



Journal of the Senate

Number 6—Regular Session

Wednesday, March 27, 1996

CALL TO ORDER

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

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

Excused Senators Jenne and McKay; Senator Myers at 10:30 a m.

HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the chamber and an Honor Guard of the Florida National Guard from St Augustine marched into the chamber bearing flags of the United States of America and the State of Florida

PRAYER

The following prayer was offered by Major Eddie E. Jones, Chaplain, Florida National Guard's Fifty-Third Signal Brigade, Tallahassee.

O Lord our Governor, we commend this State of Florida to your merciful care, that being guided by your providence, we may dwell secure in your peace.

Grant to the Governor of this State and all in authority, wisdom and strength to know you and to do your will Fill them with the love of truth and righteousness and make them ever mindful of their high calling

We also lift up this day, O Lord, the men and women of the Florida National Guard We commend them to your gracious care and keeping Defend them day by day with your heavenly grace and strengthen them in their trials and temptations. Give them courage to face the perils which beset them and grant them a sense of your abiding presence and peace whether at home or abroad

And now, O Lord, bless us to your faithful and loving service Amen

PLEDGE

Sergeant Barry Robinson of St. Petersburg (noncommissioned officer of the year) and Tecarie Czarnecki of New Smyrna Beach (State's soldier of the year) led the Senate in the pledge of allegiance to the flag of the United States of America.

CONSIDERATION OF RESOLUTIONS

On motion by Senator Bankhead, by two-thirds vote **SR 2880** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Bankhead—

SR 2880—A resolution recognizing the Florida National Guard for its faithful service to the State of Florida and the country and celebrating Florida National Guard Day

WHEREAS, the Florida National Guard is the direct and lineal descendant organization of the first Spanish militia companies formed in St Augustine in 1565, and the Florida National Guard continues to serve the State of Florida as the true and organized militia, under the Department of Military Affairs and the Adjutant General of Florida, and

WHEREAS, during this past year the Florida National Guard was mobilized ten times to State Active Duty to support the State during Hurricane's Allison, Erin, and Opal, to conduct four search operations, to provide support to residents during two periods of flooding, and to carry out one humanitarian relief operation, and

WHEREAS, the Florida Army National Guard continues to perform in a consistently outstanding manner in all U S Army exercises both at home and overseas, and the Florida Air National Guard continues to provide not only for the air defense of the peninsula of Florida but is assuming control of the entire southeast air defense sector and currently has airmen serving in Operation Joint Endeavor in Bosnia, and

WHEREAS, it is appropriate to recognize the service of the Florida National Guard by designating March 27, 1996, as Florida National Guard Day in the State of Florida, NOW, THEREFORE,

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

That the Senate officially recognizes the true and faithful service of the Florida National Guard both to the State of Florida and to the United States and commends and expresses great appreciation to the Florida National Guard for this distinguished service to Florida and our country.

BE IT FURTHER RESOLVED, that the Senate wishes to recognize this service and dedication of the Florida National Guard by designating March 27, 1996, as Florida National Guard Day in the State of Florida

BE IT FURTHER RESOLVED, that a copy of this resolution, with the Seal of the Senate affixed, be presented to Major General Ronald O. Harrison, the Adjutant General of the State of Florida, as a tangible token of the sentiments of the Florida Senate

—was taken up out of order and read the second time in full On motion by Senator Bankhead, **SR 2880** was adopted

SPECIAL GUESTS

Senator Bankhead introduced Adjutant General Ronald Harrison, Florida National Guard, who was present in the chamber

Senator Bankhead also introduced the following guests who were present in the gallery. Mrs. Harrison, General Harrison's wife, Brigadier General Wallace Green, Assistant Adjutant General, Florida Air National Guard; Brigadier General Spessard Boatwright; Colonel Kent Petelle, Chief of Staff, Colonel Raymond Connor, State Quartermaster; Colonel Mary Anne Chapman, Chief Nurse; Mr. Charlie Maddox, Civilian Aide to the Secretary of the Army for the State of Florida; and other members of the Florida National Guard

Upon request of the President, Senator Bankhead escorted General Harrison to the rostrum where he was presented a copy of the resolution.

The President thanked the Honor Guard and they were discharged

On motion by Senator Bankhead, by two-thirds vote **SR 2878** was withdrawn from the Committee on Rules and Calendar

On motion by Senator Bankhead—

SR 2878—A resolution recognizing the week of March 25-29, 1996, as Juvenile Justice Week.

WHEREAS, Florida's juvenile crime problem presents tremendous challenges far beyond the juvenile justice system, affecting the health and integrity of the state's business, community, education, and family institutions, and

WHEREAS, the Department of Juvenile Justice met many of the challenges in its first year of operation, including increasing the number of new residential commitment beds and nonresidential slots for juvenile offenders, opening long-term maximum security facilities, and establishing a number of much-needed private and public partnerships, and

WHEREAS, over 102,000 juvenile delinquency referrals were made to the department during the 1994-1995 fiscal year, and

WHEREAS, violent crimes, such as murder and rape, continue to escalate among juvenile offenders, and

WHEREAS, the juvenile justice system is a far-reaching continuum comprised of families, communities, churches and synagogues, law enforcement, schools, businesses, and the judiciary, and

WHEREAS, the department has established numerous partnerships and mentoring programs with law enforcement, businesses, churches, communities, juvenile justice district boards, county councils, and other agencies for the prevention of and intervention into juvenile delinquency, and

WHEREAS, the mission of the department is to provide a full range of programs and services in partnership with the juvenile justice system to prevent and reduce juvenile delinquency, and

WHEREAS, the department is committed to a balanced approach that increases public safety and provides department and offender accountability. NOW THEREFORE,

Be It Resolved by the Senate of the State of Florida

That the Florida Senate recognizes the week of March 25-29, 1996 as Juvenile Justice Week

BE IT FURTHER RESOLVED that the Florida Senate urges the support and participation of all citizens in making a conscious effort to prevent juvenile crime

—was taken up out of order and read the second time in full On motion by Senator Bankhead, **SR 2878** was adopted

SPECIAL GUESTS

Senator Bankhead introduced the following guests who were present in the gallery: Woodie Harper, Deputy Secretary of the Department of Juvenile Justice; Jeff Blake, Cincinnati Bengals football player from Sanford; Gary Frechette, Martin County Boot Camp Commander; graduates of the PACE and AMI Programs and Juvenile Justice Board members.

SPECIAL GUEST

Senator Childers introduced Pensacola native Emmitt Smith, of the National Football League's Dallas Cowboys and former All-American and three-time All-SEC running back from the University of Florida.

Upon request of the President, Senator Childers escorted Mr. Smith to the rostrum where he addressed the Senate.

INTRODUCTION OF FORMER SENATOR

Senator Silver introduced former Senator Sherman Winn who was present in the chamber

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jennings, by two-thirds vote **SB 1066** was withdrawn from the Committees on Commerce and Economic Opportunities; Governmental Reform and Oversight; and Ways and Means; and referred to the Committees on Higher Education; Governmental Reform and Oversight; and Ways and Means; **SB 2822** was withdrawn from the Committees on Education; and Ways and Means; and referred to the Committees on Higher Education; and Ways and Means; **SB 2510** was withdrawn from the Committees on Commerce and Economic Opportunities; Education; and Ways and Means, and referred to the Committees on Education; Commerce and Economic Opportunities; and Ways and Means, **SJR 2512** was withdrawn from the Committees on Commerce and Economic Opportunities; Education; Ways and Means; and Rules and Calendar; and referred to the Committees on Education; Commerce and Economic Opportunities; Ways and Means; and Rules and Calendar; and **CS for SB's 2290 and 2288** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Johnson, by two-thirds vote **SB 2684** was withdrawn from the committee of reference and further consideration

On motion by Senator Kurth, by two-thirds vote **SB 1756** was withdrawn from the committees of reference and further consideration

On motion by Senator Rossin, by two-thirds vote **SB 82**, **SB 206** and **SB 2558** were withdrawn from the committees of reference and further consideration.

On motion by Senator Holzendorf, by two-thirds vote **SB 1774** was withdrawn from the committees of reference and further consideration.

On motion by Senator Grant, by two-thirds vote **SB 1710** was withdrawn from the committees of reference and further consideration.

On motion by Senator Diaz-Balart, by two-thirds vote **CS for SB 16**, **CS for SB 84**, **SB 114**, **SB 150**, **SB 194**, **SB 250**, **SB 260**, **CS for SB 444**, **SB 482**, **SB 492**, **SB 524**, **CS for SB 598**, **SB 662**, **CS for SB 724**, **SB 812**, **CS for SB 926**, **SB 940**, **SB 944**, **SB 1154**, **SB 1890** and **CS for SB's 2290 and 2288** were withdrawn from the Committee on Ways and Means.

SPECIAL ORDER CALENDAR

CS for SB 8—A bill to be entitled An act relating to legal actions brought by prisoners; amending s. 57.081, F.S.; providing that prisoners are not entitled to receive without charge certain services of courts, sheriffs, and clerks, creating s. 57.085, F.S.; providing circumstances for prepayment or waiver of court costs and fees of indigent prisoners; creating s. 92.351, F.S.; prohibiting prisoners from submitting nondocumentary physical evidence without court authorization; providing guidelines for inspection and forwarding by corrections or detention facilities of certain packages mailed to courts by prisoners; amending s. 95.11, F.S.; providing limits for filing of petitions and actions brought by or on behalf of prisoners; creating s. 944.279, F.S.; providing for loss of gain-time for filing frivolous or malicious actions or for providing false information to a court; amending s. 944.28, F.S.; specifying that gain-time and the right to earn future gain-time is subject to forfeiture for bringing frivolous or malicious actions or for providing false information to a court; providing an effective date.

—was read the second time by title.

Amendments were considered to conform **CS for SB 8** to **CS for HB 37**.

Pending further consideration of **CS for SB 8** as amended, on motion by Senator Dantzler, by two-thirds vote **CS for HB 37** was withdrawn from the Committees on Criminal Justice and Judiciary.

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

CS for HB 37—A bill to be entitled An act relating to legal actions brought by prisoners, amending s. 57.081, F.S., providing that prisoners are not entitled to receive without charge certain services of courts, sheriffs, and clerks; creating s. 57.085, F.S.; providing circumstances for prepayment or waiver of court costs and fees of indigent prisoners; creat-

ing s. 92.351, F.S.; prohibiting prisoners from submitting nondocumentary physical evidence without court authorization, providing guidelines for inspection and forwarding by corrections or detention facilities of certain packages mailed to courts by prisoners; amending s. 95.11, F.S.; providing limits for filing of petitions and actions brought by or on behalf of prisoners, creating s. 944.279, F.S.; providing for loss of gain-time for filing frivolous or malicious actions; amending s. 944.28, F.S.; specifying that gain-time is subject to forfeiture for bringing frivolous or malicious actions; providing an effective date.

—a companion measure, was substituted for **CS for SB 8** and by two-thirds vote read the second time by title. On motions by Senator Dantzer, by two-thirds vote **CS for HB 37** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37 Nays—None

SB 78—A bill to be entitled An act relating to guardians ad litem; amending s. 415.503, F.S.; deleting a reference to certain screening standards for guardians ad litem appointed to represent abused or neglected children under part IV, ch. 415, F.S.; creating s. 415.5077, F.S.; providing qualification requirements for guardians ad litem, requiring an employer to furnish personnel records for purposes of security background investigations; limiting an employer's liability for information contained in personnel records, providing certain exemptions, amending s. 61.402, F.S.; providing for security background investigations of guardians ad litem appointed under ch. 61, F.S., relating to actions for dissolution of marriage, support, and custody; providing an effective date.

—was read the second time by title.

Amendments were considered to conform **SB 78** to **HB 739**.

Pending further consideration of **SB 78** as amended, on motion by Senator Burt, by two-thirds vote **HB 739** was withdrawn from the Committees on Judiciary; and Ways and Means.

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

HB 739—A bill to be entitled An act relating to guardians ad litem; amending s. 415.503, F.S.; deleting a reference to certain screening standards for guardians ad litem appointed to represent abused or neglected children under part IV, ch. 415, F.S.; creating s. 415.5077, F.S.; providing qualification requirements for guardians ad litem; requiring an employer to furnish personnel records for purposes of security background investigations; limiting an employer's liability for information contained in personnel records; providing certain exemptions, amending s. 61.402, F.S.; providing for security background investigations of guardians ad litem appointed under ch. 61, F.S., relating to actions for dissolution of marriage, support, and custody; providing a penalty; providing an effective date

—a companion measure, was substituted for **SB 78** and by two-thirds vote read the second time by title. On motions by Senator Burt, by two-thirds vote **HB 739** was read the third time by title, passed and immediately certified to the House. The vote on passage was

Yeas—36 Nays—None

SB 156—A bill to be entitled An act relating to the Florida Violent Crime Council, abrogating the repeal of s. 943.031, F.S., relating to the council; providing an effective date

—was read the second time by title. On motions by Senator Burt, by two-thirds vote **SB 156** 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 108—A bill to be entitled An act relating to the abuse of dead human bodies; creating s. 872.06, F.S.; providing a definition; prohibiting the mutilation, sexual abuse, or gross abuse of a dead human body; providing a penalty, providing that the defendant's belief that the body was alive at the time of the mutilation or abuse is not a defense;

providing that the act does not prohibit an act done for a bona fide medical purpose or other lawful purpose; amending s. 921.0012, F.S., relating to the offense severity ranking chart; classifying the offense of abusing a dead human body for purposes of sentencing; providing an effective date

—was read the second time by title. On motions by Senator Thomas, by two-thirds vote **CS for SB 108** 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 CS for SB 508—A bill to be entitled An act relating to the "Mangrove Trimming and Preservation Act"; amending s. 403.9322, F.S.; adding to legislative findings; amending s. 403.9323, F.S., expanding legislative intent; amending s. 403.9324, F.S.; clarifying local government authority; amending s. 403.9325, F.S.; adding, deleting, and revising definitions; amending s. 403.9326, F.S.; revising exemptions from permitting requirements, amending s. 403.9327, F.S., revising permitting standards; amending s. 403.9328, F.S., revising alteration and trimming standards; creating s. 403.93271, F.S., relating to multi-family residential units; amending s. 403.9329, F.S.; revising qualifications and standards for professional mangrove trimmers; amending s. 403.9332, F.S.; revising mitigation and restoration requirements; providing additional monetary penalties; providing an effective date.

—was read the second time by title

Senator Latvala moved the following amendment:

Amendment 1 (with title amendment)—Delete everything after the enacting clause, and insert:

Section 1. Subsection (2) of section 403.9322, Florida Statutes, is amended to read

403.9322 Legislative findings.—

(2) The Legislature finds that mangroves play an important ecological role as habitat for various species of marine and estuarine vertebrates, invertebrates, and other wildlife, including mammals, birds, and reptiles, *as shoreline stabilization and storm protection, and for water-quality protection and maintenance and as food-web support.* The mangrove forest is a tropical ecosystem that provides nursery support to the sports and commercial fisheries. Through a combination of functions, mangroves contribute to the economies of many coastal counties in the state

Section 2. Subsection (2) of section 403.9323, Florida Statutes, is amended, and subsections (5) and (6) are added to that section, to read:

403.9323 Legislative intent —

(2) It is the intent of the Legislature that no trimming or alteration of mangroves may shall be permitted on uninhabited islands which are publicly owned or on lands in mangrove forests that are set aside for conservation and preservation, or mitigation, except where necessary to protect the public health, safety, and welfare, or to enhance public use of, or access to, conservation areas in accordance with approved management plans.

(5) It is the intent of the Legislature that all trimming of mangroves pursuant to this act conducted on parcels having multifamily residential units result in an equitable distribution of the riparian rights provided herein.

(6) It is the intent of the Legislature to grandfather certain historically established mangrove maintenance activities.

Section 3. Subsections (2), (3), and (6) of section 403.9324, Florida Statutes, are amended to read:

403.9324 Mangrove protection rule; delegation of mangrove protection to local governments.—

(2) The department shall delegate its authority to regulate the trimming and alteration of mangroves to any local government that makes a written request for delegation, if the local government meets the requirements of this section. To receive delegation, a local government

must demonstrate that it has sufficient resources and procedures for the adequate administration and enforcement of a delegated mangrove-regulatory program. When a county receives delegation from the department, it may, through interlocal agreement, further delegate the authority to administer and enforce regulation of mangrove trimming and alteration to municipalities that meet the requirements of this section. In no event shall more than one permit for the alteration or trimming of mangroves ~~mangrove~~ be required within the jurisdiction of any delegated local government.

(3) A local government that wants to establish a program for the regulation of mangroves ~~mangrove~~ may request delegation from the department at any time. However, all local government regulation of mangroves ~~mangrove~~, except pursuant to a delegation as provided by this section, is abolished 180 days after this section takes effect.

(6) A local government that receives delegation of the department's authority to regulate mangroves ~~mangrove~~ shall issue all permits required by law and in lieu of any departmental permit provided for by ss. 403.9321-403.9333. The availability of the exemptions to trim mangroves ~~mangrove~~ in riparian mangrove fringe areas provided in s. 403.9326 may not be restricted or qualified in any way by any local government. This subsection does not preclude a delegated local government from imposing stricter substantive standards or more demanding procedural requirements for mangrove trimming or alteration outside of riparian mangrove fringe areas.

Section 4. Section 403.9325, Florida Statutes, is amended to read:

403.9325 Definitions.—For the purposes of ss. 403.9321-403.9333, the term

(1) "Alter" means anything other than trimming to remove, defoliate, or destroy mangroves, but does not mean the trimming of mangroves.

(2) ~~"Extended mangrove fringe" means mangrove area waterward of the riparian mangrove fringe, which, at its widest point, does not exceed 425 feet in width, as measured perpendicular to the shoreline.~~

(2)(3) "Local government" means a county or municipality.

(3)(4) "Mangrove" means any specimen of the species *Laguncularia racemosa* (white mangrove), *Rhizophora mangle* (red mangrove), or *Avicennia germinans* (black mangrove).

(4) "Mangroves on lands that have been set aside as mitigation" means mangrove areas on public or private land which have been created, enhanced, restored, or preserved as mitigation under a dredge and fill permit issued under ss. 403.91-403.929, Florida Statutes (1984 Supplement, as amended), or a dredge and fill permit, management and storage of surface waters permit, or environmental resource permit issued under part IV of chapter 373, applicable dredge and fill licenses or permits issued by a local government, a resolution of an enforcement action, or a conservation easement that does not provide for trimming.

(5) "Professional mangrove trimmer" means a person who meets the qualifications set forth in s. 403.9329.

(6) "Public lands set aside for conservation or preservation" means.

(a) Conservation and recreation lands under chapter 259,

(b) State and national parks;

(c) State and national reserves and preserves except as provided in s. 403.9326(3),

(d) State and national wilderness areas;

(e) National wildlife refuges (only those lands under Federal Government ownership);

(f) Lands acquired through the Water Management Lands Trust Fund, Save Our Rivers Program;

(g) Lands acquired under the save our coast program;

(h) Lands acquired under the environmentally endangered lands bond program,

(i) Public lands designated as conservation or preservation under a local government comprehensive plan;

(j) Lands purchased by a water management district, the Florida Game and Fresh Water Fish Commission, or any other state agency for conservation or preservation purposes;

(k) Public lands encumbered by a conservation easement that does not provide for the trimming of mangroves, and

(l) Public lands designated as critical wildlife areas by the Florida Game and Fresh Water Fish Commission.

(7)(6) "Riparian mangrove fringe" means mangroves ~~mangrove~~ growing along the shoreline on private property, property owned by a governmental entity, or sovereign submerged land ~~state-owned property~~, the depth of which does not exceed 25 ~~46~~ feet as measured waterward from the trunk of the most landward mangrove tree in a direction perpendicular to the shoreline to the trunk of the most waterward mangrove tree. Riparian mangrove fringe does not include mangroves on uninhabited islands, or public lands that have been set aside for conservation or preservation, or mangroves on lands that have been set aside as mitigation, if the permit, enforcement instrument, or conservation easement establishing the mitigation area ~~management plan for the mitigation~~ did not include provisions for the trimming of mangroves ~~mangrove~~.

(8)(7) "Trim" means to cut mangrove branches, twigs, limbs, and foliage, but does not mean to remove, defoliate, or destroy ~~alter, by removing, defolating, or destroying~~, the mangroves.

Section 5 Subsections (1) and (2) of section 403.9326, Florida Statutes, are amended to read:

403.9326 Exemptions.—

(1) The following activities are ~~shall be~~ exempt from the permitting requirements of ss. 403.9321-403.9333 and any other provision of law if no herbicide or other chemical is used to remove mangrove foliage:

(a) Mangrove trimming in riparian mangrove fringe areas that meet the following criteria

1. The riparian mangrove fringe must be located on lands owned or controlled by the person who will supervise or conduct the trimming activities or on sovereign submerged ~~state~~ lands immediately waterward and perpendicular to the ~~such~~ lands.

2. The mangroves that are the subject of the trimming activity may not exceed 10 feet in pretrimmed height as measured from the substrate and may not be trimmed so that the overall height of any mangrove is reduced to less than ~~below a height of~~ 6 feet as measured from the substrate.

This exemption applies to property with a shoreline of 150 feet or less. Owners of property with a shoreline of more than 150 feet may not trim, under an exemption, more than 65 percent of the mangroves along the shoreline.

(b) Mangrove trimming supervised or conducted exclusively by a professional mangrove trimmer, as defined in s. 403.9325, in riparian mangrove fringe areas that meet the following criteria.

1. The riparian mangrove fringe must be located on lands owned or controlled by the professional mangrove trimmer or by the person contracting with the professional mangrove trimmer to perform the trimming activities, or on sovereign submerged ~~state~~ lands immediately waterward and perpendicular to such lands.

2. The mangroves that are the subject of the trimming activity may not exceed 24 feet in pretrimmed height and may not be trimmed so that the overall height of any mangrove is reduced to less than 6 feet as measured from the substrate.

3. The trimming of mangroves that are 16 feet or greater in pretrimmed height must be conducted in stages so that no more than 25 percent of the foliage is removed annually.

4. A professional mangrove trimmer that is trimming red mangroves for the first time under the exemption provided by this paragraph must

notify the department or delegated local government in writing at least 10 days before commencing the trimming activities

This exemption applies to property with a shoreline of 150 feet or less. Owners of property with a shoreline of more than 150 feet may not trim, under an exemption, more than 65 percent of the mangroves along the shoreline.

(c) Mangrove trimming in riparian mangrove fringe areas which is designed to reestablish or maintain a previous mangrove configuration if the mangroves to be trimmed do not exceed 24 feet in pretrimmed height. The reestablishment of a previous mangrove configuration must not result in the destruction, defoliation, or removal of mangroves. Documentation of a previous mangrove configuration may be established by affidavit of a person with personal knowledge of such configuration, through current or past permits from the state or local government, or by photographs of the mangrove configuration. Trimming activities conducted under ~~pursuant to~~ the exemption provided by this paragraph shall be conducted by a professional mangrove trimmer when the mangroves that are the subject of the trimming activity have a pretrimmed height which exceeds of 10 feet or more as measured from the substrate. A person trimming red mangroves for the first time under the exemption provided by this paragraph must notify the department or delegated local government in writing at least 10 days before commencing the trimming activities.

(d) The maintenance trimming of mangroves that have been previously trimmed in accordance with an exemption or government authorization ~~previously granted by the department or a local government~~, including those mangroves that have been naturally recruited into the area and any mangrove growth that has expanded from the area subsequent to the authorization, if the maintenance trimming does not exceed the height and configuration previously established ~~authorized by the exemption or previous authorization~~. Historically established maintenance trimming is grandfathered in all respects, notwithstanding any other provisions of law. Documentation of established mangrove configuration may be verified by affidavit of a person with personal knowledge of the configuration or by photographs of the mangrove configuration.

(e) The trimming of mangrove trees by a state-licensed surveyor in the performance of his duties, ~~if the trimming is limited to of mangrove which requires a swath of greater than 3 feet or less in width requires approval from the department or delegated local government prior to such trimming.~~

(f) The trimming of mangrove trees by a duly constituted communications, water, sewerage, electrical, or other utility company, or by a federal, state, county, or municipal agency, or by an engineer or a surveyor and mapper working under a contract with such utility company or agency, when the such trimming is done as a governmental function of the such agency.

(g) The trimming of mangrove trees by a duly constituted communications, water, sewerage, electrical, or other utility company in or adjacent to a public or private easement or right-of-way, ~~if the provided such trimming is limited to those areas where it is necessary for the maintenance of existing lines or facilities or for the construction of new lines or facilities in furtherance of providing utility service to its customers and if work provided such trimming is conducted so as to avoid any unnecessary trimming alteration of mangrove trees~~

(h) The trimming of mangrove trees by a duly constituted communications, water, sewerage, or electrical utility company on the grounds of a water treatment plant, sewerage treatment plant, or electric power plant or substation in furtherance of providing utility service to its customers, ~~if work provided such trimming is conducted so as to avoid any unnecessary trimming alteration of mangrove trees~~

(2) Any rule, regulation, or other provision of law ~~must shall~~ be strictly construed so as not to limit directly or indirectly the exemptions provided by this section for trimming in riparian mangrove fringe areas ~~except as provided in s 403.9329(7)(b)~~. Any rule or policy of the department, or local government regulation, that directly or indirectly serves as a limitation on the exemptions provided by this section for trimming in riparian mangrove fringe areas is invalid.

Section 6 Section 403.9327, Florida Statutes, is amended to read

403.9327 General permits —

(1)(a) ~~The following department shall issue~~ general permits are created for the trimming of mangroves that do not qualify for an exemption provided by s 403.9326

(b) A general permit to trim mangroves for riparian property owners, ~~if~~

1 The trimming is conducted in an area where the department has not delegated the authority to regulate mangroves to a local government,

2 The trimming is supervised or conducted exclusively by a professional mangrove trimmer;

3 The mangroves subject to trimming under the permit do not extend more than 500 feet waterward as measured from the trunk of the most landward mangrove tree in a direction perpendicular to the shoreline,

4 No more than 65 percent of the mangroves along the shoreline which exceed 6 feet in pretrimmed height as measured from the substrate will be trimmed, and no mangrove will be trimmed so that the overall height of any mangrove is reduced to less than 6 feet as measured from the substrate, and

5 No herbicide or other chemical will be used for the purpose of removing leaves of a mangrove

(c) A general permit for the limited trimming of mangroves within existing navigational channels, basins, or canals to provide clearance for navigation of watercraft, ~~if~~

1 The trimming is conducted in an area where the department has not delegated the authority to regulate mangroves to a local government,

2 The trimming is supervised or conducted exclusively by a professional mangrove trimmer;

3 The mangroves are located on lands owned or controlled by the professional mangrove trimmer or by the person contracting with the professional mangrove trimmer to perform the trimming activities, or on sovereign submerged lands immediately waterward and perpendicular to such lands;

4 The trimming is limited to those portions of branches or trunks of mangroves which extend into the navigation channel beyond a vertical plane of the most waterward prop root or root system, and

5 No herbicide or other chemical will be used for the purpose of removing leaves of a mangrove. ~~mangrove in extended mangrove fringe areas. A request for a general permit to trim mangrove under this section must be submitted in writing with sufficient specificity to enable the department to determine the scope of the proposed trimming activities. The department shall issue a general permit if the proposed trimming activity will not impair the ability of the trimmed mangrove to perform its biological function. The applicant is entitled to a general permit upon a demonstration that, based on available scientific data, there is a reasonable assurance that the trimmed mangrove will continue to perform its biological function.~~

(2)(b) ~~The department or a delegated local government~~ may establish additional general permits for mangrove trimming ~~outside extended mangrove fringe areas~~

(3) The general permits under this section are subject to the following conditions

(a) A general permit may be used only once on any parcel of property to achieve a mangrove height of no less than 6 feet;

(b) Trimming must be conducted in stages so that no more than 25 percent of the foliage is removed annually, and

The height and configuration of mangroves trimmed under these general permits may be maintained under s 403.9326(1)(d)

(4) Notice of intent to use a general permit must be made in writing to the department and must contain sufficient information to enable the department to determine the scope of the proposed trimming and whether the activity will comply with the conditions of this section.

(5)(2) The department shall grant or deny in writing each request for a general permit within 30 days after receipt, unless the applicant agrees to an extension. If the applicant does not agree to an extension and the department fails to act on the request within the 30-day period, the request is deemed approved. The department's denial of a request for a general permit is subject to review under chapter 120. The department's action may not receive a presumption of validity in any administrative or judicial proceeding for review.

(6) *Trimming that does not qualify for an exemption under s 403.9326 or a general permit under this section requires a permit as provided in s 403.9328.*

(7)(3) If a local government receives delegation of the department's authority to regulate mangroves mangrove, the delegated local government shall issue permits for mangrove trimming in extended mangrove fringe areas in lieu of a general departmental permit from the department, but the local government may not directly or indirectly limit the use of the exemptions in s. 403.9326. A delegated local government may impose stricter substantive standards than those of the department for the issuance of a permit authorized by this section, however, such regulations may not prohibit all mangrove trimming preclude the issuance of a general permit for the trimming of mangrove in extended mangrove fringe areas

Section 7 Section 403.93271, Florida Statutes, is created to read:

403.93271 Applicability to multifamily residential units.—

(1) When trimming under s. 403.9327(1)(a) occurs on property developed for multifamily residential use, the 65-percent shoreline trimming limit must be equitably distributed so that each owner's riparian view is similarly affected.

(2) If it is necessary to trim more than 65 percent of the mangroves along the shoreline in order to provide a water view from each unit, the department or delegated local government may authorize a greater percentage of trimming under s. 403.9327(1)(a). This subsection applies only to property on which multifamily residential units exist as of June 1, 1996.

Section 8. Section 403.9328, Florida Statutes, is amended to read:

403.9328 Alteration and trimming of mangroves, permit requirement —

(1) A No person may not alter or trim, or cause to be altered or trimmed, any mangrove within the landward extent of wetlands and other surface waters, as defined in chapter 62-340.200(19), Florida Administrative Code, using the methodology in s 373.4211 and chapter 62-340, Florida Administrative Code, when the trimming does not meet the criteria in s 403.9326 or s 403.9327 except under pursuant to a permit issued under this section by the department or a delegated local government or as otherwise provided by ss. 403.9321-403.9333. Any violation of ss 403.9321-403.9333 is shall be presumed to have occurred with the knowledge and consent of any owner, trustee, or other person who directly or indirectly has charge, control, or management, either exclusively or with others, of the property upon which the such violation occurs. However, this presumption may be rebutted by competent, substantial evidence that the violation was not authorized by the owner, trustee, or other person.

(2)(a) The department, when deciding to issue or deny a permit for mangrove alteration or trimming under this section, shall use the criteria in s. 373.414(1) and (8). If the applicant is unable to meet these criteria, the department and the applicant shall first consider measures to reduce or eliminate the unpermissible impacts. If unpermissible impacts still remain, the applicant may propose, and the department shall consider, measures to mitigate the otherwise unpermissible impacts. A request for a permit to alter mangroves must be submitted in writing with sufficient specificity to enable the department to determine the scope and impacts of the proposed alteration activities.

(b) The department shall issue or deny a permit for mangrove alteration in accordance with chapter 120 and s 403.0876.

(3) The use of herbicides or other chemicals for the purposes of removing leaves from a mangrove is strictly prohibited.

(4)(3) If a local government receives delegation of the department's authority to regulate mangroves mangrove, the delegated local government shall issue permits for mangrove trimming when the trimming does not meet the criteria in s 403.9326 or for mangrove alteration in lieu of a departmental permit. A delegated local government may impose stricter substantive standards than those of the department for the issuance of a permit authorized by this section but may not prohibit all mangrove trimming preclude the issuance of permits.

(5) A permit is not required under ss. 403.9321-403.9333 to trim or alter mangroves if the trimming or alteration is part of an activity that is exempt under s 403.813 or is permitted under part IV of chapter 373. The procedures for permitting under part IV of chapter 373 will control in those instances.

Section 9 Section 403.9329, Florida Statutes, is amended to read:

403.9329 Professional mangrove trimmers.—

(1) For purposes of ss. 403.9321-403.9333, the following persons are considered professional mangrove trimmers:

(a) Certified arborists, certified by the International Society of Arboriculture;

(b) Professional wetland scientists, certified by the Society of Wetland Scientists,

(c) Certified environmental professionals, certified by the Academy of Board Certified Environmental Professionals,

(d) Certified ecologists certified by the Ecological Society of America,

(e) Persons any person licensed under part II of chapter 481 is deemed a professional mangrove trimmer. The Board of Landscape Architecture shall establish appropriate standards and continuing legal education requirements to assure the competence of licensees to conduct the activities authorized under ss 403.9321-403.9333. Trimming by landscape architects as professional mangrove trimmers is not allowed until the establishment of standards by the board. The board shall also establish penalties for violating ss 403.9321-403.9333. Only those landscape architects who are certified in the state may qualify as professional mangrove trimmers under ss. 403.9321-403.9333, notwithstanding any reciprocity agreements that may exist between this state and other states,

(f) Persons who have conducted mangrove trimming as part of their business or employment and who are able to demonstrate to the department or a delegated local government, as provided in subsection (2) or subsection (3), a sufficient level of competence to assure that they are able to conduct mangrove trimming in a manner that will ensure the survival of the mangroves that are trimmed, and

(g) Persons who have been qualified by a delegated local government through a mangrove-trimming qualification program as provided in subsection (7).

