smith	X		
Charlie Stone	X		
Jennifer Sullivan	X		
Totals:	11	0	2

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 59 : Agritourism

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Matt Caldwell	X				
Daphne Campbell	X				
Jose Diaz			X		
Dwight Dudley	X				
George Moraitis, Jr.	X				
Amanda Murphy	X				
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 11		Total Nays: 0			

HB 59 Amendments

Amendment 837859

Adopted Without Objection

Appearances:

Agritourism

Mann, Doug (Lobbyist) - Waive In Support

AIF

310 West College Ave

Tallahassee FL 32301

Phone: (850) 222-7535

Agritourism

Basford, Adam (Lobbyist) - Waive In Support

Florida Farm Bureau Federation

Director of Legislative Affairs

315 S Calhoun St Ste 850

Tallahassee FL 32301

Phone: 850-222-2557

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 59 : Agritourism (continued)

Appearances: (continued)

Agritourism

Juarez, Lena (Lobbyist) - Waive In Support

Florida Agritourism Association

P O Box 10390

Tallahassee FL 32302

Phone: 850-212-8330

Agritourism

Cleaver, Martha (Lobbyist) - Waive In Support

Florida Association of Property Appraisers, Inc

Governmental Consultant

PO Box 11275

Tallahassee FL 32302-1275

Phone: 850-491-1945

Agritourism

Cruz, David (Lobbyist) - Opponent

Florida League of Cities

Assistant General Counsel

PO Box 1757

Tallahassee FL 32302

Phone: 850-701-3676

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 59 (2016)

Amendment No. 1

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 _____

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Raburn offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 570.85, Florida Statutes, is amended to
8 read:

9 570.85 Agritourism.—

10 (1) It is the intent of the Legislature to promote
11 agritourism as a way to support bona fide agricultural
12 production by providing a secondary stream of revenue and by
13 education of the general public about the agricultural industry.

14 (2)~~(1)~~ It is the intent of the Legislature to eliminate
15 duplication of regulatory authority over agritourism as
16 expressed in this section. Except as otherwise provided for in
17 this section, and notwithstanding any other provision of law, a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 59 (2016)

Amendment No. 1

18 local government may not adopt or enforce a local ~~an~~ ordinance,
19 regulation, rule, or policy that prohibits, restricts,
20 regulates, or otherwise limits an agritourism activity on land
21 classified as agricultural land under s. 193.461. This
22 subsection does not limit the powers and duties of a local
23 government to address an emergency as provided in chapter 252.

24 ~~(3)(2)~~ The Department of Agriculture and Consumer Services
25 may provide marketing advice, technical expertise, promotional
26 support, and product development related to agritourism to
27 assist the following in their agritourism initiatives:
28 Enterprise Florida, Inc.; convention and visitor bureaus;
29 tourist development councils; economic development
30 organizations; and local governments. In carrying out this
31 responsibility, the department shall focus its agritourism
32 efforts on rural and urban communities.

33 Section 2. Subsection (1) of section 570.86, Florida
34 Statutes, is amended to read:

35 570.86 Definitions.—As used in ss. 570.85-570.89, the
36 term:

37 (1) "Agritourism activity" means any agricultural related
38 activity consistent with a bona fide farm or ranch or in a
39 working forest which allows members of the general public, for
40 recreational, entertainment, or educational purposes, to view or
41 enjoy activities, including farming, ranching, historical,
42 cultural, civic, ceremonial, or harvest-your-own activities and
43 attractions. An agritourism activity does not include the

Amendment No. 1

44 construction of new or additional structures or facilities
45 intended primarily to house, shelter, transport, or otherwise
46 accommodate members of the general public. An activity is an
47 agritourism activity regardless of whether the participant paid
48 to participate in the activity.

49 Section 3. Subsection (1) of section 570.87, Florida
50 Statutes, is amended to read:

51 570.87 Agritourism participation impact on land
52 classification.-

53 (1) In order to promote and perpetuate agriculture
54 throughout the state, farm operations are encouraged to engage
55 in agritourism. The conduct of agritourism activity on a bona
56 fide farm or on agricultural lands classified as such pursuant
57 to s. 193.461 shall not limit, restrict, or divest the land of
58 that classification as long as such lands classified as
59 agricultural remain used primarily for bona fide agricultural
60 purposes.

