

## CHAPTER 2020-144

### Committee Substitute for House Bill No. 7039

An act relating to the repeal of advisory bodies and programs; repealing chapters 2003-287 and 2006-43, Laws of Florida, relating to the membership, powers, and duties of the Citrus/Hernando Waterways Restoration Council; amending s. 215.5586, F.S.; deleting the advisory council for the My Safe Florida Home Program; amending s. 267.0731, F.S.; removing the ad hoc committee that nominates persons for designation as Great Floridian; amending s. 373.4597, F.S.; deleting references to the Geneva Freshwater Lens Task Force; repealing s. 376.86, F.S., relating to the Brownfield Areas Loan Guarantee Council and program; amending s. 378.032, F.S.; deleting a definition to conform to changes made by the act; repealing s. 378.033, F.S., relating to the Nonmandatory Land Reclamation Committee; amending s. 378.034, F.S.; conforming provisions to changes made by the act; repealing s. 379.2524, F.S., relating to the Sturgeon Production Working Group; amending ss. 379.361 and 379.367, F.S.; conforming cross-references; amending s. 379.3671, F.S.; deleting the Trap Certificate Technical Advisory and Appeals Board; repealing s. 403.42, F.S., relating to the Clean Fuel Florida Advisory Board; repealing s. 403.87, F.S., relating to the technical advisory council for water and domestic wastewater operator certification; amending s. 408.910, F.S.; deleting references to technical advisory panels that may be established by Florida Health Choices, Inc.; amending s. 409.997, F.S.; deleting the child welfare results-oriented accountability program technical advisory panel; repealing s. 411.226, F.S., relating to the Learning Gateway program and steering committee; repealing s. 430.05, F.S., relating to the Department of Elderly Affairs Advisory Council; amending s. 571.24, F.S.; conforming a provision to changes made by the act; repealing s. 571.28, F.S., relating to the Florida Agricultural Promotional Campaign Advisory Council; repealing s. 595.701, F.S., relating to the Healthy Schools for Healthy Lives Council; repealing s. 603.203, F.S., relating to the Tropical Fruit Advisory Council; amending s. 603.204, F.S.; conforming a provision to changes made by the act; amending s. 1001.7065, F.S.; deleting the advisory board to support specific online degree programs at preeminent state research universities; repealing s. 1002.77, F.S., relating to the Florida Early Learning Advisory Council; amending s. 1002.83, F.S.; conforming a provision to changes made by the act; providing an effective date.

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

Section 1. Chapters 2003-287 and 2006-43, Laws of Florida, are repealed.

Section 2. Subsection (4) of section 215.5586, Florida Statutes, is amended to read:

215.5586 My Safe Florida Home Program.—There is established within the Department of Financial Services the My Safe Florida Home Program. The department shall provide fiscal accountability, contract management, and strategic leadership for the program, consistent with this section. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Home Program provide trained and certified inspectors to perform inspections for owners of site-built, single-family, residential properties and grants to eligible applicants as funding allows. The program shall develop and implement a comprehensive and coordinated approach for hurricane damage mitigation that may include the following:

~~(4) ADVISORY COUNCIL.— There is created an advisory council to provide advice and assistance to the department regarding administration of the program. The advisory council shall consist of:~~

~~(a) A representative of lending institutions, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Bankers Association.~~

~~(b) A representative of residential property insurers, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Insurance Council.~~

~~(c) A representative of home builders, selected by the Financial Services Commission from a list of at least three persons recommended by the Florida Home Builders Association.~~

~~(d) A faculty member of a state university, selected by the Financial Services Commission, who is an expert in hurricane-resistant construction methodologies and materials.~~

~~(e) Two members of the House of Representatives, selected by the Speaker of the House of Representatives.~~

~~(f) Two members of the Senate, selected by the President of the Senate.~~

~~(g) The Chief Executive Officer of the Federal Alliance for Safe Homes, Inc., or his or her designee.~~

~~(h) The senior officer of the Florida Hurricane Catastrophe Fund.~~

~~(i) The executive director of Citizens Property Insurance Corporation.~~

~~(j) The director of the Florida Division of Emergency Management.~~

~~Members appointed under paragraphs (a)–(d) shall serve at the pleasure of the Financial Services Commission. Members appointed under paragraphs (e) and (f) shall serve at the pleasure of the appointing officer. All other~~

members shall serve as voting ex officio members. Members of the advisory council shall serve without compensation but may receive reimbursement as provided in s. 112.061 for per diem and travel expenses incurred in the performance of their official duties.