(2) A person who seeks to assert professional mangrove trimmer status under paragraph (1)(f) to trim mangroves under the exemptions and general permits provided in ss 403.9326 and 403.9327, in areas where a local government has not established a professional mangrove trimmer qualification program as provided in subsection (7), must request in writing professional mangrove trimmer status from the department. The department shall grant or deny any written request for professional mangrove trimmer status within 60 days after receipt of the request. If professional mangrove trimmer status has been granted by the department, no additional requests for professional mangrove trimmer status need be made to the department to trim mangroves under the exemptions provided in s 403.9326. Persons applying for professional mangrove trimmer status must provide to the department a notarized sworn statement attesting:

(a) That the applicant has successfully completed a minimum of 10 mangrove trimming projects authorized by the department or a local government program. Each project must be separately identified by project name and permit number;

(b) That a mangrove trimming or alteration project of the applicant is not in violation of ss 403.9321-403.9333 or any lawful rules adopted thereunder, and

(c) That the applicant possesses the knowledge and ability to correctly identify mangrove species occurring in this state

(3) A person asserting professional mangrove trimmer status who wishes to use a general permit authorized under s. 403.9327 must complete and sign a notice of intent to use the general permit, along with the individual who owns or controls the property, and provide a copy of the department's qualification of professional mangrove trimmer status as provided for in subsection (2). A professional mangrove trimmer signing a notice of intent to use the general permit must conduct or supervise the trimming at the site specified in the notice.

(4) The department may deny a request for professional mangrove trimmer status if the department finds that the information provided by the applicant is incorrect or incomplete, or if the applicant has demonstrated a past history of noncompliance with the provisions of ss. 403.9321-403.9333 or any adopted mangrove rules

(5) A professional mangrove trimmer status granted by the department may be revoked by the department for any person who is responsible for any violations of ss. 403.9321-403.9333 or any adopted mangrove rules

(6) The department's decision to grant, deny, or revoke a professional mangrove trimmer status is subject to review under chapter 120

(7)(a) A local government that receives delegation of the department's mangrove regulatory authority may establish criteria for qualification of persons as professional mangrove trimmers working within the jurisdiction of the local government. A delegated local government that establishes a program shall provide procedures and minimum qualifications and may develop training programs for those persons wishing to become qualified as professional mangrove trimmers. A delegated local government may establish criteria for disciplining persons qualified as professional mangrove trimmers working within its jurisdiction.

(b) A delegated local government may require that any person qualifying as a professional mangrove trimmer within the jurisdiction of the local government:

1. Be registered with the local government.
2. Pay an annual registration fee that may not exceed \$500.
3. Provide prior written notice to the delegated local government before conducting the trimming activities authorized under the exemptions provided by s. 403.9326.
4. Be onsite when mangrove trimming activities are performed.

(c) The department may require a person who qualifies as a professional mangrove trimmer and works in an area where a local government has not received delegation to provide written notice to the department 10 days before conducting trimming activities under the exemptions and general permits provided in ss. 403.9326 and 403.9327 and to be onsite when mangrove trimming activities are performed.

(d)(e) Any person who qualifies as a professional mangrove trimmer under this subsection (1) may conduct trimming activities within the jurisdiction of a delegated local government if the such person registers and pays any appropriate fee required by a delegated local government. A delegated local government that wishes to discipline persons licensed under part II of chapter 481 for mangrove trimming or alteration activities may file a complaint against the licensee as provided for by chapter 481 and may take appropriate local disciplinary action. Any local disciplinary action imposed against a licensee is subject to administrative and judicial review.

(e)(e) A locally registered mangrove trimmer may use the exemptions and general permits in ss. 403.9326 and 403.9327 only within the jurisdiction of delegated local governments in which the mangrove trimmer is registered. Nothing in ss. 403.9321-403.9333 shall prevent any person who qualifies as a professional mangrove trimmer under subsection (1) from using the exemptions and general permits in ss. 403.9326 and 403.9327 outside the jurisdiction of delegated local governments.

(f)(e) Any local governmental regulation imposed on professional mangrove trimmers that has the effect of limiting directly or indirectly the availability of the exemptions provided by s. 403.9326 is invalid

Section 10. Section 403.9332, Florida Statutes, is amended to read:
403.9332 Mitigation and enforcement.—

(1)(a) Any area in which 5 percent or more of the trimmed mangrove trees ~~mangroves~~ have been trimmed below 6 feet in height, except as provided in s. 403.9326(1)(c), (d), (f), (g), and (h), destroyed, defoliated, or removed as a result of trimming conducted under pursuant to s. 403.9326 or s. 403.9327 must ~~s. 403.9337~~ be restored or mitigated. Restoration must shall be accomplished by replanting mangroves ~~one mangrove for each mangrove destroyed, removed, or defoliated~~, in the same location and of the same species and ~~approximate size~~ as each mangrove destroyed, defoliated, ~~or removed, or trimmed~~, to achieve within 5 years a canopy area equivalent to the area destroyed, removed, defoliated, or trimmed; or mitigation must be accomplished by replanting offsite, in areas suitable for mangrove growth, mangroves to achieve within 5 years a canopy area equivalent to the area destroyed, removed, defoliated, or trimmed, where practicable. For the purposes of this subsection, the term "practicable" means that mangroves of the approximate size and number as those destroyed, removed, or defoliated can be obtained from commercial nursery sources. Where all or a portion of the restoration or mitigation replanting as provided above is not practicable, as determined by the department or delegated local government, the impacts resulting from the destruction, defoliation, ~~or removal, or trimming~~ of the mangroves must shall be offset by:

1. ~~Replanting onsite, in areas suitable for mangrove growth, mangroves having a minimum height of 2 feet to achieve a canopy area equivalent to the area destroyed, removed, or defoliated, and replanting offsite, in areas suitable for mangrove growth, mangroves having a minimum height of 2 feet to achieve a canopy area equivalent to the area destroyed, removed, or defoliated; or~~

2. donating a sufficient amount of money to offset the impacts, which must be used for to the restoration, enhancement, or creation, or preservation of mangrove wetlands within a ~~an ongoing wetland~~ restoration, enhancement, ~~or creation, or preservation~~ project approved by the department or delegated local government, or by purchasing credits from a mitigation bank created under s. 373.4135 at a mitigation ratio of 2 to 1 credits to affected area. The donation must be equivalent to the cost, as verified by the department or delegated local government, of creating mangrove wetlands at a 2 to 1, created versus affected ratio, based on canopy area. The donation may not be less than \$4 per square foot of created wetland area.

(b) In all cases, the applicant, permittee, landowner, and person performing the trimming are jointly and severally liable for performing restoration under paragraph (a) and for ensuring that the restoration successfully results in a variable mangrove community that can offset the impacts caused by the removal, destruction, or defoliation of mangroves. The applicant, landowner, and person performing the trimming are also jointly and severally subject to penalties.

(c) ~~If mangroves cannot be restored under paragraph (a), or the mangroves are to be trimmed or altered under a permit issued under s. 403.9328 pursuant to s. 403.9327 or s. 403.9728, the department or delegated local government may require mitigation. The department or delegated local government shall establish reasonable mitigation requirements that must include, as an option, the use of mitigation banks created under s. 373.4135, where appropriate. The department's mitigation requirements must ensure provide that payments received as mitigation are sufficient to offset impacts and are used for mangrove creation, preservation, protection, or enhancement.~~

(d) Any replanting for restoration and mitigation under this subsection must result in at least 80 percent survival of the planted mangroves 1 year after planting. If the survival requirement is not met, additional mangroves must be planted and maintained until 80 percent survival is achieved 1 year after the last mangrove planting.

(2) The department or delegated local government shall enforce the provisions of ss. 403.9321-403.9333 in the same manner and to the same extent provided for in ss. 403.141 and 403.161 for the first violation.

(3) For second and subsequent violations, the department or delegated local government, in addition to the provisions of ss. 403.141 and 403.161, shall impose additional monetary penalties for each mangrove illegally trimmed or altered as follows.

(a) Up to \$100 for each mangrove illegally trimmed; or

(b) Up to \$250 for each mangrove illegally altered

(4) In addition to the penalty provisions provided in subsections (1)-(3), for second and all subsequent violations by a professional mangrove trimmer, the department or delegated local government shall impose a separate penalty upon the professional mangrove trimmer up to \$250 for each mangrove illegally trimmed or altered.

(5) This section does not limit or restrict a delegated local government from enforcing penalty, restoration, and mitigation provisions under its local authority

Section 11 Nothing in this act shall invalidate any permit or order related to mangrove activities which has been approved by the department or any other governmental entity, nor shall it affect any pending applications for permits related to mangrove activities submitted prior to the effective date of this act.

Section 12 This act shall take effect July 1, 1996.

And the title is amended as follows:

Delete everything before the enacting clause, and insert: A bill to be entitled An act relating to the "Mangrove Trimming and Preservation Act"; amending s. 403.9322, F.S.; adding to legislative findings; amending s. 403.9323, F.S., expanding legislative intent; amending s. 403.9324, F.S.; clarifying local government authority, amending s. 403.9325, F.S.; adding, deleting, and revising definitions, amending s. 403.9326, F.S., revising exemptions from permitting requirements; amending s. 403.9327, F.S.; revising permitting standards; creating s. 403.93271, F.S., relating to multifamily residential units; amending s. 403.9328, F.S., revising alteration and trimming standards; amending s. 403.9329, F.S.; revising qualifications and standards for professional mangrove trimmers; amending s. 403.9332, F.S.; revising mitigation and restoration requirements, providing additional monetary penalties; providing that certain permits, orders, and applications shall not be affected; providing an effective date

Senator Bronson moved the following amendment to **Amendment 1** which failed:

Amendment 1A—On page 5, line 19, delete the phrase "25 75" and insert: 75

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

Amendment 1B—On page 23, lines 9-11, delete all those lines and insert: nor shall it affect any application for permits related to mangrove activities deemed sufficient and substantially complete prior to the effective date of this act

Amendment 1 as amended was adopted

On motions by Senator Latvala, by two-thirds vote **CS for CS for SB 508** 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 186—A bill to be entitled An act relating to secondary and postsecondary education; amending s. 240.116, F.S., providing legislative intent for the articulated acceleration of secondary students who are dually enrolled in home-education programs and postsecondary courses; requiring community colleges and state universities to delineate courses and programs, establish criteria, and designate an individual to administer a program for such students; providing an effective date

—was read the second time by title

The Committee on Education recommended the following amendment which was moved by Senator Horne and adopted.

Amendment 1 (with title amendment)—On page 2, lines 11 and 12, delete those lines

And the title is amended as follows

On page 1, lines 9-11, after the word "criteria" delete the words " , designate an individual to administer a program for such students"

Senator Horne moved the following amendments which were adopted:

Amendment 2—On page 1, line 22, after the period (.) insert *Home education students may participate in dual enrollment, vocational dual enrollment, early admission and credit by examination*

Amendment 3—On page 2, lines 1 and 2, delete those lines and insert

2 Be responsible for his or her own instructional materials and transportation unless provided for otherwise

On motions by Senator Horne, by two-thirds vote **SB 186** 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 850—A bill to be entitled An act relating to vocational education, amending ss. 20.315, 39.001, 39.055, 187.201, 216.136, 228.041, 228.0855, 228.2001, 228.501, 229.053, 229.133, 229.551, 229.602, 229.808, 230.23, 230.33, 231.0861, 231.1725, 231.173, 231.3505, 231.361, 231.613, 231.614, 231.62, 232.246, 233.067, 233.068, 235.15, 235.199, 235.435, 236.081, 239.101, 239.105, 239.109, 239.113, 239.117, 239.201, 239.205, 239.209, 239.213, 239.225, 239.229, 239.245, 239.249, 239.301, 239.505, 240.118, 240.134, 240.152, 240.153, 240.301, 240.35, 240.4021, 240.4093, 246.203, 246.207, 246.213, 288.047, 288.0475, 322.0601, 369.105, 409.029, 409.145, 443.1715, 446.041, 446.051, 450.081, 450.161, 616.17, 953.35, 958.045, F.S., changing the term "career education" to "vocational education," the term "certificate career education" to "technical certificate education," the term "degree career education" to "associate-in-science-degree education," the term "degree career education institution" to "postsecondary vocational education institution," the term "home economics" to "family and consumer sciences" wherever those terms appear in the statutes; deleting a reference to the Florida High Technology and Industry Council, which was abolished by s. 12 of ch. 93-187, Laws of Florida; repealing ss. 15 and 16, ch. 94-232, Laws of Florida, relating to the title of ch. 239, F.S., and to a directive to the division of Statutory Revision; providing an effective date

—was read the second time by title. On motions by Senator Meadows, by two-thirds vote **SB 850** 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 970**, **SB 52** and **CS for SB 112** was deferred

CS for SB 180—A bill to be entitled An act relating to HIV/AIDS awareness; authorizing counties to establish HIV/AIDS awareness programs; requiring persons who are sentenced to probation or community control for specified offenses committed in counties that have established HIV/AIDS awareness programs to successfully complete a program; providing an effective date.

—was read the second time by title.

Senator Kurth moved the following amendment which was adopted:

Amendment 1 (with title amendment)—Delete everything after the enacting clause and insert

Section 1. Subsection (1) of section 948.03, Florida Statutes, is amended to read

948.03 Terms and conditions of probation or community control —

(1) The court shall determine the terms and conditions of probation or community control. Conditions specified in paragraphs (a) through and including (n) ~~(m)~~ do not require oral pronouncement at the time of

sentencing and may be considered standard conditions of probation. Conditions specified in paragraphs (a) through and including (n) ~~(m)~~ and (2)(a) do not require oral pronouncement at sentencing and may be considered standard conditions of community control. These conditions may include among them the following, that the probationer or offender in community control shall.

- (a) Report to the probation and parole supervisors as directed.
- (b) Permit such supervisors to visit him at his home or elsewhere.
- (c) Work faithfully at suitable employment insofar as may be possible.
- (d) Remain within a specified place.

(e) Make reparation or restitution to the aggrieved party for the damage or loss caused by his offense in an amount to be determined by the court. The court shall make such reparation or restitution a condition of probation, unless it determines that clear and compelling reasons exist to the contrary. If the court does not order restitution, or orders restitution of only a portion of the damages, as provided in s 775 089, it shall state on the record in detail the reasons therefor

(f) Effective July 1, 1994, and applicable for offenses committed on or after that date, make payment of the debt due and owing to a county or municipal detention facility under s. 951 032 for medical care, treatment, hospitalization, or transportation received by the felony probationer while in that detention facility. The court, in determining whether to order such repayment and the amount of such repayment, shall consider the amount of the debt, whether there was any fault of the institution for the medical expenses incurred, the financial resources of the felony probationer, the present and potential future financial needs and earning ability of the probationer, and dependents, and other appropriate factors

- (g) Support his legal dependents to the best of his ability
- (h) Make payment of the debt due and owing to the state under s 960 17, subject to modification based on change of circumstances.
- (i) Pay any attorney's fees and costs assessed under s. 27.56, subject to modification based on change of circumstances.
- (j) Not associate with persons engaged in criminal activities
- (k)1 Submit to random testing as directed by the correctional probation officer or the professional staff of the treatment center where he is receiving treatment to determine the presence or use of alcohol or controlled substances

2 If the offense was a controlled substance violation and the period of probation immediately follows a period of incarceration in the state correction system, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3).

(l) Be prohibited from possessing, carrying, or owning any firearm unless authorized by the court and consented to by the probation officer

(m) Be prohibited from using intoxicants to excess or possessing any drugs or narcotics unless prescribed by a physician. The probationer or community controllee shall not knowingly visit places where intoxicants, drugs, or other dangerous substances are unlawfully sold, dispensed, or used.

(n) Attend an HIV/AIDS awareness program consisting of a class of not less than 2 hours or more than 4 hours in length, the cost for which shall be paid by the offender.

~~(o)~~ Pay not more than \$1 per month during the term of probation or community control to a nonprofit organization established for the sole purpose of supplementing the rehabilitative efforts of the Department of Corrections

Section 2. This act shall take effect October 1, 1996

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to terms and conditions of probation or community control; amending s 948 03, F.S.; providing as a standard condition of probation or community control that offenders on probation or community control attend HIV/AIDS awareness programs at their own expense; providing an effective date.

On motions by Senator Kurth, by two thirds vote **CS for SB 180** 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

SENATOR CRIST PRESIDING

On motion by Senator Bronson, by two-thirds vote **HB 203** was withdrawn from the Committee on Health Care

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

HB 203—A bill to be entitled An act relating to cholesterol screening; repealing part III of chapter 483, F.S., relating to the Cholesterol Screening Center Licensure Act, providing an effective date

—a companion measure, was substituted for **SB 290** and by two-thirds vote read the second time by title. On motions by Senator Bronson, by two-thirds vote **HB 203** was read the third time by title, passed and immediately certified to the House. The vote on passage was.

Yeas—36 Nays—None

SB 308—A bill to be entitled An act relating to regional autism centers, transferring, renumbering, and amending s 393.0697, F.S.; redesignating the Multidisciplinary Evaluation and Consulting Center at Florida State University as the Department of Communication Disorders, establishing an additional regional autism center at the University of Florida Health Science Center at Jacksonville, providing for the newly established center to serve specified counties formerly served by the autism center at the College of Medicine at the University of Florida, providing an effective date.

—was read the second time by title. On motions by Senator Forman, by two-thirds vote **SB 308** was read the third time by title, passed and immediately certified to the House. The vote on passage was

Yeas—36 Nays—None

SB 970—A bill to be entitled An act relating to student crime-watch programs; amending s. 230 2318, F.S.; amending the list of programs entitled to state funding as part of the school resource officer program to include the promotion of student crime-watch programs; amending s. 230 23 F.S., amending the list of powers and duties of school boards by adding the implementation of a student crime-watch program, providing an effective date

—was read the second time by title

The Committee on Education recommended the following amendment which was moved by Senator Hargrett and failed:

Amendment 1—On page 2, line 6, delete the word "Implement" and insert: *When funds are provided for school safety, implement*

Senator Hargrett moved the following amendment which was adopted

Amendment 2—On page 2, line 6, delete the word "Implement" and insert. *By resolution of the school board, implement*

On motions by Senator Hargrett, by two-thirds vote **SB 970** 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 112—A bill to be entitled An act relating to physicians; amending s. 459.011, F.S., relating to the privileges and obligations of osteopathic physicians; declaring it state policy that physicians licensed under ch. 458, F.S., and osteopathic physicians licensed under ch. 459, F.S., be accorded equal professional status and privileges, and providing requirements with respect thereto; prohibiting certain health-related entities from discriminating against a licensee on the basis of licensure under ch. 458, F.S., or ch. 459, F.S.; providing an effective date

—was read the second time by title. On motions by Senator Sullivan, by two-thirds vote **CS for SB 112** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36 Nays—None

SB 800—A bill to be entitled An act relating to health studios; amending s. 501.017, relating to health studio contracts; providing that chiropractic physicians and podiatrists may certify the physical disability of the buyer of a health studio contract; 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 Bankhead and adopted:

Amendment 1—On page 2, line 6, after “chapter 461” insert. *to the extent the diagnosis or treatment of the disability is within the physician’s scope of practice*

On motions by Senator Bankhead, by two-thirds vote **SB 800** 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

On motion by Senator Brown-Waite, by two-thirds vote **CS for HB 831** was withdrawn from the Committees on Commerce and Economic Opportunities; and Natural Resources.

On motions by Senator Brown-Waite, by two-thirds vote—

CS for HB 831—A bill to be entitled An act relating to deregulation of the sale of desalinated water; amending s. 367.022, F.S.; providing an exemption from regulation by the Florida Public Service Commission as a utility for the sale of bulk supplies of desalinated water to a governmental authority, providing an effective date.

—a companion measure, was substituted for **SB 912** and by two-thirds vote read the second time by title. On motions by Senator Brown-Waite, by two-thirds vote **CS for HB 831** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35 Nays—None

SB 52—A bill to be entitled An act relating to expenditure requirements for education programs; amending s. 237.34, F.S.; providing restrictions on the allocation of funds appropriated for advanced placement instruction, providing an effective date.

—was read the second time by title

The Committee on Education recommended the following amendment which was moved by Senator Kirkpatrick and adopted.

Amendment 1—On page 1, line 19, delete “(a)” and insert. (q)

On motions by Senator Kirkpatrick, by two-thirds vote **SB 52** 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—33 Nays—2

SB 956—A bill to be entitled An act relating to cattle-dipping vats; creating s. 376.306, F.S.; providing legislative findings; providing release from liability for certain property owners, providing a retroactive effective date.

—was read the second time by title. On motions by Senator Williams, by two-thirds vote **SB 956** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34 Nays—1

SB 894—A bill to be entitled An act relating to Open Government Sunset Review Act of 1995; amending s. 119.15, F.S.; deleting duplicative provisions; changing the date by which the Division of Statutory Revision must certify exemptions for review and repeal, providing legislative intent; providing criteria that must be followed before a public record or public meeting exemption may be created or reenacted; providing an effective date.

—was read the second time by title

Senator Harden moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 6, between lines 19 and 20, insert:

Section 2. Section 16.60, Florida Statutes, is amended to read:

16.60 Public records mediation program within the Office of the Attorney General; creation; duties —

(1) As used in this section, “mediation” means a process whereby a neutral third person, called the mediator, acts to encourage and facilitate the resolution of a dispute between two or more parties. It is a formal, nonadversarial process that has the objective of helping the disputing parties reach a mutually acceptable, voluntary agreement. In mediation, decisionmaking authority rests with the parties. The role of the mediator includes, but is not limited to, assisting the parties in identifying issues, fostering joint problem solving, and exploring settlement alternatives.

(2) The public records mediation program is created within the Office of the Attorney General.

(3) The Office of the Attorney General shall:

(a) Employ one or more mediators to mediate disputes involving access to public records. ~~A person may not be employed by the department as a mediator unless that person is a member in good standing of The Florida Bar.~~ The Office of the Attorney General may adopt rules of procedure to govern its mediation proceedings.

(b) Recommend to the Legislature needed legislation governing access to public records.

(c) Assist the Department of State in preparing training seminars regarding access to public records.

(4) This section is intended to provide a method for resolving disputes relating to public records, and is intended to be supplemental to, not a substitution for, the other powers given to the Attorney General by law.

(5) The Office of the Attorney General shall report to the President of the Senate and the Speaker of the House of Representatives by January 1, 1997, information regarding the public records mediation program, including, but not limited to: the number and source of inquiries regarding public records, the number and types of disputes relative to electronically stored public records, the number of disputes mediated, the number of disputes resolved, and any legislation necessary to improve the mediation program or access to public records generally.

(Renumber subsequent section.)

And the title is amended as follows

On page 1, lines 2 and 3, delete those lines and insert: An act relating to public records; amending s. 16.60, F.S., relating to the public records mediation program within the Office of the Attorney General; deleting

the requirement that mediators be attorneys; amending s. 119.15, F.S., the Open Government Sunset Review Act of 1995,

On motions by Senator Harden, by two-thirds vote **SB 894** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was

Yeas—36 Nays—None

THE PRESIDENT PRESIDING

SB 674—A bill to be entitled An act relating to sunshine in litigation, amending s. 69.081, F.S.; exempting counties and municipalities from the requirement of notice with respect to certain settlements; amending s. 164.106, F.S., providing for public hearings with respect to certain settlements entered into by counties and municipalities, providing an exemption to the application of the section; providing an effective date.

—was read the second time by title

Senator Jones moved the following amendment which was adopted:

Amendment 1 (with title amendment)—On page 2, lines 10-12, delete those lines

And the title is amended as follows:

On page 1, lines 9 and 10, delete those lines and insert providing an effective date.

On motions by Senator Jones, by two-thirds vote **SB 674** 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 Turner, by two-thirds vote **HB 233** was withdrawn from the Committee on Executive Business, Ethics and Elections

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

HB 233—A bill to be entitled An act relating to absentee voting; amending s. 97.021, F.S.; redefining the term "absent elector"; amending s. 101.5609, F.S., relating to electronic and electromechanical voting system ballots, removing a provision relating to recording the issuance of absentee ballots; amending s. 101.62, F.S.; restricting the number of absentee ballots that any one person may pick up; providing an exception, requiring persons designated to pick up such ballots for other electors to provide a picture identification and complete an authorizing affidavit, providing for the form and contents of such affidavit, removing language that required initialing the stubs of absentee ballots prior to issuance to electors, amending ss. 101.64 and 101.65, F.S., revising the voter's certificate and instructions to absent electors to change the signature witnessing requirement, clarify the arrangement of the certificate on the back of the mailing envelope, and revise the oath required for voting an absentee ballot; amending s. 163.511, F.S., relating to referendum ballots on the creation of special neighborhood improvement districts, to conform, creating s. 101.655, F.S.; providing for supervised voting for absent electors in certain facilities; amending s. 101.68, F.S.; providing for earlier commencement of the canvassing of absentee ballots; providing clarification with respect to determining the legality of an absentee ballot, amending s. 101.69, F.S.; authorizing an elector voting in person to execute an affidavit stating that the absentee ballot supplied to the elector has not been voted rather than requiring the elector to return that ballot before being allowed to vote; amending s. 101.694, F.S., updating a reference to a federal act, providing effective dates.

—a companion measure, was substituted for **SB 2252** and by two-thirds vote read the second time by title. On motions by Senator Turner, by two-thirds vote **HB 233** was read the third time by title, passed and immediately certified to the House. The vote on passage was

Yeas—37 Nays—None

MOTIONS

On motions by Senator Jennings, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, March 28; and the rules were waived by unanimous consent to allow the Special Order Subcommittee of the Committee on Rules and Calendar permission to meet at 5:15 p.m. this day to establish a Special Order Calendar and a Local Bill Calendar for Thursday, March 28

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 27, 1996: CS for SB 8, SB 78, SB 156, CS for SB 108, CS for SB 508, SB 186, SB 850, SB 970, SB 52, CS for SB 112, CS for SB 180, SB 290, SB 308, SB 800, SB 912, SB 956, SB 894, SB 674, SB 2252, SB 974, SB 1722, SB 48, SB 462, SB 254, SB 256, CS for SB 18, SB 26, SB 134, CS for SB 198, SB 292, CS for SB 306, SB 760, SB 808, SB 832, SB 1126, SB 1156, SB 1248

Respectfully submitted,
Toni Jennings, Chairman

The Committee on Health Care recommends the following pass. SB 1644 with 1 amendment

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2264

The bill was referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Higher Education recommends the following pass: SB 338 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1870 with 3 amendments

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

The Committee on Agriculture recommends the following pass: SB 2174 with 2 amendments

The bill was referred to the Committee on Governmental Reform and Oversight under the original reference.

The Committee on Health Care recommends the following pass: SB 1726 with 1 amendment, SB 1732 with 1 amendment

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2534

The bill was referred to the Committee on Natural Resources under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1754

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Agriculture recommends the following pass: CS for SB 602 with 2 amendments

The Committee on Education recommends the following pass SB 738 with 5 amendments, SB 830 with 3 amendments, SB 878, SB 938, SB 1698 with 2 amendments

The Committee on Governmental Reform and Oversight recommends the following pass: CS for SB 278

The Committee on Health and Rehabilitative Services recommends the following pass. SB 1976 with 2 amendments, SB 2368 with 1 amendment

The Committee on Health Care recommends the following pass CS for SB's 14, 30, 516 and 596, SB 40 with 2 amendments, SB 496, SB 896 with 3 amendments

The Committee on Higher Education recommends the following pass: SB 1294, SB 2184 with 1 amendment

The Committee on Judiciary recommends the following pass. CS for SB 102, SB 122, SB 324 with 2 amendments

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

The Committee on Community Affairs recommends the following pass: SB 300

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 224 with 1 amendment, SB 2540 with 1 amendment

The Committee on Governmental Reform and Oversight recommends the following pass. CS for SB 638, SB 1024

The Committee on Health Care recommends the following pass: SB 42 with 2 amendments

The Committee on Higher Education recommends the following pass SB 2506 with 1 amendment

The Committee on Judiciary recommends the following pass. SB 1076

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

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following. SB 2214

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

The Committee on Education recommends a committee substitute for the following: SB 1282

The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.

The Committee on Health Care recommends committee substitutes for the following: SB 910 SB 2222

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 1986

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1258

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1690

The Committee on Education recommends a committee substitute for the following SB 1842

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following. SB 376, Senate Bills 2290 and 2288

The Committee on Health Care recommends committee substitutes for the following: SB 446, SB 694

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 574

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: Senate Bills 1626 and 1654

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Beard—

SB 2606—A bill to be entitled An act relating to the adoption of rules by the Department of Transportation; repealing s. 334.075, F.S., relating to establishing qualifications for employment of drawbridge operators, providing an effective date

—was referred to the Committee on Transportation

By Senator Bankhead—

SB 2608—A bill to be entitled An act relating to handicapped parking; amending s. 316.1964, F.S.; limiting the time that persons with certain disabilities may park in metered or timed spaces, amending s. 320.0848, F.S.; providing that exemption parking permits must contain a picture identification of the applicant; providing an effective date.

—was referred to the Committees on Transportation and Community Affairs

By Senator Harris—

SB 2610—A bill to be entitled An act relating to historical resources; amending s. 267.072, F.S.; directing the Division of Historical Resources of the Department of State to establish the Great Floridians program; providing a process for the nomination and designation of Great Floridians, authorizing the production and distribution of films; providing an effective date.

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

By Senator Kirkpatrick—

SB 2612—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S., creating a state community college system license plate; providing for the distribution of annual use fees

received from the sale of such plates; providing a contingent effective date

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

By Senator Rossin—

SB 2614—A bill to be entitled An act relating to road designations, designating State Road 710 in Palm Beach County as Purple Heart Highway; providing for the erection of markers; providing an effective date

—was referred to the Committee on Transportation.

By Senator Casas—

SB 2616—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.3551, F S ; deleting a restriction on the out-of-state broadcast of games or races on which wagers are taken; providing an effective date.

—was referred to the Committees on Regulated Industries, and Ways and Means

By Senator Casas—

SB 2618—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.5251, F S , modifying the latest time for beginning thoroughbred races; providing an effective date.

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

By Senator Hargrett—

SB 2620—A bill to be entitled An act relating to foster care; providing for an exception to the limit on claims provided in s. 402.181, F S.; providing an effective date.

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

By Senator Horne—

SB 2622—A bill to be entitled An act relating to contracting; amending ss. 489.127, 489.531, F S ; providing penalties for specified violations with respect to construction contracting and electrical and alarm system contracting; amending s. 489.503, F.S.; providing additional exemptions with respect to electrical and alarm system contracting, amending s. 489.503, F S ; restricting the applicability of provisions requiring electrical contractors to subcontract certain work to alarm system contractors; providing an effective date.

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

By Senator Kurth—

SB 2624—A bill to be entitled An act relating to nursing home facilities, amending s. 400.022, F S ; revising certain rights of residents; amending s. 400.0255, F.S.; clarifying definitions of “discharge” and “transfer”, amending s. 400.141, F S ; providing additional standards for administration and management of nursing home facilities; amending s. 400.19, F.S., providing additional duties of the Agency for Health Care Administration with respect to nursing home facilities; requiring the agency to notify the State Long-Term Care Ombudsman Council of non-compliance and enforcement actions, amending s. 400.428, F.S.; provid-

ing additional rights of residents; amending ss. 400.0075, 400.407, 400.4075, 400.431, F S , correcting cross-references, providing an effective date

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

By Senator Dyer—

SB 2626—A bill to be entitled An act relating to alcoholic beverages; creating s. 561.2205, F.S.; authorizing the indirect affiliation or connection between certain manufacturers and vendors authorized to sell alcoholic beverages for consumption on the premises and providing the conditions therefor; providing conditions for authorization of remote connections resulting from expansion of the business operations of an acquired entity, requiring the entities involved to petition the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation for relief; providing petition requirements, providing an effective date

—was referred to the Committees on Regulated Industries; and Commerce and Economic Opportunities

By Senator Bankhead—

SB 2628—A bill to be entitled An act relating to juvenile justice; creating chapter 1010, F S , relating to certain juvenile proceedings, including part I, general provisions, part II, relating to administration of the juvenile justice system, part III, relating to families in need of services and children in need of services, part IV, relating to judicial handling of cases involving juveniles, part V, relating to juvenile justice programming, and part VI, relating to interstate compact on juveniles; amending ch. 39, F S , relating to juvenile proceedings and transferring indicated sections or portions thereof to chapter 1010 F S , repealing s. 39.0205, F S , relating to the short title of part II of chapter 39 as the “Juvenile Justice Reform Act”, repealing ss. 39.0206 and 39.419, F S , relating to the definition of the “department” as the Department of Juvenile Justice with respect to specified provisions in chapter 39, providing an effective date

—was referred to the Committees on Criminal Justice; Health and Rehabilitative Services, and Ways and Means

By Senator Grant—

SB 2630—A bill to be entitled An act relating to local option surtax on the rental of motor vehicles, creating s. 212.06061, F S , authorizing a county that has not levied certain local option taxes and in which two or more professional sports franchises are located to impose a surtax on the lease or rental of motor vehicles within the county; providing for the surtax to be imposed only if approved by a majority vote of the electors of the county voting in a referendum; providing a definition, providing for the surtax to apply to a lease or rental agreement of less than a specified period, providing for uses of the proceeds of the surtax, providing for the effective date of the surtax, providing for local administration of the surtax; providing an effective date.

