



Journal of the Senate

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ADOPTION OF RESOLUTIONS

At the request of Senator Lee—

By Senator Lee—

SR 2502—A resolution honoring the Brandon High School Eagles Wrestling Team for setting a new national record for consecutive dual-meet wins in American high school athletics.

WHEREAS, on January 17, 1997, the Brandon High School Eagles Wrestling Team defeated A.P. Leto High School by a score of 73-4, which was the 292nd straight dual-meet win for the team, and

WHEREAS, on January 18, 1997, the Brandon High School Eagles extended their streak to 293 straight dual-meet wins by defeating Chamberlain Senior High School by a score of 59-14, and

WHEREAS, the victory against A.P. Leto High School tied the national record held by the Amherst, New York Sweet Home High School volleyball team for most consecutive dual-meet wins by any high school team in the United States in any sport, and

WHEREAS, the victory against Chamberlain Senior High School established a new national record, removing Amherst's Sweet Home High School from the national record books, and

WHEREAS, the record had been set by Sweet Home High School over a nine-year period from 1978 to 1987, and

WHEREAS, Brandon High's record-setting streak began in January 1974 under Coach Jim Graves, who retired in 1980 with a record of 97 wins, 11 losses, and one tie, and has continued under the coaching of Russ Cozart, whose dual-meet record at Brandon is 218 wins and no losses, and

WHEREAS, the Brandon High School Eagles Wrestling Team won state titles in 1977, 1982, 1984, 1985, 1988, 1991, 1992, 1993, 1995, and 1997, and

WHEREAS, the accomplishments of the Brandon High School Eagles Wrestling Team is a source of pride for Brandon High School, for the members of the wrestling team from 1974 to present, for their families, for their community, and for the State of Florida, NOW, THEREFORE,

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

That the Senate congratulates and applauds the Brandon High School Eagles Wrestling Team, its coaches and wrestlers, for their outstanding achievements and in particular for establishing a new national record for consecutive dual-meet wins in American high school athletics.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Patrick Gregory, principal of Brandon High School, to Coach Russ Cozart, to Assistant Coach Bob Hendrickson, and to each of the following members of the Brandon High School Eagles Wrestling Team: Ben Bateman, John Brooks, Sean Carmody, Ryan Clark, Kervin Dinard, Juan Edwards, Wayne Giese, Will Hollingsworth, Josh Lambrecht, Zach Lambrecht, Mike Pucillo, Joel Tanaka, Richard Tiemann, Ben Valladares, and Claude Ware as a tangible token of the sentiments of the Florida Senate.

—**SR 2502** was introduced, read and adopted by publication.

CALL TO ORDER

The Senate was called to order by the President at 4:15 p.m. A quorum present—40:

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

Excused: Senator Lee at 5:07 p.m.

PRAYER

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

Lord, thank you for this priceless privilege of prayer. Today I have the distinct honor to pray for your elected leaders.

Lord, I pray that you would fortify their faith—let it be fervent, let it be felt; that you would fulfill the needs of their families, their family members, their finances and their friends; that you would assist them as they focus on the future—give them courage, give them compassion; that you would grant them the window of wisdom—you teach us to ask for wisdom, you trust us to appropriate wisdom; that you would provide them patience—when there is conflict, when there is cooperation; that you would multiply the money—let there be solid stewardship, let there be a sensitive spirit.

And, Lord, we thank you for your grace—for your sovereign grace, for your strengthening grace, for your saving grace, and for your sufficient grace.

For it is in your holy name, Yahweh and Jesus, I pray. Amen.

PLEDGE

Senate Pages, Scott Brannon of Freeport and Jennifer Wilson of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote **SB 864, SB 1470** and **SB 2272** were withdrawn from the Committee on Criminal Justice.

On motion by Senator Burt, by two-thirds vote **SB 1418** was withdrawn from the committees of reference and further consideration.

On motion by Senator Sullivan, by two-thirds vote **SB 946** and **SB 2342** were also referred to the Committee on Ways and Means; and **CS for SB 148, SB 162, CS for SB 176, CS for SB 250, CS for SB 362, CS for SB 490, CS for SB 570, CS for SB 650, CS for SB 872, CS for SB 948, SB 1028, CS for SB 1228, CS for SB 1288, SB 1320, CS for SB 1360** and **CS for CS for SB 2044** were withdrawn from the Committee on Ways and Means.

On motion by Senator Holzendorf, by two-thirds vote **SB 896, SB 942, SB 944, SB 1606, SB 1330** and **SB 668** were withdrawn from the committees of reference and further consideration.

CONSIDERATION OF BILLS ON THIRD READING

COMMUNICATION

*The Honorable Toni Jennings, President
The Florida Senate*

April 10, 1997

Dear Madam President:

In compliance with Article III, Section 19(d) of the Constitution and Joint Rule 2, copies of the engrossed Senate Appropriations Bills, **SB 2400** and **SB 2402** have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

Delivery was completed April 10, 1997 at 8:50 a.m., EDT.

Respectfully submitted,
Faye W. Blanton, Secretary

SB 2400—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1997, and ending June 30, 1998, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was taken up pending roll call, having been amended and read the third time on April 9. On motions by Senator Sullivan, **SB 2400** was read by title, passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—2

Ostalkiewicz	Turner
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SB 2402—A bill to be entitled An act relating to implementing the fiscal year 1997-1998 General Appropriations Act; providing legislative intent; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share

formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 1997-1998 for qualifying hospitals; amending s. 409.9116, F.S.; altering the formula for rural hospital disproportionate share payments; prohibiting the Agency for Health Care Administration from capitating health maintenance organizations for a specified period of time; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; directing the Departments of Children and Families and Juvenile Justice to conduct a study of certain funds as a state match for specified funds; requiring the Department of Children and Family Services, the Department of Health, and the Department of Juvenile Justice to use specified appropriations to conduct a study and develop recommendations for a district budget flexibility initiative; providing requirements for the study; requiring a report to the Governor and the Legislature; authorizing the Correctional Privatization Commission and the Department of Juvenile Justice to expend appropriated funds to defray impact costs of municipalities and counties associated with opening and operating a facility; amending s. 236.081, F.S., relating to the Florida Education Financing Program; authorizing funds to keep the district required local effort at a specified percentage of the district's total calculation; amending s. 240.605, F.S.; providing for funding of the Florida resident access grant in an amount specified in the General Appropriations Act; amending s. 15.09, F.S.; authorizing the appropriation of funds from the Public Access Data Systems Trust Fund for the operations of the Department of State; authorizing use of the Citrus Advertising Trust Fund; amending s. 253.783, F.S.; authorizing use of general revenue funds for repayment to Duval County; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing severability; providing an effective date.

