



Journal of the Senate

Number 1—Regular Session

Tuesday, March 4, 1997

Beginning the Twenty-Ninth Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 4th of March, A.D., 1997, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

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CALL TO ORDER

The Senate was called to order by the President at 10:00 a.m. A quorum present—40:

Madam President	Crist	Holzendorf	Meadows
Bankhead	Dantzer	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

PRAYER

The following prayer was offered by Dr. William R. Bright, President, Campus Crusade for Christ, Orlando:

Our Holy Father, creator and Lord of the universe, we bow in reverence before you. We humbly acknowledge you, the God to whom our founding Fathers dedicated this great nation.

You honored the faith and dedication of these men of integrity and America became the most God-blessed nation in history. In your holy word, the Bible, you warned that if we turned away from worshiping you, the true God, that you would withdraw your blessings from us. In this very generation, we as a nation, have officially turned our backs on you. Now, we are experiencing the tragedy of reaping what we have sown.

You commanded us to "do unto others what we would have others do unto us"—to love you, our neighbors, even our enemies. We have ignored your word. You commanded us not to kill, yet we have murdered almost 40 million unborn babies. We are reaping a nation with an epidemic of drug addiction, an epidemic of alcoholism, an epidemic of crime, abortions, divorce, incurable diseases, racism—the list is endless.

You are our only hope. There is no one else to whom we can turn—yet, you have chosen to do your work through men and women—through leaders whom you have raised up to rule over us. To this end, Holy Father, I pray for each member of this august body of the Senate that they will be endowed with special wisdom, love and grace to help bring this great nation back into your loving embrace. That we may truly repent of our evil deeds and experience once again the blessing of heaven.

Thank you for this great country where we still enjoy the freedom to seek after you in different ways through various religions. I come to you, Father, and offer this prayer in the name that is more dear to me than my own life—your only Son, my Lord, Jesus Christ. Amen.

PLEDGE

Senate Pages, Joseph Brian Page of Keystone Heights and Carma Williams of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL GUESTS

The President introduced the following guests: Chief Justice Gerald Kogan, Justice Ben Overton, Justice Leander Shaw, Justice Stephen Grimes, Justice Major Harding, Justice Charles Wells and Justice Harry Anstead; Secretary of State, Sandra Mortham; Attorney General, Bob Butterworth; Comptroller, Bob Milligan; Commissioner of Agriculture, Bob Crawford; Commissioner of Education, Frank Brogan; former Senators, Congresswoman Carrie Meek and Malcolm Beard; and former Secretary of State, George Firestone.

The President recognized the following former Senate Presidents: Mallory Horne, 1972-74; Phil Lewis, 1978-80, and his wife, Maryellen; John Vogt, 1986-88, and his wife, Toni.

THE PRESIDENT'S ADDRESS

We are meeting at a time of relative prosperity. So, today, I ask you to plan for more than just 60 days of salvaging the status quo. Today, we must get a running start on the 21st Century.

With our perfect climate and robust economy, Florida should be the envy of other states. Florida should be one of the best places in the country not just to retire, but to start a business or raise a child.

We cannot guarantee everyone success. That era of big-brother government is over. It doesn't work. But in this chamber, in this year, we can talk about creating an environment for success—within our public schools, within our business community and within government itself.

So today, on this day of beginnings, I want to talk about an ending—a goal for the last day of this session. We must ask: What should Florida's citizens remember about this Legislature?

They should remember we were deliberative, that we thought about what we were doing—really thought about it—and that we finished the final day's work in time for families from Pensacola to Miami to talk about it over dinner that same night.

They should remember that we gave public schools every advantage private schools enjoy, that we decided to reward our best teachers and shed our worst, that we raised the standards of our high school graduates, that we began encouraging our college-bound students with more demanding diploma requirements, and that we worked to insure every youngster reads and computes at grade level before they are promoted.

They should remember that we eased the administrative burdens on school districts, that we encouraged parents to become more involved in their children's education, and that we began an effort to prevent overcrowding problems from standing in the way of first-rate schools or smaller class sizes.

They should remember we worked to insure this better-trained workforce had jobs—high-skill, high-wage jobs; jobs in rural areas; and jobs in inner-cities. Not government “make-work” jobs, but real ones—the kind they produce in the private sector.

They should remember we made government a little smarter, and a lot more worthy of their trust.

These are no small goals. Traveling through the state over the past several months, I have seen some inspiring examples of goal-setting—in business and in our public schools.

Yes, that's right: in the public schools.

For while we often talk about falling short statewide in education, what we too rarely mention are the public schools that should inspire us all—places like Azalea Elementary School in St. Petersburg, where teachers, administrators and even students set their own ambitious goals for learning.

Or Matthew Gilbert Middle School in Jacksonville, a target of Mayor John Delaney's “intensive care neighborhood” program that teaches students not just to be good employees, but good employers as well.

Or Orange Center Elementary School in Orlando, where principal Roy Brooks raised expectations for Orlando's inner-city students and teachers. The result: a 33% increase in reading scores and 144% jump in math scores.

We can even look at nearby Kate Sullivan Elementary right here in Tallahassee, where teachers agreed to hire an aide who would go out into the community to knock on the doors of uninvolved parents so they could become active in their child's education.

Brenda Clark, the principal at Azalea Elementary in St. Petersburg, has a lesson we all should learn about setting goals. In rethinking their school's agenda, teachers, parents and administrators at Azalea came up with this. That big arrow is where the school wants to head in five years. All those little arrows? That's what the Legislature does too often. Brenda Clark calls them RAIs—Random Acts of Improvement—lots of new programs, not much progress.

Now imagine a better approach. Here's what we need to be thinking about: AAls—Aligned Acts of Improvement. When we think about education, everything we do must be aligned with a single goal: making our students more competitive in the workplace and in the world.

We do not have a public school system to guarantee people jobs. We do not have a public school system as a place to park our children while we do other things. We do not have a public school system to dump money into constructing hurricane shelters.

We have a public school system for teaching and learning. Let that be the measure of everything we do in education.

And let me say this about the overcrowding problem and the suggestion for expanding the gross receipts tax by an average of \$24 a year. I—

like so many other Floridians—am more than willing to spend another \$24 a year on school construction if that extra revenue is needed to assure our students learn. But I am not willing to spend \$24 or \$5 or even another nickel simply to throw money at a problem where no one is held accountable.

This is the first day of session, not the last. And our public school challenge is about learning, not money or taxes. We will prepare a budget this session, and we will give education a top priority. Let's not rule out anything, but let's work first to live within our means.

We must remember what we talked about in December, when we all gathered—Democrats and Republicans—to establish our guiding principles and common goals. We talked about being a board of directors, one that would regain the trust of our stockholders, the taxpayers. This government must act smart. We must move deliberately. And we must accomplish our priorities in an orderly manner.

That applies to every priority this year.

After scoring a great victory last year with a welfare overhaul that will break generations of dependency and poverty, we are facing a daunting challenge: More than 100,000 new workers will now be joining the workforce over the next several years because of our success. The numbers are even more startling in places such as Hamilton and Hendry counties, where unemployment exceeds the state average and where more than 7% of each county's population now collects welfare.

We cannot meet that demand by creating 100,000 government jobs. The real answer lies, at least in part, with economic development. We will launch a program dubbed J.O.B.S.—Job Opportunities and Business Stimulus. This is a two-year project—one that involves creating a consensus and building on some good foundations, such as our public-private partnership for economic development, Enterprise Florida.

Over dinner on that last day of session, a family in Florida should be able to talk about our progress with the J.O.B.S. Program as well—from our micro-lending program aimed at small entrepreneurs to our brown-field initiative to make vacant inner-city lots more enticing to business. Everything we do should focus on creating an environment for employment growth in the private sector.

Thomas Jefferson said: “Laws are made for men of ordinary understanding, and should therefore be construed by the ordinary rules of common sense.” Smart government is common sense. Focusing on job creation as more than 100,000 welfare recipients hit the workforce is common sense. Looking at our entire public school system—not just the buildings or the funding structure—is common sense.

When that family gathers at the dinner table after we have adjourned this session, they will measure our accomplishments—and our mistakes—using that same common sense. Let's not disappoint them.

On this day in March 172 years ago, Tallahassee was chosen as the new capital of Florida, the seat of a government for a state that would eventually see great growth. We have seen many great changes, and now we're on the brink of a new century.

Some of us in this chamber have been here long enough to have been part of historic sessions. Think about what we remember from those sessions. Every time the theme is the same: The Legislature focused on a priority and it acted with courage.

We must begin this session imagining just such an ending—one where our public schools, our business image and the reputation of government itself turns an important corner. And we will do it together, Democrats and Republicans, rural and urban, liberal and conservative.

Our Senate team is going to make a difference.

COMMITTEES APPOINTED

On motion by Senator Meadows that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Gutman, Dudley, Holzendorf, Grant, Jones and Silver. The committee was excused.

On motion by Senator McKay that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the

business of the session, the President appointed Senators Jenne, Burt, Dyer, Casas, Dantzler and Brown-Waite. The committee was excused.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Bradley, Carlton, Barreiro, Tobin, Thrasher, Turnbull and Bronson was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

COMMITTEES DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to notify the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1-Org. and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representatives Thrasher and Crady—

HCR 1-Org.—A concurrent resolution providing that the House of Representatives and Senate convene in Joint Session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator Sullivan, by two-thirds vote **HCR 1-Org.**, was read the second time by title, unanimously adopted and certified to the House.

BENEDICTION

The following benediction was offered by the Rabbi Merle E. Singer, Temple Beth El, Boca Raton:

A benediction is the prayer that becomes the doorway we walk through, as you our Senators prepare to secure a future that will become the legacy by which we will be remembered.

There is a beautiful saying that comes to us from the heritage of my people: "There is only one thing that is whole in the entire world, and that is a broken heart." Reflect for a moment: here is a world that has not yet been redeemed, a world in which there is tragedy at the root of things. How can a moral and sensitive person walk about with a heart that is not broken or deeply touched by suffering? The broken-hearted...paradoxically and profoundly...are the whole-hearted.

It is said that as a society we are judged by how we take care of those least able to take care of themselves. May we, the citizens, and you, our elected leaders, work together to bridge the gap between our state's wealth and the health, education and security of our children. Let the pain stop and the healing begin. Let our legacy be found in what we do in growing a crop of healthy, safe and education-ready children who will bear good fruit for both the economic security and the public safety of this great state of ours.

Today is a day of celebration, tomorrow and throughout this legislative session begins the work by which the value of this celebration will be determined. How our own and other people's hungers and needs will be dealt with...this is how we shall be judged. And so I close with these words from Elie Wiesel: "The opposite of love is not hate; it is indifference...The opposite of faith is not heresy; it is indifference...The opposite of life is not death; it is indifference."

