Journal of the Senate

Number 14 **Friday, April 21, 1995**

CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—37:

Mr. President	Dyer	Johnson	Silver
Bankhead	Forman	Jones	Sullivan
Bronson	Grant	Kirkpatrick	Thomas
Brown-Waite	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	
Diaz-Balart	Jenne	Ostalkiewicz	
Dudley	Jennings	Rossin	

Excused: Senators Beard and Burt

PRAYER

The following prayer was offered by Dr. Ken Dyal, Pastor, Argyle Baptist Church, Jacksonville:

Lord, I have to confess that I haven't been as faithful for praying for this body as I should. I'm so thankful you are a God of grace and forgiveness.

Lord, as the world looks at America today, there is a lot of concern out there with lots taking place in Oklahoma, and Father, we ask the question, "How can that occur?" Lord, I'm reminded of an Old Testament Prophet who said, "The heart is deceitful above all things and desperately wicked." Lord, as we look at the problems in Florida and we realize there are things that we must do to protect our citizens, and I'm so thankful for this body and for what they can accomplish. Yet, Lord, we realize that the law of the heart that you've written in each of our hearts, Lord, is the Supreme Law.

I pray, Lord, for this body today as they begin to consider some important laws and amendments that affect our people. Lord, it's a dangerous place to come where we become self-sufficient. Lord, I'm praying today that you would intervene in each of our lives and, Lord, that we would seek your counsel and your guidance. Lord, I'm thankful for the men and women in this building. Lord, in reality they are the best of the best. You have chosen them to serve in government. They are the ones we look to for leadership and, Lord, we are thankful for their wisdom, their knowledge and their insight. Lord, we realize in a day such as this there can be some difficult times.

I pray, Lord, that you would control our spirits and our minds and our actions and our attitudes, and, Lord, that you would use this body to lead our state. Lord, we are in desperate need of leadership in our world, and as I think about what you desire to do in each of our lives, I just pray that you would use them in a special way to minister to this state. We pray in your holy name. Amen.

PLEDGE

Senate Pages, Sarah Davis of Wildwood and Scott Sanderson of St. Augustine, led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Jennings, the rules were waived and—

By Senator Jennings—

SR 3044—A resolution acknowledging May 4, 1995, as The National Day of Prayer in Florida.

WHEREAS, the Congress of the United States has passed a law proclaiming the first Thursday of each May as "The National Day of Prayer," and

WHEREAS, May 4, 1995, is the first Thursday in May of 1995, and

WHEREAS, it is fitting and appropriate that the Florida Senate acknowledge May 4, 1995, as the National Day of Prayer in Florida, NOW, THEREFORE,

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

That the Florida Senate joyfully acknowledges May 4, 1995, as The National Day of Prayer in Florida and joins Floridians of all faiths in celebrating this occasion. Let us express our faith with gladness, knowing that we are protected in our ability to worship devoutly. Let us be thankful and enjoy and exercise our religious beliefs, secure in the knowledge that in this great country we will always be free to do so.

—was introduced out of order and read by title. On motion by Senator Jennings, **SR 3044** was read the second time in full and adopted.

On motion by Senator Crist, by two-thirds vote **SR 100** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Crist—

SR 100—A resolution commending Radio Station WFLZ, 93.3 FM, for its creative leadership in cleaning up abandoned political campaign signs in the Tampa Bay area.

WHEREAS, Radio Station WFLZ, 93.3 FM, or Power 93 as it is known throughout the Tampa Bay area, sponsored an effective contest in which listeners were asked, the day after the 1994 election, to gather abandoned political campaign signs, and

WHEREAS, Radio Station WFLZ selected one winner, the person who gathered the most campaign signs, thereby helping to clean up the streets and roads of the Tampa Bay area in a very short period of time, and

WHEREAS, WFLZ thereby prompted the community into cleaning up and caring for the environment, NOW, THEREFORE,

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

That Radio Station WFLZ be commended for its community leadership and creative approach to cleaning up the Tampa Bay area after the 1994 election and for its efforts in protecting the environment and maintaining the beauty of our state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Radio Station WFLZ as a tangible token of the appreciation of the Florida Senate for a job well done.

—was taken up out of order and read the second time in full. On motion by Senator Crist, **SR 100** was adopted.

On motion by Senator Meadows, by two-thirds vote **SR 2866** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Meadows—

SR 2866—A resolution commending Piper High School's coaching staff and guidance counselors for their encouragement of academic excellence among athletes.

WHEREAS, the Piper High School coaching staff has provided a positive example to the various athletic teams during the 1995 season, and

WHEREAS, the Piper High School guidance staff has provided direction to students and has challenged them to excel at a high level of scholarly achievement, and

WHEREAS, the 1994 athletic season exemplified the high ethical standards that reflect the best values of public education, and

WHEREAS, three Piper High School athletes have received full scholarships to universities of high academic excellence and one Piper High School student was admitted to Harvard University, and

WHEREAS, more than 77 percent of the Piper High School Senior Class of 1994 are continuing their educational endeavors in colleges and universities, and

WHEREAS, by these achievements the students, guidance personnel, and coaches have brought honor and recognition to Piper High School, the School Board of Broward County, and the State of Florida, NOW, THEREFORE,

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

That the Florida Senate commends the Piper High School coaching staff and guidance counselors for their outstanding accomplishments in bringing Piper High School to prominence and excellence by encouraging student achievement and the continuation of education beyond high school.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Piper High School coaching staff and guidance counselors as a tangible token of the gratitude of the Florida Senate for encouraging, expecting, and demanding the best of their students, who will doubtless continue to excel and exceed in the future.

—was taken up out of order and read the second time in full. On motion by Senator Meadows, **SR 2866** was adopted.

On motion by Senator Harden, by two-thirds vote **SR 2600** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Harden—

SR 2600—A resolution honoring St. Paul Lutheran Church, Niceville, Florida, on its fifteenth anniversary.

WHEREAS, the members of the Florida Senate are pleased to recognize St. Paul Lutheran Church of Niceville on the auspicious occasion of the fifteenth anniversary of its founding, and to pay tribute to the members of the congregation for their exemplary devotion, and

WHEREAS, as a religious focal point of the Niceville community since 1980, St. Paul Lutheran Church has been a beacon to many spiritually lost individuals and an oasis to those hungering and thirsting for truth and virtue, and

WHEREAS, over the years, the many dedicated members of the congregation have faithfully demonstrated the ideals of Christianity through their upright living and, with shepherd-like concern, the pastor has provided inspirational leadership and guidance for the congregation, and

WHEREAS, the extraordinary sense of unity that prevails in St. Paul Lutheran Church is shown by the loving Christian fellowship that is demonstrated in all of the congregation's activities, and

WHEREAS, exhibiting great zeal and a remarkable spirit of cooperation, these disciples of Christ have worked together to help make their church a valuable and highly respected religious institution in the community, and

WHEREAS, more than a mere building, a church is the dedicated individuals who have joined together to bring life to the House of the Lord, and

WHEREAS, whether celebrating a religious holiday or attending weekly worship, the congregation of St. Paul Lutheran Church has truly experienced and demonstrated the living faith of Christianity, NOW, THEREFORE,

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

That the members of the Florida Senate recognize St. Paul Lutheran Church on the memorable occasion of the fifteenth anniversary of its founding.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to St. Paul Lutheran Church and to the Fort Walton Beach Daily News.

—was taken up out of order and read the second time in full. On motion by Senator Harden, **SR 2600** was adopted.

On motion by Senator Turner, by two-thirds vote **SR 2964** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Turner—

SR 2964—A resolution recognizing the week of April 23 through April 29, 1995, as Teenage-Pregnancy-Prevention Awareness Week.

WHEREAS, the children of this state should be born healthy, grow up in a safe and nurturing environment, experience educational success, achieve economic independence, and reach their full potential in life, and

WHEREAS, teenage pregnancy and teenage parenting increase the likelihood of low birth weight, developmental delays and disabilities, and child abuse and neglect for the children born to teenagers, and lead to disruption of education, decreased earning potential, economic dependence on welfare, and additional teenage pregnancies for teenage mothers, and

WHEREAS, the burden associated with teenage pregnancy and parenting is also borne by the taxpayers of Florida through increased cost in the areas of health care, education, welfare, and juvenile crime, and

WHEREAS, in each of the last 7 years, more than 17,000 girls in Florida from ages 10 through 18 years have given birth, and

WHEREAS, a summit conference that included private and public representation from around the state has identified public awareness as an important step in addressing the problem of teenage pregnancy, and

WHEREAS, the prevention of teenage pregnancy should be a priority to the State of Florida, and

WHEREAS, the State of Florida should focus attention on the prevention of teenage pregnancy by informing people of the nature, extent, and consequences of the problem; by uniting local, state, and national resources; and by calling citizens to action in their communities to address this critical issue, NOW, THEREFORE,

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

That the week of April 23 through April 29, 1995, is recognized as Teenage-Pregnancy-Prevention Awareness Week.

—was taken up out of order and read the second time in full. On motion by Senator Turner, **SR 2964** was adopted.

On motion by Senator Bankhead, the rules were waived and—

By Senator Bankhead—

SR 3046—A resolution recognizing the Mainland Senior High School boys basketball team as the 1995 Class 6A champions.

WHEREAS, the Florida High School Athletic Association Class 6A boys basketball championship was decided on Friday, March 3, 1995, when Mainland Senior High School defeated Fort Lauderdale Dillard High School by a score of 62-45, and

WHEREAS, under the expert guidance of Coach Charles Brinkerhoff, with the support of Assistant Coach Derrick Henry and Athletic Director Dick Toth, the boys basketball team took the state title back to Mainland Senior High School in the City of Daytona Beach for the first time in 56 years, and

WHEREAS, Coach Charles Brinkerhoff holds a career record of 85 wins and 10 losses and, for his outstanding leadership, he placed third in this year's voting for the 1995 Coach of the Year award, and

WHEREAS, Vince Carter, a 6-foot 6-inch senior guard, who has scored nearly 3,000 points and pulled down more than 1,000 rebounds during his 4-year high school basketball career, was presented the Florida Mr. Basketball Award after the tournament, and

WHEREAS, the starting lineup for the team includes Desmond Long, Joe Giddens, O. C. Burks, T. T. Toliver, and Vince Carter, and

WHEREAS, the bench includes Duran Williams, Ryan Hill, Tres Walton, Alvester Semon, Han Ripley, Donnie Gray, Kaylo Hannah, and Curtis Lewis, and

WHEREAS, it is appropriate to recognize the Mainland Senior High School boys basketball team and coaches for their accomplishments, NOW, THEREFORE,

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

That the Florida Senate commends the Mainland Senior High School boys basketball team for winning the 1995 Class 6A boys basketball championship and recognizes the team and its coaches for bringing such an honor to Mainland Senior High School and the community of Daytona Beach.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to each member of the team and the coaches as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Bankhead, **SR 3046** was read the second time in full and adopted.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Diaz-Balart, by two-thirds vote **SB 46, CS for SB 56, SB 126, CS for SB 146, CS for SB 232, SB 238, CS for SB 542, SB 566, SB 682, SB 708, CS for SB 728, SB 732, CS for SB 748, CS for SB 778, SB 848, CS for SB 984, CS for SB 1062, CS for SB 1326, CS for SB 1330, SB 1338, SB 1340, SB 1438, SB 1442, SB 1462, SB 1494, SB 1584, CS for SB 1680, SB 1704, SB 1804, SB 1858, CS for CS for SB 1866, SB 2068, SB 2070, CS for SB 2090, SB 2100, SB 2148, SB 2186, CS for SB 2214, CS for SB 2276, CS for SB 2282, CS for SB 2332, SB 2568, CS for SB 2646, SB 2664, CS for SB 2852** and **CS for SB 2858** were withdrawn from the Committee on Ways and Means.

On motion by Senator Brown-Waite, by two-thirds vote **SB 1362** was withdrawn from the committees of reference and further consideration.

On motion by Senator Harris, by two-thirds vote **SB 2022, SB 2014** and **SB 2374** were withdrawn from the committees of reference and further consideration.

On motion by Senator Johnson, by two-thirds vote **SB 54, SB 52, SB 74, SB 122, SB 1966, SB 2822, SB 2630** and **SB 2946** were withdrawn from the committees of reference and further consideration.

On motion by Senator Silver, by two-thirds vote **SB 802** and **SB 838** were withdrawn from the committees of reference and further consideration.

On motion by Senator Jenne, by two-thirds vote **SB 2732** was withdrawn from the committees of reference and further consideration.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Grant, the rules were waived and the Committee on Banking and Insurance was granted permission to add **SB 2398** and **HB 2471** to the agenda at the meeting on April 24.

On motions by Senator Jennings, by two-thirds vote **SB 876** was removed from the calendar and rereferred to the Committee on Education; and the rules were waived and the committee was granted permission to add **SB 876** to the agenda at the meeting on April 25.

SPECIAL ORDER

CS for SB 622—A bill to be entitled An act relating to Florida produce; amending s. 287.012(4), F.S.; clarifying that food is included in definitions of commodity for purposes of purchasing; amending s. 287.082, F.S., relating to competitive bids, to provide that preference be given to food produced within the state; reenacting s. 585.89(2), F.S., relating to the purchase of beef and pork, to incorporate changes; amending s. 865.065, F.S.; deleting provisions authorizing treble damages for intentional disparagement of perishable agricultural food products; providing an effective date.

—was read the second time by title.

The Committee on Governmental Reform and Oversight recommended the following amendment which was moved by Senator Ostalkiewicz and adopted:

Amendment 1 (with Title Amendment)—On page 2, lines 11, 14 and 16, after "manufactured" insert: , *grown,*

And the title is amended as follows:

In title, on page 1, line 7, after "produced" insert: or grown

On motions by Senator Ostalkiewicz, by two-thirds vote **CS for SB 622** 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

SB 1030—A bill to be entitled An act relating to emergency relief; amending s. 250.544, F.S.; providing additional limitations on party states that participate in the interstate compact to provide emergency relief by the National Guard; providing an effective date.

—was read the second time by title. On motions by Senator Bronson, by two-thirds vote **SB 1030** 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 **SB 948** was deferred.

On motion by Senator Bankhead, by two-thirds vote **HB 685** was withdrawn from the Committee on Criminal Justice.

On motion by Senator Bankhead—

HB 685—A bill to be entitled An act relating to advisory bodies; amending s. 233.0664, F.S.; providing for the Secretary of Juvenile Justice to be a member of the Drug Abuse Resistance Education Board of Directors; amending s. 943.031, F.S.; providing for the Secretary of Juvenile Justice rather than the Secretary of Health and Rehabilitative Services to serve as a member of the Florida Violent Crime Council; amending s. 943.06, F.S.; providing for the Secretary of Juvenile Justice and the executive director of the Department of Highway Safety and Motor Vehicles to serve as members of the Criminal Justice Information Systems Council; amending s. 943.1755, F.S.; revising the membership of the policy board for the Florida Criminal Justice Executive Institute; deleting an obsolete provision requiring the board to submit a report; providing an effective date.

—a companion measure, was substituted for **SB 336** and read the second time by title. On motions by Senator Bankhead, by two-thirds vote **HB 685** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38 Nays—None

SB 520—A bill to be entitled An act relating to criminal mischief; amending s. 806.13, F.S.; requiring the court to revoke or suspend the driving privilege, or eligibility therefor, of a minor convicted of committing certain acts of criminal mischief; providing for the period of revocation or suspension to be reduced by the performance of community service; defining the term "community service"; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendment which was moved by Senator Diaz-Balart and adopted:

Amendment 1 (with Title Amendment)—On page 2, line 28, strike "*convicted*" and insert: *found to have committed a delinquent act*

And the title is amended as follows:

In title, on page 1, lines 5 and 6, strike "convicted of committing certain" and insert: found to have committed certain delinquent

Senator Hargrett moved the following amendment which was adopted:

Amendment 2 (with Title Amendment)—On page 3, between lines 28 and 29, insert:

Section 2. There may be created a statewide crime-watch program in the public schools for the purpose of reducing student actions that are in violation of the code of student conduct. The goal of the program is to develop a crime-watch program in each elementary school, middle school or junior high school, and high school. The Department of Education may establish for the program criteria that include:

(1) Student involvement at each school in the design and implementation of the program.

(2) A competitive focus with statewide recognition and awards given to schools with the most effective programs in each school district.

(Renumber subsequent section.)

And the title is amended as follows:

In title, on page 1, line 10, after the semicolon (;) insert: authorizing the creation of a statewide crime-watch program; providing program criteria;

On motions by Senator Diaz-Balart, by two-thirds vote **SB 520** 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—38 Nays—None

SB 496—A bill to be entitled An act relating to confidentiality of the identity of crime victims; creating s. 92.56, F.S.; providing for confidentiality of records and proceedings in prosecutions for certain offenses; amending s. 119.07, F.S.; providing an exemption from the public records law for information that identifies the victims of certain offenses; authorizing disclosures to specified recipients; prohibiting disclosure of certain identifying information by a public officer or employee; providing a civil right of action for communicating the identity of victims of certain crimes; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendment which was moved by Senator Wexler and adopted:

Amendment 1—On page 6, line 10, strike "reasonable" and insert: reasonably

Senator Wexler moved the following amendments which were adopted:

Amendment 2—On page 2, line 25, through page 3, line 3, strike all of said lines and insert:

(1) The name, address, photograph, or voice recording of the victim of the crime of sexual battery, as defined in s. 794.011; the crime of lewd, lascivious, or indecent assault upon or in the presence of a child, as defined in s. 800.04; or the crime of child abuse, the crime of aggravated child abuse, or crimes involving sexual performance by a child, as specified in chapter 827, contained in any court record, including testimony from witnesses, is confidential and may not be made public or a part of the public record when the trial court having jurisdiction over the offense finds that:

Amendment 3—On page 4, strike all of lines 10-20 and insert:

(5) This section does not prohibit the publication or broadcast of the substance of trial testimony in a prosecution for an offense described in subsection (1), but the publication or broadcast may not include an identifying photograph, an identifiable voice recording, or the name or address of the victim, unless the victim has consented as provided in subsection (4).

(6) A willful and knowing violation of this section, or a failure to obey any court order issued under this section, constitutes contempt of court.

On motions by Senator Wexler, by two-thirds vote **SB 496** 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—38 Nays—None

CS for SB 502—A bill to be entitled An act relating to confidentiality of communications between a domestic violence advocate and a domestic violence victim; creating s. 90.5036, F.S.; providing for confidentiality under the Florida Evidence Code of communications between a domestic violence advocate and a victim; amending s. 415.605, F.S.; requiring domestic violence centers applying for certification to file with the Department of Health and Rehabilitative Services a list of persons who provide services at the center who may claim a privilege to refuse to disclose such communications; providing an effective date.

—was read the second time by title.

Senator Myers moved the following amendments which were adopted:

Amendment 1—On page 1, strike all of lines 29 and 30 and insert: victims of domestic violence at a domestic violence center or at the state attorney's office and whose primary purpose at the center or at the office is the rendering of

Amendment 2—On page 3, strike all of lines 9-13 and insert:

Section 2. Subsection (1) of section 415.605, Florida Statutes, 1994 Supplement, is amended to read:

415.605 Domestic violence centers.—

(1) *Domestic violence centers* ~~In order to be~~ certified under ss. 415.601-415.608~~, each domestic violence center~~ must:

(a) Provide a facility which will serve as a center to receive and house persons who are victims of domestic violence. For the purpose of ss. 415.601-415.608, minor children and other dependents of a victim, when such dependents are partly or wholly dependent on the victim for support or services, may be sheltered with the victim in a domestic violence center.

(b) Receive the annual written endorsement of local law enforcement agencies.

(c) Provide minimum services which include, but are not limited to, information and referral services, counseling and case management services, temporary emergency shelter for more than 24 hours, a 24-hour hotline, training for law enforcement personnel, assessment and appropriate referral of resident children, and educational services for community awareness relative to the incidence of domestic violence, the prevention of such violence, and the care, treatment, and rehabilitation for persons engaged in or subject to domestic violence.

(d) Participate in the provision of orientation and training programs developed for law enforcement officers, social workers, and other professionals and paraprofessionals who work with domestic violence victims to better enable such persons to deal effectively with incidents of domestic violence.

(e) Establish and maintain a board of directors composed of at least three citizens, one of whom must be a member of a local, municipal, or county law enforcement agency.

(f) Comply with rules adopted pursuant to ss. 415.601-415.608.

On motions by Senator Myers, by two-thirds vote **CS for SB 502** 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—38 Nays—None

SB 2094—A bill to be entitled An act relating to indigents; amending s. 57.081, F.S.; requiring an indigent seeking a waiver of prepayment of costs to any judge, clerk, or sheriff to include in an affidavit a statement that the applicant has not paid more than a specified amount to another in connection with the legal proceeding; providing an alternative procedure; providing an effective date.

—was read the second time by title. On motions by Senator Weinstein, by two-thirds vote **SB 2094** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37 Nays—None

On motion by Senator Crist, by two-thirds vote **HB 339** was withdrawn from the Committee on Education.

On motion by Senator Crist—

HB 339—A bill to be entitled An act relating to sanitation of schools; amending s. 232.36, F.S.; requiring each school cafeteria to post its annual sanitation certificate and its most recent sanitation inspection report; deleting obsolete language; providing an effective date.

