



Journal of the Senate

Number 11

Wednesday, March 30, 1994

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—39:

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Excused: Senator Turner

PRAYER

The following prayer was offered by the Rev. Hal Marchman, Retired Pastor, Astor:

Almighty God, you have given us commandments, principles, a way of life and the power of your spirit.

Help us this day to use the resources provided to close the gap between what we are and what you want us to be. Shalom and Amen.

PLEDGE

Senate Pages, Billy Webb of Pompano Beach and Taffie L. Bailey of Winter Haven, led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Grant, by two-thirds vote **SR 3008** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Grant—

SR 3008—A resolution recognizing the success and recommending the usefulness of the Eddie Eagle Gun Safety Education Program of the National Rifle Association.

WHEREAS, the Eddie Eagle Program of the National Rifle Association is currently employed in 59 of 67 counties in this state, and 4.5 million children have participated in the program, and

WHEREAS, the Eddie Eagle Program was awarded the 1993 Public Service Award of the National Safety Council, and

WHEREAS, the lifesaving message that is offered by the program is: "If you see a gun, stop. Don't touch. Leave the area. Call an adult," NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Eddie Eagle Gun Safety Education Program of the National Rifle Association be recognized for its success.

BE IT FURTHER RESOLVED that each of the eight counties of this state that are not currently offering the program be encouraged to provide an Eddie Eagle Gun Safety Education Program in that county.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

SPECIAL GUEST

The President introduced the following guest who was seated in the gallery: Marion P. Hammer.

On motion by Senator McKay, by two-thirds vote **SR 3030** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator McKay—

SR 3030—A resolution commending the Manatee Juvenile Justice Council for its efforts in implementing reforms in the juvenile justice system.

WHEREAS, the Manatee Juvenile Justice Council was created by the Legislature in 1993, and

WHEREAS, the council was directed to encourage and support ongoing interagency cooperation and collaboration in addressing juvenile crime in the county, and

WHEREAS, the council was further directed to provide a forum for presenting a community-based, interagency assessment of the local juvenile justice system, and

WHEREAS, the council was charged with developing a county juvenile justice plan to more effectively prevent juvenile delinquency and to devise methods of making more effective use of existing community resources in dealing with juveniles who are truant, have been suspended or expelled from school, or are found to be involved with crime, and

WHEREAS, under the guidance of the Manatee Juvenile Justice Council, an effective partnership is being established between the county's service providers, the organizations that operate juvenile justice programs, and the Department of Health and Rehabilitative Services, thus ensuring responsiveness to local priorities and accountability for programs and services, NOW, THEREFORE

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate hereby congratulates the Manatee County Juvenile Justice Council on its first year of operation and commends the council for its efforts in developing and implementing juvenile justice reform.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the members of the Manatee Juvenile Justice Council as a tangible token of the sentiments of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

On motion by Senator Childers, by two-thirds vote **SR 3104** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Childers—

SR 3104—A resolution in memory of Senator and Judge John S. Rawls, a man who dedicated his life to public service.

WHEREAS, the Florida Senate, with deep regret, was informed last year of the death of former Senator and Judge John S. Rawls on May 11, 1993, and

WHEREAS, Senator Rawls served with distinction in the Florida Senate from 1954 through 1961, was Senate President Pro Tempore of the 1961 Regular Session, was a member of the First District Court of Appeal, and was a member of the Judicial Qualifications Commission, and

WHEREAS, it is most appropriate that the Florida Senate commemorate the passing of one of its former members who left his mark on Florida history, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this legislative body does pause in its deliberations to pay its respects to the late Senator and Judge John S. Rawls and that the Florida Senate in session assembled does record this brief history of his life and times:

IN MEMORIAM
JOHN S. RAWLS (1921-1993)

John S. Rawls was born January 1, 1921, in Greenwood, Florida, was educated in the public school system, served for 4 years in the United States Army Air Force, including 29 months overseas, and attended the University of Florida where, in 1948, he earned his LLB degree. From 1954 through 1961, he represented Jackson County and served as Senator from the Fourth District. He is remembered for helping to establish the junior college system in this state and especially the Chipola Junior College in Marianna. Moreover, Senator Rawls was one of the authors of the first Administrative Procedure Act, which protected citizens' rights by providing people with a method of challenging the rules and decisions made by state agencies.

In 1961, Judge Rawls was appointed to serve on the First District Court of Appeal, where he later became Chief Judge and where he continued to serve until 1979. From 1967 through 1972, Judge Rawls also served on the Judicial Qualifications Commission, which, under the Florida Constitution, reviews the conduct of judges and justices and may recommend to the Florida Supreme Court the removal, reprimand, or involuntary retirement of a judge or justice. Judge Rawls was the first chairman and served as the General Counsel of the Judicial Qualifications Commission. Judge Rawls also served as a member of the Board of Directors of the American Judicature Society and as a member of the Board of Governors of The Florida Bar. One of Judge Rawls' most notable decisions, as observed in his obituary, "was made in *Brown vs. Brown*, which was the forerunner of the equitable-distribution precept now embedded in our dissolution of marriage law, which protects the financial interests of both parties in a divorce action."

More importantly, John S. Rawls was a warm and gentle man who gave of himself not only to public service, but who also shared a beautiful marriage with Helen, his wife of many years. He was a tender and loving father to their daughter and their foster daughter, JoLen Rawls Wolf and Julia Rawls Campbell. He was equally devoted to each of his three grandchildren.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate with the Seal of the Senate affixed, be presented to Helen Rawls, widow of John Rawls, as a tangible token of the sentiments expressed herein and a lasting symbol of the respect of the members of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and adopted.

SPECIAL GUESTS

The President introduced the following members of former Senator and Judge John S. Rawls' family who were seated in the chamber: wife, Helen Rawls; daughter, JoLen Wolf; son-in-law, Judge James R. Wolf, First District Court of Appeal; and granddaughter, Emleigh Wolf.

Upon request of the President, Senators Childers and Scott escorted the guests to the rostrum. The President, Senator Beard, Joe Brown, Secretary of the Senate and Wayne Todd, Senate Sergeant at Arms, joined in presenting a copy of the resolution to the family.

On motion by Senator Childers, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Childers—

SR 3130—A resolution recognizing and commending Gene Baker, Director of Legislative Library Services, on his forthcoming retirement after almost 30 years of dedicated service to the Legislature.

WHEREAS, B. Gene Baker was born May 28, 1932, in Palatka, Florida, the son of Canadian parents, Albert Beverley and Jean Wilson Baker, and

WHEREAS, Gene Baker was Salutatorian of his 1950 graduating class at Mellon High School in Palatka; obtained a Bachelor of Science in Political Science at the University of the South at Seawee, Tennessee, in 1954, where he was a member of the Tennessee Beta Chapter of Pi Gamma Mu, a national social science honor society, served as President of the Beta Omicron Chapter of Sigma Nu Fraternity, served on the student governing body, was a member of Omicron Delta Kappa Society for service and collegiate achievement, and was inducted into the Blue Key National Honor Fraternity; and obtained a Master of Arts in Political Science at Emory University in Atlanta, Georgia, in 1955, where he was inducted into Pi Sigma Alpha, a national political science honor society, and

WHEREAS, Gene Baker served in the United States Army from December 1955 to February 1957 and, upon his return from military service, obtained a Master of Science in Library Science at Florida State University in Tallahassee in 1962, and

WHEREAS, Gene Baker's lengthy career with the Florida Legislature began August 17, 1964, when he became employed as Librarian with the Legislative Reference Bureau, a predecessor of today's Legislative Library Services, and

WHEREAS, Mr. Baker was promoted to Director of Legislative Library Services on September 2, 1973, the position he has held ever since and from which he will retire on June 30, 1994, and

WHEREAS, Gene, a jaunty bachelor, fell in love with Kathryn Sikes Baker, a long-time employee of the Clerk of the House of Representatives, whom he wed on June 7, 1979, and, through their happy union, assimilated rapidly into family life, becoming the stepfather to Kay's five children and ultimately the proud stepgrandfather of their twelve grandchildren, and

WHEREAS, Gene Baker's knowledge of the legislative process of this and other states and of government in general has been an invaluable resource for legislative researchers, and

WHEREAS, Mr. Baker, who is much appreciated for his calm, congenial, and helpful nature, will long be remembered for the innumerable times he assisted in locating an elusive reference and for compiling and editing the summary of general legislation enacted each session, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this legislative body pause in its deliberations to recognize and commend Gene Baker, Director of Legislative Library Services, for the years of competent and dedicated service he has provided to the members of this body and their staffs, to the legislative committee staffs, to state agencies, and to the public.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate and affixed with the Seal of the Senate, be presented to Gene Baker as a tangible token of the appreciation, respect, and gratitude of the Florida Senate.

On motion by Senator Childers, **SR 3130** was read by title and was read the second time in full and adopted.

SPECIAL GUESTS

Senator Childers introduced the following guests: Gene Baker, who was seated in the chamber and his wife Kathryn, who was seated in the gallery.

Upon request of the President, Senator Childers escorted Mr. Baker to the rostrum where he was presented a copy of the resolution.

On motion by Senator Kirkpatrick, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Kirkpatrick—

SR 3132—A resolution recognizing Daisy C. Martin for her outstanding service to the citizens and government of Alachua County and her selfless efforts on behalf of local governments in the area of state policy on social services.

WHEREAS, Daisy C. Martin has been a valued employee of Alachua County government for more than twenty-five years, and

WHEREAS, she has effectively represented Alachua County government in the Legislature since 1985, and

WHEREAS, she exemplifies commitment and integrity in public-policy advocacy, and

WHEREAS, Daisy C. Martin will retire from Alachua County this year, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends Daisy C. Martin for her dedication, patience, tenacity, sweet southern charm, and wonderful sense of what is really important, as she has labored to help legislators and other policy-makers in their efforts to responsibly serve the people of this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Daisy C. Martin as a tangible token of the sentiments of the Florida Senate.

On motion by Senator Kirkpatrick, **SR 3132** was read by title and was read the second time in full and adopted.

SPECIAL GUEST

Senator Kirkpatrick introduced the following guest who was seated in the gallery: Daisy C. Martin.

On motion by Senator Forman, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Forman—

SR 3134—A resolution recognizing March 21, 1994, as Osteopathic Medicine Day.

WHEREAS, osteopathic physicians and hospitals are concerned with meeting the needs of the whole person and the whole family and with offering preventative medical services, and

WHEREAS, Florida's osteopathic physicians serve the medical needs of many residents, and

WHEREAS, osteopathic hospitals are patient-centered community hospitals that care about patients and provide individualized treatment, and

WHEREAS, the residents of Florida recognize the need for the latest technology and for caring physicians who are committed to family practice, to modern health care, and to treating the entire person in treating illness, and

WHEREAS, National Osteopathic Medicine Day will be observed nationwide on March 21, 1994, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this legislative body recognizes March 21, 1994, as Osteopathic Medicine Day in Florida and urges all residents to salute, participate, and lend their support to the dedicated professionals who provide high-quality, comprehensive, and personalized health care.

On motion by Senator Forman, **SR 3134** was read by title and was read the second time in full and adopted.

SPECIAL GUEST

Senator Forman introduced the following guest who was seated in the chamber: Gregory Boyer, President, Florida Osteopathic Hospital Association.

Upon request of the President, Senator Forman escorted the guest to the rostrum where he was presented a copy of the resolution.

On motion by Senator Jenne, the rules were waived by unanimous consent and the following resolution was introduced out of order:

By Senator Jenne—

SR 3136—A resolution supporting the permanent display of the Freedom Shrine on the 22nd Floor of the Capitol.

WHEREAS, the Freedom Shrine consists of exact photographic copies of 28 of the most famous documents in American history, written by the giants of America's past, often by hand, and faithfully preserved so that Americans will be inspired to preserve the freedom which their forefathers so brilliantly fought and strived to create, and

WHEREAS, the Freedom Shrine was inspired by the Freedom Train, a traveling exposition of American historical documents which toured the United States shortly after World War II, and now thousands of shrines have been installed in communities across the nation, Puerto Rico, and American outposts around the world, and

WHEREAS, The National Exchange Club, a service club organization in the United States and Puerto Rico, holds the preservation and perpetuation of American principles as one of its primary objectives and thus sponsors the Freedom Shrine, one of the organization's greatest achievements, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate hereby expresses its support for The National Exchange Club to permanently place the Freedom Shrine on the 22nd Floor of the Capitol.

On motion by Senator Jenne, **SR 3136** was read by title and was read the second time in full and adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Williams, by two-thirds vote **SB 2444** was withdrawn from the committees of reference and further consideration.

On motions by Senator Silver, by two-thirds vote **Senate Bills 2352, 2528, 2530 and 2450** were withdrawn from the committees of reference and further consideration.

On motions by Senator Wexler, by two-thirds vote **CS for SB 1024, CS for SB 1852 and SB 1854** were withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Kirkpatrick, by two-thirds vote **SB 2948** was withdrawn from the Committee on Natural Resources and Conservation; **SB 2634** was withdrawn from the Committee on Professional Regulation; **SB 1782** was withdrawn from the Committee on International Trade, Economic Development and Tourism; **CS for CS for SJR's 2, 4 and 416** was withdrawn from the Committee on Rules and Calendar; **SB 2320** was withdrawn from the Committees on Governmental Operations; and Rules and Calendar; **CS for SB 470** was withdrawn from the Committee on Judiciary; **CS for SB 2536** was withdrawn from the Committee on Professional Regulation; and **CS for SB 2532** was withdrawn from the Committee on Criminal Justice.

On motions by Senator Grogan, by two-thirds vote **Senate Bills 38, 206, 558 and 2996** were withdrawn from the committees of reference and further consideration.

On motions by Senator Jones, by two-thirds vote **SB 2370** was withdrawn from the committees of reference and further consideration.

On motions by Senator Jenne, by two-thirds vote **Senate Bills 158, 406, 634, 1034, 1244, 1356, 1768, 1800, 1828, 1878, 2028, 2288, 2322, 2414, 2584, CS for SB 302, CS for SB 636, CS for CS for CS for SB 1018, CS for CS for SB 1422, CS for SB 1478, CS for SB 1646, CS for SB 1678, CS for SB 1930, CS for CS for SB 2110, CS for SB 2144, CS for SB 2156, CS for SB 2256, CS for SB 2272, CS for SB 2306, CS for SB 2324, CS for SB 2328, CS for SB 2350, CS for SB 2380, CS for SB 2482 and SJR 1788** were withdrawn from the Committee on Appropriations.

On motions by Senator Kirkpatrick, by two-thirds vote **SB 2724** was withdrawn from the Committees on Natural Resources and Conservation;

Community Affairs; and Appropriations; and referred to the Committees on Community Affairs; Natural Resources and Conservation; and Appropriations.

On motions by Senator Kirkpatrick, by two-thirds vote **CS for SB 1668**, **CS for SB 176**, **CS for SB 1756**, **CS for SB 2446** and **SB 2090** were withdrawn from the Committee on Rules and Calendar; **CS for SB 2478** was withdrawn from the Committee on Professional Regulation; **CS for SB 1892** was withdrawn from the Committee on Criminal Justice; **CS for SB's 2878** and **2358** was withdrawn from the Committees on International Trade, Economic Development and Tourism; and Community Affairs; **CS for SB 2004** was withdrawn from the Committee on Governmental Operations; **SR 2674** was withdrawn from the Committee on Education; and **SB 2646** was withdrawn from the Committee on Transportation.

MOTIONS

On motion by Senator Kirkpatrick, by two-thirds vote **SB 40** was placed on the Special Order Calendar.

On motions by Senator Kirkpatrick, the rules were waived and by two-thirds vote **CS for SB 340** was placed first on the Special Order Calendar; and **CS for CS for CS for SB 1018** was placed at the end of the Special Order Calendar to be considered Thursday, March 31.

SPECIAL ORDER

SENATOR HARGRETT PRESIDING

On motions by Senator Myers, by two-thirds vote—

CS for HB 1745—A bill to be entitled An act relating to family practice teaching hospitals; providing legislative findings; providing definitions; providing for designation of family practice teaching hospitals; providing for application to the Agency for Health Care Administration for such designation; providing for a separate category for review of such hospitals by the Health Care Board; creating a family practice physician retention advisory committee; requiring the committee to develop a program for recruiting minority physicians into family practice residency programs; requiring an annual report; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 396** and by two-thirds vote read the second time by title. On motion by Senator Myers, by two-thirds vote **CS for HB 1745** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

Consideration of **CS for SB 1278** was deferred.

CS for SB 486—A bill to be entitled An act relating to the review of Article V of the State Constitution; creating the Article V Task Force within the Department of Legal Affairs; providing for membership of the task force; specifying a date on which the task force is abolished; providing for per diem and travel expenses for members of the task force; providing duties of the task force; providing certain limitations on the use of records of the task force and on the testimony of task force members; requiring the agencies and courts of the state to assist the task force; requiring a report; providing an appropriation; providing an effective date.

—was read the second time by title.

One amendment was adopted to **CS for SB 486** to conform the bill to **HB 409**.

Pending further consideration of **CS for SB 486** as amended, on motions by Senator Scott, by two-thirds vote **HB 409** was withdrawn from the Committees on Judiciary; Rules and Calendar; and Appropriations.

On motions by Senator Scott, the rules were waived and—

HB 409—A bill to be entitled An act relating to review of Article V; creating a task force to review Article V of the State Constitution relating to the judiciary; providing for the composition of the task force; providing for the term of the task force; providing for organization and composition; providing for powers and duties; providing an effective date.

—a companion measure, was substituted for **CS for SB 486** and read the second time by title.

Senator Scott moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 4, line 22, after the period (.) insert: *A document or other information that is exempt from public inspection under chapter 119, Florida Statutes, does not become a public record when it is provided by any officer or agency to the task force for review or consideration, and the task force shall maintain the confidentiality of such document or other information.*

And the title is amended as follows:

In title, on page 1, line 8, after the second semicolon (;) insert: requiring the task force to maintain the confidentiality of certain documents and other information;

On motions by Senator Scott, by two-thirds vote **HB 409** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37 Nays—None

CS for SB 228—A bill to be entitled An act relating to weapons and firearms; amending s. 790.115, F.S.; revising the prohibition against exhibiting a firearm or certain other destructive devices on school grounds or school facilities to prohibit any such action within a specified area of the property comprising a school; exempting the owner of specified private real property or a person authorized, licensed, or invited by the owner of such property while on such property; providing an effective date.

—was read the second time by title. On motions by Senator Holzen-dorf, by two-thirds vote **CS for SB 228** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 650—A bill to be entitled An act relating to the State Board of Administration; amending s. 110.205, F.S.; exempting all officers and employees of the State Board of Administration from the Career Service System; amending s. 215.47, F.S., regarding authorized investments; permitting the board to invest in certain contracts; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining recommended the following amendment which was moved by Senator Jones:

Amendment 1—On page 1, line 22, following the period (.) insert: *The State Board of Administration shall set the salaries of these positions.*

The Committee on Finance, Taxation and Claims recommended the following amendment to **Amendment 1** which was moved by Senator Jones and adopted:

Amendment 1A—On page 1, line 12, after "salaries" insert: *and benefits*

Amendment 1 as amended was adopted.

On motion by Senator Jones, by two-thirds vote **SB 650** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37 Nays—1

CS for SB 606—A bill to be entitled An act relating to Medicaid; amending ss. 409.906, 409.908, F.S.; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; requiring reimbursement for services provided by physician assistants; deleting a reference to former s. 409.9114, F.S.; providing an effective date.

—was read the second time by title.

Senator Sullivan moved the following amendments which were adopted:

Amendment 1—On page 1, line 20, strike “agency” and insert: *Department of Health and Rehabilitative Services*

Amendment 2—On page 3, strike line 10 and insert: center licensed by the agency and under contract to the *Department of Health and Rehabilitative Services*

Senator Sullivan moved the following amendment:

Amendment 3 (with Title Amendment)—On page 13, between lines 26 and 27, insert:

Section 3. Subsection (13) is added to section 409.912, Florida Statutes, to read:

409.912 Cost-effective purchasing of health care.—The department shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. The department shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies designed to facilitate the cost-effective purchase of a case-managed continuum of care. The department shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services.

(13) *The agency shall by rule develop a procedure whereby an enrollee in a Medicaid prepaid plan who wishes to enter hospice care may be disenrolled from the prepaid plan within 24 hours after contacting the agency to request hospice care. The agency rule must include a methodology for the agency to recoup prepaid plan payments on a pro-rata basis if payment has been made for the month when disenrollment occurs.*

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 9, after the semicolon (;) insert: amending s. 409.912, F.S.; requiring the agency to develop a procedure for expediting the disenrollment of a Medicaid-prepaid-plan enrollee who wishes to enter hospice care; requiring the agency to provide for a pro-rata recoupment of payments already made for a month in which disenrollment occurs;

On motion by Senator Sullivan, further consideration of **CS for SB 606** with pending **Amendment 3** was deferred.

On motions by Senator Forman, by two-thirds vote **HB 1529** was withdrawn from the Committees on Commerce and Appropriations.

On motion by Senator Forman—

HB 1529—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.615, F.S.; providing for annual transmittal of a portion of the principal of the Florida Endowment for Vocational Rehabilitation to the Florida Endowment Foundation for Vocational Rehabilitation; deleting obsolete language; revising the date of annual report; providing an effective date.

—a companion measure, was substituted for **SB 1836** and read the second time by title. On motion by Senator Forman, by two-thirds vote **HB 1529** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

THE PRESIDENT PRESIDING

The Senate resumed consideration of—

CS for SB 606—A bill to be entitled An act relating to Medicaid; amending ss. 409.906, 409.908, F.S.; changing references from the Department of Health and Rehabilitative Services to the Agency for Health

Care Administration; requiring reimbursement for services provided by physician assistants; deleting a reference to former s. 409.9114, F.S.; providing an effective date.

—which had been considered this day. Pending **Amendment 3** by Senator Sullivan was adopted.

On motion by Senator Sullivan, by two-thirds vote **CS for SB 606** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 16—A bill to be entitled An act relating to incorporation of municipalities; amending s. 165.061, F.S.; exempting certain areas proposed for incorporation from the requirement that an area be a specified distance or otherwise separated from an existing municipality; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 13 and 14, insert:

Section 2. Section 171.046, Florida Statutes, is amended to read:

171.046 Annexation of enclaves.—

(1) The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves.

(2) In order to expedite the annexation of enclaves of ~~10 acres or less~~ into the most appropriate incorporated jurisdiction, based upon existing or proposed service provision arrangements, a municipality may by ordinance:

~~(a) Annex an enclave by interlocal agreement with the county having jurisdiction of the enclave; or~~

~~(b) annex an enclave in which with fewer than 25 registered voters reside, if by municipal ordinance when the annexation is approved in a referendum by at least a majority 60 percent of the registered voters who reside in the enclave. However, if no registered voters reside in the enclave to be annexed, the annexation must be approved by a majority of the persons or entities owning property within the enclave and by the owners of a majority of the property within the enclave.~~

~~(3) This section does not apply to undeveloped or unimproved real property.~~

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2-7 and insert: An act relating to municipalities; amending s. 165.061, F.S.; exempting certain areas proposed for incorporation from the requirement that an area be a specified distance or otherwise separated from an existing municipality; amending s. 171.046, F.S.; amending the procedures by which a municipality may expedite the annexation of enclaves; removing restrictions on the applicability of the procedures; providing an

On motion by Senator Dudley, by two-thirds vote **SB 16** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35 Nays—4

CS for SB 1278—A bill to be entitled An act relating to organ and tissue donation; amending ss. 732.913, 732.914, F.S.; providing that invidious discriminatory restrictions on anatomical gifts are void and unenforceable; providing an effective date.

—was read the second time by title.

Senator Hargrett moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 22 and 23, insert:

Section 3. Subsection (2) of section 732.922, Florida Statutes, is amended to read:

732.922 Duty of certain hospital administrators.—

(2) Where, based on accepted medical standards, a hospital patient is a suitable candidate for organ or tissue donation, the hospital administrator or his designee shall at or near the time of death request any of the persons specified in s. 732.912, in the order of priority stated, when persons in prior classes are not available and in the absence of actual notice of contrary intentions by the decedent or *“an adult son or daughter as”* ~~actual notice of opposition by a member of any of the classes~~ specified in s. 732.912, to consent to the gift of all or any part of the decedent's body for any purpose specified in this part.

Section 4. Section 381.0602, Florida Statutes, is amended to read:

381.0602 Organ Transplant Advisory Council; membership; responsibilities.—

(1) There is hereby created within the *Agency for Health Care Administration Department of Health and Rehabilitative Services* a statewide technical Organ Transplant Advisory Council consisting of eight members to represent the interests of the public and the clients of the *Department of Health and Rehabilitative Services or the agency*. The members shall be physicians licensed according to chapter 458 or chapter 459. ~~In no case shall~~ A person employed by the *agency may not* ~~department~~ be appointed as a member of the council.

(2) ~~The Director of Health Care Administration shall appoint all members of the council shall be appointed by the Secretary of Health and Rehabilitative Services~~ to serve a term of 2 years.

(3) ~~The Director of Health Care Administration Secretary of Health and Rehabilitative Services~~ shall fill each vacancy on the council for the balance of the unexpired term. Priority consideration ~~must~~ shall be given to the appointment of an individual whose primary interest, experience, or expertise lies with clients of the *Department of Health and Rehabilitative Services and the agency*. If an appointment is not made within 120 days after a vacancy occurs on the council, the vacancy ~~must~~ shall be filled by the majority vote of the council.

(4) The members of the council shall elect a chairperson. The term of the chairperson shall be for 1 year, and ~~an individual may not~~ ~~no~~ ~~chairperson~~ shall serve as chairperson for more than two consecutive terms.

(5) Members of the council shall receive no compensation, but shall be reimbursed for per diem and travel expenses by the *Agency for Health Care Administration department* in accordance with the provisions of s. 112.061 while engaged in the performance of their duties.

(6) The responsibilities of the council shall be to recommend to the *Agency for Health Care Administration department* indications for adult and pediatric organ transplants. The council shall also formulate guidelines and standards for organ transplants and for the development of End Stage Organ Disease and Tissue/Organ Transplant programs. ~~The Such~~ recommendations, guidelines, and standards developed by the council ~~are~~ shall be applicable only to those health programs funded through the *Agency for Health Care Administration Department of Health and Rehabilitative Services*.

(7) The council shall meet at least annually or upon the call of the chairperson or the *Director of Health Care Administration Secretary of Health and Rehabilitative Services*.

Section 5. Section 381.0605, Florida Statutes, is amended to read:

381.0605 Survey of state hospital facilities; *Agency for Health Care Administration Department of Health and Rehabilitative Services*.—

(1) The *Agency for Health Care Administration Department of Health and Rehabilitative Services* is hereby designated as the sole agency of the state to carry out the purposes of and administer the Federal Hospital and Medical Facilities Amendments of 1964 (Pub. L. No. 88-443).

(2) The Governor is authorized to provide for carrying out such purposes in accordance with the standards prescribed by the Surgeon General.

Section 6. Section 381.6021, Florida Statutes, is amended to read:

381.6021 Certification of organizations engaged in the practice of cadaveric organ and tissue procurement.—~~The Agency for Health Care Administration Department of Health and Rehabilitative Services~~ shall:

(1) Establish a program for the certification of organizations, agencies, or other entities engaged in the procurement of organs, tissues, and eyes for transplantation;

(2) Adopt rules that set forth appropriate standards and guidelines for the program. These standards and guidelines must be substantially based on the existing laws of the Federal Government and this state and the existing standards and guidelines of the United Network for Organ Sharing (UNOS), the American Association of Tissue Banks (AATB), the South-Eastern Organ Procurement Foundation (SEOPF), the North American Transplant Coordinators Organization (NATCO), and the Eye Bank Association of America (EBAA). ~~However, all tissue banking standards, except for eye banking standards, shall be adopted from standards of the American Association of Tissue Banks (AATB).~~ In addition, the *Agency for Health Care Administration department* shall, before adopting these standards and guidelines, seek input from all organ procurement organizations, tissue banks, and eye banks based in this state;

(3) Collect, keep, and make available to the Governor and the Legislature information regarding the numbers and disposition of organs and tissues procured by each certified entity;

(4) Monitor participating facilities and agencies for program compliance; and

(5) Provide for the administration of the Organ and Tissue Procurement and Transplantation Advisory Board.