61
62 -----
63 **T I T L E A M E N D M E N T**

64 Remove everything before the enacting clause and insert:
65 An act relating to agritourism; amending s. 570.85, F.S.;
66 providing legislative intent; prohibiting a local government
67 from enforcing a local ordinance, regulation, rule, or policy
68 that prohibits, restricts, regulates, or otherwise limits an
69 agritourism activity on land classified as agricultural land;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 59 (2016)

Amendment No. 1

70 amending s. 570.86, F.S.; amending the definition of agritourism
71 activity; providing that agritourism activity includes civic and
72 ceremonial activities; amending s. 570.87, F.S.; specifying that
73 the conduct of agritourism activity on a bona fide farm or
74 agricultural lands shall not limit, restrict, or divest the land
75 of that classification provided that such lands remain used
76 primarily for bona fide agricultural purposes; providing an
77 effective date.

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

CS/HB 91 : Severe Injuries Caused by Dogs

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Matt Caldwell	X				
Daphne Campbell	X				
Jose Diaz			X		
Dwight Dudley	X				
George Moraitis, Jr.	X				
Amanda Murphy	X				
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 11		Total Nays: 0			

CS/HB 91 Amendments

Amendment 358881

Adopted Without Objection

Appearances:

Severe Injuries Caused by Dogs

Roth, Cari (Lobbyist) - Waive In Support

Manatee County

215 S Monroe Street Suite 815

Tallahassee FL 32301

Phone: 850-591-1094

Severe Injuries Caused by Dogs

Youmans, Laura (Lobbyist) - Waive In Support

Florida Association of Counties

Legislative Advocate

100 N Monroe Street

Tallahassee FL 32301

Phone: 850-294-1838

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 91 (2016)

Amendment No. 1

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

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Steube offered the following:

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

6 Between lines 217 and 218, insert:

7 Section 5. Section 767.14, Florida Statutes, is amended to read:

8 767.14 Additional local restrictions authorized. -

9 Nothing in this act shall limit any local government from
10 adopting an ordinance to address the safety and welfare concerns
11 caused by attacks on persons or domestic animals, placing
12 further restrictions or additional requirements on owners of
13 dangerous dogs that have bitten or attacked persons or domestic
14 animals or developing procedures and criteria for the
15 implementation of this act, provided that no such regulation is
16 specific to breed and that the provisions of this act are not
17 lessened by such additional regulations or requirements. This

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 91 (2016)

Amendment No. 1

18 section shall not apply to any local ordinance adopted prior to
19 October 1, 1990.

20

21

22

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

23

Remove line 17 and insert:

24

a dog in a new statutory section; amending s. 767.14, F.S.;

25

providing that local governments have the authority to adopt

26

certain ordinances pertaining to dogs that have bitten or

27

attacked persons or domestic animals; amending s. 767.16,

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 95 : Public-Private Partnerships

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Matt Caldwell	X				
Daphne Campbell	X				
Jose Diaz			X		
Dwight Dudley	X				
George Moraitis, Jr.	X				
Amanda Murphy	X				
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Public-Private Partnerships
 Husband, Warren (Lobbyist) (General Public) - Waive In Support
 Florida Associated General Contractors Council
 PO Box 10909
 Tallahassee FL 32302
 Phone: 850-205-9000

Public-Private Partnerships
 Cruz, David (Lobbyist) - Proponent
 Florida League of Cities
 Assistant General Counsel
 PO Box 1757
 Tallahassee FL 32302
 Phone: 850-701-3676

Public-Private Partnerships
 Kershner, Bruce (Lobbyist) - Waive In Support
 NACM Improved Construction Practices Committee
 231 West Bay Avenue
 Longwood FL 32750
 Phone: 407-830-1882

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee

11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 95 : Public-Private Partnerships (continued)

Appearances: (continued)

Public-Private Partnerships

Watson, Richard (State Employee) - Waive In Support

Associated Builders & Contractors of Florida

Legislative Counsel

PO Box 10038

Tallahassee FL 32302

Phone: 850-222-0000

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 97 : Public Records and Public Meetings