—a companion measure, was substituted for **SB 760** and read the second time by title. On motions by Senator Crist, by two-thirds vote **HB 339** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38 Nays—None

SENATOR CHILDERS PRESIDING

SB 1826—A bill to be entitled An act relating to hazardous wastes; amending s. 376.301, F.S.; providing a definition of the term "cattle-dipping vat"; creating s. 376.306, F.S.; providing legislative findings; providing release from liability for certain property owners; amending s. 287.0595, F.S.; conforming a cross-reference; providing a retroactive effective date.

—was read the second time by title. On motions by Senator Williams, by two-thirds vote **SB 1826** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—32 Nays—5

Consideration of **SB 1724** was deferred.

SB 2386—A bill to be entitled An act relating to paperwork reduction; repealing s. 11.013, F.S.; removing the requirement for annual reports of executive branch officers; repealing s. 14.29(7)(c) and (d), F.S., relating to reports submitted to the Florida Commission on Community Services; repealing s. 15.14, F.S.; removing requirements relating to the annual report by the Secretary of State; amending s. 27.151, F.S.; removing the requirement that the Governor report to the Legislature certain information relating to state attorneys; amending s. 27.251, F.S.; removing the requirement that state attorneys report to the Legislature certain information relating to personnel investigating organized crime; amending s. 27.345, F.S.; removing the requirement that the Governor distribute to the Legislature information relating to the amount deposited into each State Attorney RICO Trust Fund; repealing s. 57.111(7), F.S.; repealing a requirement that agencies report to the Legislature the amount spent for attorney's fees and costs pursuant to the Florida Equal Access to Justice Act; repealing s. 63.301(2)(e), F.S.; removing the requirement for an annual report by the advisory council on adoption; amending s. 110.131, F.S.; removing the requirement for an annual report on other-personal-services employees; repealing s. 110.505, F.S., relating to inclusion of information relating to volunteers in each agency in an annual report; repealing ss. 159.345(2)(b), 159.475(2)(b), and 159.7055(2)(b), F.S.; removing requirements for annual reports on industrial development and research and development bond issuance; amending s. 216.091, F.S.; providing that appropriations statements shall be furnished by the Comptroller upon request; repealing s. 216.262(2), F.S.; removing the requirement for annual reports on additions and deletions in authorized positions, dual employment, and perquisites; amending s. 216.341, F.S.; correcting a reference; repealing s. 216.345(4), F.S.; removing the requirement for an annual report on membership dues by state agencies; repealing s. 218.37(1)(g), F.S.; removing the requirement for an annual report by the Division of Bond Finance; repealing s. 240.138, F.S.; removing the requirement for reporting foreign gifts received by universities and community colleges; amending s. 240.283, F.S.; removing the requirement for universities and the Board of Regents to submit additional compensation reports; amending s. 240.311, F.S.; removing the requirement for community college annual reports; amending ss. 240.331 and 240.3315, F.S., to conform; amending s. 240.335, F.S.; removing the requirement for salary discrimination reports by community colleges; amending s. 250.10, F.S.; providing that a summary of military status be submitted to the Governor upon request; amending s. 255.05, F.S.; removing the requirement for an annual report on requests for delegation of authority to waive bond requirements for construction projects; repealing s. 255.512, F.S.; removing the requirement for an annual report by the Division of Facilities Management; amending s. 286.001, F.S.; revising requirements for filing regular reports that are statutorily required or authorized; amending s. 287.056, F.S.; removing the requirement for submitting certain cost-saving information to the Auditor General; amending s. 287.133, F.S., and repealing paragraph (3)(a) thereof; removing the requirement that public entity crime statements be submitted by persons contracting with public entities; correcting references; repealing s. 288.1168(2)(i), F.S., which requires professional golf hall of fame applicants to submit such statements; amending s. 337.11, F.S.; removing the requirement for an annual report on completed combined design and construction contracts by the Department of Transportation; amending s. 339.135, F.S.; removing the requirement for submission by the department of a list of projects on which work could begin within 2 years; amending s. 370.13, F.S.; correcting a reference; repealing s. 370.141, F.S.; removing requirements for reports relating to crawfish and stone crabs by seafood dealers during the closed season, and requirements relating to inspection of stock and invoices; repealing s. 381.0034(6), F.S.; removing the requirement for an annual report on human immunodeficiency virus and acquired immune deficiency syndrome instruction; repealing s. 400.0063(2)(c), F.S.; removing the requirement for submission of an annual evaluation of the State Long-Term Care Ombudsman; amending s. 400.0075, F.S.; providing for an annual, rather than quarterly, report by the State Long-Term Care Ombudsman Council regarding complaints; repealing s. 400.0087(3)(c), F.S.; removing the requirement for an annual report on the success of the ombudsman program; amending s. 400.0089, F.S.; providing for an annual, rather than biennial, report on significant long-term care problems by the council; repealing s. 401.245(5), F.S.; removing the requirement for a report on the Emergency Medical Services Advisory Council; amending s. 402.313, F.S.; removing the requirement for an annual report on family day care homes; amending s. 409.1755, F.S.; providing for an annual summary of information to be submitted by the One Church, One Child of Florida Corporation; amending s. 409.185, F.S.; removing the requirement for a report on aid to families with dependent children payments; amending s. 493.6125, F.S.; removing the requirement for an annual report on private investigators, recovery agents, and private security officers; amending s. 790.06, F.S.; removing the requirement for an annual report on concealed weapon licenses; amending s. 943.12, F.S.; revising the means of providing information regarding Criminal Justice Standards and Training Commission meetings; amending s. 943.1757, F.S.; revising requirements for submitting reports on training needs of criminal justice executives; providing intent; providing an effective date.

—was read the second time by title.

The Committee on Governmental Reform and Oversight recommended the following amendment which was moved by Senator Harden and adopted:

Amendment 1 (with Title Amendment)—On page 25, line 19, through page 26, line 29, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 3, strike all of lines 26-29 and insert: Transportation; amending s. 370.13,

Senator Harden moved the following amendments which were adopted:

Amendment 2 (with Title Amendment)—On page 5, between lines 22 and 23, insert:

Section 4. Section 16.05, Florida Statutes, is repealed.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 10, after the first semicolon (;) insert: repealing s. 16.05, F.S.; removing the requirement for an annual report by the Attorney General on legislative and judicial activities;

Amendment 3 (with Title Amendment)—On page 8, between lines 22 and 23, insert:

Section 14. Subsection (8) of section 186.505, Florida Statutes, is amended to read:

186.505 Regional planning councils; powers and duties.—Any regional planning council created hereunder shall have the following powers:

(8) To accept and receive, in furtherance of its functions, funds, grants, and services from the Federal Government or its agencies; from departments, agencies, and instrumentalities of state, municipal, or local government; or from private or civic sources. Each regional planning council shall~~, no later than January 30 of each year,~~ render an accounting of the receipt and disbursement of all funds received by it,~~to the secretary of the Department of Community Affairs. The Secretary of Community Affairs shall consolidate all such reports and submit such consolidated report to the Legislature no later than March 1 of each year. A separate accounting of the receipt and disbursement of funds received by each regional planning council~~ pursuant to the federal Older Americans Act, ~~shall be submitted~~ to the Legislature no later than March 1 of each year.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 2, line 6, after the semicolon (;) insert: amending s. 186.505, F.S.; deleting a requirement that the Department of Community Affairs annually submit a consolidated report on the funds of regional planning councils to the Legislature;

Amendment 4 (with Title Amendment)—On page 10, line 14, through page 13, line 7, strike all of said lines and renumber subsequent sections.

And the title is amended as follows:

In title, on page 2, strike all of lines 25-28 and insert: additional compensation reports;

Amendment 5 (with Title Amendment)—On page 17, between lines 6 and 7, insert:

Section 30. Section 287.114, Florida Statutes, is repealed.

Section 31. Section 287.115, Florida Statutes, is amended to read:

287.115 Comptroller; *annual report* ~~quarterly reports~~.—The Comptroller shall submit ~~quarterly~~ to the office of the Auditor General *an annual* ~~a~~ report on those contractual service contracts disallowed by the Comptroller, which report shall include, but is not limited to, the name of the user agency, the name of the firm or individual from which the contractual service was to be acquired, a description of the contractual service, the financial terms of the contract, and the reason for rejection.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 14, after the semicolon (;) insert: repealing s. 287.114, F.S.; removing the requirement that the Auditor General make an annual performance audit of and report on the Division of Purchasing; amending s. 287.115, F.S.; providing for an annual, rather than a quarterly, report to the Auditor General from the Comptroller on contracts disallowed;

Amendment 6 (with Title Amendment)—On page 27, between lines 13 and 14, insert:

Section 36. Subsection (3) of section 380.27, Florida Statutes, is repealed.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 4, line 4, after the first semicolon (;) insert: repealing s. 380.27(3), F.S.; deleting a requirement for an annual report from the Department of Community Affairs relating to coastal areas of the state;

Amendment 7 (with Title Amendment)—On page 27, between lines 13 and 14, insert:

Section 36. Paragraph (f) of subsection (3) of section 377.703, Florida Statutes, 1994 Supplement, is amended to read:

377.703 Additional functions of the Department of Community Affairs; energy emergency contingency plan; federal and state conservation programs.—

(3) DEPARTMENT OF COMMUNITY AFFAIRS; DUTIES.—The Department of Community Affairs shall, in addition to assuming the duties and responsibilities provided by ss. 20.18 and 377.701, perform the following functions consistent with the development of a state energy policy:

(f) The department shall make *a* ~~an annual~~ report, *as requested by the Governor or the Legislature,* ~~to the Legislature, 60 days prior to each regular session,~~ reflecting its activities and making recommendations of policies for improvement of the state's response to energy supply and demand and its effect on the health, safety, and welfare of the people of Florida. The report shall include a report from the Florida Public Service Commission on electricity and natural gas and information on energy conservation programs conducted and under way in the past year and shall include recommendations for energy conservation programs for the state, including, but not limited to, the following factors:

1. Formulation of specific recommendations for improvement in the efficiency of energy utilization in governmental, residential, commercial, industrial, and transportation sectors.

2. Collection and dissemination of information relating to energy conservation.

3. Development and conduct of educational and training programs relating to energy conservation.

4. An analysis of the ways in which state agencies are seeking to implement s. 377.601(4), the state energy policy, and recommendations for better fulfilling this policy.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 4, line 4, after the first semicolon (;) insert: amending s. 377.703, F.S.; deleting a requirement for a mandatory annual report of the Department of Community Affairs and making it subject to a request by the Governor or the Legislature;

Amendment 8 (with Title Amendment)—On page 32, between lines 29 and 30, insert:

Section 46. Section 650.08, Florida Statutes, is repealed.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 5, line 3, after the first semicolon (;) insert: repealing s. 650.08, F.S.; removing a requirement for an annual report on old-age and survivors insurance for state and local government employees;

Amendment 9 (with Title Amendment)—On page 32, between lines 29 and 30, insert:

Section 46. Section 553.77, Florida Statutes, is amended to read:

553.77 Specific powers of the board.—

(1) The board shall:

(a) Adopt rules and regulations or amendments thereto in accordance with the procedures prescribed in chapter 120.

(b) Make a continual study of the operation of the State Minimum Building Codes and other laws relating to the construction of buildings, including manufactured buildings, to ascertain their effect upon the cost of building construction and determine the effectiveness of their provisions.

(c) Upon written application by a private party or a local enforcement agency, issue advisory opinions relating to new technologies, techniques, and materials which have been tested where necessary and found to meet the objectives of the State Minimum Building Codes and the Florida Manufactured Building Act of 1979.

(d) Upon written application by a private party or a local enforcement agency, issue advisory opinions relating to the interpretation, enforcement, administration, or modification by local governments of the State Minimum Building Codes and the Florida Manufactured Building Act of 1979.

(e) Make recommendations to, and provide assistance upon the request of, the Florida Commission on Human Relations regarding rules relating to handicapped accessibility.

(f) Coordinate and cooperate with the Florida Fire Code Advisory Council created under s. 633.72, for assistance and recommendations relating to firesafety code interpretations.

(2) Upon written application by a private party or a local enforcement agency, the board may also:

(a) Provide for the testing of materials, devices, and method of construction.

(b) Appoint experts, consultants, technical advisers, and advisory committees for assistance and recommendations relating to the State Minimum Building Codes.

(c) Appoint an advisory committee consisting of at least five plumbing contractors licensed to do business in this state for assistance and recommendations relating to plumbing code interpretations, if the board identifies the need for additional assistance in making decisions regarding the State Plumbing Code.

(3) With respect to the qualification program for special inspectors of threshold buildings as required by s. 553.79(5)(c), the board may prescribe initial and annual renewal fees for certification, by rule, in accordance with chapter 120.

(4)(a) Upon written application by a private party, the board shall issue a binding opinion relating to a state agency's interpretation and enforcement of the specific model code adopted by the agency to regulate building construction or relating to the conformity of new technologies, techniques, and materials to the objectives of that model code. The provisions of this paragraph shall not be construed to provide any powers to the board with respect to any decision of the State Board of Education made pursuant to the provisions of s. 235.26, to the State Fire Marshal made pursuant to the provisions of chapter 633, to the Department of Management Services made pursuant to the provisions of s. 255.25, or to any local government decision with respect to construction not subject to a state agency model code.

(b) Upon written applications by private parties or the enforcement agency, the board may issue binding opinions relating to the interpretation of ss. 553.71(7) and 553.79(5)(a) and (c), (6)(a), (b), (d), and (e), and (7)(a) and (c).

(c) Each opinion issued pursuant to this section shall be rendered in the same manner provided in s. 120.565, relating to declaratory statements.

~~(5) By September 1 of each year, the Board of Building Codes and Standards shall provide the department a report on:~~

~~(a) Obstacles encountered by the board in implementing the board's statutorily mandated responsibilities;~~

~~(b) Issues within or related to the board's jurisdiction which the board feels its present authority or resources are insufficient to appropriately address;~~

~~(c) Proposed legislation addressing such obstacles or issues, if appropriate;~~

~~(d) Proposed items for possible inclusion in the department's legislative budget request addressing such issues and board proposals for actions to be taken by the department or any other agency addressing such issues, if appropriate.~~

~~The board's report and the department's response to each of their proposals shall be included by the department in the annual report required by s. 420.6075(2). The board's report in its entirety shall be made available to interested parties.~~

(5)~~(6)~~ The board may designate a board member with demonstrated expertise in interpreting building plans to attend each meeting of the advisory council created in s. 553.512. The board member may vary from meeting to meeting, shall serve on the council in a nonvoting capacity, and shall receive per diem and expenses as provided in s. 553.74(3).

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 5, line 3, after the first semicolon (;) insert: amending s. 553.77, F.S.; deleting a requirement that the Board of Building Codes and Standards submit a report annually to the Department of Community Affairs;

Senator Dyer moved the following amendments which were adopted:

Amendment 10—In title, on page 1, strike line 2 and insert: An act relating to government operations;

Amendment 11 (with Title Amendment)—On page 14, line 3, through page 15, line 24, strike all of said lines and insert:

Section 26. Paragraph (a) of subsection (1) and subsection (2) of section 255.05, Florida Statutes, 1994 Supplement, are amended to read:

255.05 Bond of contractor constructing public buildings; form; action by materialmen.—

(1)(a) Any person entering into a formal contract with the state or any county, city, or political subdivision thereof, or other public authority, for the construction of a public building, for the prosecution and completion of a public work, or for repairs upon a public building or public work shall be required, before commencing the work, to execute, deliver to the public owner, and record in the public records of the county where the improvement is located, a payment and performance bond with a surety insurer authorized to do business in this state as surety. The bond must state the name and principal business address of both the principal and the surety and must contain a description of the project sufficient to identify it. Such bond shall be conditioned that the contractor perform the contract in the time and manner prescribed in the contract and promptly make payments to all persons defined in s. 713.01 whose claims derive directly or indirectly from the prosecution of the work provided for in the contract. Any claimant may apply to the governmental entity having charge of the work for copies of the contract and bond and shall thereupon be furnished with a certified copy of the contract and bond. The claimant shall have a right of action against the contractor and surety for the amount due him. Such action shall not involve the public authority in any expense. When such work is done for the state and the contract is for $100,000 or less, no payment and performance bond shall be required. At the discretion of the official or board awarding such contract when such work is done for any county, city, political subdivision, or public authority, any person entering into such a contract which is for $200,000 or less may be exempted from executing the payment and performance bond. When such work is done for the state, the director of the Department of Management Services may delegate to state agencies the authority to exempt any person entering into such a contract amounting to more than $100,000 but less than $200,000 from executing the payment and performance bond. In the event such exemption is granted, the officer or officials shall not be personally liable to persons suffering loss because of granting such exemption. The Department of Management Services shall *maintain information on* ~~compile an annual report that lists~~ the number of requests by state agencies for delegation of authority to waive the bond requirements by agency and project number and ~~states~~ whether any request for delegation was denied and the justification for the denial. ~~The report shall be submitted no later than February 1 to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Majority and Minority Leaders of the Senate and the House of Representatives, and the Commission on Minority Economic and Business Development.~~

(2) A claimant, except a laborer, who is not in privity with the contractor ~~and who has not received payment for his labor, materials, or supplies~~ shall, within 45 days after beginning to furnish labor, materials, or supplies for the prosecution of the work, furnish the contractor with a notice that he intends to look to the bond for protection. A claimant who is not in privity with the contractor and who has not received payment for his labor, materials, or supplies shall, within 90 days after performance of the labor or after complete delivery of the materials or supplies or, with respect to rental equipment, within 90 days after the date that

the rental equipment was last on the job site available for use, deliver to the contractor and to the surety written notice of the performance of the labor or delivery of the materials or supplies and of the nonpayment. No action for the labor, materials, or supplies may be instituted against the contractor or the surety unless both notices have been given. No action shall be instituted against the contractor or the surety on the payment bond or the payment provisions of a combined payment and performance bond after 1 year from the performance of the labor or completion of delivery of the materials or supplies. A claimant may not waive in advance his right to bring an action under the bond against the surety. In any action brought to enforce a claim against a payment bond under this section, the prevailing party is entitled to recover a reasonable fee for the services of his attorney for trial and appeal or for arbitration, in an amount to be determined by the court, which fee must be taxed as part of his costs, as allowed in equitable actions.

Section 27. Section 255.0525, Florida Statutes, is created to read:

255.0525 Advertising for competitive bids or proposals.—

(1) The solicitation of competitive bids or proposals for any state construction project that is projected to cost more than $200,000 shall be publicly advertised once in the Florida Administrative Weekly at least 21 days prior to the established bid opening. For state construction projects that are projected to cost more than $500,000, the advertisement shall be published in the Florida Administrative Weekly at least 30 days prior to the established bid opening and at least once in a newspaper of general circulation in the county where the project is located at least 30 days prior to the established bid opening. The bids or proposals shall be received and opened publicly at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the Secretary of Management Services may alter the procedures required in this section in any manner that is reasonable under the emergency circumstances.

(2) The solicitation of competitive bids or proposals for any county, municipality, or other political subdivision construction project that is projected to cost more than $200,000 shall be publicly advertised at least once in a newspaper of general circulation in the county where the project is located at least 21 days prior to the established bid opening. The solicitation of competitive bids or proposals for any county, municipality, or other political subdivision construction project that is projected to cost more than $500,000 shall be publicly advertised at least once in a newspaper of general circulation in the county where the project is located at least 30 days prior to the established bid opening. Bids or proposals shall be received and opened at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the procedures required in this section may be altered by the local governmental entity in any manner that is reasonable under the emergency circumstances.

(3) A construction project may not be divided into more than one project for the purpose of evading the requirements in this section.

(4) As used in this section, the term "emergency" means a sudden unexpected turn of events that causes:

(a) An immediate danger to the public health or safety;

(b) An immediate danger of loss of public or private property; or

(c) An interruption in the delivery of an essential governmental service.

Section 28. Section 180.24, Florida Statutes, is amended to read:

180.24 Contracts for construction; bond; publication of notice; bids.—

(1) Any municipality desiring the accomplishment of any or all of the purposes of this chapter may make contracts for the construction of any of the utilities mentioned in this chapter, or any extension or extensions to any previously constructed utility, which said contracts shall be in writing, and the contractor shall be required to give bond, which said bond shall be executed by a surety company authorized to do business in the state; provided, however, construction contracts in excess of *$25,000* ~~$2,000~~ shall be advertised by the publication of a notice in a newspaper of general circulation in the county in which said municipality is located at least once each week for 2 consecutive weeks, or by posting three notices in three conspicuous places in said municipality, one of which shall be on the door of the city hall; and that at least 10 days shall elapse between the date of the first publication or posting of such notice and the date of receiving bids and the execution of such contract documents. *For municipal construction projects identified in s. 255.0525, the notice provision of that section supersedes and replaces the notice provisions in this section.*

(2) All contracts for the purchase, lease or renting of materials or equipment to be used in the accomplishment of any or all of the purposes of this chapter by the municipality, shall be in writing; provided, however, that where said contract for the purchase, lease or renting of such materials or equipment is in excess of *$10,000* ~~$2,000~~, notice or advertisement for bids on the same shall be published in accordance with the provisions of subsection (1).