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

By Senator Horne—

SB 2632—A bill to be entitled An act relating to the district school system, amending ss. 230.01, 230.02, 230.17, 230.23, 230.2301, 230.2303, 230.2305, 230.2316, 230.24, 230.303, 230.32, 230.33, F S , emphasizing that the school district is responsible for operating and administering the public schools; deleting redundant provisions; amending alternative procedures for electing members of the school board so as to provide single-member areas; amending provisions relating to the location of school board meetings and due public notice thereof, amending the powers and duties of school boards, increasing local control over

decisionmaking; deleting specified state authorizations and mandates; deleting obsolete provisions; amending provisions relating to the Florida First Start Program and to the prekindergarten early release program, to provide the districts with increased flexibility in operating those programs, amending the "Dropout Prevention Act", revising student-eligibility and program criteria relating to dropout prevention, merging into s 230.24, F.S., provisions relating to alternative procedures for choosing a district school superintendent; amending procedures for requiring continuing professional development of superintendents and other school district administrative personnel; eliminating the authority of the Florida Council on Educational Management to provide performance compensation to superintendents who participate in professional development; revising the general powers of superintendents, in part, by specifying the power to provide leadership; revising the duties and responsibilities of superintendents, by deleting provisions for which statutory authority is superfluous; repealing s 230.105, F.S., relating to electing school board members from single-member areas, repealing s. 230.23135, F.S., relating to the Florida Council on Student Services; repealing s 230.2318, F.S., relating to the School Resource Officer Program; repealing s 230.241, F.S., relating to procedures for making the office of superintendent of schools an appointive office; repealing s. 230.59, F.S., relating to educational communications systems; repealing s. 230.655, F.S., relating to education programs in correctional facilities; providing an effective date.

—was referred to the Committees on Education, Executive Business, Ethics and Elections; and Ways and Means

By Senator Dyer—

SB 2634—A bill to be entitled An act relating to service of process, providing legislative intent; amending s 48.27, F.S.; providing for the chief judge in certain judicial circuits to prescribe forms for application for inclusion on the list of certified process servers and to charge a fee for processing such application, authorizing a certified process server to serve in the circuit where the process server is certified civil process issued by any trial court of the state; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dudley—

SB 2636—A bill to be entitled An act relating to the Constitution Revision Commission; creating the Constitution Revision Commission Steering Committee within the Executive Office of the Governor, providing for the composition, organization, and terms of the steering committee; providing powers and duties; providing for transfer of staff, equipment, and unexpended balance of appropriations from the Article V Task Force; providing for a report of the steering committee to the chair of the Constitution Revision Commission; providing an effective date

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

By Senator Silver—

SB 2638—A bill to be entitled An act relating to the confidentiality of clinical records of juvenile defendants, creating s. 917.404, F.S.; requiring the Department of Health and Rehabilitative Services to maintain a clinical record for juvenile defendants committed to the department, providing that such records are exempt from disclosure under the public records law; providing certain exceptions; requiring that the department notify a juvenile defendant's next of kin or first representative of serious illness or death, requiring an agency that receives information in a clinical record to maintain the confidentiality of the record; providing immunity from liability if an agency or practitioner releases information in good faith, providing for future repeal and legislative review, providing a finding of public necessity, providing a contingent effective date.

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

By Senator Casas—

SB 2640—A bill to be entitled An act relating to pari-mutuel wagering; creating the Simulcast Wagering Study Commission; prescribing duties and providing for membership and staffing; requiring a report, providing for public meetings and for future repeal; providing an effective date

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

By Senator Sullivan—

SB 2642—A bill to be entitled An act implementing budget cuts made by the General Appropriations Act; revising provisions administered by the School Districts so that they can be efficiently administered within amounts appropriated, providing an effective date.

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

By Senator Grant—

SB 2644—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses, providing confidentiality for specified information; providing for repeal and legislative review of these exemptions from the public records law; providing reasons supporting the necessity for confidentiality, providing an effective date.

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

By Senator Sullivan—

SB 2646—A bill to be entitled An act implementing budget cuts made by the General Appropriations Act; revising provisions administered by the Department of Education so that they can be efficiently administered within amounts appropriated; providing an effective date.

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

By Senators Sullivan and Dudley—

SB 2648—A bill to be entitled An act relating to cemetery companies; amending s 497.305, F.S.; revising provisions with respect to cemetery company functions within cemetery lands to provide for disclosure of costs for vault installations; providing a limitation on specified preneed charges; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Kirkpatrick—

SB 2650—A bill to be entitled An act relating to state university system student fees; amending s. 240.235, F.S.; authorizing a university resource fee, providing conditions for the expenditure of fee revenues; providing a procedure for increases; providing an effective date.

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

By Senator Crist—

SB 2652—A bill to be entitled An act relating to license plates; amending ss 320.08056, 320.08058, F.S.; creating a drug rehabilitation program license plate; providing for the distribution of annual use fees

received from the sale of such plates; providing a contingent effective date.

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

By Senator Thomas—

SB 2654—A bill to be entitled An act for the relief of Robert Jeff Woodham; providing an appropriation from the State Treasury to pay for his future needs as necessitated by quadriplegic paralysis caused while playing junior-varsity high-school football; providing for payment, providing an effective date.

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

By Senator Brown-Waite—

SB 2656—A bill to be entitled An act relating to nursing home admission screening; creating the “Nursing Home Admission Screening Act;” providing legislative findings and intent, providing purpose; defining terms; requiring nursing home admission screening; providing for pilot projects, specifying sites for implementation of the pilot projects, requiring in-person screening and prohibiting desk review of applications under the pilot projects; prohibiting nursing home facility personnel from conducting certain admission screenings in pilot-project counties, permitting voluntary screening; providing an effective date.

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

By Senators Bankhead, Kirkpatrick and Silver—

SB 2658—A bill to be entitled An act relating to delinquency and gang prevention; creating s. 39.0251, F.S., establishing the street shelter program; providing legislative intent and definitions, providing for program administration by the Department of Juvenile Justice and county juvenile justice councils, children-in-need-of-services or families-in-need-of-services providers, local government, youth agencies, and area chambers of commerce; amending s. 230.2316, F.S.; establishing “weekend programs,” for purposes of delinquency and gang prevention; creating s. 39.0253, F.S., establishing the gang intervention worker program; creating s. 39.02531, F.S.; establishing local recreational delinquency prevention programs; providing for certain agreements by municipalities and district school boards; creating s. 39.02532, F.S.; authorizing diversionary programs for nonviolent juvenile offenders to be developed by the Department of Juvenile Justice and the Florida National Guard creating s. 39.02533, F.S.; creating a gang and delinquency prevention specialist in the Department of Juvenile Justice; amending s. 39.0255, F.S.; revising certain requirements relating to juvenile civil citations amending s. 39.0471, F.S., encouraging juvenile justice assessment centers to establish truancy programs; creating s. 943.27, F.S.; creating a gang and delinquency prevention specialist in the Department of Law Enforcement, amending s. 39.052, F.S., relating to disposition hearings for delinquency cases, to conform to the changes to ch. 874, F.S., amending ch. 874, F.S., relating to street terrorism enforcement and prevention; amending s. 874.01, F.S.; revising the short title; creating the “Criminal Street Gang Prevention Act of 1996”; amending s. 874.02, F.S., relating to legislative intent; clarifying language; amending s. 874.03, F.S.; revising and adding definitions relating to criminal street gangs; amending s. 874.04, F.S.; revising penalty enhancement provisions and clarifying language; creating s. 874.05, F.S., providing penalties for criminal street gang recruitment; amending s. 874.06, F.S., relating to civil cause of action; clarifying language; amending ss. 874.08 and 874.09, F.S., relating to forfeiture and crime data information, to conform to the act; amending s. 893.138, F.S., relating to local administrative action to abate street gang activity; conforming language, reenacting s. 895.02(3), F.S., relating to the definition of “enterprise,” to incorporate the amendment to s. 874.03, F.S., in a reference; amending s. 921.0012, F.S., ranking the offenses of criminal street gang recruitment on the offense sever-

ity ranking chart; amending s. 921.0014, F.S., providing a multiplier on the sentencing guidelines worksheet; providing effective dates

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

By Senator Williams—

SB 2660—A bill to be entitled An act relating to insurance; limiting the term “spouse” to include only a lawfully married spouse of the opposite gender for the purpose of paying benefits under insurance policies written in this state, providing an effective date

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

By Senator Kurth—

SB 2662—A bill to be entitled An act relating to public records, amending s. 196.195, F.S., providing that certain information submitted in connection with determination of the nonprofit status of an applicant for certain exemptions from ad valorem taxation is not exempt from public records requirements; providing an effective date.

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

By Senator Silver—

SB 2664—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.011, F.S.; revising criteria for arriving at just valuation of property; providing an effective date.

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

By Senator Casas—

SB 2666—A bill to be entitled An act relating to the sale of alcoholic beverages, amending s. 561.702, F.S.; providing additional legislative intent with respect to the Florida Responsible Vendor Act; amending s. 561.705, F.S.; providing for a vendor to require that employees attend additional meetings for purposes of qualifying as a responsible vendor under the act; amending s. 561.706, F.S.; requiring that the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation maintain certain records with respect to the arrest of a vendor or employee for unlawfully selling, giving, or serving alcoholic beverages; providing an effective date

—was referred to the Committee on Regulated Industries.

By Senator Turner—

SB 2668—A bill to be entitled An act relating to the Board of Medicine; amending s. 458.307, F.S., providing for two members of the board to be physicians who use nontraditional medical treatments in a significant portion of their practice; prohibiting the discipline of physicians solely for the use of experimental or nontraditional therapy or procedures; providing an effective date

—was referred to the Committees on Health Care, Governmental Reform and Oversight, and Ways and Means

By Senator Brown-Waite—

SB 2670—A bill to be entitled An act relating to health maintenance organizations, amending s. 641.19, F.S., relating to definitions; amending s. 641.21, F.S.; specifying additional information to be provided to

the Department of Insurance by certain applicants for a health maintenance organization certificate of authority; amending s. 641.22, F.S.; specifying circumstances under which the department shall not issue or continue a certificate of authority, providing grounds for revocation or suspension of a certificate of authority; amending s. 641.225, F.S.; revising health maintenance organization financial surplus requirements, amending s. 641.234, F.S.; deleting a limitation on the department's authority to require copies of certain contracts, amending s. 641.255, F.S.; specifying that additional information relating to acquisition, merger, or consolidation of certain health maintenance organizations be provided to the department; amending s. 641.26, F.S.; providing requirements for submission of financial information to the department, amending s. 641.261, F.S.; providing additional annual reporting requirements for health maintenance organizations receiving Medicaid or Medicare funds; amending s. 641.386, F.S.; deleting an exemption from licensing requirements for persons who solicit subscribers for a health maintenance organization, creating s. 641.3865, F.S.; providing information requirements for enrollment of Medicaid recipients in a health maintenance organization; creating s. 817.238, F.S.; providing for false and fraudulent enrollment practices; providing a penalty, providing an effective date

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

By Senator Bankhead—

SB 2672—A bill to be entitled An act relating to foster care, amending s. 402.17, F.S., relating to trust property of clients of the Department of Health and Rehabilitative Services, authorizing the department to establish a foster care payment account for a child and deposit therein an amount equal to 10 percent of monthly foster care payments, under specified circumstances, providing for court orders disposing of such account moneys, amending s. 409.175, F.S., redefining "family foster home"; amending s. 409.176, F.S., providing for registration of family foster homes, providing an effective date

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

By Senator Kurth—

SB 2674—A bill to be entitled An act relating to housing, amending s. 420.5092, F.S., relating to the Florida Affordable Housing Guarantee Program, revising the definition of the term "affordable housing guarantee"; providing for contractual provisions to foster the reimbursement of guarantees made under the program, providing that certain tax proceeds distributed to the State Housing Trust Fund must be transferred to deficient bond-reserve accounts to maintain the annual debt service reserve and to the guarantee fund to maintain its rating; providing that funds in the guarantee fund must be used as the primary resource to support such guarantees; revising requirements for the feasibility study relating to risk-exposure of funds in the guarantee fund; increasing the maximum amount of revenue bonds the agency may issue to capitalize the guarantee fund; providing an effective date

—was referred to the Committees on Community Affairs, and Ways and Means

By Senator Johnson—

SB 2676—A bill to be entitled An act relating to denturists, creating part XV of chapter 468, F.S.; providing for regulation of the practice of denture technology; providing legislative intent; providing exemptions; providing definitions; creating the Board of Denture Technology and providing for its membership, organization, meetings, and compensation, providing for certain initial appointees; providing rulemaking authority; providing for licensure by examination, providing educational requirements, including instruction on the human immunodeficiency virus and acquired immune deficiency syndrome; providing for license renewal, inactive status, and continuing education requirements, providing for assessment and disposition of fees; requiring a health-clearance statement of dentist or physician before treatment by a den-

turist, providing exceptions; requiring disclosure of infection by hepatitis B or human immunodeficiency virus and providing for reporting and practice requirements with respect thereto, prohibiting certain acts; providing grounds for disciplinary action; providing penalties; providing for injunctive relief; amending s. 409.906, F.S.; authorizing licensed denturists to provide adult denture services to Medicaid patients; amending s. 466.003, F.S., revising the definition of "general supervision" applicable to the regulation of dentistry, to provide that the issuance of a health-clearance statement does not constitute general supervision, amending s. 466.031, F.S.; revising the definition of "dental laboratory" applicable to regulation thereof, to provide that licensed denturists are excluded therefrom, amending s. 466.035, F.S., authorizing dental laboratories to repair and relin existing, removable dental prosthetics and to advertise such services; providing an effective date.

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

By Senator Bronson—

SB 2678—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S.; clarifying a definition; amending s. 517.051, F.S., clarifying application of a securities registration exemption; exempting additional securities from certain registration requirements; amending s. 517.061, F.S.; exempting from certain registration requirements securities transactions effected by or through a person in compliance with Canada's dealer registration requirements; amending s. 517.082, F.S.; exempting certain securities from requirements for registration by notification; specifying that failure to provide certain information is a violation of law; providing for filing securities applications with the Securities Registration Depository; amending s. 517.101, F.S.; clarifying consent to service requirements; amending s. 517.12, F.S.; increasing an assessment fee for associated persons; requiring continuing education for certain persons; authorizing certain persons to effect transactions in securities involving persons from Canada; providing for registration of dealers who are registered in Canada, amending s. 517.131, F.S.; limiting an assessment against associated persons for certain purposes, increasing certain fiscal limitation provisions relating to the Securities Guaranty Fund, providing for allocating additional amounts from certain assessment fees to the Securities Guaranty Fund for certain purposes; providing criteria; providing procedures; providing limitations, providing an appropriation; providing an effective date

—was referred to the Committees on Banking and Insurance; Commerce and Economic Opportunities; and Ways and Means

By Senator Weinstein—

SB 2680—A bill to be entitled An act relating to traffic accidents, amending s. 316.027, F.S., enhancing the penalty imposed for the offense of leaving the scene of an accident if the accident results in an injury to a person which creates a substantial risk of death, serious disfigurement, or loss or impairment of a bodily member or organ; amending s. 921.0012, F.S., revising the offense severity ranking chart of the sentencing guidelines to conform to changes made by the act; providing an effective date

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

By Senator Sullivan—

SB 2682—A bill to be entitled An act relating to education, creating s. 229.5912, F.S.; establishing a procedure for identifying schools that perform at critically low levels; prescribing duties of the Commissioner of Education, the State Board of Education, and district school boards with respect to such schools, providing for creation of performance review panels for such schools; providing for reports and recommendations by such panels; providing an effective date.

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

By Senator Johnson—

SB 2684—A bill to be entitled An act relating to family homestead, amending s 163 3179, F.S., requiring a local government to include in its comprehensive plan certain provision relating to family homestead property, providing an effective date

—was referred to the Committee on Community Affairs

By Senator Jones—

SB 2686—A bill to be entitled An act relating to minority business enterprise; amending s 287.0931, F.S.; providing that minority bond counsel need not be a permanent resident of the state; amending s 288.703, F.S.; redefining the term “minority person” and defining the term “independently owned”; providing an effective date

—was referred to the Committees on Commerce and Economic Opportunities, and Governmental Reform and Oversight

By Senator Bankhead—

SB 2688—A bill to be entitled An act relating to chiropractic, amending s 460 403, F.S., revising the definition of the term “practice of chiropractic” to authorize the ordering, storing, and administering of prescription medical oxygen and certain topical anesthetics under certain circumstances, amending s 460 406, F.S., relating to licensure as a chiropractor by examination, resolving a conflict between different versions of certain provisions; authorizing certain applicants to take the examination, revising degree and credit requirements effective in the year 2000, repealing s 3, ch 94-173, Laws of Florida, relating to reinstatement of certain void licenses to practice chiropractic, the provisions of which are no longer operable, amending s 460 408, F.S., revising requirements relating to approval of courses for continuing chiropractic education, amending s. 460 413, F.S., revising grounds for disciplinary action relating to the prescribing, dispensing, or administering of medicinal drugs and the keeping of written chiropractic records; increasing the administrative fine, reenacting ss 320 0848(7), 455.236(4)(g), and 766 111(2), F.S., relating to parking permits for the disabled, prohibited referrals between health care providers and providers of health care services, and unnecessary diagnostic testing, to incorporate the amendment to s 460 413, F.S., in references thereto, creating s 460 4166, F.S.; defining the term “registered chiropractic assistant”, providing for registration and a fee; repealing s 460 403(5), (6), (7), (8), and (9), F.S., relating to various definitions applicable solely to the peer-review process; repealing s 460 4104, F.S., relating to peer review of services and fees of licensees under chapter 460, F.S., relating to chiropractic, providing effective dates

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

By Senator Bankhead—

SB 2690—A bill to be entitled An act relating to fines collected for misdemeanor convictions involving drugs or alcohol, amending s 939.017, F.S.; requiring those fines to be forwarded to the jurisdictional county of collection; repealing s. 397 321(20), F.S., which provides for a program to disseminate funds, providing an effective date

—was referred to the Committees on Health and Rehabilitative Services, Community Affairs; and Ways and Means

By Senator Horne—

SB 2692—A bill to be entitled An act relating to the Florida National Guard, amending s 250 73, F.S.; increasing the fines that may be imposed in certain courts-martial, amending s 250 06, F.S., authorizing the Governor to use the National Guard to provide certain law enforcement support and humanitarian relief; amending s 250 24, F.S.; provid-

ing for the Adjutant General to authorize certain pay and expenses for troops ordered out in active service; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2694—A bill to be entitled An act relating to driver's licenses; amending s 322 32, F.S., prohibiting the display or possession of fictitious or fraudulently altered driver's licenses, providing for the seizure of such licenses by law enforcement officers; requiring certain knowledge for possession or display of certain invalid licenses to constitute a criminal violation, defining the term “knowledge”; providing for the seizure of such licenses, providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations of driving privileges; requiring the surrender of driver's licenses to law enforcement officers in certain situations, providing penalties, creating s. 322 325, F.S.; prohibiting the display or possession of canceled, suspended, or revoked driver's licenses; providing for the surrender of such licenses to law enforcement officers, amending s 322.34, F.S., providing penalties for driving with certain invalid driver's licenses, prohibiting the seizure of vehicles for certain offenses; defining the term “knowledge”; providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations; requiring the issuance of a reference guide; providing penalties for habitual offenders, prohibiting the seizure of vehicles for certain offenses, providing for the seizure of certain licenses; providing penalties for the refusal to surrender such licenses; providing an effective date

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

By Senator Forman—

SB 2696—A bill to be entitled An act relating to scuba diving; providing definitions, providing a limitation of liability for dive operators in certain situations; providing exceptions; providing an effective date

—was referred to the Committees on Commerce and Economic Opportunities, and Judiciary.

By Senators Grant, Hargrett, Williams, Casas, Beard, Silver, Horne, Holzendorf, Kirkpatrick, Bronson, Myers, Thomas, Jennings, Childers, Kurth, Johnson, Brown-Waite, Latvala, Ostalkiewicz, Sullivan, Forman, McKay, Gutman and Rossin—

SB 2698—A bill to be entitled An act relating to cancer research and teaching institutes, creating s. 627.6614, F.S.; providing legislative findings; providing definitions, requiring managed-care organizations to include the institutes in health plans as approved providers for the diagnosis and treatment of cancer, providing for setting rates of compensation for inpatient and outpatient services, providing penalties; providing an effective date

—was referred to the Committees on Banking and Insurance; Health Care, and Ways and Means

By Senator McKay—

SB 2700—A bill to be entitled An act relating to alcoholic beverages; amending ss 563 05, 564 06, 565 12, F.S., providing for a surcharge on the sale of alcoholic beverages for consumption on the premises, providing for the payment of taxes by distributors; providing for a collection allowance; providing for interest on delinquent taxes, amending s. 561.501, F.S., providing for penalties and interest, amending s 561.025, 561 121, F.S. providing for the collection and distribution of alcoholic beverage excise taxes and surcharges, amending s. 561 55, F.S., providing for recordkeeping; providing for an inventory tax; repealing ss 563.07, 565 13 F.S., relating to the payment of excise taxes and

the collection allowance on malt beverages and spirituous beverages; providing an effective date

— was referred to the Committees on Regulated Industries, and Ways and Means.

By Senator Crist—

SJR 2702—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to require voter approval of new or increased taxes or deletion of existing exemptions from taxes except in described circumstances

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

By Senators Grant, Bankhead and Dudley—

SB 2704—A bill to be entitled An act relating to limited liability companies; amending s. 220.02, F.S.; eliminating limited liability companies from the declaration of legislative intent to subject them to corporate income tax liability; amending s. 220.03, F.S.; excluding limited liability companies from the definition of corporation, repealing s. 220.13(2)(j), F.S., which provides for the taxable income of limited liability companies; repealing s. 608.471, F.S., which provides for limited liability companies to be subject to the corporate income tax; providing an effective date.

— was referred to the Committees on Commerce and Economic Opportunities, and Ways and Means.

By Senator Harris—

SB 2706—A bill to be entitled An act relating to confidentiality of records and meetings of the Florida Automobile Joint Underwriting Association, amending s. 627.311, F.S., providing exemptions from public records requirements for underwriting files, open claim files, audit records for a specified time, matters reasonably encompassed in privileged attorney-client communications, licensed proprietary information made confidential by contract, certain employee medical records and employee assistance programs records, certain negotiation information for a specified time, minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding claims files for a specified time; providing requirements regarding sharing of confidential records, providing an exemption from public meetings requirements for meetings during which underwriting files or open claims files are discussed; providing requirements regarding such closed meetings and records thereof, providing for future review and repeal, providing a finding of public necessity, providing an effective date.

— was referred to the Committees on Banking and Insurance; and Governmental Reform and Oversight

By Senator Bankhead—

SB 2708—A bill to be entitled An act relating to special care units, amending s. 400.402, F.S.; providing a definition, amending s. 400.4177, F.S.; requiring certain licensed assisted living facilities to meet requirements for a special care unit; creating s. 400.4185, F.S.; requiring the Department of Elderly Affairs to approve education for personnel employed by a special care unit; creating s. 400.4187, F.S., establishing credentials for persons to be approved by the department as trainers; providing time frames for training, providing for continuing education; amending s. 400.452, F.S.; adding training relating to Alzheimer's disease and other memory impairments to the core training; requiring the Agency for Health Care Administration to monitor training; providing an effective date

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

By Senator McKay—

SB 2710—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 Committees on Commerce and Economic Opportunities; and Ways and Means

By Senator Silver—

SB 2712—A bill to be entitled An act relating to homicide; creating s. 782.051, F.S.; defining the offense of attempted felony murder, and providing penalties therefor, specifying applicability; providing an effective date.

— was referred to the Committees on Criminal Justice; and Ways and Means

By Senator Forman—

SB 2714—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.273, F.S.; extending per diem and travel expenses to all activities required of members of certain councils involved with vocational rehabilitation; providing for reimbursement for or provision of accommodations necessitated by members' disabilities; amending s. 413.395, F.S., relating to the Florida Independent Living Council; authorizing the council to incorporate as a not-for-profit corporation, providing for its board of directors; providing for reimbursement for certain child care expenses, providing for reasonable compensation to certain members under certain circumstances; amending s. 413.405, F.S., relating to the Rehabilitation Advisory Council, revising provisions relating to reimbursement for expenses, to conform; providing an effective date.

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

By Senator Silver—

SB 2716—A bill to be entitled An act relating to the Department of Community Affairs; creating the Bureau of Factory Constructed Buildings within the Division of Housing and Community Development; transferring certain programs, personnel, and funds of the Department of Highway Safety and Motor Vehicles to the Department of Community Affairs; providing an effective date.

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

By Senator Silver—

SB 2718—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.803, F.S., relating to hearsay exceptions; providing for admissibility of certain out-of-court statements when the declarant is a child witness with a physical, mental, emotional, or developmental age of 11 years or less who describes specified acts of child abuse or neglect or sexual abuse against a child or other sexual offenses; providing for admissibility of certain out-of-court statements when the declarant witness is an elderly person or disabled adult who describes specified acts of abuse, neglect, exploitation, or violence upon an elderly person or disabled adult, providing an effective date

— was referred to the Committee on Judiciary

By Senator Meadows—

SB 2720—A bill to be entitled An act relating to the development-of-regional-impact program

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

By Senator Forman—

SB 2722—A bill to be entitled An act relating to insurance; amending s. 624.155, F.S.; prohibiting awards of damages if an insurer acted reasonably under certain circumstances; amending s. 624.316, F.S., deleting a certain rulemaking authority of the Department of Insurance relating to insurer compliance, amending s. 626.9541, F.S.; excluding certain notices from a definition of “complaint”; amending s. 627.419, F.S., providing for advertisements or translations of insurance policies in languages other than English; providing limitations; amending s. 627.727, F.S. providing conclusivity of a presumption against insurers, agents, and employees; clarifying uninsured motorist benefits coverage under certain circumstances, providing an effective date.

—was referred to the Committees on Banking and Insurance, Judiciary, and Ways and Means

By Senator Bronson—

SB 2724—A bill to be entitled An act relating to retail finance, amending s. 516.01, F.S., providing a definition; amending s. 516.05, F.S.; requiring written notice of a licensee's change of place of business, amending s. 516.33, F.S., requiring licensees to display certain notice of licensure, amending s. 520.03, F.S.; authorizing a registration process and fee for branch offices; amending s. 520.07, F.S.; providing additional requirements for retail installment contracts; amending s. 520.08, F.S.; providing a limitation on certain finance charges; requiring a refund of certain excessive charges under motor vehicle installment contracts; amending s. 520.085, F.S.; requiring certain loan processing fees to be prepaid finance charges; requiring disclosure; providing a limitation; amending s. 520.34, F.S.; requiring a refund of certain excessive charges under retail installment contracts, amending s. 520.78, F.S.; requiring a refund of certain excessive charges under home improvement installment contracts, providing an effective date

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

By Senator Harris—

SB 2726—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 bank account and debit or credit card numbers given to an agency for payment of any fee or debt; providing for future review and repeal; providing a finding of public necessity, providing an effective date.

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

By Senator Jones—

SB 2728—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Jaharvis Jamal Frazier, a minor, by and through his mother and next friend, Lillie Willis, as court-appointed plenary guardian; requiring the district to compensate Jaharvis Jamal Frazier for injuries he sustained as a result of the negligence of North Broward Hospital District, d/b/a North Broward Medical Center, 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 Senator Weinstein—

SB 2730—A bill to be entitled An act relating to Monroe County, providing for the relief of Deborah Martin, providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the District Board of Trustees of the Florida Keys Community College; 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 Senator McKay—

SB 2732—A bill to be entitled An act relating to tax administration by the Department of Revenue, amending s. 201.13, F.S.; providing that the department shall discontinue furnishing stamps for payment of the excise tax on documents after a specified date; authorizing use of stamps held by persons on that date, repealing s. 201.131, F.S., which authorizes payment of the tax through use of metering machines; amending s. 201.133, F.S., revising provisions relating to payment of the tax on documents that are not to be recorded; requiring persons engaged in a certain number of transactions to register and remit the tax to the department; providing that persons below that threshold shall remit the tax to the department but need not register; providing for application of penalties, amending s. 201.17, F.S.; revising penalty provisions; amending ss. 201.01, 201.022, 201.05, 201.08, 201.09, 201.11, 201.12, and 201.22, F.S., to conform, amending s. 212.11, F.S.; providing conditions under which sales tax dealers may make an annual return and payment or a quarterly return and monthly payment; authorizing the department to prescribe requirements relating to taxpayers required to remit sales and use taxes by electronic funds transfer and to waive that requirement under certain circumstances; amending s. 213.05, F.S., requiring the department to report to the Legislature its intention to recede from a finding of exemption from taxability, providing for a delay in the effective date of the finding, to allow legislative action, providing applicability, amending s. 213.22, F.S., authorizing access to technical assistance advisements through the department's tax information retrieval system without a fee, creating the Sale For Resale Exemption Revision Committee; providing for appointment and qualifications of members; providing duties; requiring a report; providing effective dates.

—was referred to the Committees on Commerce and Economic Opportunities, Rules and Calendar; and Ways and Means.

By Senator Holzendorf—

SB 2734—A bill to be entitled An act relating to motor vehicle rentals, amending s. 322.38, F.S.; prohibiting the lessor of a motor vehicle, as part of the rental agreement, from holding the lessee liable for the negligent operation of the motor vehicle by another authorized driver, providing a definition; providing an effective date

—was referred to the Committees on Transportation; and Commerce and Economic Opportunities.

By Senators Ostalkiewicz and Casas—

SB 2736—A bill to be entitled An act relating to education; providing for a pilot scholarship program in Dade County, providing for eligibility and amount of scholarships; providing program requirements; requiring annual reports and evaluations; providing an effective date

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

By Senator Kurth—

SB 2738—A bill to be entitled An act relating to battery, creating s. 784.041, F.S.; defining the offense of felony battery, and providing penalties therefor; amending s. 921.0012, F.S., relating to sentencing guidelines offense levels; providing for classification of felony battery offenses

in the level 6 category of the offense severity ranking chart; providing an effective date.

— was referred to the Committees on Criminal Justice; and Ways and Means

By Senator Silver—

SB 2740—A bill to be entitled An act relating to the Board of Dentistry; amending s. 466.004, F.S., revising the requirements for dental hygienist members of the board, providing for the members of the Council on Dental Hygiene to be appointed by the Governor, subject to Senate confirmation; providing for a dental hygienist to chair the council; revising the composition and meeting requirements of the council; requiring the board to consider all council recommendations and requiring council approval of board rules affecting certain areas of dental hygienist regulation; providing an effective date.

— was referred to the Committees on Health Care; Governmental Reform and Oversight, and Ways and Means

By Senator Ostalkiewicz—

SB 2742—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; revising provisions with respect to the effective date of adopted rules, providing an effective date.

— was referred to the Committees on Governmental Reform and Oversight, and Rules and Calendar

By Senator Forman—

SB 2744—A bill to be entitled An act relating to medical practice, creating s. 458.3115, F.S.; providing requirements for foreign-licensed physicians to obtain a restricted license to practice medicine in this state; requiring a clinical competency examination, providing fees; providing for restrictions on practice, providing conditions for transition to full licensure; providing rulemaking authority; providing an effective date.

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

By Senator Bankhead—

SB 2746—A bill to be entitled An act relating to contracting by the Department of Health and Rehabilitative Services, requiring the department to adopt rules relating to contracting; providing an effective date

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

By Senator Harris—

SB 2748—A bill to be entitled An act relating to insurance, amending s. 627.311, F.S.; providing civil immunity for certain persons associated with the Florida Joint Underwriting Association; providing an exception; amending s. 627.351, F.S., revising the method for determining the maximum debit assessments to insurers in the windstorm insurance risk apportionment plan; providing civil immunity for certain persons associated with the Florida Windstorm Joint Underwriting Association; providing an exception; providing an effective date.

— was referred to the Committees on Banking and Insurance, and Judiciary

By Senator Kirkpatrick—

SB 2750—A bill to be entitled An act relating to adult education, amending s. 239.117, F.S.; revising fees required of certain college preparatory students, deleting an exception; amending s. 239.301, F.S.; deleting an exception to the payment of fees for certain college preparatory students, requiring community colleges to refer certain students to adult education courses, amending s. 240.117, F.S.; deleting a requirement for a certain test; deleting an exception to certain fee requirements; requiring community colleges to refer certain students to adult education courses provided by school districts; providing an effective date

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

By Senator Dyer—

SB 2752—A bill to be entitled An act relating to education; providing for a review over a 4-year period of the portions of the Florida School Code that govern the public schools, repealing chs. 228, 229, and 230, F.S., on July 1, 1997, and providing for prior legislative review, repealing chs. 232, 233, 234, and 235, F.S., on July 1, 1998, and providing for prior legislative review; repealing chs. 231 and 238, F.S., on July 1, 1999, and providing for prior legislative review; repealing chs. 236 and 237, F.S., on July 1, 2000, and providing for prior legislative review; providing an effective date

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

By Senator Kirkpatrick—

SB 2754—A bill to be entitled An act relating to the confidentiality of information contained in appraisal reports obtained by the Board of Regents for property acquisition; providing certain exemptions from public records requirements for certain appraisal reports; providing a time certain by which the reports become public record; providing for future review and appeal, providing a finding of public necessity; providing an effective date.