—was taken up pending roll call, having been amended and read the third time on April 9. On motions by Senator Sullivan, **SB 2402** was read by title, passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—1

Turner

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 third time by title.

On motions by Senator Latvala, **CS for SB 800** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Childers	Forman	Jones
Bankhead	Clary	Grant	Kirkpatrick
Bronson	Cowin	Gutman	Klein
Brown-Waite	Crist	Harris	Kurth
Burt	Dantzler	Holzendorf	Latvala
Campbell	Dudley	Horne	Lee
Casas	Dyer	Jenne	McKay

Meadows	Rossin	Sullivan	Turner
Myers	Scott	Thomas	Williams
Ostalkiewicz	Silver		

Nays—None

Vote after roll call:

Yea—Diaz-Balart

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; 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; providing an effective date.

—as amended April 10 was read the third time by title.

On motions by Senator Kirkpatrick, **SB 128** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kurth

REPORTS OF COMMITTEES

The Committee on Natural Resources recommends the following pass: SB 768 with 1 amendment

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

The Committee on Education recommends the following pass: SB 1810, SB 1812

The bills were referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Regulated Industries recommends the following pass: SB 1964 with 3 amendments

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

The Committee on Natural Resources recommends the following pass: SB 712 with 1 amendment

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

The Committee on Education recommends the following pass: SB 2256

The Committee on Natural Resources recommends the following pass: SB 1038

The Committee on Regulated Industries recommends the following pass: SB 592 with 2 amendments

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

The Committee on Education recommends the following pass: SB 1684

The Committee on Judiciary recommends the following pass: CS for SB 724 with 4 amendments, SB 766

The Committee on Natural Resources recommends the following pass: CS for SB 1466 with 1 amendment

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

The Committee on Regulated Industries recommends a committee substitute for the following: Senate Bills 1216 and 2024

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

The Committee on Natural Resources recommends committee substitutes for the following: SB 1074, SB 1476, SB 2428

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

The Committee on Judiciary recommends a committee substitute for the following: Senate Bills 910, 302 and 2300

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1532

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 860

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2316

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

The Committee on Regulated Industries recommends a committee substitute for the following: Senate Bills 234 and 456

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1754

The Committee on Education recommends committee substitutes for the following: SB 1434, SB 1548, SB 1578

The Committee on Natural Resources recommends a committee substitute for the following: SB 1064

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 Judiciary recommends a committee substitute for the following: CS for SB 170

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1598

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Natural Resources recommends that the Senate confirm the appointments made by the Governor of Claudia Davenport and Ellin Goetz as members of the **Big Cypress Basin Board** for terms ending March 1, 1999; Earl S. Haugabook as a member of the **Alafia River Basin Board** for a term ending March 1, 1999; Lois J. Gaston and Calvin A. Kuenzel as members of the **Hillsborough River Basin Board** for terms ending March 1, 1999; John T. Hamner and Judith L. Jones as members of the **Manasota Basin Board** for terms ending March 1, 1998; Berryman T. Longino and Charles E. Williams as members of the **Manasota Basin Board** for terms ending March 1, 1999; Gwendolyn S. Tillotson and Janette Meredith Wester as members of the **Northwest Hillsborough County Basin Board** for terms ending March 1, 1999; William Keith Davis as a member of the **Peace River Basin Board** for a term ending March 1, 1999; Adelle L. Spigelman and Jay B. Starkey III as members of the **Pinellas-Anclote River Basin Board** for terms ending March 1, 1999; Eleanor Pat Dixon as a member of the **Withlacoochee River Basin Board** for a term ending March 1, 1998; and Julia Haile and Andrew W. Lee as members of the **Withlacoochee River Basin Board** for terms ending March 1, 1999.

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Dyer—

SB 2468—A bill to be entitled An act relating to dangerous dogs; amending s. 767.12, F.S.; revising procedures relating to the classification of dogs as dangerous; amending s. 767.12, F.S.; specifying circumstances under which a dog may not be destroyed; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Childers—

SB 2470—A bill to be entitled An act for the relief of David Kelley and the Estate of Alto Kelley; providing an appropriation as compensation for injuries and damages sustained as a result of the negligence of the Department of Transportation; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Forman—

SB 2472—A bill to be entitled An act relating to Broward County; providing for extending the corporate limits of the Cities of Pembroke Pines, Davie, Cooper City, and Weston; providing for annexation of the unincorporated areas known as "Southwest Ranches" and "Sunshine Ranches" and surrounding areas; providing for incorporation of a new municipality; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

SR 2474—Not referenced.

By Senator Gutman—

SB 2476—A bill to be entitled An act relating to the Dade County School Board; providing for the relief of Lazaro Gutierrez; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Dade County School Board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Turner—

SB 2478—A bill to be entitled An act relating to criminal sentencing; amending s. 39.052, F.S.; providing for a magistrate to hear evidence in cases in which a juvenile is certified by a state attorney to be tried as an adult; amending s. 921.0014, F.S.; providing for a reduction in points assessed for offenders who are juveniles under certain conditions; providing an effective date.