May you by word and deed bring healing and hope to those who look to you, and thereby leave a legacy whereby this State of ours will be a better place for your having been our leaders.

And so we pray: May God bless you and keep you. May the presence of God be near to you and gracious to you. May the presence of God be lifted to you and grant to you a sensitivity to the hungers and needs of this world, with a heart that is whole. Amen.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote **SB 4** was withdrawn from the Committee on Ways and Means and referred to the Committees on Transportation; and Ways and Means; **CS for SB 384** was withdrawn from the Committee on Ways and Means and referred to the Committees on Governmental Reform and Oversight; and Ways and Means; **SB 526** was withdrawn from the Committees on Governmental Reform and Oversight; and Ways and Means; and referred to the Committees on Regulated Industries; and Ways and Means; **SB 564** was withdrawn from the Committee on Governmental Reform and Oversight and referred to the Committee on Natural Resources; and **SB 830** was withdrawn from the Committees on Commerce and Economic Opportunities; and Community Affairs; and referred to the Committees on Regulated Industries and Community Affairs.

On motion by Senator Burt, by two-thirds vote **SB 18, SB 30, SB 32, SB 80, SB 84, SB 86, SB 88, SB 90** and **SB 108** were withdrawn from the committees of reference and further consideration.

On motion by Senator McKay, by two-thirds vote **SB 194** was withdrawn from the committees of reference and further consideration.

On motion by Senator Rossin, by two-thirds vote **SCR 34** was withdrawn from further consideration.

On motion by Senator Sullivan, by two-thirds vote **SB 352** was withdrawn from the committees of reference and further consideration.

On motion by Senator Williams, by two-thirds vote **SB 706** was withdrawn from the committees of reference and further consideration.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Bankhead, the rules were waived and the Committees on Commerce and Economic Opportunities; Executive Business, Ethics and Elections; and Children, Families and Seniors were granted permission to meet this day from 3:30 p.m. until 5:00 p.m.

MOTION

Senator Bankhead moved that following the joint session, the Senate stand in recess until 2:00 p.m. The motion was adopted.

JOINT SESSION

Pursuant to **HCR 1-Org.**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Daniel Webster, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Cabinet and justices of the Supreme Court were received and seated.

The Speaker invited Senator Jennings, President of the Senate, and Senator Casas, President Pro Tempore of the Senate, to the rostrum and requested the President to preside over the joint session.

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

Dr. William R. Bright, Campus Crusade for Christ, Orlando, delivered the prayer.

The President led the pledge of allegiance to the flag of the United States of America.

On motion by Representative Sindler that a committee be appointed to notify the Governor that the joint session was assembled to receive his

message, the President appointed Senators Cowin, Clary, Lee, Klein and Campbell; and on behalf of the Speaker, appointed Representatives Jones, Sanderson, Rodriguez-Chomat, Wasserman Schultz, Lawson, Harrington and Boyd. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, The Honorable Lawton Chiles, Governor, who was escorted to the rostrum.

SPECIAL GUESTS

The President recognized the following guests: Rhea Chiles, wife of the Governor; Rhea Chiles MacKinnon, daughter of Governor and Mrs. Chiles; Brynne MacKinnon, granddaughter of Governor and Mrs. Chiles.

The President presented the Governor to the joint assembly.

THE GOVERNOR'S ADDRESS

President Jennings, Speaker Webster, members of the Supreme Court, my friend and partner, Lt. Governor Buddy MacKay, members of the Cabinet, members of the Senate and the House of Representatives, my fellow Floridians:

We're blessed to be Floridians and live in this time of great opportunity for our state.

We have much to be proud of this morning: Our crime rate is down for four years in a row; our welfare reforms are taking root—23,000 families have left the welfare rolls since last July; and job creation and personal incomes are up.

Yes, the State of our State is strong, but there is more work for us to do.

This Session is a historic one. For the first time, both the House and Senate are in the control of the Republicans.

I'd like to remind my Republican friends that, to truly lead, you're going to need the help and experience of your Democratic colleagues, and let's remember, a Democrat still sits in the Governor's chair.

Our government power may be divided—but our work doesn't have to be divisive. More than ever, we need each other. Our people expect us to work together.

I believe we've already proven that we can. Together we've worked to reform workers' compensation, end welfare, strengthen our economy and promote jobs.

We've taken major steps to hold criminals responsible and make them serve time for their crimes—and we've created a new juvenile justice department.

We did these reforms not as Democrats and Republicans—we did them as Floridians.

During this session let's continue this good bipartisan work. Let's work to promote safe neighborhoods, safeguard our environment, and protect our elders.

Let's make this the year we begin to restore the people's trust by passing meaningful election reform.

I want to discuss all these issues with you but not today.

Today, I want to speak with you about a journey I've been on. It started in the Florida House, where I served for eight years, and then four years in the Florida Senate.

I took a walk that led me to the U.S. Senate for 18 years. For the past six years I've been proud to serve as your Governor.

I thought I was pretty darn good. I had a lot of answers and proposed a lot of solutions. I knew how to play the game.

Now, 36 years later, I find I didn't even know where first base was. First base is our children. The answer to our most pressing problems begins with the child.

Every one in this chamber, together with all our business leaders, knows that if we want Florida to be a great state... if we want to maintain a high standard of living... if we want to preserve our wonderful quality of life... we must have high-skilled, high-paying jobs.

We also know for Florida to get there, we must greatly improve our education product, but in this quest for improving education, where do we start?

Many would say first grade or kindergarten. Some would say pre-kindergarten.

I submit to you the evidence is now overwhelming. Education must start at gestation.

BRAIN RESEARCH

We've known intuitively that children who are loved and nurtured get along better and are smarter; but now, with a revolution in brain research, we can observe the day-to-day growth of the brain.

We're learning about the tremendous explosion in brain development that occurs from ages 0 to 3. The facts are very compelling. While a child is growing in its mother's womb, its brain adds 250,000 neurons per minute. At birth, a baby's brain contains 100 billion neurons—about the same number of nerve cells as there are stars in the Milky Way. From birth to age 1, the number of brain connections mushrooms from about 50-trillion to 1,000-trillion.

This vast number of connections helps ensure the child can adapt to any environment. The connections that aren't stimulated through voices, sight, touch and other nurturing will eventually die off.

The more words a child hears by the age of two, the larger that child's vocabulary will be.

A three-year-old exposed to music every day has a head start in developing problem solving skills that later become complex math and engineering skills. This phenomenal growth continues through age 3. These connections are the critical foundation for a child's future learning.

By age 10, the majority of the brain's building process has taken place. Once this window of opportunity closes, you have to play catch up, and the cost of that is very high.

These discoveries should inspire us to change the way we develop public policy—from child care, education and welfare reform through criminal justice.

This morning, the United Way of Florida and I had a packet of information on this revolutionary research delivered to your offices. Read this information. You will find that it's not just the scientists, it's not just the children's advocates, and it's not just Lawton Chiles.

I'm including the report of the Committee of Economic Development, a group of America's top CEOs. The top business leaders of this country are beginning to understand how this research can impact their bottom lines.

This is not social "do goodism". This is bottom line common sense. This brain research can help us get way ahead of our greatest problems.

As Florida's leaders, you owe it to yourselves and to your constituents to learn as much as you can about this research because the implications are so dramatic.

Science is lighting a new path that shows how nurturing our children can begin to change the destructive cycle so many of our people are on. Let's follow that path.

PROMOTING FAMILIES

A child is the most wonderful gift in the world. We know successful children start with good parents. Parenting can be a very tough job, and parents need all the help they can get.

For today's parents, Grandma is a thousand miles away and the neighbors are at work. The support system that we grew up with is not there.

Government doesn't raise children—parents do. The state has a role, but the state can't be a parent.

The state CAN invest in community-driven programs to help.

If we want kids to be ready to achieve when they start school, then we must ensure all kids are loved and nurtured before they turn five whether they stay at home or are in child care. We can do this by promoting quality child care, fully funding prekindergarten and supporting parents in their role as a child's first teacher. There are some wonderful models working in our state where communities have partnered with the private sector and are doing great things for our kids.

Let's work to replicate them and challenge our business community to play an even greater role and support parents in raising healthy children. We need more good ideas from the private sector like Take Stock in Children. More businesses need to follow the lead of firms like Honeywell and Barnett Banks who have made a commitment to support their workforce with parent education and child care assistance.

QUALITY CHILD CARE

Babies who aren't nurtured, stimulated and loved, develop brains 20 to 30 percent smaller than normal. On the other hand, studies show you can raise a child's IQ 20 points by exposing them to an enriching environment. Just think of the implications this has for our welfare reform effort.

We know adequate child care is critical to making welfare reform work. That's why I'm asking to use WAGES savings to provide child care for those transitioning off welfare. Yet, if we are going to require a mother transitioning off welfare to put her three-month-old in child care, we have to ensure that setting is a good place for that child to be. It can't be CUSTODIAL day care; it must be QUALITY child care.

While we promote child care for WAGES participants, we also must help workers on the welfare margins.

We shouldn't punish people who stay off welfare by working hard and struggling to make ends meet. We know that, for these families, affordable quality child care is an oxymoron. Quality child care is expensive. For an office assistant earning minimum wage, with two children, child care can eat up most of that working mom's paycheck. If we want to make work pay, let's fund our subsidized child care waiting list. That's the best way to keep people off welfare.

TEEN PARENTS

As a country and as a state, we are deeply divided on the question of abortion... whether it should be permitted at all... and if so, when it should be allowed and under what circumstances. We do not have to be divided on the issue of teen pregnancy. One third of teen pregnancies end in abortion.

We know children born to teens are more likely to live in poverty, to be raised by a single parent and are more likely to become teen parents themselves. The federal government is challenging the states to reduce teen pregnancy without increasing abortion. They're offering the carrot of \$20 million to the first five states who make the greatest progress. Work with me to develop a strategy to accomplish this goal. This is the kind of challenge that both Democrats and Republicans ought to be able to take up.

PROMOTING ADOPTION

We've also worked hard to promote adoption in Florida. I'm proud that we've found homes for nearly 1,600 kids last year. That's an 80 percent jump over 1990.

We established an Internet home page and it's been a very popular site. Since July, we've had 12,000 hits on our web site. I'm pleased to tell you that we're about to have our first adoption off of the home page.

Angelo and Marion Figueroa, of Fort White, were interested in adoption and found a four-year-old child named Nate on our home page. It was love at first sight. Nate has been placed with the Figueroas since January and the adoption should soon be finalized. We need to help more people like Angelo and Marion Figueroa adopt Florida children.

Let's fund the adoption subsidy that helps families provide a loving home for a child who has been abused, neglected or abandoned.