— was referred to the Committees on Higher Education, and Governmental Reform and Oversight.

By Senator Harris—

SB 2756—A bill to be entitled An act relating to health insurance; amending s. 627.6515, F.S.; revising disclosure and regulatory filing requirements for group health policies issued or delivered outside this state under which certificates are issued to Florida residents; providing an effective date.

— was referred to the Committees on Banking and Insurance, Health Care, and Ways and Means.

By Senator Johnson—

SB 2758—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S., revising provisions that regulate the conduct of bingo; providing intent; providing definitions; creating the Florida Bingo Commission; providing for the conduct of bingo by certain charitable, non-profit, or veterans' organizations registered with the commission; retaining provisions that authorize condominium and mobile home owners' associations and residents of mobile home or recreational vehicle parks to conduct bingo under certain conditions; providing for the conduct of bingo by other persons licensed by the commission; requiring licensing of distributors of bingo equipment, providing registration and licensing qualifications, requirements, and fees; imposing a fee on the purchase of bingo cards by persons and organizations authorized to conduct bingo; providing for distribution and use of the proceeds for charitable endeavors, revising conditions and requirements for the conduct of bingo and use of the proceeds; providing penalties; providing for establishment of

the commission within the Department of Business and Professional Regulation, providing responsibilities of the commission, directing the commission to make recommendations to the Legislature regarding the types of bingo games that should be allowed and the licensing of premises for the conduct of bingo; providing effective dates

—was referred to the Committees on Regulated Industries, Governmental Reform and Oversight; and Ways and Means

By Senator Myers—

SB 2760—A bill to be entitled An act relating to physicians; amending s 458 317, F S , deleting a requirement that holders of limited licenses be retired from the practice of medicine; providing an effective date

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

SB 2762 was withdrawn prior to introduction.

By Senator Jones—

SB 2764—A bill to be entitled An act relating to death benefits for law enforcement, correctional, and correctional probation officers and firefighters; amending ss 112 19 and 112 191, F.S , revising educational benefits for children of deceased officers and firefighters, providing an effective date

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

By Senator Burt—

SB 2766—A bill to be entitled An act relating to county authority over disputes regarding job performance of general contractors licensed on a statewide basis

—was referred to the Committees on Governmental Reform and Oversight, Community Affairs; and Ways and Means

By Senator Kurth—

SB 2768—A bill to be entitled An act relating to education, amending s 229 602, F S , relating to private sector and education partnerships, revising provisions relating to teacher/quest partnership projects; amending s 240 4082, F S , revising requirements of teacher/quest scholarship projects, providing an effective date.

—was referred to the Committees on Education; Commerce and Economic Opportunities; and Ways and Means

By Senator Jones—

SB 2770—A bill to be entitled An act relating to emergency telephone service, requiring telecommunications companies to maintain emergency "911" service under any circumstances, providing an effective date

—was referred to the Committees on Commerce and Economic Opportunities, and Ways and Means.

By Senators Grant and Jenne—

SB 2772—A bill to be entitled An act relating to the designation of state buildings, designating the building designed to serve as the alumni center at the University of South Florida the "Sam and Martha Gibbons

Alumni Center", directing the Board of Regents of the Division of Universities of the Department of Education to erect suitable markers, providing an effective date

—was referred to the Committee on Higher Education.

By Senator Jenne—

SB 2774—A bill to be entitled An act relating to lobbying; amending s 11 045, F S.; authorizing a filing extension for reports of lobbyists by rule of the Legislature, providing for procedures with respect to reporting; amending s 112.3215, F S ; eliminating language permitting reporting statements filed by executive branch lobbyists to not be filed under certain circumstances; authorizing the Commission on Ethics to provide by rule for an extension on the filing of lobbying reporting statements, providing time requirements with respect to reports; directing the commission to adopt rules and procedures with respect to reports; providing an effective date

—was referred to the Committees on Executive Business, Ethics and Elections; Rules and Calendar; and Ways and Means

By Senator Wilhams—

SB 2776—A bill to be entitled An act relating to compensation of district school board members and superintendents of schools; amending ss 230 202, 230 303, and 230 321, F S ; limiting salary increases, providing an effective date

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

By Senator Beard—

SB 2778—A bill to be entitled An act relating to public health; amending s 381 006, F S , expanding provisions relating to the migrant labor function of the environmental health program conducted by the Department of Health and Rehabilitative Services, providing an effective date

—was referred to the Committee on Health Care.

By Senator Weinstein—

SB 2780—A bill to be entitled An act relating to motor vehicle repair shops; amending s 559 903, F S , redefining the term "motor vehicle repair shop" to include mobile repair shops, amending s. 559 904, F S ; revising registration requirements for mobile motor vehicle repair shops and shops that perform only minor repair service; amending s 559 920, F S , conforming provisions; amending s 559 921, F.S , revising penalty provisions and providing additional penalties, amending s. 559.9221, F S , conforming provisions; deleting obsolete provisions; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight, and Transportation

By Senator Kirkpatrick—

SB 2782—A bill to be entitled An act relating to postsecondary education; amending s 240.2111, F S , deleting a requirement that certain rules be adopted; repealing s 235 18, F S , relating to a requirement that certain boards adopt capital outlay budgets, repealing s 240 333, F S , relating to an authorization for municipalities to purchase land for school boards to use for community colleges; repealing s 240 347, F.S , relating to the State Community College Program Fund repealing s 240 349, F S , relating to requirements for community colleges to participate in the program fund; repealing s 240 353, F.S relating to the method of calculating instruction units for community colleges repealing s 240 3575(5), F S., relating to annual reports required of economic development centers of community colleges; repealing s 240 371, F S , relating to transfer of benefits from a school board to a community

college, repealing s. 240.379, F.S., relating to chapters of the Florida Statutes that are inapplicable to community colleges; repealing s. 240.382(5), F.S., relating to rules required for child development centers operated by community colleges; repealing s. 240.4988, F.S., relating to rules required to implement the Theodore R. and Vivian M. Johnson scholarship program; providing an effective date.

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

By Senator Gutman—

SB 2784—A bill to be entitled An act relating to Cuban freedom; creating the “Cuban Freedom Act”; providing for sanctions against the Castro government in Cuba, providing for legislative findings, providing penalties for violating certain federal travel restrictions; prohibiting certain persons or financial institutions to provide loans, credit, or other financing to certain persons; directing the Governor to file an annual report to the Legislature on assistance to and commerce with Cuba by citizens and legal residents of Florida; providing that it is illegal to import certain items into Florida; providing exceptions, providing for support for a free and independent Cuba; providing for legislative policy; providing for the termination of Florida’s participation in the economic embargo on Cuba, providing definitions; providing for damages for persons trafficking in certain confiscated property; providing an effective date.

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

By Senators Bronson and Dudley—

SB 2786—A bill to be entitled An act relating to the Florida National Guard; amending s. 250.482, F.S.; providing employment protection for members of the Florida National Guard who are called into state service; providing for enforcement, providing for attorney’s fees; providing for fines; prescribing conditions precedent to bring suit, providing an effective date.

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

By Senator Jones—

SB 2788—A bill to be entitled An act relating to health care; amending s. 409.12, F.S.; exempting certain entities from part I of chapter 641, F.S.; providing for a pilot dental managed care program in Dade County; providing for licensure; providing guidelines, criteria, and responsibilities; providing responsibilities of the Agency for Health Care Administration; providing for a review, reports, and an evaluation of the plan; providing an effective date.

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

By Senator Grant—

SB 2790—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; authorizing the State Board of Administration to consider certain borrowing and financing arrangements when determining the sufficiency of the fund to pay reimbursements; specifying uses of proceeds from revenue bonds, providing for an emergency assessment if revenues are insufficient to fund the costs and expenses including debt service of the fund; specifying the maximum aggregate amount of an insurer’s assessments; authorizing the board to create trusts to facilitate borrowing or financial arrangements; providing for use of proceeds; providing an effective date.

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

By Senator Forman—

SB 2792—A bill to be entitled An act relating to sales tax; amending s. 212.08, F.S.; exempting the sale or lease of an aircraft for use by a common carrier from the sales tax; providing an effective date.

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

By Senator Forman—

SB 2794—A bill to be entitled An act relating to health care; creating s. 409.91141, F.S.; prescribing guidelines for the Agency for Health Care Administration and certain hospitals for participation in the Health Care Access Disproportionate Share Program; providing an effective date.

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

By Senator Crist—

SB 2796—A bill to be entitled An act relating to county and municipal detention facilities; repealing s. 951.23(1)(f), (2), (3), (4), (5), (6), (7), (8), (9), F.S., which requires the Department of Corrections to inspect county and municipal jails; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs, and Ways and Means.

By Senator Sullivan—

SB 2798—A bill to be entitled An act relating to regulation of the medical professions; providing applicability of chapter 92-33, Laws of Florida, as amended, to terms used in the medical practice acts and other provisions of law relating to regulation of the medical professions, amending s. 20.165, F.S., relating to the Department of Business and Professional Regulation; eliminating reference to the Division of Medical Quality Assurance; amending s. 20.42, F.S., relating to the Agency for Health Care Administration; creating the Division of Medical Quality Assurance within the agency and assigning regulation of the medical professions to it; including naturopathy and medical physicians among the medical professions to be regulated, conforming the name of a medical regulatory board; amending s. 381.81, F.S., relating to the Minority Health Improvement Act, to conform; amending s. 455.01, F.S.; expanding the definition of “health care practitioner”; amending s. 455.02, F.S.; conforming a reference relating to regulatory boards, amending s. 455.206, F.S.; conforming a cross-reference; amending s. 455.207, F.S.; authorizing the appointment of nonboard members to board committees; amending s. 455.214, F.S.; allowing limited licensees to work for certain agencies or institutions; amending s. 455.219, F.S.; clarifying applicability to the Agency for Health Care Administration of provisions relating to receipt and disposition of fees, amending s. 455.2224, F.S., requiring incorporation of the recommendations of the State Health Officer with respect to health care practitioners infected with hepatitis B or the human immunodeficiency virus; amending s. 455.2281, F.S., relating to enforcement of regulation of professions and occupations; including reference to the agency; amending s. 455.236, F.S.; conforming a reference; amending s. 455.24, F.S.; revising provisions relating to the required statement in advertisements by health care providers for free or discounted services; adding health care providers to whom such provisions apply; amending s. 455.25, F.S., relating to disclosure of financial interests; requiring physicians or other health care providers to disclose their financial interest in certain entities; eliminating entity disclosure of financial interest; amending s. 456.32, F.S.; including other licensed professions within the definitions of “healing arts” and “practitioner of the healing arts” for purposes of provisions regulating hypnosis; amending s. 457.105, F.S.; revising qualifications for certification to practice acupuncture; amending s. 457.107, F.S.; requiring a specified number of continuing education hours to be on human immunodeficiency virus and acquired immune deficiency syndrome; increasing a fee cap; amending s. 458.303, F.S.; eliminating physicians’ trained assistants from a provision exempting certain other practitioners from regulation under speci-

fied provisions of ch. 458, F.S.; amending s. 458.307, F.S., relating to the Board of Medicine; deleting a provision relating to probable cause panels; amending s. 458.311, F.S.; revising requirements for licensure of physicians by examination; revising an educational and postgraduate training requirement; allowing certain applicants to complete a specified fellowship to partially satisfy the licensing requirements; requiring applicants to provide sufficient information and fingerprints, revising a restriction on the number of times an applicant may fail the examination to include remediation after a certain number; authorizing persons in certain training programs to take the examination under certain circumstances; amending s. 458.313, F.S.; revising requirements for licensure of physicians by endorsement, eliminating a provision authorizing oral examinations, providing for additional remedial education or training upon failure to pass the licensing examination after a certain number of attempts; conforming a cross-reference; eliminating a provision authorizing licensure under a period of supervision; amending ss. 458.316 and 458.3165, F.S.; conforming cross-references and terminology, amending s. 458.317, F.S., relating to limited licenses; eliminating the requirement that applicants for a limited license be retired from the practice of medicine; requiring the payment of fees if a person receives compensation for the practice of medicine, providing that an applicant need not provide a copy of the medical degree unless specifically required by the board; revising circumstances under which supervision is required, allowing limited licensees to work for certain agencies or institutions, conforming cross-references; amending s. 458.319, F.S., clarifying requirements for renewal of license to practice medicine, revising recent-practice requirements; amending s. 458.320, F.S., requiring physicians not carrying medical malpractice insurance to post notice and provide a written statement thereof; requiring a signed copy of the written statement to be maintained in each patient's file in acknowledgment of receipt thereof; amending s. 458.331, F.S.; revising and providing grounds for disciplinary action; providing penalties, creating s. 458.3312, F.S., prohibiting physicians from falsely representing that they are board-certified specialists; amending s. 458.346, F.S., providing for meetings of the Public Sector Physician Advisory Committee, amending s. 459.007, F.S.; clarifying requirements for licensure as an osteopathic physician by endorsement; amending s. 459.0075, F.S., relating to limited licenses, eliminating the requirement that applicants for a limited license be retired from the practice of osteopathic medicine; requiring the payment of fees if a person receives compensation for the practice of osteopathic medicine, revising circumstances under which supervision is required; allowing limited licensees to work for certain agencies or institutions, amending s. 459.011, F.S.; providing that it is state policy that physicians licensed under ch. 458, F.S., and osteopathic physicians licensed under ch. 459, F.S., be accorded equal professional status and privileges and providing requirements with respect thereto; prohibiting certain health-related entities from discriminating against a licensee on the basis of licensure under ch. 458, F.S., or ch. 459, F.S.; amending s. 459.015, F.S.; revising and providing grounds for disciplinary action; providing penalties; creating s. 459.0152, F.S.; prohibiting osteopathic physicians from falsely representing that they are board-certified specialists; amending s. 460.406, F.S., relating to licensure as a chiropractor by examination; resolving a conflict between different versions of certain provisions; deferring to a later date the requirement that the required bachelor's degree be separate from the degree of chiropractic, repealing s. 460.4061, F.S., relating to restricted licenses; amending s. 460.408, F.S.; revising requirements relating to approval of courses for continuing chiropractic education; amending s. 460.413, F.S.; revising grounds for disciplinary action, increasing the administrative fine; providing penalties; providing criteria for determining the applicable penalty; providing certain evidentiary standards, providing authority and procedure to enjoin a chiropractor from providing medical services under certain circumstances; creating s. 460.4138, F.S.; authorizing subpoena of certain records deemed necessary and relevant to investigation of a complaint; creating s. 461.0055, F.S.; providing for investigation of the qualifications of applicants for licensure as a podiatrist, amending s. 461.006, F.S., relating to licensure as a podiatrist by examination; increasing application and examination fees; delaying a change in clinical experience requirements; authorizing the licensure of certain applicants; amending s. 461.007, F.S., increasing the license renewal fee; creating s. 461.011, F.S.; prohibiting sexual misconduct in the practice of podiatric medicine, for which there are disciplinary actions; amending s. 461.012, F.S.; clarifying a prohibition against advertising podiatric services without an active license or with a license fraudulently obtained; providing penalties; amending s. 461.013, F.S.; revising and providing grounds for disciplinary action; increasing the administrative fine; providing penalties; creating s. 461.018, F.S.; providing for limited scope of practice of podiatric medicine within a specified area of need, creating

s. 461.019, F.S.; providing for a podiatric medical faculty certificate; providing for fees; amending ss. 463.006 and 463.007, F.S.; increasing application, examination, licensure, and license renewal fees applicable to the practice of optometry; amending s. 464.004, F.S.; increasing the membership of the Board of Nursing, amending s. 464.008, F.S., providing that applicants for licensure as a registered or licensed practical nurse are responsible for the fee required by the Department of Law Enforcement for background checks; revising the requirement for graduation from an approved program to include equivalent programs outside the state; amending s. 464.009, F.S., providing a fee for licensure verification for nurses endorsing to other states; amending s. 464.012, F.S.; requiring certification by an appropriate specialty board for initial state certification and recertification as a nurse anesthetist or nurse midwife, providing for provisional certification of graduate nurse anesthetists and nurse midwives; amending s. 464.015, F.S.; revising the period during which the terms "Graduate Nurse" and "Graduate Practical Nurse" and their corresponding abbreviations may be used; amending s. 464.018, F.S.; revising disciplinary actions, increasing the administrative fine, providing penalties; creating s. 464.0205, F.S.; providing for certification of retired volunteer nurses, providing requirements, qualifications, fees, and restrictions; amending s. 464.022, F.S., revising and providing exemptions from regulation under ch. 464, F.S., relating to nursing; amending s. 465.003, F.S.; revising the definitions of "pharmacy" and "practice of the profession of pharmacy"; amending s. 465.004, F.S.; increasing the membership of the Board of Pharmacy; revising membership qualifications; creating s. 465.0105, F.S.; providing for a pharmacy specialist certificate; amending s. 465.0125, F.S.; providing responsibilities of consultant pharmacists and Doctors of Pharmacy, providing for rules; amending s. 465.014, F.S., revising tasks and duties delegated to a pharmacy technician; increasing the number of pharmacy technicians who may be supervised by a licensed pharmacist; amending s. 465.0156, F.S.; revising information required for registration of non-resident pharmacies; amending s. 465.016, F.S.; revising disciplinary actions; increasing the administrative fine; providing penalties; amending s. 465.0196, F.S., relating to special pharmacy permits; conforming a cross-reference; amending s. 465.035, F.S.; authorizing the dispensing of certain controlled substances pursuant to facsimile receipt of an original prescription; amending s. 465.186, F.S.; increasing the membership of the committee responsible for establishing the formulary of medicinal drug products and dispensing procedures, amending s. 466.004, F.S., relating to the Board of Dentistry; revising provisions relating to meetings and duties of the Council on Dental Hygiene and the Council on Dental Assisting; amending s. 466.006, F.S.; eliminating an obsolete provision for the examination of dentists; amending s. 466.007, F.S., relating to examination of dental hygienists; revising qualifications to take the examination; reducing the number of academic years of postsecondary education required; creating s. 466.0075, F.S., authorizing the Board of Dentistry by rule to require any applicant for the examination to practice dentistry or dental hygiene to carry certain medical malpractice insurance; amending s. 466.017, F.S.; eliminating obsolete provisions relating to the utilization of general anesthesia and parenteral conscious sedation by licensed dentists; amending s. 466.023, F.S., clarifying scope and area of practice of dental hygienists; amending s. 466.028, F.S., revising and providing grounds for disciplinary action; increasing the administrative fine; providing penalties; amending s. 466.0282, F.S.; revising provisions relating to practicing and advertising as a dental specialist; providing purpose and legislative findings and intent; amending s. 466.032, F.S.; providing for biennial registration of dental laboratories, eliminating certain required notice with respect to such registration; amending s. 467.003, F.S.; revising the definition of "preceptor" to include advanced registered nurse practitioners; amending s. 467.009, F.S.; revising and providing education and training requirements for midwifery programs, amending s. 467.0125, F.S., relating to licensure by endorsement; revising requirements for certificates and diplomas from foreign institutions of medicine or midwifery; amending s. 467.015, F.S., clarifying responsibility of a midwife with respect to eye prophylactics for newborns, amending s. 467.017, F.S.; clarifying language with respect to submission of copies of emergency care plans; amending s. 467.203, F.S., increasing the administrative fine; clarifying a penalty; amending s. 468.1115, F.S.; revising and providing exemptions from regulation as a speech-language pathologist or audiologist; amending s. 468.1145, F.S.; revising and providing fees and providing for disposition thereof; amending s. 468.1155, F.S.; revising provisional licensure requirements; providing requirements for cross-discipline licensure; amending s. 468.1185, F.S.; revising licensure requirements; conforming a reference; amending s. 468.1195, F.S.; revising continuing education requirements; providing for adoption of standards of approval of continuing education activities and providers; creating s. 468.1201,

F.S. requiring instruction on human immunodeficiency virus and acquired immune deficiency syndrome as a condition of being granted a license or certificate to practice speech-language pathology or audiology; amending s 468.1215 F.S., revising requirements for certification as a speech language pathology or audiology assistant; conforming a reference, amending s 468.1245, F.S., revising language relating to certain complaints concerning hearing aids, amending s. 468.1295, F.S.; revising and providing grounds for disciplinary action, increasing the administrative fine; revising and providing penalties; creating s 468.1296, F.S. prohibiting sexual misconduct in the practice of speech-language pathology and audiology, for which there are penalties, amending s 468.1695 F.S.; reducing the number of times a year the examination for licensure as a nursing home administrator must be given, amending s 468.203, F.S.; revising and deleting definitions applicable to regulation of occupational therapy; amending s 468.205, F.S., revising membership of the Occupational Therapy Council; revising provisions for the filling of vacancies; amending s 468.209, F.S., revising educational requirements for licensure as an occupational therapist or occupational therapy assistant; providing for licensure of certain applicants without meeting such educational requirements; providing for certain temporary permits; amending s. 468.211, F.S.; providing a restriction on the number of times an applicant may fail the examination and requiring remediation after a certain number, amending s. 468.213, F.S.; revising requirements for licensure by endorsement, amending s. 468.225, F.S.; providing exemptions from regulation of occupational therapy; amending ss 468.351, 468.352, 468.354, 468.355, 468.356, 468.357, 468.358, 468.359, 468.36, 468.361, 468.363, 468.364, 468.365, 468.366, and 468.368, F.S., and transferring and amending s. 468.362, F.S., providing for licensure of respiratory care practitioners and respiratory therapists; eliminating references to certification and registration; revising terminology; revising approval of educational programs, eliminating annual continuing education requirements for certain persons; increasing fees; increasing the administrative fine; providing penalties; amending s 478.42, F.S., revising the definition of "electrolysis or electrology", amending s. 478.45, F.S.; revising requirements for licensure as an electrologist, providing for the conduct of the electrology licensure examinations, eliminating a provision authorizing the use of other examinations under certain circumstances; amending s 478.46, F.S., relating to temporary permits, conforming a cross-reference; amending s. 478.47, F.S.; revising requirements for licensure by endorsement; amending s. 478.52, F.S.; revising and providing grounds for disciplinary action; providing penalties; amending s 478.53, F.S., applying a penalty to labeling or referring to hair-removing processes as electrolysis under certain circumstances, amending s 478.55, F.S.; increasing fees applicable to the practice of electrolysis, amending s. 483.041, F.S.; including licensed optometrists within the definition of "licensed practitioner" for purposes of laws regulating clinical laboratories; amending s 483.813, F.S.; extending the period of a temporary license for clinical laboratory personnel; amending s 483.825, F.S., revising and providing grounds for disciplinary action, amending s 483.827, F.S., revising and providing administrative penalties; amending s 486.023, F.S.; increasing the membership of the Board of Physical Therapy Practice; amending ss. 486.031 and 486.081, F.S., providing an alternative licensure examination, revising accreditation provisions relating to licensure as a physical therapist; amending ss 486.102 and 486.107, F.S.; providing an alternative licensure examination, revising accreditation provisions relating to licensure as a physical therapist assistant; amending s. 486.109, F.S.; revising the courses that may be approved for continuing education purposes; creating s. 486.123, F.S.; prohibiting sexual misconduct in the practice of physical therapy, for which there are disciplinary actions, amending s 486.125, F.S.; increasing the administrative fine; providing a penalty; amending s 490.014, F.S., authorizing the performance of psychological services by unlicensed persons pursuant to protocols under certain circumstances, prohibiting behavior analysts from engaging in specified treatments; amending s. 491.003, F.S.; revising and providing definitions applicable to regulation of clinical, counseling, and psychotherapy services, creating s. 491.0045, F.S.; requiring registration of interns and providing requirements thereof, creating s 491.0046, F.S.; providing for provisional licensure; amending s 491.005, F.S.; revising clinical experience requirements for licensure by examination, for which there are penalties; amending s 491.007, F.S., providing for biennial renewal of registrations; providing for fees; amending s. 491.009, F.S., revising and providing grounds for disciplinary action, increasing the administrative fine, amending s 491.012, F.S., prohibiting the use of certain titles under certain circumstances; providing penalties; amending s. 491.014, F.S., authorizing the performance of psychotherapeutic services by unlicensed persons pursuant to protocols under certain circumstances; prohibiting behavior analysts from engaging in specified treatments; re-

pealing ss 490.014(5) and 491.014(7), F.S., relating to an obsolete licensing exemption that required registration of certain trainees or interns; creating s 491.0142, F.S.; providing requirements for a regulatory exemption applicable to students; creating s 491.0144, F.S., providing conditions for provision of services by nonresidents; amending s 491.0149, F.S.; requiring display of registrations and provisional licenses and use of applicable professional titles on promotional materials, amending s. 766.1115, F.S., expanding the definition of "health care provider" under the Access to Health Care Act, requiring review of the current certification process applicable to addiction professionals; requiring a study relating to the appropriateness of licensing addiction professionals; requiring a report, amending s 831.30, F.S., relating to the offense of fraudulently obtaining medicinal drugs; revising a cross-reference, reenacting ss 320.0818(7), 400.518(3)(b), 458.310(2), 458.3145(1), 458.315(4), 458.320(6), 458.345(1)(b) and (c) and (2), 458.347(7)(g), 459.0085(6), 459.022(7)(e), 460.4104(7), 461.006(2)(c), 464.008(2), 464.009(3), 466.011, 467.002, 467.006(1), 467.205(1), (3), and (4), 468.1185(2)(a), 468.1215(4), 468.505(1), 482.2267(9), 491.006(2), 766.111(2), 768.28(9)(b), F.S., relating to parking permits for the disabled, prohibited referrals to home health agencies, restricted medical licenses, medical faculty certificates, temporary certificates for practice in areas of critical need, physician and osteopathic physician financial responsibility, registration of resident physicians, interns, and fellows, physician assistants, chiropractor peer review, podiatry licensure, nursing licensure, dental licensure, midwifery licensure and approval of midwifery programs, licensure of speech-language pathologists and audiologists and certification of assistants, exemption from regulation as a dietician or nutritionist, registry of persons requiring prior notification of the application of pesticides, licensure of psychotherapists, unnecessary diagnostic testing, waiver of sovereign immunity, to incorporate the amendments to ss 458.311, 458.331, 459.015, 460.413, 461.013, 464.012, 464.018, 464.022, 466.007, 466.028, 467.009, 468.1155, 491.003, 491.009, and 766.1115, F.S., in references thereto, amending s. 468.362, F.S., relating to requirements for continuing education for respiratory therapists and respiratory care practitioners, providing effective dates

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

By Senator Jenne—

SB 2800—A bill to be entitled An act relating to guardians, creating s. 744.1085, F.S., providing for the regulation of professional guardians; providing a definition, providing for a bond, providing educational requirements; providing for random fiscal field audits; increasing financial return audit fees to defray the costs of conducting random fiscal field audits, amending s. 624.606, F.S., redefining the term "surety insurance", authorizing issuance of a blanket fiduciary bond, amending s 744.3135, F.S.; requiring criminal history and credit check, amending s 744.3145, F.S.; excluding professional guardians from certain educational requirements; providing an effective date

—was referred to the Committees on Judiciary, and Ways and Means

By Senators Grant and Jenne—

SB 2802—A bill to be entitled An act relating to the designation of state buildings designating the Florida Mental Health Institute at the University of South Florida as the Louis de la Parte Florida Mental Health Institute, directing the Board of Regents to erect appropriate markers, providing an effective date

—was referred to the Committee on Higher Education.

By Senators Grant, Beard, Hargrett and Crist—

SB 2804—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, amending ss 3, 7, ch 23559, Laws of Florida, 1945, as amended; prescribing conditions under which certain municipal employees may become members of Division A of the city's General Employees' Retirement Plan, amending s 16, ch 23559, Laws of Florida, as amended, revising the formula for determining the retirement benefit

of certain employees who become reemployed after retirement; repealing all laws in conflict herewith; providing for severability, providing an effective date

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senators Grant, Beard, Hargrett and Crist—

SB 2806—A bill to be entitled An act relating to the City of Tampa; repealing chapter 65-2306, Laws of Florida, relating to the conveyance of land, providing an effective date

Proof of publication of the required notice was attached

—was referred to the Committee on Rules and Calendar.

By Senators Grant, Hargrett and Beard—

SB 2808—A bill to be entitled An act relating to the Hillsborough County Aviation Authority, amending ss 2 05, 2.06(a), 3 08(a) and (b), 4 08(a) and (b) of chapter 83-424, Laws of Florida, increasing the threshold amount for certain contracts beyond which the Authority must provide notice and advertise before accepting bids and awarding the contract, providing an effective date.

Proof of publication of the required notice was attached

—was referred to the Committee on Rules and Calendar

By Senator Dudley—

SB 2810—A bill to be entitled An act relating to confidentiality of records relating to pawnbroker transactions, providing an exemption from public records law for records relating to such transactions delivered to appropriate law enforcement officials, providing for future review and repeal, providing a finding of public necessity; providing an effective date

—was referred to the Committees on Agriculture, and Governmental Reform and Oversight.

By Senator Dudley—

SB 2812—A bill to be entitled An act relating to pawnbroking, creating the Florida Pawnbroking Act, providing definitions; authorizing the Division of Consumer Affairs of the Department of Agriculture and Consumer Services to license and regulate pawnbrokers; providing licensing requirements and eligibility; providing application procedures; providing for issuance, revocation, and surrender of licenses, requiring and prescribing contents of a pawnbroker transaction form, requiring record-keeping and reporting; prescribing service charges, prohibiting certain acts; prescribing a time period within which to redeem pledged goods; providing a pawnbroker's lien, providing procedures for obtaining property alleged to have been misappropriated; providing for hold orders, prescribing duties of the state attorney's office, providing criminal penalties, providing for injunctive relief, providing responsibility of the Department of Law Enforcement to provide arrest and conviction records, prohibiting conflicting county or municipal ordinances, providing that ch 538, F S., does not apply to pawnbrokers licensed under the Florida Pawnbroking Act, providing an effective date

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

By Senator Casas—

SB 2814—A bill to be entitled An act relating to sellers of travel; creating s 559 9285, F.S.; requiring proof of registration or exemption;

amending s 559 935, F S , relating to exemptions, providing requirements for affidavits of exemption; providing an effective date

—was referred to the Committee on Governmental Reform and Oversight

By Senator Forman—

SB 2816—A bill to be entitled An act relating to standards for teachers, providing an appropriation to pay for the participation of public-school teachers in this state in the certification procedure conducted by the National Board for Professional Teaching Standards; providing qualifications for participation, requiring the State Board of Education to allow NBPTS-certified teachers to be certified in this state without meeting additional requirements, requiring school districts that apply for funding to provide staff development activities, providing an effective date

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

By Senator Rossin—

SB 2818—A bill to be entitled An act relating to the Florida Emergency Telephone Act, amending s 365 171, F S.; authorizing the use of "911" fees to fund the construction and maintenance of the Statewide Law Enforcement Radio System within counties, providing an effective date

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

By Senator Sullivan—

SB 2820—A bill to be entitled An act relating to education; amending s 24 121, F S , relating to the allocation of revenue from the state lottery, prohibiting the Department of Education from releasing funds to school districts from the Educational Enhancement Trust Fund unless the district has established a school district lottery accountability council; amending s 230 23, F.S.; providing for the use of funds for school improvement and educational enhancement; creating s. 230 2302, F S , requiring each district school board to establish a school district lottery accountability council, providing for membership on the councils and for terms of office; requiring the district council to submit a plan to the district school board proposing the allocation of the district's lottery funds, requiring the school board to adopt the council's plan; providing for amending a plan pursuant to an extraordinary vote by the district school board, requiring a council to report to the district school board and the Commissioner of Education any expenditure that the council believes to be inconsistent with the plan, authorizing the district school board and the department to take certain administrative or judicial actions, providing an effective date

—was referred to the Committees on Commerce and Economic Opportunities, Education, and Ways and Means

By Senators Meadows and Casas—

SB 2822—A bill to be entitled An act relating to education, creating an incentive program for certain institutions that achieve outcomes related to the successful preparation and employment of members of certain minority groups as public school teachers; providing a definition; requiring the Department of Education to develop certain formulas and calculations, requiring review by the State Board of Education; providing exceptions, providing an effective date

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

By Senator Dudley—

SB 2824—A bill to be entitled An act relating to tax amnesty for producers or importers of pollutants; requiring the Department of Revenue to develop and implement a one-time tax amnesty program; providing requirements for the program, providing conditions upon taxpayers' participation; authorizing the department to administer and implement the program; providing an effective date

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

By Senator Turner—

SB 2826—A bill to be entitled An act relating to district school funding, amending s. 236.13, F.S.; requiring district school boards to distribute state funds equitably to each school in the district, providing an effective date

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

By Senator Jones—

SB 2828—A bill to be entitled An act relating to emergency medical services, providing a short title; providing legislative findings and purpose; providing definitions; establishing the emergency medical services for children program within the Department of Health and Rehabilitative Services; providing for a statewide coordinator and regional coordinators; providing for consultation with the Emergency Medical Services Advisory Council, providing for appointment of an ad hoc advisory panel; providing duties and program requirements; providing for funding; requiring biennial reports to the Governor and Legislature; providing that program implementation is subject to appropriations; amending s. 395.002, F.S.; revising definitions, amending s. 395.1041, F.S.; clarifying requirements for the inventory of hospital emergency services; revising patient transfer procedures with respect to hospitals with emergency departments, for consistency with federal law; clarifying that emergency medical services and care may not be delayed; amending s. 395.1046, F.S.; revising state investigatory requirements for consistency with federal law; clarifying the responsibilities of the agency surveyor, granting the agency subpoena and deposition authority when conducting an emergency access investigation, providing an appropriation; providing an effective date

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

By Senator Myers—

SB 2830—A bill to be entitled An act relating to domestic violence; amending s. 784.035, F.S.; providing that with respect to battery as domestic violence, a third or subsequent conviction for battery constitutes a felony of the third degree, notwithstanding a suspension of sentence or withholding of adjudication; providing an effective date

—was referred to the Committees on Criminal Justice; and Ways and Means

By Senator Dudley—

SB 2832—A bill to be entitled An act relating to electronic communication services; amending ss. 203.012, 212.05, F.S.; specifying that telecommunication service does not include the services of providing access to the Internet and electronic mail; providing legislative intent; reenacting s. 166.231(9), F.S., relating to municipal public service taxes, s. 203.62, F.S., relating to the applicability of statutes relating to gross receipts taxes, s. 377.401(4), F.S., relating to use of right-of-way by regulated utilities, and s. 212.12(11), F.S., relating to dealer's credit for collecting tax, to incorporate the amendments to s. 203.012(5)(c), F.S., and s. 212.12(11), F.S., in references thereto; providing an effective date.