Section 3. Subsection (1) of section 267.0731, Florida Statutes, is amended to read:

267.0731 Great Floridians Program.—The division shall establish and administer a program, to be entitled the Great Floridians Program, which shall be designed to recognize and record the achievements of Floridians, living and deceased, who have made major contributions to the progress and welfare of this state.

(1)(a) The division shall nominate present or former citizens of this state, living or deceased, who during their lives have made major contributions to the progress of the nation or this state and its citizens. Nominations shall be submitted to the Secretary of State who shall select from those nominated not less than two persons each year who shall be honored with the designation “Great Floridian,” provided no person whose contributions have been through elected or appointed public service shall be selected while holding any such office.

(b)(a) To enhance public participation and involvement in the identification of any person worthy of being nominated as a Great Floridian, the division shall seek advice and assistance from persons qualified through the demonstration of special interest, experience, or education in the dissemination of knowledge about the state’s history.

(b) ~~Annually, the division shall convene an ad hoc committee composed of representatives of the Governor, each member of the Florida Cabinet, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of State. This committee shall meet at least twice. The committee shall nominate not fewer than two persons whose names shall be submitted to the Secretary of State with the recommendation that they be honored with the designation “Great Floridian.”~~

Section 4. Subsection (3) of section 373.4597, Florida Statutes, is amended to read:

373.4597 The Geneva Freshwater Lens Protection Act.—

(3) ~~The Legislature hereby directs the appropriate state agencies to implement, by December 1, 1995, recommendations of the Geneva Freshwater Lens Task Force that do not require rule amendments. The Legislature directs such agencies to act, by July 1, 1996, upon recommendations of the task force that require rule amendments, unless otherwise noted in the report. The requirements of this bill related to actions to be taken by appropriate state agencies shall not require expenditures to be made by the government of Seminole County. The St. Johns River Water Management~~

District shall continue to implement the recommendations contained in the Geneva Freshwater Lens Task Force report to the Legislature.

Section 5. Section 376.86, Florida Statutes, is repealed.

Section 6. Subsection (3) of section 378.032, Florida Statutes, is amended to read:

378.032 Definitions.—As used in ss. 378.032-378.038, the term:

(3) “Committee” means the Nonmandatory Land Reclamation Committee.

Section 7. Section 378.033, Florida Statutes, is repealed.

Section 8. Subsections (5), (6), (7), (9), and (10) of section 378.034, Florida Statutes, are amended to read:

378.034 Submission of a reclamation program request; procedures.—

(5)(a) The department staff shall, by February 1 of each year, present to the secretary committee for his or her its consideration those reclamation program applications received by the preceding November 1.

(b) The department staff shall recommend an order of priority for the reclamation program applications that is consistent with subsection (6).

(c) The recommendation of the department staff shall include an estimate of the cost of each reclamation program or land acquisition.

~~(6) The committee shall recommend approval, modification, or denial of the reclamation program applications, associated cost estimates, and the department staff's recommended prioritized list. Recommendations on the order of priority shall be based, among other criteria, on the following criteria; however, department staff the committee may give greater weight to one or more of the criteria depending on the overall needs of the nonmandatory land reclamation program:~~

(a) Whether health and safety hazards exist; and, if so, such hazards shall be given the greatest weight;

(b) Whether the economic or environmental utility or the aesthetic value of the land will return naturally within a reasonable period of time;

(c) Whether there is a reasonable geographic and applicant diversity in light of previously awarded reclamation contracts, reclamation program applications before the department staff committee, and the remaining eligible lands;

(d) Whether reclamation is in the public interest;

(e) Whether the land has been naturally reclaimed or is eligible for acquisition by the state for hunting, fishing, or other outdoor recreation purposes or for wildlife preservation;

(f) Whether the land is to be reclaimed for agricultural use and the applicant has agreed to maintain the land in agricultural use for at least 5 years after the completion of the reclamation;

(g) Whether the program, alone or in conjunction with other reclamation programs, will provide a substantial regional benefit;

(h) Whether the program, alone or in conjunction with other reclamation programs, will benefit regional drainage patterns;

(i) Whether the land is publicly owned and will be reclaimed for public purposes;

(j) Whether the program includes a donation or agreement to sell a portion of the program application area to the state for outdoor recreational or wildlife habitat protection purposes;

(k) Whether the program is cost-effective in achieving the goals of the nonmandatory land reclamation program; and

(l) Whether the program will reclaim lands described in subsection (2).

