



# Journal of the Senate

Number 13—Regular Session

Thursday, April 10, 1997

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## CALL TO ORDER

The Senate was called to order by the President at 2:00 p.m. A quorum present—39:

Madam President	Crist	Horne	Myers
Bankhead	Dantzler	Jenne	Ostalkiewicz
Bronson	Diaz-Balart	Jones	Rossin
Brown-Waite	Dudley	Kirkpatrick	Scott
Burt	Dyer	Klein	Silver
Campbell	Forman	Kurth	Sullivan
Casas	Grant	Latvala	Thomas
Childers	Hargrett	Lee	Turner
Clary	Harris	McKay	Williams
Cowin	Holzendorf	Meadows	

Excused: Senator Horne at 2:48 p.m.

## PRAYER

The following prayer was offered by the Rev. Dan Johnson, Pastor, Trinity United Methodist Church, Gainesville:

Gracious and all wise God, we ask that you enable these folks to be receptive and responsive to your will, and to do what is right in your sight. Amen.

## PLEDGE

Senate Pages, Katina Demps of Boynton Beach and Wilmidie Philosaint of Miami, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

On motion by Senator Williams—

By Senators Williams, Kirkpatrick, Horne, Jenne, Crist, Childers, McKay, Grant, Thomas, Ostalkiewicz, Dyer, Holzendorf, Meadows, Rossin, Harris, Jones, Klein, Turner, Casas, Bronson, Hargrett, Lee, Campbell, Scott and Bankhead—

**SR 2334**—A resolution declaring April 10, 1997, as FSU Day, in recognition of the 50th anniversary of its transformation into a major research university.

WHEREAS, the 50th anniversary of The Florida State University comes in the 146th year since the establishment of the institution by the Florida Legislature as the Seminary West of the Suwannee River, and

WHEREAS, its Tallahassee campus is the oldest continuous site of higher education in Florida, and

WHEREAS, building on one of the nation's finest liberal arts Colleges for Women, Florida State, by 1960, had become nationally recognized as a major research university, and

WHEREAS, sources cite this conversion from a woman's liberal arts college to a research university as one of the few successful such conversions in the United States, and

WHEREAS, today, Florida State University is ranked as a Carnegie I Research Institution, and

WHEREAS, the far-sighted support of the Legislature to provide state funding for the development of scientific research laboratories, which led to unprecedented federal support for, and recognition of, the emerging university, contributed to the early success of Florida State University, and

WHEREAS, state support for these scholarly activities continues today, and

WHEREAS, while developing internationally recognized programs in the Fine and Performing Arts and in the Basic and Social Sciences, Florida State University has also developed strong student life programs including one of the major Intercollegiate Athletic programs in the country, NOW, THEREFORE,

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

That April 10, 1997, is recognized as FSU Day in Tallahassee and 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 Talbot "Sandy" D'Alemberte, President of The Florida State University, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Williams, **SR 2334** was read the second time in full and adopted.

## SPECIAL GUEST

Senator Williams introduced Sandy D'Alemberte, President of The Florida State University, who was present in the chamber.

Upon request of the President, Senators Williams, Childers, Horne, Grant, Crist, McKay and Jenne, all FSU Alumni, escorted President D'Alemberte to the rostrum where he was presented a copy of the resolution.

At the request of Senator Clary—

By Senator Clary—

**SR 726**—A resolution designating April 10, 1997, as "Submarine Sailors Day."

WHEREAS, all men and women who have so proudly served their country in the uniform of the United States Armed Forces are deserving of the gratitude and appreciation of all Americans, and

WHEREAS, veterans from all branches of our Armed Forces have contributed so meaningfully to our national defense and have helped to preserve our freedom here at home, and

WHEREAS, among the many organizations representing the various branches of our Armed Forces, the United States Submarine Veterans represent a special and dedicated group of sailors who have bravely served their nation, and

WHEREAS, American military personnel serving aboard submarines perform a uniquely rigorous type of military service which involves long periods of isolation and confinement, requires tremendous discipline, endurance, and self-control, and which places them in frequent danger, and

WHEREAS, it is important and appropriate that the citizens of the State of Florida recognize and commend all United States submarine sailors, past and present, for their accomplishments and their supreme devotion to duty, NOW, THEREFORE,

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

That the Florida Senate recognizes April 10, 1997, as "Submarine Sailors Day" in honor of the extraordinary military service performed by American military personnel, past and present, serving aboard submarines.

—**SR 726** was introduced, read and adopted by publication.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Bankhead, by two-thirds vote **CS for SB 330, SB 372, SB 426, CS for SB 1686** and **CS for SB 716** were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Bankhead, by two-thirds vote **SB 2386** was withdrawn from the Committee on Community Affairs; **CS for SB's 1216 and 2024** was withdrawn from the Committee on Ways and Means and referred to the Committees on Commerce and Economic Opportunities; and Criminal Justice; and **CS for SB's 552, 1960 and 822** was withdrawn from the Committee on Criminal Justice.

**MOTIONS**

On motion by Senator Bankhead, a deadline of 3:00 p.m. Friday, April 11, was set for filing amendments to Bills on Third Reading to be considered Monday, April 14.

**CONSIDERATION OF BILLS ON THIRD READING**

**CS for SB 1546**—A bill to be entitled An act relating to public school financial reporting; amending s. 236.685, F.S., the Education Funding Accountability Act; requiring annual school financial reports; specifying reporting requirements; providing an effective date.

—was read the third time by title.

On motions by Senator Horne, **CS for SB 1546** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Crist	Jenne	Ostalkiewicz
Bankhead	Dantzler	Jones	Rossin
Bronson	Dudley	Kirkpatrick	Scott
Brown-Waite	Dyer	Klein	Silver
Burt	Forman	Kurth	Sullivan
Campbell	Grant	Latvala	Thomas
Casas	Hargrett	Lee	Turner
Childers	Harris	McKay	Williams
Clary	Holzendorf	Meadows	
Cowin	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for SB 1376**—A bill to be entitled An act relating to education; amending s. 230.03, F.S.; conforming a cross-reference; repealing s. 230.105(9), F.S., relating to ballot proposition wording for single-member representation for district school boards; amending s. 230.22, F.S.; revising provisions relating to general powers of school boards; amending s. 230.23, F.S.; revising provisions relating to powers and duties of school boards; amending s. 230.2301, F.S.; revising provisions relating to parent meetings with school district personnel; amending s. 230.2303, F.S.; revising provisions relating to the Florida First Start Program; deleting provisions relating to evaluation, monitoring, and coordination; amending s. 230.2305, F.S.; revising provisions relating to the prekindergarten early intervention program; deleting provisions relating to plans, plan approval, monitoring, and annual reports; repealing s. 230.23135, F.S., relating to the Florida Council on Student Services; amending s. 230.2316, F.S.; revising provisions relating to dropout prevention; deleting definitions, certain program criteria, and provisions requiring program plans and staff development; amending s. 230.23161, F.S.; conforming a cross-reference; amending s. 230.2317, F.S.; revising provisions relating to a multiagency service network for students with severe emotional disturbance; amending s. 230.2318, F.S.; authorizing school resource officer programs; deleting program plan requirements; amending s. 230.303, F.S., relating to compensation for school superintendents; deleting obsolete language; amending s. 230.33, F.S.; revising provisions relating to duties and responsibilities of superintendents; amending s. 230.331, F.S., relating to reproduction and destruction of district school records; amending s. 230.35, F.S., relating to schools under the control of the school board and superintendent; repealing ss. 230.59, 230.643, 230.655, and 230.71, F.S., relating to educational communications systems, transcripts for vocational-technical center students, education programs in correctional facilities, and intergenerational school volunteer programs; amending s. 232.01, F.S., and repealing ss. 232.04 and 232.045, F.S.; combining provisions relating to school attendance requirements; amending s. 232.021, F.S.; conforming provisions; amending s. 232.0225, F.S.; revising provisions relating to absence for religious instruction or holidays; repealing s. 232.023, F.S., relating to falsification of attendance records; amending s. 232.03, F.S.; conforming cross-references; repealing s. 232.032(2) and 232.034, F.S., relating to an investigation of tuberculosis incidence and a medical exemption for transporting students; amending s. 232.06, F.S.; revising provisions relating to school attendance certificates of exemption; amending s. 232.09, F.S.; conforming a cross-reference; repealing ss. 232.10, 232.13, and 232.165, F.S., relating to explanation of student absence, reports of exceptional children, and nonissuance or suspension of driver's license based on student enrollment; amending s. 232.17, F.S.; revising provisions relating to enforcement of school attendance; deleting reference to attendance assistants; amending s. 232.19, F.S.; conforming provisions; repealing ss. 232.245(2) and (3) and 232.2452, F.S., relating to requirements for school district programs for pupil progression and report cards; repealing s. 232.2461, F.S., relating to model curriculum standards; amending s. 232.2462, F.S.; deleting attendance requirements for receipt of high school credit; amending s. 232.2465, F.S.; revising a requirement for qualification as a Florida Academic Scholar; repealing s. 232.2468, F.S., relating to graduation, habitual truancy, and dropout rates; amending s. 228.041, F.S.; defining the terms "graduation rate," "habitual truancy rate," and "dropout rate"; repealing ss. 232.257 and 232.258, F.S., relating to the School Safety Program and school and community resource grants; amending s. 232.271, F.S.; conforming provisions; repealing ss. 232.276, 232.3015, 232.303, and 232.304, F.S., relating to parenting workshops, outreach programs, interagency student services, and multiagency coordinating councils; amending s. 232.425, F.S., relating to student standards for participation in interscholastic extracurricular student activities; providing for the accessibility of such activities to home education students; repealing s. 233.011, F.S., relating to accountability in curriculum, instructional materials, and testing; amending s. 233.061, F.S.; revising provisions relating to required instruction; creating s. 233.0612, F.S.; providing authorized instruction; repealing ss. 233.0615, 233.06411, 233.0645, 233.065, 233.0661, 233.0662, 233.0663(2), (3), (4), (5), (6), and (7), 233.067, 233.0671, 233.0672, and 233.068(3) and (4), F.S., relating to a character development and law education program, a free enterprise and consumer education program, voting instruction, patriotic programs, certain requirements of the drug abuse and resistance education program,

comprehensive health education and substance abuse prevention, courses of study in the care of nursing home patients, instruction in acquired immune deficiency syndrome, and planning and implementation of a career development and applied technology program; amending s. 233.07, F.S.; deleting obsolete language; renumbering s. 234.041, F.S., relating to school buses; repealing s. 234.0515, F.S., relating to transportation of students by private transportation companies; repealing ss. 234.061 and 234.091, F.S., relating to designation of routes and school bus driver qualifications, to conform; amending and renumbering s. 234.302, F.S., relating to school crossing guards; amending ss. 24.121, 39.01, 228.053, 228.061, 228.121, 229.0535, 229.565, 229.58, 229.592, 229.594, 229.8055, 231.085, 231.095, 231.1725, 231.381, 236.013, 236.081, 236.0811, 236.0812, 236.1228, 239.101, 239.229, 397.405, 402.22, 415.5015, 450.121, 493.6102, and 561.025, F.S.; conforming cross-references and conforming provisions; repealing s. 236.0842, F.S., relating to approval for dropout prevention programs, to conform; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Cowin, **CS for SB 1376** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Crist	Jenne	Ostalkiewicz
Bankhead	Dantzler	Jones	Rossin
Bronson	Dudley	Kirkpatrick	Scott
Brown-Waite	Dyer	Klein	Silver
Burt	Forman	Kurth	Sullivan
Campbell	Grant	Latvala	Thomas
Casas	Hargrett	Lee	Turner
Childers	Harris	McKay	Williams
Clary	Holzendorf	Meadows	
Cowin	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for SB 1992**—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; prescribing guidelines for expenditure of lottery funds allocated to public schools; amending s. 229.58, F.S.; revising provisions relating to the establishment of school advisory councils; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Jenne, **CS for SB 1992** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Madam President	Crist	Jones	Rossin
Bankhead	Dantzler	Kirkpatrick	Scott
Bronson	Dudley	Klein	Silver
Brown-Waite	Dyer	Kurth	Sullivan
Burt	Forman	Latvala	Thomas
Campbell	Grant	Lee	Turner
Casas	Hargrett	McKay	Williams
Childers	Harris	Meadows	
Clary	Holzendorf	Myers	
Cowin	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for HB 197**—A bill to be entitled An act relating to education; creating s. 232.2451, F.S., relating to student readiness for postsecondary education and the workplace; providing legislative intent; providing

for end-of-high-school destinations; providing for student progression toward a chosen destination; providing Department of Education duties; providing course requirements; providing duties of school principals; amending s. 232.2462, F.S.; revising provisions relating to definition of high school credit; providing an effective date.

—was read the third time by title.