Section 7. Section 381.6022, Florida Statutes, is amended to read:

381.6022 Certification of organ procurement organizations, tissue banks, and eye banks ~~required; provisional certification~~.—

(1) An organization, agency, or other entity may not engage in the practice of organ, ~~tissue, or eye~~ procurement in this state without being designated as an organ procurement organization by the secretary of the United States Department of Health and Human Services and being appropriately certified by the *Agency for Health Care Administration Department of Health and Rehabilitative Services*, ~~except that all organ procurement organizations, tissue banks, and eye banks that were active in this state before March 1, 1990, and that were reviewed by the Florida State Organ and Tissue Procurement Task Force are granted provisional certification until the department certification process is complete. As used in this subsection, the term “procurement” includes the retrieval, processing, or distribution of human organs. A physician or organ procurement organization based outside this state is exempt from these certification requirements if:~~

(a) *The organs are procured for an out-of-state patient who is listed on, or referred through, the United Network for Organ Sharing System; and*

(b) *The organs are procured through an agreement of an organ procurement organization certified by the state.*

(2) An organization, agency, or other entity may not engage in tissue procurement in this state unless it is appropriately certified by the *Agency for Health Care Administration*. As used in this subsection, the term “procurement” includes any retrieval, processing, storage, or distribution of human tissue for transplantation.

(3) An organization, agency, or other entity may not engage in the practice of eye procurement in this state without being appropriately certified by the *Agency for Health Care Administration*. As used in this subsection, the term “procurement” includes the retrieval, processing, or distribution of human eye tissue. Funeral Directors or direct disposers that retrieve eye tissue for an eye bank certified under this subsection are exempt from the certification requirements under this subsection.

(4) A limited certificate may be issued to a tissue bank or eye bank, certifying only those components of procurement which the bank has chosen to perform. The *Agency for Health Care Administration* may issue a limited certificate if it determines that the tissue bank or eye bank is adequately staffed and equipped to operate in conformity with the rules adopted under this section.

Section 8. Section 381.6023, Florida Statutes, is amended to read:

381.6023 Organ and Tissue Procurement and Transplantation Advisory Board; creation; duties.—

(1) There is hereby created the Organ and Tissue Procurement and Transplantation Advisory Board, which shall consist of 14 members who are appointed by and report directly to the *Director of Health Care Administration* ~~secretary of the Department of Health and Rehabilitative Services~~. The membership must be regionally distributed and must include:

- (a) Two representatives who have expertise in vascular organ transplant surgery;
- (b) Two representatives who have expertise in vascular organ procurement, preservation, and distribution;
- (c) Two representatives who have expertise in musculoskeletal tissue transplant surgery;
- (d) Two representatives who have expertise in musculoskeletal tissue procurement, processing, and distribution;
- (e) A representative who has expertise in eye and cornea transplant surgery;
- (f) A representative who has expertise in eye and cornea procurement, processing, and distribution;
- (g) A representative who has expertise in bone marrow procurement, processing, and transplantation;
- (h) A representative from the Florida Pediatric Society;
- (i) A representative from the Florida Society of Pathologists; and
- (j) A representative from the Florida Medical Examiners Commission.

(2) The advisory board members may not be compensated for their services except that they may be reimbursed for their travel expenses as provided by law. Members of the board shall be appointed for 3-year terms of office, ~~except that, initially, five members shall be appointed for 1-year terms, four members shall be appointed for 2-year terms, and four members shall be appointed for 3-year terms.~~

(3) The board shall:

- (a) Assist the *Agency for Health Care Administration* ~~department~~ in the development of necessary professional qualifications, including, but not limited to, the education, training, and performance of persons engaged in the various facets of organ and tissue procurement, processing, preservation, and distribution for transplantation;
- (b) Assist the *Agency for Health Care Administration* ~~department~~ in monitoring the appropriate and legitimate expenses associated with organ and tissue procurement, processing, and distribution for transplantation and developing methodologies to assure the uniform statewide reporting of data to facilitate the accurate and timely evaluation of the organ and tissue procurement and transplantation system;
- (c) Provide assistance to the Florida Medical Examiners Commission in the development of appropriate procedures and protocols to assure the continued improvement in the approval and release of potential organ and tissue donors by the district medical examiners and associate medical examiners;
- (d) Develop with and recommend to the *Agency for Health Care Administration* ~~department~~ the necessary procedures and protocols required to assure that all residents of this state have reasonable access to available organ and tissue transplantation therapy and that residents of this state can be reasonably assured that the statewide procurement transplantation system will be able to fulfill their organ and tissue requirements within the limits of the available supply and according to the severity of their medical condition and need; and
- (e) Develop with and recommend to the *Agency for Health Care Administration* ~~department~~ any changes to the laws of this state or administrative rules or procedures required to assure that the statewide organ and tissue procurement and transplantation system will be able to function smoothly, effectively, and efficiently, in accordance with the Federal Anatomical Gift Act and in a manner ~~that which~~ assures the residents of this state that no person or entity profits from the altruistic voluntary donation of organs or tissues.

Section 9. Section 381.6024, Florida Statutes, is amended to read:

381.6024 Fees; Organ and Tissue Procurement Trust Fund.—

(1) *The Agency for Health Care Administration shall collect an initial application fee of \$1,000 from organ procurement organizations and tissue banks and \$500 from eye banks. The fee must be submitted with each application for initial certification and is nonrefundable.*

(2)(1) *The Agency for Health Care Administration* ~~department~~ shall assess annual fees to be used for the certification program and the advisory board in the following amounts, which may not exceed \$35,000 per organization:

- (a) Each general organ procurement organization shall pay the greater of \$1,000 or 0.5 percent of its total revenues produced from procurement activity in this state by the certificateholder during its most recently completed fiscal year or operational year.
- (b) Each bone and tissue procurement agency or bone and tissue bank shall pay the greater of \$1,000 or 0.5 percent of its total revenues from procurement and processing activity in this state by the certificateholder during its most recently completed fiscal year or operational year.
- (c) Each eye bank shall pay the greater of \$500 or 0.5 percent of its total revenues produced from procurement activity in this state by the certificateholder during its most recently completed fiscal year or operational year.

(3)(2) *The Agency for Health Care Administration* ~~department~~ shall provide by rule for administrative penalties for the purpose of ensuring adherence to the standards of quality and practice required by this chapter and rules of the *agency* ~~department~~ for continued certification.

(4)(3)(a) There is created the Organ and Tissue Procurement Trust Fund in the State Treasury, into which the proceeds from fees, administrative penalties, and surcharges collected pursuant to subsections (2) (1) and (3) (2) must be deposited.

(b) Moneys in the trust fund must be used exclusively for the implementation, administration, and operation of the certification program and the advisory board.

(5)(4) As used in this section, the term "procurement activity in this state" includes ~~the bringing organs or tissues which are initially procured in another state and brought~~ into this state for processing, storage, distribution, or transplantation of organs or tissues that are initially procured in another state or country.

Section 10. Section 381.6025, Florida Statutes, is amended to read:

381.6025 Physician supervision of cadaveric organ and tissue procurement coordinators.—Organ procurement organizations, tissue banks, and eye banks may employ coordinators, who are registered nurses, physician's assistants, or other medically trained personnel who meet the relevant standards for organ procurement organizations, tissue banks, or eye banks as adopted by the *Agency for Health Care Administration* ~~department~~ under s. 381.6021, to assist in the medical management of organ donors or in the surgical procurement of cadaveric organs, tissues, or eyes for transplantation or research. A coordinator who assists in the medical management of organ donors or in the surgical procurement of cadaveric organs, tissues, or eyes for transplantation or research must do so under the direction and supervision of a licensed physician medical director pursuant to rules and guidelines to be adopted by the *Agency for Health Care Administration* ~~department~~. With the exception of organ procurement surgery, this supervision may be indirect supervision. For purposes of this subsection, the term "indirect supervision" means that the medical director is responsible for the medical actions of the coordinator, that the coordinator is operating under protocols expressly approved by the medical director, and that the medical director or his physician designee is always available, in person or by telephone, to provide medical direction, consultation, and advice in cases of organ, tissue, and eye donation and procurement. Although indirect supervision is authorized under this section, direct physician supervision is to be encouraged when appropriate.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 5, after the semicolon (;) insert: amending s. 732.922, F.S.; revising provisions relating to duties of certain hospital administrators with respect to organ or tissue donation; amending s.

381.0602, F.S., relating to the Organ Transplant Advisory Council; reassigning administrative duties from the department to the agency; amending s. 381.0605, F.S., relating to surveys of state hospital facilities; reassigning duties from the department to the agency; amending s. 381.6021, F.S., relating to organ and tissue procurement; reassigning duties from the department to the agency; amending s. 381.6022, F.S., relating to organ, tissue, or eye procurement certification; reassigning certification authority from the department to the agency; providing definitions; providing for certification of out-of-state organ, tissue, or eye banks; providing for a limited certificate; deleting obsolete provisions; amending s. 381.6023, F.S., relating to the Organ and Tissue Procurement and Transplantation Advisory Board; reassigning oversight authority from the department to the agency; deleting obsolete provisions relating to the initial appointments of board members; amending s. 381.6024, F.S., relating to the Organ and Tissue Procurement Trust Fund; reassigning the duty to assess fees and provide penalties from the department to the agency; providing for a nonrefundable limited application fee for organ, tissue, and eye banks; expanding the definition of the term "procurement activity in this state" to include storage of certain organs and tissues; amending s. 381.6025, F.S., relating to physician supervision of certain organ, tissue, and eye procurement coordinators; reassigning duties from the department to the agency;

On motions by Senator Hargrett, by two-thirds vote **CS for SB 1278** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37 Nays—None

MOTION TO RECONSIDER

On motion by Senator Hargrett, the rules were waived and the Senate reconsidered the vote by which **CS for SB 1278** was immediately certified.

Senator Hargrett moved that the Senate reconsider the vote by which **CS for SB 1278** passed this day.

The motion was placed on the calendar.

SENATOR DUDLEY PRESIDING

On motions by Senator Burt, by two-thirds vote **CS for HB 1257** was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator Burt, the rules were waived and by two-thirds vote—

CS for HB 1257—A bill to be entitled An act relating to the competitive bidding for governmental services; providing intent and definitions; providing duties and powers of the Governor and Cabinet, sitting as the Administration Commission; requiring the Administration Commission to consider certain cost comparison and contract considerations; requiring cooperation of state agencies; exempting certain contracts and decisions of the council from certain state purchasing requirements; providing an effective date.

—a companion measure, was substituted for **CS for SB 1014** and by two-thirds vote read the second time by title.

Senator Burt moved the following amendment which was adopted:

Amendment 1—On page 4, line 5, strike "subject to the provisions of ss. 255.0516 and 287.088, Florida Statutes, such" and insert: such

Senator Jones moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 4, line 15, insert:

Section 1. Section 255.20, Florida Statutes, is amended to read:

255.20 *Local bids and contracts for public construction works; specification of state-produced Florida produced lumber.*—

(1) A county, municipality, special district as defined in chapter 189, or other political subdivision of the state seeking to construct or improve a public building, structure, or other public construction works must competitively award to an appropriately licensed contractor each project that is estimated in accordance with generally accepted cost-

accounting principles to have construction costs of more than \$200,000. As used in this section, the term "competitively award" means to award contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiation. This subsection expressly allows contracts for construction-management services, design/build contracts, continuation contracts based on unit prices, and any other contract arrangement with a private-sector contractor permitted by any applicable municipal or county ordinance, by district resolution, or by state law. For purposes of this section, construction costs include the cost of all labor, except inmate labor, and include the cost of equipment and materials to be used in the construction of the project. Subject to the provisions of subsection (3), the county, municipality, special district, or other political subdivision may establish, by municipal or county ordinance or special district resolution, procedures for conducting the bidding process.

(a) The provisions of this subsection do not apply:

1. When the project is undertaken to replace, reconstruct, or repair an existing facility damaged or destroyed by a sudden unexpected turn of events, such as an act of God, riot, fire, flood, accident, or other urgent circumstances, and such damage or destruction creates:

a. An immediate danger to the public health or safety;

b. Other loss to public or private property which requires emergency government action; or

c. An interruption of an essential governmental service.

2. When, after notice by publication in accordance with the applicable ordinance or resolution, the governmental entity does not receive any responsive bids or responses.

3. To construction, remodeling, repair, or improvement to a public electric or gas utility system when such work on the public utility system is performed by personnel of the system.

4. To construction, remodeling, repair, or improvement by a special district whose primary purpose is to construct and operate a public electric utility system.

5. When the project is undertaken as repair or maintenance of an existing public facility.

6. When the project is undertaken exclusively as part of a public educational program.

7. When the funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent.

8. When the local government has competitively awarded a project to a private sector contractor and the contractor has abandoned the project before completion or the local government has terminated the contract.

9. When the governing board of the local government, after public notice, conducts a public meeting under s. 286.011 and finds by a majority vote of the governing board that it is in the public's best interest to perform the project using its own services, employees, and equipment. The public notice must be published at least 14 days prior to the date of the public meeting at which the governing board takes final action to apply this subparagraph. The notice must identify the project, the estimated cost of the project and specify that the purpose for the public meeting is to consider whether it is in the public's best interest to perform the project using the local government's own services, employees, and equipment. In deciding whether it is in the public's best interest for local government to perform a project using its own services, employees, and equipment, the governing board may consider the cost of the project, whether the project requires an increase in the number of government employees, an increase in capital expenditures for public facilities, equipment or other capital assets, the impact on local economic development, the impact on small and minority business owners, the impact on state and local tax revenues, whether the private sector contractors provide health insurance and other benefits equivalent to those provided by the local government, and any other factor relevant to what is in the public's best interest.

(b)1. If the project is to be awarded based on price, the contract must be awarded to the lowest qualified and responsive bidder in accordance with the applicable county or municipal ordinance or district resolution and in accordance with the applicable contract documents. The county, municipality, or special district may reserve the right to reject all bids and to rebid the project or elect not to proceed with the project. This subsection is not intended to restrict the rights of any local government to reject the low bid of a nonqualified or non-responsive bidder and to award the contract to any other qualified and responsive bidder in accordance with the standards and procedures of any applicable county or municipal ordinance or any resolution of a special district.

2. If the project uses a request for proposal or a request for qualifications, the request must be publicly advertised and the contract must be awarded in accordance with the applicable local ordinances.

3. If the project is subject to competitive negotiations, the contract must be awarded in accordance with s. 287.055.

(c) If a construction project greater than \$200,000 is started after July 1, 1996, and is to be performed by a local government using its own employees in a county or municipality that issues registered contractor licenses and the project would require a licensed contractor under chapter 489 if performed by a private-sector contractor, the local government must use a person appropriately registered or certified under chapter 489 to supervise the work.

(d) If a construction project greater than \$200,000 is started after July 1, 1996, and is to be performed by a local government using its own employees in a county that does not issue registered contractor licenses and the project would require a licensed contractor under chapter 489 if performed by a private-sector contractor, the local government must use a person appropriately registered or certified under chapter 489 or a person appropriately licensed under chapter 471 to supervise the work.

(e) Projects performed by a local government using its own services and employees must be inspected in the same manner as inspections required for work performed by private-sector contractors.

(f) A construction project provided for in this subsection may not be divided into more than one project for the purpose of evading this subsection.

(g) This subsection does not preempt the requirements of any small-business or disadvantaged-business enterprise program or any local-preference ordinance.

(2) The threshold amount of \$200,000 must be adjusted by the percentage change in the Consumer Price Index from January 1, 1994, to January 1 of the year in which the project is scheduled to begin.

(3) All county officials, boards of county commissioners, school boards, city councils, city commissioners, and all other public officers of state boards or commissions that which are charged with the letting of contracts for public work, for the construction of public bridges, buildings, and other structures must ~~shall~~ always, ~~price, fitness and quality being equal,~~ specify lumber, timber, and other forest products produced and manufactured in this state Florida whenever such products are available and their price, fitness, and quality are equal. This subsection does ~~act shall~~ not apply when plywood is specified for monolithic concrete forms, ~~when. Whenever~~ the structural or service requirements for timber for a particular job cannot be supplied by native species, or ~~this act shall not apply.~~ when the construction is financed in whole or in part from federal funds with the requirements that there be no restrictions as to species or place of manufacture, ~~this act shall not apply.~~

Section 2. Section 1 of this act does not apply to any project that is permitted and for which construction actually begins before October 1, 1995.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2-4 and insert: An act relating to public procurement; amending s. 255.20, F.S.; requiring counties, municipalities, special districts, and other political subdivisions to competitively award construction projects exceeding \$200,000 in costs; defining the term "competitive award"; providing exceptions; providing for the lowest

responsive and qualified bidder; providing for purpose; providing for the nondisplacement of the requirements of applicable minority-business enterprise programs or local-preference ordinances; providing for adjustments to the threshold amount; providing procedures for a local government to use its own services, employees, and equipment; providing for supervision and inspection of local government public construction projects; providing for the application of the foregoing amendment; providing intent and definitions with respect to competitive bidding for state governmental services; providing powers and duties of the

On motion by Senator Boczar, further consideration of CS for HB 1257 as amended was deferred.

On motions by Senator McKay, by two-thirds vote CS for HB 627 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator McKay, by two-thirds vote—

CS for HB 627—A bill to be entitled An act relating to the Ringling Museum of Art; amending s. 265.26, F.S.; providing for expiration of the terms of office of members of the board of trustees of the museum; deleting certain requirements for reimbursement of travel expenses for members of the board of trustees; providing additional duties of the direct-support organization; providing for funds received from admissions and rentals to be used by the direct-support organization; requiring that the financial accounts of the direct-support organization be audited by an accountant selected by the board of trustees; revising the requirements for the expenditures for public relations; deleting certain limitations on credit card payments; amending s. 265.261, F.S.; revising definitions with respect to the museum's direct-support organization; amending s. 265.27, F.S.; authorizing the board of trustees to loan artifacts owned by the museum; authorizing loans to other museums; providing an effective date.

—a companion measure, was substituted for SB 494 and by two-thirds vote read the second time by title. On motion by Senator McKay, by two-thirds vote CS for HB 627 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—1

On motion by Senator Jennings, by two-thirds vote HB 1637 was withdrawn from the Committee on Criminal Justice.

On motion by Senator Jennings—

HB 1637—A bill to be entitled An act relating to worthless checks; amending s. 832.07, F.S.; revising and clarifying provisions relating to the circumstances in which a check constitutes prima facie evidence of the identity of the person who issued the check; authorizing driver's license numbers or state identification numbers to be used to establish prima facie evidence; providing an effective date.

—a companion measure, was substituted for SB 1856 and read the second time by title. On motion by Senator Jennings, by two-thirds vote HB 1637 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 1202—A bill to be entitled An act relating to boll weevil eradication; creating s. 593.1141, F.S.; authorizing cooperative agreements; creating s. 593.1142, F.S.; granting Department of Agriculture and Consumer Services liens against assessments, penalties, interest, and costs the same priority as liens for taxes in favor of the state; creating a special lien on cotton; authorizing assignment of judgments and liens; providing an effective date.

—was read the second time by title.

Senator Williams moved the following amendment which was adopted:

Amendment 1 (with Title Amendment)—On page 1, lines 28-31 and on page 2, lines 1-24, strike all of said lines and insert: lien in favor of the department. The lien shall arise as of the time the assessments become due and payable and shall cover all real and personal property

owned by the grower from the date the lien arises until paid. The lien shall secure all unpaid assessments, penalties, interest, and costs which are due and which may accrue subsequent to the recording of the claim of lien and prior to entry of a final judgment of foreclosure. The lien may be recorded in the public records of any county where the grower owns real and personal property and shall state the name of the cotton grower and the amount due.

(b) The department may enforce the lien upon real property in the manner a mortgage of real property is foreclosed. The lien may also be enforced against personal property in the manner provided for the enforcement of other liens on personal property in this state. Enforcement of a lien for assessments, penalties, interest, and costs shall not operate as a waiver of any other remedies available to the department, including an action to recover a money judgment for the unpaid assessments, penalties, interest, and costs, or enforcement of the lien provided in subsection (2).

(2)(a) In addition to the lien provided in paragraph (1)(a), the department shall have a special lien on cotton, including the cottonseed and any other extracted product. Notwithstanding any provisions to the contrary under chapter 697, any special lien on cotton for assessments, penalties, interest, and costs, which assessments, penalties, interest, and costs accrue before December 31, 1994, shall have equal dignity and the same priority as

And the title is amended as follows:

In title, on page 1, strike all of lines 7-9 and insert: penalties, interest, and costs; creating a special lien on cotton;

On motions by Senator Williams, by two-thirds vote **CS for SB 1202** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

THE PRESIDENT PRESIDING

SB 2098—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; redefining the term "practice of the profession of pharmacy" to include cognitive services; providing that pharmacists are eligible for reimbursement for any service pursuant to an agreement with a payor; providing an effective date.

—was read the second time by title. On motion by Senator Dyer, by two-thirds vote **SB 2098** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

Consideration of **CS for SB 2544**, **SB 1344** and **CS for SB 2334** was deferred.

On motions by Senator Forman, by two-thirds vote **CS for HB 543** was withdrawn from the Committees on Judiciary; and Finance, Taxation and Claims.

On motion by Senator Forman—

CS for HB 543—A bill to be entitled An act relating to the disposition of unclaimed property; amending s. 717.114, F.S.; providing for limits on gift certificates presumed abandoned; amending s. 717.135, F.S.; providing for a required notice with respect to certain agreements entered into to pay compensation to recover abandoned property; amending chapter 93-280, Laws of Florida; extending unclaimed property amnesty program, providing an effective date.

—a companion measure, was substituted for **CS for SB 1460** and read the second time by title.

Senator Forman moved the following amendment which was adopted:

Amendment 1—On page 2, line 7, after "unenforceable" insert: *if made*

On motions by Senator Forman, by two-thirds vote **CS for HB 543** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

Consideration of **CS for SB 626** was deferred.

The Senate resumed consideration of—

CS for HB 1257—A bill to be entitled An act relating to the competitive bidding for governmental services; providing intent and definitions; providing duties and powers of the Governor and Cabinet, sitting as the Administration Commission; requiring the Administration Commission to consider certain cost comparison and contract considerations; requiring cooperation of state agencies; exempting certain contracts and decisions of the council from certain state purchasing requirements; providing an effective date.

—which had been previously considered and amended this day.

RECONSIDERATION

On motions by Senator Burt, the Senate reconsidered the vote by which **Amendments 1** and **2** were adopted. On motions by Senator Burt, by two-thirds vote the Senate reconsidered the vote by which **CS for HB 1257** was read the second time and substituted for **CS for SB 1014**. On motions by Senator Burt, by two-thirds vote the Senate reconsidered the vote by which **CS for HB 1257** was withdrawn from the Committees on Governmental Operations and Appropriations.

The Senate resumed consideration of—

CS for SB 1014—A bill to be entitled An act relating to the State Council on Competitive Government; establishing the State Council on Competitive Government; providing definitions; providing for membership, meetings, duties, and powers of the council; requiring the council to consider certain cost comparison and contract considerations; requiring cooperation of state agencies; exempting certain contracts and decisions of the council from certain state purchasing requirements; providing for public access to meetings and records of the council; providing an effective date.

—which was read the second time by title.

Senator Jones moved the following amendment:

Amendment 1 (with Title Amendment)—On page 1, line 17, insert:

Section 1. Section 255.20, Florida Statutes, is amended to read:

255.20 *Local bids and contracts for public construction works; specification of state-produced Florida produced lumber.*—

(1) *A county, municipality, special district as defined in chapter 189, or other political subdivision of the state seeking to construct or improve a public building, structure, or other public construction works must competitively award to an appropriately licensed contractor each project that is estimated in accordance with generally accepted cost-accounting principles to have construction costs of more than \$200,000. As used in this section, the term "competitively award" means to award contracts based on the submission of sealed bids, proposals submitted in response to a request for proposal, proposals submitted in response to a request for qualifications, or proposals submitted for competitive negotiation. This subsection expressly allows contracts for construction-management services, design/build contracts, continuation contracts based on unit prices, and any other contract arrangement with a private-sector contractor permitted by any applicable municipal or county ordinance, by district resolution, or by state law. For purposes of this section, construction costs include the cost of all labor, except inmate labor, and include the cost of equipment and materials to be used in the construction of the project. Subject to the provisions of subsection (3), the county, municipality, special district, or other political subdivision may establish, by municipal or county ordinance or special district resolution, procedures for conducting the bidding process.*

(a) *The provisions of this subsection do not apply:*

1. *When the project is undertaken to replace, reconstruct, or repair an existing facility damaged or destroyed by a sudden unexpected turn of events, such as an act of God, riot, fire, flood, accident, or other urgent circumstances, and such damage or destruction creates:*

- a. An immediate danger to the public health or safety;
- b. Other loss to public or private property which requires emergency government action; or
- c. An interruption of an essential governmental service.

2. When, after notice by publication in accordance with the applicable ordinance or resolution, the governmental entity does not receive any responsive bids or responses.

3. To construction, remodeling, repair, or improvement to a public electric or gas utility system when such work on the public utility system is performed by personnel of the system.

4. To construction, remodeling, repair, or improvement by a special district whose primary purpose is to construct and operate a public electric utility system.

5. When the project is undertaken as repair or maintenance of an existing public facility.

6. When the project is undertaken exclusively as part of a public educational program.

7. When the funding source of the project will be diminished or lost because the time required to competitively award the project after the funds become available exceeds the time within which the funding source must be spent.

8. When the local government has competitively awarded a project to a private sector contractor and the contractor has abandoned the project before completion or the local government has terminated the contract.

9. When the governing board of the local government, after public notice, conducts a public meeting under s. 286.011 and finds by a majority vote of the governing board that it is in the public's best interest to perform the project using its own services, employees, and equipment. The public notice must be published at least 14 days prior to the date of the public meeting at which the governing board takes final action to apply this subparagraph. The notice must identify the project, the estimated cost of the project and specify that the purpose for the public meeting is to consider whether it is in the public's best interest to perform the project using the local government's own services, employees, and equipment. In deciding whether it is in the public's best interest for local government to perform a project using its own services, employees, and equipment, the governing board may consider the cost of the project, whether the project requires an increase in the number of government employees, an increase in capital expenditures for public facilities, equipment or other capital assets, the impact on local economic development, the impact on small and minority business owners, the impact on state and local tax revenues, whether the private sector contractors provide health insurance and other benefits equivalent to those provided by the local government, and any other factor relevant to what is in the public's best interest.

(b)1. If the project is to be awarded based on price, the contract must be awarded to the lowest qualified and responsive bidder in accordance with the applicable county or municipal ordinance or district resolution and in accordance with the applicable contract documents. The county, municipality, or special district may reserve the right to reject all bids and to rebid the project or elect not to proceed with the project. This subsection is not intended to restrict the rights of any local government to reject the low bid of a nonqualified or non-responsive bidder and to award the contract to any other qualified and responsive bidder in accordance with the standards and procedures of any applicable county or municipal ordinance or any resolution of a special district.

2. If the project uses a request for proposal or a request for qualifications, the request must be publicly advertised and the contract must be awarded in accordance with the applicable local ordinances.

3. If the project is subject to competitive negotiations, the contract must be awarded in accordance with s. 287.055.

(c) If a construction project greater than \$200,000 is started after July 1, 1996, and is to be performed by a local government using its own employees in a county or municipality that issues registered contractor licenses and the project would require a licensed contractor under chapter 489 if performed by a private-sector contractor, the local government must use a person appropriately registered or certified under chapter 489 to supervise the work.