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 3, line 6, following the semicolon (;) insert: revising provisions with respect to a claimant against the bond of a contractor constructing public buildings; authorizing a materialman to assign his rights against the bond under certain circumstances; creating s. 255.0525, F.S.; requiring that the solicitation of bids or proposals for certain construction projects be advertised; prohibiting the division of projects to avoid advertising requirements; amending s. 180.24, F.S.; requiring the advertising of certain municipal contracts; requiring advertising of certain contracts by a municipality for the purchase or lease of certain materials or equipment;

On motions by Senator Harden, by two-thirds vote **SB 2386** 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

SB 1724—A bill to be entitled An act relating to retail installment credit; amending s. 520.35, F.S.; revising the delinquency charges on revolving charge accounts; amending s. 817.646, F.S.; providing for businesses to maintain certain credit card information about their customers; providing an effective date.

—was read the second time by title.

Senator Childers offered the following amendment which was moved by Senator McKay and adopted:

Amendment 1 (with Title Amendment)—On page 2, between lines 6 and 7, insert:

Section 2. Subsection (10) is added to section 520.07, Florida Statutes, to read:

520.07 Requirements and prohibitions as to retail installment contracts.—

(10) A retail installment contract may provide that if a buyer rejects or revokes acceptance of the motor vehicle and asserts a security interest in the motor vehicle based on the ground of rightful rejection or justifiable revocation, the buyer must take one of the following actions:

(a) Post a bond in the amount of the disputed balance; or

(b) Deposit all accrued, and thereafter accruing, installment payments into the registry of a court of competent jurisdiction.

The cost of a bond posted under this subsection is awardable to the buyer in the proceedings. When the provisions of chapter 681 apply, this subsection shall not apply.

(Renumber subsequent sections.)

And the title is amended as follows:

In title, on page 1, line 5, after the first semicolon (;) insert: amending s. 520.07, F.S.; allowing retail installment contracts to require a buyer to post a bond or deposit installment payments in a court registry if he rejects or revokes acceptance of a motor vehicle under certain circumstances;

On motions by Senator McKay, by two-thirds vote **SB 1724** 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—None

SB 948—A bill to be entitled An act relating to electrolysis; amending s. 478.44, F.S.; adding two consumer members to the Electrolysis Council and providing for the Director of Health Care Administration to appoint the council members; prescribing the qualifications of members and for their terms of office; providing for the calling of meetings of the council; providing an effective date.

—was read the second time by title.

Senator Kurth moved the following amendment:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Section 478.44, Florida Statutes, is amended to read:

478.44 Electrolysis Council; creation; function; powers and duties.—

(1) There is created the Electrolysis Council under the supervision of the board.

(2)(a) The council shall consist of *five* ~~three~~ members, appointed by the *board. Three members must be* ~~board, who are~~ licensed electrologists *who have been* actively engaged in the delivery of electrolysis services in this state for at least 4 consecutive years prior to their appointment~~,~~ and who are not affiliated with an electrolysis school or manufacturer or supplier of electrolysis equipment or supplies. *Two consumer members must be residents of this state who have never been licensed electrologists, have no financial interest in the practice of electrology, and are not affiliated with an electrolysis school or a manufacturer or supplier of electrolysis equipment or supplies.*

(b) Initial council members *who are licensed electrologists must* ~~shall~~ be eligible for licensure at the time of their appointment ~~and shall be licensed by October 1, 1993, to remain on the council~~. *Electrologist* members appointed after October 1, 1996, *must* ~~shall~~ have been licensed in this state for at least 3 years prior to their appointment.

(3)(a) The term of office for each council member *is* ~~shall be~~ 4 years. *A* ~~No~~ member *may not* ~~shall~~ serve more than 2 consecutive terms. *When* ~~Anytime there is~~ a vacancy *occurs* ~~to be filled~~ on the council, any licensed electrologist may recommend one person to fill the vacancy, and any professional organization dealing with electrolysis, incorporated within the state as not for profit, which registers its interest with the board shall recommend at least twice as many persons to fill the vacancy as the number of vacancies to be filled, and the board, in its discretion, may appoint from the submitted names any of those persons so recommended. The board shall, *when* ~~insofar as~~ possible, appoint persons from different geographic areas.

(b) In order to achieve staggering of terms, by December 1, *1995* ~~1992~~, the board shall appoint the *consumer* members of the council as follows:

1. One member shall be appointed for a term of 2 years.

2. One member shall be appointed for a term of 3 years.

~~3. One member shall be appointed for a term of 4 years.~~

(4)(a) The council shall annually elect from among its members a chairman and vice chairman.

(b) The council shall meet at least twice a year and shall hold such additional meetings as are *considered* ~~deemed~~ necessary by the board. *Three* ~~Two~~ members of the council constitute a quorum.

(c) Unless otherwise provided by law, a council member shall be compensated $50 for each day the member attends an official meeting of the council *or* ~~and for each day the member~~ participates in official council business. A council member *is* ~~shall~~ also ~~be~~ entitled to reimbursement for expenses pursuant to s. 112.061. Travel out of state *requires* ~~shall require~~ the prior approval of the *Director* ~~secretary~~ of *Health Care Administration* ~~the department~~.

Section 2. There is hereby appropriated to the Agency for Health Care Administration $4,000 from the Health Care Trust Fund for the expenses necessary to fund this act.

Section 3. This act shall take effect July 1, 1995.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to electrolysis; amending s. 478.44, F.S.; adding two consumer members to the Electrolysis Council; prescribing the qualifications of members and for their terms of office; providing for the calling of meetings of the council; providing an appropriation; providing an effective date.

Senator Bankhead moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A—On page 3, between lines 10 and 11, insert:

Section 2. Paragraph (f) of subsection (1) of section 478.45, Florida Statutes, is amended to read:

478.45 Requirements for licensure.—

(1) An applicant applying for licensure as an electrologist shall file a written application, accompanied by the application for licensure fee prescribed in s. 478.55, on a form provided by the board, showing to the satisfaction of the board that the applicant:

(f)1. Has successfully completed the academic requirements of an electrolysis training program, not to exceed 120 hours, and the practical application thereof as approved by the board; or

2. Was engaged in the practice of electrology prior to October 1, 1991, and filed an application for licensure within 90 days *after* ~~of~~ the date established by the board or by *February 1, 1995* ~~October 1, 1993~~, whichever comes last.

(Renumber subsequent section.)

Amendment 1B—In title, on page 4, line 1, after the semicolon (;) insert: amending s. 478.45, F.S.; extending the deadline for certain applicants to file an application for licensure as an electrologist;

Amendment 1 as amended was adopted.

On motions by Senator Kurth, by two-thirds vote **SB 948** 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

SB 568—A bill to be entitled An act relating to platting; amending s. 177.071, F.S., which provides requirements for approval of plats by governing bodies; providing that any inconsistent provision in an ordinance of any charter county or consolidated government shall prevail over such requirements; providing an effective date.

—was read the second time by title.

One amendment was adopted to **SB 568** to conform the bill to **HB 773**.

Pending further consideration of **SB 568** as amended, on motion by Senator Rossin, by two-thirds vote **HB 773** was withdrawn from the Committee on Community Affairs.

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

HB 773—A bill to be entitled An act relating to platting; amending s. 177.071, F.S., which provides requirements for approval of plats by governing bodies; providing that any inconsistent provision in an ordinance of any charter county or consolidated government shall prevail over such requirements; creating s. 177.142, F.S.; providing that if a map or plat is found to have a subdivision, street, or other name which is determined to be an ethnic or racial slur, the name may be changed by the local governing body; providing an effective date.

—a companion measure, was substituted for **SB 568** and by two-thirds vote read the second time by title. On motions by Senator Rossin, by two-thirds vote **HB 773** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 514—A bill to be entitled An act relating to tangible personal property owned by local governments; amending s. 274.02, F.S.; redefining the term "property" for purposes of recordkeeping and inventory by local governmental units; providing an effective date.

—was read the second time by title.

The Committee on Community Affairs recommended the following amendment which was moved by Senator Latvala and adopted:

Amendment 1—On page 1, line 16, strike "*$1,000*" and insert: *$750*

On motions by Senator Latvala, by two-thirds vote **SB 514** 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

SB 1456—A bill to be entitled An act relating to citrus; amending s. 601.09, F.S.; transferring Pasco, Pinellas, Hillsborough, and Manatee Counties from Citrus District Two into Citrus District One; amending s. 601.091, F.S.; renaming the "interior" citrus production area as the "Florida SunRidge" citrus production area; providing an effective date.

—was read the second time by title.

One amendment was adopted to **SB 1456** to conform the bill to **HB 327**.

Pending further consideration of **SB 1456** as amended, on motion by Senator Dantzler, by two-thirds vote **HB 327** was withdrawn from the Committee on Agriculture.

On motion by Senator Dantzler, by two-thirds vote—

HB 327—A bill to be entitled An act relating to citrus; amending s. 601.09, F.S.; changing citrus district boundaries; amending s. 601.091, F.S.; renaming the "interior" production area as the "Florida SunRidge" production area; amending s. 601.04, F.S., providing legislative intent; providing an effective date.

—a companion measure, was substituted for **SB 1456** and by two-thirds vote read the second time by title. On motions by Senator Dantzler, by two-thirds vote **HB 327** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

CS for SB 872—A bill to be entitled An act relating to information resources management; requiring the Division of Purchasing of the Department of Management Services to conduct a pilot project for delegating certain purchasing authority to agencies; providing criteria; requiring a report; amending s. 287.042, F.S.; providing additional powers and duties of the division relating to procuring information technology consultant services and entering into joint purchasing agreements; amending s. 287.056, F.S.; prescribing the law applicable to purchases of information technology resources; repealing s. 287.114, F.S., which requires the Auditor General to conduct an annual performance audit of the Division of Purchasing; providing an effective date.

—was read the second time by title.

Senator Sullivan moved the following amendments which were adopted:

Amendment 1—On page 2, strike line 10 and insert: Statutes, 1994 Supplement, is amended, and subsections (16) and (17) are

Amendment 2 (with Title Amendment)—On page 4, between lines 10 and 11, insert:

(17) To evaluate contracts let by the federal government, another state, or a political subdivision for the provision of commodities and contract services, and, when it is determined to be cost effective and in the best interest of the state, to enter into a written agreement authorizing a state agency to make purchases under a contract approved by the division and let by the federal government, another state, or a political subdivision.

And the title is amended as follows:

In title, on page 1, line 12, after the semicolon (;) insert: providing for the division to evaluate contracts let by other governmental entities and authorize state agencies to make purchases under those contracts;

On motions by Senator Sullivan, by two-thirds vote **CS for SB 872** 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—None

CS for SB 796—A bill to be entitled An act relating to civil actions; repealing s. 57.011, F.S., relating to surety bonds filed by nonresident plaintiffs; providing an effective date.

—was read the second time by title. On motions by Senator Dudley, by two-thirds vote **CS for SB 796** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

On motion by Senator Harris, by two-thirds vote **CS for HB 149** was withdrawn from the Committee on Banking and Insurance.

On motion by Senator Harris—

CS for HB 149—A bill to be entitled An act relating to life insurance; creating ss. 627.4555 and 627.5045, F.S.; limiting conditions under which individual and industrial life insurance contracts may be canceled for nonpayment of premiums; requiring insurers to mail a notice of possible lapse to the owners of such insurance contracts where the policy owner or the insured are 64 years of age or older; requiring insurers to mail a secondary notice of possible lapse to a specified secondary addressee; requiring insurers to notify policy applicants and policyholders of right of secondary notice; creating s. 627.4556, F.S.; requiring that optional automatic policy loan provisions be deemed to be elected unless affirmatively not elected by an applicant for a life insurance policy; providing an effective date.

—a companion measure, was substituted for **SB 2368** and read the second time by title. On motions by Senator Harris, by two-thirds vote **CS for HB 149** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 1818—A bill to be entitled An act relating to the confidentiality of information concerning the H. Lee Moffitt Cancer Center and Research Institute and its subsidiary corporations; exempting proprietary business information from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution; exempting from s. 286.011, F.S., meetings of the governing board of the not-for-profit corporation and its subsidiaries; revising provisions relating to confidentiality of donors' identities and certain other data; providing an effective date.

—was read the second time by title.

The Committee on Higher Education recommended the following amendment which was moved by Senator Grant:

Amendment 1 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (2) of section 240.512, Florida Statutes, is amended, and subsections (8) and (9) are added to that section, to read:

240.512 H. Lee Moffitt Cancer Center and Research Institute.—There is established the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida.

(2) The Board of Regents shall provide in the agreement with the not-for-profit corporation for the following:

(d) Preparation of an annual postaudit of the not-for-profit corporation's financial accounts and the financial accounts of any subsidiaries to be conducted by an independent certified public accountant. The annual

audit report shall include management letters and shall be submitted to the Auditor General and the Board of Regents for review. The Board of Regents and the Auditor General shall have the authority to require and receive from the not-for-profit corporation and any subsidiaries or from their independent auditor any detail or supplemental data relative to the operation of the not-for-profit corporation or subsidiary. ~~The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the not-for-profit corporation and its subsidiaries, other than the auditor's report, management letters, and supplemental data requested by the Board of Regents and the Auditor General, shall be confidential and exempt from the provisions of s. 119.07(1). This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.~~

(8)(a) Records of the not-for-profit corporation and of its subsidiaries are public records unless made confidential or exempt by law.

(b) Proprietary confidential business information shall be confidential and exempt from the provisions of s. 119.07(1), and Section 24(a), Article I of the State Constitution. However, the Auditor General and Board of Regents, pursuant to their oversight and auditing functions, must be given access to all proprietary confidential business information upon request and without subpoena and must maintain the confidentiality of information so received. As used herein, the term "proprietary confidential business information" means information, regardless of its form or characteristics, which is owned or controlled by the not-for-profit corporation or its subsidiaries; is intended to be and is treated by the not-for-profit corporation or its subsidiaries as private and the disclosure of which would harm the business operations of the not-for-profit corporation or its subsidiaries; has not been intentionally disclosed by the corporation or its subsidiaries unless pursuant to law, an order of a court or administrative body, a legislative proceeding pursuant to Section 5 of Article III of the State Constitution, or a private agreement which provides that the information may be released to the public; and which is information concerning:

1. Internal auditing controls and reports of internal auditors;

2. Matters reasonably encompassed in privileged attorney-client communications;

3. Contracts for managed-care arrangements, as managed care is defined in s. 408.701, including preferred-provider-organization contracts, health-maintenance-organization contracts, and exclusive-provider-organization contracts, and any documents directly relating to the negotiation, performance, and implementation of any such contracts for managed-care arrangements;

4. Bids or other contractual data, banking records, and credit agreements the disclosure of which would impair the efforts of the not-for-profit corporation or its subsidiaries to contract for goods or services on favorable terms;

5. Information relating to private contractual data, the disclosure of which would impair the competitive interest of the provider of the information;

6. Corporate officer and employee personnel information;

7. Information that reveals plans for marketing services that the corporation or its subsidiary reasonably expects to be provided by competitors;

8. Trade secrets as defined in s. 688.002, including reimbursement methodologies or rates; or

9. The identity of donors or prospective donors, of property who wish to remain anonymous or any information identifying such donors or prospective donors and that anonymity must be maintained in the auditor's report.

The exemptions from s. 119.07(1) and Section 24(a), Article I of the State Constitution provided in this subsection are subject to the Open Government Sunset Review Act in accordance with section 119.14, Florida Statutes.

(9) Meetings of the governing board of the not-for-profit corporation at which the expenditure of dollars appropriated to the not-for-profit corporation by the state are discussed or reported shall be open to the public in accordance with s. 286.011 and s. 24(b), Article I of the State Constitution, unless made confidential or exempt by law. Other meetings of the governing board of the not-for-profit corporation and all meetings of the subsidiaries of the not-for-profit corporation shall be exempt from the provisions of s. 286.011 and s. 24(b), Article I of the State Constitution. The exemptions provided herein are subject to the Open Government Sunset Review Act in accordance with s. 119.14.

Section 2. (a) The Legislature finds that the state has made a substantial investment of public funds in the not-for-profit corporation known as the H. Lee Moffitt Cancer Center. Because of the high incidence of cancer in this state, the Legislature recognizes the need for the citizens of this state to have access to the services provided by the not-for-profit corporation or its subsidiaries and it further recognizes the need for the not-for-profit corporation to fulfill its mission in cancer research and teaching. It is also the intent of the Legislature that the not-for-profit corporation or its subsidiaries not be at a disadvantage in a competitive healthcare environment. It is further the intent of the Legislature that the not-for-profit corporation and its subsidiaries have the freedom to act in all regards as a private not-for-profit corporation.

(b) The Legislature, therefore, finds that it is a public necessity that certain records of the not-for-profit corporation or its subsidiaries which contain proprietary confidential business information regarding internal policies or operations, attorney-client communications, contracts and contract negotiation, personnel information, marketing and strategic plans, trade secrets, and donor information be held confidential and exempt from disclosure. These exemptions are necessary because these records contain information which, if disclosed, would adversely impact the not-for-profit corporation or its subsidiaries in the competitive health care environment. Disclosure of such information would place the not-for-profit corporation or its subsidiaries on an unequal footing in the marketplace as compared with private healthcare providers that are not required to disclose such confidential information. It is, likewise, a public necessity that the meetings of the governing board of the not-for-profit corporation at which the expenditure of public dollars appropriated by the Legislature are discussed or reported be open to the public. It is no less a public necessity that other meetings of the governing board of the not-for-profit corporations and all meetings of the governing boards of subsidiaries be closed in order to protect the competitive interest of the not-for-profit corporation or its subsidiaries and to guarantee the ability of the not-for-profit corporation to fulfill its cancer research and teaching mission for the benefit of the citizens of this state.

Section 3. This act shall take effect October 1, 1995.

And the title is amended as follows:

In title, strike everything before the enacting clause and insert: A bill to be entitled An act relating to the confidentiality of information concerning the H. Lee Moffitt Cancer Center and Research Institute and its subsidiary corporations; amending s. 240.512, F.S.; exempting proprietary business information from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution; exempting from s. 286.011, F.S., meetings of the governing board of the not-for-profit corporation and its subsidiaries; revising provisions relating to confidentiality of donors' identities and certain other proprietary confidential business information; providing an effective date.

Senator Grant moved the following substitute amendment which was adopted:

Amendment 2 (with Title Amendment)—Strike everything after the enacting clause and insert:

Section 1. Notwithstanding the October 1, 1995, repeal specified in section 119.14(3)(a), Florida Statutes, paragraph (d) of subsection (2) of section 240.512, Florida Statutes, is reenacted and amended, and subsections (8) and (9) are added to that section, to read:

240.512 H. Lee Moffitt Cancer Center and Research Institute.—There is established the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida.

(2) The Board of Regents shall provide in the agreement with the not-for-profit corporation for the following:

(d) Preparation of an annual postaudit of the not-for-profit corporation's financial accounts and the financial accounts of any subsidiaries to be conducted by an independent certified public accountant. The annual audit report shall include management letters and shall be submitted to the Auditor General and the Board of Regents for review. The Board of Regents and the Auditor General shall have the authority to require and

receive from the not-for-profit corporation and any subsidiaries or from their independent auditor any detail or supplemental data relative to the operation of the not-for-profit corporation or subsidiary. ~~The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All records of the not-for-profit corporation and its subsidiaries, other than the auditor's report, management letters, and supplemental data requested by the Board of Regents and the Auditor General, shall be confidential and exempt from the provisions of s. 119.07(1). This exemption is subject to the Open Government Sunset Review Act in accordance with s. 119.14.~~

(8)(a) Records of the not-for-profit corporation and of its subsidiaries are public records unless made confidential or exempt by law.

(b) Proprietary confidential business information is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution. However, the Auditor General and Board of Regents, pursuant to their oversight and auditing functions, must be given access to all proprietary confidential business information upon request and without subpoena and must maintain the confidentiality of information so received. As used in this paragraph, the term "proprietary confidential business information" means information, regardless of its form or characteristics, which is owned or controlled by the not-for-profit corporation or its subsidiaries; is intended to be and is treated by the not-for-profit corporation or its subsidiaries as private and the disclosure of which would harm the business operations of the not-for-profit corporation or its subsidiaries; has not been intentionally disclosed by the corporation or its subsidiaries unless pursuant to law, an order of a court or administrative body, a legislative proceeding pursuant to s. 5, Art. III of the State Constitution, or a private agreement that provides that the information may be released to the public; and which is information concerning:

1. Internal auditing controls and reports of internal auditors;

2. Matters reasonably encompassed in privileged attorney-client communications;

3. Contracts for managed-care arrangements, as managed care is defined in s. 408.701, including preferred-provider-organization contracts, health-maintenance-organization contracts, and exclusive-provider-organization contracts, and any documents directly relating to the negotiation, performance, and implementation of any such contracts for managed-care arrangements;

4. Bids or other contractual data, banking records, and credit agreements the disclosure of which would impair the efforts of the not-for-profit corporation or its subsidiaries to contract for goods or services on favorable terms;

5. Information relating to private contractual data, the disclosure of which would impair the competitive interest of the provider of the information;

6. Corporate officer and employee personnel information;

7. Information relating to the proceedings and records of credentialing panels and committees and of the governing board of the not-for-profit corporation or its subsidiaries relating to credentialing;

8. Minutes of meetings of the governing board of the not-for-profit corporation and its subsidiaries, except minutes of meetings open to the public pursuant to subsection (9);

9. Information that reveals plans for marketing services that the corporation or its subsidiaries reasonably expect to be provided by competitors;

10. Trade secrets as defined in s. 688.002, including reimbursement methodologies or rates; or

11. The identity of donors or prospective donors of property who wish to remain anonymous or any information identifying such donors or prospective donors. The anonymity of these donors or prospective donors must be maintained in the auditor's report.