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Matt Caldwell	X				
Daphne Campbell	X				
Jose Diaz			X		
Dwight Dudley	X				
George Moraitis, Jr.	X				
Amanda Murphy	X				
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Public Records and Public Meetings
 Husband, Warren (Lobbyist) - Waive In Support
 Florida Associated General Contractors Council
 PO Box 10909
 Tallahassee FL 32302
 Phone: 850-205-9000

Public Records and Public Meetings
 Mann, Doug (Lobbyist) - Waive In Support
 AIF
 310 West College Ave
 Tallahassee FL 32301
 Phone: 850-222-7535

Public Records and Public Meetings
 Watson, Richard (Lobbyist) - Waive In Support
 Associated Builders & Contractors of Florida, Inc
 Legislative Counsel
 P. O. Box 16038
 Tallahassee FL 32302
 Phone: 850-222-0000

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HJR 165 : Selection and Duties of County Officers

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Matt Caldwell	X				
Daphne Campbell	X				
Jose Diaz			X		
Dwight Dudley	X				
George Moraitis, Jr.	X				
Amanda Murphy	X				
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 11		Total Nays: 0			

HJR 165 Amendments

Amendment 081815

Adopted Without Objection

Amendment 704469

Adopted

Appearances:

Selection and Duties of County Officers

Cassini, Marty (Lobbyist) - Opponent

Broward County

Legislative Counsel

115 S Andrews Avenue

Fort Lauderdale FL 33301

Phone: 954-357-7575

Selection and Duties of County Officers

Kopczynski, Ken (Lobbyist) - Waive In Support

FL PBA

Lobbyist

300 E Brevard Street

Tallahassee FL 32301

Phone: 850-222-3329

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HJR 165 : Selection and Duties of County Officers (continued)

Appearances: (continued)

Selection and Duties of County Officers
Youmans, Laura (Lobbyist) - Information Only
Florida Association of Counties
Legislative Advocate
100 N Monroe Street
Tallahassee FL 32301
Phone: 850-294-1838

Selection and Duties of County Officers
Cleaver, Martha (Lobbyist) - Waive In Support
Florida Association of Property Appraisers, Inc
Governmental Consultant
PO Box 11275
Tallahassee FL 32302-1275
Phone: 850-491-1945

Selection and Duties of County Officers
McCarty, Jess (Lobbyist) - Opponent
Miami-Dade County
Assistant County Attorney
111 NW 1st Street Suite 2810
Miami FL 33128
Phone: 305-979-7110

Selection and Duties of County Officers
Jordan, Carole Jean - Opponent
Florida Tax Collectors Association
Tax Collector, Indian River County Political Subdivisions
1855 34th Avenue
Vero Beach FL 32960
Phone: 772-226-1337

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Articles offered the following:

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

6 Remove everything after the resolving clause and insert:
7 That the following amendment to Section 1 of Article VIII and
8 the creation of Section 34 of Article XII of the State
9 Constitution is agreed to and shall be submitted to the electors
10 of this state for approval or rejection at the next general
11 election or at an earlier special election specifically
12 authorized by law for that purpose:

13 ARTICLE VIII

14 LOCAL GOVERNMENT

15 SECTION 1. Counties.-

16 (a) POLITICAL SUBDIVISIONS. The state shall be divided by
17 law into political subdivisions called counties. Counties may be

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

18 created, abolished or changed by law, with provision for payment
19 or apportionment of the public debt.

20 (b) COUNTY FUNDS. The care, custody and method of
21 disbursing county funds shall be provided by general law.

22 (c) GOVERNMENT. Pursuant to general or special law, a
23 county government may be established by charter which shall be
24 adopted, amended or repealed only upon vote of the electors of
25 the county in a special election called for that purpose.

26 (d) COUNTY OFFICERS. There shall be elected by the
27 electors of each county, for terms of four years, a sheriff, a
28 tax collector, a property appraiser, a supervisor of elections,
29 and a clerk of the circuit court; except, when provided by
30 county charter or special law approved by vote of the electors
31 of the county, the tax collector ~~any county officer~~ may be
32 chosen in another manner therein specified. ~~, or any~~ Any county
33 office may be abolished when all the duties of the office
34 prescribed by general law are transferred to another office as
35 provided by special law approved by vote of the electors of the
36 county. When not otherwise provided by ~~county charter or~~ special
37 law approved by vote of the electors, the clerk of the circuit
38 court shall be ex officio clerk of the board of county
39 commissioners, auditor, recorder, and custodian of all county
40 funds. Notwithstanding Section 6(e) of this article, the
41 provisions of this subsection (1)(d) shall provide the exclusive
42 manner of selection, length of terms, abolition of office, and
43 transfer of duties of the sheriff, tax collector, property

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

44 appraiser, supervisor of elections, and clerk of the circuit
45 court in each county.