(d) If a construction project greater than \$200,000 is started after July 1, 1996, and is to be performed by a local government using its own employees in a county that does not issue registered contractor licenses and the project would require a licensed contractor under chapter 489 if performed by a private-sector contractor, the local government must use a person appropriately registered or certified under chapter 489 or a person appropriately licensed under chapter 471 to supervise the work.

(e) Projects performed by a local government using its own services and employees must be inspected in the same manner as inspections required for work performed by private-sector contractors.

(f) A construction project provided for in this subsection may not be divided into more than one project for the purpose of evading this subsection.

(g) This subsection does not preempt the requirements of any small-business or disadvantaged-business enterprise program or any local-preference ordinance.

(2) The threshold amount of \$200,000 must be adjusted by the percentage change in the Consumer Price Index from January 1, 1994, to January 1 of the year in which the project is scheduled to begin.

(3) All county officials, boards of county commissioners, school boards, city councils, city commissioners, and all other public officers of state boards or commissions that which are charged with the letting of contracts for public work, for the construction of public bridges, buildings, and other structures must shall always, price, fitness and quality being equal, specify lumber, timber, and other forest products produced and manufactured in this state Florida whenever such products are available and their price, fitness, and quality are equal. This subsection does act shall not apply when plywood is specified for monolithic concrete forms, when. Whenever the structural or service requirements for timber for a particular job cannot be supplied by native species, or this act shall not apply. when the construction is financed in whole or in part from federal funds with the requirements that there be no restrictions as to species or place of manufacture, this act shall not apply.

Section 2. Section 1 of this act does not apply to any project that is permitted and for which construction actually begins before October 1, 1995.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, strike all of lines 2-4 and insert: An act relating to public procurement; amending s. 255.20, F.S.; requiring counties, municipalities, special districts, and other political subdivisions to competitively award construction projects exceeding \$200,000 in costs; defining the term "competitive award"; providing exceptions; providing for the lowest responsive and qualified bidder; providing for purpose; providing for the nondisplacement of the requirements of applicable minority-business enterprise programs or local-preference ordinances; providing for adjustments to the threshold amount; providing procedures for a local government to use its own services, employees, and equipment; providing for supervision and inspection of local government public construction projects; providing for the application of the foregoing amendment; providing intent and definitions with respect to competitive bidding for state governmental services; providing

Further consideration of CS for SB 1014 with pending Amendment 1 was deferred.

On motion by Senator Burt, by two-thirds vote HB 2255 was withdrawn from the Committee on Executive Business, Ethics and Elections.

On motion by Senator Burt—

HB 2255—A bill to be entitled An act relating to elections; amending s. 101.5614, F.S.; allowing the election board to deliver the sealed ballot box to a central or regional counting location; providing for determination of the number of voted ballots; providing an effective date.

—a companion measure, was substituted for CS for SB 2334 and read the second time by title. On motion by Senator Burt, by two-thirds vote HB 2255 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 1344—A bill to be entitled An act relating to the confidentiality of the navigational coordinates that establish the location of artificial reefs; providing legislative declarations and findings; exempting from s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution the coordinates that establish the location of certain artificial reefs constructed under federal and state permits held by the Department of Environmental Protection; providing a conditional effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation recommended the following amendment which was moved by Senator Dantzler and adopted:

Amendment 1 (with Title Amendment)—On page 2, line 23, after the period (.) insert: However, such exemption from public records requirements shall not apply to artificial reefs constructed by local governments as sponsors or those using public funds.

And the title is amended as follows:

In title, on page 1, line 11, after the semicolon (;) insert: providing an exception for the location of reefs constructed by local governments or with public funds;

On motion by Senator Dantzler, further consideration of **SB 1344** as amended was deferred.

CS for SB 1526—A bill to be entitled An act relating to annexation procedures; amending s. 171.0413, F.S.; prescribing procedures for involuntary annexation in certain areas; providing an effective date.

—was read the second time by title.

Senator Dudley moved the following amendment:

Amendment 1—On page 1, strike all of lines 14-27 and insert:

(6) *Notwithstanding subsections (1) and (2), if the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a no vote of electors of the area proposed to be annexed is not shall be required. However, the area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation, notwithstanding the provisions of subsections (1) and (2).* If a referendum of the annexing municipality is not required as well pursuant to subsection (2), then the property owner consents required pursuant to subsection (5) shall be obtained by the parties proposing the annexation prior to the final adoption of the ordinance, and the annexation ordinance shall be effective upon becoming a law or as otherwise provided in the ordinance.

Senator Dudley moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A—On page 1, strike line 16 and insert: *shall be required. In addition to the requirements of subsection (5), the area may not be annexed*

Amendment 1 as amended was adopted.

Senator Dudley moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 1, between lines 27 and 28, insert:

Section 2. Section 171.046, Florida Statutes, is amended to read:

171.046 Annexation of enclaves.—

(1) The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves.

(2) In order to expedite the annexation of enclaves of 10 acres or less into the most appropriate incorporated jurisdiction, based upon existing or proposed service provision arrangements, a municipality may by ordinance:

(a) ~~Annex an enclave by interlocal agreement with the county having jurisdiction of the enclave; or~~

(b) annex an enclave in which with fewer than 25 registered voters reside, if by ~~municipal ordinance~~ when the annexation is approved in a referendum by at least a majority 60 percent of the registered voters who reside in the enclave. *However, if no registered voters reside in the enclave to be annexed, the annexation must be approved by a majority of the persons or entities owning property within the enclave and by the owners of a majority of the property within the enclave.*

(3) ~~This section does not apply to undeveloped or unimproved real property.~~

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 5, after the semicolon (;) insert: amending s. 171.046, F.S.; amending the procedures by which a municipality may expedite the annexation of enclaves; removing restrictions on the applicability of the procedures;

On motion by Senator Siegel, by two-thirds vote **CS for SB 1526** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 626—A bill to be entitled An act relating to elections; prescribing responsibility of the Department of State concerning the translation and distribution of ballot language; providing an effective date.

—was read the second time by title. On motion by Senator Grogan, by two-thirds vote **CS for SB 626** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39 Nays—None

CS for SB 1748—A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; creating the Florida Corrections Commission; providing for its membership; prescribing its duties and responsibilities; providing for its organization and staff; providing for traveling expenses; prescribing duties of the Secretary of Corrections with respect to the commission; deleting an obsolete provision; providing an effective date.

—was read the second time by title. On motion by Senator Beard, by two-thirds vote **CS for SB 1748** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

CS for SB 2544—A bill to be entitled An act relating to records and meetings exemptions; creating s. 381.0055, F.S.; providing for the confidentiality of patient care quality assurance records obtained, and meetings held, by the Department of Health and Rehabilitative Services, a county public health unit, a Healthy Start Coalition, or a certified rural health network, or by a panel or committee assembled by any of them; providing findings of public necessity; amending s. 383.14, F.S.; providing that confidential status is retained when the department provides case information to any persons it has under contract for therapeutic services; creating s. 381.83, F.S.; providing an exemption from public records requirements for trade secrets obtained by the Department of Health and Rehabilitative Services under chapter 381, F.S., providing requirements for determination of whether information is a trade secret; authorizing disclosure to certain persons and entities and requiring that such persons and entities maintain confidentiality; amending s. 403.73, F.S.; revising provisions which provide an exemption from public records requirements for trade secrets obtained by the Department of Environmental Protection; authorizing disclosure to certain persons and entities and requiring that such persons and entities maintain confidentiality; providing for retroactive effect; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was read the second time by title.

Senator Crenshaw moved the following amendment:

Amendment 1 (with Title Amendment)—On page 7, between lines 29 and 30, insert:

Section 8. Section 408.7021, Florida Statutes, is created to read:

408.7021 Alliances; compliance with public records and meetings requirements.—

(1) A community health purchasing alliance is an “agency” for the purpose of the applicability of chapter 119, and all records of an alliance are public records in the same manner as if such records were made or received by the Agency for Health Care Administration.

(2) The board of directors of a community health purchasing alliance is governed by the provisions of s. 286.011. All meetings between a member of the board of directors of a community health purchasing alliance and a representative or employee of the Agency for Health Care Administration, directly regarding matters to be voted upon by the board within 30 days following the meeting, are subject to the provisions of s. 286.011.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 2, line 3, after the semicolon (;) insert: creating s. 408.7021, F.S.; providing for records of a community health purchasing alliance to be subject to ch. 119, F.S.; providing for certain meetings of the board of directors of a community health purchasing alliance to be subject to s. 286.011, F.S., relating to public meetings;

On motion by Senator Silver, further consideration of **CS for SB 2544** with pending **Amendment 1** was deferred.

SENATOR JOHNSON PRESIDING

SB 3120—A bill to be entitled An act relating to public libraries; amending s. 257.172, F.S.; revising provisions relating to state grants to libraries; providing for the use of grant funds and the computation and adjustment of grants; providing that s. 257.21, F.S., is inapplicable to this section; validating certain expenditures for multicounty library grants; providing a retroactive effective date.

—was read the second time by title. On motion by Senator Kirkpatrick, by two-thirds vote **SB 3120** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37 Nays—None

The Senate resumed consideration of—

CS for SB 1014—A bill to be entitled An act relating to the State Council on Competitive Government; establishing the State Council on Competitive Government; providing definitions; providing for membership, meetings, duties, and powers of the council; requiring the council to consider certain cost comparison and contract considerations; requiring cooperation of state agencies; exempting certain contracts and decisions of the council from certain state purchasing requirements; providing for public access to meetings and records of the council; providing an effective date.

—which had been considered this day. Pending **Amendment 1** by Senator Jones was adopted.

On motions by Senator Burt, **CS for SB 1014** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—35 Nays—2

On motion by Senator Dudley, by two-thirds vote **CS for HB 1207** was withdrawn from the Committee on Commerce.

On motions by Senator Dudley, the rules were waived and by two-thirds vote—

CS for HB 1207—A bill to be entitled An act relating to interstate reciprocal banking; amending s. 658.295, F.S.; creating the Florida Reciprocal Banking Act; providing definitions; authorizing out-of-state bank holding companies to acquire a Florida bank or Florida bank holding company upon approval of the Department of Banking and Finance; pro-

hibiting certain transactions by out-of-state bank holding companies; providing for enforcement; providing a statement of purpose; amending s. 658.73, F.S.; clarifying application of certain fees; providing intent with respect to severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1394** and by two-thirds vote read the second time by title. On motion by Senator Dudley, by two-thirds vote **CS for HB 1207** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38 Nays—None

THE PRESIDENT PRESIDING

The Senate resumed consideration of—

CS for SB 2544—A bill to be entitled An act relating to records and meetings exemptions; creating s. 381.0055, F.S.; providing for the confidentiality of patient care quality assurance records obtained, and meetings held, by the Department of Health and Rehabilitative Services, a county public health unit, a Healthy Start Coalition, or a certified rural health network, or by a panel or committee assembled by any of them; providing findings of public necessity; amending s. 383.14, F.S.; providing that confidential status is retained when the department provides case information to any persons it has under contract for therapeutic services; creating s. 381.83, F.S.; providing an exemption from public records requirements for trade secrets obtained by the Department of Health and Rehabilitative Services under chapter 381, F.S.; providing requirements for determination of whether information is a trade secret; authorizing disclosure to certain persons and entities and requiring that such persons and entities maintain confidentiality; amending s. 403.73, F.S.; revising provisions which provide an exemption from public records requirements for trade secrets obtained by the Department of Environmental Protection; authorizing disclosure to certain persons and entities and requiring that such persons and entities maintain confidentiality; providing for retroactive effect; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—which had been considered this day.

Senator Crenshaw moved the following amendment to pending **Amendment 1** which was adopted:

Amendment 1A—On page 1, line 23, strike “a member” and insert: two or more members

Amendment 1 as amended was adopted.

On motion by Senator Myers, by two-thirds vote **CS for SB 2544** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39 Nays—None

MOTION

On motion by Senator Kirkpatrick, the rules were waived and time of recess was extended until final action on **CS for SB 1984**.

CS for SB 1984—A bill to be entitled An act relating to sexual battery; authorizing the court to sentence a defendant to be chemically castrated if the defendant is convicted of more than one count of or has a prior conviction for certain sexual battery offenses; authorizing the death penalty for a defendant convicted a third time for certain sexual batteries; defining prior convictions; prohibiting the failure or refusal to appear for or allow the administration of chemicals to accomplish chemical castration; providing for severability of provisions held invalid; providing penalties; providing an effective date.

—was read the second time by title.

Senator Wexler moved the following amendment which was adopted:

Amendment 1—On page 2, strike line 7 and insert: years, or for the life of the defendant, if expert medical testimony establishes, by a preponderance of the evidence, that the defendant is an appropriate candidate for chemical castration. The Department of

Senators Jenne and Myers offered the following amendment which was moved by Senator Jenne and failed:

Amendment 2 (with Title Amendment)—On page 1, strike all of lines 22-28 and insert:

(a) Is convicted of one or more counts of sexual battery as described in section 794.011(2)(a) or (3), Florida Statutes;

(b) Voluntarily agrees to be chemically castrated; and

(c) Has one or more prior convictions of sexual battery under section 794.011(2)(a) or (3), Florida Statutes.

And the title is amended as follows:

In title, on page 1, strike all of lines 5 and 6 and insert: convicted of certain offenses of sexual battery, voluntarily agrees to such castration, and has one or more prior convictions for certain sexual battery

Senator Siegel moved the following amendment which failed:

Amendment 3 (with Title Amendment)—On page 2, strike all of lines 11 and 12 and insert: sentence a defendant to a term of life imprisonment, without possibility of early release through the award of gain-time pursuant to section 944.275, Florida Statutes, through control release and emergency control release under section 947.146, Florida Statutes, or by parole pursuant to section 947.16, Florida Statutes, if the

And the title is amended as follows:

In title, on page 1, line 7, strike "the death penalty" and insert: a sentence of life imprisonment without the possibility of early release

On motions by Senator Wexler, by two-thirds vote **CS for SB 1984** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—29 Nays—10

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special and Continuing Order Calendar for Wednesday, March 30, and Thursday, March 31, 1994: CS for CS for SB 396, CS for SB 1278, CS for SB 486, CS for SB 228, SB 650, CS for SB 606, SB 1836, SB 16, CS for SB 1014, SB 494, SB 1856, CS for SB 1202, SB 2098, CS for SB 2544, SB 1344, CS for SB 2334, CS for SB 1460, CS for SB 626, CS for SB 1526, CS for SB 1748, SB 3120, CS for SB 1394, CS for SB 1984, CS for SB 340, CS for SB 1334, CS for SB 304, HB 317, HB 341, CS for CS for SB 1476, SB 3098, SB 2244, SB 2448, SB 246, CS for SB 1176, CS for SB 1252, CS for SB 1922, SB 616, SB 1254, SB 1546, CS for CS for SB 1950, CS for SB 2998, CS for CS for SB 2076, SB 2184, CS for CS for SB 1332

Respectfully submitted,
George Kirkpatrick, Chairman

The Committee on Community Affairs recommends the following pass: CS for SB 1338, CS for SB 2192 with 3 amendments, CS for SB 2614

The Committee on Education recommends the following pass: SB 224, SB 1598 with 1 amendment, SB 1672 with 2 amendments, SB 1900 with 2 amendments, SB 2136, SB 2392, SB 3100

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB's 136 and 1716 with 2 amendments, SB 244 with 1 amendment, CS for SB's 534, 1664 and 2368 with 4 amendments, CS for SB 1068 with 1 amendment, CS for SB 1424 with 1 amendment, CS for SB 2306 with 2 amendments, SB 2312 with 3 amendments, CS for SB's 2324 and 2030, CS for SB 2350, CS for SB 2380, CS for SB 2416, CS for SB's 2418 and 2168, SB 2494, CS for SB 2602 with 2 amendments, CS for SB 2704, SB 2734 with 1 amendment, SB 2806, SB 2810 with 4 amendments, CS for SB's 3048 and 2178 with 1 amendment, CS for SB 3056 with 4 amendments

The Committee on Governmental Operations recommends the following pass: CS for SB 1946 with 4 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 2604 with 1 amendment

The Committee on Judiciary recommends the following pass: CS for SB 1246 with 2 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SE 1530, SB 1686 with 1 amendment, SB 2120 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 1646, SB 2414 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 2882

The Committee on Natural Resources and Conservation recommends the following pass: SB 1438

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Finance, Taxation and Claims recommends the following pass: SB 2096

The bill was referred to the Committee on Community Affairs under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 2426

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Appropriations recommends the following pass: SB 1854

The Committee on Community Affairs recommends the following pass: SB 1968 with 1 amendment

The Committee on Personnel, Retirement and Collective Bargaining recommends the following pass: CS for SB 2044

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Agriculture recommends the following pass: CS for SB 1346 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 3062, SB 3074

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 176, CS for SB 1350 with 4 amendments, SB 3068, SB 3072

The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Appropriations recommends the following pass: CS for SB 242, CS for SB 480, SB 574, SB 646, SB 1012, SB 1822, SB 3120

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB 2044, CS for SB 2540

The Committee on Governmental Operations recommends the following pass: HB 837 with 2 amendments, CS for SB 262 with 1 amendment, SB 484

The Committee on Judiciary recommends the following pass: SB 2564

The Committee on Natural Resources and Conservation recommends the following pass: SB 1734

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Appropriations recommends the following not pass: CS for SB 1454

The Committee on Education recommends the following not pass: SB 1630

The Committee on Health Care recommends the following not pass: SB 2836

The bills contained in the foregoing reports were laid on the table.

The Committee on Agriculture recommends a committee substitute for the following: CS for SB 2270

The Committee on Criminal Justice recommends committee substitutes for the following: Senate Bills 132 and 316, SB 522, SB 1474

The Committee on Education recommends committee substitutes for the following: SB 2786, SB 2872

The Committee on Finance, Taxation and Claims recommends committee substitutes for the following: Senate Bills 1268 and 1160, SB 2498

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2290

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2840

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1858, SB 2132

The Committee on Natural Resources and Conservation recommends committee substitutes for the following: SB 2482, SB 2770

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 2314

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1942

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 2020

The Committee on Health Care recommends committee substitutes for the following: Senate Bills 1196, 1198, 2202 and 2396, SB 2346

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2670

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 2130

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 252

The bill with committee substitute attached was referred to the Committee on Corrections, Probation and Parole under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 2704

The Committee on Appropriations recommends a committee substitute for the following: SB 1852

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2310

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2920

The Committee on International Trade, Economic Development and Tourism recommends a committee substitute for the following: SB 3056

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 2844

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 2526

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1442

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 2546

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 2784

The bill with committee substitute attached was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: Senate Bills 2878 and 2358

The bills with committee substitute attached were referred to the Committee on International Trade, Economic Development and Tourism under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2628

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 2740

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 2446

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 1718 and 2242

The Committee on Education recommends a committee substitute for the following: SB 1750

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation under the original reference.

The Committee on Appropriations recommends committee substitutes for the following: SB 30, SB 384, CS for SB 554, CS for CS for SB's 1022 and 2404, SB 1540, CS for SB 1608, CS for SB 1824, SB 1826, CS for SB 1950, CS for SB 2076, CS for SB 2440, SB 2998

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1402

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2486

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1258

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Meadows—

SB 3124—A bill to be entitled An act relating to Broward County; amending the election procedure for the Indian Trace Community Development District; providing for the election of supervisors to coincide with the general election; providing for the election of supervisors to staggered terms in the 1995 and 1997 elections and for 4-year terms in all subsequent elections; providing for the election of supervisors to designated groups; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

SB 3126—A bill to be entitled An act relating to Marion County; creating the Cold Springs Improvement District; providing district boundaries; prescribing the purposes, powers, privileges, duties, liability, and officials; providing applicability of the provisions of ch. 189, F.S., to said district; providing for the appointment of the first governing board and the election of its future members; defining terms of office; prescribing duties, powers, and qualifications, and fixing compensation; providing for the annual landowner's meeting; providing for the levies of non-ad valorem assessments and ad valorem taxes upon the lands in said district and for the collection and enforcement thereof; providing that ad valorem taxes shall be a lien on lands in the district and providing for the collection and enforcement of district taxes at the same time and in the like manner as county taxes; providing that said taxes shall be extended by the county property appraiser on the county tax roll and shall be collected by the tax collector in the same manner and time as county taxes; providing for the same discounts and penalties as county taxes and providing for the compensation of the county property appraiser and tax collector; providing for the levy, collection and enforcement of non-ad valorem assessments pursuant to s. 197.3632, F.S.; providing non-ad valorem assessments shall be a lien on lands in the district; providing for the levy of a uniform acreage tax on lands in said district to be used for paying expenses in organizing said district; authorizing said district to borrow money and issue negotiable or nonnegotiable notes, bonds, and other evidences of indebtedness in order to better carry out the provisions of this act; providing for administrative unit designation; providing for reports; providing for interlocal cooperation; providing for expansion, merger, contraction, and dissolution; providing severability; providing for precedence over conflicting laws; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Foley—

SB 3128—A bill to be entitled An act relating to transportation; amending s. 165, ch. 92-152, Laws of Florida, relating to the Transportation Efficiency Act of 1992; providing an exemption to s. 369.251, F.S., to

allow planting of the species *Casuarina equisetifolia* within the portion of historic and scenic highway A1A between Pelican Lane and Sea Road in the Town of Gulf Stream, Palm Beach County; authorizing Department of Environmental Protection permits to enable such planting; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Natural Resources and Conservation; and Rules and Calendar.

SR 3130 was introduced out of order and adopted this day.

SR 3132 was introduced out of order and adopted this day.

SR 3134 was introduced out of order and adopted this day.

SR 3136 was introduced out of order and adopted this day.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Appropriations and Senator Kirkpatrick—

CS for SB 30—A bill to be entitled An act relating to public libraries; amending s. 24.121, F.S.; authorizing a maximum amount of lottery proceeds to be transferred annually to the Library Services Trust Fund from the Educational Enhancement Trust Fund for support of eligible public libraries; requiring agreements with local district school boards; requiring libraries to publicly acknowledge lottery support; amending s. 257.261, F.S.; providing an exception to the exemption of library registration and circulation records from the public records law; providing an effective date.

By the Committee on Criminal Justice and Senators Silver, Boczar, Johnson and Grogan—

CS for SB's 132 and 316—A bill to be entitled An act relating to unlawful activity in or near medical facilities; creating s. 870.08, F.S.; providing findings and intent; establishing medical facility access zones; providing definitions and criminal acts and penalties for interference with access to medical facilities; providing enhanced penalties for repeat violations; providing for civil and administrative penalties and damages; providing an effective date.

By the Committee on Criminal Justice and Senator McKay—

CS for SB 252—A bill to be entitled An act relating to sentencing; requiring courts to inform victims and the public of the possibility of sentence reductions by gain-time awards and control release; requiring the Department of Corrections and the Control Release Authority to provide information for courts to use in estimating maximum gain-time awards and control release eligibility; providing an effective date.

By the Committee on Appropriations and Senators Kiser, Wexler, Beard, Johnson, Dyer, Brown-Waite, Grogan, Myers, Crist, Forman, Siegel, Foley, Jennings, Sullivan and Meadows—

CS for SB 384—A bill to be entitled An act relating to Florida Preservation 2000 Trust Fund; amending s. 201.15, F.S.; deleting the requirement that the first year's debt service for any Preservation 2000 bond issue be appropriated in the General Appropriation Act; amending s. 259.101, F.S.; providing for the reservation of specified Preservation 2000 funds to be used to develop inner-city parks; amending s. 375.045, F.S.; authorizing the Department of Environmental Protection to issue Preservation 2000 bonds for a prescribed period; appropriating money for this purpose; providing an effective date.

By the Committee on Criminal Justice and Senator Silver—

CS for SB 522—A bill to be entitled An act relating to sentencing; creating the “High-Noon Act”; amending s. 921.0016, F.S.; providing an additional circumstance under which a judge may impose a sentence that is more severe than the sentence recommended under the sentencing guidelines; amending s. 921.141, F.S.; providing an additional circumstance under which a judge may impose the death penalty, notwithstanding the recommendation of the jury; amending s. 775.087, F.S.; providing a 3-year minimum term of imprisonment for any person convicted of manslaughter or attempted manslaughter who had in his possession a firearm; providing an effective date.

By the Committees on Appropriations; Natural Resources and Conservation; and Senator Dantzer—

CS for CS for SB 554—A bill to be entitled An act relating to artificial reef construction; amending s. 370.25, F.S.; assigning responsibility for the artificial-fishing-reef program to the Department of Environmental Protection; prescribing duties of the department; providing procedures for permitting the construction of artificial reefs in certain areas of the state; providing for an annual application fee; providing requirements for the transport of reef construction materials; providing criminal penalties; providing for administrative fines and other penalties for violations; providing appropriations; providing an effective date.