PREVENTING CHILD ABUSE

Science is finding that violent experiences in early childhood can lead to brain dysfunction. That's why we must ensure our children grow up in nurturing homes free from violence and abuse. There is a cycle of abuse that grips too many families—with the abused becoming the abuser. We must end that cycle.

Often, where there is domestic violence, there is child abuse. Even when domestic violence is only witnessed by a child, that is child abuse just the same.

Thank you for helping place Florida in the forefront of preventing family violence. Our good work has led to a higher awareness of domestic and sexual violence, and it's helping to prevent child abuse; however, last year, 91 Florida children died from child abuse.

The facts on these cases are heart-wrenching, but their stories are real—and they're repeated time and time again.

Bradley McGee, Lucas Ciambrone and more recently Kendia Lockhart with each of these high profile cases, we ask, "Why? How could this happen?"

The names change, the answers stay the same.

We must strengthen the corps of people working in our communities to keep our children safe and sound.

I recently had the opportunity to shadow a few of our child protective services workers for part of their day. It was an eye-opening experience.

I encourage you to take some time and go out with these workers. See where they have to go and what they are dealing with. You'll find that they are not the Gestapo. They're closer to guardian angels. Go see for yourself. They are overworked and don't get the support they need.

We need to invest in these workers and pass a training and pay plan that rewards competency. This will help us retain the best workers in this most critical job and help them make the smart decisions we demand they make.

STRENGTHENING EDUCATION

Education is the primary children's issue that we'll address during this session. We all have our individual lists of what SHOULD be done to improve our schools. Perhaps we could focus on a short list of what MUST be done.

I think we would all agree that we must increase school standards, reduce crowded schools and make schools a safe place for our kids.

PROMOTING HIGHER STANDARDS

We need to start by challenging every parent to have their children reading by the end of the first grade. We can help by providing one-on-one instruction for first graders who need help learning to read. Let's do this. We can't afford to leave any child behind.

We've all seen the studies that show only 54 percent of students have the math, reading and writing skills to succeed in college. We know that, more than ever, students need higher skills to succeed in the workplace. That means we must expect more of them throughout their school days.

How long will we pay \$57 million per year to remediate students at the community college level who don't have adequate reading, writing and math skills? How long will we pay \$126 million for drop out prevention programs?

Florida is ahead of the nation on setting standards. Our efforts in math are already receiving national attention. We can do better.

Kids ought to be able to read, write and do math at their grade level. Those who don't should receive the help they need.

Our children ought to have critical thinking skills, and ought to be able to apply that knowledge in their studies—and in their lives.

And every high school graduate in Florida should know and understand basic Algebra.

If you send me a clean bill to raise school standards, I will sign it. Let's make that the first piece of business this session.

ENDING SCHOOL OVERCROWDING

Last year, after I returned from the National Education Summit, I asked Lt. Governor MacKay and Dr. Jack Critchfield, CEO of Florida Progress Corporation to lead a Governor's Commission on Education.

This two-year citizen's panel is made up of some of the state's top leaders. Its first recommendation is that we take immediate action to end overcrowding in our schools.

You'll recall, this isn't the first time Florida's faced an overcrowding problem. Less than four years ago, we faced an overcrowding problem in our prisons. The need was so urgent that I called you back in a special session to address it.

We made room for CRIMINALS in our PRISONS. Now, I challenge you to make room for CHILDREN in our SCHOOLS.

I understand the concerns that many of you have when you say waste helped put our schools in this hole, but I don't think our schools wasted \$3 billion.

We must take action. Standing room only classrooms are a roadblock to our children's education.

Let's adopt the Education Commission's recommendation. Let's EXPAND the gross receipts tax as a tool to SHRINK class sizes in our state. Let this be the session where the districts get every tool they need to end school overcrowding.

PROMOTING SAFE SCHOOLS

Our schools also must be "safe zones" for our children to learn. Recently, I attended a town meeting on school safety in West Palm Beach.

At that meeting, I heard from the mother of Johnpierre Kamel. Her 14-year-old son was shot to death recently during a school yard argument over a watch. She gave moving testimony on why we must stop the violence.

I was impressed that this mother, who just lost her son, spoke with love and not vengeance in her heart.

Whether it's fists or firearms, this tragedy illustrates why we must expand our safe schools program. We must provide a secure place for teachers to teach and children to learn.

OPENING THE DOOR TO HIGHER EDUCATION

Higher standards, smaller classrooms and safe schools are the basics when it comes to helping our kids learn. Our economy demands that we also must provide a quality higher education for our children.

I trust we will move forward and increase college tuition. This will continue our goal to create a world-class university system.

Last year, the Legislature took a great step to restore the Lottery's promise. I want to thank you for creating the Lottery Scholarship program, but there was a slight oversight. There were no dollars provided for the program. I've taken care of that in my budget. I know you will, too.

With the higher college tuition though, we must ensure we don't price out our neediest students.

It's important to reward educational achievement, but we need to look at all our financial assistance programs—including the lottery scholarship—to provide more for needy students.

FIGHTING TOBACCO

As we are talking about how to promote our children's education, we must ensure that they learn about being healthy.

Every year, 40,000 of our Florida kids start smoking. That's the equivalent of three classrooms full of kids that start smoking every day. One-third of those children will die from a smoking-related injury. Why is this happening?

"Tobacco is a 'highly... effective and cheap drug' and cigarettes are a 'drug' administration system." That's not me talking. That's a quote from a memo written by a researcher for British American Tobacco Industries, the parent company of Brown & Williamson Tobacco Corporation.

That, and a number of other "secret" documents are coming to light from our lawsuit and others around the nation. They're showing that the tobacco cartel has known for a very long time how addictive its products are.

Last year, tobacco became the leading cause of death in our state—killing more Floridians than murders, car crashes, suicides, AIDS and fires combined.

Cigarettes have served as a gateway to illicit drugs for too many of our children. A study of Florida teens who smoke or use other tobacco products show they are:

- three times more likely to drink alcohol
- six times more likely to use marijuana
- eight times more likely to use cocaine.

We know there are ways to protect our kids from tobacco. California has shown the way by implementing a comprehensive tobacco education program. That program has helped decrease smoking in the state by 40 percent.

I've proposed a 10-cent hike in the cigarette tax to help educate our kids about tobacco. If we could decrease smoking in this state by 40 percent, we would realize tremendous savings. Please join me in protecting our kids from tobacco.

MAKING INVESTMENT ON THE FRONT END

Can we afford to experiment with these front-end investments? Our experience demonstrates that these front-end investments save dollars.

Six years ago we made a commitment to prenatal care and established Healthy Start.

We've brought infant mortality down by 23 percent to well below the national average. We've saved at least 1,500 lives because of our investment in prenatal care.

More than that—we have thousands of kids born healthy at full-term. The savings from this are great.

I had the pleasure of being escorted to the chamber this morning by some of the children whose futures are brighter because of our smart investment that we started five years ago. We need to expand this ground breaking effort to help even more of our children.

Since 1990, through community partnerships with Kiwanis of Florida, Healthy Start and the Department of Health, we've increased immunization levels among two-year-olds by 21 percent. Now, more than 80 percent of our two-year olds are immunized.

For every dollar we spend to immunize our child from measles, mumps and rubella we save more than \$14 in health care costs. More than that, we don't have to worry about a massive outbreak of these preventable childhood diseases anymore.

To improve education, we also must ensure our kids are healthy when they get to school. We know a sick child can't learn. That's why I'm asking you to help us expand the Healthy Kids program.

We've reduced emergency room visits by up to 70 percent in Healthy Kids counties. School attendance and grades are up among children participating in the program. We currently serve nearly 30,000 children in 16 counties. Let's boost the program and triple the number of kids in the program and expand it to 12 more counties this year.

Does your county have a Healthy Kids program? If it doesn't, maybe this is the session you need to ask, "Why Not?"

We've seen our front-end programs that bear tremendous fruit. It's the back end programs that are gnawing away at our budget year after year.

Over the past six years, funding for prisons has grown by two-thirds and juvenile justice funding has jumped by half. We've taken the necessary steps to keep criminals locked up for at least 85 percent of their sentences. There are no waiting lists for admission to our prison system.

We do have a waiting list for prekindergarten—and there are 13,000 children on it.

We do have a waiting list for women who need Healthy Start—there are 30,000 mothers on it.

We do have a waiting list for child care so parents can go to work—there are more than 30,000 children on it.

When you look at the budget, you see we've got it backwards. For every dollar Florida spends on prevention services for kids, we spend \$2.50 directly on prisons, juvenile justice and other back end items.

It's not an either or. We can't stop the back end programs. They deal with the results of our neglect, but do we want to do something that will reduce the percentage of our budget that goes to these programs?

Let's take a hard look at the way we develop our budget. Let's ensure our kids have a seat at the table when conference committee time comes around.

I know many of you sincerely believe that we can't afford to pay for these things, but none of us said we can't afford to make felons serve longer sentences.

We don't say we can't afford to build the level 8 and 10 beds to take dangerous juveniles off the street.

We had to do that. I submit we can't afford not to fund these front-end programs for our kids. It's pay now or pay more later, and we are paying more later. Too much more.

STATE OF THE STATE: STATE OF OUR CHILDREN

As Governor, it is my privilege to be able to address the Legislature each year and discuss the state's most important issues. Although this is called the "State of the State", I think the real question is: What is the state of our children?

Today the answer is poor, but the answer for the future lies in the action you take during this session.

Five hundred kids are born in Florida every day. Thirty thousand will be born during this Legislative Session.

How they fare will answer the questions of whether we will have that higher-skilled, higher-paid workforce or a mediocre state rife with problems and unhappy people.

My journey has made a big circle. It has brought me back to the beginning. All my years, all my gray hair, all my failures and successes tell me children is where it's at.

My message is simple: To be a successful state, we must nurture successful children and that begins at gestation.

Today, the game begins.

Let's not forget first base.

DISSOLUTION OF JOINT SESSION

Following the Governor's address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet and justices of the Supreme Court.

On motion by Senator Bankhead, the joint session was dissolved at 12:21 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

AFTERNOON SESSION

The Senate was called to order by the President at 2:06 p.m. A quorum present—39:

Madam President	Crist	Holzendorf	Meadows
Bankhead	Dantzer	Horne	Myers
Bronson	Diaz-Balart	Jenne	Ostalciewicz
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	

REPORTS OF COMMITTEES

*The Honorable Toni Jennings
President*

February 18, 1997

Dear President Jennings:

The Committee on Rules and Calendar respectfully recommends a revision to the following Senate Rules:

2.6 and 2.19—increasing meeting notices from two to four hours for certain committee and conference meetings

4.3—reversing the daily order of business regarding Bills on Third Reading and Special Order Calendar

4.6, 4.9 and 4.14—allowing for introduction, reading and adoption of some resolutions

4.17—requiring the special order calendar to be set two days in advance of consideration

4.81—relating to the claim bill process

7.1—requiring that floor amendments be filed by 5:00 p.m. of the day before consideration; and technical/typographical changes to the following Senate Rules:

- 1.351; 1.361
- 2.10; 2.15; 2.39
- 3.1; 3.10
- 4.20

These changes are attached hereto and by reference made a part of this report.