On motions by Senator Latvala, **CS for HB 197** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Crist	Jenne	Ostalkiewicz
Bankhead	Dantzler	Jones	Rossin
Bronson	Dudley	Kirkpatrick	Scott
Brown-Waite	Dyer	Klein	Silver
Burt	Forman	Kurth	Sullivan
Campbell	Grant	Latvala	Thomas
Casas	Hargrett	Lee	Turner
Childers	Harris	McKay	Williams
Clary	Holzendorf	Meadows	
Cowin	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for SB 398**—A bill to be entitled An act relating to postsecondary education; amending s. 240.551, F.S.; providing for rulemaking by the Florida Prepaid Postsecondary Education Expense Board; providing technical revisions; authorizing the board to construct contracts for dormitory residence; deleting the requirement that the board construct contracts for dormitory residence; defining the term “Internal Revenue Code of 1986”; deleting a requirement that the board, before entering into certain advance payment contracts, seek and disseminate certain information about the applicability of federal tax and securities laws to those contracts; providing for exemption from securities transactions laws; providing for refunds associated with the conversion of registration plans; reviving and readopting s. 240.552, F.S., relating to the Florida Prepaid Tuition Scholarship Program; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Clary, **CS for SB 398** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Madam President	Cowin	Horne	Myers
Bankhead	Crist	Jenne	Ostalkiewicz
Bronson	Dantzler	Jones	Rossin
Brown-Waite	Dudley	Kirkpatrick	Scott
Burt	Forman	Klein	Silver
Campbell	Grant	Latvala	Sullivan
Casas	Hargrett	Lee	Thomas
Childers	Harris	McKay	Turner
Clary	Holzendorf	Meadows	Williams

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer, Kurth

**CS for SB 586**—A bill to be entitled An act relating to enforcement of compulsory school attendance; amending s. 39.01, F.S.; revising provisions regarding habitual truancy; amending s. 228.041, F.S.; revising the definitions of the terms “habitual truant” and “dropout”; amending s. 232.01, F.S.; revising compulsory school attendance requirements to require children over the age of 16 to file a formal declaration of intent to terminate school enrollment in order to be exempt from compulsory

school attendance requirements; amending s. 232.17, F.S.; revising procedures relating to habitual truancy; amending s. 232.19, F.S.; revising procedures relating to habitual truancy; requiring each public school principal to notify the district school board of students who accumulate a specified number of unexcused absences; authorizing the governing body of a private school to provide such information to the Department of Education; requiring that the Department of Highway Safety and Motor Vehicles withhold issuance of or suspend the driver's license or a learner's driver's license of a student who fails to satisfy school attendance requirements; requiring the Department of Juvenile Justice, the Department of Children and Family Services, and the school districts to develop cooperative agreements for working with habitual truants and their families; providing for an additional fine to be imposed against a parent who fails to comply with the compulsory school-attendance requirements; providing that proceeds of the fine be used to fund truancy prevention programs; amending s. 322.05, F.S., relating to the issuance of driver's licenses; conforming provisions to changes made by the act; amending s. 322.09, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a driver's license or restricted license to a person under a specified age who does not meet requirements for school attendance and is not otherwise exempt from such requirements; creating s. 322.091, F.S.; providing that a minor is not eligible for driving privileges unless the minor is enrolled in school or a home-education program, has received a high school diploma or certificate, is enrolled in certain other educational activities, or obtains a certificate of exemption or hardship waiver; requiring the Department of Highway Safety and Motor Vehicles to notify a minor before the department suspends the minor's driving privileges because of noncompliance with school-attendance requirements; providing for a hardship waiver; providing for a hearing before the public school principal or the designee of the governing body of a private school; providing for the department to reinstate a minor's driving privileges following compliance with school-attendance requirements for a specified period; requiring the department to report to school districts on students whose driving privileges are suspended; providing an effective date.

—as amended April 9 was read the third time by title.

Senator Meadows moved the following amendments which were adopted by two-thirds vote:

**Amendment 1**—On page 3, lines 17 and 28 and on page 4, lines 4 and 5, delete "Health and Rehabilitative" and insert: *Children and Family Health and Rehabilitative*

**Amendment 2**—On page 6, delete line 10 and insert: *determined to be habitually truant and shall be passed. The State Attorney may file a child-in-need-of-services petition after referring a child who is subject to compulsory school attendance and who either has 15 unexcused absences within 90 school days or fails to enroll in school to the appropriate agency for evaluation and after consulting with that agency. H-a*

**Amendment 3**—On page 4, lines 14-19, delete those lines

On motions by Senator Meadows, **CS for SB 586** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Madam President	Crist	Jenne	Rossin
Bankhead	Dantzler	Jones	Scott
Bronson	Dudley	Klein	Silver
Brown-Waite	Dyer	Kurth	Sullivan
Burt	Forman	Latvala	Thomas
Campbell	Grant	Lee	Turner
Casas	Hargrett	McKay	Williams
Childers	Harris	Meadows	
Clary	Holzendorf	Myers	
Cowin	Horne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for SB 2004**—A bill to be entitled An act relating to the Department of Management Services; amending s. 20.04, F.S.; exempting the department from certain structural requirements imposed on executive agencies; amending s. 20.22, F.S.; revising the organizational structure of the department; directing the Division of Statutory Revision of the Joint Legislative Management Committee to prepare a reviser's bill; providing for the preservation of the administrative rules of the department until specifically changed as provided by law; amending s. 110.1127, F.S.; revising language with respect to employee security checks; amending s. 110.1165, F.S.; revising the requirements with respect to procedures for relief with respect to executive branch personnel errors; amending s. 110.201, F.S.; providing for personnel rules, records, and reports for employees and positions in the career service; amending s. 110.207, F.S.; directing the department to facilitate the statewide planning and implementation of the career service broadbanding compensation and classification system; amending s. 110.217, F.S.; removing date requirements with respect to appointments and promotions; amending s. 110.403, F.S.; revising language with respect to the powers and duties of the department; amending s. 110.406, F.S.; revising language with respect to data collection for the Senior Management Service; amending s. 110.602, F.S.; directing the department to designate all positions in the Select Exempt Service as either managerial/policymaking, professional, or nonmanagerial/nonpolicymaking; amending s. 110.606, F.S., relating to data collection for the Selected Exempt Service; amending s. 216.235, F.S.; revising language with respect to the Innovative Investment Program; providing legislative intent; providing for composition and responsibilities of the State Innovation Committee; providing for responsibilities of the department, the Information Resource Commission, and the review board; amending s. 255.21, F.S.; providing that buildings or facilities open to the general public must comply with the provisions of part V of chapter 553, F.S., relating to handicapped accessibility; repealing s. 110.1097, F.S., relating to personnel system improvements for the Department of Health and Rehabilitative Services; amending ss. 255.28, 255.30, 255.507, F.S.; eliminating references to rules; amending s. 282.105, F.S.; providing that certain educational entities shall be eligible to use the state SUNCOM Network; amending s. 287.042, F.S.; revising language with respect to the powers of the Division of Purchasing of the Department of Management Services; amending s. 364.511, F.S.; providing that all net revenue realized through the leasing of available satellite transponder time, after deducting the costs of performing the management functions, shall be recycled to support the Florida Distance Learning Network; repealing s. 282.1021, F.S., relating to the State Implementation Plan for Communications Services; amending s. 282.307, F.S.; conforming to the act; creating the Workforce 2000 Study Commission; providing for membership; providing powers and duties of the commission; requiring reports; providing for staffing of the commission; providing an appropriation; amending s. 957.03, F.S.; providing that the Correctional Privatization Commission shall be a separate budget entity, not subject to supervision by the department; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Williams, **CS for SB 2004** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Crist	Jenne	Ostalkiewicz
Bankhead	Dantzler	Jones	Rossin
Bronson	Dudley	Kirkpatrick	Scott
Brown-Waite	Dyer	Klein	Silver
Burt	Forman	Kurth	Sullivan
Campbell	Grant	Latvala	Thomas
Casas	Hargrett	Lee	Turner
Childers	Harris	McKay	Williams
Clary	Holzendorf	Meadows	
Cowin	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

**CS for SB 1066**—A bill to be entitled An act relating to administrative procedures; amending s. 120.52, F.S.; adding educational units to

the definition of the term "agency"; amending s. 120.54, F.S.; deleting the requirement for rule development for rule repeal; authorizing an alternative method by which a person may receive a copy of a preliminary draft of a rule; clarifying that an agency's decision to use negotiated rulemaking is not final agency action; deleting references to the Department of Commerce; clarifying the time by which the small business ombudsman must provide regulatory alternatives to an agency; extending the period for filing a rule upon provision of regulatory alternatives to a rule; clarifying times for filing when a notice of change to a rule must be filed; extending the period for filing a rule; amending s. 120.541, F.S.; extending the period for filing a rule if a written alternative for a lower cost regulatory alternative to a rule is provided; amending s. 120.542, F.S.; providing that public employees are not persons subject to regulation for the purposes of waiver and variance; authorizing an agency to limit grants of variance or waiver only to the extent necessary to achieve the purpose of the underlying statute; clarifying that agencies may not grant a variance or waiver to rules required by the Federal Government; requiring uniform rules of procedures to contain certain procedures related to waiver and variance; clarifying the procedure by which an agency may request additional necessary information during the review of a petition for waiver or variance; amending s. 120.56, F.S.; providing that a proceeding to determine a violation of s. 120.54(1), F.S., may be consolidated with other proceedings; eliminating authority to bring such an action in conjunction with certain other proceedings; amending s. 120.569, F.S.; conforming references; amending s. 120.57, F.S.; clarifying provisions governing expedited hearings; adding a decision, opinion, order or report of the presiding officer to the record of hearings not involving disputed facts; requiring agencies to use uniform bid protest procedural rules; amending s. 120.573, F.S.; clarifying the time when mediation is authorized; amending s. 120.574, F.S.; providing that intervenors are governed by the decision of the original parties regarding the summary-hearing process; amending s. 120.595, F.S.; providing an exception to the award of attorney's fees when an agency demonstrates that a statement is required by the Federal Government to implement or retain a delegated or approved program or to meet a condition to receipt of federal funds; amending s. 120.60, F.S.; requiring a notice of intent to deny a license to specify the grounds or basis; providing an exception; specifying criteria for procedures for agencies to take emergency action with respect to licenses; amending s. 120.65, F.S.; providing requirements for the director of the Division of Administrative Hearings; amending s. 120.66, F.S.; clarifying that a presiding officer may be an agency head or designee; amending s. 120.68, F.S.; providing for judicial review; amending s. 120.74, F.S.; specifying the frequency of rule reviews; amending s. 120.81, F.S.; providing that educational units and local units of government need not publish notices or the text of proposed rules in the Florida Administrative Weekly; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Williams, **CS for SB 1066** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Madam President	Crist	Jones	Rossin
Bankhead	Dantzler	Kirkpatrick	Scott
Bronson	Dudley	Klein	Silver
Brown-Waite	Forman	Kurth	Sullivan
Burt	Grant	Latvala	Thomas
Campbell	Hargrett	Lee	Turner
Casas	Harris	McKay	Williams
Childers	Holzendorf	Meadows	
Clary	Horne	Myers	
Cowin	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Diaz-Balart, Dyer

**CS for SB 1160**—A bill to be entitled An act relating to historic preservation boards; repealing parts II, V, VI, VII and VIII of chapter 266, F.S.; eliminating the Historic St. Augustine Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, and the

Historic Tampa-Hillsborough Preservation Board of Trustees; redesignating part III of chapter 266, F.S., the Historic Pensacola Preservation Board of Trustees as part II of said chapter; redesignating part IV of ch. 266, F.S., the Historic Tallahassee Preservation Board of Trustees, as part III of that chapter; amending s. 267.061, F.S., relating to state policy and responsibilities with respect to historic properties; providing that the Division of Historical Resources of the Department of State shall establish regional offices for the purpose of assisting in the delivery of historic preservation services; providing locations at which regional offices are to be established; providing for the establishment of citizen support organizations; requiring the Department of State to contract with the City of St. Augustine for the management of state-owned properties managed by the Historic St. Augustine Preservation Board of Trustees; providing for use of proceeds from management of state-owned properties by the City of St. Augustine; providing for the transfer of specified funds to the City of St. Augustine; providing for transfer of ownership and responsibility of specified items to assist in the transition of the management of state-owned properties; requiring the Department of State to contract with specified nonprofit corporations for the purpose of continuing work performed by specified historic preservation boards; providing for use of proceeds from the management of state-owned properties by such corporations; providing for the transfer of specified funds to such corporations; providing specified requirements in the contracts; providing legislative intent with respect to the 1997-1998 General Appropriations Act; providing an effective date.

—was read the third time by title.