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

By Senator Gutman—

SB 2480—A bill to be entitled An act relating to public records and meetings exemptions; creating s. 631.8809, F.S.; providing an exemption from public records requirements for reports and recommendations regarding the insolvency or impairment of a workers' compensation insurer; providing a finding of public necessity; creating s. 631.8810, F.S.; providing an exemption from open public meetings requirements for negotiations between a workers' compensation insurer and the Florida Workers' Compensation Guaranty Association; providing a finding of public necessity; providing a contingent effective date.

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

SR 2482—Not referenced.

By Senator Dudley—

SB 2484—A bill to be entitled An act relating to Collier County; establishing and organizing a municipality to be known and designated as the City of Marco Island; defining territorial boundaries; providing for government, jurisdiction, elections, administrative code, procedure, powers, franchises, immunities, privileges, and means for exercising the same; prescribing the general powers to be exercised by said city; providing prohibitions; providing procedures for filling vacancies in office; providing for a city council, city manager, and city attorney; providing for an initial election; providing for ordinances; providing for budget adoption; providing for amendments to the city charter; providing for referendum petitions; providing severability; providing for dissolution of the Marco Island Fire Control District; providing for a referendum; provid-

ing a transition schedule; providing for county ordinances and services during transition period; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dudley—

SB 2486—A bill to be entitled An act relating to Collier County; to extinguish, because of nonuse, certain perimeter and bisecting easements within the Golden Gate Estates subdivisions; providing that all of such easements shall be extinguished and be void as of midnight, December 31, 1999, except to the extent that an easement, on or before December 31, 1999, is in actual use as a road, for drainage, or for utility facilities, and a proper notice of claim to the easement is recorded in the official records of Collier County, not later than December 31, 1999; providing that this act shall not modify any effect chapter 712, Florida Statutes, may have over easements; providing that this special act shall be published in a newspaper of general circulation prior to July 1, 1997, for the next 3 years; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Gutman—

SB 2488—A bill to be entitled An act relating to workers' compensation; creating s. 631.8811, F.S.; creating the Florida Workers' Compensation Guaranty Association Account; providing a contingent effective date.

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

By Senator Gutman—

SB 2490—A bill to be entitled An act relating to workers' compensation; amending s. 440.02, F.S.; redefining the terms "employee" and "catastrophic injury"; amending s. 440.05, F.S.; providing for an exemption; amending s. 440.09, F.S.; requiring findings by a psychiatrist for certain coverage; revising coverage for alcohol and drug-related injuries and for professional athletes; amending s. 440.10, F.S.; providing for employer and independent contractor liability; providing for a rate reduction on October 1, 1998, for construction industry codes; amending s. 440.13, F.S.; providing for medical treatment in a managed care arrangement; directing the adoption of guidelines for medical practice parameters; amending s. 440.134, F.S.; providing definitions for managed care arrangements; authorizing employers who self-insure to opt out of mandatory managed care arrangements; providing procedures for managed care arrangement grievances; authorizing the Agency for Health Care Administration to suspend an insurer under certain circumstances; amending s. 440.14, F.S.; revising the determination of average weekly wages and the applicability of attorney's fees; amending s. 440.15, F.S.; revising eligibility for permanent total disability, temporary total disability, and permanent impairment and wage-loss benefits; establishing a system for wage-loss benefits; revising compensation for temporary partial disability; amending s. 440.191, F.S.; requiring employees to provide additional notice when seeking benefits; requiring the Attorney General to provide legal representation for employees involved in small medical billing claims and disputed wage issues; amending s. 440.34, F.S.; providing standards and procedures for the award of attorney's fees; amending s. 440.49, F.S.; providing for reimbursement of claims from the Special Disability Trust Fund; extending the Special Disability Trust Fund assessment for another year; revising effective dates and providing for an election to withdraw from participation in the trust fund; amending s. 624.5094, F.S.; providing for the calculation of annual assessments for the trust fund; amending s. 625.031, F.S.; providing for assets not allowed in determining the financial condition of an insurer; amending s. 631.52, F.S.; eliminating workers' compensation insurance from the Florida Insurance Guaranty Association Act; creating ss. 631.830, 631.831, 631.832, 631.833, 631.834, 631.835, 631.836,

631.837, 631.838, 631.839, 631.840, 631.841, 631.842, 631.843, 631.844, 631.845, 631.846, 631.847, 631.848, 631.849, 631.8495, 631.850, 631.851, 631.852, 631.853, 631.854, 631.855, 631.856, 631.857, 631.858, 631.859, 631.860, 631.861, 631.862, 631.863, 631.864, 631.865, 631.866, 631.867, 631.868, 631.8685, 631.869, 631.870, 631.871, 631.872, 631.873, 631.874, 631.875, 631.876, 631.877, 631.878, 631.879, 631.880, 631.8801, 631.8802, 631.8803, 631.8804, 631.8805, 631.8806, 631.8807, 631.8808, 631.8812, 631.8814, F.S.; creating the Florida Workers' Compensation Insurance Guaranty Association Act; providing a title, purposes, and definitions; providing for commencement of delinquency proceedings; providing for automatic stay, relief from stay, injunctions, and reopening of default judgments; providing grounds for rehabilitation; providing for the appointment of a receiver; providing grounds for liquidation; providing grounds for conservation for foreign and alien workers' compensation insurers; providing grounds for ancillary liquidation; providing for the order of rehabilitation and termination; providing for the order of liquidation of insurers; providing for subordination of claims for noncooperation; providing for the conduct of delinquency proceedings; providing for intervention in proceedings; providing for the disposition of funds or other property in possession of a third person; providing for agents' balances, premiums, and unearned commissions; providing for claims of residents and nonresidents against insurers; providing for the filing and proof of claims; providing for special deposit and secured claims; providing for the allowance of claims; providing for attachment and garnishment of assets; providing standards and procedures for a receiver in facilitating the rehabilitation, liquidation, conservation, or dissolution of an insurer; providing for continuation of coverage; providing for voidable transfers and transfers prior to and after a petition; providing for the priority of distribution of claims; providing for medical and indemnity benefits; providing for attorney's fees; providing for offsets; providing for the assessment of assets; providing for notice of insolvency to policyholders; providing for seizure under order of the court, the department, or the association; providing for the cooperation of officers, employees, and independent contractors; providing for immunity; providing for use of marshaled assets; providing for the recovery of distributions made to an affiliate; creating the Florida Workers' Compensation Guaranty Association and the composition of its board of directors; providing for an organizational meeting of the association; providing for a plan of operations and the powers and duties of the association; providing for assessments to fund the association; requiring the Department of Insurance to examine records and supervise the operations of the association; providing for the effect of paid claims; providing for the prevention of insolvencies; providing for prohibitions against advertising; providing for liability of insurers for unpaid claims; amending s. 631.915, F.S.; redefining the term "covered claim" and providing for its retroactive application to pre-1994 claims; providing an effective date.