46 (e) COMMISSIONERS. Except when otherwise provided by
47 county charter, the governing body of each county shall be a
48 board of county commissioners composed of five or seven members
49 serving staggered terms of four years. After each decennial
50 census the board of county commissioners shall divide the county
51 into districts of contiguous territory as nearly equal in
52 population as practicable. One commissioner residing in each
53 district shall be elected as provided by law.

54 (f) NON-CHARTER GOVERNMENT. Counties not operating under
55 county charters shall have such power of self-government as is
56 provided by general or special law. The board of county
57 commissioners of a county not operating under a charter may
58 enact, in a manner prescribed by general law, county ordinances
59 not inconsistent with general or special law, but an ordinance
60 in conflict with a municipal ordinance shall not be effective
61 within the municipality to the extent of such conflict.

62 (g) CHARTER GOVERNMENT. Counties operating under county
63 charters shall have all powers of local self-government not
64 inconsistent with general law, or with special law approved by
65 vote of the electors. The governing body of a county operating
66 under a charter may enact county ordinances not inconsistent
67 with general law. The charter shall provide which shall prevail
68 in the event of conflict between county and municipal
69 ordinances.

081815 - HJR 165 Amendment 1.docx

Published On: 11/3/2015 6:03:52 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

70 (h) TAXES; LIMITATION. Property situate within
71 municipalities shall not be subject to taxation for services
72 rendered by the county exclusively for the benefit of the
73 property or residents in unincorporated areas.

74 (i) COUNTY ORDINANCES. Each county ordinance shall be
75 filed with the custodian of state records and shall become
76 effective at such time thereafter as is provided by general law.

77 (j) VIOLATION OF ORDINANCES. Persons violating county
78 ordinances shall be prosecuted and punished as provided by law.

79 (k) COUNTY SEAT. In every county there shall be a county
80 seat at which shall be located the principal offices and
81 permanent records of all county officers. The county seat may
82 not be moved except as provided by general law. Branch offices
83 for the conduct of county business may be established elsewhere
84 in the county by resolution of the governing body of the county
85 in the manner prescribed by law. No instrument shall be deemed
86 recorded until filed at the county seat, or a branch office
87 designated by the governing body of the county for the recording
88 of instruments, according to law.

89 ARTICLE XII

90 SCHEDULE

91 SECTION 34. SELECTION AND DUTIES OF COUNTY OFFICERS.—The
92 amendment to Section 1 of Article VIII removing the authority
93 for a county charter or special law to require choosing certain
94 county officers other than by election, permitting abolishing
95 any county office and transferring its duties only by special

081815 - HJR 165 Amendment 1.docx

Published On: 11/3/2015 6:03:52 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

96 law approved by county voters, and removing authority for a
97 county charter to transfer certain ex officio duties of the
98 clerk of the circuit court, shall take effect on January 8,
99 2019.

100 BE IT FURTHER RESOLVED that the following statement be
101 placed on the ballot:

102 CONSTITUTIONAL AMENDMENT

103 ARTICLE VIII, SECTION 1

104 ARTICLE XII, SECTION 34

105 SELECTION AND DUTIES OF COUNTY OFFICERS.— Proposing an
106 amendment to the State Constitution, applicable to all counties,
107 removing the authority for a county charter or special law to
108 require choosing certain county officers other than by election,
109 permitting abolishing any county office and transferring its
110 duties only by approval of county voters, removing authority for
111 a county charter to transfer certain duties of the clerk of the
112 circuit court, and scheduling the amendment to take effect on
113 January 8, 2019.