Senator Williams moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (with title amendment)**—On page 2, lines 28-30, delete those lines and insert:

*Section 2. Part IV of chapter 266, Florida Statutes, consisting of sections 266.0021, 266.0022, 266.0023, 266.0024, 266.0025, 266.0026, 266.0027, and 266.00275, Florida Statutes, and section 266.0028, Florida Statutes, as amended by section 12 of chapter 96-406, Laws of Florida, is repealed.*

And the title is amended as follows:

On page 1, lines 3-15, delete those lines and insert: boards; repealing parts II, IV, V, VI, VII, and VIII of chapter 266, F.S.; eliminating the Historic St. Augustine Preservation Board of Trustees, the Historic Tallahassee Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, and the Historic Tampa-Hillsborough Preservation Board of Trustees; redesignating part III of chapter 266, F.S., the Historic Pensacola Preservation Board of Trustees as part II of said chapter; amending

**Amendment 2 (with title amendment)**—On page 6, between lines 3 and 4, insert:

*Section 11. All remaining funds in the Historic Tampa/Hillsborough County Preservation Board Operating Trust Fund and the Historic Palm Beach Preservation Board Operating Trust Fund shall be transferred to the Department of State, Division of Historical Resources Operating Trust Fund.*

(Renumber subsequent section.)

And the title is amended as follows:

On page 2, line 16, after the semicolon (;) insert: providing for the transfer of certain remaining fund balances to the Division of Historical Resources Operating Trust Fund;

**Amendment 3 (with title amendment)**—On page 5, line 7, after the period (.) insert: *The Department of State is authorized to use the unexpended balance of up to \$500,000 in general revenue funds, as provided in the 1997-1998 General Appropriations Act for the St. Augustine Preservation Board, to enter into contracts with the City of St. Augustine to continue the operations and maintenance of historic properties.*

And the title is amended as follows:

On page 2, line 6, after the semicolon (;) insert: authorizing certain contracts with the City of St. Augustine and the expenditure of funds therefor;

**Amendment 4**—On page 5, lines 8-23, delete those lines and insert:

Section 9. *In order to continue the work performed by the Historic Tallahassee Preservation Board of Trustees and the Historic Florida Keys Preservation Board of Trustees, the Department of State may contract with not-for-profit corporations established for the purpose of advancing historic preservation in these areas to manage the various state-owned properties presently managed by the Historic Tallahassee Preservation Board of Trustees and the Historic Florida Keys Preservation Board of Trustees. The contract, which shall at a minimum contain those requirements provided in section 267.17, Florida Statutes, for citizen support organizations, including the use of public property and the performance of an annual audit, shall provide that the not-for-profit corporations may use all proceeds derived from the management of state-owned buildings and for the purpose of advancing historic preservation in their areas. Additionally, the department may appropriate all remaining funds in the Historic Florida Keys Preservation Board Operating Trust Fund and the Historic Tallahassee Preservation Board Operating Trust Fund to the not-for-profit corporations for their use.*

## SENATOR GRANT PRESIDING

### RECONSIDERATION OF AMENDMENT

On motion by Senator Dudley, the Senate reconsidered the vote by which **Amendment 3** was adopted.

On motion by Senator Williams, further consideration of **CS for SB 1160** with pending **Amendment 3** was deferred.

**SB 268**—A bill to be entitled An act relating to public officers and employees; amending ss. 18.01, 19.14, 20.23, F.S.; eliminating bond requirements for the Treasurer, the Commissioner of Agriculture, the comptroller of the Department of Transportation; amending s. 20.05, F.S.; allowing the head of an executive department to require bonds for officers or employees of the department and to set the amount of the bond and approve the bond; amending s. 20.32, F.S.; allowing the Parole Commission to require bonds for employees, set the bond amount, and approve the bonds; amending s. 27.255, F.S.; authorizing state attorneys to require bonds for full-time investigators and special investigators; amending ss. 28.01, 28.02, 28.09, 30.01, 30.02, 30.06, 30.09, 30.21, 40.35, F.S.; requiring bonds and the filing of bonds with the clerk of the circuit court as determined by the board of county commissioners for the clerk of the circuit court, clerks ad interim, sheriffs, and deputy sheriffs; clarifying the liability of sureties; amending ss. 48.021, 98.015, eliminating bond requirements for special process servers, and supervisors of elections; amending s. 113.07, F.S.; eliminating the requirement for public officials to file a surety bond as a prequalification to holding office or performing duties; amending s. 115.03, F.S., relating to elected officers' duties; clarifying that any required bonds remain in effect for the remainder of a term of office; allowing for the deputy to give a bond; amending s. 137.01, F.S.; eliminating the bond requirements for county officers; allowing the board of county commissioners to require county officers to give a bond, set the amount of the bond, and approve the bond; requiring the filing of bonds with the clerk of the circuit court instead of the Department of State; amending s. 137.02, F.S.; eliminating the bond requirements for tax collectors; requiring bond as determined by the board of county commissioners; eliminating the requirement that the Department of State approve the bond; amending s. 137.03, F.S.; eliminating the bond requirement for property appraisers; requiring bond as determined by the board of county commissioners; amending s. 137.04, F.S.; eliminating the bond requirement for county commissioners; requiring bond as determined by the board; eliminating the requirement that the Department of State approve the bond; amending s. 137.05, F.S., relating to the examination requirements of bonds of county officers by the county commissioners; removing the examination criteria for sureties; removing the required report of impaired bonds by the county commissioners to the Governor; amending s. 240.268, F.S.; eliminating the bond requirement for university police officers; allowing

the university to require a bond, set the amount of the bond, and approve the bond; amending s. 240.38, F.S.; eliminating the bond requirement for community college police officers; allowing the community college to require a bond, set the amount of the bond, and approve the bond; amending s. 242.343, F.S.; eliminating the bond requirement for campus police of the Florida School for the Deaf and the Blind; allowing the board of trustees to require a bond, set the amount of the bond, and approve the bond; amending ss. 250.10, 266.00001, 266.0003, 266.0013, 266.0023, 266.0033, 266.0043, 266.0053, 266.0063, F.S., and repealing s. 252.55(5), F.S.; eliminating bond requirements for the state quartermaster appointed by the Adjutant General, the Florida Wing commander of the Civil Air Patrol, and members of the historic preservation boards; authorizing the Department of State to require and approve a bond for members of historic preservation boards; amending s. 284.41, F.S.; eliminating the coverage for trust funds by the public official bond of the Treasurer and Insurance Commissioner; amending s. 320.03, F.S.; allowing the Department of Highway Safety and Motor Vehicles to require a bond of tax collectors; amending s. 372.04, F.S.; eliminating the requirement for the Director of the Game and Fresh Water Fish Commission to give a bond; allowing the Game and Fresh Water Fish Commission to require a bond of employees, to determine the amount of the bond, and to approve the bond; amending s. 388.131, F.S.; eliminating the bond requirement for the board of commissioners of mosquito-control districts; allowing the Department of Agriculture and Consumer Services to require a bond; amending s. 440.50, F.S.; eliminating the requirement for the Treasurer and Insurance Commissioner to give a bond related to his or her duties as custodian of the Workers' Compensation Administration Trust Fund; amending s. 443.191, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties as custodian of the Unemployment Compensation Trust Fund; amending s. 443.211, F.S.; eliminating the liability on the Treasurer's and Insurance Commissioner's official bond for duties in connection with the Employment Security Administration Trust Fund; amending s. 523.22, F.S.; eliminating the requirement that the Legislature provide for premiums for the bonds of all naval store inspectors; amending ss. 561.051, 570.073, 570.09, 570.11, 582.055, F.S.; eliminating bond requirements for the director and employees of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation and for certain employees of the Department of Agriculture and Consumer Services; repealing s. 17.01, F.S., which requires the Comptroller to give a bond; repealing s. 17.19, F.S., which requires the Comptroller to annually examine the bonds of state officers and report insufficiency of bonds to the Governor; requiring the Governor to require a new bond; holding the Comptroller liable to the state for any loss sustained due to failure to examine the bonds; providing for recovery of loss by suit; repealing s. 113.05, F.S., which prohibits the Governor from issuing commissions to persons required by law to give bond until the execution, approval, and filing of the bond; repealing s. 137.06, F.S., which provides that the failure of a county officer to file a new bond is misfeasance, requires the Governor to suspend the officer and appoint a successor, and makes an officer impeachable for failure to give a new bond; repealing s. 137.07, F.S., which provides liability of the Comptroller and county commissioners to the state and county for failure to perform duties under s. 17.19 or s. 137.05, F.S.; repealing s. 213.04, F.S., which requires the executive director of the Department of Revenue to give a bond; repealing s. 229.501, F.S., which requires the Commissioner of Education to give a bond; repealing s. 281.09, F.S., which requires bonding for the officers and agents of the Division of Capitol Police; repealing s. 321.08, F.S., which requires certain officers and employees of the Department of Highway Safety and Motor Vehicles to give a bond; repealing s. 523.11, F.S., which requires the supervising inspector of naval stores to give a bond; providing applicability; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Burt, **SB 268** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Bankhead	Brown-Waite	Campbell	Childers
Bronson	Burt	Casas	Clary

Cowin	Hargrett	Latvala	Scott
Crist	Harris	Lee	Silver
Dantzler	Holzendorf	McKay	Sullivan
Diaz-Balart	Jenne	Meadows	Thomas
Dudley	Jones	Myers	Turner
Dyer	Klein	Ostalkiewicz	Williams
Forman	Kurth	Rossin	

Nays—None

Vote after roll call:

Yea—Madam President, Grant, Kirkpatrick

**CS for HB 107**—A bill to be entitled An act relating to environmental control; repealing s. 403.708(3) and (10)(b), F.S., relating to the sale of containers connected to other containers by a separate holding device composed of plastic rings and to the prohibition on the sale of certain biodegradable products used in conjunction with food for human consumption; providing an effective date.

—was read the third time by title.

On motions by Senator McKay, **CS for HB 107** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jenne	Ostalkiewicz
Bronson	Diaz-Balart	Jones	Rossin
Brown-Waite	Dudley	Kirkpatrick	Scott
Burt	Dyer	Klein	Silver
Campbell	Forman	Kurth	Thomas
Casas	Grant	Latvala	Turner
Childers	Hargrett	Lee	Williams
Clary	Harris	McKay	
Cowin	Holzendorf	Meadows	
Crist	Horne	Myers	

Nays—None

Vote after roll call:

Yea—Madam President, Sullivan

**CS for HB 57**—A bill to be entitled An act relating to environmental protection; amending s. 253.03, F.S.; prohibiting the control, regulation, permitting, or imposition of charges on certain severed materials; amending s. 369.20, F.S.; authorizing certain riparian owners to remove aquatic plants without certain permits under certain circumstances; exempting certain permits from certain water pollution operation permit requirements; amending s. 403.813, F.S.; exempting installation and repair of certain piers and docking facilities from certain permitting requirements; providing that certain environmental permits are not required for maintenance dredging of certain portions of natural water bodies within approved rights-of-way or drainage easements; providing limitations; specifying activities for which certain permits are not required under certain circumstances; prohibiting the Department of Environmental Protection from adopting certain rules; providing an effective date.

—was read the third time by title.

On motions by Senator Bronson, **CS for HB 57** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Bankhead	Childers	Diaz-Balart	Harris
Bronson	Clary	Dudley	Holzendorf
Brown-Waite	Cowin	Dyer	Horne
Campbell	Crist	Forman	Jones
Casas	Dantzler	Grant	Kirkpatrick

Klein	McKay	Rossin	Thomas
Kurth	Meadows	Scott	Turner
Latvala	Myers	Silver	Williams
Lee	Ostalkiewicz	Sullivan	

Nays—None

Vote after roll call:

Yea—Madam President, Hargrett

**SB 52**—A bill to be entitled An act relating to asbestos removal programs; amending s. 376.60, F.S.; providing for the Department of Environmental Protection to reimburse local governments that have been approved to conduct asbestos removal programs under certain circumstances; removing fees for inspection of residential dwellings; exempting specified persons from the fees; prohibiting local governments from charging certain fees while being reimbursed by the department; providing an appropriation; providing an effective date.

—was read the third time by title.

On motions by Senator Rossin, **SB 52** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Bankhead	Dantzler	Jones	Ostalkiewicz
Bronson	Diaz-Balart	Kirkpatrick	Rossin
Brown-Waite	Dudley	Klein	Scott
Campbell	Dyer	Kurth	Silver
Casas	Forman	Latvala	Sullivan
Childers	Grant	Lee	Thomas
Clary	Harris	McKay	Turner
Cowin	Holzendorf	Meadows	Williams
Crist	Jenne	Myers	

Nays—None

Vote after roll call:

Yea—Madam President, Hargrett

**CS for SB 360**—A bill to be entitled An act relating to the Coastal Zone Protection Act of 1985; amending s. 161.54, F.S.; redefining the term “substantial improvement”; providing an effective date.

—was read the third time by title.