The exemptions from s. 119.07(1) and s. 24(a), Art. I of the State Constitution provided in this subsection are subject to the Open Government Sunset Review Act in accordance with s. 119.14.

(9) Meetings of the governing board of the not-for-profit corporation and meetings of the subsidiaries of the not-for-profit corporation at which the expenditure of dollars appropriated to the not-for-profit corporation by the state are discussed or reported must remain open to the public in accordance with s. 286.011 and s. 24(b), Art. I of the State Constitution, unless made confidential or exempt by law. Other meetings of the governing board of the not-for-profit corporation and of the subsidiaries of the not-for-profit corporation are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. The exemptions provided in this subsection are subject to the Open Government Sunset Review Act in accordance with s. 119.14.

Section 2. (1) The Legislature finds that the state has made a substantial investment of public funds in the not-for-profit corporation known as the H. Lee Moffitt Cancer Center and Research Institute. Because of the high incidence of cancer in this state, the Legislature recognizes the need for the public to have access to the services provided by the not-for-profit corporation or its subsidiaries and it further recognizes the need for the not-for-profit corporation to fulfill its mission in cancer research and teaching. It is also the intent of the Legislature that the not-for-profit corporation or its subsidiaries not be at a disadvantage in a competitive health care environment. It is further the intent of the Legislature that the not-for-profit corporation and its subsidiaries have the freedom to act in all regards as a private not-for-profit corporation.

(2) The Legislature finds that it is a public necessity that certain records of the not-for-profit corporation or its subsidiaries which contain proprietary confidential business information regarding internal policies or operations, attorney-client communications, contracts and contract negotiation, personnel information, certain proceedings and records and minutes, marketing and strategic plans, trade secrets, and donor information be held confidential and exempt from disclosure. These exemptions are necessary because these records contain information that, if disclosed, would adversely impact the not-for-profit corporation or its subsidiaries in the competitive health care environment. Disclosure of such information would place the not-for-profit corporation or its subsidiaries on an unequal footing in the marketplace as compared with private health care providers that are not required to disclose such confidential information. It is, likewise, a public necessity that the meetings of the governing board of the not-for-profit corporation and its subsidiaries at which the expenditure of public dollars appropriated by the Legislature is discussed or reported be open to the public. It is no less a public necessity that other meetings of the governing board of the not-for-profit corporation and of the governing boards of subsidiaries be closed in order to protect the competitive interest of the not-for-profit corporation or its subsidiaries and to guarantee the ability of the not-for-profit corporation to fulfill its cancer research and teaching mission for the benefit of the public.

Section 3. This act shall take effect October 1, 1995.

And the title is amended as follows:

Strike everything above the enacting clause and insert: A bill to be entitled An act relating to the confidentiality of information relating to the not-for-profit corporation which governs and operates the H. Lee Moffitt Cancer Center and Research Institute and information relating to its subsidiaries; amending s. 240.512, F.S., which provides an exemption from public records requirements for certain records of the corporation and its subsidiaries and the identity of certain donors; revising the exemption and saving it from repeal; exempting proprietary business information from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution; exempting from s. 286.011, F.S., and from s. 24(b), Art. I of the State Constitution, meetings of the governing board of the not-for-profit corporation and its subsidiaries; revising provisions relating to confidentiality of donors' identities and certain other proprietary confidential business information; providing intent and findings of public necessity; providing for future review and repeal; providing an effective date.

On motions by Senator Grant, by two-thirds vote **SB 1818** 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

Consideration of **CS for SB 1914, CS for SB 2452, CS for CS for SB 18** and **CS for SB 2330** was deferred.

SB 90—A bill to be entitled An act relating to the expulsion of public school students; amending s. 228.041, F.S.; prescribing the period of expulsion; amending s. 230.33, F. S., authorizing school superintendents to extend a pupil's suspension; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendments which were moved by Senator Turner and adopted:

Amendment 1—On page 2, lines 25 and 26, strike "beyond 10 school days" and insert: ~~beyond 10 school days~~

Amendment 2—On page 2, line 28, after the period (.) insert: *However, a student with a disability must continue to receive educational services during the period of suspension or expulsion.*

On motions by Senator Turner, by two-thirds vote **SB 90** 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

On motion by Senator Kurth, by two-thirds vote **CS for HB 103** was withdrawn from the Committees on Criminal Justice and Judiciary.

On motion by Senator Kurth—

CS for HB 103—A bill to be entitled An act relating to service of witness subpoenas; amending s. 48.031, F.S.; prescribing method of service in certain criminal cases; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 18** and read the second time by title. On motions by Senator Kurth, by two-thirds vote **CS for HB 103** 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 114—A bill to be entitled An act relating to capital felonies; amending s. 921.141, F.S.; providing an aggravating circumstance for capital-felony sentencing when the felon was on probation at the time of the crime; providing an aggravating circumstance for capital-felony sentencing when the capital felon has committed or attempted to commit aggravated child abuse, or when the victim of the capital felony is under 12 years old; providing an aggravating circumstance for capital-felony sentencing when the victim of the capital felony is vulnerable due to old age or infirmity or because the defendant stands in a position of familial or custodial authority; providing an aggravating circumstance for capital-felony sentencing when the victim of a capital felony is the defendant's spouse or former spouse; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means recommended the following amendment which was moved by Senator Horne and adopted:

Amendment 1 (with Title Amendment)—On page 4, line 6, through page 5, line 19, strike all of said lines and insert: sentence of imprisonment or placed on community control.

(b) The defendant was previously convicted of another capital felony or of a felony involving the use or threat of violence to the person.

(c) The defendant knowingly created a great risk of death to many persons.

(d) The capital felony was committed while the defendant was engaged, or was an accomplice, in the commission of, or an attempt to commit, or flight after committing or attempting to commit, any robbery, sexual battery, *aggravated child abuse,* arson, burglary, kidnapping, or aircraft piracy or the unlawful throwing, placing, or discharging of a destructive device or bomb.

(e) The capital felony was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(f) The capital felony was committed for pecuniary gain.

(g) The capital felony was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws.

(h) The capital felony was especially heinous, atrocious, or cruel.

(i) The capital felony was a homicide and was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification.

(j) The victim of the capital felony was a law enforcement officer engaged in the performance of his official duties.

(k) The victim of the capital felony was an elected or appointed public official engaged in the performance of his official duties if the motive for the capital felony was related, in whole or in part, to the victim's official capacity.

(l) The victim of the capital felony was a person less than 12 years of age.

And the title is amended as follows:

In title, on page 1, strike all of lines 3-19 and insert: s. 921.141, F.S.; providing an aggravating circumstance for capital-felony sentencing when the capital felon has committed or attempted to commit aggravated child abuse, or when the victim of the capital felony is under a specified age; providing an effective date.

On motions by Senator Horne, by two-thirds vote **CS for SB 114** 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—None

CS for SB 2330—A bill to be entitled An act relating to postsecondary education; requiring each university to identify and limit the number of required courses; authorizing an exception; requiring the acceptance of credits from a community college under certain conditions; requiring the Articulation Coordinating Committee to undertake certain studies and make recommendations; requiring amendments to the common course designation and numbering system based upon the recommendations; requiring the appointment of a committee to develop a list of courses and course substitutions; requiring the establishment of prerequisites for admission to degree programs; amending s. 240.115, F.S.; specifying the number of hours of general education needed for admission to the upper division of a state university; providing for the articulation agreement to limit requirements for core curricula at community colleges and state universities; providing conditions for the award of an associate in arts degree or a baccalaureate degree; amending s. 240.1162, F.S.; adding certain considerations to the State Board of Education's process of articulation accountability; amending s. 240.233, F.S.; providing an exemption for certain students to the foreign language admissions requirement of state universities; amending s. 240.2333, F.S.; authorizing the articulation coordinating committee to specify alternative means for certain students to demonstrate foreign language proficiency; providing for student ombudsman offices at universities; directing universities to adopt a procedure; providing for student ombudsman offices at community colleges; directing community colleges to adopt a procedure; establishing guidelines; amending s. 240.2099, F.S.; specifying characteristics to be included in the computer-assisted student advising network; requiring the State University System and the community college system to establish a committee to oversee the development and maintenance of a student advising system; prescribing characteristics of the system; amending s. 240.325, F.S.; requiring a community college student who requires remediation to complete college remedial preparatory coursework before other coursework; requiring the State Board of Education to adopt rules for courses required for a student to earn an associate in arts degree; limiting the number of general education credit hours a community college may require; requiring an accountability system for the State University System; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment:

Amendment 1—On page 9, line 7, strike "*August 1, 1995*" and insert: *the date specified in section 12*

On motion by Senator Kirkpatrick, further consideration of **CS for SB 2330** with pending **Amendment 1** was deferred.

On motion by Senator Sullivan, by unanimous consent—

CS for SB 884—A bill to be entitled An act relating to navigation safety; requiring the Board of Pilot Commissioners to establish a technology committee for certain purposes; requiring a report; creating the Tampa Bay Area Vessel Information Service Consortium for certain purposes; providing for membership; providing for meetings; requiring a report; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Sullivan moved the following amendments which were adopted:

Amendment 1 (with Title Amendment)—On page 1, strike all of lines 13-26

And the title is amended as follows:

In title, on page 1, strike all of lines 2-5 and insert: An act relating to navigation safety; creating the Tampa Bay Area

Amendment 2—On page 2, strike all of lines 4-6 and insert: *representatives from the maritime industry, one from the phosphate shipping industry appointed by the President of the Senate, one from the petroleum shipping industry appointed by the Speaker of the House of Representatives, and one appointed by the*

Amendment 3—In title, on page 1, line 6, following "Vessel" insert: Traffic

On motions by Senator Sullivan, by two-thirds vote **CS for SB 884** 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—34 Nays—None

THE PRESIDENT PRESIDING

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Friday, April 21, 1995: CS for SB 622, SB 1030, SB 948, SB 336, SB 520, SB 496, CS for SB 502, SB 2094, SB 760, SB 1826, SB 1724, SB 2386, SB 568, SB 514, SB 1456, CS for SB 872, CS for SB 796, SB 2368, SB 1818, CS for SB 1914, CS for SB 2452, CS for CS for SB 18, CS for SB 2330, SB 90, CS for SB 114, SB 260, SB 366, SB 438, SB 864, SB 2794, SB 1728, CS for SB 1480, SB 1054, SB 970, SB 906, CS for SB 884, SB 686, SB 498, SB 296, CS for SB 4, SB 160, CS for SB 978, SB 994, CS for SB 1038, SB 1378, SB 1568, SB 1726, SB 1802

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Health Care recommends the following pass: SB 710

The Committee on Judiciary recommends the following pass: SB 2398 with 1 amendment

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

The Committee on Judiciary recommends the following pass: SB 2912 with 1 amendment

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

The Committee on Health Care recommends the following pass: SB 252 with 1 amendment

The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1912 with 1 amendment

The Committee on Education recommends the following pass: SB 966

The Committee on Judiciary recommends the following pass: SB 2908 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Governmental Reform and Oversight under the original reference.

The Committee on Education recommends the following pass: SB 1650 with 1 amendment

The bill was referred to the Committee on Higher Education under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 976 with 1 amendment, SB 2384 with 1 amendment, SB 2678 with 1 amendment

The Special Master on Claims recommends the following pass: SB 990

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

The Committee on Judiciary recommends the following pass: CS for SJR 1406 with 1 amendment

The Committee on Ways and Means recommends the following pass: SJR 762, SB 1870

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

The Committee on Criminal Justice recommends the following pass: CS for SB 228, SB 1496 with 1 amendment, SB 1864, SB 1978 with 2 amendments

The Committee on Education recommends the following pass: SB 668 with 1 amendment, SB 1444 with 4 amendments, SB 1452 with 1 amendment, SB 1712, SB 2406 with 2 amendments, SJR 2572

The Committee on Health Care recommends the following pass: SB 68 with 1 amendment, SB 2380, SB 2626 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 564 with 1 amendment, SB 980 with 15 amendments, SB 1744 with 1 amendment, CS for SB 1808 with 11 amendments, SB 1850 with 1 amendment, SB 2078 with 2 amendments, SB 2186 with 5 amendments, CS for SB 2216 with 6 amendments, SB 2860 with 1 amendment, SB 2916 with 1 amendment

The Committee on Natural Resources recommends the following pass: SB 2742 with 1 amendment, SB 2934 with 1 amendment

The Committee on Rules and Calendar recommends the following pass: CS for SB 12, CS for SB 282

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

The Committee on Criminal Justice recommends the following pass: SB 2758

The Committee on Education recommends the following pass: SB 876

The Committee on Health Care recommends the following pass: SB 300

The Committee on Judiciary recommends the following pass: SB 1512 with 1 amendment, SB 2324 with 1 amendment

The Committee on Natural Resources recommends the following pass: SB 1016 with 1 amendment

The Committee on Rules and Calendar recommends the following pass: CS for SB 1028 with 2 amendments, SB 1334

The Committee on Ways and Means recommends the following pass: SB 188 with 1 amendment, SB 456 with 3 amendments, SB 458, SB 842, SB 878, SB 880, SB 882, SB 1830 with 1 amendment, CS for SB 1902, CS for SB 1942 with 4 amendments, CS for SB 2506 with 2 amendments

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

The Committee on Health Care recommends the following not pass: SB 1816

The Committee on Judiciary recommends the following not pass: SB 2244

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

The Committee on Health Care recommends a committee substitute for the following: Senate Bills 2670, 1986, 2298, 2638 and 926

The bills with committee substitute attached were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 2944 and 2206

The Committee on Judiciary recommends a committee substitute for the following: Senate Bills 2906 and 1950

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 2158, SB 2208

The bills with committee substitutes attached were referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 1352 and 2178

The bills with committee substitute attached were referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 2862

The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 2280

The Committee on Natural Resources recommends a committee substitute for the following: SB 2876

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 Banking and Insurance recommends committee substitutes for the following: SB 786, SB 2792

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 544, CS for SB 1866, CS for SB 2684

The Committee on Criminal Justice recommends committee substitutes for the following: SB 110, SB 1536, SB 2808

The Committee on Education recommends a committee substitute for the following: CS for SB 2180

The Committee on Health Care recommends a committee substitute for the following: Senate Bills 64 and 454

The Committee on Natural Resources recommends committee substitutes for the following: SB 798, SB 1048, SB 2620, SB 2642

The Committee on Rules and Calendar recommends committee substitutes for the following: SB 204, SB 546

The Committee on Transportation recommends a committee substitute for the following: SB 2276

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1018

The Committee on Criminal Justice recommends committee substitutes for the following: SB 102, SB 2198

The Committee on Rules and Calendar recommends a committee substitute for the following: CS for SJR 968

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

SR 3044 was introduced out of order and adopted this day.

SR 3046 was introduced out of order and adopted this day.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Health Care and Senators Forman, Kurth and Grant—

CS for SB's 64 and 454—A bill to be entitled An act relating to health insurance; creating s. 627.6045, F.S.; providing certain limitations for a preexisting condition provision included in a health insurance policy; creating s. 627.6691, F.S.; providing a short title; providing purpose and intent; providing for applicability; providing definitions; requiring that certain group health benefit plans provide for continuation of coverage under certain circumstances; providing requirements for minimum coverage; providing requirements for the beneficiary and the carrier upon the occurrence of a qualifying event giving rise to the potential election of continuation of coverage; providing that a carrier may contract with an administrator certified under part VII of ch. 626, F.S.; requiring a carrier to include in policies, contracts, certificates, and plan booklets notice of a beneficiary's right to continue coverage; providing an effective date.

By the Committee on Criminal Justice and Senators Rossin and Wexler—

CS for SB 102—A bill to be entitled An act relating to victims of crimes; amending s. 960.001, F.S.; providing for obtaining information for

notifying the victim or appropriate next of kin of a victim of a specified crime prior to the release of the defendant; requiring the chief administrator, or designee, of a county jail, municipal jail, juvenile detention facility, or involuntary commitment facility to notify certain victims or appropriate next of kin of certain victims of the release on bail of the defendant; providing for notification of the victim or appropriate next of kin of the victim if the defendant or offender is released from custody in a jurisdiction other than the jurisdiction in which the warrant was issued; requiring the chief administrator, or designee, of a county jail, municipal jail, juvenile detention facility, or involuntary detention facility to notify certain victims or appropriate next of kin of certain victims of the release of the offender from incarceration; providing immunity from liability based on a good-faith reasonable attempt to comply with timely victim notification; defining the term "chief administrator"; providing an effective date.

By the Committee on Criminal Justice and Senators Meadows, Latvala and Johnson—

CS for SB 110—A bill to be entitled An act relating to weapons and firearms offenses; amending s. 790.115, F.S.; prohibiting the possession or discharge of a weapon or firearm on an educational plant; providing that a person may carry a firearm in a case to a postsecondary school having a firearms-training range; providing for penalties; providing exemptions for nonpublic or private schools and for law enforcement officers; providing an effective date.

By the Committee on Rules and Calendar; and Senators Sullivan, Grant, Forman, Williams, Myers and Kirkpatrick—

CS for SB 204—A bill to be entitled An act relating to university-health-services support organizations; authorizing the establishment of such organizations; providing requirements for their organizational structure; providing for the adoption of rules; providing for a governing board; requiring a postaudit; providing for compliance with public records and public meeting requirements, providing an effective date.

By the Committees on Community Affairs and Education and Senators Johnson, Turner, Meadows, Latvala, Holzendorf and Sullivan—

CS for CS for SB 544—A bill to be entitled An act relating to educational facilities; amending s. 235.002, F.S.; revising legislative intent with respect to the Educational Facilities Act; amending s. 235.19, F.S.; revising requirements for a school board in planning and selecting sites for educational facilities; amending s. 235.193, F.S.; revising requirements for coordinating planning between school boards and local governing bodies; revising requirements for a school board in providing notice to the local governing body of a proposed acquisition or lease of educational facilities; providing development standards with respect to the expansion of a school site; creating s. 235.194, F.S.; requiring school boards to submit a general educational facilities report and an educational plan survey to local governments within the school district; amending s. 235.26, F.S.; requiring the state Board of Education to propose amendments to the requirements for public shelters in the Uniform Building Code; exempting educational facilities in specified evacuation zones from requirements for public shelters; requiring the Department of Community Affairs to prepare a statewide emergency shelter plan; requiring the Advisory Council on Intergovernmental Relations to review certain exemptions from building codes, permits, and fees provided for the construction of educational facilities; amending s. 235.34, F.S.; authorizing a school board to expend funds for certain additional infrastructure; requiring a local government to assure that a board is reimbursed for infrastructure costs incurred by the board beyond its proportionate share; amending s. 163.3174, F.S.; requiring local planning agencies to involve district and community college school boards in local planning; amending s. 163.3177, F.S.; requiring that the future land use element of a comprehensive plan include public schools as an allowable use by a specified date; reviving and readopting ss. 235.002, 235.19, 235.193, 235.26, 235.34, F.S., as amended, notwithstanding the repeal scheduled in ch. 85-116 and 86-1, Laws of Florida; amending s. 163.3180, F.S.; providing requirements for a local government that extends the concurrency requirement to public schools; providing an effective date.

By the Committee on Rules and Calendar; and Senators Johnson, Turner, Holzendorf, Meadows, Kirkpatrick and Latvala—

CS for SB 546—A bill to be entitled An act relating to education; authorizing a special exemption from statutes for school districts and developmental research schools; providing purpose and criteria necessary for approval of exemptions; providing requirements for application; providing for waiver of related rules; requiring an annual report; providing an effective date.

By the Committee on Banking and Insurance; and Senator Burt—

CS for SB 786—A bill to be entitled An act relating to dental insurance; amending s. 627.6577, F.S.; providing for freedom of choice for dental patients; providing limitations; providing application; providing an effective date.

By the Committee on Natural Resources and Senators Thomas, Kirkpatrick, Williams and Horne—

CS for SB 798—A bill to be entitled An act relating to mining; creating s. 378.901, F.S.; providing for issuing a life-of-the-mine permit as an alternative to certain other permits; providing procedures for application and issuance of such permit; providing criteria; authorizing the Department of Environmental Protection to adopt certain rules; prohibiting the department from adopting certain rules; providing for a fee for such permits; providing for duration of such permits; providing for renewal; requiring the department to coordinate certain other permit applications with a life-of-the-mine permit application; amending s. 373.406, F.S.; exempting life-of-the-mine permitholders from certain surface water permit requirements; amending s. 403.809, F.S.; prohibiting the Secretary of Environmental Regulation from delegating authority to issue life-of-the-mine permits; amending s. 378.403, F.S.; providing a definition; amending s. 378.601, F.S.; authorizing the Department of Environmental Protection to require an annual report from certain operators; providing an effective date.

