

HOUSE MESSAGE SUMMARY

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BILL: HB 879
SPONSOR: Rep. Hukill
SUBJECT: Public School Instruction/Arts
PREPARED BY: Senate Committee on Education
DATE: May 5, 2005

I. Amendments Contained in Message:

House Amendment 1 – 636279 to Senate Amendment 1- 172566
House Amendment 2 – 023123 to Senate Amendment 1- 172566
House Amendment 3 – 824419 to Senate Amendment 1- 172566
House Amendment 4 – 279229 to Senate Amendment 1- 172566

II. Summary of Amendments Contained in Message:

House Amendment 1 amends Section 411.01, F.S., the provision dealing with the creation of Early Learning Coalitions, and provides that the early learning coalition that includes Jefferson, Liberty, Madison, Wakulla and Taylor counties currently in operation is established and authorized to continue operation as an independent collation and shall not be counted toward the statute's cap of 30 coalitions.

The amendment also amends the body of the title.

This amendment is not germane to the bill, because it deals with early learning coalitions and not educational instruction. It's questionable whether the amendment accomplishes the sponsor's goal, because as drafted, the new language may not apply to all paragraphs of the section.

House Amendment 2 amends Section 1006.20, F.S., the provision dealing with athletics in public K-12 schools, and requires organizations to adopt bylaws in consultation with the Florida School Boards Association and the Florida Association of District School Superintendents specifying that, in order to qualify for membership in the organization, a school must abide by district school board or private school procedure that requires instruction in P.E. or health classes, and by head coaches to their teams, on the danger of steroid use, and steroids must be prohibited in the student code of conduct and included in the drug suspicion criteria. Additionally, organizations must adopt bylaws requiring adherence to the Florida Coaches Code of Ethics, including penalties for noncompliance. Lastly, the amendment states that no later than October 1, 2005, the Florida High School Athletic Association must make recommendations to the Speaker of the House and the President of the Senate for a pilot drug testing program for performance-enhancing drugs.

The amendment also amends the body of the title.

This amendment is the subject of a Senate Bill which is still in the Judiciary committee. The Senate removed steroid testing in committee, but this amendment re-inserts it.

House Amendment 3 amends Sections 287.055, 1001.453, F.S., 1010.09, 1011.765, F.S. This amendment allows regional consortium service organizations to have as much power as district school boards with regards to authorizing use of property, facilities, and personal services, prescribing rule conditions, and approving the board of directors for regional for direct-support organizations. The bill also amends the auditing guidelines for a direct support organization and requires that the reports be submitted to the Auditor General and the district school board or regional consortium service organization board of directors for review.

The amendment also requires that the Florida Academic Improvement Trust Fund be utilized to provide matching grants to regional consortium service organization education foundations.

The amendment also amends the body of the title.

The amendment is not germane to the bill, because it deals with regional consortium service organizations.

House Amendment 4 amends Sections 401.107, 401.113, and creates an unnumbered section of the Florida Statutes. The amendment provides a definition for “youth athletic organizations” and authorizes the Department of Health to make grants to them for the use of assisting local and emergency medical service organizations to assist youth athletic organizations that work in conjunction with local emergency medical services organizations to expand the use of automated external defibrillator devices in the community. The amendment also requires the department to annually dispense forty-five percent of the money from the Emergency Medical Services Trust Fund to counties, which may in turn distribute those funds to emergency medical service organizations and youth athletic organizations. Additionally, the amendment requires the department to implement an educational campaign to inform any person who acquires an automated external defibrillator device that his or her immunity does not apply if the person fails to properly maintain and test the device, or provide appropriate training in the use of the device to employee or agents.

The amendment is not germane to the bill, because the amendment deals with youth athletic organizations and automated external defibrillators. The title amendment is also flawed, because it re-writes the catchline to include youth fitness, but the Senate amendment does not amend the catchline of the bill. Thus, if the amendment to the amendment is adopted, the bill would read: “An act relating to public school educational instruction...an act relating to public educational instruction and youth fitness.”