On motions by Senator Brown-Waite, **CS for SB 360** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

Bankhead	Diaz-Balart	Klein	Scott
Bronson	Dudley	Kurth	Silver
Brown-Waite	Dyer	Latvala	Sullivan
Campbell	Forman	Lee	Thomas
Casas	Grant	McKay	Turner
Childers	Harris	Meadows	Williams
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	
Dantzler	Jones	Rossin	

Nays—None

Vote after roll call:

Yea—Madam President, Clary

**SB 1104**—A bill to be entitled An act relating to citrus canker; amending s. 602.065, F.S.; revising disposition of funds received from the Federal Government for eradication of citrus canker; providing an effective date.

—was read the third time by title.

On motions by Senator Dantzler, **SB 1104** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Bankhead	Dantzler	Jenne	Myers
Bronson	Diaz-Balart	Jones	Ostalkiewicz
Brown-Waite	Dudley	Kirkpatrick	Rossin
Campbell	Dyer	Klein	Scott
Casas	Forman	Kurth	Silver
Childers	Grant	Latvala	Sullivan
Clary	Hargrett	Lee	Thomas
Cowin	Harris	McKay	Turner
Crist	Holzendorf	Meadows	Williams

Nays—None

Vote after roll call:

Yea—Madam President

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**CS for SB's 530 and 848**—A bill to be entitled An act relating to breast cancer treatment; amending s. 627.6417, F.S.; requiring certain health insurance policies to provide coverage for breast reconstructive surgery and prosthetic devices; creating s. 627.64171, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.64172, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6419, F.S.; including insureds who have been free from breast cancer for a period of time in the coverage requirements; prohibiting an insurer from denying, canceling, or failing to renew a health or accident insurance policy or exclude coverage or benefits under certain conditions; amending s. 627.651, F.S.; applying certain requirements for group coverage to multiple-employer welfare arrangements; amending s. 627.6515, F.S.; applying certain requirements for group coverage to out-of-state groups; amending s. 627.6612, F.S.; requiring certain health insurance policies to provide coverage for breast reconstructive surgery and prosthetic devices; creating s. 627.66121, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by insurers; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; creating s. 627.66122, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 627.6699, F.S.; applying certain requirements for group coverage to coverage for small employers; creating s. 641.31096, F.S.; providing requirements with respect to followup care; providing for a determination of a preexisting condition; amending s. 641.31, F.S.; providing for length of stay and followup care for persons who have a mastectomy; prohibiting certain acts by health maintenance organizations; providing that the act does not require a hospital stay; providing for cost-sharing; limiting the application of the law; providing exceptions; requiring health maintenance organization contracts to provide coverage for breast reconstructive surgery and prosthetic devices; providing a statement that the act fulfills an important state interest; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Scott, **CS for SB's 530 and 848** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Clary	Forman	Kirkpatrick
Bronson	Cowin	Grant	Klein
Brown-Waite	Crist	Hargrett	Kurth
Burt	Dantzler	Harris	Latvala
Campbell	Diaz-Balart	Holzendorf	Lee
Casas	Dudley	Jenne	McKay
Childers	Dyer	Jones	Meadows

Myers	Scott	Sullivan	Turner
Ostalkiewicz	Silver	Thomas	Williams

Rossin

Nays—None

Vote after roll call:

Yea—Madam President

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**HB 555**—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.171, F.S.; including Collier, Flagler, and Hernando counties within a list of counties excluded from the provisions of the Water and Wastewater System Regulatory Law; providing an effective date.

—was read the third time by title.

On motions by Senator Brown-Waite, **HB 555** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jones	Rossin
Bronson	Diaz-Balart	Kirkpatrick	Scott
Brown-Waite	Dudley	Klein	Silver
Burt	Dyer	Kurth	Sullivan
Campbell	Forman	Latvala	Thomas
Casas	Grant	Lee	Turner
Childers	Hargrett	McKay	Williams
Clary	Harris	Meadows	
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Madam President

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**CS for SB 558**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.081, F.S.; requiring the Public Service Commission to extend time periods and reschedule events by the number of days a utility is late in providing discovery; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Cowin, **CS for SB 558** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jones	Rossin
Bronson	Diaz-Balart	Kirkpatrick	Scott
Brown-Waite	Dudley	Klein	Silver
Burt	Dyer	Kurth	Sullivan
Campbell	Forman	Latvala	Thomas
Casas	Grant	Lee	Turner
Childers	Hargrett	McKay	Williams
Clary	Harris	Meadows	
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Madam President

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**CS for SB 270**—A bill to be entitled An act relating to clinical laboratory personnel; amending s. 408.033, F.S.; providing an exemption from certain health care facilities assessments for clinical laboratories operated by practitioners for exclusive use; amending s. 483.035, F.S.; requiring the Agency for Health Care Administration to adopt rules relating

to personnel of such laboratories; amending s. 483.061, F.S.; authorizing the agency to perform on-site or off-site inspections; amending s. 483.172, F.S.; providing for expiration of the agency's authority to collect a fee from certain laboratories; amending ss. 483.801, 483.813, F.S.; providing for an exemption from regulation for certain practitioners and persons employed by certain laboratories; amending s. 483.803, F.S.; revising the definition of "clinical laboratory personnel"; amending s. 483.811, F.S.; providing application of regulatory provisions to certain clinical laboratories; creating s. 483.824, F.S.; providing qualifications of a clinical laboratory director; providing an effective date.

—as amended April 9 was read the third time by title.

On motions by Senator Myers, **CS for SB 270** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jones	Rossin
Bronson	Diaz-Balart	Kirkpatrick	Scott
Brown-Waite	Dudley	Klein	Silver
Burt	Dyer	Kurth	Sullivan
Campbell	Forman	Latvala	Thomas
Casas	Grant	Lee	Turner
Childers	Hargrett	McKay	Williams
Clary	Harris	Meadows	
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Madam President

The Senate resumed consideration of—

**CS for SB 1160**—A bill to be entitled An act relating to historic preservation boards; repealing parts II, V, VI, VII and VIII of chapter 266, F.S.; eliminating the Historic St. Augustine Preservation Board of Trustees, the Historic Florida Keys Preservation Board of Trustees, the Historic Palm Beach County Preservation Board of Trustees, and the Historic Tampa-Hillsborough Preservation Board of Trustees; redesignating part III of chapter 266, F.S., the Historic Pensacola Preservation Board of Trustees as part II of said chapter; redesignating part IV of ch. 266, F.S., the Historic Tallahassee Preservation Board of Trustees, as part III of that chapter; amending s. 267.061, F.S., relating to state policy and responsibilities with respect to historic properties; providing that the Division of Historical Resources of the Department of State shall establish regional offices for the purpose of assisting in the delivery of historic preservation services; providing locations at which regional offices are to be established; providing for the establishment of citizen support organizations; requiring the Department of State to contract with the City of St. Augustine for the management of state-owned properties managed by the Historic St. Augustine Preservation Board of Trustees; providing for use of proceeds from management of state-owned properties by the City of St. Augustine; providing for the transfer of specified funds to the City of St. Augustine; providing for transfer of ownership and responsibility of specified items to assist in the transition of the management of state-owned properties; requiring the Department of State to contract with specified nonprofit corporations for the purpose of continuing work performed by specified historic preservation boards; providing for use of proceeds from the management of state-owned properties by such corporations; providing for the transfer of specified funds to such corporations; providing specified requirements in the contracts; providing legislative intent with respect to the 1997-1998 General Appropriations Act; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 3** by Senator Williams was adopted by two-thirds vote.

Senator Williams moved the following amendment which was adopted by two-thirds vote:

**Amendment 5 (with title amendment)**—On page 6, between lines 3 and 4, insert:

Section 11. Subsection (1) of section 266.0013, Florida Statutes, is amended to read:

266.0013 Board; membership; terms of office; compensation; expenses; bond; removal.—

(1) The board consists of seven members appointed by the Governor and confirmed by the Senate. The Governor shall appoint members to 4-year terms which run from July 1 through June 30. The appointments must be confirmed by the Senate in the following legislative session. ~~A member may only be appointed to two terms.~~

(Renumber subsequent sections.)

And the title is amended as follows:

On page 2, line 16, after the semicolon (;) insert: amending s. 266.0013, F.S.; removing term limits for members of the Historic Pensacola Preservation Board of Trustees;

On motions by Senator Williams, **CS for SB 1160** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Bankhead	Crist	Holzendorf	Meadows
Bronson	Dantzler	Jenne	Myers
Brown-Waite	Diaz-Balart	Jones	Ostalkiewicz
Burt	Dudley	Kirkpatrick	Rossin
Campbell	Dyer	Klein	Scott
Casas	Forman	Kurth	Silver
Childers	Grant	Latvala	Thomas
Clary	Hargrett	Lee	Turner
Cowin	Harris	McKay	Williams

Nays—None

Vote after roll call:

Yea—Madam President, Sullivan

**SB 486**—A bill to be entitled An act relating to assistive technology devices; creating part III of chapter 427, F.S.; creating the "Assistive Technology Device Warranty Act"; providing definitions; requiring an express warranty for manufacturers who sell assistive technology devices; requiring refund, replacement, or repair of nonconforming assistive technology devices; requiring disclosure of reasons for return before resale or re-lease; allowing consumers the option of submitting disputes to arbitration; permitting action for damages for violation of the act; providing an effective date.

—was read the third time by title.

On motions by Senator Forman, **SB 486** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jones	Rossin
Bronson	Diaz-Balart	Kirkpatrick	Scott
Brown-Waite	Dudley	Klein	Silver
Burt	Dyer	Kurth	Sullivan
Campbell	Forman	Latvala	Thomas
Casas	Grant	Lee	Turner
Childers	Hargrett	McKay	Williams
Clary	Harris	Meadows	
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Madam President

**CS for HB 541**—A bill to be entitled An act relating to the management and regulation of financial institutions; amending s. 280.02, F.S.;

revising a definition; amending s. 655.005, F.S.; revising definitions; amending s. 655.0322, F.S.; applying prohibited acts and practices provisions to state or federal savings banks; providing penalties; amending s. 655.045, F.S.; deleting a report requirement; amending s. 655.41, F.S.; revising a definition; amending s. 655.414, F.S.; requiring approval by the Department of Banking and Finance for a financial entity to acquire certain financial entities; providing for a nonrefundable filing fee; deleting a requirement to file a separate application for each branch office; amending s. 658.21, F.S.; revising criteria for approval of applications; amending s. 658.23, F.S.; clarifying information required in articles of incorporation; amending s. 658.26, F.S.; providing for approval of a branch application under certain circumstances; revising provisions providing for relocation of certain offices in this state; providing a definition; amending s. 658.295, F.S.; revising certain acquisition criteria; deleting an obsolete provision; amending s. 658.2953, F.S.; correcting a threshold date reference; deleting certain requirements for notice of establishment and maintenance of a branch in this state by an out-of-state bank; revising certain filing requirements and trust powers; amending s. 658.73, F.S.; revising application fee provisions; providing for partial refund under certain circumstances; amending s. 663.06, F.S.; providing for indefinite operation of an international banking corporation; deleting temporary operation provisions; amending s. 663.12, F.S.; clarifying certain filing fee provisions; creating ss. 667.001-667.013, F.S.; providing a short title; providing definitions; providing applicability; providing for a name; providing for reorganization, merger, or consolidation; providing for conversion of certain banks or associations to capital stock savings banks; providing requirements; imposing a fee; providing powers and duties of the department under certain circumstances; providing for acquisition of assets or control of savings banks; providing criteria and requirements; specifying powers of savings banks; providing for loans and loan expenses; providing for dealing with successors in interest; providing for foreign savings banks; amending s. 737.101, F.S.; clarifying application of principal place of administration provisions to certain trusts; exempting certain financial institutions resulting from an interstate merger transaction from certain prohibitions; providing for future repeal; repealing s. 658.295(6)(e), F.S., relating to certain notice of acquisitions; providing effective dates.

—as amended April 9 was read the third time by title.

On motions by Senator Scott, **CS for HB 541** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Bankhead	Dantzler	Jones	Rossin
Bronson	Diaz-Balart	Kirkpatrick	Scott
Brown-Waite	Dudley	Klein	Silver
Burt	Dyer	Kurth	Sullivan
Campbell	Forman	Latvala	Thomas
Casas	Grant	Lee	Turner
Childers	Hargrett	McKay	Williams
Clary	Harris	Meadows	
Cowin	Holzendorf	Myers	
Crist	Jenne	Ostalkiewicz	

Nays—None

Vote after roll call:

Yea—Madam President

**SB 406**—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.0605, F.S.; providing a fee for a saltwater fishing license for fishing from any pier attached to the land at the discretion of the owner, operator, or custodian of the pier; providing an effective date.

—was read the third time by title.