Respectfully submitted,
W. G. (Bill) Bankhead, Chairman

2.6—Notice of committee meetings

Notice of meetings of standing committees, standing subcommittees and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the legislative day preceding and the day of such committee meeting. Thereafter, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chairman of the committee or subcommittee or, in his or her absence, the vice-chairman while the Senate is in session and the posting of a notice on a bulletin board in the public corridor leading to the Senate Chamber for *at least four (4) two (2) hours* in advance of the meeting. The chairman of a committee or subcommittee or in his or her absence, the vice-chairman, shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered.

At least seven (7) days prior to the meeting of a standing committee or standing subcommittee, while the legislature is not in session, a notice of the meeting, stating the number of each bill to be considered, date, time, and place, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership and the public.

2.19—Conference committee in deliberation

All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. *Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary of the Senate by or at the direction of the person calling the meeting, at least four (4) hours in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the location of the meeting.*

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the Committee. Such amendments shall accompany the conference committee report, which shall be attached to the original measure submitted to conference. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House. Conference reports must be approved and signed by a majority of the managers on the part of each House. All final actions taken in conference committee shall be by motion.

Each report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

When any bill or joint resolution is referred by the President to a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary of the Senate by or at the direction of the person(s) at whose call the meeting is convened, not less than two (2) hours preceding the time for the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting:

1. meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker of the House (or a Representative designated to represent the Speaker);
2. meetings between a majority of the members of the conference committee or any subcommittee of the conference committee;
3. meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker of the House of Representatives or any Representative(s) designated to represent the Speaker; and
4. meetings of a majority of the Senate conferees; and when the bill or joint resolution that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

Notice of meetings, as scheduled, between the chairman of the Senate's conferees with the chairman of the House's conferees, or between respective Senate and House subcommittee chairmen with each other, shall be posted on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted on a bulletin board outside the door of the office of the Committee on Ways and Means.

All meetings for which notice is required pursuant to this Rule shall be held in the Capitol, the Senate Office Building, or the House Office Building, but shall not be held in the Chamber of either house while it is in session.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on the measure as the Senate may determine.

After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees, and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege. Further, during the last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

4.3—Daily order of business

The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Reports of committees
4. Motions relating to committee reference
5. Messages from the Governor and other executive communications
6. Messages from the House of Representatives
7. Matters on reconsideration
8. *Consideration of bills on third reading*
9. Special Order as determined by the Committee on Rules and Calendar
9. ~~Consideration of bills on third reading~~
10. Consideration of bills on second reading
11. Correction and approval of Journal

The Secretary of the Senate shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.

First reading of bills shall be accomplished by publication of the title thereof in the journal pursuant to Article III, Section 7 of the Florida Constitution as amended.

4.6—Reference generally; final days for introduction of bills and resolutions

All bills, including those that are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees. Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills. If the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by the chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose. The reference of a bill that is local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is, in fact and function, local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county.

When the Committee on Rules and Calendar, through staff analysis, has determined a bill is in fact and law a local bill, it shall be reported and referred to the calendar on local bills. When the Committee on Rules and Calendar, through staff analysis, determines a bill is not local in nature, a report stating the reasons therefor shall be furnished to the President of the Senate who shall refer such bill to an appropriate standing committee for hearing. Such determination and report shall be made within fifteen (15) legislative days from date of reference.

All Senate bills filed for introduction after 12:00 noon on the first day of the regular session (except for the general appropriations bill, local bills, and joint resolutions) ~~and resolutions filed after the thirtieth day~~ shall be referenced, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

4.9—Reference of resolutions and veto messages

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office. These may be considered on motion and adopted at time of introduction without reference, *except that resolutions of condolence or commemoration may be shown as introduced, read and adopted by publication in full in the Journal.* All veto messages shall be referred to the Committee on Rules and Calendar.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read by title only and shall be read an additional time in full before the question is put on adoption by voice vote, *except that resolutions of condolence or commemoration may be shown as introduced, read and adopted by publication in full in the Journal.*

4.17—Special order calendar; consent calendar

Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension directed by the membership of the legislature as permitted under the Constitution, the Chairman of the Committee on Rules and Calendar or the Chairman's designee, the Vice-Chairman of the Committee on Rules and Calendar or the Vice-Chairman's designee, the Minority Leader or the Minority Leader's designee, and two (2) other members of the committee designated by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills. ~~During the first fifty (50) days of a regular session, except~~ *Except* for the first day, each Special Order Calendar shall be for the second succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for special order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of the Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

A vote of two-thirds (2/3) of those present shall be required to establish a Special Order except as provided in this Rule. Notice of time and place for the establishment of the Special Order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in conjunction with the Special Order Calendar. When such a day is designated, all bills appearing on the consent calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such

bill to be temporarily passed, it retains its order on the regular calendar. A Senator may designate only a bill that he or she sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his or her committee. All consent calendar bills must have appeared on the printed Senate calendar.

4.81—Claim bills

a. Claim bills are of two types: excess judgment claims filed pursuant to section 768.28(5), Florida Statutes, and equitable claims filed without an underlying excess judgment.

b. *All claim bills shall be filed with the Secretary of the Senate on or before August 1 in order to be considered by the Senate during the next regular session. A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Committee on Rules and Calendar shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by at least two-thirds (2/3) vote of those present.*

~~c.b.~~ All claim bills shall be referred by the President to one or more committee(s) for review. ~~first referred by the President to a Senate Special Master who shall conduct a de novo hearing, pursuant to reasonable notice, and determine liability, proximate cause and damages. If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice.~~ Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law and recommendations *no later than December 1.* The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

d.e. On receipt of the Special Master's report and recommendations, *if any,* the Secretary shall, under the President's initial reference, deliver each claim bill with the report attached, to the committee or committees of reference.

~~d.~~ ~~On receipt of the Special Master's report and recommendations concerning an equitable claim that is unsupported by an excess judgment, the committee chairman shall refer the claim bill and Special Master's report to a standing subcommittee or select subcommittee, as appropriate, to consider and make a recommendation to the committee thereon. A select subcommittee shall consist of not less than three members of the Senate representing geographic areas outside that from which the claim bill arises and shall notice, hear and report each claim bill and Special Master's report referred to it in the same manner as any other bill.~~

e. Stipulations entered into by the parties are not binding on the Special Master, the Senate or its committees.

f. The hearing and consideration of a claim, any element of which is pending in litigation, shall be held in abeyance until all judicial activity thereon, including any appellate proceedings, shall have come to rest.

7.1—General form; notice; manner of consideration

No amendment to a bill on the *Special Order Calendar* prepared prior to the time a session of the Senate has convened shall be considered by the Senate unless the amendment was filed with the Secretary of the Senate *no later than 5:00 p.m. the day prior to the day at least two (2) hours before the time* that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary of the

Senate before the session, upon request, to the members and to the public. Neither a technical amendment nor an amendment which is prepared by a member during the session at which it is offered need be so noticed.

Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in the chairman's absence, the vice-chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary of the Senate but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment. Bills which have received an unfavorable committee report, have been withdrawn from further consideration by the sponsor, and bills the substance of which have not been reported favorably by all committees of reference, are out of order and shall not be admitted or considered under color of amendment to a bill on the calendar and under consideration by the Senate; amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

1.351—Food and Beverage Prohibited

(a) A Senator, Senate officer, or Senate employee may not knowingly accept, directly or indirectly, food or beverage from a lobbyist.

(b) This rule does not prohibit a Senator, Senate officer, or Senate employee from accepting food or beverage:

- (1) from a relative as defined in Joint Rule 1.4 (2);
- (2) at a political, campaign, or fundraising activity or event, reportable pursuant to state or federal law;
- (3) in connection with his or her outside business or employment activities, as exempted by *section s. 112.312(12)(b)1., Florida Statutes F.S.*;
- (4) consumed incidental to a reception or gathering of constituents, not to exceed a value of \$25.00;
- (5) consumed at a special event; or
- (6) consumed at an honorarium event.

(c) As used in this rule the term:

- (1) "lobbyist" means a person defined in Joint Rule 1.1(2)(d).
- (2) "food or beverage" has the meaning ascribed in Joint Rule 1.4(3)(c).
- (3) "special event" has the meaning ascribed in Joint Rule 1.4(3)(i).
- (4) "honorarium" has the meaning ascribed in *section s. 112.3149(1)(a), Florida Statutes F.S.*

1.361—Solicitation of Campaign Contributions

A Senator shall neither solicit nor accept any campaign contribution during the sixty-day regular legislative session on the Senator's own behalf or on behalf of a political party or on behalf of a candidate for the Senate; however, a Senator may contribute to the Senator's own campaign.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the Committee on Rules and Calendar and notice of such assignment shall be posted by the Secretary of the Senate on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Committee on Rules and Calendar and the Sergeant at Arms for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.15—Standing committee duties in deliberation

It shall be the duty of standing committees to report all matters referred to them either (a) favorably, (b) favorably with committee amend-

ment(s), (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably. The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by two-thirds (2/3) vote of those present in session.

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). Proposed substitutes shall be filed with the committee *administrative assistant secretary* no less than two (2) hours prior to any committee meeting at which a recommendation of the substitute is adopted unless the substitute is merely a combination of the noticed bill(s) and amendments offered in compliance with Rule 2.39. Copies of substitutes shall be furnished to committee members' offices immediately upon filing with the committee *administrative assistant secretary*, and made reasonably available by the committee *administrative assistant secretary* before the meeting, upon request, to the members of the committee and to the public. The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure. The name of the introducer of the original measure (or measures) shall be shown by the committee *administrative assistant secretary* on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original. A Senate committee may not recommend a Senate committee substitute for a House bill.

All standing committee reports shall be signed by the chairman or, in his or her absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.39—Amendments; form, notice, manner of consideration

No amendment to any measure, which amendment was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment was filed with the committee *administrative assistant secretary* at least two (2) hours before the time the meeting was called to order. Copies of such amendment shall be made reasonably available by the committee *administrative assistant secretary* before the meeting, upon request, to the members of the committee and to the public. Neither a technical amendment nor an amendment which is prepared by a member of the committee during the committee meeting at which it is offered need be so noticed.