114 BE IT FURTHER RESOLVED that the following statement be
115 placed on the ballot if a court declares the preceding statement
116 defective and the decision of the court is not reversed:

117 CONSTITUTIONAL AMENDMENT

118 ARTICLE VIII, SECTION 1

119 ARTICLE XII, SECTION 34

120 SELECTION AND DUTIES OF COUNTY OFFICERS.—Proposing an
121 amendment to the State Constitution, applicable to all counties,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

122 to remove the authority of a county, by county charter or
123 special law approved by the county's voters, to choose its
124 sheriff, property appraiser, supervisor of elections, and clerk
125 of the circuit court in a manner other than election. The
126 amendment would permit abolishing any county office when its
127 duties are transferred to another office but only by special law
128 approved by the county voters. The amendment also removes
129 authority for a county charter to transfer to another officer
130 the duties of the clerk of the circuit court to serve as ex
131 officio clerk of the board of county commissioners, auditor,
132 recorder, and custodian of all county funds. The amendment would
133 take effect on January 8, 2019, if adopted.

134
135

136

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

137

138 Remove everything before the resolving clause and insert:
139 A joint resolution proposing an amendment to Section 1 of
140 Article VIII and creation of Section 34 of Article XII of the
141 State Constitution to remove authority for certain county
142 officers to be chosen in a manner other than election, revise
143 authority for any county office to be abolished provided powers
144 are transferred as approved by the county electors, or certain
145 ex officio duties of the clerk of the circuit court to be
146 transferred to another officer, making this amendment applicable

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

147 | to all counties in Florida, and scheduling this amendment to
148 | take effect January 8, 2019, if adopted.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 165 (2016)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Caldwell offered the following:

4
5 **Amendment to Amendment (081815) by Representative Artiles**

6 Remove lines 29-32 of the amendment and insert:

7 and a clerk of the circuit court; ~~except, when provided by~~
8 ~~county charter or special law approved by vote of the electors~~
9 ~~of the county, any county officer may be chosen in another~~
10 ~~manner therein specified., or any Any county~~

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 181 : Public Works Projects

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Matt Caldwell	X				
Daphne Campbell			X		
Jose Diaz			X		
Dwight Dudley		X			
George Moraitis, Jr.	X				
Amanda Murphy		X			
Cary Pigman	X				
Kevin Rader			X		
Lake Ray	X				
Jimmie Smith	X				
Charlie Stone		X			
Jennifer Sullivan	X				
Debbie Mayfield (Chair)	X				
Total Yeas: 7		Total Nays: 3			

HB 181 Amendments

Amendment 620061

Adopted Without Objection

Appearances:

Public Works Projects
 Husband, Warren (Lobbyist) (General Public) - Waive In Support
 Florida Associated General Contractors Council
 undefined
 PO BOx 10909
 Tallahassee FL
 Phone: (850)205-9000

Public Works Projects
 Kershner, Bruce (Lobbyist) - Waive In Support
 National Utility Contractors Association of Florida
 231 W Bay Avenue
 Longwood FL 32750
 Phone: 407-830-1882

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 181 : Public Works Projects (continued)

Appearances: (continued)

Public Works Projects

McCarty, Jess (Lobbyist) - Opponent

Miami-Dade County
Assistant County Attorney
111 NW 1st St Ste 2810
Miami FL 33128
Phone: 305-979-7110

Public Works Projects

Perry, Gail Marie (General Public) - Opponent

Chair
Communications Workers of America Council of Florida
P O Box 1766
Pompano Beach FL 33061
Phone: 954-850-4055

Public Works Projects

Clark, J. B. (Lobbyist) - Opponent

FL AFL-CIO, Florida Building Trades, FL Electrical Workers
Lobbyist
2071 Cynthia Avenue
Tallahassee FL 32303
Phone: 850-556-8143

Public Works Projects

Garrett, Phyllis - Waive In Opposition

Florida AFL-CIO
Legislative Political Coordinator
135 S Monroe St
Tallahassee FL 32301
Phone: 850-224-6926

Public Works Projects

Elliott, O. D. - Waive In Opposition

Self
101 78th Avenue NE
St. Petersburg FL 33702
Phone: 727-526-2673

Public Works Projects

Carroll, Albert - Waive In Opposition

Self
4945 32nd Avenue NE
St. Petersburg FL 33210
Phone: 727-742-1640

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 181 : Public Works Projects (continued)