On motions by Senator Dudley, **SB 406** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Bankhead	Brown-Waite	Campbell	Childers
Bronson	Burt	Casas	Clary

Cowin	Grant	Klein	Ostalkiewicz
Crist	Hargrett	Kurth	Rossin
Dantzler	Harris	Latvala	Scott
Diaz-Balart	Holzendorf	Lee	Silver
Dudley	Jenne	McKay	Thomas
Dyer	Jones	Meadows	Turner
Forman	Kirkpatrick	Myers	Williams

Nays—None

Vote after roll call:

Yea—Madam President, Sullivan

**SPECIAL ORDER CALENDAR**

On motion by Senator Latvala—

**CS for SB 800**—A bill to be entitled An act relating to retail installment sales; amending s. 520.35, F.S.; specifying conditions under which retail revolving accounts are considered to be signed or accepted; specifying that the seller has the burden of proving authorized use; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 800** was placed on the calendar of Bills on Third Reading.

On motion by Senator Kirkpatrick—

**SB 128**—A bill to be entitled An act relating to education; requiring the Department of Children and Family Services and the Department of Education to develop minimum performance standards for all early education and care programs that serve children from birth through 5 years of age; requiring those departments to submit a joint report to the Legislature by October 1, 1997, presenting the performance standards and recommending funding procedures; providing an effective date.

—was read the second time by title.

The Committee on Children, Families and Seniors recommended the following amendments which were moved by Senator Kirkpatrick and adopted:

**Amendment 1**—On page 1, lines 21 and 22, delete “handicapped program” and insert: *program for children with disabilities*

**Amendment 2**—On page 1, line 22, before the period (.) insert: *, but does not include family day care homes until one year after other program recommendations are made and implemented*

**Amendment 3**—On page 2, line 15 through page 3, line 14, delete those lines and insert:

(c) *Specifying the federal waivers that are necessary, and which the departments are pursuing, to achieve the provisions of this section and to accomplish the foregoing recommendations.*

(d) *Providing sanctions for each school district and each service district in the Department of Children and Family Services for programs specified in subsection (1) if there is not an established plan toward meeting the minimum set of performance standards and if there is not measurable progress toward meeting the standards.*

(e) *Proposing procedures to develop a local plan to assist each school district in meeting the first state education goal, readiness to start school. The procedures must provide guidelines to enable each school board and the health and human services board for the service area of the school district to develop and jointly approve a plan that includes:*

1. *A method to implement the performance standards for early childhood programs developed by the Department of Education and the Department of Children and Family Services; and*

2. *A report of the number of 4-year-old children in the school district who are eligible for a publicly supported preschool program and a schedule for serving all eligible 4-year-old children in programs of quality by the 2000-2001 school year.*

Senator Grant offered the following amendment which was moved by Senator Kirkpatrick and adopted:

**Amendment 4 (with title amendment)**—On page 3, delete line 15 and insert:

Section 2. Effective June 1, 1999, paragraph (b) of subsection (1) of section 232.01, Florida Statutes, is amended to read:

232.01 Regular school attendance required between ages of 6 and 16; permitted at age of 5; exceptions.—

(1)

(b) Any child who has attained the age of 6 years on or before ~~August 1 September 1~~ of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before ~~August 1 September 1~~ and has satisfactorily completed the requirements for kindergarten in a nonpublic school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's pupil progression plan. However, nothing in this section shall authorize the state or any school district to oversee or exercise control over the curricula or academic programs of nonpublic schools.

Section 3. Effective June 1, 2000, paragraph (b) of subsection (1) of section 232.01, Florida Statutes, as amended by section 1 of this act, is amended to read:

232.01 Regular school attendance required between ages of 6 and 16; permitted at age of 5; exceptions.—

(1)

(b) Any child who has attained the age of 6 years on or before ~~July 1 August 1~~ of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before ~~July 1 August 1~~ and has satisfactorily completed the requirements for kindergarten in a nonpublic school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's pupil progression plan. However, nothing in this section shall authorize the state or any school district to oversee or exercise control over the curricula or academic programs of nonpublic schools.

Section 4. Effective June 1, 2001, paragraph (b) of subsection (1) of section 232.01, Florida Statutes, as amended by section 2 of this act, is amended to read:

232.01 Regular school attendance required between ages of 6 and 16; permitted at age of 5; exceptions.—

(1)

(b) Any child who has attained the age of 6 years on or before ~~June 1 July 1~~ of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before ~~June 1 July 1~~ and has satisfactorily completed the requirements for kindergarten in a nonpublic school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's pupil progression plan. However, nothing in this section shall authorize the state or any school district to oversee or exercise control over the curricula or academic programs of nonpublic schools.

Section 5. Section 232.04, Florida Statutes, is amended to read:

232.04 In kindergartens.—~~For the 1983-1984 school year and thereafter,~~ Children who will have attained the age of 5 years on or before ~~the date prescribed in this section during September 1~~ of the school year shall be eligible for admission to public kindergartens during that school year under rules prescribed by the school board. *For the school year 1998, the child must have attained the age of 5 years on or before August 1, 1998. For the school year 1999, the child must have attained the age of 5 years on or before July 1, 1999. For the school year 2000 and thereafter, the child must have attained the age of 5 years on or before June 1 of the school year.*

Section 6. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, line 11, after the semicolon (;) insert: amending s. 232.01, F.S.; revising the age at which students must begin school; amending s. 232.04, F.S.; revising the age at which students must begin kindergarten;

Pursuant to Rule 4.19, **SB 128** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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Consideration of **SB 72** was deferred.

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**THE PRESIDENT PRESIDING**

**REPORTS OF COMMITTEES**

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1022, SB 1822, SB 2086

**The bills with committee substitutes attached were referred to the Committee on Children, Families and Seniors under the original reference.**

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The Committee on Community Affairs recommends a committee substitute for the following: SB 1842

**The bill with committee substitute attached was referred to the Committee on Commerce and Economic Opportunities under the original reference.**

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The Committee on Transportation recommends committee substitutes for the following: SB 1568, SB 2310

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

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 1020

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

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The Committee on Community Affairs recommends committee substitutes for the following: SB 1248, SB 2068

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

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The Committee on Education recommends a committee substitute for the following: SB 2194

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

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The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 2044

The Committee on Criminal Justice recommends committee substitutes for the following: SB 570, SB 1930

The Committee on Education recommends committee substitutes for the following: SB 1404, SB 1638, SB 1728, SB 2224

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: CS for SB 514, SB 1068, CS for SB's 2028 and 394

The Committee on Health Care recommends committee substitutes for the following: SB 598, SB 1132

**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 920

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

The Committee on Education recommends a committee substitute for the following: SB 1900

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 1322, SB 1396

The Committee on Health Care recommends a committee substitute for the following: CS for SB 364

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committees on Health Care; Banking and Insurance; and Senator Brown-Waite—

**CS for CS for SB 364**—A bill to be entitled An act relating to the confidentiality of information obtained by the Agency for Health Care Administration and the Department of Insurance; amending s. 408.7056, F.S.; exempting from the public records law information that identifies a subscriber, or the spouse, relative, or guardian of a subscriber, who has filed a grievance under the Statewide Provider and Subscriber Assistance Program; exempting from the public records law information that constitutes a trade secret or that relates to internal risk management programs and which is contained in a document reviewed by the review panel or obtained by the Agency for Health Care Administration or the Department of Insurance; exempting from the public meetings law and public records law a meeting or document, or portion thereof, that specifically discloses personal and sensitive information regarding a subscriber's medical treatment or medical history, trade secrets, or internal risk-management information; providing for future legislative repeal and review; providing a finding of public necessity; providing a contingent effective date.

By the Committees on Governmental Reform and Oversight; Criminal Justice; and Senators Burt, Horne, Gutman and Brown-Waite—

**CS for CS for SB 514**—A bill to be entitled An act relating to the release of public records information regarding criminal offenders; creating the "Public Safety Information Act"; amending s. 775.21, F.S.; revising registration requirements for sexual predators; requiring a sexual predator to register at a driver's license office of the Department of Highway Safety and Motor Vehicles following a change in permanent or temporary residence and obtain a driver's license or identification card; requiring that a sexual predator renew such license or identification card; providing a penalty; creating s. 943.046, F.S.; authorizing a state or local law enforcement agency to release to the public criminal offender information that is not exempt from public disclosure under the public records law; providing immunity from civil liability for a law enforcement agency and its personnel in releasing such information; creating s. 943.043, F.S.; requiring the Department of Law Enforcement to provide a toll-free telephone number for public access to information regarding sex offenders; requiring that the department provide to the public upon request a copy of the photograph of a sex offender or sexual predator and a summary of information that is publicly available; providing

immunity from civil liability for the department and its personnel in reporting information; providing that the department and its personnel are presumed to have acted in good faith; creating s. 943.0435, F.S.; providing definitions; requiring sex offenders to report their current place of permanent or temporary residence to the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles within a specified time and upon moving to a new place of residence; providing procedures for reporting; providing a penalty for failing to report as required; providing immunity from civil liability for the Department of Law Enforcement, the Department of Highway Safety and Motor Vehicles, the Department of Corrections, and the personnel of those departments in compiling, recording, and reporting information regarding sex offenders; providing that those departments and the personnel of those departments are presumed to have acted in good faith; creating s. 944.607, F.S.; requiring that the Department of Corrections provide information to the Department of Law Enforcement on sex offenders who are in the custody or control of, or under the supervision of, the Department of Corrections or the custody of a private correctional facility on or after a specified date; providing immunity from civil liability for the Department of Corrections and its personnel in compiling, recording, and reporting information regarding sex offenders; providing that the department and its personnel are presumed to have acted in good faith; amending ss. 944.605, 947.177, F.S.; revising requirements for the Department of Corrections, the Control Release Authority, and the Parole Commission with respect to notifying judges and law enforcement agencies of the anticipated release of an inmate; requiring that a digitized photograph be made of the inmate; requiring that this information be provided to the Department of Law Enforcement; amending s. 944.606, F.S., relating to the release of information regarding certain sex offenders by the Department of Corrections; requiring that this information be provided to the Department of Law Enforcement; providing that the release of such information does not constitute unauthorized public disclosure under the Florida Sexual Predators Act; amending s. 948.06, F.S.; requiring state and local law enforcement agencies to verify if a person under investigation or under arrest for certain sexual offenses is on probation, community control, parole, conditional release, or control release; requiring the law enforcement agency to notify the person's probation officer or release supervisor of the investigation or the arrest; amending s. 921.0012, F.S.; ranking under the sentencing guidelines the offenses of failure to register, including failure to renew a driver's license or identification card, and failure of sex offenders to comply with reporting requirements; amending s. 921.0017, F.S., relating to credit upon recommitment of an offender serving a split sentence; conforming a cross-reference to changes made by the act; requiring the court, at the time of sentencing, to note on the judgment if the victim is a minor and provide such information to the Department of Law Enforcement; providing an effective date.

By the Committee on Criminal Justice and Senator Clary—

**CS for SB 570**—A bill to be entitled An act relating to the Department of Juvenile Justice; amending s. 39.024, F.S.; changing the membership of the Juvenile Justice Standards and Training Commission to include contract providers and a representative of the business community; defining the term "sexual misconduct"; providing that it is a second-degree felony for an employee to engage in sexual misconduct with a juvenile offender detained or supervised by the department; providing certain exceptions; prohibiting the employment of any person who has engaged in sexual misconduct with a juvenile offender; requiring an employee who witnesses sexual misconduct, or who has reason to suspect that sexual misconduct has been committed, to report such incident to the inspector general, facility superintendent, and district juvenile justice manager; providing that it is a first-degree misdemeanor to fail to make a report as required or to submit inaccurate or untruthful information; providing that it is a third-degree felony to coerce or threaten another person to alter testimony or a report with respect to an incident of sexual misconduct; prohibiting the introduction, removal, or possession of contraband articles on the grounds of a juvenile detention facility or other commitment program; specifying articles that are contraband; providing penalties; providing an effective date.

By the Committee on Health Care and Senator Casas—

**CS for SB 598**—A bill to be entitled An act relating to foreign-trained physicians; creating s. 458.3124, F.S.; providing for certain foreign-

trained and licensed physicians to take certain licensure examinations; providing restrictions and establishing fees; restricting the practice of such persons; providing for eligibility for full licensure; providing for the adoption of rules; providing an effective date.

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

**CS for SB 920**—A bill to be entitled An act relating to warranty companies; amending s. 634.011, F.S.; redefining the term “motor vehicle” with respect to motor vehicle service agreement companies; amending s. 634.121, F.S.; prescribing the time period within which a consumer may transfer the agreement; amending s. 634.301, F.S.; providing a definition; amending s. 634.312, F.S.; providing for a required element relating to assignability in home warranty contracts; creating s. 634.331, F.S.; providing that a home warranty may provide coverage of residential property listed for sale prior to the sale of such property under certain circumstances; amending s. 634.406, F.S.; revising language with respect to financial requirements; providing an effective date.