By the Committees on Rules and Calendar; Judiciary; and Senators Williams, Kirkpatrick, Casas, Thomas, Johnson, Harden, Horne, McKay, Sullivan, Bronson, Brown-Waite, Dudley and Grant—

CS for CS for SJR 968—A joint resolution proposing an amendment to Section 6 of Article X of the State Constitution, relating to eminent domain.

By the Committee on Banking and Insurance; and Senator Holzendorf—

CS for SB 1018—A bill to be entitled An act relating to psychotherapeutic services; amending ss. 627 6471 and 627.6472, F.S.; requiring insurers to provide eligibility criteria for providers of psychotherapeutic services under certain circumstances; providing an effective date.

By the Committee on Natural Resources and Senator Dyer—

CS for SB 1048—A bill to be entitled An act relating to the Little Wekiva River and Seminole and Orange Counties; providing legislative policy; providing for duties and responsibilities of Seminole County and Orange County; providing for intergovernmental coordination; providing for reports; providing for funding; providing an appropriation; providing for future repeal; providing an effective date.

By the Committee on Criminal Justice and Senators Ostalkiewicz, Silver and Jones—

CS for SB's 1352 and 2178—A bill to be entitled An act relating to contraband forfeiture; amending s. 932.701, F.S.; redefining the term "contraband article" for purposes of the Florida Contraband Forfeiture Act to include certain articles, whether or not used for a specific narcotics transaction; amending s. 932.702, F.S.; prohibiting the possession of any

contraband article; amending s. 932.703, F.S.; providing procedures for requesting a preliminary hearing following a seizure of property; providing for a bond or other security to be posted by the claimant; requiring that the seizing agency rather than the owner, lienholder, coowner, or lessor establish knowledge of the illicit use of the seized property; providing an affirmative defense; amending s. 932.704, F.S.; providing a policy against unreasonable searches and seizures; providing for a circuit judge in the civil division to preside over forfeiture cases; providing an additional requirement for settlement agreements; providing for attorney's fees and expenses; requiring the Department of Law Enforcement to develop guidelines and training procedures; providing for the review of seizures of property by law enforcement agencies; amending s. 932.7055, F.S.; limiting the use of proceeds from the sale of seized property by a law enforcement agency; providing for the deposit and use of proceeds received by the Department of Military Affairs from forfeited property under federal forfeiture sharing provisions; amending s. 932.706, F.S.; requiring the Criminal Justice Standards and Training Commission to provide continuing education on the seizure and forfeiture of property; providing an effective date.

By the Committee on Criminal Justice and Senator Meadows—

CS for SB 1536—A bill to be entitled An act relating to offenses against children; creating s. 787.025, F.S.; prohibiting certain previously convicted offenders from intentionally luring or enticing, or attempting to lure or entice, a child under age 12 into a structure, dwelling, or conveyance for other than a lawful purpose; providing criminal penalties therefor; providing affirmative defenses; providing an effective date.

By the Committees on Community Affairs and Natural Resources and Senators Latvala, Myers, Williams, Bronson and McKay—

CS for CS for SB 1866—A bill to be entitled An act relating to mangrove preservation; creating ss. 403.9321-403.9332, F.S., and amending and renumbering s. 403.938, F.S.; creating the "Mangrove Preservation Act"; providing legislative findings; providing legislative intent; providing for delegation of mangrove protection to local governments; providing definitions; providing exemptions from permitting requirements; providing for general permits; requiring a permit for alteration of mangroves; providing for standards and procedures for issuance of permits; providing for professional mangrove trimmers; providing applicability of the act; providing for rules and enforcement; providing for mitigation and policies; providing applicable penalties; providing for variances; repealing ss. 403.93, 403.931, 403.9311, 403.932, 403.933, 403.935, 403.936, F.S., relating to permit procedures for alteration of mangroves, and restoration of unlawfully altered mangroves; providing an effective date.

By the Committee on Criminal Justice and Senator Kurth—

CS for SB 2158—A bill to be entitled An act relating to juvenile sexual offenders; amending s. 39.01, F.S.; defining "juvenile sexual offender" and "juvenile sexual abuse"; amending s. 39.044, F.S.; providing procedures when a juvenile sexual offender is placed in detention; requiring detention staff to notify law enforcement and school personnel of a juvenile sexual offender's release or transfer; amending s. 39.052, F.S.; allowing the court, subject to specific appropriation, to determine juvenile sexual offender placement and order an examination to determine the offender's amenability to community-based treatment; allowing the court to place a sexual offender in community-based treatment at an adjudicatory hearing; providing procedures for a multidisciplinary assessment, including assessment by a certified psychologist, therapist, or psychiatrist; providing for reports; providing court authority to review or revoke treatment; amending s. 39.054, F.S.; authorizing the court, subject to specific appropriation, to commit a juvenile sexual offender to the Department of Juvenile Justice for placement in specified programs; amending s. 39.067, F.S.; requiring outpatient sexual offender counseling, subject to specific appropriation, as a component of aftercare services for a juvenile sexual offender furloughed from a commitment program; creating s. 39.0571, F.S.; creating juvenile sexual offender commitment programs; requiring the Department of Juvenile Justice to establish procedures and protocols with certain agencies; providing contracting authority; requiring quality assurance and certain outcome evaluation efforts; providing rulemaking authority; amending s. 415.50165, F.S.; defining "alleged juvenile sexual offender," "juvenile sexual abuse," and "victim"; creating s. 415.50171, F.S.; requiring a family services response system approach to reports of child-on-child sexual abuse by the Department of Health and Rehabilitative Services; providing procedures; requiring certain services to be provided to the victim of juvenile sexual abuse, the alleged juvenile sexual offender, and their caregivers; requiring classification of reports by the department; providing rulemaking authority; amending s. 415.504, F.S.; requiring mandatory reporting and acceptance of juvenile sexual abuse reports by the Department of Health and Rehabilitative Services; providing procedures; requiring the Department of Juvenile Justice, the Juvenile Justice Standards and Training Commission, the Department of Health and Rehabilitative Services, and the Agency for Health Care Administration, in a collaborative effort, to study the requirements, licenses, certification, and training of persons providing mental health treatment to juvenile sexual offenders; requiring a report to the Governor and the Legislature; providing an effective date.

By the Committees on Education and Higher Education and Senator Dyer—

CS for CS for SB 2180—A bill to be entitled An act relating to education; amending s. 20.15, F.S., relating to the Department of Education; revising responsibilities of the Commissioner of Education and the State Board of Education; declaring the Commissioner of Education to be head of the Department of Education; providing that the commissioner shall appoint division directors; providing authority of the commissioner over the Division of Public Schools and the Division of Applied Technology and Adult Education; providing for the appointment of members of councils and committees; deleting reference to the Board of Public Schools; authorizing the commissioner to establish bureaus; amending s. 229.041, F.S.; prescribing the State Board of Education's rulemaking authority; amending s. 229.053, F.S.; revising general powers and duties of the state board; providing for delegation of authority; revising and clarifying various other duties to conform; renumbering s. 229.52, F.S., relating to State Board of Education assistance in economic development; amending s. 229.512, F.S.; prescribing powers and duties of the Commissioner of Education; providing that the commissioner is the head of the Department of Education; providing that the department is under the general supervision and control of the commissioner; providing exceptions; providing for the commissioner to approve rules and standards prior to adoption; authorizing the commissioner to cooperate directly with the Federal Government; revising procedures for the adoption of forms; revising criteria for school improvement and education accountability; providing for the approval of minimum standards for skills through the high-school level and assessment procedures to measure those skills; authorizing the creation of advisory bodies; creating s. 229.513, F.S.; providing for the Commissioner of Education to accept gifts; amending s. 229.75, F.S.; providing that the Department of Education is under the direct supervision and control of the Commissioner of Education; providing exceptions; designating the composition of the department; amending s. 229.76, F.S.; prescribing functions of the Department of Education; providing for its location; providing for supervision and control; providing for other functions and duties; creating s. 229.761, F.S., providing for Department of Education rules and standards; requiring the Commissioner of Education to approve all rules and standards prior to final adoption; providing limited rulemaking authority for the State Board of Education; transferring and continuing existing rules; providing for a reviser's bill; providing an effective date.

By the Committee on Criminal Justice and Senator Harris—

CS for SB 2198—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for a specified period for information that reveals certain information about a victim of certain crimes, upon written request of the victim; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Criminal Justice and Senators Jones, Silver and Grant—

CS for SB 2208—A bill to be entitled An act relating to juvenile assignment centers; creating s. 39.0551, F.S.; authorizing the Department of Juvenile Justice to establish residential juvenile assignment centers; requiring certain services to be offered in juvenile assignment centers;

providing for the placement of a juvenile in an assignment center; providing for the transfer of a juvenile from an assignment center to a commitment program; requiring assignment centers to be physically secure; amending s. 39.044, F.S., relating to detention; providing for a child to be held or treated in a juvenile assignment center under specified circumstances; providing an effective date.

By the Committee on Transportation and Senators Latvala and Beard—

CS for SB 2276—A bill to be entitled An act relating to the Department of Transportation; providing legislative intent and findings; providing for suspension of rules of the department; providing for guidelines; providing for variance from the guidelines of the department; providing for administrative hearings; providing for alternative dispute resolution; providing for attorney's fees and costs; exempting officers, employees, and agents from personal liability for actions under certain conditions; requiring reports by the department and the Auditor General; providing for repeal and legislative review; providing an effective date.

By the Committee on Judiciary and Senator Grant—

CS for SB 2280—A bill to be entitled An act relating to eminent domain; amending s. 73.071, F.S.; providing that the jury must determine full compensation in eminent domain actions; providing for consideration of business damages; providing for determining compensation in inverse condemnation proceedings; providing for consideration of mitigation by a property owner; providing for consideration of the enhancement of the value of property in determining business damages; requiring property owners to permit condemning authorities to inspect business records for purposes of determining business damages; prohibiting awards of attorney's fees to parties who do not prevail on appeal from an eminent domain action; deleting provisions relating to empaneling a new jury; providing for construction of the term "property"; amending ss. 337.25, 337.271, F.S.; conforming cross-references; providing an effective date.

By the Committee on Natural Resources and Senator Brown-Waite—

CS for SB 2620—A bill to be entitled An act relating to solid waste management facilities; amending s. 403.707, F.S.; deleting an exemption from permit requirements provided for areas limited to the disposal of construction and demolition debris and clean debris used as fill material; requiring the Department of Environmental Protection to establish a separate category for issuing permits for solid waste management facilities that accept construction and demolition debris; requiring the department to provide copies of certain applications to the affected county; authorizing the department to require the operator of a facility to provide proof of financial responsibility; authorizing the department to require the operator to undergo training; providing for certain exceptions to the permit requirements; requiring the department to convene a technical advisory group and issue a report to the Legislature and the Governor; providing an effective date.

By the Committee on Natural Resources and Senator Myers—

CS for SB 2642—A bill to be entitled An act relating to marine turtle nesting areas; amending s. 370.12, F.S.; directing the department to consider marine-turtle-nest-relocation programs when issuing permits for beach restoration, beach renourishment, or inlet-sand-transfer projects; limiting such consideration to the state's Atlantic coast; providing an effective date.

By the Committee on Health Care and Senators Gutman, Sullivan, Bronson, Grant, Myers, Johnson, Latvala and Dyer—

CS for SB's 2670, 1986, 2298, 2638 and 926—A bill to be entitled An act relating to health care; creating s. 627.6045, F.S.; providing certain limitations for a preexisting-condition-provision included in a health insurance policy; creating s. 627.6425, F.S.; providing for renewability of individual coverage; creating s. 627.6691, F.S.; providing a short title; providing purpose and intent; providing for applicability; providing definitions; requiring that certain group health benefit plans provide for continuation of coverage under certain circumstances; providing requirements for minimum coverage; providing requirements for the beneficiary and the carrier upon the occurrence of a qualifying event giving rise to the potential election of continuation of coverage; providing that a carrier may contract with an administrator certified under part VII of ch. 626, F.S.; requiring a carrier to include in policies, contracts, certificates, and plan booklets notice of a beneficiary's right to continue coverage; creating s. 409.810, F.S.; providing a short title; creating s. 409.812, F.S.; creating the Florida COBRA Continuation program as a voluntary health insurance premium assistance program within the Agency for Health Care Administration; creating s. 409.814, F.S.; providing for eligibility for temporary assistance payments under the program; providing for the Department of Insurance to periodically adjust the assistance payments; providing requirements for applying for premium assistance payments; providing that the Florida COBRA Continuation program is not an entitlement; creating s. 409.815, F.S.; providing requirements for the agency in implementing the program; creating s. 409.816, F.S.; providing for savings from the Medicaid program to be transferred to specified trust funds; creating s. 409.817, F.S.; providing for the Legislature to establish an enrollment cap; providing circumstances under which the agency must cease enrollment in the program; amending s. 216.136, F.S.; requiring the Social Services Estimating Conference to provide certain forecasts with respect to costs of the Medicaid program; providing for the estimates to be used to determine enrollment in the Florida COBRA Continuation program; providing for staff of the agency to be included as principals of the conference; amending s. 409.901, 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; providing additional definitions; amending s. 409.9122, F.S.; requiring an evaluation of the MediPass program; providing requirements for the agency in enrolling Medicaid recipients in managed-care plans or MediPass; amending s. 641.19, F.S., relating to the Health Maintenance Organization Act; defining the term "emergency services and care" for purposes of the act; amending s. 641.47, F.S.; defining the terms "emergency medical condition" and "emergency services and care" for purposes of part III of ch. 641, F.S.; creating the "Patient and Provider Protection Act"; providing legislative intent and definitions; prescribing regulations governing managed-care plans, including requirements and prohibitions with respect to its enrollees and health care providers; providing for standards to ensure patient protection, fairness to health care providers, utilization-review safeguards, and coverage options for patients; transferring, renumbering, and amending s. 408.7056, F.S.; establishing the Statewide Subscriber and Provider Assistance Program for persons who have unresolved grievances with an accountable health partnership, health maintenance organization, or prepaid health clinic; providing for review panels; requiring reports concerning unresolved grievances; requiring the Division of Insurance Consumer Services of the Department of Insurance to establish a data base of complaint and grievance information; providing for administrative fines for failure of entities to comply with standards of service; creating the "Florida Health Care Community Antitrust Act"; providing for members of the health care community to seek a statement from the Attorney General's Office that it will take no antitrust action with respect to proposed business activities; repealing s. 455.2555, F.S., which imposes fees on providers of designated health services for services provided to recipients who are ineligible for specified benefits under certain provisions of the Social Security Act; providing for retroactive operation of such repeal; amending s. 400.487, F.S.; providing for evaluation of home health patients by a podiatrist; amending s. 408.706, F.S.; redefining the term "independent pharmacy" for purposes of accountable health partnerships; requiring certain entities to make available the services of independent pharmacies; amending s. 459.011, F.S.; prohibiting all health-related entities licensed under ch. 395, F.S., or ch. 408, F.S., from discriminating against a licensee on the basis of licensure under ch. 458 or ch. 459; amending s. 461.012, F.S.; prohibiting advertising of podiatric services without an active license or with a license fraudulently obtained; providing an effective date.

By the Committees on Community Affairs and Education and Senator Latvala—

CS for CS for SB 2684—A bill to be entitled An act relating to educational facilities; amending s. 235.011, F.S., relating to definitions; clarifying the term "board"; deleting the term "office"; adding the term "public education capital outlay funded projects"; amending s. 235.014, F.S.; transferring functions of the Office of Educational Facilities to the Department of Education and revising and deleting certain functions;

creating s. 235.017, F.S.; requiring boards to ensure facility compliance; amending s. 235.02, F.S.; revising provisions relating to use of buildings and grounds; amending s. 235.054, F.S.; deleting certain office approval and revising provisions relating to purchase appraisal; deleting repeal of section; amending s. 235.055, F.S.; revising conditions relating to the construction of facilities on leased property; amending s. 235.056, F.S., relating to lease and lease-purchase of educational facilities and sites; revising provisions relating to approval and compliance with building and safety codes; amending s. 235.06, F.S.; revising provisions relating to inspection of property for compliance with safety and sanitation standards; amending s. 235.14, F.S., relating to emergency drills; amending s. 235.15, F.S., relating to educational plant survey; revising requirements for the conduct of surveys; providing certification requirements prior to release of funds; amending s. 235.155, F.S., relating to exception to recommendations in survey; amending s 235.19, F.S.; revising provisions relating to site planning and selection; revising responsibility relating to traffic control and safety devices; amending s. 235.193, F.S.; requiring certain coordination of planning with local governing bodies; amending s. 235.195, F.S., relating to cooperative development and use of facilities, to conform; amending s. 235.198, F.S., relating to cooperative development and use of satellite facilities, to conform; amending s. 235.199, F.S., relating to requirements for funding of vocational education facilities, to conform; amending s. 235.211, F.S.; providing procedures for contracting for construction of facilities; providing requirements for construction and program management entities; revising provisions relating to construction techniques and selection process requirements; authorizing the purchase of certain architectural services; amending s. 235.26, F.S., relating to the State Uniform Building Code for Public Educational Facilities Construction, to conform; deleting standards relating to an energy performance index; providing for contract approval and duties; deleting provisions relating to fallout shelters; revising provisions relating to emergency shelters; requiring a statewide emergency shelter plan; amending s. 235.31, F.S.; revising provisions relating to awarding of contracts; providing definition of "emergency"; amending s. 235.321, F.S.; revising requirements for change orders; amending s. 235.33, F.S.; revising provisions relating to data filed after acceptance of a project; amending s. 235.41, F.S., relating to capital outlay budget request, to conform; amending s. 235.42, F.S., relating to allocation of funds, to conform; amending s. 235.435, F.S., relating to allocation of funds for comprehensive educational plant needs; conforming provisions; providing for allocation from the Public Education Capital Outlay and Debt Service Trust Fund to district school boards; deleting provisions relating to the Increased Utilization Account; requiring district school boards to identify fund source; restricting use of funds; amending s. 236.25, F.S.; increasing authorized district school board capital outlay millage levy; authorizing use of funds for lease and lease-purchase of buses and equipment; amending s. 216.301, F.S.; revising provisions relating to reversion of unexpended balance; amending s. 240.209, F.S., relating to Board of Regents' powers and duties; increasing the Capital Improvement Trust Fund fee; providing for application of revenues to capital outlay purposes; amending s. 240.319, F.S., relating to powers and duties of community college district boards of trustees; authorizing the incurrence of debt; amending s. 240.35, F.S.; providing for an increase in the capital improvement fee and authorizing bonding; creating s. 255.0516, F.S.; providing requirements for bid protests by school boards; revising provisions relating to public notice of plans intended for reuse; authorizing the disposal of described real property used by Florida Agricultural and Mechanical University to house nursing students and other described property; providing for use of proceeds; amending ss. 201.24, 230.23, and 404.056, F.S., to conform; reenacting ss. 228.053(9)(e) and 236.081(1)(i) and (4)(c)3., F.S., relating to funds for the operation of schools, to incorporate the amendment to s. 236.25, F.S., in references thereto; repealing ss. 235.16, 235.018, 235.196, and 235.222, F.S., relating to long-range planning, delegation of review and approval authority, community educational facilities, and repayment of loans; saving ss. 235.001, 235.002, 235.01, 235.011, 235.014, 235.02, 235.04, 235.05, 235.055, 235.056, 235.06, 235.09, 235.14, 235.15, 235.155, 235.18, 235.19, 235.193, 235.195, 235.198, 235.199, 235.211, 235.212, 235.26, 235.30, 235.31, 235.32, 235.321, 235.33, 235.34, 235.40, 235.42, 235.435, 235.44, 236.25(2), and 237.162, F.S., from repeal; providing legislative intent; creating s. 235.0155, F.S.; providing for prototype designs of facilities; providing an appropriation; providing for phase III plan reviews, subject to appropriation; providing an effective date.

By the Committee on Banking and Insurance; and Senator Grant—

CS for SB 2792—A bill to be entitled An act relating to insurance; amending s 626.916, F.S.; increasing the upper limit on a certain per-policy fee; amending s. 626.918, F.S.; revising a schedule of required surplus amounts for certain surplus lines insurers; amending s. 626.921, F.S.; creating a nonprofit association named the "Florida Surplus Lines Service Office"; providing findings; requiring surplus lines agents to be members of the association; providing duties; requiring the office to collect a service fee from surplus lines agents; providing for a board of governors; providing for appointment of board members; requiring a plan of operation to be submitted to the Department of Insurance; requiring the department to conduct examinations of the association; providing for limitations of liability for the association under certain circumstances; providing for confidentiality of certain information; amending s. 626.931, F.S.; requiring surplus lines agents, foreign insurers, and alien insurers to file a quarterly report with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring surplus lines agents to pay a surplus lines tax to the office; excluding from the term "premium" a service fee; creating s. 626.9325, F.S.; imposing a service fee on premiums charged for surplus lines insurance; requiring surplus lines agents to collect the fee and pay the fee to the office; requiring interest under certain circumstances; providing for application; specifying use of such fees; providing definitions; repealing s. 626.112(6), F.S., relating to licensing of claims investigators; providing an effective date.

By the Committee on Criminal Justice and Senator Grant—

CS for SB 2808—A bill to be entitled An act relating to sexual misconduct; amending s. 794.011, F.S.; providing criminal penalty for certain persons who commit sexual battery on a person 12 years of age or older without the person's consent; placing a limitation on consent; providing a penalty for falsely accusing certain persons of sexual battery; providing an effective date.