Amendments shall be filed on forms prescribed by the Secretary but shall be considered only after sponsors, who are members of the commit-

tee, gain recognition from the chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chairman and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

3.1—Form of bills

All bills shall contain a proper title, as defined in Article III, Section 6 of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:". The title of each bill shall be prefaced by the words, "A bill to be entitled An act". Standard rules of capitalization shall apply.

The original must be backed in a folder-jacket signed by the sponsor(s). On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chairman, enough of the title for identification.

Bills that propose to amend existing provisions of the Florida Statutes (as described in section 11.242, Florida Statutes) or the Laws of Florida shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the Florida Constitution shall contain the full text of the section to be amended.

In general bills and joint resolutions that propose to create or amend existing provisions of the Florida Statutes, Chapter Laws of Florida, or of the Florida Constitution, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See *s. [number]* Section ~~---~~, F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

Section catchlines of existing text shall not be typed with underlining.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by machines as used in banks for validating or ~~canceling~~ ~~canceling~~ checks or other documents, or made by any other device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

4.20—Enrolling

The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary ~~and the enrolling report shall be published, and the fact of such signing shall be noted in the Journal.~~

MOTION

On motion by Senator Bankhead, the report of the Committee on Rules and Calendar was adopted. The vote was:

Yeas—39

Madam President	Burt	Clary	Diaz-Balart
Bankhead	Campbell	Cowin	Dudley
Bronson	Casas	Crist	Dyer
Brown-Waite	Childers	Dantzler	Forman

Grant	Jenne	Lee	Scott
Gutman	Jones	McKay	Silver
Hargrett	Kirkpatrick	Meadows	Sullivan
Harris	Klein	Myers	Thomas
Holzendorf	Kurth	Ostalkiewicz	Williams
Horne	Latvala	Rossin	

Nays—None

The Honorable Toni Jennings
President

February 18, 1997

Dear President Jennings:

The Committee on Rules and Calendar, in addition to its report on revisions to the Senate rules, recommends that you consider the following changes to Senate policy:

1. New business should not be considered during the last day of regular session.
2. Rule 4.19 should not be routinely waived and a bill should be read for its second and third time on different days.
3. Amendments prepared on the floor should be entered into the chamber automation system prior to being taken up for debate and vote.
4. The current policy on germanity should be printed in the back of the rule book for reference.

Respectfully submitted,
W. G. (Bill) Bankhead, Chairman

RULES OF THE SENATE

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—OFFICERS OF THE SENATE

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office. At a regular session the Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary of the Senate. The President may designate a Majority Leader whose name shall be certified to the Secretary of the Senate. The Minority Party may by caucus elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary of the Senate at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

1.2—Calling the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. On the appearance of a quorum, the President shall cause the Senate to proceed with the daily order of business. The President may recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may clear the area.

1.4—The President's authority and signature; questions of order; travel

The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment or other papers shall issue without the signature of the President. The President shall approve vouchers. The President shall decide all questions of order, subject to an appeal by any Senator. As necessary, the President is authorized to incur travel and per diem expenses for the next session of the legislature. The President of the Senate and the Chairman of the Committee on Rules and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting the business of the Senate as authorized. The President shall have responsibility for the property of the Senate and may delegate specific duties or authority pertaining thereto. The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a committee of the Senate, a Member of the Senate (whether in the legal capacity of Senator or taxpayer), a former Member of the Senate, or an officer or employee of the Senate when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—Appointment of committees

The President shall appoint all standing committees, standing subcommittees, select committees, and the Senate members of conference and joint select committees.

Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Committee on Rules and Calendar.

1.6—The President's vote

The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

1.7—Vacating chair; duties of President Pro Tempore

(a) The President may name any Senator to perform the duties of the chair.

(b) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(c) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from designating a presiding officer.

(d) Should the President resign, he or she may, prior to resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.

1.8—Designation of the Secretary of the Senate

The Senate shall designate a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the Constitutions of the United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary. The Secretary shall be the enrolling and engrossing clerk of the Senate and may designate an assistant enrolling and engrossing clerk.

1.9—Secretary's duties at organization session

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties generally; keeps Journal

The Secretary shall keep a correct daily Journal of the proceedings of the Senate, and this Journal shall be numbered serially from the first day of each session of the legislature and shall be distributed by the Secretary for the information of the legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—Prepares daily calendar

The Secretary shall prepare a daily calendar that shall set forth: (1) the order of business; (2) the committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute; (3) the status of each bill, i.e., whether on second or third reading; (4) notices of committee meetings; and (5) notices of meetings required pursuant to Rule 1.44. The Secretary shall distribute the daily calendar for the information of the legislature and the public.

1.12—Reads papers; calls roll

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

1.13—Attests to warrants and subpoenas; certifies passage

The Secretary shall attest to all writs, warrants, subpoenas, and authorizations for payment issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

1.14—Prepares printed forms

The Secretary shall prepare the copy for all printed forms used by the Senate.

1.15—Examines legal form of bills for introduction

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

1.16—Indexes bills

The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

1.17—Transmits bills to House of Representatives

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

1.18—Receives and delivers for reading messages from House; summaries of House amendments to Senate bills

The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the Senate Legal Research and Drafting Services where they may be held a maximum of two days for research and summary. Special notice of the summaries shall be given to each Senator.

The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and

further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report as defined in Rule 2.15. Favorable committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS

1.20—Attendance and voting

Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and shall vote on each question. No Senator shall be required or permitted to vote on any question immediately concerning his or her private rights as distinct from the public interest.

1.21—Excused absence

The President may excuse any Senator from attendance in the Senate and its committees for any stated period, and the excused absence shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to the business of the Senate shall leave such papers with the Secretary before leaving the Capitol.

1.23—Members deemed present unless excused

A Senator who answers roll call at the opening of a session or who enters after roll call and announces his or her presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for members

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Transition from office

A Senator who will not be a Senator at the next ensuing regular session of the legislature shall be entitled to an amicable transition period not to exceed one month in which to close out the affairs of his or her office. The transition period shall begin at the expiration of a Senator's term. A former Senator shall not be entitled to salary during the transition period, but shall receive a pro rata portion of the monthly allowance for office rental and expenses during such period. A former Senator's staff shall be entitled to a pro rata salary during such period, provided said staff performs all transitional duties assigned by the former Senator. A former Senator shall apply for transitional funds provided pursuant to this rule, the expenditure of which shall be from Senate funds and which shall be considered for a public purpose. Upon proper application by the legislative assistant of a deceased Senator, a one-month transitional period with pro rata salary for the staff may be approved by the President to close out the deceased's Senate office affairs.

PART THREE—EMPLOYEES OF THE SENATE

1.28—Dismissal of employees; services of spouse

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an em-

ployee. At the President's discretion the matter may be referred to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any measure whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by rule and custom of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the same hours of employment as regular Capitol employees. Part-time employees and Senator's personal aides shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

If employees are absent without prior permission except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Political activity

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, Florida Statutes.

1.33—Secretary; supervision of employees

All secretaries, stenographers, typists, verifiers, and other clerical assistants not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.35—Legislative conduct

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.351—Food and beverage prohibited

(a) A Senator, Senate officer, or Senate employee may not knowingly accept, directly or indirectly, food or beverage from a lobbyist.

(b) This rule does not prohibit a Senator, Senate officer, or Senate employee from accepting food or beverage:

- (1) from a relative as defined in Joint Rule 1.4 (2);
- (2) at a political, campaign, or fundraising activity or event, reportable pursuant to state or federal law;
- (3) in connection with his or her outside business or employment activities, as exempted by section 112.312(12)(b)1., Florida Statutes;
- (4) consumed incidental to a reception or gathering of constituents, not to exceed a value of \$25.00;
- (5) consumed at a special event; or
- (6) consumed at an honorarium event.

(c) As used in this rule the term:

- (1) "lobbyist" means a person defined in Joint Rule 1.1(2)(d).
- (2) "food or beverage" has the meaning ascribed in Joint Rule 1.4(3)(c).
- (3) "special event" has the meaning ascribed in Joint Rule 1.4(3)(i).
- (4) "honorarium" has the meaning ascribed in section 112.3149(1)(a), Florida Statutes.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation of campaign contributions

A Senator shall neither solicit nor accept any campaign contribution during the sixty-day regular legislative session on the Senator's own behalf or on behalf of a political party or on behalf of a candidate for the Senate; however, a Senator may contribute to the Senator's own campaign.

1.37—Conflicting employment

A member of the Senate shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A member of the Senate shall not use his or her influence as a Senator in any matter that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure and disqualification

A Senator shall disclose any personal, private, or professional interest in a bill that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his or her disqualification.

1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of this Rule.

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules concerning legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without the Senator's consent.

1.42—Violations; hearings, penalties

Any person may file a sworn complaint with the chairman of the Committee on Rules and Calendar, alleging a violation by a Senator of the Rules regulating conduct and ethics. The complaint shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule(s) believed by the complainant to have been violated by the Senator. Upon a determination by the chairman that there are sufficient grounds for review, the complaint shall be referred either to the committee or, at the option of the chairman, to a special master, for a hearing. The committee or special master may adopt rules of procedure for conduct of the proceedings. The committee or special master shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard. A special master's report and recommendation is advisory only and shall be made to the chairman as soon as practicable after the close of the hearing. The committee's report and recommendation shall be made as soon as practicable.

Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rule regulating ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Committee on Rules and Calendar.

PART FIVE—PUBLIC MEETINGS AND RECORDS**1.43—Open meetings**

(a) All meetings at which legislative business is discussed among any two or more Senators shall be open to the public except meetings

between two Senators to exchange information provided the purpose of the meeting between the two Senators is not to agree upon final action that will be taken at a subsequent meeting. Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this rule.

(b) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(c) For purposes of this rule "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee or Senate Subcommittee.

1.44—Notice required for certain meetings

(a) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary of the Senate. While the legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

1. meetings of the President of the Senate (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);

2. meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee;

3. steering meetings of the chairman of the Committee on Ways and Means with the chairmen of the standing subcommittees of the Committee on Ways and Means; and

4. meetings called by the President or the President's designee, of a majority of the chairmen of the Senate's standing committees.

(b) Notices of meetings required by Rule 1.44 shall be filed by or at the direction of the person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this rule, if the meeting is to take place at or after 10:00 p.m. then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

In the event the times required for notice under Rule 1.44 are not sufficient to permit publication in a daily or interim calendar, the Secretary shall post a copy of each such notice on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. The Secretary of the Senate shall make a diligent effort to give actual notice to the representatives of the press of all noncalendared meeting notices posted.

(c) Political caucuses are exempt from the foregoing notice requirements. Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee or Senate Subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader or a Minority Leader Pro Tempore need not be open or noticed.