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

By Senators Kirkpatrick and Williams—

SB 2492—A bill to be entitled An act relating to the Alachua County School Board; amending s. 1, ch. 95-466, Laws of Florida; specifying an alternative method of qualification for candidates for election to the board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

Senate Resolutions 2494—2504—Not referenced.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Judiciary, Criminal Justice and Senator Gutman—

CS for CS for SB 170—A bill to be entitled An act relating to offenses involving intent to defraud persons who hire or lease personal property or equipment; amending s. 812.155, F.S., relating to the offenses of obtaining personal property or equipment by trick or false representation, hiring or leasing with intent to defraud, and failure to redeliver

hired or leased personal property; removing provisions relating to the inference of fraudulent intent for purposes of prosecution of such offenses; providing that certain acts involving obtaining equipment under false pretenses, absconding without payment, or removing or attempting to remove property without express written consent constitute prima facie evidence of such fraudulent intent; specifying circumstances under which failure upon demand to redeliver property or equipment constitutes such fraudulent intent; specifying circumstances under which failure upon demand to pay amounts due for the full rental period constitutes such fraudulent intent; providing an effective date.

By the Committee on Regulated Industries and Senators Gutman, Silver, Latvala, Forman, Myers, Klein and Sullivan—

CS for SB's 234 and 456—A bill to be entitled An act relating to the funding for beach management; amending s. 161.091, F.S.; requiring the Department of Environmental Protection to identify a dedicated revenue source for the beach management plan; providing an effective date.

By the Committee on Criminal Justice—

CS for SB 860—A bill to be entitled An act relating to criminal justice; amending s. 27.005, F.S.; providing definitions; amending s. 27.51, F.S.; clarifying the procedure by which the court may issue an order stating that a defendant will not be imprisoned if convicted; creating s. 27.512, F.S.; requiring the court to issue an order of no imprisonment in each case in which the defendant is not subject to imprisonment if convicted; prohibiting the court from appointing a public defender to represent the defendant following issuance of such an order; providing for the appointment of a public defender upon the withdrawal of an order of no imprisonment; amending s. 27.52, F.S.; providing for the court to appoint a conflict attorney to represent an indigent defendant if the public defender certifies that the defendant cannot be represented due to a conflict of interest or an excessive caseload; revising requirements for the court in determining whether a defendant is indigent; providing for the determination of indigency to be verified by an indigency examiner; requiring a defendant who claims indigency to pay an application fee; requiring the collecting entity to assign the first \$20 to the Crimes Compensation Trust Fund; authorizing the county to retain the remaining fee collected; deleting a provision that authorizes the court to find a defendant indigent but able to contribute; requiring that an indigent defendant agree to report any change in his or her financial situation; amending ss. 27.53, 925.036, F.S., relating to appointed counsel; prohibiting an attorney appointed to assist the public defender from reassigning the case to another attorney; amending s. 27.56, F.S.; providing for the application fee to be included in the judgment assessed against a defendant following conviction; deleting certain provisions that authorize a defendant to execute a lien upon real or personal property as security for payment of fees and costs; amending s. 27.562, F.S.; providing for the disposition of fees and costs collected from a defendant; amending s. 215.22, F.S.; providing that funds in the Indigent Criminal Defense Trust Fund are exempt from certain deductions; amending s. 948.03, F.S.; providing for payment of the indigency application fee to be a condition of probation or community control; amending s. 925.037, F.S.; providing meeting requirements for the circuit conflict committee; amending s. 948.08, F.S.; revising criteria under which an offender may be admitted to a pretrial intervention program; prohibiting the appointment of a public defender to represent an offender released to a pretrial intervention program; requiring the Justice Administrative Commission to submit certain reports to the Legislature to assist the Legislature in determining the fiscal effect of certain revisions in the law for establishing the indigency of defendants; providing an effective date.

By the Committee on Judiciary and Senators Dudley, Harris and Campbell—

CS for SB's 910, 302 and 2300—A bill to be entitled An act relating to protection against domestic violence; amending s. 28.241, F.S.; limiting certain fees for injunctions relating to domestic violence; amending s. 44.102, F.S.; providing that a case is not referable to family mediation if the court finds there has been a history of domestic violence; amending s. 61.13, F.S., relating to child custody and support; providing for creation of a rebuttable presumption of detriment to a child upon evidence