(7) The prioritized list developed by department staff ~~approved by the committee~~ may contain more reclamation program applications than there are funds available during the year.

(9) ~~The committee recommendations shall be submitted to the secretary by April 1 of each year for final agency action~~ By June 1 of each ~~that~~ year, the secretary shall approve, in whole or in part, the list of reclamation program applications in the order of priority in which the applications are presented by department staff.

(10) Any approved reclamation program application that was not funded shall, at the request of the applicant, be considered by department staff ~~the committee~~ at its next meeting called for that purpose, together with other reclamation program applications received by November 1 of the next year.

Section 9. Section 379.2524, Florida Statutes, is repealed.

Section 10. Paragraph (b) of subsection (4) of section 379.361, Florida Statutes, is amended to read:

379.361 Licenses.—

(4) SPECIAL ACTIVITY LICENSES.—

(b) The Fish and Wildlife Conservation Commission is authorized to issue special activity licenses in accordance with this section ~~and s.~~

~~379.2524~~, to permit the importation and possession of wild anadromous sturgeon. The commission is also authorized to issue special activity licenses, in accordance with this section ~~and s. 379.2524~~, to permit the importation, possession, and aquaculture of native and nonnative anadromous sturgeon until best management practices are implemented for the cultivation of anadromous sturgeon pursuant to s. 597.004. The special activity license shall provide for specific management practices to protect native populations of saltwater species.

Section 11. Paragraph (b) of subsection (2) of section 379.367, Florida Statutes, is amended to read:

379.367 Spiny lobster; regulation.—

(2)

(b) Twenty-five dollars of the \$125 fee for a spiny lobster endorsement required under subparagraph (a)1. must be used only for trap retrieval as provided in s. 379.2424. The remainder of the fees collected under paragraph (a) shall be deposited as follows:

1. Fifty percent of the fees collected shall be deposited in the Marine Resources Conservation Trust Fund for use in enforcing the provisions of paragraph (a) through aerial and other surveillance and trap retrieval.

2. Fifty percent of the fees collected shall be deposited as provided in s. 379.3671(4) ~~s. 379.3671(5)~~.

Section 12. Subsection (4) of section 379.3671, Florida Statutes, is amended to read:

379.3671 Spiny lobster trap certificate program.—

~~(4) TRAP CERTIFICATE TECHNICAL ADVISORY AND APPEALS BOARD.—There is hereby established the Trap Certificate Technical Advisory and Appeals Board. Such board shall consider and advise the commission on disputes and other problems arising from the implementation of the spiny lobster trap certificate program. The board may also provide information to the commission on the operation of the trap certificate program.~~

~~(a) The board shall consist of the executive director of the commission or designee and nine other members appointed by the executive director, according to the following criteria:~~

~~1. All appointed members shall be certificateholders, but two shall be holders of fewer than 100 certificates, two shall be holders of at least 100 but no more than 750 certificates, three shall be holders of more than 750 but not more than 2,000 certificates, and two shall be holders of more than 2,000 certificates.~~

~~2.—At least one member each shall come from Broward, Miami-Dade, and Palm Beach Counties; and five members shall come from the various regions of the Florida Keys.~~

~~3.—At least one appointed member shall be a person of Hispanic origin capable of speaking English and Spanish.~~

~~(b)—The term of each appointed member shall be for 4 years, and any vacancy shall be filled for the balance of the unexpired term with a person of the qualifications necessary to maintain the requirements of paragraph (a). There shall be no limitation on successive appointments to the board.~~

~~(c)—The executive director of the commission or designee shall serve as a member and shall call the organizational meeting of the board. The board shall annually elect a chair and a vice chair. There shall be no limitation on successive terms that may be served by a chair or vice chair. The board shall meet at the call of its chair, at the request of a majority of its membership, at the request of the commission, or at such times as may be prescribed by its rules. A majority of the board shall constitute a quorum, and official action of the board shall require a majority vote of the total membership of the board present at the meeting.~~