1.45—Violations of rules on open meetings and notice

Intentional violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative ethics and conduct and shall be subject to the procedures and penalties prescribed in Rule 1.42.

1.441—Constitutional requirements concerning open meetings

All legislative committee and subcommittee meetings and joint conference committee meetings, shall be open and noticed to the public.

All prearranged gatherings, between more than two members of the legislature, or between the Governor, the President of the Senate, or the

Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

In cases of conflict between this rule and any other rule of the Senate the rule providing greater notice or public access shall prevail.

1.443—Reapportionment Information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated or maintained by the former Committee on Reapportionment.

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

The following standing committee, standing subcommittee and select committee public records, not exempted from disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via the Legislative Library Division of the Joint Legislative Management Committee: copies of bills, amendments, vote sheets, staff analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary of the Senate shall be retained by that officer as specifically required by law or Senate rule until transferred to the Division of Library and Information Services of the Department of State via the Legislative Library Division of the Joint Legislative Management Committee. Records not transferred may be otherwise disposed of or destroyed.

The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such a special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate rule to be created.

Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained, additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) representative copy of the mailing, or an abstract, need be retained.

For the purpose of this rule, a member's district office shall include the offices each member retains for the transaction of official legislative business in his or her respective district and the offices located in the Senate Office Building or the Capitol in Tallahassee assigned to each member.

The following public records are exempt from inspection and copying:

Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, Florida Statutes, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), Florida Statutes, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.

A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.

A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.

A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.

A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.

Records prepared for or used in executive sessions of the Senate until 10 years after the date on which the executive session was held.

Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committee's records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.

Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.

Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

For purposes of this section, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

RULE TWOCOMMITTEES, OFFICERS, MEMBERS,
VOTING, MOTIONS, DECORUM, AND DEBATE**PART ONE—COMMITTEES ORGANIZATION, DUTIES, AND RESPONSIBILITIES****2.1—Standing committees; standing subcommittees**

Permanent standing committees and standing subcommittees, when created and designated, by rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the following named standing committees and standing subcommittees provided that each standing committee shall consist of not less than five (5) members:

Agriculture
Banking and Insurance
Children, Families and Seniors
Commerce and Economic Opportunities
Community Affairs
Criminal Justice
Education
Executive Business, Ethics and Elections
Governmental Reform and Oversight
Health Care
Judiciary
Natural Resources
Regulated Industries
Rules and Calendar
Transportation
Ways and Means

Subcommittee A (General Government)

Subcommittee B (Education)

Subcommittee C (Human Services)

Subcommittee D (Criminal Justice)

Subcommittee E (Finance and Tax)

Each standing committee or the chairman thereof may appoint a select subcommittee to study or investigate a specific matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate shall be promptly notified of the appointment of select subcommittees, their assignment, the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules of Procedure regulating standing subcommittees, except that select subcommittees shall exist only for the time necessary to complete their assignments and report to their standing committees, and not to exceed thirty (30) days. The advisory reports by select subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those present.

2.2—Powers and responsibilities of committees

Permanent standing committees and standing subcommittees are authorized: (a) to maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area; (b) to invite public officials, employees and private individuals to appear before the committees or subcommittees to submit information; (c) to request reports from departments performing functions reasonably related to the committees' jurisdictions; and (d) to complete the interim projects assigned by the President.

In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

In order to carry out the committee's duties, the chairman of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chairman. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and

affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports

Before a regular session of the legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation, and file same with the President of the Senate and the Secretary of the Senate.

Before a regular session of the legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation, and submit same to the chairman of the standing committee for consideration by such committee.

Within thirty (30) days following sine die adjournment of a regular session, each standing committee shall provide information on the public business assigned to it since the regular session of the preceding year.

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall be also subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Committee on Rules and Calendar.

2.6—Notice of committee meetings

Notice of meetings of standing committees, standing subcommittees and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the legislative day preceding and the day of such committee meeting. Thereafter, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chairman of the committee or subcommittee or, in his or her absence, the vice-chairman while the Senate is in session and the posting of a notice on a bulletin board in the public corridor leading to the Senate Chamber for at least four (4) hours in advance of the meeting. The chairman of a committee or subcommittee or in his or her absence, the vice-chairman, shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered.

At least seven (7) days prior to the meeting of a standing committee or standing subcommittee, while the legislature is not in session, a notice of the meeting, stating the number of each bill to be considered, date, time, and place, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership and the public.

2.7—Bills recommitted

A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal. The committee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

2.8—Notice of hearing; publication

For publication in the daily calendar, notice of standing committee or standing subcommittee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Hearing notices shall appear in the daily calendar.

2.9—Committee meetings; committee meetings after 50th day

Each standing committee and standing subcommittee shall consider the public business assigned to it as expeditiously as possible and proper. To facilitate this, the President shall group the standing committees and subcommittees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

The Committee on Rules and Calendar or the Special Order Calendar designees provided for in Rule 4.17 shall, with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m. This scheduling shall not limit the powers of the chairman of a standing committee or subcommittee as provided in these Rules.

Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the Committee on Rules and Calendar and notice of such assignment shall be posted by the Secretary of the Senate on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Committee on Rules and Calendar for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.11—Attendance by sponsor of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant or committee staff member, or any other representative having written permission to speak for the bill. Unless a majority of the committee members present shall decide otherwise, bills shall be considered when reached on the committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his or her behalf.

2.12—Order of business

Bills shall be considered in the order appearing in the notice required by these Rules, except that the chairman may, in his or her sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

A bill shall be considered out of its order on the committee calendar on unanimous consent of those present obtained in the following manner: Prior to consideration of the motion, the Senator moving for unanimous consent of those present shall orally give the committee not less than fifteen (15) minutes' notice of the Senator's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those present shall be given or refused without further debate.

2.13—Open meetings

All committee meetings shall be open to the public, subject always to the powers and authority of the chairman to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matters shall be referred to such committee on a point of order made prior to final passage thereof.

2.14—Time for consideration of bills

A bill that has been introduced and referred to committee can be removed only on motion of the sponsor and by a two-thirds (2/3) vote of those present. However, any bill that has been in committee fifteen (15) legislative days or more without an extension of time having been granted may be removed from committee on motion of the sponsor. Such motion, when made, shall carry over for a period of five (5) legislative days to give the committee of reference time to meet. Failure of the committee to meet and consider such bill within said time will permit the

sponsor of the bill to remove it from committee on a point of order, providing no bill may be thus withdrawn from the Committee on Ways and Means during the first thirty (30) days of a regular session.

Except by unanimous consent of those present, no bill shall be considered by the Senate after the fiftieth (50th) day of a regular session if the bill or a companion measure has not been first reported favorably by at least one Senate committee.

2.15—Standing committee duties in deliberation

It shall be the duty of standing committees to report all matters referred to them either (a) favorably, (b) favorably with committee amendment(s), (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably. The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by two-thirds (2/3) vote of those present in session.

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the committee on the motion to report each bill or resolution. A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report required by items (e) and (f). Reports of committees shall be preserved pursuant to law.

In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). Proposed substitutes shall be filed with the committee administrative assistant no less than two (2) hours prior to any committee meeting at which a recommendation of the substitute is adopted unless the substitute is merely a combination of the noticed bill(s) and amendments offered in compliance with Rule 2.39. Copies of substitutes shall be furnished to committee members' offices immediately upon filing with the committee administrative assistant, and made reasonably available by the committee administrative assistant before the meeting, upon request, to the members of the committee and to the public. The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first introduction of a similar measure. The name of the introducer of the original measure (or measures) shall be shown by the committee administrative assistant on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original. A Senate committee may not recommend a Senate committee substitute for a House bill.

All standing committee reports shall be signed by the chairman or, in his or her absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.16—Standing subcommittee reports

It shall be the duty of standing subcommittees to report all measures referred to them directly to the parent standing committee, which shall promptly certify a copy to the Secretary of the Senate. The standing subcommittee shall report all measures either (a) favorably, (b) favorably with committee amendments, (c) favorably with committee substitute as defined in these Rules, or (d) unfavorably.

Such reports shall also reflect (e) the time and place of the meeting at which the action was taken, and (f) the vote of each member of the subcommittee on the motion to report each bill or resolution.

In reporting a bill to the parent standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the parent standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the parent standing committee in the same manner as a favorable report.

All standing subcommittee reports shall be signed by the chairman or, in the chairman's absence, the vice-chairman and shall be made on forms prescribed by the Secretary of the Senate. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure.

All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of the committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except on vote of two-thirds (2/3) of the standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed. This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the Committee on Ways and Means for inclusion in the general appropriations bill.

2.17—Quorum of committee

A committee or standing subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.18—Prefiled bills

On receipt from the Secretary of each prefiled bill and if the President has not previously designated a standing subcommittee of reference, the chairman of a committee shall either refer to a standing subcommittee, refer to a select committee as otherwise provided in these Rules, or place on the agenda for a meeting of the standing committee. In any event, the chairman shall concurrently notify the Secretary of the Senate of his or her action on forms provided for such report. The chairman of the standing subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall, with the concurrence of the President, determine the time and place for the hearing during which such bill is to be considered and notify the Secretary as required by these Rules.

Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on Ways and Means shall not be required to file such report of a prefiled bill defined in these Rules.

A prefiled bill introduced solely by a Senator who will not be a Senator at the next regular session of the legislature shall be reported unfavorably without notice or hearing.

2.19—Conference committee in deliberation

All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary of the Senate by or at the direction of the person calling the meeting, at least four (4) hours in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the location of the meeting.

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the Committee. Such amendments shall accompany the conference committee report, which shall be attached to the original measure submitted to conference. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House. Conference reports must be approved and signed by a majority of the managers on the part of each House. All final actions taken in conference committee shall be by motion.

Each report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

When any bill or joint resolution is referred by the President to a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary of the Senate by or at the direction of the person(s) at whose call the meeting is convened, not less than two (2) hours preceding the time for the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting:

1. meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker of the House (or a Representative designated to represent the Speaker);
2. meetings between a majority of the members of any subcommittee of the conference committee;
3. meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker of the House of Representatives or any Representative(s) designated to represent the Speaker; and
4. meetings of a majority of the Senate conferees; and when the bill or joint resolution that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

Notice of meetings, as scheduled, between the chairman of the Senate's conferees with the chairman of the House's conferees, or between respective Senate and House subcommittee chairmen with each other, shall be posted on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted on a bulletin board outside the door of the office of the Committee on Ways and Means.

All meetings for which notice is required pursuant to this Rule shall be held in the Capitol, the Senate Office Building, or the House Office Building, but shall not be held in the Chamber of either house while it is in session.

When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on the measure as the Senate may determine.