By the Committee on Community Affairs and Senators Meadows and Jenne—

CS for SB 2862—A bill to be entitled An act relating to local government; creating the Commission on Local Government II; providing for membership; providing powers and duties of the commission; requiring reports; providing for staff; providing an appropriation; providing for expiration; providing an effective date.

By the Committee on Natural Resources and Senator Johnson—

CS for SB 2876—A bill to be entitled An act relating to vessels; amending s. 327.03, F.S.; designating the Department of Highway Safety and Motor Vehicles as the department responsible for titling and registering vessels; amending s. 327.04, F.S.; conforming a reference; amending s. 327.10, F.S.; extending the grace period for vessel numbering and registration to 30 days; requiring proof of date of purchase; amending s. 327.11, F.S.; conforming references; deleting certain fees; amending s. 327.12, F.S.; conforming a reference; amending s. 327.15, F.S.; providing for the consistent use of the term "vessel"; exempting a non-motor-powered vessel from having to display a number; amending s. 327.19, F.S.; extending to 30 days the time the department must be notified of transfer of title; extending to 30 days the time the department or the tax collector must be notified of a change in address; amending s. 327.25, F.S.; conforming references; providing for a transfer of registration and a fee; providing for a replacement decal and a fee; providing for a change of classification and a fee; revising language with respect to service fees; providing for a duplication registration certificate and a fee; providing vessel registration dates; providing fractional registration fees; providing penalties for the operation of a vessel after the expiration of the registration period; deleting an optional registration date; requiring commercial fishing vessels to pay a registration fee; directing the Department of Highway Safety and Motor Vehicles to provide vessel registration forms; amending s. 327.28, F.S.; providing that the Department of Highway Safety and Motor Vehicles receives administration costs from vessel registration fees; eliminating the use of funds for certain purposes; amending s. 327.29, F.S.; conforming references; amending s. 328.01, F.S.; deleting the requirement to provide certified copies of certain documents; con-

forming references; amending s. 328.03, F.S.; conforming references; extending to 30 days the time allowed to file a title transfer; directing the department to take certain actions to prohibit the alteration, counterfeiting, duplication, or modification of certificates of title; amending s. 328.11, F.S.; conforming references; amending s. 328.15, F.S.; deleting the requirement that the department record the amount of a lien on a vessel; conforming references; amending ss. 328.17, 328.18, 328.20, F.S.; conforming references; providing an effective date.

By the Committee on Judiciary and Senators Grant and Hargrett—

CS for SB's 2906 and 1950—A bill to be entitled An act relating to organ and tissue donation; creating s. 320.08047, F.S.; providing for voluntary contributions for organ and tissue donor education as a part of the motor vehicle license tax process; amending s. 322.08, F.S.; providing for voluntary contributions for organ and tissue donor education as a part of the driver license application process; creating s. 395.2050, F.S.; providing for routine inquiry for organ donation and certification for procurement activities; amending s. 395.3025, F.S.; providing disclosure of patient records to organ-procurement organizations for specified purposes; amending s. 732.912, F.S.; providing procedures for making an anatomical gift; amending s. 732.914, F.S.; providing procedures regarding the manner of executing anatomical gifts; amending s. 732.915, F.S.; establishing an organ and tissue donor registry; providing procedures; providing for funding; amending s. 732.916, F.S.; amending procedures for the amendment or revocation of an anatomical gift; amending s. 732.917, F.S.; allowing certain procedures for preserving a potential donor's organs; providing for expenses; amending s. 732.921, F.S.; conforming references to transfer of responsibilities regarding donor programs from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing for use of driver licenses or identification cards to indicate the individual's intent to donate organs or tissue; amending s. 732.9215, F.S.; requiring the agency to undertake certain responsibilities regarding educational programs; providing that the agency may contract for provision of the programs; creating s. 732.9216, F.S.; establishing an organ and tissue donor education panel; providing duties and membership qualifications; providing for per diem and travel expenses; amending s. 732.922, F.S.; providing duties of hospital administrators in obtaining consent for organ or tissue donation; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senators Burt and Jones—

CS for SB's 2944 and 2206—A bill to be entitled An act relating to corrections; amending s. 68.07, F.S.; prohibiting name change for petitioners with suspended civil rights; amending s. 95.11, F.S., relating to limitations on actions; prescribing a time limitation with respect to court actions by inmates challenging disciplinary proceedings conducted by the Department of Corrections; amending s. 112.19, F.S., relating to death benefits for law enforcement, correctional, and correctional probation officers; removing requirement that death must occur within a specified period as a condition for eligibility for benefits; adding provisions relating to death benefits for firefighters; amending ss. 112.08 and 175.201, F.S., to conform cross-references; amending s. 117.10, F.S.; providing that correctional probation officers are notaries public while on duty; amending s. 282.1095, F.S.; adding a sixth member to the Joint Task Force on State Agency Law Enforcement Communications; amending and renumbering s. 381.695, F.S.; correcting cross-references; amending s. 776.07, F.S.; redefining the term "guard" as "correctional officer"; amending s. 843.04, F.S.; redefining the term "guards" as "correctional officers"; amending s. 843.08, F.S.; providing that falsely personating an officer of the Department of Corrections or a correctional probation officer is a felony; amending s. 921.16, F.S.; providing for imposing a sentence concurrently with another jurisdiction; providing for the sheriff to forward commitment papers and other documents; providing for coterminous sentence with a sentence in another jurisdiction; providing for prevention of interference with inmate program participation approved by another jurisdiction; amending s. 922.11, F.S.; redefining the term "guards" as "correctional officers"; amending s. 943.10, F.S.; defining the term "auxiliary correctional probation officer"; amending s. 943.1397, F.S.; providing for officer certification examination procedures; creating s. 944.06, F.S.; providing for reimbursing department employees for damage to personal vehicles; amending s. 944.39, F.S.; redefining the term "guard" as "correctional officer"; amending s. 944.095, F.S.; providing legislative intent for siting additional correctional facilities; deleting reference to obsolete study; amending s. 944.516, F.S.; providing for transfer of inmate fund balances of less than $1 to Inmate Welfare Trust Fund; amending s. 944.606, F.S.; authorizing public agencies to publicly release verified information about persons found to have committed a sexual offense; granting immunity from civil action to public agencies, officers, and employees who release verified information about persons found to have committed a sexual offense; amending s. 944.703, F.S.; providing for applicability of the Transition Assistance Release Program Act to all inmates released from the custody of the department; amending s. 944.704, F.S.; requiring the department to provide transition assistance officers at major correctional institutions; amending s. 944.706, F.S.; removing references to release assistance; providing for transition assistance; amending s. 944.707, F.S.; revising provisions relating to the provision to the Department of Labor and Employment Security of information on releasees; creating s. 945.03, F.S.; providing definitions; providing for the adoption of department rules prohibiting hiring of employee relatives; amending s. 945.091, F.S.; providing authorization to the secretary's designee for approval of extension of limits of confinement; creating s. 945.28, F.S.; requiring the department to provide public notice prior to the lease or purchase of probation or parole office space; providing for the inclusion of a telephone number so that the general public may communicate with the department with respect to the proposed lease or purchase; amending s. 945.31, F.S.; providing for the establishment of bank accounts for collecting and disbursing restitution and other court-ordered payments; amending s. 945.6037, F.S.; authorizing the department to waive an inmate's copayment for certain additional health care services; amending s. 946.006, F.S.; deleting an obsolete provision; providing for workers' compensation coverage of inmates in certain work programs to be provided by the private-sector employer; providing legislative intent with respect to prison industry programs; creating s. 946.41, F.S.; authorizing promotion to the public of inmate work programs; amending s. 946.515, F.S.; revising exemption provision with respect to state purchases of specified commodities or contractual services; amending s. 947.01, F.S.; decreasing the membership of the Parole Commission after a specified date; amending s. 947.141, F.S., relating to violations of conditional release, control release, or conditional medical release; authorizing the Parole Commission panel to place released offenders who commit such violations in local detention facilities as a condition of supervision; providing guidelines and time limits with respect to such placements; providing for specified reimbursements by the Department of Corrections pursuant to contractual agreement with the chief correctional officer of the county; providing applicability; amending s. 948.09, F.S.; providing for restitution payments by department of not less than $10; amending s. 948.15, F.S.; providing for probation services to be provided by entities under the supervision of the governing body of the county or the court; requiring certain entities that provide probation services to register with the governing body of the county; amending s. 951.12, F.S.; redefining the term "guard" as "correctional officer"; amending s. 951.19, F.S.; redefining the term "guards" as "correctional officers"; amending s. 951.23, F.S.; providing for collection of inmate information; providing for inmate immigration status information; amending s. 957.06, F.S.; prohibiting the department from delegating the authority to a contractor to determine the custody classification of an inmate; amending s. 958.11, F.S; providing circumstances under which the department may assign a youthful offender to a facility not designated for that offender; repealing s. 112.191, F.S., relating to death benefits for firefighters; repealing s. 950.051, F.S., relating to jail construction for purposes of gender separation of prisoners; repealing s. 950.07, F.S., relating to county appropriations for jail remodeling for such gender separation; repealing s. 950.08, F.S., relating to removal of county commissioners and sheriffs for refusal to comply with provisions for gender separation of prisoners; providing effective dates.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

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:

Office and Appointment	*For Term Ending*
Director, Division of Retirement	
Appointee: McMullian, Andrew Jackson III, Tallahassee	Pleasure of Governor

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Community Affairs recommends that the Senate confirm the appointment made by the Governor of Linda Loomis Shelley, as Secretary of the Department of Community Affairs, to serve at the pleasure of the Governor.

The Committee on Natural Resources recommends that the Senate confirm the appointment made by the Governor of Virginia Wetherell, as Secretary of the Department of Environmental Protection, to serve at the pleasure of the Governor.

The Committee on Natural Resources recommends that the Senate confirm the appointments made by the Governor of James L. Allen III, Curtis L. Law and Virginia Roo as members of the Governing Board of the Southwest Florida Water Management District; Boyd W. Close, Ann M. Crow, Herbert G. Demott and Lynette Usher Griner as members of the Governing Board of the Suwannee River Water Management Distict; John T. Vogel as a member of the Withlacoochee River Basin Board; and Patsy Yeates Baynard and Adele Spigelman as members of the Pinellas-Anclote River Basin Board.

The Committee on Transportation recommends that the Senate confirm the appointment made by the Governor of Benjamin G. Watts, as Secretary of the Department of Transportation, to serve at the pleasure of the Governor.

The appointments contained in the foregoing report were referred to the Committee on Executive Business, Ethics and Elections under the original reference.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 3, CS for HB 27, CS for HB 57, CS for HB 59, HB 325, CS for HB 361, HB 427, HB 1183, CS for HB 1353, HB 1363, CS for HB 1397, HB 1465, CS for HB 1569, CS for HB 1627, CS for HB 1759, HB 2153, HB 2195, HB 2203, HB 2205, HB 2213, HB 2251, HB 2275, HB 2283, HB 2285, HB 2331, HB 2333, CS for HB 2349, HB 2365, HB 2367, HB 2371, HB 2375, HB 2407, HB 2453, HB 2479, HB 2597, HB 2661; has passed as amended CS for HB 45, CS for HB 153, CS for HB 199, HB 327, HB 347, CS for HB 425, CS for HB 745, HB 773, HB 787, HB 1311, CS for HB 1351, HB 1379, HB 1387, CS for HB 1497, CS for HB 1591, CS for HB 1773, HB 2201, HB 2311, HB 2341, HB 2435, HB 2449, HB 2467, HB 2469, HB 2471, HB 2575, HB 2577, HB 2579, HB 2581, HB 2583, HB 2585, HB 2587; has adopted as amended HM 125 and requests the concurrence of the Senate.

John B. Phelps, Clerk

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

CS for HB 3—A bill to be entitled An act relating to patient brokering; creating s. 817.505, F.S.; specifying unlawful acts constituting patient brokering; providing exemptions; providing criminal and civil penalties; providing for injunctive relief; providing for actions by the Attorney General or state attorneys; providing for recovery of certain expenses; providing an effective date.

—was referred to the Committees on Health Care; Commerce and Economic Opportunities; and Ways and Means.

By the Committee on Transportation and Representative Merchant and others—

CS for HB 27—A bill to be entitled An act relating to road designations; designating a portion of U.S. 27 in Palm Beach County as the "Tom and Marian Lewis Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Claims and Representative Geller—

CS for HB 57—A bill to be entitled An act relating to Broward County; providing for the relief of Nicholas Maracic; providing an appropriation to compensate him for injuries sustained as a result of the negligence of Broward County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By the Committee on Claims and Representative Tobin—

CS for HB 59—A bill to be entitled An act relating to the City of Fort Lauderdale; providing for the relief of Tyler G. Fontaine; providing an appropriation to compensate him for losses suffered and other damages sustained as a result of the negligence of the City of Fort Lauderdale; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By the Committee on Agriculture and Consumer Services; and Representative Harris and others—

HB 325—A bill to be entitled An act relating to citrus; amending s. 601.15, F.S.; providing for future increased crops; revising tax schedules for fresh grapefruit, processed grapefruit, fresh oranges, processed oranges, and fresh tangerine and citrus hybrid fruit; providing that processed tangerine and citrus hybrid fruit be taxed at the same rate as processed oranges; deleting a provision which provides for specific segregation of funds in the Citrus Advertising Trust Fund; repealing s. 601.156, F.S., relating to an additional excise tax of 2 cents per box upon each box of oranges sold or delivered for processing and segregation of such funds in the Citrus Advertising Trust Fund; providing an effective date.

—was referred to the Committees on Agriculture; and Ways and Means.

By the Committee on Community Affairs and Representative Rojas—

CS for HB 361—A bill to be entitled An act relating to road designations; designating a portion of West 20th Avenue in the City of Hialeah as "Pal-Med Avenue"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Spivey and others—

HB 427—A bill to be entitled An act relating to the regulation of health care professionals; creating s. 455.2142, F.S.; prohibiting a person who has had any professional or occupational license, certificate, or registration revoked, suspended, or otherwise acted against on the basis of sexual misconduct in the practice of that profession or occupation from taking any examination to qualify to practice a health care profession or from being issued a license, certificate, or registration to practice a health care profession if the license, certificate, or registration to practice the former profession or occupation was not fully reinstated; providing an effective date.

—was referred to the Committees on Health Care; and Governmental Reform and Oversight.

By Representative Frankel—

HB 1183—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Jesse Vincent, a single male; providing an appropriation to compensate him for serious and permanent injuries suffered as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By the Committee on Claims and Representative Andrews—

CS for HB 1353—A bill to be entitled An act relating to Loxahatchee Groves Water Control District; providing for the relief of Jose Rodriguez, as personal representative of the estate of Angel Antonio Rodriguez, and for the benefit of the estate of Angel Antonio Rodriguez, decedent, Justa Rodriguez, as surviving spouse of Angel Antonio Rodriguez, and Lourdes Rodriguez, as a surviving minor child of Angel Antonio Rodriguez; providing an appropriation to compensate them for losses they sustained as the result of an accident which caused the death of Angel Antonio Rodriguez, the spouse and father, respectively, due to the negligence of Loxahatchee Groves Water Control District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Representative Peaden—

HB 1363—A bill to be entitled An act relating to providers of designated health services; repealing s. 455.2555, F.S., relating to a fee schedule imposed on providers of designated health services; providing legislative intent with respect to civil causes of action based on such section; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Ways and Means.

By the Committee on Claims and Representative Roberts-Burke—

CS for HB 1397—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Charles and Juliet Turner, as surviving parents of Alyssa Turner; providing an appropriation to compensate them for the death of their daughter, Alyssa Turner, due to the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Representative Brooks and others—

HB 1465—A bill to be entitled An act relating to the State University System; amending s. 240.5095, F.S.; transferring the pari-mutuel wagering funded research and development programs to the University of Florida; providing an effective date.

—was referred to the Committees on Regulated Industries; Higher Education; and Ways and Means.

By the Committee on Corrections and Representative Ascherl—

CS for HB 1569—A bill to be entitled An act relating to the Department of Corrections; creating s. 945.28, F.S.; requiring the department to provide public notice prior to the lease or purchase of probation or parole office space; providing for the inclusion of a telephone number so that the general public may communicate with the department with respect to the proposed lease or purchase; providing an effective date.

—was referred to the Committee on Criminal Justice.

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

CS for HB 1627—A bill to be entitled An act relating to childhood pregnancy prevention; amending s. 411.202, F.S.; providing definitions; creating pt. IV of ch. 411, F.S.; creating the "Florida Education Now and Babies Later (ENABL) Act"; providing legislative intent; providing goals and essential elements; providing requirements for community-based local contractors; providing for matching funds; providing for exemption; providing for implementation of the program by the Department of Health and Rehabilitative Services; providing for initial contract awards; providing for a public relations campaign; providing for uniform training for contractors; providing for an evaluation; requiring biennial reports; amending s. 230.2303, F.S.; correcting a cross reference; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Education; and Ways and Means.

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

CS for HB 1759—A bill to be entitled An act relating to public assistance benefit recovery; providing for privatization of public assistance benefit recovery activities of the Department of Health and Rehabilitative Services; directing the department to issue requests for proposals, receive bids, and negotiate contracts for services; providing for funding; providing responsibility of the Economic Services Program Office of the department; providing for certain consideration of employees displaced by the act; establishing a task force to provide reemployment assistance; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; Governmental Reform and Oversight; and Ways and Means.

By Representative Hafner—

HB 2153—A bill to be entitled An act relating to motor vehicles; repealing s. 320.08067, F.S., relating to the Quincentennial state license plate; providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By Representative Feren—

HB 2195—A bill to be entitled An act relating to wrecked cotton and lumber adrift; repealing chapter 706, F.S., which relates to the duties of persons with respect to cotton afloat in rivers, lost lumber, and related issues; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Tourism and Cultural Affairs; and Representative Bloom and others—

HB 2203—A bill to be entitled An act relating to the Museum of Florida History Trust Fund; amending s. 267.072, F.S.; authorizing the Division of Historical Resources of the Department of State to provide for the establishment of a museum store; providing authorization for alternative deposit of sales proceeds from the museum store; clarifying the use of gifts and donations deposited into the Museum of Florida History Trust Fund; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Tourism and Cultural Affairs; and Representative Bloom and others—

HB 2205—A bill to be entitled An act relating to historic properties; amending s. 267.061, F.S.; authorizing the Division of Historical Resources of the Department of State to implement a program for transferring ownership of certain historic artifacts under certain circumstances; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Natural Resources; and Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 2213—A bill to be entitled An act relating to state agency purchasing; amending s. 283.33, F.S.; requiring that certain printing contracts contain specific information; repealing s. 283.33(3), F.S., which requires that all printing contracts contain such information; amending s. 287.058, F.S., which provides requirements for contract documents for contractual services; revising the threshold amounts for such requirements; amending s. 287.084, F.S.; allowing state agencies to give preference to businesses in Florida under certain circumstances when awarding state contracts; amending s. 287.133, F.S.; removing a requirement that certain documentation relating to conviction of a public entity crime be submitted when contracting with public entities; requiring that certain information be included on invitations to bid, requests for proposals, and certain contracts; repealing s. 288.1168(2)(i), F.S., which requires an applicant for a professional golf hall of fame facility to file such documentation relating to conviction of a public entity crime; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Commerce and Economic Opportunities; and Ways and Means.

By Representative Brennan—

HB 2251—A bill to be entitled An act relating to transportation; repealing s. 334.22, F.S., relating to annual reports filed by the Department of Transportation with the Governor prior to each regular session of the Legislature; repealing s. 337.015(7), F.S.; conforming to the act; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Couch—

HB 2275—A bill to be entitled An act relating to screwworm control and eradication; repealing s. 585.432, F.S., relating to Department of Agriculture and Consumer Services duties regarding a screwworm control and eradication program; providing an effective date.

—was referred to the Committee on Agriculture.

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

HB 2283—A bill to be entitled An act relating to solicitation of voters at polling places; amending s. 102.031, F.S.; expanding the zone within which the solicitation of voters at polling places is prohibited; removing exceptions; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

By Representative Laurent—

HB 2285—A bill to be entitled An act relating to the animal industry; repealing ss. 585.24 and 585.30, F.S., relating to cattle fever tick eradication; providing an effective date.

—was referred to the Committee on Agriculture.