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By the Committee on Criminal Justice and Senator Brown-Waite—

**CS for SB 1020**—A bill to be entitled An act relating to juvenile sex offenders; amending ss. 39.045, 39.411, F.S.; requiring the Department of Juvenile Justice and the Department of Children and Family Services to seek a court order to notify the school superintendent of any child who has a known history of predatory sexual behavior or who is an adjudicated juvenile sexual offender; providing that it is a second-degree misdemeanor for a school district employee to disclose such information to an unauthorized person; providing an effective date.

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By the Committee on Criminal Justice and Senator Klein—

**CS for SB 1022**—A bill to be entitled An act relating to juvenile and criminal justice; amending s. 39.0145, F.S., relating to punishment of a delinquent child for contempt of court and alternative sanctions; removing certain time limitations upon placement of a delinquent child held in contempt in a secure detention facility or secure residential commitment facility; amending s. 39.025, F.S., relating to district juvenile justice boards; conforming provisions to reflect the creation of the Department of Children and Family Services; requiring that specified entities participate in the interagency agreement developed by the county juvenile justice council; specifying information to be included in the agreement; clarifying the minimum requirements to be included in an application for a community juvenile justice partnership grant; revising requirements for application for a community juvenile justice partnership grant to remove requirement for participation of the Department of Health and Rehabilitative Services; amending s. 39.044, F.S., relating to detention; providing for continued detention of a child who has failed to appear in court on two separate occasions on the same case; providing that cause for a continuance shall be found under certain circumstances and, under those circumstances, the 72-hour hearing requirement will not apply until a child has been detained for more than 45 days; reenacting ss. 39.038(4), 39.042(2)(b), 39.0445, 39.049(5), 39.064(1), 790.22(8), relating to release or delivery from custody, use of detention, juvenile domestic violence offenders, release or delivery from custody, process and service, detention of furloughed or escaped child, and weapons or firearms offenses by minors to incorporate said amendment in references; amending s. 39.0471, F.S.; authorizing establishment of truancy programs by juvenile justice assessment centers; defining “truant student” to include enrolled students between 6 years of age and 18 years of age; amending s. 230.23161, F.S., relating to educational services in Department of Juvenile Justice programs; providing a maximum limitation on administrative costs under certain contracts by school districts for such programs; amending s. 806.13, F.S., relating to criminal mischief; redefining first degree misdemeanor criminal mischief offense to include damage to property greater than \$200 but less than \$500, and providing penalties therefor; redefining third degree felony criminal mischief to include certain damages of \$500 or greater, and providing penalties therefor; amending s. 921.0012, F.S., relating to the sentencing guidelines offense penalties, to conform a cross-reference; amending s. 812.014, F.S., relating to theft; providing second-degree felony penalties for a person who commits grand theft of a motor vehicle and who has previously been convicted two or more times of motor vehicle theft;

reenacting ss. 39.052(3)(a) and 538.23(2), F.S., relating to transfer of a child for prosecution and offenses by secondary metal recyclers, to incorporate said amendment in references; requiring cooperative agreements between the Department of Juvenile Justice and the Department of Children and Family Services for the provision of mental health and substance abuse treatment services to youth in the juvenile justice system; requiring the Office of Program Policy Analysis and Government Accountability to conduct a performance review of the provision of mental health and substance abuse treatment services to youth in the juvenile justice system; requiring a report; amending s. 39.069, F.S.; providing for appeal by the state of an order denying restitution, under certain circumstances when the order affects a party to a case involving delinquency; providing effective dates.

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

**CS for SB 1068**—A bill to be entitled An act relating to retirement; providing future periodic open enrollment periods for state retirees who want to obtain health coverage; providing conditions; providing eligibility; providing an effective date.

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By the Committee on Health Care and Senator Casas—

**CS for SB 1132**—A bill to be entitled An act relating to foreign-licensed physicians; amending s. 498.3115, F.S.; revising requirements for the availability of examinations administered to certain foreign-licensed physicians; providing an effective date.

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By the Committee on Community Affairs and Senator Dudley—

**CS for SB 1248**—A bill to be entitled An act relating to firesafety; creating the Independent Special Fire Control District Act; prescribing uniform criteria for operation of independent special fire control districts; preempting certain special acts and general acts of local application; providing for the election of district boards of commissioners; providing for conformance by existing districts; authorizing certain exceptions; providing for officers of such boards; providing for commissioners’ compensation and expenses; requiring a bond; providing general and special powers of districts; exempting district assets and property from taxation; providing requirements and procedures for the levy of ad valorem taxes, non-ad valorem assessments, user charges, and impact fees; providing for referendum; providing for enforcement; providing requirements and procedures for issuance of bonds; providing for referendum; providing for organization of county fire chiefs; providing requirements for creation, expansion, and merger of such districts; amending s. 316.072, F.S.; providing penalties for failure to obey orders or directions of fire department members at the scene of rescue operations or other emergencies; requiring existing fire control districts to submit draft codified charters to the Legislature for codification; providing an effective date.

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By the Committee on Criminal Justice and Senator Burt—

**CS for SB 1282**—A bill to be entitled An act relating to imposition of adult sanctions upon children; amending s. 39.059, F.S., relating to community control or commitment of children prosecuted as adults; providing for the court to commit the child to the Department of Juvenile Justice for a treatment program until the child is age 21 or sooner if discharged by the department; removing a provision relating to court-ordered-plan of community control; providing for availability of presentence investigation report prior to the sentencing hearing and removing certain references to predisposition report and hearing; removing a requirement that a decision by the court to impose adult sanctions upon certain offenders must be in writing; providing for a presumption that the sentence imposing adult sanctions is appropriate; reenacting s. 39.052(3)(a), F.S., relating to transfer of a child for prosecution as an adult, to incorporate said amendment in references; providing an effective date.

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

**CS for SB 1322**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing exemptions from public records requirements for specified personal information relating to licensed and certified health care clinicians and certified educational personnel of the Department of Corrections and their spouses and children; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

**CS for SB 1396**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for a videotaped statement of a minor who is the victim of specified crimes involving sexual battery, lewd acts, or other sexual misconduct which statement reveals personal identifying information about the victim; authorizing access by a governmental agency; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Education and Senator Grant—

**CS for SB 1404**—A bill to be entitled An act relating to postsecondary education; requiring the Division of Community Colleges and the Department of Education to conduct a study; amending s. 229.551, F.S.; authorizing certain courses to be designated as upper-division and lower-division; 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; creating s. 232.2466, F.S.; providing requirements for a college-ready diploma program; requiring a task force to recommend incentives for pursuit of a college-ready diploma; amending s. 239.301, F.S.; deleting conflicting provisions; amending s. 240.1161, F.S.; requiring implementation strategies for reducing the incidence of postsecondary remediation; requiring an assessment of activities and the presentation of outcomes; providing for the promotion of “tech prep” activities; amending s. 240.107, F.S.; revising provisions relating to the college-level communication and computation skills examination; providing exemptions from a required test; 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. 240.117, F.S.; requiring the administration of the common placement test or an equivalent test during the tenth grade; requiring the administration of an institutionally developed test in lieu of the common placement test as an exit exam from remedial instruction; clarifying language regarding the offering of college-preparatory instruction; amending s. 240.319, F.S.; authorizing community colleges to adopt rules; amending s. 240.321, F.S.; applying entrance requirements to all degree programs; permitting a demonstration of competency as an alternative degree program admission requirement; providing an exemption from the testing requirement under certain circumstances; requiring the establishment of institutional policies regarding alternatives to traditional college-preparatory instructional methods; amending s. 240.404, F.S.; deleting a requirement for participation in a testing program; requiring achievement of certain academic requirements as a condition for receiving state student financial aid; deleting a requirement; amending s. 240.412, F.S.; amending s. 240.437, F.S.; deleting a CLAST requirement; providing an effective date.

By the Committee on Transportation and Senator Latvala—

**CS for SB 1568**—A bill to be entitled An act relating to traffic control; amending s. 316.003, F.S.; defining the term “traffic-infraction detector”; amending s. 316.008, F.S.; authorizing a county or municipality to enact an ordinance that provides for the use of a traffic-infraction detector to enforce traffic laws that require the driver of a vehicle to stop when facing a steady red traffic signal; providing for authorization of a traffic-infraction detector officer; requiring the Department of Transportation to develop standards for traffic-infraction detector officers; requiring public notice prior to the use of a traffic-infraction detector; providing for

fining; requiring that a person be required to attend a driver improvement course following a second violation of the ordinance; providing that an emergency medical transportation vehicle is exempt from the ordinance; providing for a portion of the proceeds of the fines imposed under the ordinance to be deposited into the Highway Safety Operating Trust Fund of the Department of Highway Safety and Motor Vehicles; providing for the remainder of the proceeds to be used to fund positions for law enforcement officers and correctional officers; amending s. 316.0745, F.S.; requiring that a traffic-infraction detector meet requirements established by the Department of Highway Safety and Motor Vehicles; providing for testing such detectors; creating s. 316.1971, F.S.; providing procedures for imposing a fine for violations of an ordinance that provides for the use of a traffic-infraction detector; providing a procedure under which the operator of a vehicle may establish that the vehicle was in the care, custody, or control of another person at the time of the violation; providing for the violation to be contested; providing that an image produced by a traffic-infraction detector is prima facie evidence that the violation occurred; amending s. 320.03, F.S.; requiring the tax collector to withhold issuing a license plate or revalidation sticker if a person's name appears on a list of outstanding fines; requiring that a county or municipality that operates a traffic-infraction detector report to the Department of Highway Safety and Motor Vehicles; providing for a summary of such reports to be submitted to the Governor and the Legislature; providing an effective date.

By the Committee on Education and Senators McKay, Horne, Grant, Ostalkiewicz, Bronson, Harris and Cowin—

**CS for SB 1638**—A bill to be entitled An act relating to education; creating a public-private partnership pilot program; providing intent and definitions; providing eligibility requirements for private schools, nonprofit organizations, and home education program parents; providing for flexibility in educating students; providing for payment of funds; requiring certain funds to be sent to a direct-support organization for specified use; providing student eligibility; providing for rules; requiring the Department of Education to establish a choice information center; requiring legislative review; requiring reports; providing for severability; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

**CS for SB 1728**—A bill to be entitled An act relating to military affairs; amending s. 250.10, F.S.; revising provisions relating to educational benefits for Florida National Guard members; authorizing payment of the full cost of tuition and fees by the Department of Military Affairs under certain circumstances; amending ss. 240.235 and 240.35, F.S.; conforming cross-references; providing an effective date.

By the Committee on Criminal Justice and Senators Cowin and Gutman—

**CS for SB 1822**—A bill to be entitled An act relating to juvenile justice; amending s. 39.01, F.S.; providing that the penalty imposed for the offense of escaping from a detention facility applies to a juvenile who escapes from a low-risk residential facility; amending s. 39.021, F.S.; revising requirements for the Department of Juvenile Justice and the Juvenile Justice Advisory Board with respect to reporting to the Legislature on the costs and benefits of the department's commitment programs; amending s. 39.037, F.S.; providing for a law enforcement officer to take a juvenile into custody if the officer has probable cause to believe that the juvenile is in violation of community control, furlough, or aftercare supervision; amending s. 39.042, F.S.; revising requirements for detaining a juvenile in secure detention if the juvenile is charged with domestic violence; amending s. 39.044, F.S.; authorizing the detention of a juvenile who is charged with a felony offense of domestic violence; providing for detaining a juvenile in a consequence unit if the juvenile violates the conditions of community control or aftercare supervision; amending s. 39.052, F.S.; providing for the transfer of pending cases when a juvenile is prosecuted as an adult; amending s. 39.054, F.S.; providing for disposition of a juvenile who has violated conditions of community control or aftercare; providing for a juvenile to be taken into custody; requiring a hearing; providing circumstances under which the court may place the juvenile in a consequence unit; providing additional

sanctions; authorizing the court to take further action if the restitution is not made; authorizing the court to order the juvenile's parent or guardian to make restitution if the parent or guardian failed to make a diligent and good-faith effort to prevent the juvenile from engaging in delinquent acts; amending s. 39.057, F.S.; clarifying the minimum period a juvenile who is committed to certain programs is required to participate in the boot camp component of the program; revising requirements for the department in evaluating boot camp programs; amending s. 39.059, F.S.; revising circumstances under which a juvenile may be prosecuted as an adult; prohibiting the court from imposing a combination of adult and juvenile sanctions against a juvenile; providing for the department to return a juvenile to the custody of the sentencing court if the department determines that the court has imposed sanctions that are unsuitable for the juvenile; providing for supervision by the department to terminate if a juvenile is sentenced as an adult; amending s. 39.076, F.S.; revising standards for screening department personnel; providing an effective date.