After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees, and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege. Further, during the last six (6) calendar days allowed under the Constitution for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of Chairman and Vice-Chairman

A chairman and a vice-chairman of each standing committee shall be appointed by the President preceding the regular session held each odd-numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chairman for each standing subcommittee and select committee authorized by these Rules and may designate a vice-chairman, both of whom shall continue in office at the pleasure of the President.

2.21—Calling committee to order

The chairman or, in the chairman's absence, the vice-chairman, shall call the committee to order at the hour provided by these Rules. On the appearance of a quorum the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

2.22—Chairman's control

The chairman or vice-chairman shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chairman or vice-chairman may require participants in the disturbance to clear the room.

2.23—Chairman's authority; appeals

The chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. The chairman shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chairman to the Senate for a decision by the President during the daily session of the Senate next following such certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chairman may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chairman, Vice-Chairman; vote

The chairman and vice-chairman shall vote on all matters before such committee. The name of the chairman shall be called last.

2.25—Temporary alternate to Chairman

The chairman may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. In the chairman's absence and/or omission to make such appointment, the vice-chairman shall act during his or her absence.

2.26—Vice-Chairman's duties

On the death, incapacitation, or resignation of the chairman, the vice-chairman shall perform the duties of the office until the President shall appoint a successor. In the absence of the chairman, the vice-chairman shall act as chairman.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting, proxy

Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented, and shall vote on

each question except that no member of a committee shall be required or permitted to vote on any question immediately concerning that member's private rights as distinct from the public interest.

The chairman may excuse any Senator for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chairman of the committee, shall constitute automatic withdrawal from the committee.

No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any bill or other matter considered by the committee.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

The chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then by a show of hands by three (3) members the chairman shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

A Senator may request to (a) change his or her vote or (b) vote before the results of a roll call are announced. After the results have been announced, a Senator with unanimous consent of those present may change his or her vote or vote. If the vote alters the final action of the committee, no change of vote or vote shall be valid until the measure has been recalled to the committee for further consideration. On request of a member prior to consideration of other business, the chairman shall order a verification of a vote.

2.29—Pairing prohibited

No pairing shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No Senator shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chairman. This explanation shall be kept as part of the committee record and a copy filed with the Secretary of the Senate.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

Every motion may be made orally. On request of the chairman, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the chairman, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended, or before a vote shall have commenced.

2.33—Motions; precedence

When a question is under debate, the chairman shall receive no motion except:

1. To rise
2. To take a recess
3. To reconsider
4. To limit debate
5. To temporarily pass
6. To postpone to a day certain

7. To commit to a select subcommittee
8. To amend

which shall have precedence in the descending order given.

The chairman shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

2.35—Reconsideration generally

When a question has been decided by a committee, any Senator voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the committee shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those present. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS

2.39—Amendments; form, notice, manner of consideration

No amendment to any measure, which amendment was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment was filed with the committee administrative assistant at least two (2) hours before the time the meeting was called to order. Copies of such amendment shall be made reasonably available by the committee administrative assistant before the meeting, upon request, to the members of the committee and to the public. Neither a technical amendment nor an amendment which is prepared by a member of the committee during the committee meeting at which it is offered need be so noticed.

Amendments shall be filed on forms prescribed by the Secretary but shall be considered only after sponsors, who are members of the committee, gain recognition from the chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chairman and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

2.40—Sequence of amendments to amendments

An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted on before the substitute is taken up. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or resolution is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chairman, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the whole bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.45—Decorum and debate

When a Senator desires to speak or deliver a matter to the committee, the Senator shall address himself or herself to "Mr. or Madam Chairman" and, on being recognized, may address the committee and shall confine himself or herself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the surname of the Senator referred to or addressed.

2.46—Chairman's power to recognize

When two (2) or more Senators speak at once, the chairman shall name the Senator who is to be first recognized.

2.47—Interruptions; when allowed

No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by rising to a question of privilege, a point of order requiring an immediate ruling, an appeal from the decision of the chairman concerning a point of order (if the appeal is made immediately following the decision), a parliamentary inquiry requiring an immediate reply, or to question the existence of a quorum. The chairman shall strictly enforce this Rule.

2.48—Speaking rights

When a member is speaking and another member interrupts to request recognition, the chairman may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those present.

2.50—Limitation on debate

When a measure is under debate by the committee, a Senator may move to limit debate, and the motion shall be decided without debate. The introducer of the measure shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chairman.

2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

2.53—Appeals

The proper method of taking exception to a ruling of the chairman is by appeal. An appeal from a decision of the chairman must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chairman. This second decision is also subject to appeal.

2.54—Appeals debatable

An appeal from a decision of the chairman on a point of order is debatable even though the question from which it arose was not debatable.

RULE THREE**BILLS, RESOLUTIONS, AND MEMORIALS****3.1—Form of bills**

All bills shall contain a proper title, as defined in Article III, Section 6 of the Constitution, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:". The title of each bill shall be prefaced by the words, "A bill to be entitled An act". Standard rules of capitalization shall apply.

The original must be backed in a folder-jacket signed by the sponsor(s). On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chairman, enough of the title for identification.

Bills that propose to amend existing provisions of the Florida Statutes (as described in section 11.242, Florida Statutes) or the Laws of Florida shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the Florida Constitution shall contain the full text of the section to be amended.

In general bills and joint resolutions that propose to create or amend existing provisions of the Florida Statutes, Chapter Laws of Florida, or of the Florida Constitution, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary of the Senate.

3.3—Form of local bills

As required by Article III, Section 10 of the Constitution, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary of the Senate. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Each joint resolution shall be prefaced by the words: "A Joint Resolution".

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

3.6—Form of resolutions; Senate and concurrent

All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the Constitution. Standard rules of capitalization shall apply. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:".

Only the Secretary of the Senate shall prepare copies of Senate resolutions that are to be furnished any person after the resolution's adoption.

3.7—Introduction during session

To facilitate processing and committee referencing, all bills shall be filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first day of the regular session.

Between regular sessions of the Legislature, bills may be prefiled by delivery to the Secretary of the Senate.

3.8—Prefiled bills

A prefiled bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise withheld from the operation of this Rule. Such a bill shall be treated as if it had been delivered for introduction on the first day of the succeeding regular session.

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill shall be provided each Senator. The Secretary shall mail regularly to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

After having been considered by a committee and a report made to the Secretary at least seven (7) days preceding a regular session, each bill shall be introduced and read on the first (1st) day thereof, pursuant to

the Constitution, Laws of Florida, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

If a committee fails to deliver its report of a prefiled bill prior to seven (7) days next preceding the convening of a regular session or, if a prefiled bill has received a reference to more than one (1) committee and less than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

Notwithstanding these Rules, a Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those present.

3.9—Printed copies of bills

When introduced, bills, not local in application, and joint resolutions (including committee bills and committee substitute bills) shall be printed by the Secretary for the information of the Senate and the public. The absence of a printed copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Committee on Ways and Means shall be made available to the members and upon request, to the public, at the office of the Secretary of the Senate and at the committee's office, no less than two (2) hours prior to the time the Committee on Ways and Means meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by machines as used in banks for validating or canceling checks or other documents, or made by any other device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second or third reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote of those present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills

Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on Ways and Means.

3.13—Fiscal notes

Upon being favorably reported by a standing committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries and the cooperation of appropriate state agencies for necessary data shall be solicited.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate.

If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President. This schedule shall set forth hours to convene and adjourn. The Senate shall not meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

4.3—Daily order of business

The daily order of business shall be as follows:

1. Roll call
2. Prayer
3. Reports of committees
4. Motions relating to committee reference
5. Messages from the Governor and other executive communications
6. Messages from the House of Representatives
7. Matters on reconsideration
8. Consideration of bills on third reading
9. Special Order as determined by the Committee on Rules and Calendar
10. Consideration of bills on second reading
11. Correction and approval of Journal

The Secretary of the Senate shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President.

On the first legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.

First reading of bills shall be accomplished by publication of the title thereof in the journal pursuant to Article III, Section 7 of the Florida Constitution as amended.

4.4—Committee of the whole

By a majority vote of those present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only on two-thirds (2/3) vote of those present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the Constitution, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

Except when the Senate is voting on a proposition, reports of committees of conference shall always be in order.

4.6—Reference generally; final days for introduction of bills and resolutions

All bills, including those that are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees. Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills. If the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by the chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chairman of the standing committee shall promptly re-

port this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose. The reference of a bill that is local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is, in fact and function, local in nature and whether it responds to the legal requirements of a local bill. A bill is local in nature if it does not alter a law of general application throughout the state and affects no more than one county. When the Committee on Rules and Calendar, through staff analysis, has determined a bill is in fact and law a local bill, it shall be reported and referred to the calendar on local bills. When the Committee on Rules and Calendar, through staff analysis, determines a bill is not local in nature, a report stating the reasons therefor shall be furnished to the President of the Senate who shall refer such bill to an appropriate standing committee for hearing. Such determination and report shall be made within fifteen (15) legislative days from date of reference.

All Senate bills filed for introduction after 12:00 noon on the first day of the regular session (except for the general appropriations bill, local bills, and joint resolutions) shall be referenced, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except on two-thirds (2/3) vote of those present. If a committee reports a committee substitute favorably, other committee consideration shall be directed to the substitute and not to the original.

4.8—Reference of bills affecting appropriations, revenue, retirement or county or municipal spending

All bills authorizing or substantially affecting appropriations and all bills authorizing or substantially affecting tax revenue shall be referred to the Committee on Ways and Means. All bills substantially affecting a state-funded or state-administered retirement system shall be referred to the Committee on Governmental Reform and Oversight. All bills which are affected by the provisions of Article VII, Section 18, Florida Constitution shall be referred to the Committee on Community Affairs. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program or expenditures or revenues as set forth in Article VII, Section 18, Florida Constitution shall, before being placed before the Senate for final passage, be referred along with all amendments to the Committee on Ways and Means, or the Committee on Governmental Reform and Oversight, or the Committee on Community Affairs, as appropriate for review and recommendation to the Senate which review during the last ten (10) days of a regular session shall be accomplished within twenty-four (24) hours.

4.9—Reference of resolutions and veto messages

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration, or concurrent resolutions recalling a bill from the Governor's office. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration may be shown as introduced, read and adopted by publication in full in the Journal. All veto messages shall be referred to the Committee on Rules and Calendar.

4.10—Reference to different committee or removal

When the President has referred a bill, a Senator may, no later than under the Order of Business of "Motions Relating to Committee Reference" on the following legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee

after filing a card with the Rules Chairman signed by the chairman of the affected committee and the chairman of the Committee on Rules and Calendar. This motion may be adopted by a two-thirds (2/3) vote of those present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless two-thirds (2/3) of those present decide otherwise as provided in the Constitution under Article III, Section 7.