~~(d)—The procedural rules adopted by the board shall conform to the requirements of chapter 120.~~

~~(e)—Members of the board shall be reimbursed for per diem and travel expenses as provided in s. 112.061.~~

~~(f)—Upon reaching a decision on any dispute or problem brought before it, including any decision involving the allotment of certificates under paragraph (g), the board shall submit such decision to the executive director of the commission for final approval. The executive director of the commission may alter or disapprove any decision of the board, with notice thereof given in writing to the board and to each party in the dispute explaining the reasons for the disapproval. The action of the executive director of the commission constitutes final agency action.~~

~~(g)—In addition to those certificates allotted pursuant to the provisions of subparagraph (2)(a)1., up to 125,000 certificates may be allotted by the board to settle disputes or other problems arising from implementation of the trap certificate program during the 1992-1993 and 1993-1994 license years. Any certificates not allotted by March 31, 1994, shall become permanently unavailable and shall be considered as part of the 1994-1995 reduction schedule. All appeals for additional certificates or other disputes must be filed with the board before October 1, 1993.~~

~~(h)—Any trap certificates issued by the Department of Environmental Protection and, effective July 1, 1999, the commission as a result of the appeals process must be added to the existing number of trap certificates for~~

the purposes of determining the total number of certificates from which the subsequent season's trap reduction is calculated.

~~(i) On and after July 1, 1994, the board shall no longer consider and advise the Fish and Wildlife Conservation Commission on disputes and other problems arising from implementation of the trap certificate program nor allot any certificates with respect thereto.~~

Section 13. Section 403.42, Florida Statutes, is repealed.

Section 14. Section 403.87, Florida Statutes, is repealed.

Section 15. Paragraph (h) of subsection (11) of section 408.910, Florida Statutes, is amended to read:

408.910 Florida Health Choices Program.—

(11) CORPORATION.—There is created the Florida Health Choices, Inc., which shall be registered, incorporated, organized, and operated in compliance with part III of chapter 112 and chapters 119, 286, and 617. The purpose of the corporation is to administer the program created in this section and to conduct such other business as may further the administration of the program.

~~(h) The corporation may establish technical advisory panels consisting of interested parties, including consumers, health care providers, individuals with expertise in insurance regulation, and insurers.~~

Section 16. Subsection (3) of section 409.997, Florida Statutes, is amended to read:

409.997 Child welfare results-oriented accountability program.—

~~(3) The department shall establish a technical advisory panel consisting of representatives from the Florida Institute for Child Welfare established pursuant to s. 1004.615, lead agencies, community-based care providers, other contract providers, community alliances, and family representatives. The President of the Senate and the Speaker of the House of Representatives shall each appoint a member to serve as a legislative liaison to the panel. The technical advisory panel shall advise the department on the implementation of the results-oriented accountability program.~~

Section 17. Section 411.226, Florida Statutes, is repealed.

Section 18. Section 430.05, Florida Statutes, is repealed.

Section 19. Subsection (7) of section 571.24, Florida Statutes, is amended to read:

571.24 Purpose; duties of the department.—The purpose of this part is to authorize the department to establish and coordinate the Florida Agricultural Promotional Campaign. The Legislature intends for the Florida



Agricultural Promotional Campaign to serve as a marketing program to promote Florida agricultural commodities, value-added products, and agricultural-related businesses and not as a food safety or traceability program. The duties of the department shall include, but are not limited to:

~~(7) Assisting the representative of the department who serves on the Florida Agricultural Promotional Campaign Advisory Council.~~

Section 20. Section 571.28, Florida Statutes, is repealed.

Section 21. Section 595.701, Florida Statutes, is repealed.

Section 22. Section 603.203, Florida Statutes, is repealed.

Section 23. Section 603.204, Florida Statutes, is amended to read:

603.204 South Florida Tropical Fruit Plan.—The Commissioner of Agriculture, ~~in consultation with the Tropical Fruit Advisory Council,~~ shall develop and update a South Florida Tropical Fruit Plan, which shall identify problems and constraints of the tropical fruit industry, propose possible solutions to such problems, and develop planning mechanisms for orderly growth of the industry, including:

(1) Criteria for tropical fruit research, service, and management priorities.

(2) Proposed legislation that may be required.