By the Committees on Appropriations, Judiciary, Criminal Justice and Senators Diaz-Balart, Grogan and Harden—

CS for CS for CS for SB's 1022 and 2404—A bill to be entitled An act relating to acts of violence; creating s. 741.28, F.S.; providing definitions; amending s. 741.29, F.S.; revising guidelines with respect to investigation of domestic violence incidents; requiring that the report by a law enforcement agency to a domestic violence center include a narrative description of the incident; amending s. 741.2901, F.S.; providing intent that indirect criminal contempt may no longer be used to enforce compliance with injunctions for protection; amending s. 741.30, F.S.; providing for a system of statewide and circuitwide verification of injunctions for protection against domestic violence and repeat violence; providing for law enforcement officers to serve injunctions for protection against domestic violence; revising the procedures under which the court may enforce an injunction for protection; deleting a provision that such enforcement may include imposition of a fine; providing for a person who violates an injunction to be held in custody until admitted to bail; providing that an ex parte temporary injunction may not be effective for longer than 15 days; amending s. 741.31, F.S.; providing additional acts that constitute a violation of an injunction for protection against domestic violence; providing a penalty; amending s. 784.046, F.S.; revising provisions relating to injunctions against repeat violence; providing for a statewide verification system; revising the procedures under which the court may enforce an injunction against repeat violence; providing for a person who violates an injunction to be held in custody until admitted to bail; providing that an ex parte temporary injunction may not be effective for longer than 15 days; creating s. 784.0461, F.S.; providing that a person who violates an injunction for protection against repeat violence is guilty of a first-degree misdemeanor; amending s. 901.15, F.S.; authorizing a law enforcement officer under certain circumstances to arrest, without a warrant, a person who commits battery; amending s. 943.05, F.S.; providing duties of the Division of Criminal Justice Information Systems with respect to the statewide verification system; amending ss. 39.001, 39.076, 110.1127, 242.335, 393.0655, 394.457, 397.451, 400.512, 402.305, 409.175, 464.018, 741.2901, 741.2902, 787.03, 901.15, and 944.705, F.S., to conform cross-references; reenacting ss. 784.048(4) and 901.15(6) and (8), F.S., relating to penalties for violations of injunctions for protection against repeat violence and arrests without warrants for injunctive violations, to incorporate the amendments to ss. 741.30 and 784.046, F.S., in references thereto; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB's 1196, 1198, 2202 and 2396—A bill to be entitled An act relating to health care; amending s. 61.12, F.S.; providing for garnishment of wages to pay health insurance premiums for dependent children;

amending ss. 154.304, 154.306, 154.308, 154.309, 154.31, 154.3105, 154.312, F.S., relating to the Florida Health Care Responsibility Act of 1988; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 316.003, F.S.; providing definitions relating to the regulation of motor vehicles by the Department of Highway Safety and Motor Vehicles; defining the term “nonemergency, nonmedical transportation service vehicles”; creating s. 316.6151, F.S.; providing for the licensure and inspection of nonemergency, nonmedical transportation service vehicles; providing for fines and injunctions; amending s. 408.70, F.S.; providing legislative intent with respect to choice of health care plans; amending s. 408.701, F.S.; revising definitions of terms used in ss. 408.70-408.76, F.S.; amending s. 408.702, F.S.; amending provisions that specify the beneficiaries of community health purchasing alliances; clarifying that community health purchasing alliances that collect premiums may be liable for uncollected premiums; conforming terms to the revised definitions provided in this act; conforming cross-references; requiring all accountable health partnerships to have grievance procedures that conform to certain statutes; deleting provisions regarding collection of premiums; amending s. 408.703, F.S.; conforming terms to the revised definitions; amending s. 408.704, F.S.; deleting a limitation on contracts for startup funds for community health purchasing alliances; revising membership of the advisory data committee; deleting obsolete dates relating to activities of the advisory data committee; requiring community health purchasing alliances to ensure member access to certain emergency and trauma care services; amending s. 408.7042, F.S.; adding point-of-service products to the list of health benefit plans that the Department of Management Services must offer to state employees, if health care coverage for state employees is purchased through community health purchasing alliances; clarifying provisions relating to the purchase of health care for individuals and Medicaid, MedAccess, or Medicaid buy-in recipients through community health purchasing alliances; amending s. 408.7045, F.S.; clarifying provisions relating to community health purchasing alliance marketing requirements; requiring written disclosure of specified information to alliance members; amending s. 408.705, F.S.; changing the term “alliance region” to “alliance district” to conform to other related statutory provisions; establishing conflict-of-interest provisions for alliance members; amending s. 408.7056, F.S.; clarifying provisions relating to the statewide provider and subscriber assistance program; directing the Department of Insurance to establish a data base of complaints and grievances specific to health maintenance organizations; accountable health partnerships, and prepaid health plans; providing for systematic data base review by the Statewide Provider and Subscriber Assistance Program; directing the Agency for Health Care Administration and the Department of Insurance to assist the Statewide Provider and Subscriber Assistance Program in developing a comprehensive program; providing for funding; providing for use of volunteers; authorizing personal liability insurance for volunteers; providing that the provisions of this section are cumulative to rights under civil and common law; amending s. 408.706, F.S.; conforming terms to the revised definitions in s. 408.701, F.S.; clarifying conditions under which an accountable health partnership must provide advance notice of its intent to cease offering a health benefit plan; including optometrists licensed under ch. 463, F.S., in the list of providers to whom an accountable health partnership must make an offer of participation in its provider network; prohibiting an accountable health partnership from discriminating against certain providers based solely on the chapter under which they are licensed; authorizing accountable health partnerships to contract with specialty hospitals; authorizing the United States Department of Veterans Affairs to create an accountable health partnership; creating s. 408.7061, F.S.; authorizing certain entities to be designated as limited accountable health partnerships for the purpose of providing specific limited services; specifying applicability of s. 408.706, F.S.; providing that an accountable health partnership may also provide such limited services; amending s. 409.2557, F.S.; providing rulemaking authority for the enforcement of certain federal laws; amending ss. 409.2673, 409.2675, F.S., relating to the shared county and state health care program for low-income persons; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending ss. 409.901, 409.902, 409.903, 409.904, 409.905, F.S., relating to the Medicaid program; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 409.906, F.S.; authorizing home and alternative-site infusion services and physician assistant services as optional Medicaid services; prohibiting the agency from implementing a prior-authorization requirement as a cost-containment strategy for pre-

scribed drugs under the Medicaid program; amending s. 409.907, F.S.; providing additional requirements for Medicaid provider agreements; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 409.908, F.S., relating to reimbursement of Medicaid providers; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing a methodology for reimbursement of home and alternative-site infusion services and physician assistant services; revising the methodology for reimbursing prepaid plan providers and for labor management in a birth center; authorizing reimbursement of home deliveries by licensed midwives; amending s. 409.9081, F.S.; requiring copayments or coinsurance payments for certain additional Medicaid services; deleting a copayment study requirement; amending ss. 409.910, 409.911, 409.9112, 409.9113, 409.9115, F.S., relating to payments on behalf of Medicaid recipients and disproportionate share programs; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 409.912, F.S.; conforming provisions to the transfer of responsibilities for the Medicaid program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing a process to allow entities that are currently prohibited from contracting with the Medicaid program to obtain approval to reenter the program; revising surplus asset requirements for certain entities providing health care services to Medicaid recipients; providing requirements for reimbursements to hospitals and physicians that provide services on a prepaid or fixed-sum basis; requiring the agency to include health maintenance organizations and prepaid health plans in its definition of a managed care provider; prohibiting certain Medicaid prepaid contractors from engaging in certain practices; requiring marketing representatives to meet specific criteria; requiring the agency to establish certain prepaid plan disenrollment procedures; requiring the agency to establish a health care quality-improvement system for certain Medicaid prepaid plan providers; specifying the elements of the system; requiring Medicaid prepaid plan providers to provide certain member services; requiring the agency to develop a process for disenrollment of certain prepaid plan enrollees; specifying certain care, and documentation of care, provided to Medicaid prepaid plan enrollee infants and pregnant women; amending s. 409.9122, F.S.; requiring the agency to appoint a panel to review the provision of Medicaid managed care services to special populations; requiring Medicaid managed care plans to demonstrate and document certain member and provider services; authorizing the agency to submit a federal waiver request regarding the establishment of certain prepaid programs; amending s. 409.913, F.S., relating to Medicaid program integrity; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; expanding duties relating to recovery of overpayments and improper payments and imposition of sanctions; providing definitions; authorizing agency investigation of violations referred to the Auditor General's fraud-control unit; authorizing the use of applicable peer review organization findings as evidence; providing notice procedures and requirements; providing additional requirements for claims; authorizing the agency to review records and conduct other investigations; limiting certain payments to billing agents; specifying conditions, limitations, and procedures for withholding provider Medicaid payments; providing for notice; providing for in-camera inspection of evidence; providing additional grounds for imposition of administrative sanctions; providing for suspension or termination of providers; providing civil remedies and fines; requiring notice under described circumstances; authorizing certain use of statistical evidence; amending recovery amount for investigative and expert costs; providing agency authority to collect moneys owed, including certain interest; amending s. 409.914, F.S., relating to assistance for the uninsured; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending ss. 409.916, 409.919, 409.920, F.S., relating to the deposit of grants and rebates, agency rules, and Medicaid provider fraud; conforming provisions to the transfer of responsibilities from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 427.011, F.S.; excluding certain Medicaid recipients from the definition of the term "transportation disadvantaged" for purposes of part I, ch. 427, F.S., relating to transportation services; creating s. 624.31, F.S.; providing for compliance with certain federal laws; amending s. 627.410, F.S.; requiring certain forms to be filed with the Department of Insurance; amending s. 627.4235, F.S.; providing order of benefits for coverage under the Health Care Access Act; amending s. 627.6043, F.S.; providing for return of

unearned premiums on an individual health insurance policy when the policy is canceled by either party; providing that notice requirements imposed on insurers may be satisfied by a third-party administrator; creating s. 627.6045, F.S.; providing for preexisting conditions; creating s. 627.6414, F.S.; providing coverage for dependent children; amending ss. 627.6417, 627.6418, F.S.; deleting specified disease policies from nonapplicability provisions of coverage for a mastectomy or mammogram; amending s. 627.647, F.S.; providing a title; providing a purpose and definitions; directing the Department of Insurance, in consultation with the Agency for Health Care Administration, to develop rules for standardized claims forms; providing for coding systems and electronic claims-processing; amending s. 627.6472, F.S.; providing for direct access of subscribers or enrollees to optometrists, ophthalmologists, and dermatologists who are part of exclusive provider organizations; amending s. 627.6488, F.S.; providing that the Florida Comprehensive Health Association is to operate under supervision of the reinsurance board established under the Health Care Access Act; amending s. 627.6515, F.S.; providing for the inapplicability of the Insurance Code to certain group health insurance policies issued or delivered outside the state; amending s. 627.652, F.S.; defining the term "community health purchasing alliance"; creating s. 627.6552, F.S.; authorizing a community health purchasing alliance to be the group policyholder for specified persons; amending s. 627.6561, F.S.; extending the time between coverages for purposes of determining credit for a preexisting condition under previous coverage; amending s. 627.6645, F.S.; prescribing time for giving notice of cancellation for nonpayment of premium; creating s. 627.6691, F.S.; creating the Florida Health Insurance Coverage Continuation Act; providing purpose and applicability; providing definitions; providing procedures for continuation of coverage; providing premium requirements; providing for election of continuation of coverage at the employee's expense; providing penalties; transferring, renumbering, and amending s. 627.6699, F.S.; creating the Health Care Access Act; providing purpose; providing definitions; providing applicability and scope; providing availability and renewability of coverage; providing for maintenance of records; providing for becoming a risk-assuming or reinsuring carrier; providing election process; providing a health reinsurance program; providing standardized health benefit plans; providing for applicability of other state laws; providing rulemaking authority for the Department of Insurance; amending s. 627.6745, F.S.; providing a formula for refunds on Medicare supplement benefit plans; amending s. 641.19, F.S., which provides definitions relating to health maintenance organizations; revising the section and adding a definition for the term "agency"; amending s. 641.21, F.S., relating to application for certificates of authority for health maintenance organizations; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.22, F.S., which provides for the issuance of certificates of authority; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.23, F.S., which provides for revocation or cancellation of a certificate of authority; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.261, F.S., which provides certain reporting requirements applicable to health maintenance organizations; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.28, F.S., which provides a civil remedy for enforcement of health maintenance organization contracts; requiring a health maintenance organization to pay reasonable attorney's fees and court costs when a subscriber or enrollee receives a favorable judgment or decree; providing that the award be included in the judgment or decree; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.31, F.S., relating to health maintenance contracts; requiring forms for health maintenance services contracts to be filed with the department; providing for direct access of subscribers or enrollees to optometrists, ophthalmologists, dermatologists, podiatrists, and chiropractors once outpatient practice guidelines are developed, but no later than December 31, 1994; providing for health maintenance organization precertification on procedures and tests; requiring health maintenance organizations to enter into limited contracts with certain continuing care and retirement facilities to provide services to residents; creating s. 641.31081, F.S.; prescribing liability of a succeeding health maintenance organization upon replacing a group, blanket, or franchise health insurance policy or replacement of a health maintenance organization contract; creating s. 641.3112, F.S.; providing dependent coverage; creating s. 641.3114, F.S.; providing preexisting conditions for health maintenance organization contracts; amending s. 641.402, F.S., which provides definitions relating to prepaid health clin-

ics; revising the section and adding a definition for the term "agency"; amending s. 641.405, F.S., relating to a certificate of authority to operate a prepaid health clinic; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.406, F.S., which provides for issuance of a certificate of authority to operate a prepaid health clinic; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.411, F.S., which provides certain reporting requirements applicable to prepaid health clinics; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.412, F.S., relating to regulatory fees for prepaid health clinics; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.443, F.S., which provides for temporary restraining orders against prepaid health clinics; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.454, F.S., which provides for civil actions to enforce prepaid health clinic contracts; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.455, F.S., which provides for the disposition of moneys collected relating to prepaid health clinic regulation; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.47, F.S., which provides definitions relating to the quality of services provided by health maintenance organizations and prepaid health clinics; revising the section and adding a definition for the terms "agency," "emergency services and care," "emergency medical condition" and "quality-of-care grievance"; amending s. 641.48, F.S., which provides for the purpose and application of certain provisions; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.49, F.S., which provides an application procedure for certification of health maintenance organizations and prepaid health clinic providers; requiring a health maintenance organization to submit with its application for certification a toll-free telephone number for subscriber or enrollee assistance and a statement providing certain specified information which it will distribute to subscribers and enrollees; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.495, F.S., which provides certain requirements applicable to the issuance and maintenance of a health care provider certificate; requiring an applicant for a certificate to prove its ability to provide services consistent with standards of care prescribed by ch. 394 and ch. 397, F.S.; providing for rules for evaluating the impact of the severing of provider relationships by health maintenance organizations on their ability to deliver required services; requiring organizations to document efforts to recruit and retain minority professionals; providing guidelines for grievance procedures; providing requirements pertaining to emergency services; providing for reimbursement to persons who provide emergency services; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; requiring health maintenance organizations and prepaid health clinics to have a system for verifying and examining health care professional credentials and job descriptions; deleting the requirement for periodic review of the medical facilities and services of health maintenance organizations and prepaid health clinics; requiring organizations to have a disaster-management plan; amending s. 641.511, F.S.; revising subscriber grievance reporting, investigative, and resolution requirements; adding a cross-reference; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.512, F.S., relating to accreditation and external quality-assurance assessments; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing for annual validation surveys; creating s. 641.514, F.S.; providing for consumer education; amending s. 641.515, F.S.; providing for investigation of health maintenance organizations and prepaid health clinics; authorizing the Agency for Health Care Administration to investigate subscriber or provider complaints from any source; amending s. 641.52, F.S., which provides various regulatory sanctions applicable to health maintenance organizations and prepaid health clinics; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.54, F.S., which provides for disclosure by health maintenance organizations and prepaid health clinics of certain hospital and physician information; changing a reference from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; authorizing a health maintenance organiza-

tion or prepaid health clinic, in response to a subscriber request for a list of available hospitals or physicians, to restrict such a list to hospitals and physicians in the subscriber's geographic area; amending s. 641.55, F.S., relating to internal risk management; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; updating references to the former Department of Professional Regulation; deleting obsolete provisions; clarifying risk-management responsibilities of independent health care providers who provide services in their private offices to subscribers of health maintenance organizations; clarifying that adverse or untoward incidents involving surgical procedures that are remedial of improperly performed surgery be reported within 15 days to the Agency for Health Care Administration and the Department of Business and Professional Regulation; amending s. 641.56, F.S., which provides for rulemaking authority; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.57, F.S., which provides for disposition of moneys collected from regulation; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 641.58, F.S., which provides for a regulatory assessment; changing references from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; exempting certain fees paid for the purchase of services for Medicaid recipients from an assessment against premiums collected by health maintenance organizations and prepaid health clinics; otherwise improving the clarity of the foregoing sections; directing the Agency for Health Care Administration to adopt rules; providing appropriations; repealing s. 408.703(4), F.S., relating to employer contributions to benefit plans; repealing s. 408.7071, F.S., relating to a standardized claims form; repealing s. 627.622, F.S., relating to insurance with other insurers; repealing s. 627.623, F.S., relating to other benefits; providing effective dates.

By the Committee on Natural Resources and Conservation; and Senator Dantzler—

CS for SB 1258—A bill to be entitled An act relating to recreational use of water management district lands; amending s. 373.1395, F.S.; including horseback riding and bicycling as allowable outdoor recreational purposes on water management district lands for purposes of limiting a water management district's liability to those engaging in such activity; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senators Dantzler and Diaz-Balart—

CS for SB's 1268 and 1160—A bill to be entitled An act relating to trust funds; amending s. 318.21, F.S.; providing percentage of civil penalties to be distributed to the General Revenue Fund and to the Additional Court Cost Clearing Trust Fund; amending s. 943.25, F.S.; providing for certain surplus funds to remain in the Criminal Justice Training Trust Fund, the Administrative Trust Fund, and the Operating Trust Fund; providing for disposition of funds remaining in the Criminal Justice Training Improvement Trust Fund; providing an effective date.

By the Committees on Criminal Justice and Transportation and Senators Diaz-Balart and Siegel—

CS for CS for SB 1402—A bill to be entitled An act relating to operating a vehicle while under the influence; amending s. 316.193, F.S.; extending the time period for penalty provisions; providing for 48 hours of consecutive incarceration; providing that vehicle impoundment or immobilization may not be concurrent with incarceration; amending s. 322.2615, F.S.; providing for a 30-day temporary permit; providing a time period during which certain persons whose licenses have been suspended shall not be eligible to receive a driver's license; amending s. 322.64, F.S.; providing for a 30-day temporary permit; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Turner—

CS for SB 1442—A bill to be entitled An act relating to environmental equity and justice; creating the Environmental Equity and Justice Commission; providing for the appointment of members to the commis-

sion; providing for a report; providing for the contents of the report; providing for public hearings; providing for location of public hearings; providing for access to records; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senator Burt—

CS for SB 1474—A bill to be entitled An act relating to horticulture products; amending s. 810.011, F.S.; defining the term “commercial horticulture property” for purposes of ch. 810, F.S.; relating to trespass; amending s. 810.09, F.S.; providing an enhanced penalty for the offense of trespass on commercial horticulture property that is properly posted; amending s. 921.0012, F.S., relating to the offense severity ranking chart; revising the level 2 offense level to include trespass on posted commercial horticulture property; providing an effective date.

By the Committee on Appropriations and Senators Holzendorf and Hargrett—

CS for SB 1540—A bill to be entitled An act relating to education; establishing incentives for urban or socially and economically disadvantaged area internships for students at state universities; providing an effective date.

By the Committees on Appropriations and Professional Regulation and Senator Diaz-Balart—

CS for CS for SB 1608—A bill to be entitled An act relating to opticianry; amending ss. 484.002 and 484.003, F.S.; correcting a reference; amending s. 484.007, F.S.; revising requirements for licensure as an optician; requiring the permitting of optical establishments; providing application and fee requirements for such a permit; requiring notice of change in ownership of an optical establishment; amending s. 484.013, F.S.; prohibiting the opening or operating of unpermitted optical establishments; providing penalties; amending s. 484.014, F.S.; applying grounds for disciplinary actions and the disciplinary actions themselves to optical establishment permitholders; amending s. 484.018, F.S.; providing additional exceptions to regulation under part I of chapter 484, F.S., relating to preparing and dispensing of eyeglasses and other optical devices; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senators Grant and Bankhead—

CS for SB's 1718 and 2242—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing additional conditions of probation for a conviction for driving while under the influence; providing an effective date.

By the Committee on Education and Senator Jones—

CS for SB 1750—A bill to be entitled An act relating to airport zoning regulations; amending s. 333.03, F.S.; revising regulations with respect to location in specified counties of educational facilities within an area contiguous to an airport; providing an effective date.

By the Committees on Appropriations and Governmental Operations and Senators Dyer, Williams and Boczar—

CS for CS for SB 1824—A bill to be entitled An act relating to governmental performance and accountability; providing legislative intent; amending s. 11.40, F.S.; renaming the Legislative Auditing Committee as the Legislative Auditing and Accountability Committee; prescribing its membership and duties; creating s. 216.0313, F.S.; providing for review of performance-based programs; creating s. 11.507, F.S.; providing for policy evaluation and review; creating s. 14.271, F.S.; creating the Commission on Government Accountability to the People; prescribing its membership and duties; amending s. 216.011, F.S.; defining the terms “baseline data,” “outcome,” “output,” “performance-based program budget,” “performance measure,” “program,” and “standard” for purposes of fiscal affairs of the state and budgeting; creating s. 216.0166, F.S.; prescribing guidelines for

state agencies and the judicial branch to use in submitting performance-based program budget requests; creating s. 216.0172, F.S.; requiring establishment of performance-based program budgets for each program that can be properly administered under such a budget; creating s. 216.0235, F.S.; requiring state agencies to furnish legislative program budget requests; providing for review of such budgets by the Executive Office of the Governor; amending s. 216.031, F.S.; requiring certain information relating to performance-based program budgets to be submitted with agencies' and the judicial branch's legislative budget requests; amending s. 216.163, F.S.; providing for the Executive Office of the Governor to recommend budgetary incentives or disincentives after reviewing evaluations of state agency performance; requiring legislative ratification of such incentives or disincentives; amending s. 216.292, F.S.; providing for distribution by agency heads or by the Chief Justice of lump-sum appropriations for performance-based programs; authorizing transfer of funds and providing for legislative oversight of transfers; transferring certain positions and fund balances from the Auditor General to the Legislative Auditing and Accountability Committee; amending s. 20.055, F.S.; abolishing the position of agency chief internal auditor and creating the position of inspector general in each state agency; prescribing the duties of that office with respect to ensuring accountability, integrity, and efficiency in agency performance; creating s. 14.32, F.S.; creating the position of Chief Inspector General in the Executive Office of the Governor and prescribing duties of that position; providing for agency inspectors general to assume other statutory duties of agency chief internal auditors not specifically addressed in this act; providing for a reviser's bill; amending ss. 11.13, 11.149, 11.401, 11.42, 11.43, 11.44, 11.45, 11.46, 11.50, 11.51, 11.511, 11.513, 20.055, 20.23, 24.123, 112.3189, 189.409, 215.95, 216.0165, 216.052, 216.251, 218.32, 218.38, 218.503, 286.036, 287.114, 288.906, 288.9517, 299.9616, 339.149, 350.061, 350.0614, 400.335, 570.903, 766.105, 766.315, 946.516, F.S.; conforming those sections to the renaming of the Legislative Auditing Committee; repealing, at a future date, s. 11.40, F.S., relating to the Legislative Auditing and Accountability Committee, and providing for legislative review of the committee before that date; providing an effective date.

By the Committee on Appropriations and Senator Grant—

CS for SB 1826—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; clarifying the definition of “employee leasing company”; amending s. 443.131, F.S., relating to computation of contribution rates based on benefit experience; deleting obsolete provisions; revising dates; modifying provisions re transfer of employment records between predecessor and successor employers; amending s. 443.041, F.S.; deleting certain circumstances under which the court may order that the Division of Unemployment Compensation of the Department of Labor and Employment Security pay counsel fees; limiting the award of certain fees to a percentage of benefits awarded; limiting the fees and costs that may be paid by the division; providing effective dates.

By the Committee on Appropriations and Senator Jenne—

CS for SB 1852—A bill to be entitled An act relating to state moneys; amending s. 215.32, F.S.; revising the funds into which all moneys received by the state must be deposited and within which they must be accounted for; specifying the manner of dividing these moneys into these funds; specifying the use and investment of moneys in these funds; repealing s. 212.081(4), F.S., and amending ss. 216.221, 252.37, F.S.; conforming provisions pertaining to the existing funds to this revision; repealing s. 420.5094, F.S., relating to the repayment of certain loans by the Florida Housing Finance Agency; amending ss. 265.51, 265.55, F.S.; restricting authority of the Department of State to make agreements to indemnify for certain losses, and of the Comptroller to pay such claims, to specific appropriations for that purpose; providing an effective date.

By the Committees on Judiciary; Health and Rehabilitative Services; and Senator McKay—

CS for CS for SB 1858—A bill to be entitled An act relating to the child welfare system; amending s. 39.01, F.S., relating to definitions; revising definitions and adding new definitions; amending s. 39.40, F.S., relating to dependency proceedings; revising procedures; amending s.

39.402, F.S., relating to placement in a shelter; revising procedures and time periods; creating s. 39.4031, F.S.; providing case plan requirements; creating s. 39.4032, F.S.; providing for multidisciplinary case staffings; creating s. 39.4033, F.S.; providing for referral of a dependency case to court mediation; amending s. 39.404, F.S.; revising procedures relating to petitions for dependency; amending s. 39.405, F.S.; providing notice requirements and revising requirements relating to process and service in dependency proceedings; creating s. 39.4051, F.S.; providing special procedures in dependency cases when the identity or location of a parent is unknown; creating s. 39.4057, F.S.; providing for designation of permanent mailing address and use for notice purposes; amending s. 39.408, F.S., relating to hearings for dependency cases; revising disposition hearing provisions; amending s. 39.41, F.S.; revising powers of disposition in dependency cases; amending s. 39.427, F.S.; deleting reference to arbitration and providing for diversion mediation; amending s. 39.428, F.S.; providing for the establishment of a diversion mediation program, amending s. 39.429, F.S.; providing for diversion mediation disposition; repealing s. 39.43, F.S., relating to family arbitration; repealing s. 39.431, F.S., relating to family arbitrators; repealing s. 39.432, F.S., relating to family arbitration procedure; repealing s. 39.433, F.S., relating to family arbitration hearings; repealing s. 39.434, F.S., relating to family arbitration disposition; repealing s. 39.435, F.S., relating to family arbitration review; creating s. 39.4365, F.S.; providing for referral to "in need of services" mediation; amending s. 39.45, F.S.; revising legislative intent relating to children in foster care; amending s. 39.451, F.S.; deleting reference to performance agreements and providing for case planning for children in foster care; amending s. 39.452, F.S.; providing for case planning for children in foster care when parents do not participate; amending s. 39.453, F.S.; revising provisions relating to judicial review for children in foster care; amending s. 39.454, F.S.; deleting reference to performance agreements and providing for case planning relating to termination of parental rights proceedings; amending s. 39.461, F.S.; revising requirements for petitions for termination of parental rights; creating s. 39.4611, F.S.; providing required elements of petitions for termination of parental rights; creating s. 39.4612, F.S.; providing requirements for determining the manifest best interest of the child; amending s. 39.462, F.S.; revising requirements relating to process and service in termination of parental rights proceedings; creating s. 39.4625, F.S.; providing special procedures when the identity or location of a parent is unknown in termination of parental rights proceedings; creating s. 39.4627, F.S.; providing penalties for false statements of paternity in conjunction with termination of parental rights proceedings in certain circumstances; amending s. 39.464, F.S.; revising provisions relating to grounds for termination of parental rights; amending s. 39.465, F.S.; revising provisions relating to guardians ad litem in termination of parental rights proceedings; amending s. 39.466, F.S.; revising advisory hearing procedure in termination of parental rights proceedings; amending s. 39.467, F.S.; revising adjudicatory hearing procedure in termination of parental rights proceedings; amending s. 39.469, F.S.; revising disposition powers and procedure in termination of parental rights proceedings; repealing s. 39.468, F.S., relating to orders of adjudication; amending s. 39.47, F.S., relating to subsequent adoption proceedings and notification of parents; amending s. 39.473, F.S.; revising appeal procedure in termination of parental rights proceedings; amending s. 44.1011, F.S., relating to mediation alternatives; adding a definition; amending s. 44.102, F.S., relating to court-ordered mediation; authorizing dependency and "in need of services" mediation; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights proceedings; amending ss. 409.145 and 409.167, F.S.; deleting reference to permanent commitment; amending s. 409.165, F.S.; revising provisions relating to alternate care for children; creating s. 409.1671, F.S.; providing foster care program contract options; creating s. 409.1672, F.S.; providing for monetary performance incentives for Department of Health and Rehabilitative Services employees with respect to the child welfare system; requiring case plan conversion by the department; requiring the Department of Health and Rehabilitative Services to provide certain information to the operators of residential placement facilities; requiring the department to make records of interrogations; requiring the department to develop a district organizational plan and to submit the plan to the Legislature; establishing legislative findings and intent; requiring plans for an objective assessment and case-planning process for dependent children requiring placement in alternate care under chapters 39 and 409, F.S.; requiring the Department of Health and Rehabilitative Services and other child-welfare professionals to develop and implement a district plan for alternate care; requiring recommendations for appropriations for selected district plans; providing for the review and selection of district plans; establishing a task force and providing for its membership, terms, and duties; requiring an evaluation by

contract; requiring legislative reports; providing for legislative review and repeal of the task force; amending s. 409.165, F.S.; providing for foster-care payments directly to children; providing effective dates.