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

By Senators Dantzler and Burt—

SB 2834—A bill to be entitled An act relating to administrative procedure, creating s. 11.0751, F.S.; requiring an analysis of agency rulemaking requirements prior to enactment of any general or special law by the Legislature; amending s. 11.60, F.S.; revising requirements relating to the Administrative Procedures Committee's annual report and standing to seek review of rules; providing additional duties relating to review of the rulemaking process, establishment of evaluation criteria, and review of statutes; revising and restructuring chapter 120, F.S., the Administrative Procedure Act; amending s. 120.52, F.S., relating to definitions; revising the definition of "agency" and including the Commission on Ethics and the Game and Fresh Water Fish Commission within said definition; revising the definitions of "invalid exercise of delegated legislative authority" and "rule" and defining "final order," "official reporter," "small city," "small county," "variance," and "waiver"; creating s. 120.525, F.S.; providing notice requirements for public meetings, hearings, and workshops; amending s. 120.53, F.S.; providing for maintenance of agency orders and for indexing or listing of orders; providing for use of an official reporter; requiring agencies to make certain information available; repealing s. 120.532, F.S., relating to preservation of agency orders and indexes; amending s. 120.533, F.S.; providing duties of the Department of State regarding orders that must be indexed or listed; repealing s. 120.535, F.S., which requires the adoption of specified rules as soon as feasible and practicable, provides presumptions with respect thereto, and provides procedures for substantially affected persons to seek a determination with respect thereto; specifying agency rulemaking authority with respect to implementation of enabling statutes; requiring agencies to provide the Administrative Procedures Committee with a list of existing rules which exceed such rulemaking authority and providing for legislative consideration of such rules; requiring agencies to initiate proceedings to repeal such rules for which authorizing legislation is not adopted; requiring a report to the Legislature, providing that the committee or a substantially affected person may petition for repeal of such rules after a specified date, amending s. 120.54, F.S., providing general requirements applicable to rulemaking; providing that implementation of statutory provisions shall not be delayed pending adoption of implementing rules; providing requirements with respect to an agency including a provision based on a statement, policy, or guideline of another agency as a condition of license approval, revising requirements relating to rule development and workshops and requiring a notice of rule development, providing for negotiated rulemaking; revising requirements and procedures for rule adoption, revising requirements relating to the notice of intended action; requiring that an agency consider the impact on small businesses, small counties, and small cities, and providing requirements with respect thereto; revising provisions relating to changes to or withdrawal of rules; providing requirements relating to filing of rules, providing for postponement of rule adoption to accommodate review; providing for emergency rules; providing for adoption of model rules by the Administration Commission; requiring agencies to comply with the model rules by a specified date; providing requirements for exceptions thereto; providing for adoption of federal standards; providing for petitions to initiate rulemaking and agency and legislative response thereto, requiring agencies to compile a rulemaking record, creating s. 120.541, F.S.; providing that a substantially affected person may submit to an agency a lower-cost regulatory alternative to a rule; providing for preparation or revision by the agency of a statement of estimated regulatory costs and providing requirements with respect thereto; providing conditions necessary for declaration of the invalidity of a rule because it imposes regulatory costs which could be reduced; creating s. 120.542, F.S.; authorizing agencies to grant variances or waivers to rule requirements; providing requirements and procedures; providing for model rules; requiring a report, repealing s. 120.543, F.S., relating to adoption of federal standards; amending s. 120.545, F.S.; revising requirements relating to review of agency rules by the committee; providing that when the committee objects to a rule and the agency fails to respond within a specified period, the committee may recommend legislation to modify or suspend adoption of a proposed rule or amend or repeal a rule, and request the agency to temporarily suspend the adoption process or the rule, specifying effect if such legislation is enacted or fails to become law; amending s. 120.55, F.S.; revising provisions relating to publication and distribution of the Florida Administrative Code and the Florida Administrative Weekly and the contents thereof; increasing the limit on the unencumbered balance in the Publication Revolving Trust Fund; amending s. 120.56, F.S.; providing general procedures for challenging rules and special provisions for challenging proposed rules and changes to proposed rules, existing rules, agency

statements defined as rules, and emergency rules; revising requirements and procedures applicable when a substantially affected person seeks an administrative determination of the invalidity of a proposed rule on the ground that it is an invalid exercise of delegated legislative authority; amending s. 120.565, F.S., providing for declaratory statements by agencies regarding applicability of statutes, rules, or orders; creating s. 120.569, F.S.; providing procedures and requirements for proceedings in which the substantial interests of a person are determined; amending s. 120.57, F.S.; providing additional procedures and requirements applicable to hearings involving disputed issues of material fact; deleting certain recordkeeping requirements applicable to a consumptive use permit applicant; revising provisions relating to de novo review of certain agency action based on an unadopted rule; revising the time period for submission of written exceptions to a recommended order; revising provisions relating to an agency's adoption of a recommended order; providing authority of the director of the Division of Administrative Hearings to set the order of proceedings; providing additional proceedings and requirements applicable to hearings not involving disputed issues of material fact, and protests to contract bidding or award, providing for informal disposition of proceedings; creating s. 120.573, F.S.; providing procedures and requirements for mediation of administrative disputes; creating s. 120.574, F.S., providing for summary hearings and providing procedures and requirements with respect thereto, requiring the division to maintain a register of formal proceedings for a specified period; repealing s. 120.575, F.S., relating to taxpayer contest proceedings, s. 120.58, F.S., relating to requirements for agency proceedings for rules or orders and s. 120.59, F.S., relating to requirements applicable to orders; creating s. 120.595, F.S.; providing for costs and attorney's fees in connection with challenges to agency action involving disputed issues of material fact and providing for application to agencies; providing for costs and attorney's fees in connection with challenges to proposed rules and existing rules, challenges to agency statements defined as rules, and appeals; amending s. 120.60, F.S.; providing requirements and procedures applicable to licensing; repealing s. 120.61, F.S., relating to requirements relating to official recognition; amending s. 120.62, F.S.; providing certain rights with respect to agency investigations; amending s. 120.63, F.S.; correcting a reference; repealing s. 120.633, F.S., relating to certain exemptions from hearing and notice requirements applicable to the Division of Pari-mutuel Wagering; amending s. 120.65, F.S.; providing for employment by the Division of Administrative Hearings of administrative law judges, rather than hearing officers, to conduct hearings under the Administrative Procedure Act, and revising provisions relating thereto; amending s. 120.655, F.S., to conform; amending s. 120.66, F.S.; revising provisions relating to ex parte communications; renumbering and amending s. 120.71, F.S., relating to disqualification of agency personnel from serving in agency proceedings, amending s. 120.68, F.S.; providing for judicial review; providing requirements relating to consolidated proceedings; revising requirements imposed on court action; amending s. 120.69, F.S., correcting a reference; repealing s. 120.70, F.S., relating to an annual report by the division, amending s. 120.72, F.S.; providing legislative intent; repealing s. 120.721, F.S., relating to the effect of chapter 75-22, Laws of Florida, on rules, and s. 120.722, F.S., relating to legislative intent of chapter 78-95, Laws of Florida, creating s. 120.80, F.S., consolidating in said section exemptions from requirements of the Administrative Procedure Act applicable to various agencies; authorizing the Public Service Commission to act in accordance with the Telecommunications Act of 1996 in implementing that act, notwithstanding other statutory requirements; creating s. 120.81, F.S., consolidating in said section exemptions from requirements of the Administrative Procedure Act applicable to various general areas; providing an effective date.

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

By Senator Forman—

SB 2836—A bill to be entitled An act relating to persons with disabilities, providing legislative intent; creating the Florida Commission for Individuals with Disabilities; providing membership and organization of the commission; providing purpose and responsibilities of the commission; providing an effective date.

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

SB 2838 was withdrawn prior to introduction.

By Senator Rossin—

SB 2840—A bill to be entitled An act relating to pollution control; amending s. 373.441, F.S.; providing limitations on legal causes of action; amending s. 403.182, F.S.; describing the elements of a local pollution control program, providing guidelines for a local pollution control program to carry out its delegated regulatory authority, providing limitations on legal causes of action; authorizing local pollution control programs to establish permitting fees; providing an effective date.

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

By Senator Kirkpatrick—

SB 2842—A bill to be entitled An act relating to equine dental technicians; amending s. 474.203, F.S.; exempting such persons from the licensure provisions of chapter 474, F.S., under specified circumstances; providing practice guidelines; providing for the adoption of rules; providing an effective date.

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

By Senator Kirkpatrick—

SB 2844—A bill to be entitled An act relating to student preparedness for postsecondary education; amending s. 229.551, F.S.; providing for upper-division and lower-division coursework dual classification, amending s. 229.595, F.S., requiring the inclusion of student postsecondary preparedness information in manuals and handbooks; amending s. 229.601, F.S., providing for recommended high school coursework information; amending s. 239.109, F.S.; exempting adult education from inclusion in career education interinstitutional articulation agreements; requiring the promotion of sequential programs of study, amending s. 239.117, F.S.; clarifying funding of the continuous enrollment of students in college-preparatory instruction; amending s. 239.301, F.S.; deleting conflicting language; clarifying funding of the continuous enrollment of students in college-preparatory instruction, amending s. 240.1161, F.S., relating to interinstitutional articulation agreements; requiring implementation mechanisms for reducing the incidence of postsecondary remediation; requiring an assessment of activities and the presentation of outcomes; amending s. 240.117, F.S.; deleting obsolete language; requiring the administration of a statewide diagnostic examination during the tenth grade year; clarifying examination requirements; clarifying funding of the continuous enrollment of students in college-preparatory instruction; clarifying language regarding the offering of college-preparatory instruction; amending s. 240.301, F.S., providing conforming language pertaining to adult education; amending s. 240.311, F.S., relating to duties of the State Board of Community Colleges; requiring the review of collaborative efforts and the submission of a progress report; amending s. 240.321, F.S., expanding admission requirements to other associate degree programs; limiting enrollment in college-level courses for certain students, amending s. 240.35, F.S.; permitting the assessment of additional funds for advisement purposes; creating s. 240.4031, F.S., relating to the Florida Academic Achievement Incentive Program; providing criteria for the receipt of incentive funds by students and institutions for academic achievement, collaboration, and partnership; requiring the Postsecondary Education Planning Commission and the Florida Commission on Education Reform and Accountability to conduct a study and submit a report, providing an effective date.

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

By Senator Kirkpatrick—

SB 2846—A bill to be entitled An act relating to the State University System; amending s. 110.131, F.S.; deleting a reporting requirement for

the Board of Regents with respect to other-personal-services employees, amending s. 120.57, F.S.; authorizing a university president's designee to conduct administrative hearings; amending s. 235.055, F.S., deleting the authority of the Board of Regents to construct facilities on leased property and enter into certain leases, amending s. 240.209, F.S., relating to duties of the Board of Regents, revising requirements for the board with respect to fees and procurement and construction contracts, authorizing the Board of Regents to acquire and dispose of real property; providing procedures for appraisals and property acquisition; amending s. 240.209, F.S., deleting a requirement that the Board of Regents report to the Legislature on limited access programs, revising requirements for student handbooks, amending s. 240.214, F.S.; revising accountability goals and reporting procedures for the State University System; amending s. 240.227, F.S., authorizing university presidents to adjust property records under certain circumstances; amending s. 240.241, F.S., relating to divisions of sponsored research at state universities; providing an exemption from certain contract requirements, amending s. 240.2603, F.S.; revising the funds included within the definition of auxiliary enterprises; amending s. 240.281, F.S., authorizing the deposit of certain funds outside the State Treasury, amending s. 240.289, F.S., authorizing a university to accept credit card payments from students without imposing a surcharge, amending s. 243.151, F.S., providing a procedure under which a university may construct facilities on leased property; amending s. 287.012, F.S.; exempting the Board of Regents and the State University System from certain provisions relating to commodities, insurance, and contractual services; amending s. 287.017, F.S., revising the threshold amounts of purchasing categories; deleting applicability of certain rules to the State University System, amending s. 287.055, F.S., exempting the Board of Regents and the State University System from requirements with respect to the acquisition of professional services through competitive selection, repealing s. 240.225, F.S., relating to the delegation of certain functions and duties of the Department of Management Services to the State University System, providing an effective date

—was referred to the Committees on Higher Education, Governmental Reform and Oversight, and Ways and Means

By Senator Forman—

SB 2848—A bill to be entitled An act relating to comprehensive planning; requiring the Lieutenant Governor and the Commissioner of Education to prepare a proposed human services portion of the state comprehensive plan; requiring that the proposed plan be prepared in coordination with state agencies, regional entities, local governments, and citizens, defining the term "human services" for purposes of the proposed plan specifying elements to be included in the proposed plan; requiring that the plan be submitted to the Legislature by a specified date; providing an effective date.

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

By Senator Bankhead—

SB 2850—A bill to be entitled An act relating to responsible fatherhood; creating ss. 383.0112, 383.0113, F.S.; creating the Commission on Responsible Fatherhood, assigning the commission to the Department of Health and Rehabilitative Services; providing for commission membership; providing for technical assistance; providing for per diem and travel expenses for persons who provide technical assistance; providing a deadline for appointing members; allowing the creation of subcommittees consisting of nonvoting nonmembers of the commission, providing a deadline for the commission's first meeting; providing for reimbursement of commission members for per diem and travel expenses; providing for frequency of meetings; requiring the Florida Inter-University Consortium for Child and Family Studies to serve as support staff to, and to carry out directions of, the commission; authorizing the commission to apply for grants and to accept private contributions, providing for independence from the department, except as stated; allowing the Governor to remove a commission member for cause, providing for developing a commission budget and for submitting it to the Governor; providing purposes, principles, and responsibilities of the commission; requiring

the commission to sponsor a statewide symposium by a specified date, requiring an annual report; providing an effective date

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

By Senator Rossin—

SB 2852—A bill to be entitled An act exempting information from public disclosure; providing that information that discloses the location of a victim or witness who is identified or certified for protection or relocation by the state attorney or that discloses the location of an immediate family member of a victim or witness who is identified or certified for protection or relocation is exempt from disclosure under the public records law; providing for future repeal and legislative review; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committee on Criminal Justice

By Senator Sullivan—

SB 2854—A bill to be entitled An act relating to public health, amending s. 20.19, F.S.; providing additional duties of the Department of Health and Rehabilitative Services with respect to incentive programs, health education, and recruitment, amending s. 110.205, F.S., providing that certain positions of administrator within the department are exempt from the Career Service System; amending s. 154.04, F.S.; authorizing a county public health unit to provide for peer review of communicable disease control and primary care services; amending s. 154.06, F.S., deleting a requirement that fees charged by the department cover the department's costs of performing regulatory activities under the environmental health program; amending s. 381.0051, F.S.; authorizing the department to establish a contraceptive distribution program, providing for pilot projects, providing criteria for participating in the program; authorizing the department to adopt rules; amending s. 381.0302, F.S.; revising the scholarship program of the Florida Health Service Corps to provide for advance payments for educational costs rather than reimbursements, revising the period during which a participant may receive a stipend for living expenses, establishing a program for coordinating managed care and publicly funded primary care; providing a short title; providing definitions, requiring managed-care plans and the MediPass Program to pay certain claims by a county public health unit a migrant health center, or a community health center; requiring the Agency for Health Care Administration and the State Health Officer to encourage and approve agreements between managed-care plans and publicly funded primary care providers which authorize payment for specified health care services, creating s. 381.0408, F.S.; requiring certain entities to reimburse the county public health unit for the cost of administering vaccines in the case of a vaccine-preventable disease emergency; amending s. 381.698, F.S., providing for the Florida Blood Transfusion Act to be administered by the Agency for Health Care Administration rather than the Department of Health and Rehabilitative Services; amending s. 382.002, F.S., revising definitions relating to the Florida Vital Statistics Act, amending s. 382.005, F.S.; revising duties of local registrars with respect to certificates of birth, death, or fetal death, amending s. 382.008, F.S., revising requirements for a physician or medical examiner in certifying cause of death, providing procedures under which the immediate family may request the Department of Health and Rehabilitative Services to amend a death record; amending s. 382.012, F.S., requiring that a petitioner who seeks a presumptive death certificate provide the court with all necessary facts, amending s. 382.013, F.S.; providing requirements for the department in entering the given name and surname of a child on a birth certificate when the parents disagree on the selection of a name; providing for entering the name of a child's father on a birth certificate when the father is deceased or when the mother of the child is not married; providing for identifying the parents of a child on a birth certificate when the child was born as a result of assisted reproductive technology or when a woman is acting as a gestational surrogate; amending s. 382.015, F.S.; providing for amending a certificate of birth to reflect an order of affirmation of parental status or an acknowledgment of paternity, amending s. 382.017, F.S.; revising requirements for establishing a new birth certificate for an alien child, requiring that the certificate contain a statement that indicates the certificate is not evidence of citizenship; amending s. 382.018, F.S., revising requirements for petitioning the court for a delayed birth

certificate; providing that such a birth certificate may not be amended except pursuant to a court order, amending s 382.019, F.S.; revising requirements for filing a delayed registration of a birth, death, or fetal death, amending s 382.025, F.S.; providing that certain birth records are public records unless sealed by a court; revising requirements for the department in issuing certified copies of vital records, birth records, and other records, providing for certified copies of records to be issued by means of electronic reproduction, revising the schedule of fees the department may charge for certifying records and processing, filing, and correcting birth certificates, death certificates, and other records; authorizing the department to release records to various agencies and medical research entities for research and other purposes, authorizing the department to deny a request for records or data under certain circumstances, creating s 382.0251, F.S.; authorizing the State Registrar to post the fact of death with the appropriate birth certificate, amending s. 382.026, F.S.; prohibiting the making of a false statement on a certificate, record, or report, prohibiting certain unlawful or deceptive acts; prohibiting the deceptive use of certain confidential documents; providing penalties; amending s 383.14, F.S.; authorizing the department to charge a fee for each live birth that occurs in certain facilities; revising requirements for an annual assessment for hospitals and birth centers; amending s. 383.3362, F.S., deleting requirements for visitation by a county public health nurse or a social worker following a death attributed to Sudden Infant Death Syndrome; abolishing the Sudden Infant Death Syndrome Advisory Council; revising the duties of the State Health Office with respect to coordinating the activities of certain support groups; deleting a limitation on implementing s 383.3361, F.S.; amending s 385.202, F.S.; requiring health care facilities to report certain information with respect to the treatment of cancer patients to the Department of Health and Rehabilitative Services, amending s 385.203, F.S., deleting a requirement that the Diabetes Advisory Council submit a state plan to the Governor and the Legislature; providing for council members to be reimbursed for certain expenses to the extent funds are available; amending s 392.52, F.S., redefining the term "active tuberculosis" for purposes of the Tuberculosis Control Act, creating s 392.551, F.S.; authorizing the department to examine a minor for tuberculosis or exposure to tuberculosis without the consent of a parent or guardian; amending s 392.565, F.S., revising conditions under which a person may be involuntarily held and examined for tuberculosis; amending s 392.62, F.S., authorizing the department to operate a forensic unit in which a tuberculosis patient may be held in a secure setting; amending s 395.3025, F.S.; providing additional purposes for which the department may examine patient records, amending s 404.031, F.S., redefining the term "radiation" for purposes of the Florida Radiation Protection Act to include nonionizing radiation; amending s. 404.056, F.S., providing penalties for practicing fraud in measuring radon gas or radon progeny; amending s 404.22, F.S.; revising the frequency at which a radiation machine used in certain medical practices must be inspected; amending s 408.701, F.S., redefining the term "health care provider" for purposes of laws authorizing the creation of community health purchasing alliances, amending s 409.905, F.S.; requiring that additional family planning services be included as mandatory Medicaid services; amending s 409.908, F.S.; requiring that the Agency for Health Care Administration reimburse county public health units for certain clinic services for Medicaid recipients, amending s 409.912, F.S., requiring entities that provide health care services to Medicaid recipients to make certain services available to pregnant women and mothers with infants, amending s 409.9122, F.S., providing requirements for providing care for chronically ill children; requiring the agency to establish a Medicaid patient-care standards committee to develop standards for patient care, providing membership of the committee; amending s. 460.414, F.S., requiring chiropractic physicians to sign death certificates as required by the Department of Health and Rehabilitative Services, amending s 468.3101, F.S.; providing an additional ground for disciplinary action against a person who practices radiologic technology; amending s 514.028, F.S., providing that members of the advisory review board on public swimming pools and bathing facilities are entitled to reimbursement for travel expenses related to service on the board, amending s 627.4236, F.S., conforming terminology with respect to insurance coverage for bone marrow transplants to reflect the transfer of duties from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration, amending s. 627.6419, F.S.; deleting certain limitations on denying insurance coverage to a person who has a fibrocystic condition; amending s 641.2015, F.S., providing that a political subdivision that operates a health maintenance organization is exempt from the requirement that it incorporate or obtain a certificate of authority; amending s 742.10, F.S., relating to establishment of paternity for children born out of wedlock; conforming references to changes made by the act; amending s.

766.101, F.S., providing that a committee of a county public health unit, healthy start coalition, or rural health network may be considered a medical review committee for purposes of malpractice investigations and proceedings, amending s 766.314, F.S., exempting physicians employed by a county public health unit or by the State Health Office from the assessment used to finance the Florida Birth-Related Neurological Injury Compensation Plan; repealing s 382.006(4), F.S., relating to permits for the disinterment and reinterment of a dead body or fetus; repealing s. 404.20(7), F.S., relating to a radiation monitoring system, providing an effective date

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

SR 2856 was introduced out of order and adopted March 21

By Senator Gutman—

SB 2858—A bill to be entitled An act relating to workers' compensation; amending s 440.13, F.S., relating to the provision of medical services and supplies under the Workers' Compensation Law; revising definitions, deleting certain limitations on chiropractic treatment; deleting requirements that a health care provider that renders services under the Workers' Compensation Law be certified by the Division of Workers' Compensation of the Department of Labor and Employment Security, deleting limitations on the authority of a health care provider to refer an employee to another health care provider, deleting certain limitations on reimbursement for specialty services; deleting a requirement for a copayment for medical services, amending s. 440.15, F.S.; increasing the period during which an employee is eligible for temporary disability benefits; revising the criteria used to establish the schedule of impairment benefits; increasing the rate of payment for impairment benefits; deleting an exemption for certain employers with respect to an obligation that the employer rehire an employee; amending ss. 440.191, 440.192, F.S., providing that an employee is entitled to be represented by an attorney before a judge of compensation claims; providing that the carrier is liable for attorney's fees and costs; repealing s 440.107(1) and (3), F.S., relating to stop-work orders issued by the division to an employer, repealing s 440.20(11), F.S., relating to lump-sum payments in exchange for an employer's or carrier's release from liability; repealing s 440.25(4)(j), F.S., relating to expedited resolution of claims that are under a specified amount; providing an effective date.

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

By Senator Wexler—

SB 2860—A bill to be entitled An act relating to motorcycles, requiring motorcycle owners to carry property damage liability insurance; providing an effective date

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

By Senators Grant, Beard, Hargrett and Crst—

SB 2862—A bill to be entitled An act relating to the City of Tampa and the Tampa Port Authority, amending chapter 67-2116, Laws of Florida, relating to the regulation of watercraft, deleting obsolete references; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senator Harris—

SB 2864—A bill to be entitled An act relating to nursing homes; providing a short title, amending s. 400.23, F.S.; providing minimum

staffing requirements for nursing homes; amending s. 409.908, F.S.; requiring that the costs of complying with staffing requirements be considered in calculating Medicaid reimbursements; amending s. 400.063, F.S.; conforming a cross-reference, providing an effective date

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

By Senator Brown-Waite—

SR 2866—A resolution in memory of Joseph Michael Bristol and Michael Aaron Imhoff

—was referred to the Committee on Rules and Calendar.

By Senator Forman—

SB 2868—A bill to be entitled *An act relating to home health services*; amending s. 400.461, F.S., relating to the short title; correcting a cross-reference; amending s. 400.462, F.S.; revising definitions and providing additional definitions; amending s. 400.464, F.S.; exempting from licensure certain persons known to the patient; requiring that an advertisement for home health services include the license number issued by the agency; exempting nursing homes, assisted living facilities, and hospices from regulation under part IV of ch. 400, F.S.; amending s. 400.471, F.S.; requiring a home health agency to obtain malpractice insurance; amending s. 400.474, F.S.; providing grounds for disciplinary action by the Agency for Health Care Administration; amending s. 400.487, F.S., requiring the Agency for Health Care Administration to adopt rules; amending s. 400.491, F.S.; revising requirements for maintaining records; amending s. 400.497, F.S.; revising requirements for the agency with respect to adopting rules; amending s. 400.506, F.S.; providing for the licensure of nurse registries that provide the services of home health aides, providing requirements for evaluating services; requiring the agency to adopt rules; amending s. 400.509, F.S.; revising requirements for persons who provide domestic maid services, sitter services, companion services, or homemaker services, amending s. 400.512, F.S.; providing screening requirements for personnel of a home health agency, domestic maid service, or a sitter, companion, or homemaker service; requiring that certain personnel be placed on probationary status; providing additional requirements for personnel in proving compliance with screening requirements; amending s. 400.518, F.S.; prohibiting a hospital or ambulatory surgical center from requiring that an employee refer a patient to a home health agency in which the hospital or center has a financial interest; providing an effective date

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

By Senator Dudley—

SB 2870—A bill to be entitled *An act relating to the State University System*; establishing Florida Gulf Coast University as a political subdivision of the state and a special district; creating s. 240.2091, F.S.; establishing the Board of Trustees for Florida Gulf Coast University; providing for appointments of members, specifying powers and duties; authorizing the trustees to adopt rules, amending s. 364.509, F.S.; creating the Florida Distance Learning Network as a Type I Institute at Florida Gulf Coast University; amending s. 112.3145, F.S., providing that members of the board are "local officers" for purposes of financial disclosure; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2872—A bill to be entitled *An act relating to responsibilities of the Attorney General*; creating s. 16.70, F.S., creating the Children's Legal Services Program within the Department of Legal Affairs; transferring specified powers, duties, functions, and assets of the Department of

Health and Rehabilitative Services to the Department of Legal Affairs; providing an effective date

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

By Senator Meadows—

SCR 2874—A concurrent resolution encouraging local governments, including school districts, to permit the use of their public facilities for juvenile programs.

—was referred to the Committee on Rules and Calendar

By Senator Gutman—

SB 2876—A bill to be entitled *An act relating to road designations*; designating a portion of State Road 968 as the Maestro Luis Casas Romero Way; directing the Department of Transportation to erect appropriate markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Bankhead—

SR 2878—A resolution recognizing the week of March 25-29, 1996, as Juvenile Justice Week

—was referred to the Committee on Rules and Calendar

By Senator Bankhead—

SR 2880—A resolution recognizing the Florida National Guard for its faithful service to the State of Florida and the country and celebrating Florida National Guard Day.

—was referred to the Committee on Rules and Calendar.

SR 2882 was introduced out of order and adopted March 21.

By Senator Silver—

SB 2884—A bill to be entitled *An act relating to Metropolitan Dade County*; providing for the relief of Sandra Joglar, individually, and as legal guardian for Erik Joglar, incompetent, providing an appropriation as compensation for injuries and damages sustained as the 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 Senator Brown-Waite—

SB 2886—A bill to be entitled *An act relating to health care*; creating the Legislative Study Commission on Medicaid Reform; providing for membership and duties; creating s. 154.501, F.S.; creating the "Primary Care Challenge Grant Act"; creating s. 154.502, F.S., providing legislative findings and intent; creating s. 154.503, F.S.; providing for the creation and administration of the Primary Care Challenge Grant Program, creating s. 154.504, F.S.; providing for eligibility and benefits, creating s. 154.505, F.S.; providing an application process and require-

ments; creating s. 154.506, F S ; providing for primary care challenge grant awards; providing an effective date

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

By Senator Brown-Waite—

SB 2888—A bill to be entitled An act relating to children's health; requiring the Institute for Child Health Policy, in consultation with other specified entities, to develop recommendations relating to the medical delivery system for children; requiring reports, providing an appropriation; providing an effective date.

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

By Senator McKay—

SB 2890—A bill to be entitled An act relating to state revenue limitations; providing procedures and requirements to implement the limitation on state revenues imposed by s. 1(e), Art. VII of the State Constitution; providing definitions, providing for calculation of the maximum amount of state revenue allowed; providing for adjustment of that amount; providing duties of the Comptroller, the Governor, the Division of Bond Finance of the State Board of Administration, and state governmental entities; specifying actions to be taken when revenue collections exceed the limitation; providing an appropriation to the Budget Stabilization Fund if action is not taken; providing for refunds to taxpayers under certain conditions; providing an effective date.

—was referred to the Committee on Ways and Means

By Senator Kirkpatrick—

SB 2892—A bill to be entitled An act relating to the local government infrastructure surtax; amending s. 212.055, F S ; authorizing counties meeting specified criteria, and municipalities within those counties, to use the proceeds of the surtax to operate and maintain parks and recreation programs and facilities; providing an effective date.

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

By Senator Myers—

SR 2894—A resolution recognizing the week of April 21-27, 1996, as National Infant Immunization Week

—was referred to the Committee on Rules and Calendar.

By Senator Silver—

SB 2896—A bill to be entitled An act relating to insurance; amending s. 215.555, F S , revising provisions relating to the appropriation of money from the Florida Hurricane Catastrophe Fund to mitigate future hurricane losses; amending s. 624.3161, F S.; authorizing the Department of Insurance to conduct examinations as it determines necessary; amending s. 624.4015, F.S.; prescribing property and casualty insurers' market share of personal lines residential insurance written in the state; amending s. 626.752, F.S., providing conditions for brokering certain risks; amending s. 627.062, F.S., revising requirements for insurers' hurricane catastrophe reserves; amending s. 627.0628, F.S.; providing conditions under which an insurer may use any computer model used by the State Board of Administration in setting reimbursements for the fund; amending s. 627.0645, F.S.; providing rate filing requirement; amending s. 627.351, F.S., providing conditions under which the Residential Property and Casualty Joint Underwriting Association board may pledge funds as revenue for certain bonds, lines of credit, or other financing mechanisms; providing conditions under which a personal

lines residential risk is no longer eligible for coverage in the association; modifying the association's plan of operation, deleting the Risk Underwriting Committee of the association; providing for market-equalization surcharges equal to the assessment percentages in the event of deficit assessments by the association, providing for future phasing in of interim rating plans; prescribing average rates of the association; providing that security interests in assets of the association created to secure indebtedness of the association are valid and enforceable notwithstanding any rehabilitation, insolvency, liquidation, bankruptcy, receivership, reorganization, or similar proceeding against the association; amending s. 627.3511, F.S.; providing for payment of a bonus to an agent submitting a risk to association's market assistance plan; providing conditions for receipt of such bonus; amending s. 627.701, F.S.; prescribing deductibles for residential property insurance policies; requiring a disclosure notice of premiums for any policy containing an offer of a separate windstorm deductible or copayment; providing for an exemption from deductible requirements, creating s. 627.7014, F.S.; providing legislative findings and intent with respect to providing orderly markets for personal lines residential property insurance; modifying dates and conditions for moratorium phaseout on cancellation or nonrenewal of personal lines residential property insurance policies; providing an appropriation, providing an effective date.