of a parent's conviction of a felony involving domestic violence; providing for evidence of domestic violence or child abuse to be considered by the court as evidence of detriment to the child; providing for consideration of false allegations of domestic violence or child abuse in custody proceedings; amending s. 741.28, F.S.; redefining "domestic violence" to include kidnapping and false imprisonment and other specified criminal offenses resulting in physical injury or death of one family or household member by another; amending s. 741.30, F.S.; providing for court orders to protect the children of the domestic violence victim's minor children; revising the period during which injunctive relief remains effective; providing for motion to modify or dissolve injunction by either party; providing for indication of specified information on the face of a temporary or final judgment for protection against domestic violence; prescribing conditions under which persons may present evidence or recommendations; providing for information through the clerk of the court; specifying information to be included in the petition for injunction for protection from domestic violence; providing certain procedures after granting an ex parte injunction; requiring the court to provide respondents with a list of counseling, treatment, batterers' intervention programs; requiring the court administrator to maintain a registry of program providers; providing for petitioners to be ordered to counseling; providing for petitioners to be provided a list of counseling programs; providing for payment of a petitioner's counseling; limiting total charges for issuing or serving injunctions or restraining orders relating to domestic violence; amending s. 741.31, F.S.; defining the offense of willfully violating a foreign protection order accorded full faith and credit by specified acts; providing penalties; creating s. 741.315, F.S.; requiring that an injunction for protection against domestic violence issued by a "court of a foreign state," as defined, be accorded full faith and credit; providing exceptions; providing for availability of a registration procedure to protected persons; providing duties of the Florida Department of Law Enforcement and sheriffs and other local law enforcement officers with respect to registration and enforcement of foreign protection order; providing certain immunity from civil and criminal liability to law enforcement officer and officer's employing agency; defining the offense of intentionally providing a law enforcement officer with a copy of protection order known to be invalid or denying having been served with protection order when served; providing penalties; amending s. 784.046, F.S., relating to action by victim of repeat violence for protective injunction; providing certain immunity from civil and criminal liability to law enforcement officer and officer's employing agency; revising period of duration of injunctive relief; amending s. 784.047, F.S., relating to penalties for violating protective injunction against repeat violators; defining offenses of willfully violating a foreign protection order accorded full faith and credit by committing specified acts; providing penalties; amending s. 901.15, F.S., relating to circumstances when arrest by officer without warrant is lawful; providing conforming terminology and cross references; providing certain immunity from civil liability to law enforcement officer; providing an effective date.

By the Committee on Natural Resources and Senator McKay—

CS for SB 1064—A bill to be entitled An act relating to dry cleaning solvent cleanup; amending s. 376.3078, F.S.; providing legislative intent; clarifying certain rehabilitation liability provisions; providing additional criteria for determining eligibility for rehabilitation; providing additional authority for the Department of Environmental Protection to consider certain information in determining rehabilitation eligibility; providing for continuing application of certain immunity for real property owners; amending s. 376.308, F.S.; protecting certain immunity for real property owners; amending s. 376.313, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Natural Resources and Senator Latvala—

CS for SB 1074—A bill to be entitled An act relating to water protection; amending s. 403.8532, F.S.; establishing drinking water and source water financial and technical assistance programs and providing for use of funds; providing for an Intended Use Plan; amending s. 403.860, F.S.; establishing an administrative fine for certain violations; creating s. 403.8615, F.S.; directing the Department of Environmental Protection to establish requirements for water systems commencing operation after October 1, 1999; creating ss. 403.865-403.876, F.S.; defining certain terms; requiring operators of water or wastewater treatment plants to

have an operator's license issued by the Department of Environmental Protection; allowing a utility to have more stringent requirements; authorizing the department to adopt rules; authorizing the secretary of the department to appoint the Technical Advisory Council for Water and Domestic Wastewater Operator Certification; authorizing the department to establish fees for applications, examinations, licensing and renewal, and record keeping; establishing grounds for disciplinary action; providing for a type two transfer of certain responsibilities of the Department of Professional Regulation to the Department of Environmental Protection; providing a grandfather clause for certified operators; amending s. 163.01, F.S.; providing for the development of facilities that serve members of interlocal agreements; amending s. 403.087, F.S.; increasing the term for which certain permits may be issued by the Department of Environmental Protection; providing for renewal of operation permits for domestic wastewater treatment facilities for up to a specified term under certain circumstances at the same fee; providing an exception; requiring the department to keep certain records; repealing ss. 468.540, 468.541, 468.542, 468.543, 468.544, 468.545, 468.546, 468.547, 468.548, 468.549, 468.550, 468.551, and 468.552, F.S., relating to water and wastewater operator certification by the Department of Business and Professional Regulation; amending s. 403.1835, F.S.; authorizing the Department of Environmental Protection to make grants to financially disadvantaged communities from certain loan repayment funds; providing for the deposit of funds into the Grants and Donations Trust Fund; providing an appropriation; providing an effective date.

By the Committee on Regulated Industries and Senators Silver, Guttman, Casas, Childers, Diaz-Balart, Grant, Turner and Bronson—

CS for SB's 1216 and 2024—A bill to be entitled An act relating to the Beverage Law; amending s. 561.24, F.S.; including manufacturers of wine within a group of manufacturers who may not be licensed as distributors or registered exporters; providing exceptions; creating s. 561.5101, F.S.; requiring all malt beverages brought into this state to come to rest at a wholesaler's licensed premises prior to sale; providing exceptions; providing penalties; amending s. 561.54, F.S.; providing for injunctive relief; providing for confiscation and destruction of certain alcoholic beverages; providing for treble damages; providing for costs and attorney's fees; creating s. 561.545, F.S.; providing legislative intent; prohibiting the direct shipment of alcoholic beverages to any person in the state other than a licensed manufacturer or wholesaler, registered exporter, or state bonded warehouse; providing penalties; providing an exception for sacramental alcoholic beverages; amending s. 561.68, F.S., relating to the licensure of salesmen of spirituous or vinous beverages; providing an exception; providing an effective date.

By the Committee on Education and Senator Dyer—

CS for SB 1434—A bill to be entitled An act relating to education finance; creating the "Capital Improvement Millage Reform Act"; amending s. 236.25, F.S., relating to district school tax; raising the maximum millage a school district may levy for capital outlay purposes; authorizing the use of additional funds for certain lease-purchase agreements by school districts with high student growth; defining high student growth and providing for calculation; providing an expenditure requirement; providing an effective date.

By the Committee on Natural Resources and Senator Williams—

CS for SB 1476—A bill to be entitled An act relating to air pollution; amending s. 403.0872, F.S.; providing procedures, timeframes, and revised requirements for major source air operation permits; amending s. 403.182, F.S.; providing that certain local rules do not apply to any facility permitted and under construction; providing an effective date.