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By the Committee on Community Affairs and Senators Jones and Kurth—

**CS for SB 1842**—A bill to be entitled An act relating to community redevelopment; creating the urban development program; providing purpose; providing legislative intent; providing definitions; providing criteria for eligibility to be certified and funded as a tier I or tier II urban development project; providing duties and responsibilities of the Office of Tourism, Trade, and Economic Development; providing duties of community redevelopment agencies; providing requirements for the use of funds that are allocated to an urban development account in the Community Redevelopment Trust Fund; allowing the issuance of bonds; requiring local leveraging of urban development project funds in a specified ratio; providing factors that a community redevelopment agency may consider in selecting a project; requiring each community redevelopment agency that has a certified project to maintain certain records; requiring each such community redevelopment agency to submit an annual report, as specified, to the Office of Tourism, Trade, and Economic Development; amending s. 212.20, F.S.; providing for certain tax proceeds collected under part I of ch. 212, F.S., to be distributed monthly in specified amounts to community redevelopment areas; providing an effective date.

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By the Committee on Education and Senator Kirkpatrick—

**CS for SB 1900**—A bill to be entitled An act relating to school district improvement; amending s. 229.0535, F.S.; clarifying State Board of Education authority to enforce school and school district improvement; providing legislative intent that the State Board of Education and the school district work in partnership to achieve improvement; requiring consultation with the superintendent; expanding the authority of the state board to intervene in the operation of a district school system under described circumstances; providing for recommended actions and sanctions; requiring the state board to make specified recommendations; amending s. 230.23, F.S., to conform; providing an effective date.

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By the Committee on Criminal Justice and Senator Burt—

**CS for SB 1930**—A bill to be entitled An act relating to sex offenders; amending s. 947.1405, F.S.; clarifying legislative intent regarding sentences that are eligible for conditional release supervision; revising a provision that prohibits a sex offender from viewing, owning, or possessing certain materials; prohibiting a sex offender from possessing telephone, electronic media, or computer programs or services that are relevant to the offender's behavior pattern; requiring a sex offender whose crime was committed on or after a specified date to undergo polygraph examinations; requiring that such offender maintain a driving log and not drive a motor vehicle alone without prior approval; prohibiting such offender from obtaining or using a post office box without prior approval; amending s. 948.001, F.S.; defining the terms "sex offender probation" and "sex offender community control"; amending s. 948.03, F.S.; revising a provision that prohibits a sex offender from viewing, owning, or possessing certain materials; prohibiting a sex offender from possessing telephone, electronic media, or computer programs or services that are relevant to the offender's behavior pattern; requiring a sex offender

whose crime was committed on or after a specified date to undergo polygraph examinations; requiring that such offender maintain a driving log and not drive a motor vehicle alone without prior approval; prohibiting such offender from obtaining or using a post office box without prior approval; providing an effective date.

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By the Committees on Governmental Reform and Oversight; Transportation; and Senators Hargrett, Grant and Horne—

**CS for CS for SB's 2028 and 394**—A bill to be entitled An act relating to records of the Department of Highway Safety and Motor Vehicles; amending s. 119.07, F.S.; providing an exemption from public records requirements, upon request by the subject, for personal identifying information in motor vehicle records; authorizing disclosure for specified uses; authorizing disclosure for any use with the consent of the subject; authorizing disclosure to certain entities for resale or redisclosure to persons authorized to receive such information and providing requirements with respect thereto; authorizing certain resale or redisclosure by authorized recipients of such information and requiring such persons to maintain records; providing for fees; authorizing the department to impose conditions upon requests for disclosure; amending s. 319.17, F.S., relating to indexes and records of motor vehicles and mobile homes, s. 319.25, F.S., relating to title records, s. 320.05, F.S., relating to registration records, and s. 322.20, F.S., relating to driver's license records, to conform; providing a finding of public necessity; providing an effective date.

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By the Committees on Community Affairs, Agriculture and Senator Bronson—

**CS for CS for SB 2044**—A bill to be entitled An act relating to agriculture; amending s. 500.03, F.S.; providing definitions relating to food products; reenacting s. 500.04(4) and (6), F.S., relating to prohibited acts, to incorporate amendments to ss. 500.12 and 500.147, F.S., in references; amending s. 500.11, F.S., relating to misbranded food; clarifying provisions; adding bottled water requirements; amending s. 500.12, F.S., relating to food and building permits; including existing fees for permits for operating bottled water plants or packaged ice plants; providing requirements; reenacting s. 500.121(1), F.S., relating to disciplinary procedures, to incorporate amendments to s. 500.12, F.S., in a reference; amending s. 500.121, F.S.; providing for a fine for mislabeling; amending s. 500.147, F.S.; inserting inspection language for bottled water plants and packaged ice plants; amending s. 500.171, F.S.; revising provisions authorizing an injunction; reenacting s. 500.177(1), F.S.; providing a penalty; amending s. 500.459, F.S.; providing definitions relating to water vending machines and conforming a requirement to the State Plumbing Code; amending s. 500.511, F.S., relating to fees, enforcement, and preemption; conforming cross-references and deleting reference to certain water and ice operators and dealers; amending s. 526.3135, F.S.; clarifying who must compile a report; amending s. 531.44, F.S.; establishing authority to set procedures for verifying acceptable pricing practices; amending s. 531.50, F.S.; authorizing penalties for violation of provisions relating to weights and measures; providing for deposit of funds; amending s. 534.011, F.S.; providing for deposit of fees relating to the inspection and protection of livestock; amending s. 581.011, F.S.; revising the definition of the term "noxious weed"; amending s. 581.182, F.S.; renaming an advisory committee; repealing s. 3, ch. 92-153, Laws of Florida; abrogating the repeal of s. 581.186, F.S., relating to the Endangered Plant Advisory Council; amending s. 589.011, F.S.; authorizing the Division of Forestry to prohibit certain activities and providing penalties; authorizing leasing of property and structures to telecommunications providers; authorizing fees; creating ss. 589.012, 589.013, F.S.; establishing the Friends of Florida State Forests Program and authorizing the department to create a district support organization to assist the program; amending s. 590.01, F.S.; providing Division of Forestry responsibility for forest and wild land fire protection; amending s. 590.02, F.S.; clarifying that a specific appropriation is not needed to build certain structures; amending s. 590.026, F.S.; clarifying requirements for prescribed burning; amending s. 601.58, F.S.; revising procedures relating to approval of a citrus fruit dealer's license application; amending s. 601.60, F.S.; authorizing the department to issue a provisional license; amending s. 601.67, F.S.; authorizing a fine against a person who operates as a citrus fruit dealer without a license; amending s. 602.065, F.S.; revising provisions relating to the

deposit of certain funds for the eradication of citrus canker; amending s. 604.15, F.S.; revising the definition of the term "agricultural products"; repealing ss. 500.453, 500.455, 500.457, 500.509, F.S., relating to bottled water and packaged ice regulation; designating a state facility; providing an effective date.

By the Committee on Community Affairs and Senator Lee—

**CS for SB 2068**—A bill to be entitled An act relating to emergency medical services; amending ss. 365.171, 395.1027, F.S.; requiring a local governmental entity that operates a "911" emergency telephone system to enter into an agreement with the regional poison control center; requiring that the agreement include a protocol under which the poison control center is consulted with respect to each emergency call that involves exposure to a toxic substance; creating s. 365.172, F.S.; limiting the liability of persons and entities involved in the wireless provision of emergency "911" service; providing an effective date.

By the Committee on Criminal Justice and Senator Bankhead—

**CS for SB 2086**—A bill to be entitled An act relating to juvenile justice; creating chapter 985, F.S., relating to certain juvenile proceedings; creating s. 985.01, F.S.; providing purposes and intent; creating s. 985.02, F.S.; providing legislative intent for the juvenile justice system; creating s. 985.03, F.S.; providing definitions; renumbering and amending s. 39.045, F.S., relating to oaths, records, and confidential information; creating s. 985.05, F.S.; providing for court records; renumbering and amending s. 39.0573, F.S., relating to statewide information sharing; renumbering s. 39.0574, F.S., relating to school district and law enforcement information sharing; renumbering and amending s. 39.0585, F.S., relating to information systems; renumbering and amending s. 39.022, F.S., relating to court jurisdiction; renumbering and amending s. 39.014, F.S., relating to legal representation for delinquency cases; renumbering and amending s. 39.041, F.S., relating to the right to counsel; renumbering s. 39.0476, F.S., relating to powers with respect to certain children; creating s. 985.205, F.S.; providing that hearings are open to the public; renumbering and amending s. 39.0515, F.S., relating to rights of victims; renumbering and amending s. 39.037, F.S., relating to taking a child into custody; renumbering and amending s. 39.064, F.S., relating to detention of furloughed children or escapees; renumbering s. 39.0471, F.S., relating to juvenile justice assessment centers; renumbering and amending s. 39.047, F.S., relating to intake and case management; renumbering and amending s. 39.038, F.S., relating to release or delivery from custody; renumbering and amending s. 39.039, F.S., relating to fingerprinting and photographing a minor; renumbering and amending s. 39.042, F.S., relating to the use of detention; renumbering s. 39.043, F.S., relating to prohibited uses of detention; renumbering and amending s. 39.044, F.S., relating to detention; transferring and renumbering s. 39.0145, F.S., relating to punishment for contempt of court; renumbering and amending s. 39.0445, F.S., relating to juvenile domestic violence offenders; renumbering s. 39.048, F.S., relating to petitions for delinquency; renumbering and amending s. 39.049, F.S., relating to process and service; renumbering and amending s. 39.0495, F.S., relating to threatening or dismissing employees; renumbering s. 39.073, F.S., relating to court and witness fees; renumbering s. 39.051, F.S., relating to answers to petitions; renumbering and amending s. 39.0517, F.S., relating to incompetency in juvenile delinquency cases; renumbering and amending s. 39.046, F.S., relating to medical, psychiatric, psychological, substance abuse, and educational examinations and treatment; creating s. 985.225, F.S.; providing for indictment of a juvenile; providing for sentencing; creating s. 985.226, F.S.; providing criteria for waiver of juvenile court jurisdiction; creating s. 985.227, F.S.; providing for prosecution of juveniles as adults; creating s. 985.228, F.S.; providing for adjudicatory hearings, withheld adjudications, and orders of adjudication; creating s. 985.229, F.S.; providing for predisposition reports; creating s. 985.23, F.S.; providing for disposition hearings in delinquency cases; creating s. 985.231, F.S.; providing powers of disposition in delinquency cases; renumbering s. 39.078, F.S., relating to commitment forms; creating s. 985.233, F.S.; providing dispositional powers and procedures and alternatives for juveniles prosecuted as adults; renumbering s. 39.069, F.S., relating to appeals; renumbering s. 39.0711, F.S., relating to additional grounds for appeals by the state; renumbering s. 39.072, F.S., relating to orders or decisions when the state appeals; renumbering and amending s. 39.0255, F.S., relating to