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

By Senator Silver—

SB 2898—A bill to be entitled An act relating to juvenile defendants; amending s. 39.046, F S , requiring that judicial proceedings against a juvenile be stayed if the court, counsel for the juvenile, or the state attorney believes the juvenile is not mentally competent to proceed, providing for examinations and hearings under ch. 917, F.S.; creating part I of chapter 917, F.S.; providing legislative intent with respect to evaluating and providing services for a juvenile defendant who is charged with a felony and is incompetent to proceed because of mental illness or mental retardation or who is acquitted of a crime by reason of insanity; providing for the Department of Juvenile Justice to contract with the Department of Health and Rehabilitative Services to provide services in designated treatment facilities for juvenile defendants deemed incompetent to proceed; providing definitions; providing for the rights of juvenile defendants while in a designated treatment facility, requiring that certain services be provided for the juvenile defendant; providing requirements for the Department of Health and Rehabilitative Services in obtaining the express and informed consent of the parent or guardian of a juvenile defendant prior to providing treatment or services; providing for the requirement to be waived in an emergency; providing procedures for a facility to petition the court for an order authorizing services; requiring a hearing; providing for the right of a juvenile defendant committed to a designated treatment facility to communicate, providing for reporting alleged abuse; providing for the care and custody of a juvenile defendant's personal effects; providing that the juvenile defendant has a right to petition the court for a writ of habeas corpus; requiring the sheriff to provide transportation for juvenile defendants committed to a designated treatment facility; providing liability for damages for a person who violates the rights or privileges of a juvenile defendant; providing penalties for escaping from a designated treatment facility; prohibiting the introduction or removal of contraband from a designated treatment facility; providing penalties; providing procedures for raising the issue before the court that a juvenile defendant is incompetent to proceed; requiring that the court stay the proceedings under certain circumstances; providing for a motion for examination, providing for tolling the time for a speedy trial and detention; providing for involuntary commitment of a juvenile defendant adjudicated incompetent to stand trial or incompetent for sentencing; providing criteria for such commitment; creating part II of chapter 917, F.S., relating to designated treatment services for juvenile defendants who are mentally retarded; providing for the juvenile defendant to be examined by experts; specifying the factors to be evaluated; requiring written findings; limiting the use of certain competency evidence; requiring a hearing on the juvenile defendant's competence to proceed; providing for disposition; providing for a retarded juvenile defendant to be released upon a finding of incompetence; providing for review by the court when the juvenile approaches the age of majority; providing for the case to be dismissed with prejudice during continuing incompetency; requiring that certain services be provided to the juvenile defendant during continuing incompetency; providing for disposition of a case if the juvenile defendant is

deemed incompetent to proceed to sentencing; providing circumstances under which the court may order the conditional release of a mentally retarded juvenile defendant, creating part III of chapter 917, F.S., relating to designated treatment services for juvenile defendants who are mentally ill; providing for the appointment of mental health experts; providing qualifications, requiring an examination and report; specifying factors to be evaluated by a mental health expert; limiting the use of certain competency evidence with respect to a juvenile defendant who is mentally ill, requiring a hearing to determine if the juvenile defendant is competent to proceed, providing for the admissibility of evidence; providing for disposition upon a finding of incompetence or competence; providing for a review by the court when the juvenile defendant approaches the age of majority; requiring that the case be dismissed without prejudice during continuing incompetency; providing for continued commitment of the juvenile defendant under certain circumstances, providing that a juvenile defendant may not be deemed incompetent to proceed due solely to the use of certain medications; providing for disposition if a mentally ill juvenile defendant is found not guilty by reason of insanity; providing for commitment, providing for a hearing and review; requiring a report on continued commitment; providing for a review by the court when the juvenile defendant approaches the age of majority; providing circumstances under which the court may order the conditional release of the juvenile defendant, providing an effective date

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

By Senator Silver—

SB 2900—A bill to be entitled An act relating to ad valorem tax assessment; creating s. 193.503, F.S., providing for classification and assessment of eligible property as historic property used for commercial or certain nonprofit purposes, for purposes of taxes levied by a county or municipality that adopts an ordinance authorizing such assessment, providing procedures and requirements, specifying the factors applicable to such classification, providing for appeals to the value adjustment board providing that the owner is liable for deferred tax liability for prior years in which such classification and assessment was granted if the property fails to meet qualifying criteria; amending ss. 194.011, 194.032, 194.037, 195.073, and 195.096, F.S., relating to procedures of the value adjustment boards and classification of real property, to conform; providing contingent effective dates

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

By Senator Silver—

SJR 2902—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution relating to local option ad valorem tax exemption for certain historic properties.

—was referred to the Committees on Community Affairs; Ways and Means; and Rules and Calendar

By Senator Silver—

SB 2904—A bill to be entitled An act relating to ad valorem tax exemption; creating s. 196.1961, F.S., providing procedures and requirements for counties and municipalities to adopt an ordinance granting partial exemption for certain historic property used for commercial or nonprofit purposes; specifying qualifications for such exemption; providing a contingent effective date

—was referred to the Committees on Community Affairs; Ways and Means; and Rules and Calendar

SB 2906 was withdrawn prior to introduction.

By Senator Silver—

SB 2908—A bill to be entitled An act relating to pari-mutuel wagering, amending s. 550.3551, F.S.; revising the standards and takeout authorized for permitholders to broadcast out-of-state races or games; providing an effective date

—was referred to the Committees on Regulated Industries, and Ways and Means

By Senator Kirkpatrick—

SR 2910—A resolution recognizing May, 1996, as the Month for Children in this state.

—was referred to the Committee on Rules and Calendar

By Senator Burt—

SB 2912—A bill to be entitled An act relating to administrative rules; amending ss. 255.25, 287.055, 287.0945, F.S.; eliminating mandatory rulemaking by state and local governmental agencies; amending ss. 397.754, 944.033, 944.0611, 944.09, 944.281, 944.331, 944.473, 945.73, 946.002, 946.513, 951.23, 958.11, F.S.; eliminating mandatory rulemaking by the Department of Corrections; amending s. 947.177, F.S., eliminating mandatory rulemaking by the Department of Corrections, the Control Release Authority, and the Parole Commission; repealing s. 944.275(7), F.S., which requires rules for gain-time, repealing s. 944.706(3), F.S., which requires rules for transition assistance; repealing s. 944.719(1), F.S., which requires the adoption of rules; repealing s. 945.091(8)(c), F.S., which requires rules for restitution; repealing s. 945.10(4), F.S., which requires rules for disclosure of records; repealing s. 945.35(4), F.S., which requires rules for certain medical tests, repealing s. 945.49(2), F.S., which requires rules for mental health services; repealing s. 947.149(6), F.S., which requires rules for conditional medical release; repealing s. 948.034(5), F.S., which requires rules for community residential drug punishment centers; repealing s. 948.51(3)(d), F.S., which requires rules for community-based corrections assistance; repealing s. 949.08, F.S., which requires rules for interstate compacts; repealing s. 958.045(1)(b), F.S., which requires rules for youthful offenders; providing an effective date

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

By Senator Burt—

SB 2914—A bill to be entitled An act relating to economic development, providing legislative intent for expedited permitting of certain economic development projects, providing criteria for a business or government facility to qualify for the expedited permitting process; excluding certain waste disposal projects from eligibility, providing requirements for the Governor and the Office of Tourism, Trade, and Economic Development with respect to application review and certification of eligibility; requiring the affected local governmental entity to indicate support or lack of support for the project; requiring certain state and local agencies to review the project; providing for a memoranda of agreement between the Office of Tourism, Trade, and Economic Development and the reviewing agencies; providing that the expedited permitting process does not modify, qualify, or alter agency nonprocedural standards for permit approval unless authorized by law; providing a contingent effective date.

—was referred to the Committees on Commerce and Economic Opportunities, and Ways and Means

By Senator Crist—

SB 2916—A bill to be entitled An act relating to parole, amending ss. 947.16, 947.174, 947.1745, F.S., relating to eligibility for parole, parole

interviews, and the establishment of a parole release date; providing for the Parole Commission to review an inmate's presumptive parole release date less frequently, providing an effective date

—was referred to the Committees on Criminal Justice; and Ways and Means

By Senator Dyer—

SB 2918—A bill to be entitled An act relating to Orange County, providing for the issuance of special alcoholic beverage vendor licenses to entities located within an entertainment/resort complex located in Orange County and providing the conditions therefor; providing a definition; providing for fees providing for applicability of other provisions of law; providing an effective date.

Proof of publication of the required notice was attached

—was referred to the Committees on Regulated Industries, and Rules and Calendar.

By Senator Williams—

SB 2920—A bill to be entitled An act relating to the Homosassa Special Water District, Citrus County, amending chapter 59-1177, Laws of Florida, as amended, revising the special assessment procedure of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar

By Senator Kirkpatrick—

SB 2922—A bill to be entitled An act relating to workforce development; creating the Workforce Florida Act; establishing principles, designating the Jobs and Education Partnership of Enterprise Florida as the Human Resource Investment Council; providing a definition, assigning responsibilities; requiring a chartering process for designating jobs and education regional boards, providing prerequisites to receiving a charter; establishing program categories for workforce development initiatives; requiring standards and measures; transferring to the council the duties of boards and commissions that are eliminated by this act, effective July 1, 1997, including the Advisory Board on Constructive Youth Programs, the Advisory Board on Adult and Community Education, the State Council on Vocational Education of Individuals with Disabilities, the Education Success Incentive Council, the Florida Council on Vocational Education, the Florida Education and Employment Council for Women and Girls, the Florida Education and Industry Coalition, the Quick Response Advisory Committee, the System for Applied Individualized Learning State Technical Advisory Committee, the State Committee of Practitioners, and the Vocational and Adult Equipment Advisory Committee; deleting a requirement to submit certain documents to the Department of Commerce; amending the membership of the Jobs and Education Partnership board of directors; authorizing the appointment of additional board members; providing additional responsibilities; deleting an obsolete provision, deleting references to the State Job Training Coordinating Council, assigning the duties of that council to the Jobs and Education Partnership; amending s 446.31, F.S.; redesignating the Florida Human Resource Development Commission as the Workforce Florida Interagency Coordinating Group; providing for additional members; providing for the expiration of the group and the repeal of the statute on a specified date, requiring annual reports; providing severability; providing an effective date.

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

By Senator Grant—

SB 2924—A bill to be entitled An act relating to military affairs; creating the "Soldiers and Armen Relief Act"; creating s. 250.5201, F.S.,

providing for a stay of proceedings in court when troops are called out in state service for a certain period, creating s. 250.5202, F.S.; providing for the stay of eviction or distress actions during a period of state active duty, creating s. 250.5203, F.S.; providing a maximum rate of interest on obligations or liabilities of persons in state active duty, creating s. 250.5204, F.S., providing requirements with respect to installment contracts for the purchase of property by persons in state active duty; providing a penalty for repossession under certain circumstances, providing procedures; creating s. 250.5205, F.S., providing requirements with respect to mortgages and trust deeds with respect to persons in state active duty, providing a penalty for certain sales, foreclosures, or seizure of such property; creating s. 250.5206, F.S.; providing for enforcement; providing an effective date

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

By Senator Grant—

SB 2926—A bill to be entitled An act relating to community health purchasing alliances; creating s. 408.7025, F.S.; requiring approval of the Agency for Health Care Administration before the abbreviation "CHPA" or the phrase "community health purchasing alliance" may be used in the name of a corporation, person, or business entity, providing a penalty; amending s. 408.705, F.S., providing guidelines for staggered terms of office of boards of directors, providing additional grounds for removal from office, providing an effective date

—was referred to the Committees on Health Care; Executive Business, Ethics and Elections; and Ways and Means

By Senator Grant—

SB 2928—A bill to be entitled An act relating to durable power of attorney; amending s. 709.08, F.S., authorizing certain nonprofit corporations to serve as an attorney in fact; providing an effective date

—was referred to the Committee on Judiciary

By Senator Bankhead—

SB 2930—A bill to be entitled An act relating to pollutant removal; amending s. 376.60, F.S.; providing for the Department of Environmental Protection to delegate asbestos-removal programs to local air pollution control programs; providing for collection and use of inspection and notification fees by such local programs; providing an effective date.

—was referred to the Committees on Natural Resources; Community Affairs, and Ways and Means

By Senator Silver—

SB 2932—A bill to be entitled An act relating to Florida's aerospace industry; providing for joint participation agreements between the National High Magnetic Field Laboratory and private entities for the development of electromagnetic launch systems; providing an appropriation, providing an effective date

—was referred to the Committees on Commerce and Economic Opportunities, Transportation; and Ways and Means.

By Senator Wexler—

SB 2934—A bill to be entitled An act relating to the North Broward Hospital District providing for the relief of Eva Murray providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the North Broward Hospital District, d.b.a. Broward General Medical Center; 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.

SCR 2936 was introduced out of order and adopted March 21.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Governmental Reform and Oversight; and Senator Dudley—

CS for SB 376—A bill to be entitled An act relating to community association managers; amending s. 20 165, F.S.; providing for a Board of Community Association Managers within the Division of Professions of the Department of Business and Professional Regulation, amending s. 468.431, F.S.; revising a definition; renumbering and amending s. 468.434, F.S., creating the Board of Community Association Managers within the Department of Business and Professional Regulation; providing for membership; providing for the adoption of rules by the board; providing requirements for the discipline of a community association manager; amending s. 468.432, F.S.; deleting an exception; amending s. 468.433, F.S., providing for licensure as a community association manager; providing qualifications, providing grounds for refusal to certify an applicant; providing examination criteria; creating s. 468.4336, F.S.; providing for renewal of licenses, creating s. 468.4337, F.S.; providing continuing education requirements; creating s. 468.4338, F.S., providing for reactivation of a license; amending s. 468.435, F.S., authorizing the board to establish and collect specified fees, amending s. 468.436, F.S.; specifying grounds for disciplinary actions, providing penalties, providing for reissuance of license; transferring the regulation of community association managers from the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation to the Division of Professions of the department; transferring certain unexpended balances of funds to the Professional Regulation Trust Fund; providing requirements for records and meetings held for disciplinary actions; amending s. 455.225, F.S.; providing requirements for the determination of probable cause in a disciplinary action taken against a licensed community association manager; providing an effective date

By the Committee on Health Care and Senators Forman and Johnson—

CS for SB 446—A bill to be entitled An act relating to trauma centers; amending s. 395.402, F.S., providing legislative recognition of pediatric trauma referral centers; prescribing the number and types of patients to be treated at such centers; amending s. 395.4025, F.S.; providing for selection of state-approved trauma centers; creating a task force; providing requirements for a pediatric trauma planning document; providing for validation; providing an effective date.

By the Committee on Banking and Insurance; and Senators Williams and Grant—

CS for SB 574—A bill to be entitled An act relating to insurance; amending s. 626.7451, F.S.; providing for the inapplicability of the section to motor vehicle insurance contracts; amending s. 627.351, F.S., revising maximum term for new and renewal policies issued by the association, amending s. 627.728, F.S.; redefining the term “nonpayment of premium”, amending s. 627.7295, F.S., revising language with respect to motor vehicle insurance contracts; providing fees, providing an effective date.

By the Committee on Health and Rehabilitative Services—

CS for SB 610—A bill to be entitled An act relating to organization of the Department of Health and Rehabilitative Services; amending s. 20 04, F.S., abolishing offices and program offices as organizational

units within the department; amending s. 20.19, F.S.; creating divisions within the department, to be headed by division deputy secretaries; prescribing functions of divisions and duties of division deputy secretaries; redesignating the Office of Evaluation as the Office of Standards and Evaluation and prescribing its responsibilities; providing for appointment of division budget officers, providing for division master plans; creating Regional Community Services Administrators; creating a Department Coordinating Group and providing its powers and duties; prescribing intent with respect to state institutions; providing for establishment of an Office of Administration; abolishing districts of the department and providing for administration of departmental programs and services through regions defined by the department; providing for appointment of regional program administrators and for the duties of those appointees; establishing regional coordinating teams and providing their duties; revising membership of health and human services boards; revising membership of nominee qualifications review committees; providing for appointment of regional administrative services directors and prescribing their duties; creating a planning and legislative budget development workgroup; revising budgetary procedures; designating the head of each local service agency; requiring an implementation plan and status reports; providing an effective date.

By the Committee on Health Care and Senators Forman and Casas—

CS for SB 694—A bill to be entitled An act relating to health care planning; amending s. 408.033, F.S.; providing legislative findings; revising membership of the local health councils; providing duties of the local health councils, authorizing state and local governmental contracts with local health councils for certain professional services; amending ss. 395.604 and 408.040, F.S.; correcting cross-references; providing an effective date.

By the Committee on Health Care and Senators Sullivan, Brown-Waite, Forman and Latvala—

CS for SB 910—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; exempting certain short-term nonrenewable health insurance policies; requiring notice to applicants for short-term nonrenewable health insurance policies; clarifying that limitations for a preexisting condition are inapplicable to disability income insurance and income replacement insurance coverage, creating s. 627.6425, F.S.; providing for renewability of individual coverage; exempting certain short-term nonrenewable health insurance policies; 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.; amending s. 641.315, F.S.; prescribing additional conditions that must be included in health maintenance organization provider contracts; amending s. 641.3903, F.S.; proscribing additional unfair practices by health maintenance organizations with respect to misrepresentations made to prospective enrollees; creating s. 627.6141, F.S., prescribing an appeals process upon denial of a claim under certain health plans; requiring health maintenance organizations and exclusive provider organizations to provide certain information to prospective enrollees; creating s. 641.513, F.S.; prescribing requirements with respect to emergency services and care; amending s. 395.1041, F.S.; authorizing a hospital to obtain insurance and financial information from a patient under certain circumstances; deleting a requirement that a hospital provide emergency services and care without questioning the patient’s ability to pay; creating the “Florida Health Care Community Antitrust Act”; providing that members of the health care community may 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; providing an effective date.

By the Committee on Agriculture and Senator Williams—

CS for SB 1258—A bill to be entitled An act relating to agriculture; amending s. 573.105, F.S.; requiring 10 percent of producers to initiate the marketing order process; amending s. 585.01, F.S.; revising definitions; eliminating reference to cattle-fever-tick eradication, amending s. 585.08, F.S.; revising provisions relating to powers of the Department of Agriculture and Consumer Services; amending s. 585.105, F.S.; providing conditions for distribution of brucella vaccine, amending ss. 585.145, 585.15, F.S.; changing division to department; amending s. 585.155, F.S.; revising guidelines for the vaccination of calves, amending s. 585.17, F.S.; eliminating a proscription against dipping or spraying animals; amending s. 585.18, F.S.; prohibiting the concealment of evidence of disease; amending s. 585.19, F.S.; changing division to department, amending s. 585.20, F.S.; changing guidelines for the injection of pathogenic organisms; amending s. 585.21, F.S.; revising conditions for the sale of certain biological products, amending s. 585.45, F.S., expanding circumstances under which an animal owner can seek a declaratory judgment; amending s. 585.61, F.S.; eliminating obsolete wording; amending s. 589.04, F.S.; providing duties of the Division of Forestry relating to management of forest resources, amending s. 589.07, F.S.; adding a cross-reference to land acquisition procedures; amending s. 590.02, F.S.; authorizing the Department of Agriculture and Consumer Services to build specified structures; amending s. 601.58, F.S., transferring citrus licensing duties; amending s. 616.01, F.S.; providing guidelines for review of fair association finances; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 1282—A bill to be entitled An act relating to education, amending s. 232.2465, F.S.; authorizing the State Board of Education to specify the score required for a student to earn a Florida Academic Scholars' Certificate; amending s. 239.217, F.S.; providing requirements to qualify for the Florida gold seal vocational endorsement; changing an effective date; amending s. 240.115, F.S.; authorizing national accreditation as a criterion for public technical centers to participate in the common course numbering system; amending s. 240.40, F.S.; reducing the portion of allocated funds that may remain in a trust fund at the end of a fiscal year; amending s. 240.4021, F.S.; deleting an obsolete date; correcting obsolete terminology; establishing a time limit; amending s. 240.404, F.S.; requiring achievement of certain academic requirements as a condition for receiving state student financial aid; deleting a requirement; amending s. 240.606, F.S.; revising qualifications for acceptance into the Florida Work Experience Program; providing an effective date.

By the Committee on Governmental Reform and Oversight—

CS for SB's 1626 and 1654—A bill to be entitled An act relating to administrative rules; amending s. 110.1128, F.S.; providing discretionary authority for the Department of Management Services to adopt rules necessary to carry out the administration of the requirements of selective service registration; amending s. 110.201, F.S.; requiring the department, in consultation with affected agencies, to develop personnel rules, guidelines, records, and reports relating to employees and positions in the career service; providing for review and approval by the Administration Commission; creating s. 110.1121, F.S.; providing that it is the policy of the state that sexual harassment is a form of discrimination; requiring the department to adopt uniform sexual harassment rules applicable to all executive agencies, requiring the rules to define sexual harassment in a manner consistent with the federal definition; amending s. 110.217, F.S.; requiring the department, in consultation with affected agencies, to develop uniform model appointment and promotion rules that must be used by employing agencies; authorizing exceptions; deleting a requirement that each employing agency is responsible for the establishment and maintenance of rules and guidelines for determining eligibility of applicants for appointments to positions in the career service; amending s. 110.503, F.S.; requiring each department or agency that uses the services of volunteers to comply with uniform rules adopted by the department; amending s. 255.25, F.S.; requiring the Department of Management Services to adopt, as a rule, uniform leasing procedures; deleting a requirement that each state agency develop procedures and adopt rules to ensure that the leasing practices of that agency are in substantial compliance with rules adopted by the department; amending s. 287.055, F.S.; deleting a requirement that agencies

prescribe by rule procedures for the determination of a project involving a fixed capital outlay study or planning activity; deleting a requirement that each agency adopt rules for the evaluation of professional services, requiring the department to adopt rules for the award of design-build contracts to be followed by state agencies; requiring agencies to conduct a periodic review of their rules and to report to the Legislature; providing an effective date

By the Committee on Criminal Justice and Senator Burt—

CS for SB 1690—A bill to be entitled An act relating to reorganization of the Parole Commission; creating the "Parole Commission Reorganization and Public Safety Accountability Act of 1996", amending s. 20.055, F.S., relating to agency inspector generals; removing reference to the commission as a state agency, amending 20.32, F.S.; renaming the commission as the Parole Board and revising its membership and responsibilities, amending s. 186.003, F.S.; redefining "state agency" for purposes of specific provisions relating to state and regional planning to exclude the commission; amending s. 186.005, F.S.; eliminating requirement to designate a planning officer for the commission, amending ss. 39.045, 112.011, 216.0172, 282.502, 322.16, 775.089, 775.16, 775.21, 784.07, 843.01, 843.02, 843.08, 893.11, 921.001, 921.16, 921.20, 940.03, 940.05, 941.23, 943.325, 944.02, 945.10, 945.25, 945.47, 947.05, 947.06, 947.11, 947.12, 947.1746, 947.1747, 947.175, 947.177, 947.18, 947.26, 948.09, 948.10, 949.05, 957.06, 960.001, 960.17, F.S.; conforming those sections to the changes made in this act; amending s. 255.502, F.S.; redefining "agency" for purposes of the Florida Building and Facilities Act to exclude the commission, amending s. 921.187, F.S.; providing for the court to order split sentence of incarceration under certain circumstances, amending s. 944.012, F.S., eliminating obsolete reference to the commission; amending s. 944.28, F.S.; providing for forfeiture of gain-time by persons on post-prison probation, amending s. 944.291, F.S.; describing those prisoners who must be placed on post-prison probation; amending ss. 944.605, 944.606, F.S.; removing provisions authorizing the commission or the Control Release Authority to provide certain notice of inmate and sex offender release; amending s. 945.091, F.S.; conforming provisions relating to extension of the limits of confinement; deleting provisions for an inmate to petition for reduction of restitution; amending s. 945.36, F.S.; changing a reference to conditional release to post-prison probation; amending s. 945.73, F.S.; conforming provisions relating to inmate training program operation; creating s. 945.76, F.S.; providing for investigative reports by the Department of Corrections and recommendations by the Parole Board; amending s. 947.002, F.S.; removing provisions relating to the commission chairman; amending s. 947.005, F.S.; conforming or eliminating certain definitions relating to the board and the Control Release Authority; amending s. 947.01, F.S.; renaming the commission as the board; reducing the number of members from six to three; requiring the department to provide administrative support and services to the board, amending ss. 947.02, 947.03, F.S., conforming references to the renaming of the Parole Commission as the Parole Board; amending s. 947.04, F.S., deleting authority to assign retired commissioners to temporary duty; amending s. 947.07, F.S., clarifying the board's rulemaking power; amending s. 947.071, F.S.; removing certain types of final orders to be indexed pursuant to chapter 120, F.S.; amending s. 947.10, F.S.; deleting provision authorizing the appointment of the Secretary of Corrections to the commission, amending s. 947.13, F.S.; limiting the authority of the board to conduct investigations and otherwise revising powers of the board; eliminating reference to Control Release Authority; amending s. 947.141, F.S.; conforming references; requiring the board to make certain revocation decisions; restricting the board's investigation authority; authorizing the department to conduct hearings; amending s. 947.146, F.S.; eliminating the Control Release Authority; authorizing the board to manage prison population through the operation of control release; specifying procedures for establishing control release dates; requiring certain control release dates to become void when the inmate population declines; amending s. 947.147, F.S.; providing for the court to revoke control release in specified circumstances; amending s. 947.149, F.S.; permitting the board to require the department to provide certain medical records and conforming references; amending s. 947.15, F.S.; requiring the submission of certain reports; amending s. 947.16, F.S., conforming references; requiring the department to provide hearing examiners for initial interviews, amending s. 947.165, F.S., conforming references; clarifying the basis of objective parole guidelines; amending s. 947.168, F.S.; conforming references; requiring the department to conduct the reinterview; amending s. 947.172, F.S.; conforming references, requiring the department to

provide a representative to be a hearing examiner; requiring the board to recommend a presumptive parole date, amending ss 947.173, 947.174, 947.1745, F.S.; conforming references, clarifying the responsibilities of the board; requiring the department to provide representatives to act as a hearing examiner; eliminating use of panels; amending s 947.181, F.S.; conforming references and clarifying the ordering of restitution; amending s. 947.185, F.S., providing authority of the board to require application for mental retardation services; amending s 947.19, F.S.; eliminating use of panels, amending s 947.20, F.S.; clarifying provisions relating to the adoption of rules, amending s 947.21, F.S.; clarifying provisions relating to violations of parole; amending s 947.22, F.S., providing responsibilities of the board relating to arrest of parole violators; deleting authority for a parole examiner to release a parolee, requiring the department to provide a hearing examiner; amending s 947.23, F.S.; conforming references; providing responsibilities of the board relating to hearings with respect to parole violations; authorizing the department to provide a representative other than a supervising officer to conduct hearings, amending s. 948.01, F.S.; providing for persons to be placed on post-prison probation; amending s 948.03, F.S.; prescribing the court's authority with respect to conditions of post-prison probation; amending s. 948.031, F.S.; providing for public service by persons placed on post-prison probation; amending s. 948.032, F.S., providing for restitution as a condition of probation; reenacting s 948.06(5), F.S., to incorporate said amendment in a reference; amending s. 947.24, F.S., conforming references and requiring the department to conduct progress reviews; amending s 948.001, F.S.; defining the term "post-prison probation", amending and renumbering s 947.1405, F.S.; creating the "Mandatory Post-prison Probation Act"; specifying criteria for mandatory post-prison probation, requiring the court to determine whether terms and conditions have been violated; authorizing the department to set the terms and conditions of post-prison probation; requiring the department to conduct certain record reviews and inmate interviews; specifying certain special conditions of post-prison probation; amending s. 948.06, F.S., prescribing procedures for violations of post-prison probation or control release, amending s 958.045, F.S.; deleting provisions relating to conditional release of certain youthful offenders, repealing ss. 921.21, 921.22, 947.001, 947.135, 958.15, F.S., relating to progress reports from the Department of Corrections to the Parole Commission, determination of exact termination of imprisonment by Parole Commission, the short title of chapter 947, F.S., relating to the Parole Commission, as the Objective Parole Guidelines Act of 1978, legislative intent with respect to chapter 947, relating to the Parole Commission, the powers and duties of the commission, the Mutual Participation Program Act of 1976, notification of inmate release by the commission, and mutual participation agreements respectively; providing legislative intent with respect to reemployment of commission employees; providing effective dates

By the Committee on Education and Senators Grant, Sullivan, Johnson, Horne, Williams, Kirkpatrick, Turner, Brown-Waite, Bankhead and Myers—

CS for SB 1842—A bill to be entitled An act relating to education; amending s 232.425, F.S., relating to student standards for participation in interscholastic extra-curricular student activities; providing intent; providing eligibility requirements for participation by home education students, providing requirements of regulatory organizations, prohibiting certain membership, providing an effective date.

By the Committee on Natural Resources and Senator Bronson—

CS for SB 1986—A bill to be entitled An act relating to transportation project environmental mitigation; creating s. 373.4137, F.S., providing legislative intent; providing criteria for the development of environmental impact inventories for state transportation projects; providing for environmental impact costs; providing for the development of conceptual mitigation plans; providing for the implementation of approved mitigation plans; providing that wetland dredge and fill permitting decisions shall be made by the appropriate water management district, providing an exception, providing for the application of the act with respect to other provisions of law; providing for the submission of the mitigation program to the Governor and Legislature; amending s 369.20 F.S.; authorizing the Department of Environmental Protection to create general permits and exemptions, amending s. 373.406, F.S., providing that

part IV of ch. 373, F.S., does not apply to specified activities under s. 369.20, F.S., or s. 369.25, F.S.; amending s 403.813, F.S., exempting certain activities permitted under s. 369.20, F.S., or s. 369.25, F.S., from permits required under specified permitting authorities; providing an effective date

By the Committee on Executive Business, Ethics and Elections; and Senators Holzendorf and Crist—

CS for SB 2008—A bill to be entitled An act relating to voter registration, amending s 97.021, F.S.; defining "qualifying educational institution" and revising the definition of "voter registration agency" to include the former; amending s 97.058, F.S.; providing that qualifying educational institutions are voter registration agencies and providing requirements with respect thereto, providing an effective date

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

CS for SB 2192—A bill to be entitled An act relating to solid waste management; amending s 403.703, F.S., redefining the term "construction and demolition debris"; amending s 403.707, F.S., revising the criteria and procedures for obtaining a permit for solid waste facilities that dispose of or recycle construction and demolition debris; providing legislative intent; providing that notice be given to local governments regarding permit applications; providing an effective date

By the Committee on Health and Rehabilitative Services; and Senators Wexler, Kurth and Forman—

CS for SB 2214—A bill to be entitled An act relating to geriatric care; creating a task force within the Department of Elderly Affairs to study a geriatric model of care; providing for membership; providing responsibilities; requiring a report, providing for dissolution of the task force by a specified date; providing an effective date

By the Committee on Health Care and Senator Silver—

CS for SB 2222—A bill to be entitled An act relating to civil actions; amending s. 641.28, F.S.; requiring the inclusion of the award of attorney's fees and court costs in a judgment or decree; amending s 641.3917, F.S.; authorizing a civil action against health maintenance organizations by certain persons, establishing requirements for notice, procedures, damages, and attorney's fees; amending s 641.515, F.S.; defining the term "identifying information"; amending s 641.315, F.S.; prohibiting certain clauses in contracts between health maintenance organizations and providers; providing an effective date.