By the Committee on Regulated Industries and Senator Holzendorf—

CS for SB 1532—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 455.213, F.S., relating to general licensing provisions; providing for direct payment of organization-related or vendor-related fees associated with the examination to the

organization or vendor; providing that passing a required examination does not entitle a person to licensure if the person is not otherwise qualified; amending s. 455.217, F.S., relating to examinations; authorizing the contracting for examinations and services related to examinations; providing requirements with respect to examinations developed by the department or a contracted vendor and to national examinations; amending s. 455.225, F.S.; providing that complaints or actions against unlicensed persons or persons operating outside their scope of practice are not confidential; amending s. 489.109, F.S.; revising language relating to fees applicable to regulation of construction contracting, to conform to changes authorizing contracted examinations; amending s. 489.111, F.S.; revising procedures for licensure by examination; amending s. 489.113, F.S.; authorizing a local construction regulation board to deny, suspend, or revoke the authority of a certified contractor to obtain a building permit or limit such authority to obtaining a permit or permits with specific conditions; providing for notices of noncompliance for minor violations of regulatory law; amending s. 489.114, F.S., relating to evidence of workers' compensation coverage; conforming terminology; amending s. 489.115, F.S.; providing for licensure by endorsement reciprocity with other jurisdictions; providing for rules covering requirements relating to the content of continuing education courses and standards for approval of continuing education providers; requiring submission of a credit report reflecting financial responsibility as a prerequisite to the initial issuance of a certificate; amending s. 489.119, F.S.; requiring business organizations other than sole proprietorships to secure a certificate of authority rather than registration or certification; amending s. 489.127, F.S., relating to prohibitions and penalties; including reference to certificates of authority; specifying that a local occupational license issued under authority of chapter 205, F.S., is not a license for purposes of part I of chapter 489, F.S., relating to construction contracting; amending s. 489.129, F.S., relating to disciplinary proceedings; including reference to certificates of authority; prohibiting issuance or renewal of licensure until restitution is paid in full, if restitution has been ordered, or until all terms and conditions of the final order have been satisfied; amending s. 489.131, F.S.; providing applicability of the part to the authority of local authorities to issue and the requirement of specified contractors to obtain local occupational license tax certificates; providing for payment of local bonds into the Construction Industry Recovery Fund; providing for issuance of notices of noncompliance for minor violations of regulatory law; amending s. 489.132, F.S., relating to prohibited acts by unlicensed principals; conforming terminology; creating s. 489.1455, F.S.; providing requirements for local reciprocity of licensed journeymen; providing for a fee; creating s. 489.146, F.S.; requiring privatization of services of the Department of Business and Professional Regulation; providing requirements and rulemaking authority for such purpose; creating s. 489.5335, F.S.; providing for reciprocity with respect to journeyman electricians; providing for a committee to study and report on the construction industry; providing effective dates.

By the Committee on Education and Senators Horne and Clary—

CS for SB 1548—A bill to be entitled An act relating to educational facilities and funding; amending s. 235.014, F.S.; revising functions of the Department of Education; amending s. 235.15, F.S.; requiring uniformity in surveys of educational facilities by district school boards, community college boards of trustees, and state universities; requiring validation by the Department of Education; amending s. 235.26, F.S.; specifying requirements of the State Uniform Building Code for Public Educational Facilities with regard to new school construction; amending s. 235.435, F.S.; providing criteria for recommending funding from the Special Facility Construction Account; restricting 3-year priority lists for capital outlay funding of community colleges and the State University System; exempting district school boards from local landscape ordinances; restricting the use of funds from the Public Education Capital Outlay Trust Fund and the School District and Community College District Capital Outlay and Debt Service Trust Fund for certain new construction; specifying duties of the Department of Education; authorizing a 1-year public-private partnership for the construction of public schools; providing for the allocation of available funds from the Public Education Capital Outlay and Debt Service Trust Fund to the school districts of Bay County, Palm Beach County, and Dade County; providing for distribution and use of funds; specifying duties of the Commissioner of Education; requiring the remittance of certain excess allocations; amending s. 236.25, F.S.; limiting the use of nonvoted discretionary capital outlay millage proceeds; providing a penalty for violations of

the expenditure restrictions; providing an exception to the expenditure restrictions; creating the Florida School Construction Commission to maintain oversight of public school construction; providing membership; providing duties; requiring school boards to provide information on construction projects to the commission for review; providing an exception; authorizing district school boards to pledge certain lottery moneys for the construction of neighborhood lottery schools; providing for notice and hearing; providing for issuing bonds; prescribing standards for neighborhood lottery schools; prescribing duties of the Division of Bond Finance and the Department of Education; amending s. 236.39, F.S.; providing an exemption from requirements for an election; requiring the Department of Education to recommend certain incentives; providing an effective date.

By the Committee on Education and Senator Grant—

CS for SB 1578—A bill to be entitled An act relating to charter schools; amending s. 228.056, F.S.; providing for the charter of a school-within-a-school; revising procedures for appeal to the State Board of Education; revising student eligibility criteria; revising reporting requirements; providing for waiver of certain statutes; providing for contracts for personnel services; revising leave procedures; providing for the distribution of funds; providing for the use of facilities and property of the sponsor; authorizing the Commissioner of Education to adopt rules; authorizing the creation of charter technical institutes; prescribing powers and duties of the Commissioner of Education, the Department of Education, the district school boards, and the Workforce Development Board of Enterprise Florida, Inc., with respect to charter technical institutes; prescribing powers and duties of charter technical institutes and their boards of trustees; providing for funding charter technical institutes; prescribing rights and duties of employees of charter technical institutes and of district school board employees working at charter technical institutes; providing for the resolution of complaints; providing for revocation of a charter; providing for rules; amending s. 121.021, F.S.; revising the definition of “covered group” within the Florida Retirement System to include charter technical institutes; amending s. 236.081, F.S.; providing for calculating changes in school district funding resulting from a drop in enrollment based on student transfers to a charter technical institute; providing an effective date.