By the Committee on Education and Senator Jones—

CS for SB 1942—A bill to be entitled An act relating to education; creating the "Parental Involvement in Education Act"; providing intent relating to parental involvement; amending s. 229.591, F.S., relating to the school improvement and education accountability system; creating a state education goal for parental involvement; providing intent for employee involvement in educational activities; amending s. 24.121, F.S.; providing for allocation of lottery revenues for parental involvement activities; amending s. 229.58, F.S.; providing duties relating to parental involvement; providing duty of school advisory councils relating to parental involvement; amending s. 229.602, F.S., relating to private sector and education partnerships; providing duties relating to parental involvement; providing for challenge grants for parental involvement activities; creating s. 229.8343, F.S.; providing for Department of Education assistance in implementing parental involvement plans; amending s. 230.23, F.S.; authorizing district school board parental involvement plans; amending s. 230.33, F.S.; requiring superintendents to recommend procedures for parental involvement; amending s. 231.085, F.S.; requiring duties of principals to include implementation of a parental involvement plan; amending ss. 231.602, 231.603, and 231.606, F.S., relating to teacher education centers; providing for parent education and parental involvement activities; providing for parent membership on center councils; amending s. 231.613, F.S.; providing for educational opportunities for parents through inservice training institutes; amending s. 232.19, F.S.; requiring parental assistance relating to compulsory school attendance; creating s. 232.197, F.S.; providing authority of superintendent relating to parental involvement; amending s. 232.26, F.S.; providing authority of principal; amending s. 232.276, F.S.; requiring parenting workshops; amending s. 232.3015, F.S.; clarifying provisions relating to family outreach program; amending s. 236.0811, F.S.; requiring the master plan for inservice training to include components for parent education; amending s. 239.401, F.S., relating to community education; requiring parent centers; creating s. 240.383, F.S.; providing for a Clearinghouse on Parenting; amending s. 402.3026, F.S., relating to full-service schools; providing for parent centers; providing requirements for distribution and use of funds for parental involvement activities; providing an effective date.

By the Committees on Appropriations and Judiciary and Senator Weinstein—

CS for CS for SB 1950—A bill to be entitled An act relating to the judiciary; amending s. 26.021, F.S.; providing a residency requirement for certain circuit judges; amending s. 26.031, F.S., increasing the number of judges in specified judicial circuits; amending s. 34.022, F.S., increasing the number of judges in specified county courts; providing effective dates.

By the Committee on Finance, Taxation and Claims; and Senator Kurth—

CS for SB 2020—A bill to be entitled An act relating to the tax on sales from vending machines; amending ss. 212.0515, 212.12, F.S.; revising the method for calculating the amount of the sales tax to be paid on food and beverage items sold in vending machines; providing for the affixing of identifying devices instead of the required notices to vending machines for a limited period; revising the return and reporting requirements; providing for rulemaking; providing penalties; revising the dealer's credit for collecting the tax to conform; providing an appropriation; providing an effective date.

By the Committees on Appropriations and Professional Regulation and Senator Dyer—

CS for CS for SB 2076—A bill to be entitled An act relating to regulation of professions; amending s. 20.165, F.S.; renaming the Division of Technology, Testing, and Training of the Department of Business and Professional Regulation as the Division of Technology, Licensure, and Testing; establishing additional boards within the Division of Professions and the Division of Medical Quality Assurance; amending s. 215.37, F.S.; requiring the department to request that professional boards within the department submit their proposed budgets prior to development of the

department's legislative budget request; clarifying that the requirements for depositing fees into the Professional Regulation Trust Fund and the payment of service charges with respect thereto apply only with respect to professional regulation by the department and the boards within the department; creating s. 455.2121, F.S.; providing for continued accreditation of programs and institutions under certain circumstances; amending s. 455.217, F.S.; authorizing additional procedures the department may employ to maintain the security of professional examinations; conforming terminology; creating s. 455.2171, F.S.; authorizing the department to use professional testing services for computerized examinations; amending s. 455.221, F.S.; revising provisions relating to legal and investigative services of the department and the boards; providing that persons under contract with the department to help investigate and resolve complaints and application checks shall be considered agents of the department for certain insurance and immunity protections; amending s. 455.2235, F.S.; requiring each board, or the department when there is no board, to adopt rules designating which violations of the applicable professional practice act are appropriate for mediation; providing a timetable for the boards to act, after which the department shall have exclusive authority to adopt such rules; amending s. 455.227, F.S.; revising and providing grounds for disciplinary action; revising and providing penalties; reenacting ss. 455.232(2), 468.1755(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), and 489.116(1), F.S., relating to disclosure of confidential information, to discipline of nursing home administrators, real estate brokers, salespersons, schools, and appraisers, barbers, and cosmetologists, and to inactive and delinquent status of construction contractors, to incorporate the amendment to s. 455.227, F.S., in references thereto; amending s. 455.228, F.S.; authorizing the issuance of citations for unlicensed practice of a profession; providing penalties; providing for allocation to the various professions of the fines, fees, and other costs collected as a result of violations related to such unlicensed practice; amending s. 455.2281, F.S.; providing that the department alone is to impose the special fee per license to cover enforcement costs of regulating the professions; amending s. 455.229, F.S.; clarifying provisions applicable to public inspection of information required from applicants; creating s. 455.271, F.S.; providing for inactive and delinquent status; creating s. 455.273, F.S.; providing for renewal and cancellation notices; creating s. 455.275, F.S.; providing for maintenance of current address-of-record information; amending s. 468.385, F.S.; revising a prohibition against licensure as an auctioneer or auctioneer's apprentice; amending s. 468.387, F.S., relating to licensing of nonresidents; eliminating an irrevocable written consent relating to certain service of process; amending s. 468.389, F.S.; authorizing restitution to a consumer as a disciplinary action of the department against auctioneers; amending s. 468.401, F.S.; revising definitions applicable to regulation of talent agencies; amending s. 468.402, F.S.; revising and providing disciplinary grounds and actions applicable to persons violating provisions related to talent agencies; amending s. 468.403, F.S.; revising talent agency licensure requirements; amending s. 468.404, F.S.; deleting provisions relating to rules for a procedure for biennial renewal of talent agency licenses; revising fee terminology; increasing the charge for recording name or location changes; amending s. 468.406, F.S.; requiring an itemized schedule of fees, charges, and commissions along with an application; amending s. 468.407, F.S.; eliminating a fine for failure to display talent agency license; amending s. 468.409, F.S.; revising record-keeping requirements; amending s. 468.410, F.S.; prohibiting agencies from requiring applicants or artists to purchase certain things or attend certain schools or workshops as a condition of registering or obtaining employment for that person; providing penalties; amending s. 468.412, F.S.; providing that a talent agency may not divide fees with any venue that uses entertainment; amending s. 468.413, F.S.; providing applicability of habitual felony offender penalties to certain acts; amending s. 468.452, F.S.; redefining "athlete agent"; amending s. 468.520, F.S.; revising definitions and exemptions applicable to regulation of employee leasing companies; amending s. 468.521, F.S.; increasing membership of the Board of Employee Leasing Companies; amending ss. 468.522, 468.533, and 468.534, F.S.; revising terminology; amending s. 468.523, F.S.; applying other provisions relating to activities of regulatory boards to regulations for employee leasing companies; amending s. 468.524, F.S.; revising license application requirements; creating s. 468.5245, F.S., related to change of ownership; amending s. 468.525, F.S.; revising license requirements; amending s. 468.526, F.S.; revising annual assessment provisions; amending s. 468.527, F.S.; providing an editorial change; creating s. 468.5275, F.S.; providing for registration and exemption of de minimis operations; establishing fees; amending s. 468.528, F.S.; revising provisions related to inactive status of licenses; amending s. 468.529, F.S.; revising various insurance and benefit requirements; amending s. 468.530, F.S.; providing identification requirements for advertisements; amending

s. 468.531, F.S.; prohibiting practice as an employee leasing company or company group unless all controlling persons thereof are licensed, for which there are penalties; amending s. 468.532, F.S.; revising and providing disciplinary grounds and actions; creating s. 468.535, F.S.; providing for investigations, audits, and reviews; amending s. 468.602, F.S.; providing exemptions from provisions regulating building code administrators and inspectors; amending s. 468.603, F.S.; revising definitions; amending s. 468.605, F.S.; increasing membership on the Florida Building Code Administrators and Inspectors Board; amending s. 468.609, F.S.; revising the requirements to take the examination for certification as a building code administrator, plans examiner, or inspector; revising requirements with respect to persons holding such an office on a specified date; authorizing the board to create additional certification categories and providing restrictions on those categories; creating ch. 469, F.S.; providing regulation of asbestos abatement and related work; providing definitions; providing exemptions; requiring licensure and providing licensure requirements, including categories of licensure; providing requirements and responsibilities of business organizations and qualifying agents; providing fees; providing grounds for license revocation or suspension and for denial of licensure or license renewal; providing rulemaking authority to the Department of Business and Professional Regulation; requiring certain course requirements of onsite supervisors, asbestos abatement workers, and asbestos surveyors, management planners, and project monitors; providing for approval of asbestos training courses and providers; providing for seals; repealing ss. 455.301-455.310, F.S., relating to asbestos abatement; amending ss. 255.553 and 553.79, F.S.; correcting cross references; providing an appropriation; amending s. 470.002, F.S.; defining the term "disinterment"; amending s. 470.006, F.S.; providing a fee for provisional licensure as an embalmer; revising embalmer internship provisions; amending s. 470.007, F.S.; revising certain examination requirements for licensure as an embalmer by endorsement; prohibiting registration as a temporary embalmer under certain circumstances; providing a fee for renewal of registration as a temporary embalmer; amending s. 470.008, F.S.; including centralized embalming facilities in the embalmer internship program; revising requirements of the program; amending s. 470.009, F.S.; providing a fee for provisional licensure as a funeral director; revising funeral director internship provisions; amending s. 470.011, F.S.; revising certain examination requirements for licensure as a funeral director by endorsement; prohibiting registration as a temporary funeral director under certain circumstances; providing a fee for renewal of registration as a temporary funeral director; amending s. 470.012, F.S.; revising requirements of the funeral director internship program; amending s. 470.013, F.S.; requiring licensed funeral directors and embalmers to affix to their displayed licenses a recent photograph of themselves; amending s. 470.0165, F.S.; prohibiting direct disposers or funeral directors functioning as direct disposers from selling, conducting, or arranging for burials; amending s. 470.017, F.S.; revising educational requirements for registration as a direct disposer; requiring registered direct disposers to affix to their displayed registrations a recent photograph of themselves; amending s. 470.019, F.S.; revising and providing grounds for disciplinary action against direct disposers and direct disposal establishments; increasing the administrative fine that may be imposed; amending s. 470.0201, F.S.; revising provisions relating to educational requirements relating to communicable diseases for nonlicensed individuals intending to be employed as operational personnel affiliated with a direct disposal establishment, cinerator facility, removal service, refrigeration service, or centralized embalming facility; amending s. 470.021, F.S.; including licensed funeral directors acting as direct disposers in provisions relating to registration of direct disposal establishments; amending s. 470.024, F.S.; providing additional requirements of funeral directors in charge of licensed funeral establishments; amending s. 470.025, F.S.; prohibiting a direct disposer from being in charge of a cinerator facility that is located at the same address as a funeral establishment; amending s. 470.029, F.S.; revising reporting requirements relating to bodies embalmed or otherwise handled or to disinterments; creating s. 470.0295, F.S.; providing requirements relating to disinterment; amending s. 470.0301, F.S.; revising registration and other requirements of removal services, refrigeration facilities, and centralized embalming facilities; amending s. 470.034, F.S.; eliminating a ground for disciplinary action relating to certain disclosures in response to a general telephone inquiry; amending s. 470.036, F.S.; revising certain grounds for disciplinary action to apply to removal services and refrigeration services and others to provide additional requirements with respect to oral permission for certain actions; reenacting s. 497.305(1)(f), F.S., relating to the cremation of human remains by a cemetery company, to incorporate the amendment to s. 470.025, F.S., in a reference thereto; amending s. 471.003, F.S.; revising an exemption from registration as an engineer applicable to certain faculty members; reen-

acting s. 471.037(2), F.S., relating to the issuance of local building permits, to incorporate the amendment to s. 471.003, F.S., in a reference thereto; amending s. 471.015, F.S.; revising licensure qualifications of engineers; authorizing the requirement of a personal appearance, subject to prior notice; amending s. 472.005, F.S.; revising definitions relating to regulation of land surveying to eliminate reference to "land" and to include reference to "mapping"; defining "photogrammetric mapper"; amending s. 472.007, F.S.; increasing membership of the Board of Professional Surveyors and Mappers; amending s. 472.008, F.S.; deleting the requirement for board rules on financial responsibility; amending s. 472.011, F.S.; providing for board rule for delinquency fees rather than late renewal penalty fees; providing application fees for providers of continuing education; amending s. 472.013, F.S.; eliminating a qualifying prerequisite to taking the licensure examination and providing for future repeal of other qualifying prerequisites; amending s. 472.015, F.S.; providing requirements for professional liability insurance; amending ss. 472.001, 472.003, 472.021, 472.023, 472.027, 472.029, 472.031, 472.037, 472.039, F.S., relating to land surveying, to conform; amending s. 472.033, F.S., relating to grounds for disciplinary action related to licensure status; creating s. 472.041, F.S.; providing a savings clause to automatically license specified persons as surveyors and mappers on a specified date; amending ss. 177.031, 177.061, 177.071, 177.091, 177.141, 177.151, 177.36, 177.503, 177.504, 177.507, 177.508, 177.509, 190.033, 287.055, 403.0877, 403.932, 440.02, 471.003, 481.219, 713.01, 713.03, 718.104, 810.12, F.S., to conform terminology; amending s. 28.222, F.S.; providing requirements for the recording of instruments relating to land surveying; amending s. 473.302, F.S.; revising and providing definitions with respect to the regulation of public accountancy; amending s. 473.306, F.S.; authorizing the Board of Accountancy to adopt an alternative licensure examination for Canadian chartered accountants; amending s. 473.308, F.S.; extending the waiver of certain educational requirements applicable to certain applicants for licensure as a public accountant; amending s. 474.202, F.S.; providing a definition for limited veterinary medical practice; amending s. 474.2065, F.S.; increasing the initial application and examination fee for veterinarians; eliminating reference to a fee cap for reactivation or renewal of an inactive license; amending s. 474.207, F.S.; revising provisions relating to licensure of veterinarians by examination; amending s. 474.2125, F.S.; revising provisions relating to temporary licenses issued to licensed veterinarians of another state, including shortening the period of validity of such licenses; amending s. 474.213, F.S.; providing additional grounds for discipline; amending s. 474.214, F.S., relating to disciplinary proceedings; providing penalties for practicing veterinary medicine with a delinquent license; correcting terminology; amending s. 474.215, F.S.; prescribing standards for the operation of limited service facilities; requiring a permit and providing for a fee; amending s. 475.01, F.S.; defining terms applicable to the regulation of real estate brokers, salespersons, and schools; amending s. 475.011, F.S.; exempting from regulation as a real estate broker, salesperson, or school certain persons or entities involved in the renting of public lodging establishments for transient occupancy; amending s. 475.15, F.S.; clarifying a provision relating to cancellation of registration of a partnership; amending s. 475.17, F.S.; revising qualifications for practice with respect to other jurisdictions; creating s. 475.180, F.S.; providing reciprocity provisions for nonresident licenses; amending s. 475.181, F.S., relating to licensure, to conform; amending s. 475.25, F.S.; revising grounds for disciplinary and other action relating to criminal convictions and related confinement and to certain required notice relating to a sale, exchange, purchase, or lease of real property or any interest in real property; providing grounds for disciplinary and other action relating to action against a license or registration; creating s. 475.255, F.S.; providing that the mere payment or promise to pay compensation to a licensee does not determine whether an agency or transactional brokerage relationship exists between the licensee and a seller, landlord, buyer, or tenant; amending s. 475.455, F.S.; eliminating a provision relating to certain notice by the Florida Real Estate Commission to licensees regarding discipline by other state agencies; amending ss. 475.482, 475.483, and 475.484, F.S., relating to the Real Estate Recovery Fund; revising conditions for receipt of a distribution from the fund; providing requirements for recovery when bankruptcy is a factor; providing additional conditions that constitute disqualification for a claim; providing for proration of claims under certain conditions; amending s. 475.5017, F.S.; providing for assignment of civil actions; providing for payment of expenses of receiver; amending s. 475.611, F.S.; providing a definition for purposes of service on a probable cause panel; amending s. 475.624, F.S., relating to grounds for discipline or other action against a real estate appraiser; providing clarification; amending s. 477.013, F.S.; providing a definition applicable to regulation of cosmetology; requiring registration; providing for a fee; creating s. 477.0132, F.S.;

exempting hair braiding from regulation under certain circumstances; amending s. 480.041, F.S.; increasing the minimum age required to qualify for licensure as a massage therapist; providing licensing procedures for certain out-of-state practitioners; amending s. 480.042, F.S.; eliminating the practical examination for licensure to practice massage; amending s. 481.213, F.S.; requiring certain internship for licensure as an architect; amending s. 481.215, F.S.; providing requirements relating to proof of continuing education applicable to architects; deleting provisions relating to automatic reverter to inactive status for a license to practice architecture or interior design; amending s. 481.329, F.S.; exempting golf course architects from regulation under part II of ch. 481, F.S., relating to landscape architecture; amending s. 484.0445, F.S.; providing for certain certification of sponsors and their designees under the hearing aid specialist training program; amending s. 484.045, F.S.; revising requirements for certain persons seeking licensure as a hearing aid specialist; amending s. 492.107, F.S., relating to seals to be used by licensed geologists; amending s. 457.107, F.S.; deleting provisions relating to automatic reverter to inactive status of a certificate to practice acupuncture; revising continuing education requirements; amending s. 457.108, F.S.; deleting provisions relating to automatic expiration of a certificate to practice acupuncture; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive status application fee for reactivation of a certificate; amending s. 458.319, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice medicine; amending s. 458.321, F.S.; deleting provisions relating to automatic expiration of a license to practice medicine; deleting provisions relating to the fee for reactivating an inactive license to practice medicine; amending s. 458.327, F.S.; providing penalties for practicing medicine with a delinquent license; amending s. 459.008, F.S.; revising requirements for renewal of licenses and certificates to practice osteopathic medicine; deleting provisions relating to automatic reverter to inactive status of a license to practice osteopathic medicine; amending s. 459.009, F.S.; deleting provisions relating to automatic expiration of a license to practice osteopathic medicine; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 489.103, F.S.; clarifying an exemption; repealing s. 460.407(3)-(6), F.S., relating to automatic expiration of a license to practice chiropractic; amending s. 461.007, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice podiatry; amending s. 461.008, F.S.; deleting provisions relating to reactivation and to automatic expiration of an inactive license to practice podiatry; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 462.08, F.S.; revising provisions governing the renewal of a license to practice naturopathy; amending s. 462.19, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice naturopathy and to reactivation of such license; amending s. 463.007, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice optometry; amending s. 463.008, F.S.; deleting provisions relating to reactivation of an inactive license to practice optometry; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 463.016, F.S.; providing penalties for practicing optometry with a delinquent license; repealing s. 464.013(4) and (5), F.S., relating to automatic reverter to inactive status of a license to practice nursing; amending s. 464.014, F.S.; deleting provisions relating to reactivation of an inactive license to practice nursing; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 465.008, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice pharmacy; amending s. 465.012, F.S.; deleting provisions relating to reactivation of an inactive license to practice pharmacy; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; repealing s. 466.013(3) and (4), F.S., relating to automatic reverter to inactive status of a license to practice dentistry; amending s. 466.015, F.S.; deleting provisions relating to reactivation of an inactive license to practice dentistry; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; repealing s. 467.012(4) and (5), F.S., relating to automatic reverter to inactive status of a license to practice midwifery; amending s. 467.013, F.S.; deleting provisions relating to renewal or reactivation of an inactive license to practice midwifery; amending s. 467.0135, F.S.; revising and providing fees relating to the practice of midwifery; providing a limit for those fees; repealing s. 468.1195(4) and (5), F.S., relating to automatic reverter to inactive status of a license as a speech-language pathologist or audiolog-

ist; amending s. 468.1205, F.S.; deleting provisions relating to reactivation of an inactive license as a speech-language pathologist or audiologist; amending s. 468.1225, F.S.; revising provisions relating to the fitting and selling of hearing aids, to include reference to the conducting of hearing assessments; amending s. 468.1285, F.S.; providing penalties for practicing speech-language pathology or audiology with a delinquent license; amending s. 468.1295, F.S.; conforming a cross reference; revising and providing grounds for disciplinary action; amending s. 468.1715, F.S.; deleting provisions relating to automatic reverter to inactive status of a license as a nursing home administrator; amending s. 468.1725, F.S.; deleting provisions relating to reactivation of an inactive license as a nursing home administrator; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive status application fee for reactivation of a license; amending s. 468.1755, F.S.; providing penalties for practicing nursing home administration with a delinquent license; reenacting ss. 468.1695(3), 468.1735, and 468.1756, F.S., relating to licensure by examination, provisional licensure, and statute of limitations to incorporate the amendment to s. 468.1755, F.S., in references thereto; amending s. 468.219, F.S.; providing for continuing education requirements for renewal of licensure to practice occupational therapy; deleting provisions relating to expiration of a license to practice occupational therapy; amending s. 468.221, F.S.; providing for fees with respect to the practice of occupational therapy; providing penalties for practicing as an occupational therapist with a delinquent license; amending s. 468.361, F.S.; deleting provisions relating to automatic reverter to inactive status of a certificate or registration as a respiratory care practitioner or respiratory therapist; amending s. 468.363, F.S.; deleting provisions relating to automatic reverter to inactive status and to reactivation of an inactive certificate or registration as a respiratory care practitioner or respiratory therapist; amending s. 468.383, F.S.; exempting sales of the contents of self-contained storage units from provisions regulating auctioneers; repealing s. 468.3851(3) and (4), F.S., relating to automatic reverter to inactive status of an auctioneer's license; amending s. 468.3852, F.S.; deleting provisions relating to automatic expiration of an auctioneer's license; repealing s. 468.514(3) and (4), F.S., relating to automatic reverter to inactive status of a dietitian/nutritionist's license; repealing s. 468.515(4) and (5), F.S., relating to automatic expiration of a dietitian/nutritionist's license; amending s. 468.517, F.S.; providing penalties for practicing as a dietitian/nutritionist with a delinquent license; amending s. 468.518, F.S.; providing for disciplinary action against a person practicing as a dietitian/nutritionist with a delinquent license; repealing s. 468.549(3) and (4), F.S., relating to automatic reverter to inactive status of a license as a wastewater treatment operator; repealing s. 468.550(3) and (4), F.S., relating to automatic expiration of a license as a wastewater treatment operator; amending s. 468.551, F.S.; providing penalties for acting as a wastewater treatment operator with a delinquent license; repealing s. 470.015(3) and (4), F.S., relating to automatic reverter to inactive status of a license as a funeral director and embalmer; amending s. 470.016, F.S.; deleting provisions relating to automatic expiration of a license as a funeral director and embalmer; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; repealing s. 470.018(3) and (4), F.S., relating to automatic reverter to inactive status of a registration as a direct disposer; amending s. 471.011, F.S.; revising fee terminology applicable to licensure as an engineer; repealing s. 471.017(3) and (4), F.S., relating to automatic reverter to inactive status of a license as an engineer; amending s. 471.019, F.S.; deleting provisions relating to reactivation of an inactive license as an engineer; amending s. 471.031, F.S.; providing penalties for practicing engineering with a delinquent license; reenacting s. 471.015(2), F.S., relating to licensure, to incorporate the amendment to s. 471.031, F.S., in a reference thereto; amending s. 471.033, F.S.; providing for disciplinary action against a person practicing engineering with a delinquent license; amending s. 472.017, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice surveying and mapping; amending s. 472.019, F.S.; deleting provisions relating to automatic expiration of a license to practice surveying and mapping; repealing s. 473.311(3) and (4), F.S., relating to automatic reverter to inactive status of a license to practice public accountancy; amending s. 473.313, F.S.; deleting provisions relating to automatic expiration of a license to practice public accountancy; amending s. 473.322, F.S.; providing penalties for practicing public accountancy with a delinquent license; reenacting s. 473.308(2), F.S., relating to licensure, to incorporate the amendment to s. 473.322, F.S., in a reference thereto; amending s. 473.323, F.S.; providing for disciplinary proceedings against a person practicing public accountancy with a delinquent license; amending s. 474.211, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to

practice veterinary medicine; repealing s. 474.212, F.S., relating to inactive status and renewal and reactivation of an inactive license to practice veterinary medicine; amending s. 476.155, F.S.; deleting provisions relating to automatic expiration of a barber's license; amending s. 477.0212, F.S.; deleting provisions relating to automatic expiration of a cosmetologist's license; amending s. 478.50, F.S.; deleting provisions relating to automatic expiration of a license to practice electrolysis; amending s. 480.0415, F.S.; deleting provisions relating to automatic reverter to inactive status of a license to practice massage; amending s. 480.0425, F.S.; deleting provisions relating to automatic expiration of a license to practice massage; amending s. 481.207, F.S.; providing for a delinquency fee and deleting a late renewal fee for licensure as an architect or interior designer; providing a limit for the delinquency fee; amending s. 481.217, F.S.; deleting provisions relating to reactivation and to automatic expiration of an inactive license as an architect or interior designer; amending s. 481.223, F.S.; providing penalties for practicing architecture or interior design with a delinquent license; amending s. 481.225, F.S.; providing for disciplinary action for practicing architecture with a delinquent license; reenacting s. 481.213(4), F.S., relating to licensure, to incorporate the amendments to ss. 481.223 and 481.225, F.S., in references thereto; amending s. 481.307, F.S.; providing for a delinquency fee and deleting a late renewal fee for licensure as a landscape architect; providing a limit for the delinquency fee; repealing s. 481.313(3) and (4), F.S., relating to automatic reverter to inactive status of a license to practice landscape architecture; amending s. 481.315, F.S.; deleting provisions relating to automatic expiration of a license as a landscape architect; providing for a delinquency fee; deleting the inactive status application fee for reactivation of a license; amending s. 481.323, F.S.; providing penalties for practicing landscape architecture with a delinquent license; amending s. 481.325, F.S.; providing for disciplinary action against a person practicing landscape architecture with a delinquent license; reenacting s. 481.311(6), F.S., relating to licensure, to incorporate the amendment to s. 481.325, F.S., in a reference thereto; amending s. 483.807, F.S.; revising fee terminology applicable to licensure of clinical laboratory personnel; repealing s. 483.817(3) and (4), F.S., relating to automatic reverter to inactive status of a license as clinical laboratory personnel; amending s. 483.819, F.S.; deleting provisions relating to renewal of an inactive license as clinical laboratory personnel and to automatic suspension of such license; amending s. 484.008, F.S.; deleting provisions relating to automatic reverter to inactive status of a license as an optician; amending s. 484.009, F.S.; deleting provisions relating to automatic expiration of an optician's license; amending s. 484.014, F.S.; conforming a cross reference; providing penalties for practicing opticianry with a delinquent license; amending s. 484.047, F.S.; deleting provisions relating to automatic expiration of a license as a dispenser of hearing aids and to reinstatement of such license; amending s. 484.0501, F.S.; revising provisions relating to the fitting and selling of hearing aids, to include reference to the conducting of hearing assessments; amending s. 484.053, F.S.; providing penalties for dispensing hearing aids with a delinquent license; amending s. 484.056, F.S.; conforming a cross reference; providing for disciplinary action against a person dispensing hearing aids with a delinquent license; amending s. 486.085, F.S.; deleting provisions relating to automatic reverter to inactive status of a license as a physical therapist; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 486.108, F.S.; deleting provisions relating to automatic reverter to inactive status of a license as a physical therapist assistant; providing for a delinquency fee; revising provisions relating to the amounts of certain fees; deleting the inactive application fee for reactivation of a license; amending s. 489.103, F.S.; clarifying an exemption; amending s. 489.105, F.S.; defining "demolish" for purposes of the definition of "contractor"; revising the term "underground utility and excavation contractor"; amending s. 489.107, F.S.; correcting a cross reference; providing for jurisdiction; amending s. 489.109, F.S.; revising fee terminology applicable to certification or registration as a contractor; providing limits to voluntary inactive fees; amending s. 489.116, F.S.; revising provisions relating to inactive and delinquent status; amending s. 489.117, F.S.; clarifying requirements for registration; amending s. 489.127, F.S., relating to prohibitions and penalties applicable to construction contracting; conforming a cross reference; providing applicability with respect to an inactive or suspended certificate or registration; providing that the penalties are not exclusive of other applicable penalties; amending s. 489.131, F.S.; extending the period for filing a challenge to a local jurisdiction enforcement body's recommended penalty to the Construction Industry Licensing Board; amending s. 489.141, F.S.; providing applicability to registrants of provisions relating to claims for recovery from the Construction Industries Recovery Fund; repealing s. 489.143(6), F.S., which requires pay-