By the Committee on Governmental Reform and Oversight, and Senators Williams, Dantzler, Burt and Forman—

CS for SB's 2290 and 2288—A bill to be entitled An act relating to administrative procedure; creating s. 11.0751, F.S.; requiring an analysis of agency rulemaking requirements prior to enactment of any general or special law by the Legislature, amending s 11.60, F.S.; revising requirements relating to the Administrative Procedures Committee's annual report and standing to seek review of rules, providing additional duties relating to review of the rulemaking process, establishment of evaluation criteria, and review of statutes; revising and restructuring chapter 120, F.S., the Administrative Procedure Act, amending s. 120.52, F.S., relating to definitions; revising the definition of "agency" and including the Commission on Ethics and the Game and Fresh Water Fish Commission within said definition; revising the definitions of "invalid exercise of delegated legislative authority" and "rule" and defining "final order," "official reporter," "small city," "small county," "variance," and "waiver", creating s. 120.525, F.S.; providing notice requirements for public meetings, hearings, and workshops; amending s 120.53, F.S.; providing for maintenance of agency orders and for indexing or listing of orders; providing for use of an official reporter, requiring agencies to make certain information available; repealing s 120.532, F.S., relating

to preservation of agency orders and indexes; amending s. 120.533, F.S.; providing duties of the Department of State regarding orders that must be indexed or listed; repealing s. 120.535, F.S., which requires the adoption of specified rules as soon as feasible and practicable, provides presumptions with respect thereto, and provides procedures for substantially affected persons to seek a determination with respect thereto; specifying agency rulemaking authority with respect to implementation of enabling statutes, requiring agencies to provide the Administrative Procedures Committee with a list of existing rules which exceed such rulemaking authority and providing for legislative consideration of such rules; requiring agencies to initiate proceedings to repeal such rules for which authorizing legislation is not adopted, requiring a report to the Legislature; providing that the committee or a substantially affected person may petition for repeal of such rules after a specified date; amending s. 120.54, F.S.; providing general requirements applicable to rulemaking; providing that implementation of statutory provisions shall not be delayed pending adoption of implementing rules, providing requirements with respect to an agency including a provision based on a statement, policy, or guideline of another agency as a condition of license approval, revising requirements relating to rule development and workshops and requiring a notice of rule development, providing for negotiated rulemaking, revising requirements and procedures for rule adoption; revising requirements relating to the notice of intended action; requiring that an agency consider the impact on small businesses, small counties, and small cities, and providing requirements with respect thereto; revising provisions relating to changes to or withdrawal of rules; providing requirements relating to filing of rules; providing for postponement of rule adoption to accommodate review; providing for emergency rules, providing for adoption of model rules by the Administration Commission, requiring agencies to comply with the model rules by a specified date; providing requirements for exceptions thereto; providing for adoption of federal standards, providing for petitions to initiate rulemaking and agency and legislative response thereto; requiring agencies to compile a rulemaking record; creating s. 120.541, F.S.; providing that a substantially affected person may submit to an agency a lower-cost regulatory alternative to a rule; providing for preparation or revision by the agency of a statement of estimated regulatory costs and providing requirements with respect thereto; providing conditions necessary for declaration of the invalidity of a rule because it imposes regulatory costs which could be reduced, creating s. 120.542, F.S., authorizing agencies to grant variances or waivers to rule requirements, providing requirements and procedures; providing for model rules; requiring a report; repealing s. 120.543, F.S., relating to adoption of federal standards, amending s. 120.545, F.S., revising requirements relating to review of agency rules by the committee; providing that when the committee objects to a rule and the agency fails to respond within a specified period, the committee may recommend legislation to modify or suspend adoption of a proposed rule or amend or repeal a rule, and request the agency to temporarily suspend the adoption process or the rule; specifying effect if such legislation is enacted or fails to become law, amending s. 120.55, F.S.; revising provisions relating to publication and distribution of the Florida Administrative Code and the Florida Administrative Weekly and the contents thereof; increasing the limit on the unencumbered balance in the Publication Revolving Trust Fund; amending s. 120.56, F.S.; providing general procedures for challenging rules and special provisions for challenging proposed rules and changes to proposed rules, existing rules, agency statements defined as rules, and emergency rules; revising requirements and procedures applicable when a substantially affected person seeks an administrative determination of the invalidity of a proposed rule on the ground that it is an invalid exercise of delegated legislative authority, amending s. 120.565, F.S., providing for declaratory statements by agencies regarding applicability of statutes, rules, or orders; creating s. 120.569, F.S., providing procedures and requirements for proceedings in which the substantial interests of a person are determined, amending s. 120.57, F.S.; providing additional procedures and requirements applicable to hearings involving disputed issues of material fact; deleting certain recordkeeping requirements applicable to a consumptive use permit applicant, revising provisions relating to de novo review of certain agency action based on an unadopted rule; revising the time period for submission of written exceptions to a recommended order, revising provisions relating to an agency's adoption of a recommended order; providing authority of the director of the Division of Administrative Hearings to set the order of proceedings; providing additional proceedings and requirements applicable to hearings not involving disputed issues of material fact, and protests to contract bidding or award, providing for informal disposition of proceedings, creating s. 120.573, F.S., providing procedures and requirements for mediation of

administrative disputes, creating s. 120.574, F.S.; providing for summary hearings and providing procedures and requirements with respect thereto, requiring the division to maintain a register of formal proceedings for a specified period, repealing s. 120.575, F.S., relating to taxpayer contest proceedings, s. 120.58, F.S., relating to requirements for agency proceedings for rules or orders, and s. 120.59, F.S., relating to requirements applicable to orders, creating s. 120.595, F.S., providing for costs and attorney's fees in connection with challenges to agency action involving disputed issues of material fact and providing for application to agencies; providing for costs and attorney's fees in connection with challenges to proposed rules and existing rules, challenges to agency statements defined as rules, and appeals; amending s. 120.60, F.S., providing requirements and procedures applicable to licensing; repealing s. 120.61, F.S., relating to requirements relating to official recognition; amending s. 120.62, F.S.; providing certain rights with respect to agency investigations; amending s. 120.63, F.S., correcting a reference, repealing s. 120.633, F.S., relating to certain exemptions from hearing and notice requirements applicable to the Division of Pari-mutuel Wagering, amending s. 120.65, F.S.; providing for employment by the Division of Administrative Hearings of administrative law judges, rather than hearing officers, to conduct hearings under the Administrative Procedure Act, and revising provisions relating thereto, amending s. 120.655, F.S., to conform; amending s. 120.66, F.S., revising provisions relating to ex parte communications, renumbering and amending s. 120.71, F.S., relating to disqualification of agency personnel from serving in agency proceedings; amending s. 120.68, F.S., providing for judicial review, providing requirements relating to consolidated proceedings, revising requirements imposed on court action; amending s. 120.69, F.S.; correcting a reference; repealing s. 120.70, F.S., relating to an annual report by the division; amending s. 120.72, F.S., providing legislative intent, repealing s. 120.721, F.S., relating to the effect of chapter 75-22, Laws of Florida, on rules, and s. 120.722, F.S., relating to legislative intent of chapter 78-95, Laws of Florida, creating s. 120.80, F.S., consolidating in said section exemptions from requirements of the Administrative Procedure Act applicable to various agencies; authorizing the Public Service Commission to act in accordance with the Telecommunications Act of 1996 in implementing that act, notwithstanding other statutory requirements, creating s. 120.81, F.S., consolidating in said section exemptions from requirements of the Administrative Procedure Act applicable to various general areas, providing an effective date

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 23, CS for HB 37, CS for HB 53, HB 127, HB 203, HB 213, HB 233, CS for HB 281, HB 355, HB 741, HB 819, CS for HB 831, HB 1263, has passed as amended CS for HB 51, HB 59, CS for HB 111, HB 157, CS for HB 235, HB 291, HB 673, HB 739, HB 783, HB 785, HB 833, HB 845, HB 903, HB 929; has passed by the required Constitutional three-fifths vote of the membership HB 1781; has passed as amended by the required Constitutional two-thirds vote of the membership CS for HB 1177; has adopted HM 579 and requests the concurrence of the Senate

John B. Phelps, Clerk

By the Committee on Criminal Justice and Representative Morse and others—

CS for HB 23—A bill to be entitled An act relating to criminal prosecutions, amending s. 775.15, F.S., providing that the prosecution for a felony that resulted in a death may be commenced at any time; providing certain applicability to pending cases, providing an effective date

—was referred to the Committees on Criminal Justice, and Ways and Means

By the Committee on Judiciary and Representative Edwards and others—

CS for HB 37—A bill to be entitled An act relating to legal actions brought by prisoners; amending s. 57.081, F.S., providing that prisoners are not entitled to receive without charge certain services of courts, sheriffs, and clerks; creating s. 57.085, F.S.; providing circumstances for prepayment or waiver of court costs and fees of indigent prisoners, creating s. 92.351, F.S.; prohibiting prisoners from submitting nondocumentary physical evidence without court authorization, providing guidelines for inspection and forwarding by corrections or detention facilities of certain packages mailed to courts by prisoners; amending s. 95.11, F.S.; providing limits for filing of petitions and actions brought by or on behalf of prisoners; creating s. 944.279, F.S.; providing for loss of gain-time for filing frivolous or malicious actions; amending s. 944.28, F.S., specifying that gain-time is subject to forfeiture for bringing frivolous or malicious actions, providing an effective date

—was referred to the Committees on Criminal Justice and Judiciary

By the Committee on Natural Resources and Representative Spivey—

CS for HB 53—A bill to be entitled An act relating to hazardous waste facility siting, repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, and 403.7893, F.S., relating to the Statewide Multipurpose Hazardous Waste Facility Siting Act; amending s. 403.706, F.S., to conform; providing an effective date

—was referred to the Committees on Natural Resources and Community Affairs.

By Representative Laurent—

HB 127—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 Representative Ball—

HB 203—A bill to be entitled An act relating to cholesterol screening; repealing part III of chapter 483, F.S., relating to the Cholesterol Screening Center Licensure Act; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Regulated Industries and Representative Geller and others—

HB 213—A bill to be entitled An act relating to the lottery; amending ss. 24.103, 24.105, 24.106, 24.108, and 24.123, F.S.; deleting reference to the State Lottery Commission and providing for a Florida Lottery Advisory Council, providing for the powers, duties, appointment, and membership of the council, providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Rules and Calendar

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

HB 233—A bill to be entitled An act relating to absentee voting; amending s. 97.021, F.S.; redefining the term "absent elector", amending s. 101.5609, F.S., relating to electronic and electromechanical voting system ballots; removing a provision relating to recording the issuance of absentee ballots; amending s. 101.62, F.S., restricting the number of

absentee ballots that any one person may pick up; providing an exception; requiring persons designated to pick up such ballots for other electors to provide a picture identification and complete an authorizing affidavit; providing for the form and contents of such affidavit; removing language that required initialing the stubs of absentee ballots prior to issuance to electors; amending ss. 101.64 and 101.65, F.S.; revising the voter's certificate and instructions to absent electors to change the signature witnessing requirement, clarify the arrangement of the certificate on the back of the mailing envelope, and revise the oath required for voting an absentee ballot; amending s. 163.511, F.S., relating to referendum ballots on the creation of special neighborhood improvement districts, to conform; creating s. 101.655, F.S.; providing for supervised voting for absent electors in certain facilities; amending s. 101.68, F.S.; providing for earlier commencement of the canvassing of absentee ballots, providing clarification with respect to determining the legality of an absentee ballot; amending s. 101.69, F.S.; authorizing an elector voting in person to execute an affidavit stating that the absentee ballot supplied to the elector has not been voted rather than requiring the elector to return that ballot before being allowed to vote; amending s. 101.694, F.S.; updating a reference to a federal act; providing effective dates

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

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

CS for HB 281—A bill to be entitled An act relating to voter solicitation at the polls, amending s. 102.031, F.S.; prohibiting the solicitation of voters in the polling room or polling place or within a specified distance of any polling place; revising and providing definitions; authorizing a supervisor of elections to permit solicitation in a specified area within the restricted zone under prescribed conditions, creating a notice requirement for solicitors seeking to solicit within the restricted zone; authorizing an election board to have disruptive and unruly persons removed by law enforcement officers; requiring the law enforcement officer assigned to an election precinct to inform solicitors of the restricted zone surrounding the polling place and the designated soliciting area within the zone and to remove unlawful solicitors; providing an effective date

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

By Representative Miller and others—

HB 355—A bill to be entitled An act relating to designations; designating the Cross Town Expressway in Hillsborough County as the Lee Roy Selmon Expressway; providing for the erection of markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Judiciary and Representative Cosgrove—

HB 741—A bill to be entitled An act relating to probate; amending s. 733.707, F.S.; defining the term "right of revocation" with respect to the order of payment of expenses and obligations; amending s. 737.111, F.S.; revising language with respect to execution requirements for express trusts; providing for the application of the section; amending s. 737.303, F.S.; revising language with respect to the duty of the trustee to inform and account to beneficiaries to require information to the grantor with respect to certain trusts; 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 819—A bill to be entitled An act relating to dietetics and nutrition; amending s. 468.502, F.S.; providing legislative intent with respect to

the practice of nutrition counseling; amending s. 468.503, F.S.; providing, revising, and removing definitions; amending s. 468.504, F.S.; requiring persons practicing nutrition counseling for remuneration to be licensed; amending s. 468.505, F.S., revising provisions relating to exemption from regulation under part X of chapter 468, F.S., relating to dietetics and nutrition, to conform; amending s. 468.506, F.S., requiring that powers and duties delegated to the Dietetics and Nutrition Practice Council by the Board of Medicine encompass both dietetics and nutrition practice and nutrition counseling; amending s. 468.51, F.S., providing for future repeal of a grandfather provision for the licensing of nutrition counselors; providing for future renewal of licensure of nutrition counselors licensed under such provision, amending s. 468.517, F.S.; applying penalties to nutrition counseling; amending s. 468.518, F.S.; revising grounds for disciplinary action to provide applicability to nutrition counseling and to clarify applicability with respect to previously issued orders and subpoenas, for which there are penalties, prohibiting the advertising of methods of assessment or treatment that are experimental or without generally accepted scientific validation; providing penalties, amending ss. 468.501, 468.507, 468.508, 468.509, 468.511, 468.512, 468.513, 468.514, 468.515, and 468.516, F.S.; revising terminology and references, to conform; providing an effective date

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

By the Committee on Water Policy, Select and Representative Littlefield and others—

CS for HB 831—A bill to be entitled An act relating to deregulation of the sale of desalinated water; amending s. 367.022, F.S.; providing an exemption from regulation by the Florida Public Service Commission as a utility for the sale of bulk supplies of desalinated water to a governmental authority, providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities, and Natural Resources.

By the Committee on Judiciary and Representative Warner—

HB 1263—A bill to be entitled An act relating to temporary custody of minor children by extended family, amending s. 751.011, F.S., expanding definition of “extended family” to include uncle; providing an effective date

—was referred to the Committee on Judiciary.

By the Committee on Judiciary and Representative Constantine—

CS for HB 51—A bill to be entitled An act relating to the “Florida Residential Landlord and Tenant Act”, amending s. 83.49, F.S.; providing that licensed real estate brokers may disburse security deposits and deposit money without complying with s. 475.25(1)(d), F.S.; amending s. 83.62, F.S.; providing that at the time the sheriff executes a writ of possession or any time thereafter the landlord may remove personal property found on the premises; amending s. 83.67, F.S., limiting liability for the landlord with respect to certain items mentioned in the rental agreement, providing an effective date.

—was referred to the Committee on Judiciary

By Representative Ascherl and others—

HB 59—A bill to be entitled An act relating to transportation facilities designations; designating the bridge that will replace North Bridge in New Smyrna Beach as “George Musson Memorial Bridge”; designating a portion of State Road 26 and State Road 20 from Gainesville to the Alachua/Putnam County line as the “Sid Martin Memorial 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 Insurance and Representative Bainter—

CS for HB 111—A bill to be entitled An act relating to insurance, amending ss. 624.425, 624.428, 624.478, and 626.112, F.S., requiring agents to be appointed, amending s. 624.426, F.S.; exempting United States Customs surety bonds from the resident agent and countersignature law; amending s. 624.501, F.S.; clarifying application of fees for title insurance agents; amending s. 626.051, F.S.; revising a definition, amending s. 626.062, F.S.; correcting a cross reference; amending ss. 626.141, 626.171, 626.181, 626.211, 626.221, 626.266, 626.281, 626.311, 626.511, 626.521, 626.561, 626.601, 626.611, 626.621, 626.641, 626.651, 626.727, 626.730, 626.732, 626.733, and 626.877, F.S.; including customer representatives within and deleting claims investigators from application of certain provisions; excluding solicitors; authorizing the department to secure a credit and character report on certain persons, providing limits; providing requirements of the department; amending s. 626.451, F.S.; requiring law enforcement agencies, the state attorney’s office, and court clerks to notify the department of agents found guilty of felonies; amending s. 626.201, F.S.; providing for interrogatories before reinstatement; amending s. 626.2815, F.S.; providing for certain nonresident agents to comply with certain continuing education requirements under certain circumstances; providing for the award of a contract for administrative services of a continuing education program; abolishing a continuing education advisory board; amending s. 626.321, F.S.; authorizing persons who hold a limited license for credit insurance to hold certain additional licenses, amending s. 626.331, F.S., requiring licensure of certain agents for certain appointments; providing that an appointment fee is not refundable; amending s. 626.342, F.S., prohibiting furnishing supplies to certain agents, amending s. 626.541, F.S.; specifying names and addresses required of certain personnel of corporations; amending s. 626.592, F.S.; revising provisions relating to designation of primary agents; amending s. 626.681, F.S., providing for administrative fines in addition to certain actions; increasing such fines, applying administrative fine provisions to certain approved persons; amending s. 626.691, F.S.; authorizing the department to place certain persons on probation in addition to suspending, revoking, or refusing to renew a license or appointment, creating s. 626.692, F.S.; providing for restitution under certain circumstances, amending s. 626.729, F.S.; including certain types of insurance within the definition of industrial fire insurance, amending s. 626.7351, F.S.; specifying additional qualifications for a customer representative’s license; amending s. 626.739, F.S.; specifying a temporary license as general lines insurance agent; amending s. 626.741, F.S.; authorizing the department to issue a customer representative license to certain persons, providing a limitation; providing procedures for agent licensure of certain persons under certain circumstances, providing for cancellation of a nonresident agent’s license, amending ss. 626.792 and 626.835, F.S.; providing procedures for issuing a resident agent’s license to certain persons; amending s. 626.837, F.S.; clarifying conditions of placing certain excess or rejected risks; amending s. 626.8411, F.S., correcting a cross reference, amending s. 626.8417, F.S.; revising the qualifications for licensure as a title insurance agent, amending s. 626.8418, F.S.; increasing the amount of the deposit or bond of a title insurance agency; specifying that the bond of a title insurance agency must be posted with the department and must inure to the benefit of damaged insurers and insureds; amending ss. 626.8437 and 626.844, F.S.; clarifying application of grounds for refusal, suspension, or revocation of license or appointment, amending s. 626.8443, F.S., providing additional limitations on activities during suspension or after revocation of a license; amending s. 626.852, F.S., providing for applicability, amending s. 626.858, F.S.; revising a definition, amending s. 626.869, F.S.; requiring certain continuing education courses, clarifying requirements of such courses, amending s. 626.872, F.S.; prohibiting the department from issuing a temporary adjuster’s license to certain persons; amending s. 626.873, F.S., providing procedures for licensing certain persons as resident adjusters, providing for cancellation of nonresident adjuster’s license; amending ss. 626.927, 626.9271, 626.929, 626.935, and 626.944, F.S.; requiring appointment in addition to licensure of certain persons; amending s. 627.745, F.S.; clarifying a provision related to final examination, revising administration of the auto mediation program; amending s. 634.011, F.S.; revising a definition; amending ss. 634.171 and 634.420, F.S., clarifying application of accountability provisions; amending s. 634.317, F.S.; providing for responsibility and accountability of sales representatives; repealing s. 626.112(6), F.S., relating to licensing of claims investigators; repealing s. 626.532, F.S., relating to insurance vending machine licenses, repealing s. 626.857,

F.S., relating to the definition of "claims investigator"; providing an effective date

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

By Representative Rayson and others—

HB 157—A bill to be entitled An act relating to fireworks; creating s. 791.012, F.S., providing that the outdoor display of fireworks in this state shall be governed by the NFPA 1123 Code for Fireworks Display, 1995 Edition; directing the Division of State Fire Marshal to make appropriate rules; determining an important state interest, providing an effective date

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

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

CS for HB 235—A bill to be entitled An act relating to voter registration, amending s. 97.052, F.S.; providing an additional purpose for, and modifying the contents of, the uniform statewide voter registration application, amending s. 97.053, F.S.; providing for acceptance of requests for a replacement registration identification card, requiring that an applicant provide additional information on the voter registration form to establish eligibility; amending ss. 97.071 and 97.1031, F.S., relating to registration identification cards, changing notification requirements to receive an updated or replacement card; amending s. 98.461, F.S., modifying the information required on the precinct register, repealing ss. 98.391-98.441, F.S., relating to automation in processing of voter registrations by means of data processing cards and the use of such cards at voting precincts; amending s. 104.011, F.S.; increasing the penalty for willfully submitting false voter registration information, providing an effective date

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

By Representative Culp and others—

HB 291—A bill to be entitled An act relating to homeowner's associations; amending s. 617.306, F.S., providing that under certain circumstances any governing document of a homeowner's association may be amended by an affirmative vote of two-thirds of the voting interests of the association, providing an effective date

—was referred to the Committee on Community Affairs

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

HB 673—A bill to be entitled An act relating to opticianry, amending s. 484.005, F.S., authorizing the Board of Opticianry to make rules relating to procedures for the dispensing of dive masks, amending s. 484.007, F.S., and creating ss. 484.0073 and 484.0075, F.S.; requiring an optician to have been licensed in this state for a specified minimum period in order to supervise an apprentice; providing requirements for licensure as an optician by endorsement, providing rulemaking authority; repealing s. 484.017, F.S.; relating to reciprocity; providing an effective date

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

By the Committee on Judiciary and Representative Thrasher and others—

HB 739—A bill to be entitled An act relating to guardians ad litem; amending s. 415.503, F.S., deleting a reference to certain screening standards for guardians ad litem appointed to represent abused or neglected children under part IV, ch. 415, F.S.; creating s. 415.5077, F.S.; providing qualification requirements for guardians ad litem, requiring an employer to furnish personnel records for purposes of security background investigations, limiting an employer's liability for information contained in personnel records; providing certain exemptions; amending s. 61.402, F.S.; providing for security background investigations of guardians ad litem appointed under ch. 61, F.S., relating to actions for dissolution of marriage, support, and custody; providing for a penalty, providing an effective date

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

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

HB 783—A bill to be entitled An act relating to pool/spa contractors, amending s. 489.105, F.S.; revising definitions relating to the various types of pool/spa contractors; providing that licensure is required to install, construct, maintain, or replace equipment permanently attached to and associated with a pool or spa for the purpose of water treatment or cleaning of the pool or spa, providing that licensure is not required for use thereof for such a purpose unless such usage involves construction, modification, or replacement of such equipment; providing that water treatment that does not require such equipment does not require licensure, providing that a license is not required for the cleaning of the pool or spa in any way that does not affect the structural integrity of the pool or spa or its associated equipment; providing an effective date.

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

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

HB 785—A bill to be entitled An act relating to massage practice; amending s. 20.165, F.S., relating to the Department of Business and Professional Regulation; removing the Board of Massage from the Division of Professions of the department and providing for a type one transfer; eliminating reference to the Division of Medical Quality Assurance; amending s. 20.42, F.S.; placing the Board of Massage Therapy under the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 480.032, F.S.; providing legislative intent with respect to regulation of the practices of massage therapy and reflexology by a single board; amending s. 480.033, F.S., revising and providing definitions, amending s. 480.034, F.S.; revising exemptions from regulation of massage practice under chapter 480; amending s. 480.035, F.S.; renaming the Board of Massage as the Board of Massage Therapy, amending ss. 480.0415 and 480.0425, F.S.; increasing the number of classroom hours of continuing education required for license renewal or reactivation of an inactive license, amending s. 480.044, F.S.; revising fees; amending s. 480.046, F.S., revising a ground for disciplinary action relating to practicing massage at certain sites; conforming terminology; amending s. 480.047, F.S.; prohibiting operating, or advertising or offering massage services of, a massage establishment, unless duly licensed, prohibiting certain acts relating to reflexology; providing penalties; creating s. 480.0481, F.S.; providing for qualification, licensure, and provisional licensure of reflexologists; providing fees; providing for adoption of rules governing the licensure and operation of reflexology establishments, creating s. 480.0482, F.S.; establishing examination requirements, providing for licensure by examination for an interim period, amending ss. 480.031, 480.039, 480.041, 480.042, 480.043, 480.0465, 480.049, and 480.052, F.S.; revising terminology and providing other technical changes, revising a reference to a trust fund; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight, Health Care, and Ways and Means

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

HB 833--A bill to be entitled An act relating to geology; amending s. 492.105, F.S., revising experience requirements for licensure by examination; eliminating an obsolete provision authorizing licensure without examination; amending s. 492.107, F.S.; prohibiting any person from stamping or sealing any document with a seal unless that person has a valid, active license; prohibiting the affixing of the licensee's seal or name to any geologic report, paper, or other document which has not been prepared by the licensee or under the licensee's supervision; amending s. 492.111, F.S.; revising requirements for certification of business entities; amending s. 492.112, F.S.; prohibiting the giving of false or forged evidence to the Board of Professional Geologists, providing penalties; amending s. 492.113, F.S.; providing that the board, rather than the Department of Business and Professional Regulation, is the responsible disciplinary body; providing that violating any rule or order of the board is a ground for disciplinary action, providing an additional ground for disciplinary action relating to submission approval, or generation of inaccurate or incorrect reports, plans, or evaluations; increasing the administrative fine; amending s. 492.114, F.S., eliminating the requirement that the issuance of duplicate licenses be subject to rules of the department; amending s. 492.116, F.S.; revising an exemption relating to persons employed on a full-time basis by an employer engaged in the business of developing, mining, or treating ores, other minerals, and petroleum resources; amending s. 492.1165, F.S., providing for construction of the chapter, amending ss. 492.101, 492.102, 492.103, 492.104, 492.106, 492.108, 492.109, 492.1101 and 492.115, F.S. to conform, revise references and terminology, and provide for gender neutrality; providing for future review and repeal, 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 845--A bill to be entitled An act relating to the Florida Election Code; amending, transferring, creating, and repealing various provisions of law to update, streamline, and clarify the code, amending, providing, and eliminating definitions applicable to the entire code and to certain parts of the code; amending ch. 97, F.S., relating to qualification and registration of electors; renumbering and amending s. 101.665, F.S.; stating that oaths may be administered and attested by any supervisor or deputy supervisor, creating s. 97.067, F.S., providing duty of the supervisor to assign voter to precinct, amending ss. 97.011, 97.012, 97.021, 97.023, 97.041, 97.052, 97.053, 97.055, 97.057, 97.058, 97.0585, 97.061, 97.071, 97.073, 97.1031, and 97.105, F.S.; providing editorial, conforming, and other technical changes, repealing s. 97.025, F.S., relating to the preparation and distribution of copies of the code, the provisions of which have been incorporated elsewhere, amending ch. 98, F.S., relating to the registration office, officers and procedure; amending s. 98.045, F.S.; revising provisions relating to information available for public inspection and copying, amending s. 98.211, F.S.; providing an additional date when each supervisor must provide the Division of Elections of the Department of State with the number of registered voters in the supervisor's county and their party affiliation, amending ss. 98.015, 98.055, 98.065, 98.075, 98.081, 98.093, 98.095, 98.212, 98.255, and 98.461, F.S., providing editorial, conforming, and other technical changes, repealing ss. 98.101, 98.181, 98.391, 98.401, 98.412, 98.421, 98.431, 98.441, 98.451, 98.471, 98.481, and 98.491, F.S., relating to use of the registration system, to various registration records and lists, and to alternative registration procedures, the provisions of which have been incorporated elsewhere or are obsolete; amending ch. 99, F.S., relating to candidates, campaign expenses, and contesting elections; amending s. 99.092, F.S., requiring candidates to pay party assessments to the filing officer; changing the date on which the annual salary of the office established for purposes of computing the filing fee, election assessment, and party assessment; amending ss. 99.095, 99.0955 and 99.096, F.S.; revising petitioning provisions, amending s. 99.097, F.S., allowing nor political parties to file an oath of undue burden in lieu of paying fee for the verification of signatures; making the division responsible requesting reimbursement for signatures checked at no charge; giving the court, in any signature-verification challenge, discretion to require unsuccessful challengers to pay the per-signature fee or the

actual cost of checking each additional signature; amending ss. 99.021, 99.061, 99.093, 99.0965, and 99.09651, F.S.; providing editor conforming, and other technical changes, repealing ss. 99.081, 99.09.103, and 99.121, F.S., relating to election of members of Congress; remittance of filing fees and party assessments, and certification nominations, the provisions of which have been incorporated elsewhere; amending ch. 100, F.S., relating to general, primary, and special elections; amending s. 100.011, F.S., relating to opening and closing of polls; creating s. 100.0115, F.S., relating to election expenses; providing that counties are responsible for election expenses of federal, state, and school district elections; authorizing the supervisors to charge interest on amounts due and owing from municipalities; transferring and amending s. 100.102, F.S., relating to the cost of special elections and special primary elections; creating s. 100.105, F.S., providing a separate section for an existing provision relating to special district elections, amending s. 100.096, F.S.; providing for the holding of an election required to be held in conjunction with a primary election when the date for such primary changes, renumbering and amending s. 101.731, F.S., and transferring and amending ss. 101.732, 101.733, and 101.74, F.S., relating to election emergencies, renumbering and amending s. 101.75, F.S., relating to date changes for municipal elections, amending s. 100.342, F.S.; requiring the election official responsible for conducting an election or referendum to provide certain notice thereof; amending s. 100.351, F.S.; deleting an obsolete requirement relating to recording the results of a referendum on the official record of the act requiring the referendum; amending s. 100.361, F.S., relating to municipal recall, removing a provision restricting expenditures until the recall election date has been announced; requiring the petition committee to register as a political committee prior to obtaining signatures, amending ss. 100.021, 100.025, 100.031, 100.041, 100.061, 100.091, 100.101, 100.111, 100.141, 100.151, 100.161, 100.181, 100.191, 100.201, 100.211, 100.221, 100.241, 100.261, 100.271, 100.281, 100.291, 100.301, 100.311, 100.321, 100.331, and 100.341, F.S.; providing editorial, conforming, and other technical changes, repealing ss. 100.051, 100.071, and 100.081, F.S., relating to names on the general election ballot, the grouping of candidates on primary ballots, and nomination of county commissioners at the primaries, the provisions of which have been incorporated elsewhere; amending ch. 101, F.S., relating to voting methods and procedure; amending s. 101.001, F.S.; eliminating the requirement that the governing body of the municipality concur when the supervisor arranges municipal precinct boundaries to conform to municipal boundaries; renumbering and amending s. 101.034, F.S., relating to custody of voting systems; creating s. 101.043, F.S., requiring supervisors to use precinct registers and providing requirements therefor; creating s. 101.044, F.S., providing requirements for signature verification upon entering polling place; amending s. 101.045, F.S., relating to where voters may vote, transferring and amending s. 101.663, F.S., relating to change of residence of voter; creating s. 101.047, F.S.; providing a separate section for existing provisions relating to change of residence or name at polls, amending s. 101.111, F.S.; providing uniform voter challenge provisions, requiring election board members to execute oaths to challenge voters; renumbering and amending ss. 101.51 and 101.72, F.S., relating to voting booths and compartments; amending ss. 101.141 and 101.151, F.S., and transferring and amending ss. 101.181 and 101.191, F.S., relating to specifications and form of the primary and general election ballots; providing clarification with respect to charter county offices on the primary ballot; renumbering and amending ss. 101.251, 101.252, 101.253, and 101.254, F.S., relating to names on ballots; renumbering and amending ss. 100.371 and 101.2515, F.S., relating to placement of initiatives on ballot and to translation of statewide proposal ballot language; renumbering and amending s. 101.43, F.S., relating to substitute ballots; amending s. 101.22, F.S., and transferring and amending s. 101.011, F.S., relating to voting by paper ballot, prohibiting a voter from voting who returns a marked ballot that is not the one delivered to the voter; renumbering and amending s. 102.061, F.S., and transferring and amending s. 102.071, F.S., relating to tabulation of votes and proclamation of results where paper ballots are used, providing procedure where only one election board is used, providing for delivery to the canvassing board of excess ballots and ballots found folded together, renumbering and amending ss. 101.292, 101.293, 101.294, and 101.295, F.S., relating to the purchase of voting equipment, removing a threshold amount in the definition of "voting equipment", renumbering and amending ss. 101.341 and 101.36, F.S., relating to voting system custodians and the use of voting machines and electronic or electromechanical voting devices; amending s. 101.37, F.S., and transferring and amending s. 101.39, F.S., relating to voting machine curtains; renumbering and amending s. 101.40, F.S., relating to voting machines out of order, renumbering and amending s. 101.38, F.S., relating to disposition of voting