(3) Plans relating to other tropical fruit programs and related disciplines in the State University System.

(4) Potential tropical fruit products in terms of market and needs for development.

(5) Evaluation of production and fresh fruit policy alternatives, including, but not limited to, setting minimum grades and standards, promotion and advertising, development of production and marketing strategies, and setting minimum standards on types and quality of nursery plants.

(6) Evaluation of policy alternatives for processed tropical fruit products, including, but not limited to, setting minimum quality standards and development of production and marketing strategies.

(7) Research and service priorities for further development of the tropical fruit industry.

(8) Identification of state agencies and public and private institutions concerned with research, education, extension, services, planning, promotion, and marketing functions related to tropical fruit development, and delineation of contributions and responsibilities. The recommendations in the plan relating to education or research shall be submitted to the Institute of Food and Agricultural Sciences.

(9) Business planning, investment potential, financial risks, and economics of production and use.

Section 24. Paragraphs (a) through (f) of subsection (4) of section 1001.7065, Florida Statutes, are amended to read:

1001.7065 Preeminent state research universities program.—

(4) **PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR ONLINE LEARNING.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall establish an institute for online learning. The institute shall establish a robust offering of high-quality, fully online baccalaureate degree programs at an affordable cost in accordance with this subsection.

~~(a) By August 1, 2013, the Board of Governors shall convene an advisory board to support the development of high-quality, fully online baccalaureate degree programs at the university.~~

~~(b) The advisory board shall:~~

~~1. Offer expert advice, as requested by the university, in the development and implementation of a business plan to expand the offering of high-quality, fully online baccalaureate degree programs.~~

~~2. Advise the Board of Governors on the release of funding to the university upon approval by the Board of Governors of the plan developed by the university.~~

~~3. Monitor, evaluate, and report on the implementation of the plan to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives.~~

~~(c) The advisory board shall be composed of the following five members:~~

~~1. The chair of the Board of Governors or the chair's permanent designee.~~

~~2. A member with expertise in online learning, appointed by the Board of Governors.~~

~~3. A member with expertise in global marketing, appointed by the Governor.~~

~~4. A member with expertise in cloud virtualization, appointed by the President of the Senate.~~

~~5. A member with expertise in disruptive innovation, appointed by the Speaker of the House of Representatives.~~

~~(d) The president of the university shall be consulted on the advisory board member appointments.~~

~~(e) A majority of the advisory board shall constitute a quorum, elect the chair, and appoint an executive director.~~

~~(f) By September 1, 2013, the university shall submit to the advisory board a comprehensive plan to expand high-quality, fully online baccalaureate degree program offerings. The plan shall include:~~

~~1. Existing on-campus general education courses and baccalaureate degree programs that will be offered online.~~

~~2. New courses that will be developed and offered online.~~

~~3. Support services that will be offered to students enrolled in online baccalaureate degree programs.~~

~~4. A tuition and fee structure that meets the requirements in paragraph (k) for online courses, baccalaureate degree programs, and student support services.~~

~~5. A timeline for offering, marketing, and enrolling students in the online baccalaureate degree programs.~~

~~6. A budget for developing and marketing the online baccalaureate degree programs.~~

~~7. Detailed strategies for ensuring the success of students and the sustainability of the online baccalaureate degree programs.~~

~~Upon recommendation of the plan by the advisory board and approval by the Board of Governors, the Board of Governors shall award the university \$10 million in nonrecurring funds and \$5 million in recurring funds for fiscal year 2013-2014 and \$5 million annually thereafter, subject to appropriation in the General Appropriations Act.~~

Section 25. Section 1002.77, Florida Statutes, is repealed.

Section 26. Subsection (11) of section 1002.83, Florida Statutes, is amended to read:

1002.83 Early learning coalitions.—

(11) Each early learning coalition shall establish terms for all appointed members of the coalition. The terms must be staggered and must be a uniform length that does not exceed 4 years per term. Coalition chairs shall be appointed for 4 years in conjunction with their membership on the Early Learning Advisory Council pursuant to s. 20.052. Appointed members may serve a maximum of two consecutive terms. When a vacancy occurs in an appointed position, the coalition must advertise the vacancy.

Section 27. This act shall take effect July 1, 2020.

Approved by the Governor June 29, 2020.

Filed in Office Secretary of State June 29, 2020.