ments and disbursements from the Construction Industries Recovery Fund to be made by voucher and which exempts amounts transferred from that fund from limitations imposed by an appropriations act of the Legislature; amending s. 489.501, F.S.; revising legislative purpose relating to provisions regulating electrical and alarm system contracting; amending s. 489.503, F.S., relating to exemptions from regulation of electrical and alarm system contracting; revising an exemption relating to telecommunications, television, and radio systems; amending s. 489.505, F.S.; revising and providing definitions; clarifying an exemption; amending s. 489.509, F.S.; revising fee terminology applicable to licensure as an electrical and alarm system contractor; amending s. 489.511, F.S.; revising certification requirements; providing a definition; clarifying provisions relating to specialty contractors; amending s. 489.513, F.S.; revising registration requirements; providing registration requirements for alarm system contractors; amending s. 489.515, F.S.; requiring evidence of obtaining workers' compensation insurance or a specified exemption certificate prior to certification or registration; amending s. 489.516, F.S.; authorizing counties and municipalities to suspend or deny locally issued permits when the contractor involved has failed to obtain the required workers' compensation insurance or exemption certificate and public liability and property damage insurance; amending s. 489.517, F.S.; providing continuing education requirements for renewal of a certificate or registration; amending s. 489.519, F.S.; deleting provisions relating to automatic expiration of a license as an electrical and alarm system contractor; providing for continuing education requirements for certain voluntary inactive certificateholders; creating s. 489.520, F.S.; requiring the department to implement an automated system of licensure status information for electrical and alarm system contracting; amending s. 489.521, F.S.; correcting terminology; amending s. 489.522, F.S.; providing that primary qualifying agents have approval authority for checks, payments, drafts, and contracts of the business organization; amending s. 489.531, F.S.; providing penalties for electrical and alarm system contracting with a delinquent license; extending the period for filing a challenge to a local jurisdiction enforcement body's recommended penalty to the Electrical Contractors' Licensing Board; providing for the issuance of stop-work orders for unlicensed work; amending s. 489.533, F.S.; providing for disciplinary action against a person engaging in electrical or alarm system contracting with a delinquent certificate or registration; including applicants in provisions relating to disciplinary proceedings; reenacting ss. 489.515(2) and (4) and 489.521(9), F.S., relating to issuance of certificates and business organizations, to incorporate the amendments to ss. 489.513, 489.533, and 489.537, F.S., in references thereto; amending s. 489.537, F.S.; providing a time limit for certain registration as an alarm system contractor; revising a requirement for that registration; repealing s. 490.007(3), F.S., and amending s. 490.008, F.S.; deleting provisions relating to automatic reverter to inactive status of a license as a psychologist and reactivation of such license; repealing s. 491.007(3), F.S., and amending s. 491.008, F.S.; deleting provisions relating to automatic reverter to inactive status of a license or certificate as a clinical social worker, marriage and family therapist, or mental health counselor and to reactivation of such license or certificate; amending s. 492.109, F.S.; deleting provisions relating to automatic reverter to inactive status of a geologist's license; amending s. 492.1101, F.S.; deleting provisions relating to automatic expiration of a license as a geologist; amending s. 492.112, F.S.; providing penalties for practicing geology with a delinquent license; amending s. 492.113, F.S., relating to disciplinary proceedings by the Board of Professional Geologists; clarifying provisions; reenacting ss. 492.105(3), 492.108(2), and 492.111(6), F.S., relating to licensure by examination or endorsement and practice of geology by firms, corporations, or partnerships, to incorporate the amendment to s. 492.113, F.S., in a reference thereto; repealing s. 1(5), ch. 86-286, Laws of Florida, relating to regulation of elevators; abrogating an obsolete Sunset repeal of a provision relating to reporting of elevator accidents; amending s. 481.201, F.S., relating to legislative purpose; amending s. 481.203, F.S.; revising the definition of interior design; amending s. 481.205, F.S.; revising membership of the Board of Architecture and Interior Design; amending s. 481.209, F.S.; revising requirements for interior design licensure; amending s. 481.213, F.S., relating to requirements for licensure; amending s. 481.2131, F.S.; revising practice requirements related to interior design; amending s. 481.219, F.S.; relating to certification of business entities, amending s. 481.2251, F.S.; relating to interior design discipline; amending s. 481.229, F.S.; revising exemptions; providing a grandfather clause; providing for future review and repeal; amending s. 455.218, F.S., relating to foreign-trained professionals; amending s. 455.224, F.S., relating to the authority to issue citations; amending s. 455.225, F.S., relating to disciplinary proceedings; amending s. 455.241, F.S., relating to patient records; amending s. 455.26, F.S.; reconciling certain differences arising from 1992 amendatory laws; providing appropriations; providing effective dates.

By the Committee on Natural Resources and Conservation; and Senators Boczar and Myers—

CS for SB 2130—A bill to be entitled An act relating to saltwater fisheries; creating s. 370.0603, F.S.; prohibiting the use of a gill or trammel net for commercial fishing purposes in the salt waters of this state without a valid gill net fishing license; providing the form and display requirements of the license; establishing fees and providing for disposition thereof; prohibiting certain use of fee proceeds; providing a fee waiver; providing license period and jurisdiction; providing penalties; providing an effective date.

By the Committee on Judiciary and Senator Jones—

CS for SB 2132—A bill to be entitled An act relating to domestic violence; amending s. 61.13, F.S.; providing that certain convictions for domestic violence shall be considered by the court as a rebuttable presumption of detriment to the child with respect to shared parental responsibility; providing for the effect of not rebutting such a presumption; amending s. 741.30, F.S.; authorizing the court to enforce through civil contempt proceedings certain violations of injunctions for protection; revising time period for duration of ex parte temporary injunctions; amending s. 741.31, F.S.; revising language with respect to violations of an injunction for protection against domestic violence; increasing penalty for said violation; amending s. 784.046, F.S.; revising time period for duration of ex parte temporary injunctions; creating a Commission on Minimum Standards for Batterers' Treatment within the Office of the Governor; providing for appointment; providing duties; providing for a report; amending s. 28.101, F.S.; imposing an additional charge upon petition for dissolution of marriage; providing for deposit and use of such funds; providing an effective date.

By the Committees on Agriculture; Natural Resources and Conservation; and Senator Wexler—

CS for CS for SB 2270—A bill to be entitled An act relating to wastewater reuse; creating s. 373.2505, F.S.; providing for the encouragement of reuse; providing definitions, requiring the water management districts to adopt rules to allocate reclaimed water and to provide for emergency situations; providing for application of the section; providing an effective date.

By the Committee on Governmental Operations and Senators Foley and Hargrett—

CS for SB 2290—A bill to be entitled An act relating to the purchase and management of state lands; renaming the Cross Florida Greenways State Recreation and Conservation Area as the Marjorie Harris Carr Cross Florida Greenways State Recreation and Conservation Area; directing the Division of Statutory Revision of the Joint Legislative Management Committee to make such name change in the Florida Statutes; renumbering and amending s. 253.023, F.S.; transferring to ch. 259, F.S., provisions relating to the Conservation and Recreation Lands Trust Fund; providing for application of rules relating to acquisition procedures; authorizing use of funds for environmental audits; specifying requirements for management of acquired lands; requiring evaluation of the management policy statement; requiring adoption of a management prospectus; requiring adoption of a management plan within a specified period; modifying required plan contents; requiring certain review of management plans; requiring annual land management reports; requiring annual agency budget requests for land management; providing procedure for use of funds for long-term management and associated contractual services; revising procedure for payment of funds to qualifying counties in lieu of taxes lost as a result of state acquisitions; providing for reversion and use of unused funds; amending s. 253.025, F.S.; deleting time requirements for negotiation and conveyance of title for CARL or Land Acquisition Trust Fund acquisitions; revising provisions relating to determination of the value of parcels sought to be acquired; deleting provisions relating to vote by the board of trustees to direct the department to exercise condemnation authority or to purchase lands on an immediate basis; providing for the filing of a notice of acceptance in the public records; amending s. 259.035, F.S.; requiring the Land Acquisition Advisory Council to identify essential parcels and to prepare management policy

statements and acquisition work plans for certain acquisition projects; creating s. 259.041, F.S.; providing for acquisition of lands for preservation, conservation, and recreation purposes; providing powers, duties, and procedures of the board of trustees, the department, and the Division of State Lands of the department; specifying requirements and procedures with respect to appraisals, negotiations, acquisition services, contracts and agreements, documentation of offers and counteroffers, and audits; providing restrictions relating to marketability and state sovereign lands; amending s. 373.089, F.S.; deleting requirements relating to time and place of sale of lands owned by a water management district; deleting exemption from public sale requirements for certain district lands and buildings; amending s. 373.139, F.S.; authorizing water management districts to use eminent domain powers in certain additional circumstances and to purchase certain tax certificates or deeds; amending s. 373.1395, F.S.; redefining the term "outdoor recreational purposes"; amending ss. 125.355, 166.045, 201.15, 216.331, 235.054, 253.027, 255.25001, 259.04, 259.101, and 375.045, F.S.; conforming references and cross-references; amending s. 260.015, F.S.; conforming cross-references; authorizing agreements with nonprofit corporations to assume responsibility for acquisition of lands under the Florida Rails to Trails program; amending s. 372.074, F.S.; requiring that title to certain land be vested in the Board of Trustees of the Internal Improvement Trust Fund; prohibiting certain moneys from being deposited in the Fish and Wildlife Habitat Trust Fund; providing effective dates.

By the Committee on Governmental Operations and Senator Silver—

CS for SB 2310—A bill to be entitled An act relating to cultural programs and facilities; amending ss. 265.2861, 265.608, 265.609, and 267.0617, F.S., relating to the Cultural Institutions Trust Fund, the Science Museum Trust Fund, the Youth and Children's Museum Trust Fund, and the Historic Preservation Trust Fund, to locate in s. 607.1901, F.S., all provisions transferring moneys out of the Corporations Trust Fund to other trust funds; amending s. 265.701, F.S.; providing that the cultural facilities grant program shall be funded through the Cultural Facilities Trust Fund; amending s. 607.1901, F.S.; providing for quarterly distributions from the Corporations Trust Fund to specified trust funds; requiring a transfer from the trust fund to the General Revenue Fund annually; repealing s. 6, ch. 89-359, Laws of Florida, relating to annual transfers from the Corporations Trust Fund to the Science Museum Trust Fund and the Museum of Florida History Trust Fund; providing a contingent effective date.

By the Committee on Personnel, Retirement and Collective Bargaining; and Senator Bankhead—

CS for SB 2314—A bill to be entitled An act relating to the Department of Military Affairs; amending s. 110.205, F.S.; prescribing those positions in the Department of Military Affairs that are exempt from the Career Service System; amending s. 250.24, F.S.; deleting the requirement that pay vouchers of troops in active service must be approved by the Governor; providing that such approval is not needed for specified appropriations to the Department of Military Affairs; amending s. 250.34, F.S.; revising provisions relating to pay and benefits of persons injured while in active service of the state; providing for a study with respect to expanding coverage of the State Employee Health Insurance Plan to cover personnel in the Florida National Guard; providing an effective date.

By the Committee on Health Care and Senator Forman—

CS for SB 2346—A bill to be entitled An act relating to public records relating to antitrust and health care; providing a purpose; providing exemptions from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution for certain information submitted to the Attorney General's Office, Antitrust Section, and the Agency for Health Care Administration in connection with a request by a member of the health care community for an antitrust no-action letter under the 1994 Florida Health Care Community Antitrust Guidance Act; providing for public necessity for exemptions from the public record requirements; providing for review of the exemptions under the Open Government Sunset Review Act; providing a conditional effective date.

By the Committees on Appropriations and Professional Regulation and Senator Dyer—

CS for CS for SB 2440—A bill to be entitled An act relating to regulation of professions; repealing ss. 32 and 33 of ch. 92-33, Laws of Florida, relating to the transfer of certain regulatory functions from the Department of Business and Professional Regulation to the Agency for Health Care Administration; creating s. 455.2185, F.S.; exempting from state licensure requirements out-of-state or foreign professionals who are employed or designated by a sports entity visiting the state for a specific sporting event; providing limits on the practice permitted such professionals; repealing ss. 458.3095 and 459.0051, F.S., relating to exemption from state licensure requirements for physicians licensed in another state who are employed or designated by a sports entity visiting the state for a specific sporting event, to conform; creating s. 455.2142, F.S.; revising continuing education requirements for health care practitioners serving in the Legislature; amending s. 455.2226, F.S.; requiring persons licensed or certified under ch. 491, F.S., relating to clinical, counseling, and psychotherapy services, to complete a continuing education course on human immunodeficiency virus and acquired immune deficiency syndrome as part of biennial relicensure or recertification; amending s. 455.261, F.S.; providing that certain information obtained by impaired practitioner consultants and the Department of Professional Regulation is immune from discovery in civil actions; amending s. 458.307, F.S., relating to the Board of Medicine; eliminating a provision relating to probable cause panels; amending s. 455.206, F.S.; correcting a cross-reference; amending s. 458.311, F.S.; revising licensure requirements for medical physicians to allow certain applicants to complete a fellowship to partially satisfy those requirements; requiring applicants to provide sufficient information and fingerprints; revising a restriction on the number of times an applicant may fail the examination to include remediation after a certain number; eliminating a provision relating to restricted licensure of foreign-trained physicians, which provision was repealed on October 1, 1993; providing for those foreign-trained physicians to pursue licensure notwithstanding the repeal of that provision; reenacting ss. 458.310(2)(a) and 458.347(7)(b)1.b., F.S., relating to restricted licenses and physician assistants, to incorporate the amendment to s. 458.311, F.S., in references thereto; amending s. 458.313, F.S.; revising requirements for licensure by endorsement; eliminating a provision authorizing oral examinations; providing for additional remedial education or training upon failure to pass the licensing examination after a certain number of attempts; correcting a cross-reference; amending s. 458.3145, F.S., relating to medical faculty certificates; revising renewal requirements; removing provisions relating to extent of practice and maximum number of certificateholders; amending ss. 458.316, 458.3165, 458.317, F.S.; correcting cross-references; amending s. 458.319, F.S.; clarifying requirements for renewal of license; creating s. 458.326, F.S.; authorizing physicians to prescribe or administer controlled substances for the treatment of intractable pain and providing requirements thereof; creating ss. 458.3312 and 459.0152, F.S.; prohibiting physicians and osteopathic physicians from falsely representing that they are board-certified specialists; providing for the adoption of rules; amending ss. 458.331 and 459.015, F.S.; revising and providing grounds for disciplinary action; reenacting ss. 458.311(1)(d) and (5), 458.313(7), and 458.345(1)(b), F.S., relating to licensure by examination, licensure by endorsement, and registration of resident physicians, interns, and fellows, to incorporate the amendment to s. 458.331, F.S., in references thereto; amending s. 458.347, F.S.; revising requirements for certification of physician assistants certified under ch. 459, F.S.; defining the term "continuing medical education"; allowing physician assistants to show by affidavit evidence of compliance with statutory academic requirements; deleting provisions relating to reactivation of an inactive certificate as a physician assistant and to automatic expiration of the certificate; amending s. 459.022, F.S.; revising requirements for certification of physician assistants certified under ch. 458, F.S.; defining the term "continuing medical education"; allowing physician assistants to show by affidavit evidence of compliance with statutory academic requirements; amending s. 766.1115, F.S., to conform; correcting a definition; amending s. 459.007, F.S.; revising requirements for licensure as an osteopathic physician by endorsement; amending s. 459.011, F.S.; providing that it is state policy that physicians licensed under chapter 458 and osteopathic physicians licensed under chapter 459 be accorded equal professional status and privileges and providing requirements with respect thereto; amending s. 460.406, F.S.; revising requirements for licensure as a chiropractor by examination; creating s. 460.4061, F.S.; providing for a restricted license as a chiropractic physician; amending s. 460.408, F.S.; revising provisions relating to approval of continuing education courses for chiropractors; providing

for reinstatement of certain chiropractor licenses; creating s. 461.0055, F.S.; providing for investigation of the qualifications of applicants for licensure as a podiatrist; creating s. 461.011, F.S.; prohibiting sexual misconduct in the practice of podiatric medicine, for which there are disciplinary actions; amending s. 461.013, F.S.; revising and providing grounds for disciplinary action; revising penalties, including increasing the administrative fine; reenacting ss. 320.0848(7), 455.236(4)(g), 461.006(2)(c), and 766.111(2), F.S., relating to disabled person parking permits, financial arrangements between referring health care providers and providers of health care services, applicants for licensure to practice podiatric medicine, and unnecessary diagnostic testing, to incorporate the amendments to ss. 461.013 and 466.028, F.S., in references thereto; creating s. 461.018, F.S.; providing for limited scope of practice of podiatric medicine within a specified area of need; creating s. 461.019, F.S.; providing for a podiatric medical faculty certificate; amending s. 463.006, F.S.; revising accreditation provisions relating to licensure as an optometrist; amending s. 464.004, F.S.; increasing the membership of the Board of Nursing; amending s. 464.005, F.S.; requiring the board's executive director to be a registered nurse; amending s. 464.008, F.S.; providing that applicants for licensure as a registered or licensed practical nurse are responsible for the fee required by the Department of Law Enforcement for background checks; amending s. 464.015, F.S.; eliminating the terms "Graduate Nurse" and "Graduate Practical Nurse" and their corresponding abbreviations; correcting cross-references; amending s. 464.022, F.S.; revising, eliminating, and providing exemptions from regulation under ch. 464, F.S., relating to nursing; amending s. 465.003, F.S.; revising the definition of "practice of the profession of pharmacy"; providing the definition of "Kidney Dialysis Home Health Care System"; creating s. 465.0075, F.S.; providing for licensure of certain foreign-trained pharmacists; providing for future repeal of the section; creating s. 465.0105, F.S.; providing for a pharmacy specialist certificate; amending s. 465.0125, F.S.; providing responsibilities of consultant pharmacists and Doctors of Pharmacy; amending s. 465.0156, F.S.; revising information required for registration of nonresident pharmacies; amending s. 465.0196, F.S.; providing requirements for issuance of special pharmacy permits to operators of kidney dialysis home health care systems; amending s. 465.186, F.S.; increasing the membership of the committee responsible for establishing the formulary of medicinal drug products and dispensing procedures; amending s. 831.30, F.S., relating to the offense of fraudulently obtaining medicinal drugs; revising a cross-reference; amending s. 466.003, F.S.; defining "oral and maxillofacial surgery"; amending s. 466.006, F.S.; adding a qualification for taking the examination for licensure as a dentist; amending s. 466.028, F.S.; providing an additional ground for disciplinary action by the Board of Dentistry; increasing the administrative fine; reenacting s. 466.011, F.S., relating to licensure, to incorporate the amendments to ss. 466.006 and 466.028, F.S., in references thereto; creating s. 466.0282, F.S.; providing requirements for dentists holding themselves out as specialists; amending s. 467.009, F.S.; revising and providing requirements for midwifery educational programs; reenacting s. 467.205(1), (3), and (4), F.S., relating to approval of midwifery programs, to incorporate the amendment to s. 467.009, F.S., in references thereto; amending s. 468.1115, F.S.; providing an exemption from regulation as a speech-language pathologist or audiologist; amending s. 468.1145, F.S.; increasing certain licensure, certification, and inactive status fees; amending s. 468.1155, F.S.; revising provisional licensure requirements; providing that applicants for dual licensure in speech-language pathology and audiology are not required to hold a second master's degree; amending s. 468.1215, F.S.; revising accreditation provisions relating to certification as a speech-language pathology assistant or as an audiology assistant; amending s. 468.1295, F.S.; providing penalties for practicing speech-language pathology or audiology with a delinquent license or failing to notify the board of a change in mailing address within a specified time; amending s. 468.1695, F.S.; reducing the number of times a year the examination for licensure as a nursing home administrator must be given; amending s. 468.209, F.S.; revising licensure requirements for licensure as an occupational therapist or occupational therapist assistant; providing for certain temporary permits; amending s. 468.213, F.S.; revising requirements for licensure by endorsement; amending s. 468.225, F.S.; providing exemptions from regulation of occupational therapy; amending s. 468.509, F.S.; revising accreditation provisions relating to licensure as a dietitian/nutritionist; amending s. 468.511, F.S.; revising procedures for temporary permits for certain dietitian/nutritionist applicants; amending s. 478.42, F.S.; revising the definition of "electrolysis or electrology"; amending s. 478.44, F.S.; revising conditions of appointment for persons to the Electrolysis Council; amending s. 478.45, F.S.; revising requirements for licensure as an electrologist; providing for the approval of an electrology licensure examination; amending ss. 478.46 and 478.47, F.S.,

relating to temporary permits and licensure by endorsement; correcting cross-references; creating s. 478.475, F.S.; providing for licensure without examination; amending s. 483.041, F.S.; including licensed optometrists within the definition of "licensed practitioner" for purposes of laws regulating clinical laboratories; amending s. 483.803, F.S.; revising the definition of "clinical laboratory personnel"; amending s. 483.813, F.S.; revising requirements for temporary licensure of clinical laboratory personnel; amending s. 483.825, F.S.; revising and providing grounds for disciplinary action; amending s. 483.827, F.S.; revising administrative penalties; creating s. 483.828, F.S.; providing criminal penalties for specified violations; amending ss. 484.002 and 484.003, F.S.; correcting a reference; amending s. 484.007, F.S.; revising requirements for licensure as an optician; requiring the permitting of optical establishments; providing application and fee requirements for such a permit; providing requirements when there is a change in ownership; amending s. 484.013, F.S.; prohibiting the opening or operating of unpermitted optical establishments; providing penalties; amending s. 484.014, F.S.; applying grounds for disciplinary actions and the disciplinary actions themselves to optical establishment permit-holders; amending s. 484.018, F.S.; providing additional exceptions to regulation under part I of chapter 484, F.S., relating to preparing and dispensing of eyeglasses and other optical devices; amending ss. 486.031, 486.041, 486.103, F.S.; eliminating temporary permits for physical therapists and physical therapist assistants and providing for graduate status for each under certain circumstances; providing an alternative licensure examination; revising accreditation provisions relating to licensure as a physical therapist; amending ss. 486.021, 486.081, 486.102, 486.107, F.S.; revising a definition and eliminating provisions relating to temporary permits, to conform; providing an alternative licensure examination; revising accreditation provisions relating to licensure as a physical therapist assistant; creating s. 486.123, F.S.; prohibiting sexual misconduct in the practice of physical therapy, for which there are disciplinary actions; amending s. 486.161, F.S.; providing an exemption for certain persons assisting a licensed physical therapist; amending s. 490.005, F.S., relating to licensure of psychologists and school psychologists; increasing application fees; revising accreditation and other educational requirements; amending s. 490.006, F.S.; revising psychology licensure by endorsement requirements; amending s. 456.32, F.S.; including other licensed professionals within the definition of "practitioner of the healing arts" for purposes of provisions regulating hypnosis; amending s. 491.005, F.S.; revising fees and costs applicable to applicants for licensure as marriage and family therapists; revising accreditation provisions relating to licensure as a marriage and family therapist or as a mental health counselor; creating s. 491.0055, F.S.; providing for licensure of certain persons as mental health counselors under special conditions involving a district court order; providing for future repeal of the section; amending ss. 468.1245 and 484.051, F.S.; directing purchasers to direct complaints concerning hearing aids to the appropriate agency; requiring the Board of Speech-Language Pathology and Audiology and the Board of Hearing Aid Specialists to adopt rules relating to informing hearing aid purchasers of telecoil, "t" coil, or "t" switch technology; amending s. 400.211, F.S.; revising certification requirements for nursing assistants; authorizing the department to perform, provide, contract for, or grant approval for others to perform or provide nursing assistant certification services and commodities; providing for the registration of athletic trainers who meet specified criteria; providing legislative intent; providing definitions; providing rule-making authority of the Department of Business and Professional Regulation; creating the Athletic Training Regulatory Task Force; providing exemptions; amending s. 466.007, F.S.; revising requirements for examination of dental hygienists; exempting certain foreign-trained physicians from taking the licensure examination to practice medicine in this state and authorizing licensure of such physicians if all other requirements are met; creating s. 455.2222, F.S.; requiring persons licensed or certified to provide certain medical, dental, social, or counseling services to take a course on domestic violence as part of their continuing education requirements; requiring applicants for initial licensure to take such a course; providing duties of the affected professional boards relating to such requirements and granting rulemaking authority therefor; requiring each affected professional board to submit an annual report to the Legislature; amending s. 455.2226, F.S., to correct a cross-reference; amending s. 455.227, F.S.; making failure to comply with such educational course requirements a ground for disciplinary action; providing penalties; providing appropriations; providing effective dates.

By the Committee on Natural Resources and Conservation; and Senators Johnson, Williams and Burt—

CS for SB 2446—A bill to be entitled An act relating to boating; creating the Boating Advisory Council; providing for membership, terms, and purpose; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Foley—

CS for SB 2482—A bill to be entitled An act relating to emergency coastal armoring; creating s. 161.085, F.S.; providing for emergency installation of rigid coastal structures for certain purposes; authorizing the Department of Environmental Protection to issue permits for such structures; providing procedures; providing an exception; requiring the department to adopt rules for permitting such structures; providing a definition; providing an effective date.

By the Committee on Governmental Operations and Senator Brown-Waite—

CS for SB 2486—A bill to be entitled An act relating to records of public libraries; amending s. 257.261, F.S.; providing an exception to the exemption of library registration and circulation records from the public records law; allowing public library registration and circulation records to be disclosed under specified circumstances; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senators Scott, Williams and Forman—

CS for SB 2498—A bill to be entitled An act relating to drycleaning contamination cleanup; amending s. 287.0595, F.S.; correcting references; amending s. 376.30, F.S.; providing legislative intent with respect to restoration or replacement of surface and ground waters; amending s. 376.301, F.S.; providing definitions relating to drycleaning facilities, wholesale suppliers, and solvents; amending s. 376.302, F.S., relating to prohibitions and penalties; amending s. 376.303, F.S.; directing the Department of Environmental Protection to establish a registration program for drycleaning facilities; directing the department to provide registration information to the Department of Revenue; specifying annual registration fees; creating s. 376.3078, F.S.; providing for deposit of specified funds into the Water Quality Assurance Trust Fund to be used for drycleaning facility restoration; providing legislative findings; providing sources of funds; specifying use of funds, to include investigation, rehabilitation, and monitoring of sites contaminated with drycleaning solvents; providing liability for rehabilitation, under specified circumstances; providing exemptions; authorizing the department to enter into certain contracts; providing for prioritization of sites and rehabilitation criteria; providing for funding; directing the department to pursue recovery or reimbursement of rehabilitation expenditures; creating s. 376.3079, F.S.; providing for third-party liability insurance coverage for certain owners of drycleaning facilities; providing for eligibility; amending s. 376.308, F.S.; conforming provisions relating to liabilities and defenses of facilities; amending s. 376.311, F.S.; conforming penalty provisions; amending s. 376.313, F.S.; conforming provisions relating to nonexclusiveness of remedies and individual cause of action for damages; specifying conditions for certain civil actions against an owner or operator of a drycleaning facility; creating s. 376.70, F.S.; providing an annual tax on the gross receipts of drycleaning facilities; providing a criminal penalty; creating s. 376.75, F.S.; providing a tax on the sale of perchloroethylene; providing for deposit and use of funds; providing for administration, collection, and enforcement of taxes by the Department of Revenue; providing appropriations; providing an effective date.