civil citations; renumbering s. 39.019, F.S., relating to teen courts; renumbering and amending s. 39.0361, F.S., relating to the Neighborhood Restorative Justice Act; renumbering and amending s. 39.026, F.S., relating to community arbitration; renumbering and amending s. 39.055, F.S., relating to early delinquency intervention; renumbering s. 39.0475, F.S., relating to delinquency pretrial intervention; renumbering s. 39.0551, F.S., relating to juvenile assignment centers; renumbering s. 39.0571, F.S., relating to juvenile sexual offender commitment programs; renumbering and amending s. 39.057, F.S., relating to boot camps for children; renumbering and amending s. 39.058, F.S., relating to serious or habitual juvenile offenders; renumbering and amending s. 39.0582, F.S., relating to intensive residential treatment; renumbering and amending s. 39.0583, F.S., relating to intensive residential treatment programs; renumbering s. 39.0581, F.S., relating to maximum-risk residential programs; renumbering and amending s. 39.0584, F.S., relating to commitment programs for juvenile felony offenders; renumbering and amending s. 39.05841, F.S., relating to vocational work training programs; renumbering s. 39.067, F.S., relating to furlough and intensive aftercare; renumbering and amending s. 39.003, F.S., relating to the Juvenile Justice Advisory Board; renumbering s. 39.085, F.S., relating to the Alternative Education Institute; renumbering s. 39.0572, F.S., relating to the Task Force on Juvenile Sexual Offenders and their Victims; renumbering and amending s. 39.021, F.S., relating to administering the juvenile justice continuum; creating s. 985.405, F.S.; requiring the Department of Juvenile Justice to adopt rules; renumbering s. 39.024, F.S., relating to juvenile justice training academies, the Juvenile Justice Standards and Training Commission, and the Juvenile Justice Training Trust Fund; renumbering s. 39.076, F.S., relating to contracting and personnel; renumbering s. 39.075, F.S., relating to consultants; creating s. 985.409, F.S.; providing for participation in the Florida Casualty Insurance Risk Management Trust Fund; renumbering s. 39.074, F.S., relating to facilities siting; renumbering and amending s. 39.0215, F.S., relating to county and municipal delinquency programs and facilities; creating s. 985.412, F.S.; providing for quality assurance; renumbering and amending s. 39.025, F.S., relating to district juvenile justice boards; creating s. 985.414, F.S.; providing for county juvenile justice councils; creating s. 985.415, F.S.; providing for county juvenile justice partnership grants; creating s. 985.416, F.S.; providing for innovation zones; renumbering s. 39.062, F.S., relating to transferring children from the Department of Corrections to the Department of Juvenile Justice; renumbering s. 39.063, F.S., relating to transferring children to other treatment services; renumbering s. 39.065, F.S., relating to contracts for the transfer of children under federal custody; renumbering s. 39.51, F.S., relating to the Interstate Compact on Juveniles; renumbering s. 39.511, F.S., relating to execution of the compact; renumbering s. 39.512, F.S., relating to the juvenile compact administrator; renumbering s. 39.513, F.S., relating to supplementary agreements; renumbering s. 39.514, F.S., relating to financial arrangements; renumbering s. 39.515, F.S., relating to responsibility of state departments, agencies, and officers; renumbering s. 39.516, F.S., relating to additional procedures with respect to the compact; creating s. 984.01, F.S.; providing purposes and intent with respect to children and families in need of services; creating s. 984.02, F.S.; providing legislative intent; creating s. 984.03, F.S.; providing definitions; renumbering and amending s. 39.42, F.S., relating to children in need of services and families in need of services; renumbering and amending s. 39.015, F.S., relating to rules relating to habitual truants; renumbering and amending s. 39.4451, F.S., relating to oaths, records, and confidential information; renumbering s. 39.447, F.S., relating to appointed counsel; renumbering and amending s. 39.017, F.S., relating to attorney's fees; creating s. 984.09, F.S.; providing for punishment for contempt of court; renumbering and amending s. 39.423, F.S., relating to intake of children; renumbering and amending s. 39.424, F.S., relating to services to families in need of services; renumbering s. 39.426, F.S., relating to staffing for treatment and services to families in need of services; renumbering and amending s. 39.421, F.S., relating to taking certain children into custody; renumbering and amending s. 39.422, F.S., relating to shelter placement of certain children; renumbering and amending s. 39.436, F.S., relating to petitions for children in need of services; renumbering s. 39.437, F.S., relating to process and service; renumbering s. 39.438, F.S., relating to response to petition and representation of parties; renumbering s. 39.4431, F.S., relating to referral of children-in-need-of-services cases to mediation; renumbering and amending s. 39.446, F.S., relating to examination and treatment of certain children; renumbering s. 39.44, F.S., relating to hearings for children-in-need-of-services cases; renumbering s. 39.441, F.S., relating to orders of adjudication; renumbering and amending s. 39.442, F.S., relating to powers of disposition; renumbering s. 39.4375, F.S., relating to court and witness fees; renumbering s.

39.4441, F.S., relating to appeals; amending s. 39.01, F.S.; revising definitions applicable to ch. 39, F.S.; repealing ss. 39.0205, 39.0206, F.S., relating to a short title and a definition; renumbering s. 39.061, F.S., relating to escapes from detention or residential commitment facilities; repealing s. 39.419, F.S., relating to a definition; repealing ss. 39.027, 39.028, 39.029, 39.033, 39.034, 39.035, 39.036, F.S., relating to community arbitration, which provisions are otherwise incorporated into this act; repealing ss. 39.052, 39.053, 39.054, 39.059, F.S., relating to adjudicatory hearings, adjudication, powers of disposition, and community control or commitment of children prosecuted as adults, which provisions are otherwise incorporated into this act; repealing ss. 39.05842, 39.05843, 39.05844, 39.05845, F.S., relating to vocational/work programs, which provisions are otherwise incorporated into this act; repealing s. 39.056, F.S., relating to early delinquency intervention, which provision is otherwise incorporated into this act; amending s. 39.002, F.S.; providing legislative intent for the juvenile justice system; amending s. 39.012, F.S.; providing for the Department of Children and Family Services to adopt rules; designating and naming parts of ch. 985, F.S.; providing legislative intent with respect to other acts; providing an effective date.

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By the Committee on Education and Senator Horne—

**CS for SB 2194**—A bill to be entitled An act relating to Medicaid; amending s. 236.0812, F.S.; revising the school-based services that are eligible for Medicaid funds under the certified school match program; excluding certain services from the program; deleting certain requirements with respect to the deposit and allocation of federal Medicaid funds; amending s. 409.9071, F.S.; requiring the Agency for Health Care Administration to obtain certain federal waivers; revising requirements for school districts that receive Medicaid reimbursements under the program; requiring the Agency for Health Care Administration to review a school district before it enrolls in the program; requiring the agency to develop a reimbursement schedule; amending s. 409.908, F.S.; revising requirements for the Agency for Health Care Administration in reimbursing school districts for services provided under the program; providing that certain school district employees are exempt from agency requirements for background investigations; amending s. 409.9122, F.S.; providing requirements for managed-care plans with respect to executing agreements with school districts and county health departments; requiring the Agency for Health Care Administration and the Department of Education to develop certain procedures for providing services under the certified school match program; amending s. 409.9126, F.S., relating to the Children's Medical Services network; conforming provisions to changes made by the act; providing an effective date.

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By the Committee on Education and Senator Grant—

**CS for SB 2224**—A bill to be entitled An act relating to education; amending s. 240.36, F.S.; revising provisions relating to the Florida Academic Improvement Trust Fund for Community Colleges; providing an effective date.

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By the Committee on Transportation and Senator Hargrett—

**CS for SB 2310**—A bill to be entitled An act relating to the DUI Programs Coordination Trust Fund; amending s. 322.293, F.S.; providing for an offender security account; providing for assessments; providing an effective date.

**MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS**

The Governor advised that he had filed with the Secretary of State CS for SB 462 which became law without his signature on April 9, 1997.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**FIRST READING**

*The Honorable Toni Jennings, President*

I am directed to inform the Senate that the House of Representatives has passed HB 295, HB 421, HB 423, HB 429, HB 517, HB 519, HB 521, HB 567, HB 569, HB 593, HB 597, HB 621, HB 623; has passed as amended HB 425, HB 427, HB 515, HB 571, HB 619 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

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By Representative Gay—

**HB 295**—A bill to be entitled An act relating to Lee and Charlotte Counties; amending chapter 96-507, Laws of Florida, the Gasparilla Island Bridge Authority Act; revising the powers and duties of the authority to eliminate the requirement that electors authorize the maximum toll and maximum ad valorem tax in a single vote of the electors; eliminating the requirement that the proceeds of tolls and ad valorem taxes may only be used for certain purposes; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Representative Livingston and others—

**HB 421**—A bill to be entitled An act relating to the North Fort Myers Fire Control and Rescue Service District, Lee County, amending ch. 30925, Laws of Florida, 1955, as amended; providing for emergency medical and rescue response services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Livingston and others—

**HB 423**—A bill to be entitled An act relating to the Iona McGregor Fire Protection and Rescue Service District, Lee County; amending ch. 75-421, Laws of Florida, as amended; authorizing the board of the district to establish and maintain emergency and rescue response services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Livingston and others—

**HB 429**—A bill to be entitled An act relating to the Estero Fire Protection and Rescue Service District, Lee County; amending ch. 76-408, Laws of Florida, as amended; authorizing the district to establish and maintain emergency medical and rescue response services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Brown—

**HB 517**—A bill to be entitled An act relating to the Sarasota-Manatee Airport Authority; amending chapter 91-358, Laws of Florida; providing an alternate provision for runoff elections; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Representative Posey—

**HB 519**—A bill to be entitled An act relating to Indian River County; amending chapter 79-480, Laws of Florida; providing for certain restrictions on the harvesting of shellfish; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Jacobs—

**HB 521**—A bill to be entitled An act relating to the City of Delray Beach, Palm Beach County; amending chapter 25784, Laws of Florida, 1949, as amended, relating to the civil service act of the city; amending provisions relating to exclusion of certain employees; revising layoff and recall procedures; clarifying procedures relating to reductions in force due to a change in work; providing for return to a civil service position under certain circumstances; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Livingston and others—

**HB 567**—A bill to be entitled An act relating to the Sanibel Island Fire Control District, Lee County; amending ch. 30930, Laws of Florida, 1955, as amended; providing for the establishment and maintenance of emergency medical and advanced life support and rescue services; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Merchant—

**HB 569**—A bill to be entitled An act relating to Palm Beach County; amending ch. 93-367, Laws of Florida, as amended; revising provisions relating to employees of the Palm Beach County Sheriff; limiting benefits to employees beyond the rank of captain; deleting a provision which preserves current benefits when a new sheriff takes office; providing for construction; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Merchant—

**HB 593**—A bill to be entitled An act relating to Palm Beach County; amending s. 1 of ch. 59-994, Laws of Florida; providing for the annexation of lands into the Northern Palm Beach County Improvement District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Sanderson—

**HB 597**—A bill to be entitled An act relating to the Greater Boca Raton Beach Tax District, Palm Beach County; amending sections 1, 2,

and 7 of chapter 74-423, Laws of Florida, as amended, providing for a redesignation of the Greater Boca Raton Beach Tax District, compensation of commissioners, and purchases of supplies, equipment, and material; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Smith—

**HB 621**—A bill to be entitled An act relating to Putnam County; repealing chapter 71-884, Laws of Florida, relating to the Putnam County Nursing Home Authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Bainter—

**HB 623**—A bill to be entitled An act relating to Lake County; repealing subsection I of section 4 of chapter 95-508, Laws of Florida, relating to alternative revenue raising capabilities of the Board of Trustees of the North Lake County Hospital District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Livingston—

**HB 425**—A bill to be entitled An act relating to Lee County; amending chapter 76-414, Laws of Florida, as amended; authorizing the district to establish and maintain emergency medical services and acquire and maintain rescue, medical, and other emergency equipment; amending the date the board elects its officers; increasing the minimum rate of ad valorem taxes that may be levied to provide funds for the district; providing for a referendum; reporting the actions of the board and accounting of its funds in accordance with chapter 189, Florida Statutes; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Representative Livingston—

**HB 427**—A bill to be entitled An act relating to Lee County; amending chapter 76-411, Laws of Florida, as amended; amending the Enabling Act of the San Carlos Park Fire Protection and Rescue Service District; excluding certain lands within the district and revising powers of the board 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.

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By Representative Greene—

**HB 515**—A bill to be entitled An act relating to Pelican Lake Water Control District, Palm Beach County; amending chapter 77-625, Laws of Florida, as amended; providing that the Board of Supervisors shall be composed of three citizens of the United States who shall be resident freeholders of the State of Florida; repealing chapter 28417, Laws of Florida, 1953, which authorizes Pahokee Water Control District to provide water control to Pelican Lake Sub-Drainage District; amending chapter 26739, Laws of Florida, 1951, as amended; deleting land from Pelican Lake Water Control District and annexing land into Pahokee Water Control District; 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 Representative Frankel—

**HB 571**—A bill to be entitled An act relating to Indian Trail Water Control District, Palm Beach County; changing the name of the district to Indian Trail Improvement District; clarifying the district's authority to provide, finance, construct, operate, and maintain and include as a component of roads, bridges, parkways, and other elements; providing for adoption by resolution of rules and procedures for the letting of contracts; providing alternative methods to amend, modify, and change the district's water management plans; authorizing the district to accept for maintenance additional facilities; ratifying all existing water management plans as amended and constructed; providing an effective date.

Proof of publication of the required notice was attached.

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

By Representative Livingston—

**HB 619**—A bill to be entitled An act relating to the Matlacha and Pine Island Fire Control District, Lee County; repealing ss. 12, 13, 14, and 15 of ch. 63-1558, Laws of Florida, as amended, relating to emergency ambulance service, annual assessments therefor, adoption of fees or service charges, and requirement of a referendum election in order to dissolve the district; creating new ss. 12 and 13 of ch. 63-1558, Laws of

Florida, as amended; providing for emergency medical rescue response services; providing for the levying of taxes to support same; renumbering subsequent sections of ch. 63-1558, Laws of Florida, as amended; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

**ENROLLING REPORTS**

SB 68, CS for SB 160, CS for SB 284, CS for SB 290, SB 332 and CS for SB 778 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 10, 1997.

*Faye W. Blanton, Secretary*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 9 was corrected and approved.

**CO-SPONSORS**

Senators Bronson—CS for SB 396; Campbell—CS for SB 442; Casas—SB 738, SB 1552, SB 1554, SB 1576, CS for SB 1718; Grant—SB 2296; Myers—CS for SB 722, SB 1092; Turner—CS for SB 134

**RECESS**

On motion by Senator Bankhead, the Senate recessed at 3:35 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 4:15 p.m., Monday, April 14.