By the Committee on Regulated Industries and Senators Kurth, Kirkpatrick, Meadows, Childers, Gutman, Myers, Forman, Diaz-Balart, Casas, Silver and Turner—

CS for SB 1598—A bill to be entitled An act relating to underground facility damage prevention and safety; amending s. 556.106, F.S.; providing that an excavator who excavates with hand tools is liable for any damage to an operator’s underground facilities which occurs during the excavation; amending s. 556.108, F.S.; revising exemptions to the requirement to give notice before excavating; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senator Harris—

CS for SB 1754—A bill to be entitled An act relating to international economic development; authorizing the Secretary of State to commission Florida international notaries; providing definitions; providing rule-making authority; authorizing the use of authentication methods by international notaries; providing for effect of acts of international notaries; providing for rulemaking; repealing ss. 118.01, 118.02, 118.03, 118.04, F.S., relating to commissioners of deeds; amending s. 15.182, F.S.; requiring certain state-funded musical, cultural, or artistic organizations to notify the Department of State of their international travel plans; directing the department, in conjunction with Enterprise Florida, Inc., to act as an intermediary between such organizations and Florida businesses; requiring the Department of Lottery to determine the feasibility of marketing the Florida Lottery internationally; amending s. 48.194, F.S., relating to personal service outside the state; specifying that service of process on persons outside the United States may be required to comply with a certain international convention; amending s. 288.012, F.S.; requiring Enterprise Florida, Inc., to develop a list of assigned duties and performance measures for foreign offices; requiring

that Enterprise Florida, Inc., address the performance of foreign offices in its annual report; amending s. 288.772, F.S.; revising the definition of the term “board” with respect to the Florida Export Finance Corporation; amending s. 288.775, F.S.; requiring the board of the Florida Export Finance Corporation to create the Florida Export Finance Corporation guarantee account; amending s. 288.776, F.S.; revising the membership of the board of the Florida Export Finance Corporation; providing for appointment of members to the board; amending s. 288.777, F.S.; revising provisions relating to the appointment of a president for the Florida Export Finance Corporation; directing the board of the corporation to appoint such president; amending s. 288.7771, F.S.; revising the deadline for submitting an annual report for the Florida Export Finance Corporation; amending s. 288.816, F.S.; revising the responsibilities of the Secretary of State with respect to intergovernmental relations; requiring law enforcement agencies to inform the Department of State about the arrest or incarceration of foreign citizens; requiring the secretary to report to the Legislature on actions taken to inform law enforcement agencies on proper procedures relating to such arrest or incarceration; amending s. 288.8175, F.S.; authorizing the Florida linkage institutes to accept and administer funds from the Department of State for research and development of international trade; creating s. 288.9415, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer funds for international trade promotion grants; providing application criteria for such grants; directing the International Trade and Economic Development Board of Enterprise Florida, Inc., to review such grant applications and make recommendations to the Office of Tourism, Trade, and Economic Development; authorizing Enterprise Florida, Inc., to establish a targeted market pilot grant program to provide funding designed to match Florida businesses with international trade opportunities; providing application procedures and criteria; amending s. 320.20, F.S.; providing for the Florida Seaport Transportation and Economic Development Program; amending s. 624.426, F.S.; exempting certain U.S. Customs surety bonds from the resident agent and counter-signature law; authorizing the Office of Tourism, Trade, and Economic Development to provide a grant to the Florida Association of Voluntary Agencies for Caribbean Action for maintaining an office in south Florida; providing for an appropriation to the Florida Export Finance Corporation; expressing legislative intent that the corporation reach administrative self-sufficiency; providing an effective date.

By the Committee on Regulated Industries and Senator Silver—

CS for SB 2316—A bill to be entitled An act relating to timeshare plans; amending s. 721.03, F.S.; revising provisions with respect to the scope of the chapter; providing for certain rules; amending s. 721.06, F.S.; revising provisions with respect to contracts for the purchase of timeshare periods; amending s. 721.07, F.S.; revising provisions with respect to public offering statements; providing a time period for amendments which add a new component site to an approved multisite timeshare plan; amending s. 721.075, F.S.; deleting provisions with respect to certain incidental benefits offered by a developer; amending s. 721.09, F.S.; revising provisions with respect to reservation agreements; providing for cancellation of such agreements under certain circumstances; amending s. 721.13, F.S.; revising provisions with respect to management; amending s. 721.15, F.S.; revising provisions with respect to assessments for common expenses; amending s. 721.18, F.S.; revising a time period with respect to the filing of certain information concerning exchange programs; amending s. 721.26, F.S.; authorizing the imposition of penalties with respect to certain rules; creating part III of chapter 721, F.S.; creating the “Timeshare Lien Foreclosure Act”; providing legislative purpose; providing definitions; providing qualifications of trustees and appointment of successor trustees; providing for disclosure and acknowledgment; providing for conditions to the exercise of the power of sale by a trustee; providing for the manner of delivery of notice of default and intent to sell; providing for notice of sale; providing for publication of notice of sale; providing for trustee’s certificate of compliance; providing for the manner of sale; providing for the effect of the trustee’s sale; providing for the issuance of a trustee’s deed; providing for the disposition of the proceeds of sale; providing for the form and effect of the trustee’s deed; providing for the application of the part; providing an effective date.