machine keys following election; amending s 101.5605, F.S.; authorizing the division to revoke the certification of any electronic or electromechanical voting system and providing the grounds therefor; amending s 101.5607, F.S., clarifying what constitutes a copy of a tabulation program for an electronic or electromechanical voting system; amending s 101.5612, F.S.; providing comprehensive procedures for logic and accuracy tests of electronic and electromechanical voting systems, renumbering and amending s 101.545, F.S., relating to retention and destruction of election materials; amending s 101.591, F.S.; authorizing the division to have voting systems audited by auditors who are not division employees; amending s 101.62, F.S.; revising provisions for the request and delivery of absentee ballots; creating s 101.625, F.S.; providing a separate section for existing provisions relating to absentee voters overseas; amending s 101.69, F.S., revising provisions for voting an absentee ballot in person; amending ss. 101.015, 101.021, 101.031, 101.041, 101.051, 101.131, 101.161, 101.171, 101.20, 101.24, 101.27, 101.28, 101.29, 101.33, 101.35, 101.45, 101.46, 101.47, 101.54, 101.55, 101.56, 101.5602, 101.5603, 101.5606, 101.5608, 101.5609, 101.5610, 101.5611, 101.5613, 101.5614, 101.5615, 101.572, 101.58, 101.6102, 101.6103, 101.6104, 101.6105, 101.6107, 101.64, 101.65, 101.67, 101.68, 101.694, 101.71, and 101.715, F.S.; providing editorial, conforming, and other technical changes; repealing ss 101.002, 101.017, 101.21, 101.23, 101.32, 101.445, 101.49, 101.5601, 101.5604, and 101.635, F.S., relating to municipal use of the registration system, the Bureau of Voting Systems Certification, official ballots, poll lists of those voting, adoption of voting machines and certain voting systems write-in ballots, procedure of election officials where signatures differ, a short title, adoption of an electronic or electromechanical voting system, and distribution of ballots, the provisions of which have been incorporated elsewhere or are unnecessary; amending ch. 102, F.S., relating to conducting elections and ascertaining the results; amending s. 102.012, F.S., authorizing supervisors greater discretion in appointing election boards to precincts and additional inspectors to election boards, including the appointment of a single election board for more than one precinct under certain circumstances; creating s 102.014, F.S.; providing a separate section for existing provisions relating to election board duties, renumbering and amending ss 102.141, 102.151, and 102.112, F.S., relating to county canvassing boards; eliminating a provision relating to the ignoring of returns filed late, to comply with a court decision; amending s 102.111, F.S., and transferring and amending ss 102.121 and 102.131, F.S., relating to the Elections Canvassing Commission, eliminating a provision relating to ignoring of returns filed late, to comply with a court decision, amending s 102.168, F.S., and transferring and amending ss 102.1682, 102.1685, and 102.169, F.S., relating to contesting elections; amending ss. 102.021, 102.031, 102.091, 102.101, 102.155, 102.166, and 102.167, F.S., providing editorial, conforming, and other technical changes; amending ch 103, F.S., relating to presidential electors and political parties amending s. 103.021, F.S., and transferring and amending s 103.022, F.S., relating to nomination and certification of presidential electors, amending s 103.051, F.S., and transferring and amending ss. 103.061, 103.062, and 103.071, F.S., relating to meeting duties, and compensation of presidential electors; amending s 103.091, F.S.; requiring political party executive committees to file required documentation by a specified date following each presidential election year; requiring a copy of the bond to be included in such documentation; amending s 103.101, F.S., relating to the presidential preference primary; eliminating the Presidential Candidate Selection Committee and its duties; amending s 103.121, F.S., providing responsibility of state executive committees to use a specified portion of certain returned filing fees for specified purposes; amending s 103.141, F.S., and transferring and amending s 103.151, F.S., relating to removal of executive committee members for violation of oath; amending ss. 103.011, 103.081, and 103.131, F.S., providing editorial, conforming, and other technical changes, amending ch 104, F.S., relating to code violations and penalties; creating s 104.005, F.S.; declaring the provisions of ch 104, F.S., relating to violations and penalties under the code, applicable to municipal elections, amending s. 104.045, F.S.; providing a penalty for selling a vote for or against a proposal; amending s. 104.051, F.S.; eliminating a provision for the exclusion from the polls of officials who willfully violate the code; amending s 104.185, F.S.; clarifying that the prohibition against signing a petition more than once applies to petitions to secure ballot position for a minor political party, for which there is a penalty; amending s 104.21, F.S.; providing a penalty for fraudulently changing or attempting to change the vote or ballot of a voter, amending ss 104.011, 104.012, 104.013, 104.041, 104.0515, 104.061, 104.071, 104.081, 104.091, 104.101, 104.13, 104.15, 104.16, 104.18, 104.19, 104.20, 104.22, 104.23, 104.24, 104.26, 104.271, 104.29, 104.30, 104.31, 104.32, 104.39, and 104.43, F.S.; providing editorial, conforming, and

other technical changes; repealing ss. 104.031, 104.11, and 104.17, F.S., relating to false declaration to secure assistance in preparing ballot, neglect of duty by sheriff or other officer, and voting in person after casting absentee ballot, the provisions of which have been incorporated elsewhere; amending ch. 105, F.S., relating to nonpartisan elections for judicial officers, amending s. 105.035, F.S.; conforming the petitioning process for judicial candidates to the process for major political party candidates, candidates without political party affiliation, and minor political parties; eliminating the undue burden oath requirement, to comply with a court ruling; amending ss. 105.011, 105.031, 105.041, 105.051, 105.061, 105.071, 105.08, 105.09, and 105.10, F.S.; providing editorial, conforming, and other technical changes, amending ch. 106, F.S., relating to campaign financing; creating s. 106.022, F.S.; providing a separate section for existing provisions relating to change in designation of office sought; amending s 106.04, F.S., relating to committees of continuous existence, requiring any such committee that makes an independent expenditure to register as a political committee; providing for revocation of certification for failure to file the annual report, providing for fines for failure to file regular reports; eliminating an unnecessary provision relating to a fine waiver for certain first-time offenders, creating s. 106.053, F.S.; providing a separate section for provisions relating to deposit of campaign funds into separate interest-bearing accounts or certificates of deposit, creating s. 106.057, F.S.; providing a separate section for provisions relating to contributions and expenditures through the campaign treasurer; amending s. 106.07, F.S., relating to campaign reports; providing separate reporting dates for municipal candidates; expanding the time for providing information to complete a report; eliminating an unnecessary provision relating to a fine waiver for certain first-time offenders; amending s 106.071, F.S.; requiring registration as a political committee before an independent expenditure anticipated to exceed a specified amount may be made; renumbering and amending s. 106.085, F.S., relating to notice of certain independent expenditures; amending s. 106.082, F.S.; applying certain campaign contribution limits to the Commissioner of Agriculture; creating s. 106.083, F.S.; duplicating in the code an existing provision that applies certain campaign contributions to the Treasurer; creating s. 106.084, F.S.; duplicating in the code an existing provision that applies certain campaign contribution limits to the Comptroller; amending s 106.141, F.S.; providing for the disposal of refund checks received after disposal of surplus campaign funds; amending s. 106.143, F.S., relating to political advertisements; correcting an internal reference; amending s 106.29, F.S., relating to campaign reports by political parties, providing a filing time for reports relating to a municipal election, amending s 106.32, F.S., relating to the Election Campaign Financing Trust Fund, eliminating a provision relating to the deposit of proceeds from an assessment on contributions that has been declared unconstitutional; amending ss. 106.011, 106.021, 106.023, 106.025, 106.03, 106.06, 106.075, 106.08, 106.09, 106.11, 106.12, 106.125, 106.14, 106.1405, 106.1435, 106.1437, 106.144, 106.15, 106.16, 106.19, 106.22, 106.23, 106.24, 106.25, 106.26, 106.265, 106.27, 106.28, 106.31, 106.33, 106.34, 106.35, 106.353, 106.355, and 106.36, F.S.; providing editorial, conforming, and other technical changes, repealing ss 106.17 and 106.18, F.S., relating to polls and surveys relating to candidates and to omission of a candidate's name from the ballot, the provisions of which have been incorporated elsewhere or are unnecessary; amending ss 15.21, 92.295, 112.312, 125.01, 189.405, 582.18, and 627.0623, F.S., to conform; repealing s. 230.08, F.S., relating to nomination of school board members, amending s. 228.053, F.S., correcting a cross reference, to conform; providing applicability to other legislation passed at the same session; providing effective dates.

— was referred to the Committees on Executive Business, Ethics and Elections; and Ways and Means

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

HB 903—A bill to be entitled An act relating to The Baker Act; amending s 394.453, F.S.; revising legislative intent relating to mental health programs, deleting responsibilities of the Department of Health and Rehabilitative Services; amending s. 394.455, F.S.; revising definitions; amending s. 394.457, F.S.; revising responsibilities of the department with respect to administrative supervision of mental health facilities, programs, and services, providing for rules and minimum standards; providing for personnel training materials; amending s 394.4572, F.S.; revising requirements for employment screening; providing exemptions,

amending s. 394.4573, F.S.; clarifying requirement for a continuity of care management system, amending s. 394.458, F.S.; clarifying prohibition on introduction or removal of certain articles at a hospital providing mental health services, for which a penalty is provided; amending s. 394.459, F.S.; revising rights of patients; providing for emergency medical treatment under specified circumstances; providing for a patient's access to a telephone and to visitors; providing for inventory of the patient's personal effects; deleting requirements relating to the education of children in facilities; providing for report of certain violations, authorizing imposition of sanctions based on certain investigation and findings; requiring posting of notice of rights of patients; creating s. 394.4595, F.S.; providing access to patients and records for human rights advocacy committees; creating s. 394.4597, F.S., providing for identification or selection of a patient's guardian or representative; creating s. 394.4598, F.S.; providing for appointment of a guardian advocate; providing qualifications, requirements, and restrictions; creating s. 394.4599, F.S.; providing requirements relating to notice of a patient's admission, placement, change of status, transfer, and discharge, amending s. 394.460, F.S., relating to rights of professionals, amending s. 394.461, F.S.; providing for designation of receiving and treatment facilities; deleting provisions relating to patient transfers and criminally charged or convicted mentally ill persons; creating s. 394.4615, F.S.; modifying provisions relating to confidentiality of patient records; providing for patient access; providing for certain uses of information from clinical records, providing a penalty for falsification of records; creating s. 394.462, F.S., providing for transportation to a receiving facility by a designated law enforcement agency; limiting certain responsibilities of receiving facilities, providing for transportation to a treatment facility by independent contractors, clarifying that this section does not affect the provisions of s. 401.445, F.S.; providing for exceptions to requirements for the transport of patients; amending s. 394.463, F.S.; revising requirements relating to involuntary examination; requiring certain recordkeeping and analysis of records; amending and renumbering s. 394.465, F.S.; revising provisions relating to assessment, admission, and discharge of voluntary patients, and transfers between voluntary and involuntary status; providing for duties of a mobile crisis response service, amending s. 394.467, F.S., revising procedures and requirements relating to involuntary placement, providing for appointment of counsel, revising hearing requirements; providing for return of patients who leave a facility without authorization, amending s. 394.4672, F.S.; clarifying procedure for placement of a veteran with a federal agency; amending s. 394.4674, F.S.; clarifying the state plan for deinstitutionalization of certain patients; amending s. 394.468, F.S.; clarifying effect of procedures and policies under pt. I of ch. 394, F.S., creating s. 394.4685, F.S.; providing for transfer of patients among facilities; amending s. 394.469, F.S.; revising requirements relating to discharge of involuntary patients; amending s. 394.475, F.S., relating to acceptance of Florida residents from out-of-state mental health authorities, amending ss. 394.4786, 394.4787, and 394.4788, F.S.; clarifying provisions relating to acute mental health services provided through the Public Medical Assistance Trust Fund; amending s. 394.90, F.S., relating to access to clinical records, to conform to the act, amending s. 395.003, F.S., providing references to pt. I of ch. 394, F.S., amending s. 395.1041, F.S.; clarifying rights of certain persons receiving emergency services and care; amending s. 395.1055, F.S.; providing for enforcement of pt. I of ch. 394, F.S., by the Agency for Health Care Administration, amending s. 395.1065, F.S.; authorizing the Agency for Health Care Administration to rely on investigations and findings by the Department of Health and Rehabilitative Services in imposing penalties for violation of pt. I of ch. 394, F.S., by a facility, amending s. 395.3025, F.S.; conforming provisions relating to patient records; amending s. 400.0255, F.S.; revising notice requirements relating to discharge or transfer of a nursing home resident, amending ss. 400.102, 400.414, 400.556, and 400.6196, F.S.; providing that failure to follow the procedures of pt. I of ch. 394, F.S., relating to transfer, voluntary admission, and involuntary examination is grounds for action against the license of a nursing home, assisted-living facility, adult day care center, or adult family-care home; reenacting s. 400.121(1), F.S., to incorporate the amendment to s. 400.102, F.S., in a reference, amending ss. 400.4075, 400.426, 419.001, 455.2415, 744.704, 916.107, 943.0585, and 943.059, F.S.; correcting cross references; amending s. 744.3215, F.S., conforming provisions relating to guardianship and rights of persons determined to be incapacitated; amending ss. 765.101, 765.104, 765.110, and 765.205, F.S.; conforming provisions relating to health care advance directives and health care surrogates, amending s. 765.202, F.S.; providing for designation of a separate health care surrogate to consent to mental health treatment, amending s. 916.107, F.S.; requiring hearings for involuntary treatment for mentally deficient or mentally ill defendants to be held in physical

settings not likely to be injurious to the patient's condition; providing for the use of masters at said hearings; repealing s. 394.471, F.S., relating to validity of prior involuntary placement orders; repealing s. 394.477, F.S., relating to state residency requirements for involuntary placement; repealing s. 394.478, F.S., relating to autopsy of certain deceased patients; providing an effective date.

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

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

HB 929—A bill to be entitled An act relating to talent agencies; amending s. 468.412, F.S., revising regulation of talent agencies, requiring a written agreement listing services to be provided and compensation to be charged; revising bonding requirements; requiring talent agencies to place money collected for an artist into a trust or escrow account, providing that violation of any law relating to talent agencies shall be deemed a violation of the Unfair and Deceptive Trade Practices Act, for which there are penalties, creating 468.413, F.S., providing an exemption for attorneys; repealing ss. 468.402, 468.403, 468.404, 468.405, 468.406, 468.407, 468.408, 468.409, 468.410, 468.411, 468.413, 468.414, and 468.415, F.S., to eliminate licensure and regulation of talent agencies by the Department of Business and Professional Regulation, amending s. 468.401, F.S., relating to definitions, to conform, 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 Rutchie—

HB 1781—A bill to be entitled An act relating to trust funds; recreating the Save Our State Environmental Education Trust Fund within the legislative branch without modification, carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By the Committees on Appropriations and Commerce and Representative Lippman and others—

CS for HB 1177—A bill to be entitled An act relating to economic development; providing legislative findings and intent, creating the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor; providing purposes and responsibilities of the office, requiring the director of the office to establish a coordinating council; requiring the Governor to appoint a rules ombudsperson; providing duties; requiring state agencies to cooperate with the ombudsperson, providing legislative intent relating to transfer of functions of the Department of Commerce and the Florida International Affairs Commission; transferring certain programs, activities, and functions to the Office of Tourism, Trade, and Economic Development; providing for expiration of certain programs, activities, and functions of the Department of Commerce and the Florida International Affairs Commission; requiring Enterprise Florida, Inc., to submit a transition plan to the Florida Economic Development Transition Team; providing for membership of the team; providing duties of the team; providing employment preferences for displaced employees of the Department of Commerce; preserving certain rights of state employees; repealing certain rules of the Florida Administrative Code; amending s. 120.54, F.S.; providing for duties of the rules ombudsperson with respect to rule adoption procedures; amending ss. 159.345, 159.475, and 159.7055, F.S.; conforming language with respect to the Office of Tourism, Trade, and Economic Development; amending s. 159.8081, F.S.; revising certain allocations from the manufacturing facility bond pool; amending s. 166.231, F.S., authorizing municipalities to exempt certain charges for electricity and gas from the municipal services tax under certain circumstances; amending s. 206.46, F.S.; revising the formula for distribution from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund; amending s. 212.08, F.S.; providing an exemption for

charges for household fuels for licensed family day care homes; providing an exemption for charges for electricity used in manufacturing certain tangible personal property for sale, providing for an exemption schedule; providing for review and repeal of such exemption; amending ss 216.136 and 239.249, F.S.; conforming language with respect to the Enterprise Florida Jobs and Education Partnership, amending s. 287.0945, F.S.; transferring the Commission on Minority and Economic Business to the Department of Labor and Employment Security, adding duties of the Commission on Minority Economic and Business Development and to the Minority Business Advocacy and Assistance Office, creating s. 288.018, F.S., authorizing the establishment of a pilot Regional Rural Development Grants Program; providing for matching grants; limiting the amount of the grants; providing guidelines for evaluation of applications; requiring a report; providing rulemaking authority; amending s. 288.021, F.S., conforming language with respect to the Office of Tourism, Trade, and Economic Development; providing for designation of an economic development liaison from the Commission on Minority Economic and Business Development; amending s. 288.0251, F.S., providing for international development outreach activities in certain areas, providing duties of the Office of Tourism, Trade, and Economic Development and the Enterprise Florida International Trade Development Partnership; amending s. 288.041, F.S.; providing duties of Enterprise Florida, Inc., relating to the solar energy industry; specifying the content of a report of Enterprise Florida, Inc., to the Legislature, amending s. 288.047, F.S.; conforming language with respect to the Enterprise Florida Jobs and Education Partnership, deleting a provision providing for the Quick-Response Advisory Committee; amending s. 288.0475, F.S.; providing additional duties of the partnership; deleting provisions requiring the partnership to complete a report; deleting a provision requiring the partnership to develop research designs for certain purposes deleting provisions requiring the board of directors of Enterprise Florida, Inc., to review and evaluate certain reports and to submit reports to the Governor and the Legislature; requiring the Enterprise Florida Jobs and Education Partnership to deposit certain moneys in certain African-American and Hispanic-American depositories; amending s. 288.095, F.S., revising provisions relating to the Economic Development Trust Fund; providing for uses of moneys in the fund; providing limitations; requiring the Office of Tourism, Trade, and Economic Development to provide a report; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; reenacting and amending s. 288.104, F.S.; revising definitions; increasing the annual limit on refunds under the qualified defense contractor tax refund program; revising requirements for application for certification and annual claim for refund; revising qualification requirements for applicants; revising provisions relating to expiration of the program; conforming language with respect to the Office of Tourism, Trade, and Economic Development; amending s. 288.106, F.S.; providing for targeted job opportunities benefits; providing legislative findings and declarations; providing definitions; providing for a tax refund for certain businesses under certain circumstances; specifying eligible amounts; providing for application and approval processes, providing procedures; providing for tax refund agreements, specifying contents, providing for renegotiation of such agreements; providing limitations, providing for an annual claim for refund; providing for administration by the Office of Tourism, Trade, and Economic Development; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; providing for future repeal of the section; creating s. 288.1065, F.S.; providing for legislative intent; providing for coordinated permit review through Memoranda of Agreement; providing for creation of permit action teams; providing for responsibilities of the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc.; amending s. 288.1162, F.S.; revising a definition; changing a date for purposes of qualifying as a new professional sports franchise; changing the number of facilities the department may certify; requiring Enterprise Florida, Inc., to undertake or commission a study of capital accessibility and availability to Hispanic-American businesses; requiring a report to the Legislature; creating ss 288.401, 288.402, 288.403, and 288.404, F.S.; creating the Enterprise Florida Economic Development Partnership, providing a purpose; providing for filing articles of incorporation, providing for a board of directors, specifying membership; providing procedures; providing for an executive director; providing duties of the executive director; providing duties of the partnership; requiring a strategic plan for certain purposes; providing requirements; providing legislative intent relating to certain duties of the partnership; amending s. 288.701, F.S.; requiring Enterprise Florida, Inc., to operate and manage community business assistance centers, providing responsibilities; requiring such centers to offer certain services; requiring certain organizations to provide the office with a list of regulated and licensed businesses and professions; providing criteria for

the operations plan; exempting such centers from certain provision law; creating s. 288.7011, F.S.; providing for assistance by the Office of Tourism, Trade, and Economic Development to a certified development corporation for certain purposes; clarifying duties of the Office of Tourism, Trade, and Economic Development; amending s. 288.707, F.S.; revising membership requirements of the Florida Black Business Investment Board; amending s. 288.709, F.S., relating to the adoption of rule by the board, amending s. 288.772, F.S.; revising a definition, deleting certain definitions; amending s. 288.774, F.S., requiring the board directors of the Enterprise Florida International Trade Development Partnership to adopt certain rules, requiring the board to work with the Enterprise Florida Capital Partnership for certain purposes; amending s. 288.776, F.S.; deleting provisions providing for a board of directors for the Florida Finance Corporation; providing powers and duties of the board of directors of the Enterprise Florida International Trade Development Partnership, amending ss. 288.803, 288.804, 288.805, and 288.806, F.S.; replacing the Florida International Affairs Commission with the Enterprise Florida International Trade Development Partnership creating the Enterprise Florida International Trade Development Partnership, providing a purpose providing for filing articles of incorporation, providing for a board of directors, specifying membership; providing procedures, providing for an executive director; providing duties of the executive director; providing duties of the partnership, requiring a strategic plan for certain purposes, providing requirements; providing legislative intent relating to certain duties of the partnership; amending s. 288.808, F.S.; replacing the Florida International Affairs Commission Trust Fund with the Enterprise Florida International Trade Development Partnership Trust Fund; amending s. 288.815, F.S., providing duties of the Enterprise Florida International Trade Development Partnership relating to international research, providing confidentiality; providing for future review and repeal; providing a penalty; amending s. 288.8155, F.S.; providing legislative findings establishing the Florida Trade Data Center; providing for a board of directors; providing duties of the center; amending s. 288.816, F.S., providing duties of the Department of State relating to intergovernmental relations, amending s. 288.817, F.S. providing duties of the Enterprise Florida International Trade Development Partnership relating to international education; amending s. 288.8175, F.S., providing duties of the Enterprise Florida International Trade Development Partnership relating to certain linkage institutes, amending s. 288.822, F.S.; providing legislative findings, providing for establishment of foreign international trade offices, providing duties of the Office of Tourism, Trade, and Economic Development; amending s. 288.826, F.S., providing for administration of the Florida International Trade and Promotion Trust Fund by the Enterprise Florida International Trade Development Partnership through Enterprise Florida, Inc.; amending s. 288.901, F.S.; conforming language with respect to Enterprise Florida, Inc., requiring Enterprise Florida, Inc., to establish corporate offices, specifying the location of one office; changing the composition of the board of directors of Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring diversity of membership of Enterprise Florida, Inc., appointments; creating s. 288.9035, F.S.; providing a mission and purpose of Enterprise Florida, Inc.; amending s. 288.904, F.S.; requiring certain contracts of Enterprise Florida, Inc., to provide guidelines for auditing purposes, requiring the Comptroller to review such guidelines; authorizing Enterprise Florida, Inc., to restructure and reorganize; requiring a plan, providing additional duties and responsibilities of Enterprise Florida, Inc.; renumbering as s. 288.9041, F.S., and amending s. 288.07, F.S.; conforming language with respect to Enterprise Florida, Inc.; amending s. 288.905, F.S.; expanding the duties of Enterprise Florida, Inc., specifying requirements of a strategic economic development plan; requiring Enterprise Florida, Inc., to deposit certain moneys into certain African-American depositories; providing duties of Enterprise Florida, Inc., relating to venture capital, amending s. 288.906, F.S.; revising requirements for the annual report of Enterprise Florida, Inc.; requiring Enterprise Florida, Inc., to develop certain research designs for certain purposes, requiring a report to the Governor and the Legislature, providing duties of Enterprise Florida, Inc., requiring the Office of Program Policy Analysis and Government Accountability to review and evaluate Enterprise Florida, Inc.; requiring the Office of Program Policy Analysis and Government Accountability to report to the Legislature; renumbering as s. 288.9102, F.S., and amending s. 288.063, F.S., conforming language with respect to the Office of Tourism, Trade, and Economic Development; providing additional financial authorizations for the Office of Tourism, Trade, and Economic Development, protecting the integrity of certain contracts between the Division of Economic Development and local governments; providing for disposition of funds in the Economic Development Trust Fund under certain circumstances, increasing certain review committee membership;

amending s. 288.9514, F.S., clarifying powers and duties of the board of directors of the Enterprise Florida Innovation Partnership; providing for minority participation; requiring the Enterprise Florida Innovation Partnership to deposit certain moneys into certain depositories; amending s. 288.9515, F.S., clarifying provisions relating to authorized programs of the Enterprise Florida Innovation Partnership to provide for minority participation; amending s. 288.9613, F.S.; requiring the Enterprise Florida Capital Partnership to deposit certain moneys into certain depositories; amending s. 290.009, F.S.; conforming language with respect to the Office of Tourism, Trade, and Economic Development, revising membership of the Enterprise Zone Interagency Coordinating Council; amending s. 311.07, F.S.; authorizing certain program funds to be used to develop certain trade data information products, amending s. 311.11, F.S., conforming language with respect to the Office of Tourism, Trade, and Economic Development; providing for training minorities in skills for the seaport industry, amending s. 320.20, F.S.; providing for distribution of revenues derived from the registration of motor vehicles to the Florida Seaport Transportation and Economic Development Program for certain purposes, providing for distribution of such funds, providing for uses of such funds; providing legislative intent relating to economic growth of deepwater seaports; providing for a planning process for certain environmental permits, amending s. 370.28, F.S., providing an exception to a certain enterprise zone requirement; providing for credits for hiring certain persons notwithstanding certain residency requirements; amending s. 403.953, F.S., revising eligibility criteria for certain projects, establishing the Rural Community Development Revolving Loan Fund Program in the Office of Tourism, Trade, and Economic Development, providing purposes; requiring the office to adopt rules to administer the program; establishing the Rural Community Development Revolving Loan Fund Program Committee within the Office of Tourism, Trade, and Economic Development; providing for membership, providing duties and responsibilities of the committee, requiring the Office of Tourism, Trade, and Economic Development to monitor each project and report to the Governor and the Legislature, providing an appropriation, requiring the Office of Tourism, Trade, and Economic Development to analyze the economic effect of sales of goods and services on military installations with respect to the effect of loss of sales tax revenues on local communities and the state; requiring a report to the Legislature, providing duties of the Secretary of State relating to international corporate and cultural affairs, providing legislative intent relating to ethnic and cultural diversity of employment under certain circumstances, providing for affect on certain judicial and administrative proceedings; protecting the validity of certain contracts between the Department of Commerce and other agencies or entities; amending s. 212.08, F.S.; exempting certain transactions by fair associations from taxation; providing that certain sales of merchandise by concessionaires and others are not exempt, waiving certain state tax claims; amending s. 212.13, F.S.; requiring a concessionaire, vendor, exhibitor, or licensee that uses certain fair association property to report daily revenues; providing duties of the lessor and of the Department of Revenue, amending ss. 212.096 and 220.181, F.S.; revising limitations on the enterprise zone jobs credit; providing legislative intent relating to enterprise zones; providing duties of the Office of Tourism, Trade, and Economic Development relating to designating enterprise zones; providing for retroactive effect, amending s. 163.3177, F.S.; providing that the coastal management element of the required comprehensive plan shall include plans for the orderly maintenance and use of ports; amending s. 290.0065, F.S.; providing for the designation of certain areas as enterprise zones, providing criteria areas, creating s. 311.105, F.S., creating the Florida Seaport Environmental Management Committee; providing for membership, powers, and duties; providing additional requirements with respect to certain dredge and fill permits; providing for the review of certain permit applications, providing for environmental mitigation, providing for duties of the Department of Environmental Protection, amending s. 374.976, F.S.; providing that financial assistance for certain port projects shall not be included in calculating the proportional share of ad valorem tax collections of the county within which the port is located; amending s. 380.24, F.S.; providing that all permitting of dredged material management and other related activities shall be done by the Department of Environmental Protection; amending s. 403.021, F.S.; revising language with respect to legislative intent concerning dredged material management, amending s. 403.061, F.S., providing additional powers of the department with respect to the control and prohibition of pollution to the air and water of the state; providing for the application of the act; repealing s. 212.031(6), F.S., relating to exempting from taxation certain leases or rentals of land or facilities by a fair association; repealing ss. 20.17, 288.011, 288.045, 288.08, and 288.825, F.S., relating to the Department of Commerce, repealing s.

286.24, F.S., relating to the Bicentennial Commission, repealing s. 288.116, F.S., relating to sports promotion; repealing s. 288.015, F.S., relating to a foreign trade impact report, repealing s. 288.025, F.S., relating to powers and duties of the Division of International Trade Development of the Department of Commerce; repealing s. 288.779, F.S., relating to the export finance officer of the Department of Commerce; repealing s. 288.8032, F.S., relating to the administrative composition of the Florida International Affairs Commission; repealing s. 288.8041, F.S., relating to duties of the Florida International Affairs Commission; repealing s. 288.810, F.S., relating to the office of the executive director of the commission, repealing s. 288.811, F.S., relating to the Florida International Trade and Investment Council; repealing s. 288.812, F.S., relating to the Florida Tourism Commission; repealing s. 288.813, F.S., relating to the Agricultural Advisory Council; repealing s. 288.814, F.S., relating to the Florida International Council; repealing s. 288.815, F.S., relating to international research; repealing s. 288.8185, F.S., relating to the Florida Council on International Education; repealing s. 288.819, F.S., relating to the Florida International Banking and Finance Council, repealing s. 288.820, F.S., relating to implementation, repealing s. 288.823, F.S., relating to the Florida Council of International Economic Advisors; repealing s. 288.9516, F.S., relating to the annual report of Enterprise Florida Innovation Partnership; repealing s. 288.9615, F.S., relating to the annual report of the Enterprise Florida Capital Partnership, repealing s. 288.9517(1) and (2), F.S., relating to development and review of research designs of the Enterprise Florida Innovation Partnership, repealing s. 288.9616(1) and (2), F.S., relating to development and review of research designs of the Florida Development Finance Corporation; providing appropriations; providing for holding certain appropriations in reserve under certain circumstances, providing for reversion of certain funds to the General Revenue Fund under certain circumstances, directing the Division of Statutory Revision to change certain references to the Department of Commerce to the Office of Tourism, Trade, and Economic Development; directing the Division of Statutory Revision to change certain references to the Department of Commerce to Enterprise Florida, Inc.; directing the Division of Statutory Revision to delete certain references to the Department of Commerce; characterizing certain employees for purposes of tax exemptions in certain enterprise zones, requiring submittal of applications for tax exemption purposes; amending s. 290.0058, F.S., providing criteria with respect to tests of pervasive poverty for specified noncontiguous areas of enterprise zones; providing for future repeal; amending s. 290.0065, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to amend the boundaries of noncontiguous areas of specified enterprise zones, providing limitations, providing for future repeal; providing severability; providing effective dates.

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

By Representative Wise and others—

HM 579—A memorial urging full concurrent receipt of military longevity retired pay and service-connected disability compensation benefits.

— was referred to the Committees on Community Affairs; and Rules and Calendar.

RETURNING MESSAGES—FINAL ACTION

The Honorable James A. Scott, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 2936

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled

ROLL CALLS ON SENATE BILLS

SB 52

Yeas—33

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

Nays—2

Horne	Turner
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Vote after roll call

Yea—Sullivan

CS for SB 108

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gutman

CS for SB 112

Yeas—36

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

Nays—None

SB 156

Yeas—37

Mr President	Crist	Hargrett	Kurth
Bankhead	Dantzler	Harris	Latvala
Beard	Diaz-Balart	Holzendorf	Meadows
Bronson	Dudley	Horne	Myers
Brown-Waite	Dyer	Jennings	Ostalkiewicz
Burt	Forman	Johnson	Rossin
Casas	Grant	Jones	Silver
Childers	Harden	Kirkpatrick	Sullivan

Thomas
Turner

Weinstein

Wexler

Williams

Nays—None

Vote after roll call

Yea—Gutman

CS for SB 180

Yeas—36

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

Nays—None

Vote after roll call

Yea—Hargrett

SB 186

Yeas—37

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

Nays—None

SB 308

Yeas—36

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

Nays—None

CS for CS for SB 508

Yeas—37

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

Thomas
Turner
Nays—None

Weinstein

Wexler

Williams

SB 956

Yeas—37

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

SB 674

Nays—None

Yeas—36

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

SB 800

Nays—None

Yeas—36

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

SB 850

Nays—None

Vote after roll call

Yea—Hargrett

SB 894

Yeas—36

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

Nays—None

Yeas—34

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

Nays—1

Latvala

Vote after roll call

Yea—Kurth

SB 970

Yeas—35

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

Nays—None

ROLL CALLS ON HOUSE BILLS

CS for HB 37

Yeas—37

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

Nays—None

Vote after roll call

Yea—Gutman

HB 203

Yeas—36

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

Nays—None

HB 233

Yeas—37

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

Nays—None

HB 739

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Gutman

CS for HB 831

Yeas—35

Bankhead	Brown-Waite	Crist	Dudley
Beard	Casas	Dantzler	Dyer
Bronson	Childers	Diaz-Balart	Forman

Grant	Horne	Latvala	Thomas
Gutman	Jennings	Meadows	Turner
Harden	Johnson	Ostalkiewicz	Weinstein
Hargrett	Jones	Rossin	Wexler
Harris	Kirkpatrick	Silver	Williams
Holzendorf	Kurth	Sullivan	

Nays—None

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 21 was corrected and approved

CO-SPONSORS

Senators Burt—SB 782; Forman—SM 522, SB 1044, Grant—SB 944; Gutman—SB 378; Hargrett—SB 546; Kirkpatrick—CS for SB 602; Kurth—CS for SB 8, CS for SB 690; Latvala—SB 986; Meadows—SB 370; Ostalkiewicz—SB 782, SB 1976

VOTES RECORDED

Senator McKay was recorded as voting "yea" on the following bills which were considered this day CS for CS for SB 508, CS for SB 108 and CS for HB 831

RECESS

On motion by Senator Jennings the Senate recessed at 12:02 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9 30 a m Thursday, March 28

SENATE PAGES

March 25 29

Timothy (Mark) Andrews, Jr., Sebring, Freddy Barton, Jacksonville; Philip (Phil) Basile, Maitland; Bryan Cichewicz, Sebastian; Deidre Marie Holzendorf, Jacksonville, Antonesia Lyons, Fort Pierce, Jonathan (Buddy) Martin, Fort Myers; Kellie McMahon, Port Richey; John McMullen, Tampa; Jeffrey (Jeff) Moon, Maitland; Devin O'Bryant, Jacksonville; Carolyn Rennie, Auburndale, Karen Rodriguez, Miami; Liana Rose, Coral Springs; Jackie Smith, Lusby, Maryland; James Thompson, Amelia Island; Khaliah D Williams, Lakeland