By the Committee on Governmental Operations and Representative Lawson—

HB 2331—A bill to be entitled An act relating to the confidentiality of substance abuse client information; reenacting s. 397.501(7)(a), F.S., which provides an exemption from public records requirements for records relating to clients of service providers that provide substance abuse services; reenacting s. 397.752, F.S., which provides an exemption from public records requirements for substance abuse service records of inmates; saving such exemptions from repeal; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By the Committee on Governmental Operations and Representative Lawson—

HB 2333—A bill to be entitled An act relating to confidentiality of information relating to applicants for commercial development assistance; reenacting s. 288.712(7), F.S., which provides an exemption from public records requirements for personal financial records of persons participating in programs associated with guarantor funds established by the Florida Black Business Investment Board; reenacting s. 288.776(4), F.S., which provides an exemption from public records requirements for personal financial records, trade secrets, and proprietary information of applicants to the Florida Export Finance Corporation; reenacting s. 288.9607(5), F.S., which provides an exemption from public records requirements for personal financial records, trade secrets, and proprietary information of applicants to the Florida Development Finance Corporation; saving such exemptions from repeal; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By the Committee on Claims and Representative Jacobs—

CS for HB 2349—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Rolando Rodriguez, a minor; providing an appropriation to compensate him for injuries suffered as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 2365—A bill to be entitled An act relating to the confidentiality of certain health care information; reenacting s. 381.004(3)(h), F.S., which provides conditions for release of HIV test results by public hospitals; amending s. 395.1046, F.S.; revising the exemption from public records requirements for investigatory records obtained by the Agency for Health Care Administration while investigating emergency access complaints; amending s. 395.3025, F.S., which provides exemptions from public records requirements for psychiatric records at public hospitals and patient records received by public entities; saving such exemptions from repeal; amending s. 395.404, F.S.; providing an exemption from public records requirements for trauma registry data obtained by the Department of Health and Rehabilitative Services; providing for release in certain circumstances; providing a finding of public necessity; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Governmental Operations and Representative Lawson—

HB 2367—A bill to be entitled An act relating to the confidentiality of complaints alleging violation of state professional licensing laws or rules; amending s. 337.162, F.S., which provides exemptions from public records requirements for such complaints submitted by the Department of Transportation and its employees to the Department of Business and Professional Regulation; saving such exemptions from repeal; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Judiciary and Representative Trammell—

HB 2371—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.612, F.S.; providing for leading questions on direct examination of a witness when necessary to develop the witness'

testimony; providing for leading questions on cross-examination and upon examination of an adverse party or adverse or hostile witness; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Judiciary and Representative Feren—

HB 2375—A bill to be entitled An act relating to arbitrators and mediators; amending s. 44.107, F.S.; providing judicial immunity to any person appointed to assist the Supreme Court in disciplining arbitrators and mediators; providing an effective date.

—was referred to the Committee on Judiciary.

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

HB 2407—A bill to be entitled An act relating to barbering and cosmetology; combining barbering and cosmetology within a single practice act; amending s. 477.011, F.S.; renaming the "Florida Cosmetology Act" as the "Florida Barbering and Cosmetology Act"; amending s. 477.012, F.S., relating to purpose, to conform; providing legislative intent; amending s. 477.013, F.S.; revising and providing definitions; amending s. 477.0135, F.S., relating to exemptions, to conform; amending s. 477.015, F.S.; creating the Board of Barbering and Cosmetology and providing for its members and duties; amending s. 477.017, F.S.; providing for legal, investigative, and inspection services by the Department of Business and Professional Regulation; amending s. 477.019, F.S.; revising qualifications for licensure as a barber or cosmetologist; providing for biennial renewal; providing for a restricted barbering license; providing continuing education requirements; amending s. 477.0212, F.S., relating to inactive status; eliminating a reference to reactivation and renewal fees; amending s. 477.022, F.S., relating to examinations, to conform; providing requirements relating to reexaminations; eliminating an obsolete provision relating to testing facilities; amending and renumbering s. 477.0201, F.S.; revising specialty registration requirements; providing for biennial renewal; amending s. 477.025, F.S.; revising licensure provisions for barbershops and cosmetology and specialty salons; requiring display of establishment and practitioner licenses and registrations; providing for the licensure of mobile barbershops, mobile cosmetology salons, and mobile specialty salons; amending and renumbering s. 477.0263, F.S., relating to services authorized to be performed in licensed barbershops and salons, to conform; amending s. 477.026, F.S.; revising and providing fees; eliminating a provision relating to submission of a proposed budget; amending and renumbering s. 477.023, F.S., relating to licensure of schools, to conform; amending and renumbering s. 477.0132, F.S., relating to hair braiding registration; providing for biennial renewal; amending and renumbering s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.029, F.S.; revising and providing grounds for discipline; providing penalties; amending s. 477.031, F.S., relating to civil proceedings; amending and renumbering s. 476.254, F.S., relating to a saving clause, and repealing the remainder of chapter 476, F.S., relating to barbering, to conform; repealing ss. 477.014, 477.016, 477.018, 477.0213, and 477.028, F.S., relating to qualifications for practice, rulemaking, investigative services, cosmetology graduates of the Florida School for the Deaf and the Blind, and disciplinary proceedings, to conform; amending ss. 20.165, 455.2228, and 480.034, F.S.; correcting cross references; providing for a transitional Board of Barbering and Cosmetology; providing for continuation of current rules, contracts, investigations, and prosecutions; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Tourism and Cultural Affairs; and Representative Bloom and others—

HB 2453—A bill to be entitled An act relating to the Florida Artists Hall of Fame; amending s. 265.2865, F.S.; clarifying legislative intent; specifying that certain benefactors of the arts are to remain in the Florida Artists Hall of Fame; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Tourism and Cultural Affairs; and Representative Bloom and others—

HB 2479—A bill to be entitled An act relating to art in state buildings; amending s. 255.043, F.S.; authorizing display of certain works of art on the grounds or exterior of certain buildings; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Finance and Taxation; and Representative Logan—

HB 2597—A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; updating references to the Internal Revenue Code for corporate income tax purposes; providing for retroactive effect; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Rules and Calendar; and Representative Mackenzie and others—

HB 2661—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 187.201(1)(b), 228.0855(3)(a), 228.093(2)(a), (3)(d), (5), 228.2001(4), 228.501(4)(a), (b), (c), (d), (g), 228.502(5)(b), (9)(a), 229.133, 229.551(1)(f), (g), 229.602(6)(b), (8), 229.808(1), 230.63, 230.64, 231.0861(3), 231.3505, as amended by section 5 of chapter 92-67, Laws of Florida, 231.3505, as amended by section 40 of chapter 92-136, Laws of Florida, 231.361(2), 231.614(2)(a), 233.0674(4), 233.068(5)(b), 235.15, 235.199(1), (2), (4)(a), (c), 239.101(1), (3), (4), (5), (7), 239.109(1), (2)(d), (3), 239.113, 239.117(1), (4)(a), (5), (7), (15), (16), 239.125, 239.205(3), 239.209(1), 239.213(1), (2), 239.229, 239.237, 239.241(2), 239.301(1)(b), (2)(d), (4), (6)(a), 239.505(3), (4)(j), (k), (9)(a), 240.118(1), 240.134, 240.145(2), 240.152, 240.153, 240.35(1), (5), 240.4021(1), (3)(d), 240.421(1)(a), 242.68(2)(a), (g), 246.201(1), (3), (4), 246.203(1), (2), 246.207(1)(o), 246.213(4), 322.0601(1)(e), 409.029(9)(h), 446.011(2), 446.041(8), 446.051, 446.052(2), (3), 450.081(1)(a), (2), 450.161, 475.451(1), (2)(c), 475.617(1), (2)(b), (3)(b), (4)(b), 475.627(1), (2), 616.21(2)(a), 790.06(12), and 953.35(1)(i), Florida Statutes, and ss. 20.315(1)(e), 39.001(1)(f), 39.055(1)(c), 216.136(10)(a), 228.041(1)(b), (22), 229.053(2)(n), 229.592(1), 230.23(4)(h), 230.23166(3)(d), 230.33(6)(h), 231.1725(1)(c), (2), 231.173(5)(d), 231.606(1)(a), 231.613(1), 231.62(1), 232.246(1)(h), 235.435(3)(a), 236.081(1)(m), (o), 239.105(13), (15), (16), (20), (21), 239.201(1), (2), 239.225(1), (3)(b), (c), 239.245(2)(b), 239.249(1), (2), (3), (8), (13), 240.301(1), (3), (5)(a), 240.404(1)(a), 240.4085(1)(e), (f), (g), (4), 240.4093(2), (3), 240.61(13), 288.047(2)(a), (4), 288.0475(8)(b), (d), (e), 369.105(5)(b), 409.145(3)(a), (b), 440.16(1)(c), 443.1715(2), 468.609(9), 475.17(2)(a), (3)(a), (4)(a), and 958.045(4), Florida Statutes (1994 Supplement), to ratify editorial changes made pursuant to the directive of the Legislature in s. 16, ch. 94-232, Laws of Florida, to revise the following terminology: "area vocational-technical center" to "area technical center," "postsecondary adult vocational" to "certificate career education," "postsecondary vocational" to "degree career education," "vocational education" to "career education," the Division of Vocational, Adult, and Community Education to the Division of Applied Technology and Adult Education, and the State Board for Vocational Education to the State Board for Career Education, wherever the terminology appears in the statutes.

—was referred to the Committee on Rules and Calendar.

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

CS for HB 45—A bill to be entitled An act relating to motor vehicle inspections; amending s. 325.203, F.S.; exempting new motor vehicles from emission inspection requirements for a certain period of time; requiring the Department of Environmental Protection to conduct a study to determine the cost and environmental benefit of emissions credit generation; providing an effective date.

—was referred to the Committees on Transportation; and Ways and Means.

By the Committee on Commerce and Representative Healey—

CS for HB 153—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03; redefining the terms "secondhand dealer" and "transaction"; defining the term "title loan"; amending s. 538.06, F.S.; providing that a secondhand dealer may enter into title loan transactions and accept title in lieu of actual physical possession of a motor vehicle upon meeting certain conditions; amending s. 538.15, F.S.; providing that it is unlawful for a secondhand dealer to conduct pawn transactions and title loan transactions from the same location or use the word "pawn" or "pawnbroker" in specified circumstances if the secondhand dealer engages in title loan transactions; amending s. 538.16, F.S., relating to the disposal of property by secondhand dealers; including reference to a motor vehicle which is security for a title loan; providing an effective date.

—was referred to the Committee on Governmental Reform and Oversight.

By the Committee on Judiciary and Representative Crow and others—

CS for HB 199—A bill to be entitled An act relating to justice system costs and revenues; creating s. 218.325, F.S.; providing for a uniform chart of accounts and financial reporting for court and justice systems costs and revenues; providing criteria; creating the Uniform Chart of Accounts Development Committee; providing duties of the committee; providing for membership on the committee; providing for per diem and travel; providing for certain groups to assist the committee; requiring a report; providing an appropriation; providing an effective date.

—was referred to the Committees on Judiciary; and Governmental Reform and Oversight.

By the Committee on Agriculture and Consumer Services; and Representative Harris and others—

HB 327—A bill to be entitled An act relating to citrus; amending s. 601.09, F.S.; changing citrus district boundaries; amending s. 601.091, F.S.; renaming the "interior" production area as the "Florida SunRidge" production area; amending s. 601.04, F.S., providing legislative intent; providing an effective date.

—was referred to the Committee on Agriculture.

By Representative Eggelletion—

HB 347—A bill to be entitled An act relating to neighborhood preservation and enhancement; creating ss. 163.524 and 163.526, F.S.; authorizing local governments to participate in the Neighborhood Preservation and Enhancement Program; providing for designation or creation of an enforcement agency; providing for creation of Neighborhood Preservation and Enhancement Districts; providing for creation of Neighborhood Councils; providing eligibility to receive grants from the Safe Neighborhoods Program; providing for adoption of Neighborhood Enhancement Plans; providing powers and duties of Neighborhood Councils and enforcement agencies designated by local government, including powers with respect to plan violations; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Ways and Means.

By the Committee on Transportation and Representative Clemons—

CS for HB 425—A bill to be entitled An act relating to road designations; designating a portion of U.S. Highway 98 in Bay County as the "Panama City Beach Parkway"; designating a portion of State Road 392 in Bay County as "Hutchison Boulevard"; directing the Department of Transportation to erect suitable markers; codesignating a portion of State Road 994 (Quail Roost Drive) in Dade County as "American Bankers Drive"; designation of Captains Padron, Perez and Sosa Way; authorizing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Transportation and Representative Upchurch and others—

CS for HB 745—A bill to be entitled An act relating to designations of transportation facilities; designating the new bridge over North River from the City of St. Augustine mainland to the Vilano Beach, Surfside, and North Beach areas as a part of State Road A1A the "Francis and Mary Usina Bridge"; directing the Department of Transportation to erect suitable markers; designating the new highway patrol station in the City of DeLand the "Trooper Gerald Creston Thomas Highway Patrol Station"; directing the Department of Highway Safety and Motor Vehicles to provide suitable markers; designating Fernandina Harbor Marina the "Marine Welcome Station" for the state; designating the First Coast Highway, Florida A1A, from Nassau County through St. Johns County as the "Buccaneer Trail"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Harris and others—

HB 773—A bill to be entitled An act relating to platting; amending s. 177.071, F.S., which provides requirements for approval of plats by governing bodies; providing that any inconsistent provision in an ordinance of any charter county or consolidated government shall prevail over such requirements; creating s. 177.142, F.S.; providing that if a map or plat is found to have a subdivision, street, or other name which is determined to be an ethnic or racial slur, the name may be changed by the local governing body; providing an effective date.

—was referred to the Committee on on Community Affairs.

By Representative D. Prewitt and others—

HB 787—A bill to be entitled An act relating to state universities; amending s. 240.233, F.S.; revising provisions relating to the offering of American sign language for purposes of admission of students; providing an effective date.

—was referred to the Committees on Education; Higher Education; and Ways and Means.

By Representative Morroni and others—

HB 1311—A bill to be entitled An act relating to education; amending ss. 230.23 and 230.33, F.S., relating to duties of district school boards and school superintendents; revising provisions relating to reappointment of personnel and nominations therefor; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Claims and Representative Cosgrove—

CS for HB 1351—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Edgar Groh; providing an appropriation to compensate him for damages sustained as a result of a motor vehicle accident with a Metropolitan Dade County police vehicle; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Ways and Means.

By Representative Warner and others—

HB 1379—A bill to be entitled An act relating to protection of marine turtles; amending s. 370.12, F.S.; prohibiting the Department of Environmental Protection from limiting or qualifying the timing of certain projects involving nesting marine turtles under certain circumstances; providing an effective date.

—was referred to the Committees on Natural Resources; and Ways and Means.

By Representative Peeples—

HB 1387—A bill to be entitled An act relating to guardians ad litem; creating s. 61.405, F.S.; providing immunity to a guardian ad litem; providing an effective date.

—was referred to the Committee on Judiciary.

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

CS for HB 1497—A bill to be entitled An act relating to public assistance fraud; amending s. 409.326, F.S.; providing for referral to the Division of Public Assistance Fraud of the Office of the Auditor General of violations involving the recipient of certain public assistance benefits; amending s. 409.3282, F.S.; providing for referral to the inspector general of the Department of Health and Rehabilitative Services of violations by departmental employees relating to certain public assistance programs; providing for referral to the Division of Public Assistance Fraud, under certain circumstances; providing for referral to the inspector general of the Agency for Health Care Administration of violations by agency employees relating to the Medicaid program; providing a penalty; amending s. 409.335, F.S.; providing procedures for recovery of overpayment made to a recipient who claims extreme hardship; providing for rules; authorizing the department and agency to enforce certain income deduction orders; creating s. 409.3251, F.S.; creating a Stop Inmate Fraud Program within the Division of Public Assistance Fraud of the Office of the Auditor General; providing guidelines for the program; providing duties and responsibilities of the division relating to procedures for sharing of specified information on incarcerated persons with the Department of Health and Rehabilitative Services, the Department of Labor and Employment Security, and other governmental entities; providing for data reports to the Child Support Enforcement Program of the Department of Revenue and the Social Security Administration; providing reporting requirements for state agencies and other governmental entities involved in the program; providing legislative intent with respect to operation and initial goals of the program; providing for designation of program personnel and provision of support services by the division; providing an appropriation; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Criminal Justice; Rules and Calendar; and Ways and Means.

By the Committee on Commerce and Representative King and others—

CS for HB 1591—A bill to be entitled An act relating to anti-counterfeiting; amending s. 831.03, F.S.; revising penalties with respect to forging or counterfeiting private labels; including provisions with respect to the counterfeiting of service marks; amending s. 831.05, F.S.; revising penalties with respect to vending goods with counterfeit labels; repealing s. 506.10, F.S., relating to counterfeiting or improperly using trademark or other forms of recorded advertisements; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Criminal Justice; and Ways and Means.

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

CS for HB 1773—A bill to be entitled An act relating to public assistance; requiring the Department of Health and Rehabilitative Services to establish an electronic benefit transfer program; providing for initiation of pilot programs by a specified date; directing the department to enter into public-private contracts; creating s. 409.3251, F.S.; creating a Stop Inmate Fraud Program within the Division of Public Assistance Fraud of the Office of the Auditor General; providing guidelines for the program; providing duties and responsibilities of the division relating to procedures for sharing of specified information on incarcerated persons with the Department of Health and Rehabilitative Services, the Department of Labor and Employment Security, and other governmental entities; providing for data reports to the Child Support Enforcement Program of the Department of Revenue and the Social Security Administration; providing reporting requirements for state agencies and other governmental entities involved in the program; providing legislative intent with respect to operation and initial goals of the program; providing for designation of program personnel and provision of support services by the division; providing an appropriation; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Criminal Justice; Rules and Calendar; and Ways and Means.

By the Committee on Governmental Operations and Representative Lawson—

HB 2201—A bill to be entitled An act relating to public records; 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 ch. 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; amending s. 499.051, F.S.; providing an exemption from public records requirements for complaints and investigatory information obtained by the Department of Health and Rehabilitative Services under the Florida Drug and Cosmetic Act for a specified period, and for trade secret information contained therein; providing for certain use of such information and requiring receiving agencies to maintain confidentiality; providing for retroactive effect; providing for future review and repeal; providing findings of public necessity; providing an effective date.

—was referred to the Committees on Health Care and Natural Resources.

By the Committee on Judiciary and Representative Thrasher—

HB 2311—A bill to be entitled An act relating to the judiciary; amending s. 26.031, F.S.; increasing the number of judges for specified judicial circuits; amending s. 34.022, F.S.; increasing the number of judges for specified county courts; providing a contingent effective date.

—was referred to the Committees on Judiciary; and Ways and Means.

By the Committee on Higher Education and Representative Wasserman Schultz and others—

HB 2341—A bill to be entitled An act relating to direct-support organizations; amending s. 240.299, F.S., relating to the State University System; providing for reporting requirements; amending s. 240.331, F.S., relating to the State Community College System; providing membership on the board of directors and executive committee; providing for reporting requirements; amending s. 240.3315, F.S., relating to systemwide community college direct-support organizations; providing membership on the board of directors and executive committee; providing for reporting requirements; authorizing a direct-support organization for the Florida Commission on the Status of Women; providing an effective date.

—was referred to the Committees on Higher Education; and Ways and Means.

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

HB 2435—A bill to be entitled An act relating to home inspections; creating s. 501.214, F.S.; providing requirements relating to home-inspection reports; providing Legislative intent; providing definitions; providing exemptions; requiring, prior to inspection, provision of inspector credentials, a caveat, a disclosure of conflicts of interest and certain relationships, and a statement or agreement of scope, limitations, terms, and conditions; requiring a report on the results of the inspection; providing prohibited acts, for which there are civil penalties; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

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

HB 2449—A bill to be entitled An act relating to ethics laws for candidates; amending ss. 112.3148 and 112.3149, F.S., relating to reporting and prohibited receipt of gifts and to solicitation and disclosure of honoraria by reporting individuals and procurement employees; clarifying application of such provisions to reporting individuals who are candidates; providing an effective date.

—was referred to the Committee on Executive Business, Ethics and Elections.

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

HB 2467—A bill to be entitled An act relating to adult congregate living facilities; providing legislative findings and intent; creating within the Department of Elderly Affairs a task force to recommend specialized training for staff members of adult congregate living facilities that provide care for persons who have Alzheimer's disease or other memory impairment; providing for membership; providing travel and per diem expenses for certain task force members; amending ss. 159.27, 196.1975, 205.1965, 400.0060, 400.0069, 400.401, 400.402, 400.404, 400.407, 400.408, 400.412, 400.4195, 400.42, 400.421, 400.426, 400.435, 400.442, 400.447, 400.452, 400.553, 400.609, 400.618, 400.619, 400.621, 400.701, 400.702, 405.01, 408.032, 408.033, 408.035, 409.212, 410.031, 410.034, 410.502, 415.102, 415.103, 415.105, 415.107, 420.623, 468.1695, 468.505, 509.013, 633.021, 633.022, 651.083, F.S.; redesignating such facilities as "assisted living facilities"; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Ways and Means.

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

HB 2469—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 400.0081, F.S.; providing that additional records shall be available to the Office of State Long-Term Care Ombudsman, the State Long-Term Care Ombudsman Council, and the district long-term care ombudsman councils; amending s. 400.121, F.S.; requiring nursing homes to post notices with respect to a moratorium on admissions; amending s. 400.141, F.S.; requiring certain recordkeeping of accidents and unusual incidents; amending s. 400.145, F.S.; providing that the fee for copies of records of care and treatment of a resident of a nursing home shall not exceed a certain amount per page; amending s. 400.415, F.S.; requiring adult congregate living facilities to post notices with respect to a moratorium on admissions; providing an effective date.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; Judiciary; and Ways and Means.