By the Committee on Natural Resources and Senators Diaz-Balart and Kirkpatrick—

CS for SB 2428—A bill to be entitled An act relating to environmental mitigation; creating s. 373.4139, F.S.; providing for mitigation for mining activities within the Dade County Lake Belt; providing for the imposition of a fee on mined limerock and sand; providing procedures; providing for transferring proceeds into the Mitigation Trust Fund administered by Dade County; providing for the Department of Revenue to administer fee collection; providing for rulemaking, forms, audit procedures, and assessment of delinquent fees; providing for adjusting fee rates; providing uses for the fee proceeds; providing for the approval of expenditures from the trust fund; providing that payment of the fee satisfies specified mitigation requirements; amending s. 373.414, F.S.; continuing an exemption from environmental resource permitting requirements for certain existing mines; amending s. 373.4149, F.S.; redesignating and amending the Dade County Lake Belt Plan, formerly known as the Northwest Dade County Freshwater Lake Plan; providing legislative intent; defining the boundaries of the Dade County Lake Belt Area; amending the membership of the implementation committee; revising deadlines; requiring a Phase II report; allowing certain state agencies to enter into agreements with private individuals and entities and with governmental agencies, as specified; deleting a requirement for studies; requiring state agencies to make certain lands available to the committee to be used for land exchanges under this act; creating s. 373.4415, F.S.; providing for the Department of Environmental Protection to delegate to Dade County authority to implement the permitting program for limerock mining in the Dade County Lake Belt; creating s. 378.4115, F.S.; providing for the Department of Environmental Protection to certify the Dade County Department of Environmental Resource Management to implement the reclamation program for limerock mining activities within the Dade County Lake Belt; providing restrictions; providing an effective date.

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 681, HB 835; has passed as amended CS for HB 387, CS for HB 493, HB 793; has adopted HM 1963 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Futch—

HB 681—A bill to be entitled An act relating to campaign financing; repealing ss. 106.30-106.36, F.S., the "Florida Election Campaign Financing Act"; amending ss. 99.092, 99.103, and 105.031, F.S.; eliminating the transfer of a portion of filing fees to the trust fund and reducing filing fees accordingly, to conform; amending s. 99.093, F.S.; eliminating the transfer of a portion of municipal election assessments to the trust fund and reducing the municipal election assessment accordingly, to conform; amending s. 102.112, F.S.; providing for deposit of fines assessed for late county election returns into general revenue rather than the trust fund, to conform; amending ss. 106.04 and 106.07, F.S.; providing for deposit of fines assessed for late campaign financing reports into general revenue rather than the trust fund, to conform; eliminating the separate reporting dates for candidates receiving contributions from the trust fund, to conform; amending s. 106.141, F.S.; eliminating deposit of surplus campaign funds into the trust fund, to conform; amending s. 106.22, F.S.; eliminating the required audits of campaign accounts of candidates receiving contributions from the trust fund, to conform; amending s. 106.265, F.S.; providing for deposit of civil penalties into general revenue instead of the trust fund, to conform; repealing ss. 199.052(14) and 320.02(13), F.S., and amending ss. 322.08, 327.25, and 607.1622, F.S., to eliminate provisions that authorize voluntary contributions to the trust fund, to conform; amending ss. 370.12, 732.9215, and 732.9216, F.S.; correcting cross references, to conform; providing an effective date.

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

By Representative Ziebarth and others—

HB 835—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.11, F.S.; authorizing, rather than requiring, taxpayers who are required to remit taxes by electronic funds transfer to make returns in a form initiated through an electronic data interchange; providing an effective date.

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

By the Committee on Water and Resource Management; and Representative Feeney—

CS for HB 387—A bill to be entitled An act relating to wildlife; creating s. 372.7015, F.S.; providing a fine for the illegal taking or killing of wildlife or game; providing for the disposition of the fine; creating s. 372.7016, F.S.; establishing a "Voluntary Authorized Hunter Identification Program"; providing that persons who hunt on private land enrolled in the program must have identification and authorization available while hunting when demanded by law enforcement officers; providing definitions; providing penalties for violations; amending s. 810.09, F.S.; providing that unauthorized persons shooting lethal projectiles across private land are guilty of trespassing; providing definitions; providing penalties; providing an effective date.

—was referred to the Committees on Natural Resources and Criminal Justice.

By the Committee on Governmental Operations and Representative Sindler—

CS for HB 493—A bill to be entitled An act relating to the confidentiality of information of the Florida Violent Crime Council; amending s. 943.031, F.S.; providing certain exemptions from public records and public meetings requirements with respect to the council; providing exemptions for portions of meetings at which certain confidential records are discussed and for portions of records generated at exempt portions of meetings; providing for future review and repeal; providing a finding of public necessity; providing that the council is a criminal justice agency for purposes of chapter 119, F.S., relating to public records; providing an effective date.

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

By Representative Thrasher—

HB 793—A bill to be entitled An act relating to mutual insurance holding companies; creating a new part III of chapter 628, F.S.; providing definitions; prohibiting certain stock transfers; providing application; providing for formation of mutual insurance holding companies; specifying requirements for a plan of reorganization; providing for a public hearing; prohibiting payment of dividends; providing for mergers and acquisitions of mutual insurance holding companies; providing for filing and amending articles of incorporation; providing for bylaws; providing for directors; requiring notice of a change in director; providing for membership; providing for distribution of a member's share upon liquidation; providing for applicability; providing for conversion of a mutual insurance holding company to a stock holding company; providing an effective date.

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

By Representative Garcia and others—

HM 1963—A memorial to the Congress of the United States, urging Congress to take immediate action to repeal new federal legislation which removes financial assistance to legal residents.

—was referred to the Committee on Rules and Calendar.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 10 was corrected and approved.

CO-SPONSORS

Senator McKay—CS for SB 586

RECESS

On motion by Senator Bankhead, the Senate recessed at 5:12 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 16.

SENATE PAGES

April 14-18

Megan Berrigan, Tallahassee; Christopher Bowden, Santa Rosa Beach; Scott Aaron Brannon, Freeport; Melbin Cannon, Tallahassee; Laura Kathryn Cotton, Tallahassee; Bryan Richard Dearolf, Tampa; Amanda Harkins, Orlando; Samantha Anne Karp, Sarasota; Zachariah (Zach) Kramer, Crawfordville; Jackie Reshard, Tallahassee; Emir Abraham Sirker, Homestead; Adam Stephens, Dade City; Brandy Sweeney, Oviedo; Tim Taylor, Tampa; Allison (Allie) VanLandingham, Quincy; Raymond Washington, Jr., Alachua; Jennifer Wilson, Tallahassee