By the Committee on Judiciary and Senator Dyer—

CS for SB 2526—A bill to be entitled An act relating to civil legal services; creating the Florida Access to Civil Legal Services Act; providing legislative intent and purpose; providing for delivery of civil legal services to indigent persons through geographically based field programs; providing definitions; prescribing implementing authority and duties of the Department of Community Affairs; providing guidelines and limitations

with respect to funding of the programs and eligibility for state support; prescribing duties of programs with respect to certain records and reports; providing an effective date.

By the Committee on Personnel, Retirement and Collective Bargaining; and Senator Dyer—

CS for SB 2546—A bill to be entitled An act An act relating to governmental accountability; amending s. 20.055, F.S.; abolishing the position of agency chief internal auditor and creating the position of inspector general in each state agency; prescribing the duties of that office with respect to ensuring accountability, integrity, and efficiency in agency performance; creating s. 14.32, F.S.; creating the position of Chief Inspector General in the Executive Office of the Governor and prescribing duties of that position; providing for agency inspectors general to assume other statutory duties of agency chief internal auditors not specifically addressed in this act; amending s. 373.079, F.S.; providing for water management districts to employ an inspector general rather than a chief internal auditor and prescribing his duties; providing for a reviser's bill; providing an effective date.

By the Committee on Governmental Operations and Senator Silver—

CS for SB 2628—A bill to be entitled An act relating to criminal justice information; creating the Integrated Justice Information System Commission; prescribing its purpose and membership; providing duties of the commission and other named entities of government relating to the sharing of justice data; providing for travel and per diem; providing an appropriation; providing an effective date.

By the Committees on Judiciary and Commerce and Senator Turner—

CS for CS for SB 2670—A bill to be entitled An act relating to insurance; amending s. 627.409, F.S.; limiting the errors in an insurance application which may bar recovery under the insurance coverage, providing that certain agent errors in completing an application waive the insurer's right to deny coverage; requiring insurers to complete investigations of insureds within a certain time; requiring notice of intent to deny coverage or cancel a policy; providing limitations on a right to recover; amending s. 627.4137, F.S.; authorizing certain enforcement actions to compel production of certain information under certain circumstances; providing an entitlement to injunctive relief under certain circumstances; providing for recovery of economic damages and reasonable costs and attorney's fees; imposing requirements upon the sale of insurance products within financial institutions; providing an effective date.

By the Committee on Agriculture and Senator Dantzler—

CS for SB 2704—A bill to be entitled An act relating to commercial feed and feedstuff; amending s. 580.031, F.S.; revising definitions; creating s. 580.036, F.S.; providing powers and duties of the Department of Agriculture and Consumer Services; amending s. 580.041, F.S., relating to master registration for distributors; revising fees; providing requirements; amending s. 580.051, F.S.; revising label requirements; specifying contents of labels on medicated feed and customer-formula feed; increasing a fine; creating s. 580.065, F.S.; providing for laboratory certifications; providing fees; providing requirements for certification; providing penalties; amending s. 580.071, F.S.; expanding provisions relating to adulteration; amending s. 580.081, F.S.; revising provisions relating to misbranding; amending s. 580.091, F.S.; revising provisions relating to inspection, sampling, and analysis; providing for certain exemption; providing for fees; amending s. 580.111, F.S., relating to detained commercial feed and feedstuff; requiring compliance with stop-sale, stop-use, removal, or hold orders within a described period; amending s. 580.112, F.S.; revising prohibited acts; amending s. 580.121, F.S.; revising penalties; amending s. 580.131, F.S., relating to penalties payable to the consumer; amending s. 580.141, F.S.; requiring the department to report certain information; amending s. 580.151, F.S.; revising membership of the Commercial Feed Technical Council; repealing ss. 580.021, 580.061, and 580.101, F.S., relating to department administration, inspection fees, and rules for standards and definitions; repealing s. 6 of ch. 93-90, Laws of Florida, which provides for future repeal of ch. 580, F.S.; requiring positions and funds to be placed in reserve; providing an effective dates.

By the Committee on Health and Rehabilitative Services; and Senator Kiser—

CS for SB 2740—A bill to be entitled An act relating to long-term care; creating the “Commission on Long-Term Care in Florida Act”; providing purposes; creating the Commission on Long-Term Care in Florida; providing qualifications for membership on the commission; providing for selecting officers; providing for commission meetings, for the administration of the commission, and for commission staff and expenses; providing powers and duties of the commission; providing for commission access to records; providing restrictions on access; requiring reports to the Legislature; providing for future review and repeal; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senators Kiser and Jones—

CS for SB 2770—A bill to be entitled An act relating to water resources; providing legislative intent regarding the restoration of Florida Bay; creating the Florida Bay Restoration Council within the South Florida Water Management District; providing for council membership and organization; providing for council staff; providing for reimbursement of members’ expenses; providing council purposes, powers, and duties; providing limited eminent domain power; providing council authority to contract for certain assistance; providing an appropriation therefor; requiring annual reports to the Governor and Legislature; providing an appropriation for matching funds for the purchase of certain lands; providing effective dates.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 2784—A bill to be entitled An act relating to education; clarifying responsibilities of the Department of Education, school districts, and child care providers for meeting the first state education goal, readiness to start school; requiring the Department of Education to develop a state plan for the Chapter I program; prohibiting a school district from reporting for funding any kindergarten students unless the district has collected the key data elements for the first state education goal; amending s. 20.19, F.S.; requiring district administrators of the Department of Health and Rehabilitative Services to cooperate with district school superintendents to meet the first state education goal; amending s. 230.23, F.S.; requiring school districts to cooperate with other agencies to prepare children and families for children’s success in school; amending s. 230.2305; requiring a school district’s plans for the prekindergarten early intervention program to assist the school district in meeting the first state education goal and to state how the program supports the district’s efforts to achieve that goal; revising the membership of the district interagency coordinating councils; amending s. 230.33, F.S.; requiring district school superintendents to cooperate with the district administrator of the Department of Health and Rehabilitative Services and administrators of local public and private agencies to meet the first state education goal; creating s. 233.059, F.S.; requiring education for family life and parenthood; amending s. 402.3015, F.S.; requiring subsidized child care programs serving children below age 5 to provide the elements necessary to prepare children for school; requiring the Department of Health and Rehabilitative Services to seek federal waivers if necessary; amending s. 409.933, F.S.; requiring parental activities for AFDC recipients; amending s. 409.938, F.S.; requiring AFDC recipients to submit proof that their children have received standard childhood immunizations; providing sanctions; providing for transfer of funds from the Department of Health and Rehabilitative Services to school districts; amending s. 421.10, F.S.; requiring a housing authority to require certain parental activities in the lease to parents of dependent children; amending s. 411.222, F.S.; establishing the role of the State Coordinating Council for Early Childhood Services to coordinate agency activities to enable school districts to meet the first state education goal, readiness to start school; requiring home economics teachers to be certified as counselors in family life education; requiring the Department of Health and Rehabilitative Services and the Department of Education to develop minimum performance standards for all early education and care programs that serve children from birth through 5 years of age; requiring those departments to submit a joint report to the Legislature by October 1, 1994, presenting the performance standards and recommending funding procedures; providing an effective date.

By the Committee on Education and Senator Dyer—

CS for SB 2786—A bill to be entitled An act relating to education; transferring powers, duties, records, personnel, property, and funds of the Division of Blind Services of the Department of Education to the Commission for the Blind of the Department of Education; providing for the continuation of certain permits, licenses, and regulatory actions; amending s. 20.15, F.S.; deleting references to the Division of Blind Services of the Department of Education; amending s. 110.131, F.S., relating to other-personal-services temporary employment; changing references to the division; amending s. 121.051, F.S., relating to state employment; changing references to the division; amending s. 215.311, F.S., relating to state funds; changing references to the division; amending s. 228.041, F.S., relating to definitions used in the Florida School Code; specifying that the Florida School for the Deaf and the Blind is part of the state system of public education; amending s. 229.592, F.S.; authorizing a special Blueprint 2000 exemption from statutes for school districts and developmental research schools; creating s. 242.3305, F.S.; providing for responsibilities and mission of the Florida School for the Deaf and the Blind; amending s. 242.331, F.S.; providing duties of the Board of Trustees for the Florida School for the Deaf and the Blind; creating s. 242.3315, F.S.; providing for student and employee personnel records; amending s. 242.332, F.S., relating to use of out-of-state facilities; specifying authority of the board; creating s. 242.337, F.S.; providing procedure for legislative budget requests; creating s. 242.339, F.S.; providing for the school’s budget; creating s. 242.341, F.S.; providing for the school’s budget-management flexibility; creating s. 242.343, F.S.; providing responsibilities and requirements for campus police; requiring bond; creating s. 242.345, F.S.; requiring report of school crime statistics; amending s. 316.1301, F.S., relating to traffic regulations to assist blind persons; changing references to the Division of Blind Services; amending s. 320.0848, F.S., relating to disabled persons’ parking permits; creating s. 413.001, F.S.; creating the Florida Commission for the Blind; providing for membership, organization, and records; amending s. 413.011, F.S.; deleting duties of the division and providing duties of the commission; providing for the appointment and duties of an executive director; amending ss. 413.012, 413.013, 413.021, 413.031, 413.034, 413.041, 413.051, 413.062, 413.063, 413.065, 413.066, 413.067, 413.068, 413.091, F.S.; providing duties of the commission upon appointment; conforming provisions; amending s. 413.064, F.S.; providing for rules; creating s. 413.092, F.S.; providing procedure for legislative budget request for the commission; creating s. 413.093, F.S.; providing for commission budgets; creating s. 413.094, F.S.; providing for budget management flexibility; amending ss. 413.395, 553.512, F.S.; conforming provisions; providing duties of the Auditor General; providing for revision of references to the Division of Blind Services by reviser’s bill; providing effective dates.

By the Committee on Health and Rehabilitative Services; and Senator Bankhead—

CS for SB 2840—A bill to be entitled An act relating to the Florida Employment Opportunity Act; amending s. 409.029, F.S.; amending the procedures by which child-care support services are to be provided to AFDC program participants; providing an effective date.

By the Committee on Natural Resources and Conservation; and Senator Williams—

CS for SB 2844—A bill to be entitled An act relating to public land acquisition; amending s. 259.035, F.S.; requiring the Land Acquisition Advisory Council to review certain land acquisition projects for certain purposes; requiring the council to submit a plan and map of certain natural systems or features of the state for prioritized protection; requiring the Suwannee River Water Management District to conduct a pilot program acquiring property for certain purposes; requiring a report to the Legislature; amending s. 373.089, F.S.; clarifying provisions related to sale or exchange of certain lands; deleting certain requirements for sales or exchanges of public lands under certain circumstances; providing an appropriation; amending s. 373.59, F.S.; revising provisions which authorize payments in lieu of taxes to certain counties for ad valorem tax losses incurred as a result of lands acquired by water management districts; revising the application date applicable with respect to certain acquisitions by the Northwest Florida Water Management District and the Suwannee River Water Management District; revising a limitation on

such payments; amending s. 372.074, F.S., revising functions to be funded from the Fish and Wildlife Habitat Trust Fund; deleting a requirement that lands acquired with such funds must be vested in the Board of Trustees of the Internal Improvement Trust Fund; prohibiting certain deposits into such trust fund; providing an effective date.

By the Committee on Education and Senator Diaz-Balart—

CS for SB 2872—A bill to be entitled An act relating to postsecondary education; amending s. 240.498, F.S.; creating a legal education component of the Florida Education Fund; providing a law school scholarship program and a pre-law scholarship loan program and specifying requirements; providing an effective date.

By the Committee on Finance, Taxation and Claims; and Senators Kirkpatrick, Crenshaw, Silver, Jennings, Scott and Dyer—

CS for SB's 2878 and 2358—A bill to be entitled An act relating to media productions; amending s. 212.08, F.S.; revising a use tax exemption for motion picture or video equipment; providing procedures for qualified producers to receive the exemption; amending s. 288.045, F.S.; requiring the Division of Economic Development of the Department of Commerce to adopt rules providing procedures for qualified producers to apply for and receive the exemption; amending s. 288.053, F.S.; revising the membership of the Florida Film and Television Investment Board; amending s. 288.054, F.S.; authorizing the board to contract with the Florida Film and Television Investment Corporation for certain purposes; amending s. 288.055, F.S.; providing for additional authorized expenditures from the Florida Film and Television Investment Trust Fund; amending s. 288.056, F.S.; requiring additional information for certain projects; providing additional powers of the board; creating s. 288.058, F.S.; authorizing the board to establish the Florida Film and Television Investment Corporation as a direct-support organization of the board for certain purposes; providing definitions; providing for uses of property; providing for a board of directors of the corporation; providing for an annual audit; providing an effective date.

By the Committee on Health and Rehabilitative Services; and Senator Myers—

CS for SB 2920—A bill to be entitled An act relating to environmental health; amending s. 404.031, F.S.; defining the terms "laser" and "non-ionizing radiation" and revising the definitions of the terms "ionizing radiation" and "radiation" for the purposes of ch. 404, F.S.; amending s. 404.042, F.S., relating to the designation of the Department of Health and Rehabilitative Services as the state agency to administer a statewide radiation protection program; specifying an exception to that authority; amending s. 404.051, F.S.; revising the powers and duties of the Department of Health and Rehabilitative Services with respect to regulation of radiation; amending s. 404.081, F.S.; revising the recordkeeping provisions with respect to sources of radiation; amending s. 404.101, F.S.; revising the authority of the department to impound sources of ionizing radiation; amending s. 404.20, F.S.; revising the provisions for the transporting of radioactive materials to require the department to establish an ionizing-radiation-monitoring system; revising, for the purpose of clarity, the provision that makes it a crime to violate the section; amending s. 404.22, F.S.; revising the requirements and the fees charged by the department for the inspecting of radiation machines to expressly limit their applicability to ionizing radiation machines, to increase the applicable fees, and to provide for inspection of ionizing machines used in the practice of medicine for the purpose of mammography; providing for delinquency fees; providing that the department assess certain minimum fees until it adopts a fee schedule; deleting an obsolete provision relating to fees; creating s. 404.23, F.S., which provides for the department to register and inspect lasers and to charge fees therefor; providing that the department assess the minimum fees until it adopts a fee schedule; amending s. 455.227, F.S.; revising the grounds for disciplining certain licensees under the jurisdiction of the Department of Business and Professional Regulation or the Agency for Health Care Administration to delete references to classes of laser devices or products and to require compliance with rules of the Department of Health and Rehabilitative Services governing the registration of lasers; amending s. 514.028, F.S.; providing for reimbursement for travel expenses for the advisory review board; amending s. 514.033, F.S.; revising the provisions for the department and certain

public health units to review construction plans for and to inspect public swimming pools and bathing places; revising the applicable fee schedule; providing that the department assess certain minimum fees until it adopts a fee schedule; repealing s. 501.122, F.S., which provided for the department to adopt rules and to develop a program to register laser devices and which provided a criminal penalty for using a laser device or product unless registered with the department; providing effective dates.

By the Committee on Appropriations and Senator Jenne—

CS for SB 2998—A bill to be entitled An act relating to state planning and budgeting; amending s. 186.002, F.S.; providing legislative findings and intent; amending s. 186.003, F.S.; amending definitions relating to ss. 186.001-186.031 and 186.801-186.911, F.S.; including the judicial branch in state planning; amending s. 186.004, F.S.; revising duties of the Governor as chief planning officer of the state; amending s. 186.007, F.S.; changing the term "state comprehensive plan" to "state plan" and revising duties of the Executive Office of the Governor with respect to that plan; amending s. 186.008, F.S.; providing for revision of the state plan; amending s. 186.009, F.S.; providing for the growth management portion of the state plan; amending s. 186.021, F.S.; prescribing intent for the content and consequence of state agency and judicial branch strategic plans; amending s. 186.022, F.S.; providing for preparation, form, and review of strategic plans; amending s. 186.031, F.S.; revising requirements for the Governor's annual report; amending s. 187.101, F.S.; providing that the state plan does not confer any right, service, or privilege to which a person or entity is not otherwise entitled; amending s. 216.031, F.S.; requiring legislative budget requests to contain performance and productivity indicators; amending s. 216.052, F.S.; requiring legislative budget requests to be submitted to appropriations committees along with strategic plans; amending s. 216.163, F.S.; requiring the Governor's recommended budget to contain recommended performance standards for programs in agency and judicial branch budget requests; creating s. 216.1811, F.S.; providing for development by the Governor and the Chief Justice of quality management and accountability plans; repealing s. 216.136(10), F.S., relating to the Occupational Forecasting Conference; providing an effective date.

By the Committee on International Trade, Economic Development and Tourism; and Senator Grogan—

CS for SB 3056—A bill to be entitled An act relating to the Department of Commerce; amending s. 120.54, F.S.; requiring the Division of Economic Development of the department to assist state agencies in determining the impact of proposed rules on small businesses; revising the notice requirements for state agencies with respect to adopting a rule that has an adverse and disproportionate impact on small businesses; requiring the Auditor General to audit provisions for mitigating the effect of rules on small businesses; amending s. 120.545, F.S.; providing for review of a proposed rule for such mitigation provisions; amending s. 288.047, F.S.; revising the criteria for the instruction provided under the Quick-Response Training Program; amending s. 288.063, F.S.; revising provisions for transferring funds under a construction contract executed by the Division of Economic Development with a local government; requiring the division to monitor the construction of the facility; amending s. 288.104, F.S.; revising provisions pertaining to the qualified defense contractor tax refund program administered by the department; authorizing refunds from the Economic Development Trust Fund of specified taxes paid by a qualified applicant engaged in a contract to reuse a defense-related facility; prescribing application procedure and other requirements; providing that the local financial support required under the program may include excess payments made to a utility company to allow a decrease in service; providing circumstances under which a qualified applicant may be exempted from the requirement for local financial support; limiting the amount of tax refund available under the program; specifying a date after which the department will no longer accept new applications under the program; requiring additional information on the application; specifying deadlines for submitting complete applications; requiring that the tax refund agreement specify the total amount of refunds for which the contractor is eligible; revising requirements for the department's report on the program; amending s. 288.701, F.S.; revising reporting requirements for the Division of Economic Development under the Small Business Assistance Act; authorizing additional positions to the department to administer the tax refund program; authorizing the department to expend certain moneys for the administration of the tax

refund program; repealing s. 7, ch. 93-414, Laws of Florida, which provides for the expiration of the tax refund program for qualified defense contractors if a specified event does not occur; providing for retroactive operation in part; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for SB 424, which he approved on March 10, 1994; SB 74 and SB 1076, which he approved on March 28, 1994.

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Architecture and Interior Design Appointee: Shiff, Michael Alan, Parkland	10/31/97
Florida Citrus Commission Appointee: Burke, Martha Roe, Winter Haven	05/31/97
Board of Dentistry Appointee: Hehn, Roger Maurice, Jacksonville	10/31/96
Florida Elections Commission Appointees: Alvarez, Carlos, Tallahassee Murray, Kenneth F., Winter Park	12/10/97 12/10/95
Electrical Contractors' Licensing Board Appointee: Mills, Douglas Hall, Pompano Beach	10/31/97
Board of Directors, Enterprise Florida, Inc. Appointees: Lastinger, Allen Lane, Jr., Jacksonville Ruthven, Joe P., Lakeland	07/01/97 07/01/95
Board of Directors, Enterprise Florida Capital Partnership Appointees: Brown, Hugh McNeil, Titusville Freeman, Douglas K., Jacksonville Heggestad, Arnold Andersen, Gainesville Leisner, Richard Michael, Tampa Sink, Adelaide A., Thonotosassa Tews, Hans W., Orlando Werner, Patricia Ann, Kissimmee	03/09/96 03/09/98 03/09/98 03/09/97 03/09/97 03/09/97 03/09/96
Florida Commission on Human Relations Appointee: Brooks, Clarethea D. Edwards, Jacksonville	09/30/97
State Board of Independent Colleges and Universities Appointee: Roberts, Eugene LeBron, Lakeland	09/30/96
Florida International Affairs Commission Appointee: Salem, Richard J., Tampa	07/09/97
Board of Nursing Home Administrators Appointee: Wynn, Alma McKinney, Havana	10/31/97
Prepaid Postsecondary Education Expense Board Appointee: Tate, Stanley G., Bay Harbor Islands	06/30/96
Commission for Purchase from the Blind or Other Severely Handicapped Appointee: Furches, Sandra (Sandy) BeVille, Lake City	10/01/96
Big Cypress Basin Board of the South Florida Water Management District Appointee: Davenport, Claudia Annette, Everglades City	03/01/96
Governing Board of the Southwest Florida Water Management District Appointees: Figg, Mary Johnson, Lutz Harrell, Roy G., Jr., St. Petersburg Martin, James Edward, St. Petersburg	03/01/98 03/01/98 03/01/98

Referred to the Committee on Executive Business, Ethics and Elections.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 479, CS for HB 627, CS for HB 1745, HB 1981, CS for HB 2025, HB 2309, HB 2529, HB 2553; has passed as amended CS for HB 389, CS for HB 653, HB 733, CS for HB 863, CS for HB 1061, HB 1065, CS for HB 1155, CS for HB 1187, CS for HB 1207, CS for HB 1257, HB 1513, CS for HB 1585, HB 1633, HB 1929, HB 2321, HB 2325, HB 2403, HB 2441, HB 2541 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Insurance and Representative Morroni and others—

CS for HB 479—A bill to be entitled An act relating to insurance; amending s. 627.4137, F.S.; authorizing certain enforcement actions to compel production of certain information under certain circumstances; providing an entitlement to injunctive relief under certain circumstances; providing for recovery of economic damages and reasonable costs and attorney's fees; providing an effective date.

—was referred to the Committee on Commerce.

By the Committee on Tourism and Economic Development; and Representative Brown and others—

CS for HB 627—A bill to be entitled An act relating to the Ringling Museum of Art; amending s. 265.26, F.S.; providing for expiration of the terms of office of members of the board of trustees of the museum; deleting certain requirements for reimbursement of travel expenses for members of the board of trustees; providing additional duties of the direct-support organization; providing for funds received from admissions and rentals to be used by the direct-support organization; requiring that the financial accounts of the direct-support organization be audited by an accountant selected by the board of trustees; revising the requirements for the expenditures for public relations; deleting certain limitations on credit card payments; amending s. 265.261, F.S.; revising definitions with respect to the museum's direct-support organization; amending s. 265.27, F.S.; authorizing the board of trustees to loan artifacts owned by the museum; authorizing loans to other museums; providing an effective date.

—was referred to the Committees on Governmental Operations and Appropriations.

By the Committee on Health Care and Representative Upchurch and others—

CS for HB 1745—A bill to be entitled An act relating to family practice teaching hospitals; providing legislative findings; providing definitions; providing for designation of family practice teaching hospitals; providing for application to the Agency for Health Care Administration for such designation; providing for a separate category for review of such hospitals by the Health Care Board; creating a family practice physician retention advisory committee; requiring the committee to develop a program for recruiting minority physicians into family practice residency programs; requiring an annual report; providing an effective date.

(Substituted for CS for CS for SB 396 on the Special Order Calendar this day.)

By Representative Shepard—

HB 1981—A bill to be entitled An act relating to administrative procedures; amending s. 120.58, F.S.; providing criteria for the admissibility of evidence in certain administrative hearings; requiring notice that certain evidence will be offered; reenacting s. 776.207(2), F.S., to incorporate a reference to s. 120.58(1)(a); providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Natural Resources and Representative King and others—

CS for HB 2025—A bill to be entitled An act relating to boating; directing the Department of Environmental Protection to mark a navigation channel within Silver Glen Run and Silver Glen Springs and to establish permanent anchorage buoys and restrictions; providing for penalties; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Appropriations.

By the Committee on Business and Professional Regulation; and Representative Tobin—

HB 2309—A bill to be entitled An act relating to regulated professions; creating s. 455.2222, F.S.; requiring persons licensed or certified to provide certain medical, dental, social, or counseling services to take a course on domestic violence as part of their continuing education requirements; requiring applicants for initial licensure to take such a course; providing duties of the affected professional boards relating to such requirements and granting rulemaking authority therefor; requiring each affected professional board to submit an annual report to the Legislature; amending s. 455.2226, F.S., to correct a cross reference; amending s. 455.227, F.S.; making failure to comply with such educational course requirements a ground for disciplinary action; providing penalties; providing an effective date.

—was referred to the Committee on Professional Regulation.

By the Committee on Judiciary and Representative Cosgrove—

HB 2529—A bill to be entitled An act relating to probate and trust; amending s. 733.6171, F.S.; revising guidelines for the compensation of the attorney for the personal representative; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Corrections and Representative Smith and others—

HB 2553—A bill to be entitled An act relating to the Correctional Medical Authority; amending s. 945.603, F.S.; providing an exemption from competitive sealed bid requirements for specified services performed by consultants employed by the authority to conduct clinical surveys of correctional institutions; providing an effective date.

—was referred to the Committees on Corrections, Probation and Parole; and Governmental Operations.

By the Committee on Natural Resources and Representative Eggelston and others—

CS for HB 389—A bill to be entitled An act relating to vessels; creating the "Florida Clean Vessel Act"; amending s. 327.02, F.S.; defining "floating structure," "houseboat," "marine sanitation device," and "portable toilet"; amending s. 327.25, F.S.; providing funds for removal of vessels and floating structures deemed a hazard to public safety and health; amending s. 327.37, F.S.; prohibiting persons from engaging in water skiing or aquaplaning unless wearing an approved personal flotation device; providing an exemption; creating s. 327.53, F.S.; requiring certain vessels to be equipped with toilets; requiring certain toilets on vessels to be attached to marine sanitation devices; providing exceptions; prohibiting certain discharges from vessels; providing for disposal of sewage from vessels and floating structures; adopting by reference federal regulations pertaining to marine sanitation devices and discharges therefrom; providing for noncriminal infractions; providing for use of penalties collected; providing for enforcement; providing for regulation of the design, manufacture, installation, or use of toilets on vessels; amending s. 327.56, F.S.; authorizing inspections of marine sanitation devices; amending s. 327.73, F.S.; specifying violations and civil and criminal penalties; amending s. 328.17, F.S.; conforming provisions relating to nonjudicial sale of vessels; amending ss. 192.001, 493.6101, 493.6403, and 705.103, F.S.; correcting

cross references; creating the Boating Advisory Council; providing for membership, terms, and purpose; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Commerce.

By the Committee on Business and Professional Regulation; and Representative Schultz and others—

CS for HB 653—A bill to be entitled An act relating to statutorily created decisionmaking or regulatory boards, commissions, councils, and committees; providing intent; defining "minority person"; providing policy with respect to the appointment of members to such bodies to ensure proportionate minority representation; requiring annual reports; requiring retention of certain information regarding applicants and disclosure of such information; providing applicability; providing an effective date.

—was referred to the Committees on Governmental Operations; Professional Regulation; and Rules and Calendar.

By the Committee on Ethics and Elections; and Representative Ascherl and others—

HB 733—A bill to be entitled An act relating to absentee voting; amending s. 97.021, F.S.; redefining the term "absent elector"; amending s. 101.5609, F.S., relating to electronic and electromechanical voting system ballots; removing a provision relating to recording the issuance of absentee ballots; amending s. 101.62, F.S.; restricting the number of absentee ballots that any one person may pick up; providing an exception; requiring persons designated to pick up such ballots for other electors to complete an authorizing affidavit; providing for the form and contents of such affidavit; removing language that required initialing the stubs of absentee ballots prior to issuance to electors; requiring absentee ballots to be mailed or delivered directly to the supervisor of elections; amending ss. 101.64 and 101.65, F.S.; revising the voter's certificate and instructions to absent electors to revise the signature witnessing requirement and to eliminate the reasons for voting an absentee ballot, creating s. 101.655, F.S.; providing for supervised voting for absent electors in certain facilities; amending s. 163.511, F.S., relating to referendum ballots on the creation of special neighborhood improvement districts, to conform; amending s. 101.68, F.S.; providing for earlier commencement of the canvassing of absentee ballots; amending s. 101.69, F.S.; authorizing an elector voting in person to execute an affidavit stating that the absentee ballot supplied to the elector has not been voted rather than requiring the elector to return that ballot before being allowed to vote; amending s. 101.694, F.S.; updating a reference to a federal act; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Appropriations.