Appearances: (continued)

Public Works Projects

Byrne, Kevin - Waive In Opposition

Self

256 SE Todd Avenue

Port St. Lucie FL 34983

Phone: 772-979-5899

Public Works Projects

Cantrell, Les - Waive In Opposition

Self

200 Riverbend Road

Ormond Beach FL 32174

Phone: 386-679-9272

Public Works Projects

Cook, Casey - Waive In Opposition

Florida League of Cities

Legislative Advocate

P. O. Box 1751

Tallahassee FL 32302

Phone: 850-701-3701

Public Works Projects

Cassini, Marty - Waive In Opposition

Broward County

Legislative Counsel

115 S Andrews Avenue

Fort Lauderdale FL 33301

Phone: 954-351-7575

Public Works Projects

Bowen, Carol (Lobbyist) - Information Only

Associated Builders & Contractors of Florida

Deputy Chief Lobbyist

3730 Coconut Creek Pky Ste 200

Coconut Creek FL 33066

Phone: 954-465-6811

Public Works Projects

Poole, Eric (Lobbyist) - Opponent

Florida Association of Counties

Assistant Legislative Director

100 S Monroe St

Tallahassee FL 32301

Phone: 850-922-4300

Committee meeting was reported out: Wednesday, November 04, 2015 3:10:00PM

COMMITTEE MEETING REPORT
Local Government Affairs Subcommittee
11/4/2015 8:00:00AM

Location: Webster Hall (212 Knott)

HB 181 : Public Works Projects (continued)

Appearances: (continued)

Public Works Projects

King, Theresa (Lobbyist) - Waive In Opposition

Florida Building and Construction Trades

President

P. O. Box 10888

Tallahassee FL 32302

Phone: 850-228-8940

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 181 (2016)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Van Zant offered the following:

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

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 255.0992, Florida Statutes, is created
8 to read:

9 255.0992 .- Public works projects; prohibited governmental
10 actions.

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

12 (a) "Political subdivision" means a separate agency or unit
13 of local government created or established by law or ordinance
14 and the officers thereof. The term includes, but is not limited
15 to, a county; a city, town or other municipality; or a
16 department, commission, authority, school district, taxing
17 district, water management district, board, public corporation,

Amendment No. 1

18 institution of higher education, or other public agency or body
19 thereof authorized to expend public funds for construction,
20 maintenance, repair or improvement of public works.

21 (b) "Public works project" means an activity that is paid
22 for in whole or in part with state funds and that consists of
23 the construction, maintenance, repair, renovation, remodeling,
24 or improvement of a building, road, street, sewer, storm drain,
25 water system, site development, irrigation system, reclamation
26 project, gas or electrical distribution system, gas or
27 electrical substation, or other facility, project, or portion
28 thereof that is owned in whole or in part by any political
29 subdivision. This section does not apply to contracts executed
30 under chapter 337.

31 (2) (a) Except as required by federal or state law, the
32 state or any political subdivision that contracts for a public
33 works project may not require that a contractor, subcontractor,
34 or material supplier or carrier engaged in such project:

35 1. Pay employees a predetermined amount of wages or
36 prescribe any wage rate;

37 2. Provide employees a specified type, amount, or rate of
38 employee benefits;

39 3. Control, limit, or expand staffing; or

40 4. Recruit train, or hire employees from a designated,
41 restricted, or single source.

42 (b) The state or any political subdivision that contracts
43 for a public works project may not prohibit any contractor,

Amendment No. 1

44 subcontractor, or material supplier or carrier able to perform
45 such work who is qualified, licensed, or certified as required
46 by state law to perform such work from submitting a bid on the
47 public works project or being awarded any contract, subcontract,
48 material order, or carrying order thereunto appertaining.

49 Section 2. This act shall take effect July 1, 2016.

50

51

52

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

53

Remove everything before the enacting clause and insert:

54

An act relating to public works projects; creating s. 255.0992,

55

F.S.; providing definitions; prohibiting state and political

56

subdivisions that contract for public works projects from

57

imposing restrictive conditions on certain contractors,

58

subcontractors, or material suppliers or carriers; providing an

59

exception; prohibiting the state and political subdivisions from

60

restricting qualified bidders from submitting bids; providing an

61

effective date.