By the Committee on Insurance and Representative Cosgrove—

HB 2471—A bill to be entitled An act relating to insurance; amending s. 627.7295, F.S.; requiring the collection of at least 2 months' premium for initial issuance of a motor vehicle insurance policy or binder; specifying applicability; providing exceptions; amending s. 627.837, F.S.; providing that restrictions on rebates or inducements do not prohibit ownership of a premium finance company by insurance agents; providing for legislative review and future repeal; amending s. 627.8405, F.S.; deleting provision specifying the maximum portion of a premium that may be financed; amending s. 627.841, F.S.; increasing the maximum charge for dishonored checks; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2575—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1995, and ending June 30, 1996, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2577—A bill to be entitled An act relating to implementing the fiscal year 1995-1996 General Appropriations Act; authorizing the Department of Health and Rehabilitative Services to use general revenue funds to extend AFDC and Medicaid benefits to certain political asylum applicants; amending s. 216.292, F.S.; authorizing the Department of Health and Rehabilitative Services and the Agency for Health Care Administration to transfer general revenue funds between them; amending s. 287.155, F.S.; authorizing the funding of replacement motor vehicles at juvenile justice facilities; amending s. 383.12, F.S.; authorizing a fee for certain serological tests; amending s. 409.9115, F.S.; authorizing the Agency for Health Care Administration to make payments for the Medicaid disproportionate share program for mental hospitals on a monthly basis; authorizing the appropriation of certain unobligated and unexpended interest earnings on trust funds for child day care; amending s. 790.065, F.S.; providing for transfer of certain excess funds of the Department of Law Enforcement Operating Trust Fund to the General Revenue Fund; amending s. 947.01, F.S.; authorizing a reduction in the number of members on the Parole Commission; amending s. 216.292, F.S.; authorizing the Commissioner of Education to transfer positions and appropriations to implement the reorganization of the Department of Education; amending s. 216.346, F.S.; providing for the exemption of developmental research schools from certain costs for overhead; amending s. 236.081, F.S., relating to the Florida Education Financing Program; including grades K-12 summer school enrollment in group 2 for purposes of the annual allocation calculation; providing for funding of the district cost differential in the amount authorized in the General Appropriations Act; authorizing funds to keep the district required local effort at a specified percentage of the district's total calculation; excluding certain millage and state funds from the guaranteed minimum allocation; amending s. 236.25, F.S., relating to the district school tax; authorizing school boards to increase their levy for capital improvements; amending s. 240.402, F.S.; authorizing the transfer of unobligated funds of the Florida Undergraduate Scholars' Trust Fund to the General Revenue Fund; amending s. 240.4065, F.S.; authorizing the transfer of unobligated funds of the Critical Teacher Shortage Trust Fund to the General Revenue Fund; amending s. 240.605, F.S.; providing for funding of the Florida resident access grant in an amount specified in the General Appropriations Act; amending s. 447.203, F.S.; authorizing the Commissioner of Education to negotiate reduction-in-force payments; amending s. 236.013, F.S.; providing supplemental instruction for students at risk of academic failure; prescribing duties of parties to a collective bargaining agreement in financial emergencies; amending s. 259.032, F.S.; authorizing the use of certain funds in the Conservation and Recreation Lands Trust Fund for eradication of nuisance aquatic plants; amending s. 259.101, F.S.; providing for distribution of proceeds from the sale of Preservation 2000 bonds as provided in the General Appropriations Act; amending s. 372.573, F.S.; authorizing the use of certain funds of the Land Acquisition Trust Fund for wildlife management area lease payments and for enforcement of wildlife laws; amending s. 403.7197, F.S.; authorizing the use of a specified percentage of the proceeds of the advance disposal fee for wastewater treatment programs; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; amending s. 288.122, F.S.; authorizing the use of funds of the Tourism Promotional Trust Fund to fund international trade activities of the Division of International Trade and Development of the Department of Commerce; amending s. 288.826, F.S.; authorizing the appropriation of certain funds of the Florida International Trade and Promotion Trust Fund to the Division of International Trade and Development of the Department of Commerce; amending s. 561.025, F.S.; authorizing the use of certain funds of the Alcoholic Beverage and Tobacco Trust Fund for the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation, for the purposes of the Children and Adolescents Substance Abuse Trust

Fund of the Department of Health and Rehabilitative Services, and for transfer to the General Revenue Fund; amending s. 339.136, F.S.; authorizing the use of certain funds from the State Transportation Trust Fund for infrastructure improvements related to the U.S. Army Southern Command site in Dade County; amending s. 479.11, F.S.; authorizing the use of certain funds for the Department of Transportation to conduct a demonstration program on the Florida Turnpike for roadside enhancement; authorizing acceptance of certain materials and services; authorizing agreements for certain advertising; providing severability; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2579—A bill to be entitled An act relating to reducing the cost of government; modifying various provisions of law in the area of Medicaid to reduce governmental functions through modification, termination of funding, or transfer of such functions; amending ss. 409.901, 409.902, 409.905, 409.906, 409.908, and 409.9081, F.S., relating to the Medicaid program; clarifying that the Agency for Health Care Administration is the Medicaid agency for the state; providing that Medicaid payments shall be subject to any limitations or directions provided for in the General Appropriations Act; providing for reducing costs and fostering efficiencies in the provision of transportation services; requiring the agency to develop rules relating to copayments not paid due to insufficient resources; requiring a client statement and providing for a voluntary report by pharmacies relating to losses from such unpaid copayments; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2581—A bill to be entitled An act relating to reducing the cost of government; modifying various provisions of law in the area of health and human services to reduce governmental functions through repeal, modification, termination of funding, or transfer of such functions; amending s. 201.15, F.S.; authorizing use of certain proceeds of the documentary stamp tax to provide for state and local services to assist the homeless; amending s. 408.032, F.S.; defining "agency" for health planning and health regulation purposes; amending s. 408.033, F.S., relating to local and state health planning; providing legislative intent that the local health councils and the Statewide Health Council be self-supporting; authorizing use of certain moneys pursuant to specific appropriation; revising assessment provisions, to conform; amending s. 408.038, F.S., relating to fees, to conform; amending ss. 427.013 and 427.0135, F.S., relating to duties of the Commission for the Transportation Disadvantaged and its member departments; exempting the Medicaid agency under certain circumstances from a duty relating to the use of alternative providers; amending s. 427.016, F.S., relating to requirements for the expenditure of funds for the transportation disadvantaged; exempting the Medicaid agency under certain circumstances from such funding requirements; prohibiting state and local agencies from contracting with any community transportation coordinator or transportation operator found to have engaged in abusive or fraudulent billing activities; amending s. 624.91, F.S.; providing for deposit of certain moneys in the Florida Healthy Kids Trust Fund; providing an effective date.

—was referred to the Committees on Health Care; Health and Rehabilitative Services; and Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2583—A bill to be entitled An act relating to reducing the cost of government; modifying various provisions of law in the area of education to reduce governmental functions through repeal or transfer of such functions; transferring the Division of Blind Services and all of its powers, duties, functions, records, personnel, property, and unexpended funds from the Department of Education to the Department of Labor and Employment Security; amending ss. 20.15, 20.171, 215.311, 216.0172, 316.1301, 320.0848, 413.011, 413.034, 413.051, 413.064, 413.066, 413.067, 413.091, and 413.395, F.S., to conform; creating s. 413.014, F.S.; providing for cooperative agreements for community-based rehabilitation programs for the blind and for the use of federal funds therefor; amending s. 229.565, F.S.; requiring a specified evaluation of education programs to be performed by the Auditor General; amending s. 11.42, F.S., relating to the Auditor General, to conform; allowing certain auditors of education programs to continue to meet existing job qualifications; providing an effective date.

—was referred to the Committees on Education; Rules and Calendar; and Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2585—A bill to be entitled An act relating to reducing the cost of government; modifying various provisions of law in the areas of governmental operations to reduce governmental functions through repeal, transfer, or privatization of such functions; amending s. 281.03, F.S.; exempting the Division of Capitol Police from conducting investigations at regional service centers not staffed by its agents; repealing ss. 316.069, 322.0261, 324.051, and 324.061, F.S., relating to motor vehicle accident reports, mandatory driver improvement courses for certain accidents, license suspensions or revocations resulting from certain accidents, and security deposited with respect to certain accidents, to eliminate the crash data program of the Department of Highway Safety and Motor Vehicles; amending ss. 318.1451, 324.011, 324.021, 324.071, 324.091, and 324.191, F.S., to conform; amending s. 322.17, F.S.; providing for an address sticker and fee for certain licenses; amending s. 322.19, F.S.; providing for a replacement license upon change of name; conforming provisions for change of address; amending s. 322.21, F.S.; revising provisions relating to persons out of the state or country extending their driving privilege past their license expiration date; amending s. 943.05, F.S.; revising duties of the Division of Criminal Justice Information Systems of the Florida Department of Law Enforcement with respect to crime reports; amending s. 550.70, F.S., relating to jai alai; eliminating the requirement that chief court judges be employed by the Division of Parimutuel Wagering; repealing ss. 570.381, 570.382, and 570.541, F.S., relating to Appaloosa, Arabian, and quarter horse racing and their related councils; amending ss. 550.0351, 550.2625, and 550.2633, F.S., to conform; providing for privatization of the Arabian and quarter horse promotion programs; amending s. 585.61, F.S.; eliminating the animal disease diagnostic laboratory in Dade County; amending ss. 589.32 and 589.33, F.S., relating to forestry assistance; revising funding provisions for urban forester services; creating s. 957.15, F.S.; providing requirements relating to the funding of contracts for operation, maintenance, and lease-purchase of private correctional facilities; amending s. 627.092, F.S.; requiring the Workers' Compensation Administrator to conduct such reviews of the effects of any statutorily mandated disability insurance and any mandated assessments thereof on rates and other practices as may be directed annually in the General Appropriations Act; amending s. 163.3187, F.S.; revising conditions under which small scale development amendments may be made to a comprehensive plan without regard to statutory limits on the frequency of plan amendments; revising notice requirements; providing for challenge to such amendments; providing for hearings and findings by the hearing officer and the agency; providing effective date of such amendments; providing for a report by the agency relating to an increase in the annual total acreage threshold for small scale amendments; amending s. 377.073, F.S.; requiring the Department of Community Affairs to administer a revolving loan program for public facility energy efficiency; amending s. 945.6031, F.S., relating to surveys conducted by the State of Florida Correctional Medical Authority of the physical and mental health care system at each state correctional institution; providing for triennial surveys instead of biennial surveys; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

By the Committee on Appropriations and Representative Ritchie—

HB 2587—A bill to be entitled An act relating to reducing the cost of government; modifying various provisions of law in the area of regulatory programs to reduce governmental functions through repeal, transfer, or privatization of such functions; amending s. 120.57, F.S., relating to hearings on decisions which affect substantial interests; providing a limitation for certain proceedings before the Florida Public Service Commission; repealing s. 186.801, F.S., relating to electric utility 10-year site plans; amending ss. 186.001, 186.003, 186.006, and 186.007, F.S., to conform;

amending s. 267.072, F.S.; revising deposit requirements for proceeds of sales from the museum store of the Museum of Florida History; amending ss. 364.035 and 366.06, F.S., relating to the setting or adjusting of the rates of telecommunications companies and public utilities; eliminating modified minimum filing requirements; amending ss. 364.055 and 366.071, F.S., to conform; amending s. 366.04, F.S.; authorizing the Florida Public Service Commission to supervise and regulate public utility rate structures; eliminating the commission's authority to prescribe rate structures for electric utilities; amending s. 366.82, F.S.; revising the definition of "utility"; amending s. 377.703, F.S.; providing that electric and natural gas utilities shall assist in the development of energy emergency contingency plans rather than the Florida Public Service Commission; amending s. 420.6075, F.S.; transferring duties of the Department of Community Affairs relating to research and planning for affordable housing to the Shimberg Center for Affordable Housing of the University of Florida; amending ss. 420.0003, 420.609, and 420.9075, F.S., to conform; repealing s. 420.608, F.S., relating to the inventory of publicly owned lands and buildings; repealing ss. 553.74, 553.75, 553.76, and 553.77, F.S., relating to the State Board of Building Codes and Standards; amending ss 489 115, 553.06, 553 141, 553.512, 553.71, 553.73, 553.79, and 553.902, F.S., to conform, repealing s. 553.506, F.S., relating to exceptions to applicability of the Americans with Disabilities Act, to conform; amending s. 790.06, F.S., relating to licenses to carry concealed weapons or firearms; eliminating certain provisions and fees relating to actions of the sheriff with respect thereto; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Commerce and Economic Opportunities; Community Affairs; and Ways and Means.

By Representative Laurent—

HM 125—A memorial to the Congress of the United States, urging it to amend the Bankruptcy Code of 1978, 11 U.S.C. ss. 101-1330, relating to local government revenue sources.

—was referred to the Committee on Rules and Calendar.

ROLL CALLS ON SENATE BILLS

SB 90

Yeas—37

Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	
Dyer	Jennings	Rossin	

Nays—None

CS for SB 114

Yeas—35

Bankhead	Dyer	Jennings	Ostalkiewicz
Bronson	Forman	Johnson	Rossin
Brown-Waite	Grant	Jones	Silver
Casas	Gutman	Kirkpatrick	Thomas
Childers	Harden	Kurth	Turner
Crist	Hargrett	Latvala	Weinstein
Dantzler	Holzendorf	McKay	Wexler
Diaz-Balart	Horne	Meadows	Williams
Dudley	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Sullivan

SB 496

Yeas—38

Mr. President	Dyer	Jennings	Rossin
Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	

Nays—None

CS for SB 502

Yeas—38

Mr. President	Dyer	Jennings	Rossin
Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	

Nays—None

SB 514

Yeas—37

Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	
Dyer	Jennings	Rossin	

Nays—None

SB 520

Yeas—38

Mr. President	Dyer	Jennings	Rossin
Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	

Nays—None

CS for SB 622

Yeas—36

Mr. President	Dudley	Jenne	Ostalkiewicz
Bankhead	Dyer	Jennings	Rossin
Bronson	Forman	Jones	Silver
Brown-Waite	Grant	Kirkpatrick	Sullivan
Casas	Harden	Kurth	Thomas
Childers	Hargrett	Latvala	Turner
Crist	Harris	McKay	Weinstein
Dantzler	Holzendorf	Meadows	Wexler
Diaz-Balart	Horne	Myers	Williams

Nays—None

Vote after roll call:

Yea—Johnson

CS for SB 796

Yeas—36

Bankhead	Dyer	Jenne	Myers
Bronson	Forman	Jennings	Ostalkiewicz
Brown-Waite	Grant	Johnson	Rossin
Casas	Gutman	Jones	Silver
Childers	Harden	Kirkpatrick	Thomas
Crist	Hargrett	Kurth	Turner
Dantzler	Harris	Latvala	Weinstein
Diaz-Balart	Holzendorf	McKay	Wexler
Dudley	Horne	Meadows	Williams

Nays—None

CS for SB 872

Yeas—35

Bankhead	Dyer	Jenne	Ostalkiewicz
Bronson	Forman	Jennings	Rossin
Brown-Waite	Grant	Johnson	Silver
Casas	Gutman	Jones	Sullivan
Childers	Harden	Kirkpatrick	Thomas
Crist	Hargrett	Kurth	Weinstein
Dantzler	Harris	Latvala	Wexler
Diaz-Balart	Holzendorf	McKay	Williams
Dudley	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Meadows

CS for SB 884

Yeas—34

Bankhead	Grant	Jones	Silver
Bronson	Gutman	Kirkpatrick	Sullivan
Brown-Waite	Harden	Kurth	Thomas
Childers	Hargrett	Latvala	Turner
Crist	Harris	McKay	Weinstein
Dantzler	Holzendorf	Meadows	Wexler
Dudley	Horne	Myers	Williams
Dyer	Jenne	Ostalkiewicz	
Forman	Johnson	Rossin	

Nays—None

SB 948

Yeas—36

Bankhead	Dyer	Jenne	Myers
Bronson	Forman	Jennings	Ostalkiewicz
Brown-Waite	Grant	Johnson	Rossin
Casas	Gutman	Jones	Silver
Childers	Harden	Kirkpatrick	Thomas
Crist	Hargrett	Kurth	Turner
Dantzler	Harris	Latvala	Weinstein
Diaz-Balart	Holzendorf	McKay	Wexler
Dudley	Horne	Meadows	Williams

Nays—None

SB 1030

Yeas—36

Mr. President	Dudley	Horne	Myers
Bankhead	Dyer	Jenne	Ostalkiewicz
Bronson	Forman	Jennings	Rossin
Brown-Waite	Grant	Johnson	Silver
Casas	Gutman	Jones	Sullivan
Childers	Harden	Kirkpatrick	Thomas
Crist	Hargrett	Kurth	Turner
Dantzler	Harris	Latvala	Weinstein
Diaz-Balart	Holzendorf	Meadows	Williams

Nays—None

SB 1724

Yeas—35

Bankhead	Dyer	Johnson	Rossin
Bronson	Forman	Jones	Silver
Brown-Waite	Gutman	Kirkpatrick	Sullivan
Casas	Harden	Kurth	Thomas
Childers	Hargrett	Latvala	Turner
Crist	Harris	McKay	Weinstein
Dantzler	Holzendorf	Meadows	Wexler
Diaz-Balart	Horne	Myers	Williams
Dudley	Jennings	Ostalkiewicz	

Nays—None

SB 1818

Yeas—37

Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	
Dyer	Jennings	Rossin	

Nays—None

SB 1826

Yeas—32

Bankhead	Crist	Dyer	Hargrett
Bronson	Dantzler	Grant	Harris
Casas	Diaz-Balart	Gutman	Holzendorf
Childers	Dudley	Harden	Horne

Jenne	McKay	Rossin	Turner
Jennings	Meadows	Silver	Weinstein
Kirkpatrick	Myers	Sullivan	Wexler
Kurth	Ostalkiewicz	Thomas	Williams

Nays—5

Brown-Waite	Johnson	Latvala
Forman	Jones	

SB 2094

Yeas—37

Mr. President	Dyer	Johnson	Silver
Bankhead	Grant	Jones	Sullivan
Bronson	Gutman	Kirkpatrick	Thomas
Brown-Waite	Harden	Kurth	Turner
Casas	Hargrett	Latvala	Weinstein
Childers	Harris	McKay	Wexler
Crist	Holzendorf	Meadows	Williams
Dantzler	Horne	Myers	
Diaz-Balart	Jenne	Ostalkiewicz	
Dudley	Jennings	Rossin	

Nays—None

Vote after roll call:

Yea—Forman

SB 2386

Yeas—37

Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	
Dyer	Jennings	Rossin	

Nays—None

ROLL CALLS ON HOUSE BILLS

CS for HB 103

Yeas—37

Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	
Dyer	Jennings	Rossin	

Nays—None

CS for HB 149

Yeas—35

Bankhead	Crist	Grant	Horne
Bronson	Dantzler	Gutman	Jenne
Brown-Waite	Diaz-Balart	Harden	Jennings
Casas	Dyer	Harris	Johnson
Childers	Forman	Holzendorf	Jones
Kirkpatrick	Meadows	Silver	Weinstein
Kurth	Myers	Sullivan	Wexler
Latvala	Ostalkiewicz	Thomas	Williams
McKay	Rossin	Turner	

Nays—None

Vote after roll call:

Yea—Hargrett

HB 327

Yeas—36

Bankhead	Dyer	Jenne	Ostalkiewicz
Bronson	Forman	Jennings	Rossin
Brown-Waite	Grant	Johnson	Silver
Casas	Gutman	Jones	Sullivan
Childers	Harden	Kirkpatrick	Thomas
Crist	Hargrett	Latvala	Turner
Dantzler	Harris	McKay	Weinstein
Diaz-Balart	Holzendorf	Meadows	Wexler
Dudley	Horne	Myers	Williams

Nays—None

Vote after roll call:

Yea—Kurth

HB 339

Yeas—38

Mr. President	Dyer	Jennings	Rossin
Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	

Nays—None

HB 685

Yeas—38

Mr. President	Dyer	Jennings	Rossin
Bankhead	Forman	Johnson	Silver
Bronson	Grant	Jones	Sullivan
Brown-Waite	Gutman	Kirkpatrick	Thomas
Casas	Harden	Kurth	Turner
Childers	Hargrett	Latvala	Weinstein
Crist	Harris	McKay	Wexler
Dantzler	Holzendorf	Meadows	Williams
Diaz-Balart	Horne	Myers	
Dudley	Jenne	Ostalkiewicz	

Nays—None

HB 773

Yeas—36

Bankhead	Dyer	Jenne	Ostalkiewicz
Bronson	Forman	Johnson	Rossin
Brown-Waite	Grant	Jones	Silver
Casas	Gutman	Kirkpatrick	Sullivan
Childers	Harden	Kurth	Thomas
Crist	Hargrett	Latvala	Turner
Dantzler	Harris	McKay	Weinstein
Diaz-Balart	Holzendorf	Meadows	Wexler
Dudley	Horne	Myers	Williams

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 19 was corrected and approved.

CO-SPONSORS

Senator Dyer—SR 886; Senator Kurth—SR 886; Senator McKay—SR 886; Senator Weinstein—SR 886

Senator Forman withdrew as a co-sponsor of CS for SB's 2670, 1986, 2298, 2638 and 926.

RECESS

On motion by Senator Jennings, the Senate recessed at 12:05 p.m. for the purpose of holding committee meetings and conducting other Senate business until 10:00 a.m., Wednesday, April 26.