By the Committee on Finance and Taxation; and Representative McAndrews and others—

CS for HB 863—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.012, F.S.; revising the definition of "governmental, municipal, or public purpose or function" to provide that use of property by a lessee, licensee, or management company as a convention center, concert hall, arena, stadium, park, or beach which is open to the public is deemed to serve such purpose or function; providing that property deeded to a municipality by the United States which is required to be maintained for historical preservation, park, or recreational purposes is deemed to serve a municipal or public purpose; providing for severability; providing an effective date.

—was referred to the Committees on Finance, Taxation and Claims; Community Affairs; and Appropriations.

By the Committees on Finance and Taxation; and Transportation; and Representative Miller—

CS for HB 1061—A bill to be entitled An act relating to traffic safety; amending s. 316.003, F.S.; redefining the terms "school bus" and

"commercial motor vehicle"; amending ss. 316.064, 316.066, and 324.051, F.S.; providing for a 10-day accident reporting period; amending s. 316.303, F.S.; providing for use of electronic displays used in conjunction with vehicle navigation systems; amending s. 316.183, F.S.; revising language with respect to the maximum allowable speed for school buses; amending s. 316.1937, F.S.; revising language with respect to ignition interlock devices; amending s. 316.1951, F.S.; providing for the removal of certain motor vehicles; amending s. 316.1967, F.S.; providing for the transmission of traffic violation information by electronic means; amending s. 316.2065, F.S.; providing for the attachment of bicycle trailers; amending s. 316.217, F.S.; revising language with respect to when lighted lamps are required; amending s. 316.2397, F.S.; authorizing law enforcement and emergency vehicles to flash headlights; amending s. 316.2955, F.S.; directing the Department of Highway Safety and Motor Vehicles to make certain rules with respect to window sunscreening material; amending s. 316.613, F.S.; providing for vehicle manufacturers' integrated child seats; revising exemptions to the term "motor vehicle" with respect to child restraint laws; amending s. 316.615, F.S.; revising language with respect to the inspection of school buses; requiring certain insurance coverage; amending s. 316.640, F.S.; providing for enforcement of traffic laws; amending s. 316.650, F.S.; revising language with respect to traffic citations; repealing s. 316.71, F.S., relating to the suspension or delay of specified functions and requirements, and the imposition of specified fees relating to highway safety and motor vehicles; amending s. 318.14, F.S.; revising language with respect to noncriminal traffic infractions; amending s. 318.141, F.S.; authorizing traffic control officers to perform certain responsibilities; amending s. 318.1451, F.S.; providing for an additional assessment to be collected by driver improvement schools; amending s. 319.25, F.S.; deleting language with respect to lists and searches and fees with respect to cancellation of certificates of title; amending s. 320.02, F.S.; authorizing licensed inspectors to issue notice of violations; providing penalties; amending s. 320.05, F.S.; providing for lists and searches and fees with respect to certain documents; repealing s. 320.866, F.S., relating to fees for certain documents; amending s. 320.06, F.S.; revising language with respect to the form of certain registration license plates and revising fee schedule; amending s. 320.0605, F.S., relating to certificate of registration; revising period of applicability; amending s. 320.0607, F.S.; providing for a reduced fee to replace stolen plates, stickers, or decals; increasing fees for original and replacement license plates; creating s. 320.0657, F.S.; providing for permanent registration and for fleet license plates; amending s. 320.08, F.S.; revising language with respect to license taxes on heavy trucks and truck tractors; amending s. 320.02, F.S.; providing for a voluntary contribution while registering certain automobiles and trucks; creating s. 320.08035, F.S.; providing for reduced dimension license plates for certain disabled persons; amending s. 320.0805, F.S.; providing for personalized prestige license plates for lessees of motor vehicles; amending s. 320.08065, F.S.; revising language with respect to Florida panther license plates; amending s. 320.08066, F.S.; revising language with respect to manatee license plates; amending s. 320.0808, F.S.; providing for the issuance of Challenger license plates to lessees; amending s. 320.0809, F.S.; providing for the issuance of collegiate license plates to lessees; amending s. 320.083, F.S.; providing that certain license plates available to amateur radio operators shall be available for lessees of motor vehicles; amending s. 320.084, F.S.; providing that certain disabled veterans are eligible for handicapped parking permits; amending s. 320.089, F.S.; authorizing lessees to receive certain license plates; allowing the unremarried surviving spouse of "Ex-POWs" to use certain license plates; amending s. 320.0895, F.S.; revising language with respect to Florida Salutes Veterans license plates; amending s. 320.0896, F.S.; providing for Florida Special Olympics license plates to motor vehicle lessees; amending s. 320.1325, F.S.; prohibiting the issuance of temporarily employed registration plates to any commercial motor vehicle; providing for the issuance to lessees; amending s. 320.18, F.S.; providing language with respect to the canceling of registration; amending s. 320.27, F.S.; redefining the term "motor vehicle dealer"; amending s. 320.8231, F.S.; correcting a cross reference; amending s. 320.824, F.S.; correcting a cross reference; amending s. 320.8285, F.S.; revising language with respect to onsite inspection; amending s. 322.01, F.S.; revising definitions; amending s. 322.02, F.S.; providing for reciprocal agreements with other political entities; amending s. 322.0261, F.S.; revising language with respect to mandatory driver improvement courses; providing for a fee; amending s. 322.03, F.S.; providing requirements with respect to the operation of a motorcycle; amending s. 322.055, F.S.; providing for petition for restoration of driving privilege for certain violations; amending s. 322.12, F.S.; providing for a hazardous materials endorsement on a person's driver license; amending s. 322.121, F.S.; revising language with respect to the periodic reexamination of all drivers; amending s. 322.13, F.S.; providing

for the department to designate commercial driving school instructors as drivers license examiners; amending s. 322.126, F.S.; providing for a description of alleged disability; amending s. 322.221, F.S.; providing a cross-reference; amending s. 322.14, F.S.; requiring certain persons seeking a driver license to appear in person; amending s. 322.21, F.S.; revising language with respect to certain persons who are exempt from delinquent fees for license expiration; amending s. 322.22, F.S.; revising language with respect to license cancellation; amending s. 322.24, F.S.; providing reference to foreign countries with respect to license suspension; amending s. 322.27, F.S.; revising language with respect to the point system for out-of-state convictions; amending s. 322.271, F.S.; prohibiting the issuance of commercial driver licenses under certain circumstances; amending s. 322.34, F.S.; revising language with respect to driving without a driver license or while the driver's license or driving privilege is suspended, revoked, canceled, or disqualified; amending s. 322.57, F.S.; providing for requirements with respect to tests for hazardous materials endorsements; amending s. 322.66, F.S.; revising language with respect to vehicles permitted to be driven during a skills test; amending s. 324.031, F.S.; revising amounts with respect to proving financial responsibility; amending s. 324.071, F.S.; increasing a reinstatement fee; providing for distribution; amending s. 324.161, F.S.; increasing amounts with respect to proof of financial responsibility; amending s. 325.202, F.S.; redefining the term "program area"; amending s. 207.003, F.S.; correcting a cross reference with respect to the privilege tax; amending s. 207.004, F.S.; providing for temporary fuel use permits and driveaway permits; amending s. 207.005, F.S.; revising language with respect to taxes; amending s. 207.007, F.S.; revising language with respect to offenses, penalties, and interest; amending s. 207.011, F.S.; deleting language with respect to an agreement between the Department of Revenue and the Department of Highway Safety and Motor Vehicles; amending s. 207.026, F.S.; providing a cross reference; amending s. 207.0281, F.S.; revising language with respect to cooperative reciprocal agreements; amending s. 316.545, F.S.; authorizing the issuance of temporary fuel use permits; repealing s. 207.029, F.S., relating to proof of liability insurance; repealing s. 3(7) of chapter 89-168, Laws of Florida; amending s. 318.18, F.S.; correcting a cross-reference; amending s. 316.302; updating the rules to which commercial motor vehicles are subject; amending s. 320.01, F.S.; providing a definition; amending s. 320.08, F.S.; clarifying a reference; amending s. 320.081, F.S.; clarifying a reference; amending s. 320.822, F.S.; providing a definition; amending s. 320.03, F.S.; providing an exemption for the transfer of a registration by a motor vehicle dealer; amending s. 322.058, F.S.; providing an exemption for the transfer of a registration by a motor vehicle dealer; providing an effective date.

—was referred to the Committees on Transportation, Commerce and Appropriations.

By Representative Bitner and others—

HB 1065—A bill to be entitled An act relating to changes of name; amending s. 68.07, F.S.; requiring court clerks to notify law enforcement agencies of a final judgment entered to change the name of a convicted felon; requiring procedures for incarcerated petitioners; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

By the Committee on Aging and Human Services; and Representative Rudd and others—

CS for HB 1155—A bill to be entitled An act relating to persons with mental retardation; amending ss. 92.53, 92.54, and 92.55, F.S.; extending to persons with mental retardation the same rights enjoyed by children under the age of 16 with respect to the use of videotape and closed circuit television in judicial proceedings; amending s. 914.16, F.S.; extending to persons with mental retardation the same rights enjoyed by children under the age of 16 with respect to limiting the number of interviews; amending s. 914.17, F.S.; appointing an advocate for persons with mental retardation; amending s. 918.16, F.S.; authorizing courts to restrict attendance in sexual offense cases with persons with mental retardation; providing an effective date.

—was referred to the Committees on Judiciary and Appropriations.

3. Concurrently or subsequently petitions for relief under this section or s. 943.059;

4. Is a candidate for admission to The Florida Bar;

5. Is seeking to be employed or licensed by or to contract with the Department of Health and Rehabilitative Services or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the developmentally disabled, the aged, or the elderly as provided in s. 39.076, s. 110.1127(3), s. 393.063(3), s. 394.455(20), s. 397.451, s. 402.302(8), s. 402.313(3), s. 409.175(2)(h), s. 415.102(4), s. 415.103, or chapter 400; or

6. Is seeking to be employed or licensed by the Office of Teacher Education, Certification, Staff Development, and Professional Practices of the Department of Education, any district school board, or any local governmental entity that licenses child care facilities.

(b) Subject to the exceptions in paragraph (a), a person who has been granted an expunction under this section, former s. 893.14, former s. 901.33, or former s. 943.058 may not be held under any provision of law of this state to commit perjury or to be otherwise liable for giving a false statement by reason of such person's failure to recite or acknowledge an expunged criminal history record.

(c) *Information relating to the existence of an expunged criminal history record which is provided in accordance with paragraph (a) is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department shall disclose the existence of a criminal history record ordered expunged to the entities set forth in subparagraphs (a)1., (a)4., (a)5., and (a)6. for their respective licensing and employment purposes. It is unlawful for any employee of an entity set forth in subparagraph (a)1., subparagraph (a)4., subparagraph (a)5., or subparagraph (a)6. to disclose information relating to the existence of an expunged criminal history record of a person seeking employment or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment or licensure decisions. Any person who violates this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.*

Section 2. The Legislature finds that the exemption from the public records law of court-ordered expunged criminal history records and information relating to the existence of such records is a public necessity in that release of such information would negate the purpose of the criminal history record expunction program. The need for the exemption thus outweighs the public benefit of access to the information.

Section 3. Notwithstanding the October 1, 1994, repeal specified in section 119.14(3)(a), Florida Statutes, the introductory paragraph and paragraph (c) of subsection (4) of section 943.059, Florida Statutes, are reenacted and amended to read:

943.059 Court-ordered sealing of criminal history records.—The courts of this state shall continue to have jurisdiction over their own procedures, including the maintenance, sealing, and correction of judicial records containing criminal history information. Any court of competent jurisdiction may order a criminal justice agency to seal a criminal history record, provided that the person who is the subject of the record complies with the requirements of this section; however, a criminal history record that relates to a violation of chapter 794, s. 800.04, s. 817.034, s. 827.071, chapter 839, s. 893.135, or a violation enumerated in s. 907.041, where the defendant was found or pled guilty, without regard to whether adjudication was withheld, may not be sealed. The court may only order sealing of a criminal history record pertaining to one arrest or one incident of alleged criminal activity, except as provided in this section. The court may, at its sole discretion, order the sealing of a criminal history record pertaining to more than one arrest if the additional arrests directly relate to the original arrest. If the court intends to order the sealing of records pertaining to such additional arrests, such intent must be specified in the order. A criminal justice agency may not seal any record pertaining to such additional arrests if the order to seal does not articulate the intention of the court to seal records pertaining to more than one arrest. Nothing in this section prevents the court from ordering the sealing of only a portion of a criminal history record pertaining to one arrest or one incident of alleged criminal activity. Notwithstanding any provision of statutory law to the contrary, a criminal justice agency may comply with laws, court orders, and official requests of other jurisdictions relating to seal-

ing, correction, or confidential handling of criminal history records or information derived therefrom. This section does not confer any right to the sealing of any criminal history record, and any request for sealing a criminal history record may be denied at the sole discretion of the court.

(4) EFFECT OF CRIMINAL HISTORY RECORD SEALING.—A criminal history record that is ordered sealed by a court of competent jurisdiction pursuant to this section is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and is a nonpublic record available only to the person who is the subject of the record, to the subject's attorney, to criminal justice agencies for their respective criminal justice purposes, or to those entities set forth in subparagraphs (a)1., (a)4., (a)5., and (a)6. for their respective licensing and employment purposes. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(a) The subject of a criminal history record sealed under this section or under other provisions of law, including former s. 893.14, former s. 901.33, and former s. 943.058, may lawfully deny or fail to acknowledge the events covered by the sealed record, except when the subject of the record:

1. Is a candidate for employment with a criminal justice agency;
2. Is a defendant in a criminal prosecution;
3. Concurrently or subsequently petitions for relief under this section or s. 943.0585;
4. Is a candidate for admission to The Florida Bar;
5. Is seeking to be employed or licensed by or to contract with the Department of Health and Rehabilitative Services or to be employed or used by such contractor or licensee in a sensitive position having direct contact with children, the developmentally disabled, the aged, or the elderly as provided in s. 39.076, s. 110.1127(3), s. 393.063(3), s. 394.455(20), s. 397.451, s. 402.302(8), s. 402.313(3), s. 409.175(2)(h), s. 415.102(4), s. 415.103, or chapter 400; or
6. Is seeking to be employed or licensed by the Office of Teacher Education, Certification, Staff Development, and Professional Practices of the Department of Education, any district school board, or any local governmental entity which licenses child care facilities.

(b) Subject to the exceptions in paragraph (a), a person who has been granted a sealing under this section, former s. 893.14, former s. 901.33, or former s. 943.058 may not be held under any provision of law of this state to commit perjury or to be otherwise liable for giving a false statement by reason of such person's failure to recite or acknowledge a sealed criminal history record.

(c) *Information relating to the existence of a sealed criminal record provided in accordance with the provisions of paragraph (a) is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except that the department shall disclose the existence of a sealed criminal history record to the entities set forth in subparagraphs (a)1., (a)4., (a)5., and (a)6. for their respective licensing and employment purposes. It is unlawful for any employee of an entity set forth in subparagraph (a)1., subparagraph (a)4., subparagraph (a)5., or subparagraph (a)6. to disclose information relating to the existence of a sealed criminal history record of a person seeking employment or licensure with such entity or contractor, except to the person to whom the criminal history record relates or to persons having direct responsibility for employment or licensure decisions. Any person who violates the provisions of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.*

Section 4. The Legislature finds that the exemption from the public records law of court-ordered sealed criminal history records and information relating to the existence of such records is a public necessity in that release of such information would negate the purpose of the criminal history record sealing program. The need for the exemption thus outweighs the public benefit of access to the information.

Section 5. This act shall take effect October 1, 1994.

And the title is amended as follows:

On page 1, lines 2-8, strike said lines and insert: An act relating to confidentiality of expunged or sealed criminal history records; amending

ss. 943.0585 and 943.059, F.S., which provide exemptions from public records requirements for criminal history records ordered expunged or sealed by the courts; authorizing the Department of Law Enforcement to disclose the existence of such records to certain licensing and employing agencies; saving such exemptions from repeal; providing for future review and repeal; providing findings of public necessity; providing an effective date.

On motion by Senator Silver, the Senate concurred in the House amendment.

SB 120 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38 Nays—None

RETURNING MESSAGES—FINAL ACTION

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has passed SB 34, SB 50, SB 52, SB 56, SB 66, CS for SB 168, SB 394, SB 402, CS for SB 612, SB 620, CS for SB 1072, CS for SB 1392, SB 1468 and SB 1766.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Pat Thomas, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 to House Amendment 1 to SB 2360 and passed as further amended.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

ROLL CALLS ON SENATE BILLS

SB 12

Yeas—36

Mr. President	Crist	Gutman	McKay
Bankhead	Dantzler	Harden	Meadows
Beard	Diaz-Balart	Hargrett	Myers
Boczar	Dudley	Jenne	Siegel
Brown-Waite	Dyer	Jennings	Silver
Burt	Foley	Johnson	Sullivan
Casas	Forman	Jones	Weinstein
Childers	Grant	Kirkpatrick	Wexler
Crenshaw	Grogan	Kurth	Williams

Nays—None

Vote after roll call:

Yea—Holzendorf

SB 16

Yeas—35

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Brown-Waite	Foley	Jennings	Siegel
Burt	Forman	Johnson	Silver
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—4

Boczar	Dyer	Jones	Sullivan
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SB 98

Yeas—37

Mr. President	Dantzler	Holzendorf	Scott
Bankhead	Diaz-Balart	Jenne	Siegel
Beard	Dudley	Jennings	Silver
Boczar	Dyer	Johnson	Sullivan
Brown-Waite	Foley	Jones	Weinstein
Burt	Forman	Kirkpatrick	Wexler
Casas	Grant	Kurth	Williams
Childers	Grogan	McKay	
Crenshaw	Harden	Meadows	
Crist	Hargrett	Myers	

Nays—None

SB 120

Yeas—38

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Weinstein
Casas	Grant	Kirkpatrick	Wexler
Childers	Grogan	Kurth	Williams
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	

Nays—None

CS for SB 228

Yeas—37

Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Weinstein
Casas	Grant	Kirkpatrick	Wexler
Childers	Grogan	Kiser	Williams
Crenshaw	Gutman	Kurth	
Crist	Harden	McKay	
Dantzler	Hargrett	Meadows	

Nays—None

CS for SB 606

Yeas—38

Mr. President	Dantzler	Hargrett	Myers
Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Weinstein
Casas	Grant	Kirkpatrick	Wexler
Childers	Grogan	Kiser	Williams
Crenshaw	Gutman	Kurth	
Crist	Harden	Meadows	

Nays—None

CS for SB 626

Yeas—39

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

SB 650

Yeas—37

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Weinstein
Casas	Grant	Kiser	Wexler
Childers	Grogan	Kurth	Williams
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	
Dantzler	Hargrett	Myers	

Nays—1

Holzendorf

CS for SB 1014

Yeas—35

Bankhead	Dantzler	Hargrett	Myers
Beard	Diaz-Balart	Jenne	Scott
Boczar	Dudley	Jennings	Siegel
Brown-Waite	Dyer	Johnson	Silver
Burt	Foley	Kirkpatrick	Sullivan
Casas	Forman	Kiser	Weinstein
Childers	Grant	Kurth	Wexler
Crenshaw	Gutman	McKay	Williams
Crist	Harden	Meadows	

Nays—2

Grogan Holzendorf

CS for SB 1202

Yeas—36

Bankhead	Dantzler	Harden	Meadows
Beard	Diaz-Balart	Hargrett	Myers
Boczar	Dudley	Holzendorf	Scott
Brown-Waite	Dyer	Jennings	Siegel
Burt	Foley	Johnson	Silver
Casas	Forman	Kirkpatrick	Sullivan
Childers	Grant	Kiser	Weinstein
Crenshaw	Grogan	Kurth	Wexler
Crist	Gutman	McKay	Williams

Nays—None

Vote after roll call:

Yea—Jenne

CS for SB 1278

Yeas—37

Mr. President	Dantzler	Hargrett	Scott
Bankhead	Diaz-Balart	Holzendorf	Siegel
Beard	Dudley	Jenne	Silver
Boczar	Dyer	Jennings	Sullivan
Brown-Waite	Foley	Johnson	Weinstein
Burt	Forman	Kirkpatrick	Wexler
Casas	Grant	Kiser	Williams
Childers	Grogan	Kurth	
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	

Nays—None

Vote after roll call:

Yea—Myers

CS for SB 1526

Yeas—36

Mr. President	Crist	Harden	Meadows
Bankhead	Dantzler	Hargrett	Myers
Beard	Diaz-Balart	Holzendorf	Scott
Boczar	Dudley	Jennings	Siegel
Brown-Waite	Dyer	Johnson	Silver
Burt	Foley	Kirkpatrick	Sullivan
Casas	Forman	Kiser	Weinstein
Childers	Grant	Kurth	Wexler
Crenshaw	Grogan	McKay	Williams

Nays—None

Vote after roll call:

Yea—Jenne

CS for SB 1748

Yeas—38

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Siegel
Boczar	Dyer	Jennings	Silver
Brown-Waite	Foley	Johnson	Sullivan
Burt	Forman	Jones	Weinstein
Casas	Grant	Kirkpatrick	Wexler
Childers	Grogan	Kiser	Williams
Crenshaw	Gutman	Kurth	
Crist	Harden	McKay	

Nays—None

CS for SB 1984

Yeas—29

Mr. President	Crist	Harden	Meadows
Bankhead	Dantzler	Holzendorf	Scott
Beard	Diaz-Balart	Jennings	Siegel
Brown-Waite	Dudley	Johnson	Wexler
Burt	Foley	Kirkpatrick	Williams
Casas	Grant	Kiser	
Childers	Grogan	Kurth	
Crenshaw	Gutman	McKay	

Nays—10

Boczar	Hargrett	Myers	Weinstein
Dyer	Jenne	Silver	
Forman	Jones	Sullivan	

SB 2098

Yeas—37

Mr. President	Dantzler	Hargrett
Bankhead	Diaz-Balart	Holzendorf
Beard	Dudley	Jennings
Boczar	Dyer	Johnson
Brown-Waite	Foley	Jones
Burt	Forman	Kirkpatrick
Casas	Grant	Kiser
Childers	Grogan	Kurth
Crenshaw	Gutman	McKay
Crist	Harden	Meadows

Nays—None

Vote after roll call:

Yea—Jenne

CS for HB 543

Yeas—36

Mr. President	Crist	Gutman	McKay
Bankhead	Dantzler	Harden	Meadows
Beard	Diaz-Balart	Hargrett	Myers
Boczar	Dudley	Holzendorf	Scott
Brown-Waite	Dyer	Jennings	Siegel
Burt	Foley	Jones	Sullivan
Casas	Forman	Kirkpatrick	Weinstein
Childers	Grant	Kiser	Wexler
Crenshaw	Grogan	Kurth	Williams

Nays—None

Vote after roll call:

Yea—Jenne, Johnson

CS for SB 2544

Yeas—39

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

CS for HB 627

Yeas—36

Bankhead	Diaz-Balart	Holzendorf	Meadows
Beard	Dudley	Jenne	Myers
Boczar	Dyer	Jennings	Scott
Brown-Waite	Foley	Johnson	Siegel
Burt	Forman	Jones	Silver
Casas	Grant	Kirkpatrick	Sullivan
Childers	Gutman	Kiser	Weinstein
Crenshaw	Harden	Kurth	Wexler
Crist	Hargrett	McKay	Williams

Nays—1

Grogan

SB 3120

Yeas—37

Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Weinstein
Casas	Grant	Kiser	Wexler
Childers	Grogan	Kurth	Williams
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	
Dantzler	Hargrett	Myers	

Nays—None

CS for HB 1207

Yeas—38

Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	
Dantzler	Hargrett	Meadows	

Nays—None

ROLL CALLS ON HOUSE BILLS

HB 409

Yeas—37

Bankhead	Diaz-Balart	Jenne	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Weinstein
Casas	Grogan	Kiser	Wexler
Childers	Gutman	Kurth	Williams
Crenshaw	Harden	McKay	
Crist	Hargrett	Meadows	
Dantzler	Holzendorf	Myers	

Nays—None

Vote after roll call:

Yea—Dyer

HB 1529

Yeas—37

Bankhead	Diaz-Balart	Holzendorf	Scott
Beard	Dudley	Jennings	Siegel
Boczar	Dyer	Johnson	Silver
Brown-Waite	Foley	Jones	Sullivan
Burt	Forman	Kirkpatrick	Weinstein
Casas	Grant	Kiser	Wexler
Childers	Grogan	Kurth	Williams
Crenshaw	Gutman	McKay	
Crist	Harden	Meadows	
Dantzler	Hargrett	Myers	

Nays—None

Vote after roll call:

Yea—Jenne

ENROLLING REPORTS

HB 1637

Yeas—36

Bankhead	Dudley	Holzendorf	Meadows
Beard	Dyer	Jenne	Myers
Boczar	Foley	Jennings	Scott
Brown-Waite	Forman	Johnson	Siegel
Burt	Grant	Jones	Silver
Childers	Grogan	Kirkpatrick	Sullivan
Crenshaw	Gutman	Kiser	Weinstein
Crist	Harden	Kurth	Wexler
Dantzler	Hargrett	McKay	Williams

Nays—None

SB 74, SB 350 and SB 2954 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 25, 1994.

SB 2360 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 29, 1994.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 24 was corrected and approved.

CS for HB 1745

Yeas—39

Mr. President	Dantzler	Hargrett	Meadows
Bankhead	Diaz-Balart	Holzendorf	Myers
Beard	Dudley	Jenne	Scott
Boczar	Dyer	Jennings	Siegel
Brown-Waite	Foley	Johnson	Silver
Burt	Forman	Jones	Sullivan
Casas	Grant	Kirkpatrick	Weinstein
Childers	Grogan	Kiser	Wexler
Crenshaw	Gutman	Kurth	Williams
Crist	Harden	McKay	

Nays—None

CO-SPONSORS

Senators Bankhead, Diaz-Balart, Gutman, Hargrett and Kurth—CS for SB 1508

Senator Meadows withdrew as a co-sponsor of SB 1432.

RECESS

On motion by Senator Kirkpatrick, the Senate recessed at 12:50 p.m. to reconvene at 9:00 a.m., Thursday, March 31.

SENATE PAGES

March 28-April 1

Taffie L. Bailey, Winter Haven; Matt Barkley, Titusville; Kenneth M. Beard, Tallahassee; Stephen E. Becker, Clearwater; Carrie Boyles, Gainesville; Jessi Amanda Connell, Monticello; Douglass R. Cooke, Jr., Jacksonville; Mendell M. Davis, Land-O-Lakes; Brad Deiner, Ormond Beach; Susan Fraser, Tallahassee; Matt Harrison, Arcadia; Karen M. Ivey, Green Cove Springs; David D. Jones, Tallahassee; Meredith Macbeth, Sebring; Candice Mays, Palmetto; Katie O'Neal, Sebring; Karen Pinckney, Longwood; Jaye M.B. Seidlin, Plantation; Jennifer Sennholtz, Dunedin; Cassandra Smith, Panama City; Billy Webb, Pompano Beach

HB 2255

Yeas—37

Mr. President	Dudley	Jenne	Scott
Bankhead	Dyer	Jennings	Siegel
Boczar	Foley	Johnson	Silver
Brown-Waite	Forman	Jones	Sullivan
Burt	Grant	Kirkpatrick	Weinstein
Casas	Grogan	Kiser	Wexler
Childers	Gutman	Kurth	Williams
Crenshaw	Harden	McKay	
Crist	Hargrett	Meadows	
Diaz-Balart	Holzendorf	Myers	

Nays—None