4.13—Reading of concurrent resolutions and memorials

Each concurrent resolution or memorial shall receive two (2) separate readings on two (2) separate days previous to a voice vote on adoption, unless two-thirds (2/3) of those present decide otherwise. If the reading on the second day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second time by title only.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read by title only and shall be read an additional time in full before the question is put on adoption by voice vote, except that resolutions of condolence or commemoration may be shown as introduced, read and adopted by publication in full in the Journal.

4.15—Referral or postponement on third reading

On the third reading of a bill or joint resolution, it shall not be referred or committed (except to the Committee on Ways and Means) or amended (except a corrective or title amendment) without consent of two-thirds (2/3) of those present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those present shall orally give the membership not less than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill or joint resolution and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those present shall be given or refused without further debate.

4.17—Special order calendar; consent calendar

Commencing on the first day of a regular session of the legislature permitted under the Constitution and during any extension directed by the membership of the legislature as permitted under the Constitution, the Chairman of the Committee on Rules and Calendar or the Chairman's designee, the Vice-Chairman of the Committee on Rules and Calendar or the Vice-Chairman's designee, the Minority Leader or the Minority Leader's designee, and two (2) other members of the committee designated by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Except for the first day, each Special Order Calendar shall be for the second succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for special order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those present or any bill appearing on the general calendar of bills on second or third reading may be added to the end of the Special Order Calendar by the same vote. All bills set as special order for consideration at the same hour shall take precedence in the order in which they were given preference.

A vote of two-thirds (2/3) of those present shall be required to establish a Special Order except as provided in this Rule. Notice of time and place for the establishment of the Special Order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

The Committee on Rules and Calendar, with the approval of the President, may submit a consent bill calendar to be held in conjunction with the Special Order Calendar. When such a day is designated, all bills appearing on the consent calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such bill to be temporarily passed, it retains its order on the regular calendar. A Senator may designate only a bill that he or she sponsors or a House bill for the consent calendar. A committee chairman may designate a committee bill sponsored by his or her committee. All consent calendar bills must have appeared on the printed Senate calendar.

4.18—Calendar of local bills

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Committee on Rules and Calendar or its designees and approved by the President.

4.19—Order after second reading

The order of disposition of a bill that has been read the second time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third reading to be considered on some succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third reading when it has been read a second time on a previous day and no motion left pending. Bills calendared for second or third reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.20—Enrolling

The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

4.81—Claim bills

a. Claim bills are of two types: excess judgment claims filed pursuant to section 768.28(5), Florida Statutes, and equitable claims filed without an underlying excess judgment.

b. All claim bills shall be filed with the Secretary of the Senate on or before August 1 in order to be considered by the Senate during the next regular session. A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Committee on Rules and Calendar shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by at least two-thirds (2/3) vote of those present.

c. All claim bills shall be referred by the President to one or more committee(s) for review. If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The

Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law and recommendations no later than December 1. The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

d. On receipt of the Special Master's report and recommendations, if any, the Secretary shall, under the President's initial reference, deliver each claim bill with the report attached, to the committee or committees of reference.

e. Stipulations entered into by the parties are not binding on the Special Master, the Senate or its committees.

f. The hearing and consideration of a claim, any element of which is pending in litigation, shall be held in abeyance until all judicial activity thereon, including any appellate proceedings, shall have come to rest.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?". And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

5.2—Change of vote

After the result of the vote has been announced by the President, a Senator with unanimous consent of those present may change his or her vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator unless the Senator is present in the chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote wrongfully in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Pairing

Pairing shall be permitted only on the absence of a Senator excused from attendance and shall specifically state, in writing, the bill or bills to which the pair applies.

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

When a question is under debate, the President shall receive no motion except:

1. To adjourn
 - (a) Instantly
 - (b) At a time certain
2. Questions of privilege
3. To take a recess
4. To proceed to the consideration of executive business
5. To reconsider
6. To limit debate
7. To temporarily pass
8. To postpone to a day certain
9. To commit to the Committee of the Whole
10. To commit to a standing committee
11. To commit to a select committee
12. To amend
13. To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one substitute shall be entertained and the substitute shall be in the same order of precedence.

6.3—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

6.4—Reconsideration generally

When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets. If the question has been decided by voice vote, any Senator may so move. Such motion may be made pending a motion to adjourn or if it is time to adjourn. Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in

order except on unanimous consent of those present. During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day. When a majority of those present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority of those present is necessary for adoption or passage, any Senator may move for reconsideration.

6.5—Reconsideration; vote required

A majority of the affirmative votes of those present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the Constitution for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the Constitution for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

No amendment to a bill on the Special Order Calendar prepared prior to the time a session of the Senate has convened shall be considered by the Senate unless the amendment was filed with the Secretary of the Senate no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary of the Senate before the session, upon request, to the members and to the public. Neither a technical amendment nor an amendment which is prepared by a member during the session at which it is offered need be so noticed.

Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in the chairman's absence, the vice-chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary of the Senate but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment. Bills which have received an unfa-

vorable committee report, have been withdrawn from further consideration by the sponsor, and bills the substance of which have not been reported favorably by all committees of reference, are out of order and shall not be admitted or considered under color of amendment to a bill on the calendar and under consideration by the Senate; amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

Amendments may be adopted on second reading by a majority vote of those present and on third reading by a two-thirds (2/3) vote of those present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those present on third reading.

7.3—Sequence of amendments to amendments

An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order: (1) Amendments to the amendment are acted on before the substitute is taken up. Only one amendment to the amendment is in order. (2) Amendments to the substitute are next voted on. (3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is reported to the House.

7.8—House amendments to Senate bills

After the reading of a House amendment to a Senate bill, the Senate may: (1) amend the House amendment, (2) concur in the House amendment, (3) refuse to concur in the House amendment and ask the House to recede, or (4) request a conference committee. The adoption of all the foregoing motions shall be by majority vote of those present.

7.9—House refusal to concur in Senate amendment

If the House shall refuse to concur in a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named: (1) that the Senate recede, (2) that the Senate insist and ask for a conference committee, or (3) that the Senate insist. The adoption of any of the foregoing motions shall be by majority vote of those present.

RULE EIGHT

DECORUM AND DEBATE

8.1—Decorum and debate

When a Senator desires to speak or deliver a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to "Mr. or Madam President", and, on being recognized, may address the Senate from his or her desk or from the well of the Senate, and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer's power of recognition

When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

8.3—Interruptions; when allowed

No Senator shall be interrupted by another without the consent of the Senator who has the floor, except:

1. by rising to a question of privilege;
2. by rising to a point of order requiring an immediate ruling;
3. by appeal from the decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
4. a parliamentary inquiry requiring an immediate reply; or
5. a question of no quorum.

The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

When a member is speaking and another member interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member then is entitled to resume the floor.

The Senator making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those present.

8.6—Limitation of debate

When a measure is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the measure shall have five (5) minutes to discuss said motion. If, by two-thirds (2/3) vote of those present, the question is decided in the affirmative, debate shall be limited accordingly.

8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending,

but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second decision is also subject to appeal.

8.10—Appeals, debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

Questions of privilege shall be: first, those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and second, the rights, reputation, and conduct of Senators individually, in their representative capacity only. These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida House and Senate.

9.2—Obligations of lobbyist

A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.

A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.4—Advisory opinions

A lobbyist, when in doubt about the applicability and interpretation of this Rule in a particular context, may submit in writing a statement of the facts involved to the Committee on Rules and Calendar and may appear in person before said committee.

The Committee on Rules and Calendar may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.5—Compilation of opinions

The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar.

9.6—Penalties for violations

Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate and on recommendation of the Committee on Rules and Calendar. The Committee on Rules and Calendar, before making said recommendation, shall conduct a hearing, after notifying

the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of this Rule, the Joint Rules and the laws of Florida, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

None of the persons entitled to admission shall be admitted if registered pursuant to Rule 9.

10.3—Admission of press by President

Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Attire

All male persons on the main floor of the Senate and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats and ties at all times while the Senate is in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN

CONSTRUCTION AND WAIVER OF RULES

11.1—Interpretation of Rules

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of all Senators present. The motion, when made, shall be decided without debate. A motion to waive a rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those present.

11.3—Changes in Rules

All proposed actions touching the Rules and Order of Business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of the members present.

11.4—Majority action

Unless otherwise indicated by these Rules or the Constitution of Florida, all action by the Senate shall be by majority vote of those Senators present.

11.5—Uniform construction

When in these Rules reference is made to “two-thirds (2/3) of those present”, “two-thirds (2/3) vote”, “two-thirds (2/3) of the Senate”, “two-thirds (2/3) of those voting”, etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the Constitution.

11.6—General

When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided otherwise, the use of the word “bill” or “measure” means a bill, joint resolution, concurrent resolution, resolution, or memorial.

RULE TWELVE

EXECUTIVE SESSIONS, APPOINTMENTS, SUSPENSIONS, AND REMOVALS

PART ONE—EXECUTIVE SESSIONS

12.1—Executive session; authority

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the Constitution of Florida.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the Constitution of Florida, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators and the Secretary of the Senate, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept a secret except information on which the bans of secrecy were lifted by the Senate while in executive session.

12.5—Separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rule as to the secrecy of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

PART TWO—APPOINTMENTS, SUSPENSIONS, AND REMOVALS

12.7—Procedure

(a) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Committee on Executive Business, Ethics and Elections, other appropriate committee or to a Special Master

appointed by the President. Either one shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Committee on Rules and Calendar for its consideration and report. When the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(b) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the Committee on Executive Business, Ethics and Elections, other appropriate committee or Special Master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, the committee or the Special Master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above.

In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee or the Special Master, and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(c) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or Special Master.

(d) The suspended official may file with the Secretary of the Senate, no later than ten (10) days prior to the first pre-hearing conference, or no later than the date set by the committee or Special Master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(e) When it is advisable, the committee or Special Master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee or Special Master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(f) The committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, and photocopies of all documentary and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(g) Subject to the limitations of Rule 12.7(b) the committee or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee or Special Master but is held in abeyance in accordance with Rule 12.7(b), the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(b). The Senate may act on the recommendations of the committee or Special Master at any time it is in session but shall do so no later than the end of the next regular session of the legislature.

(h) For the purposes of Article IV, Section 7(b) of the Constitution of Florida, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(i) If the Governor files an amended suspension order, the attention of the Senate, the committee or the Special Master shall be directed at the amended suspension order.

(j) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee or Special Master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

The President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.9—Special Master; floor privilege

With consent of the President, the Special Master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

The committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee or Special Master.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule 12 and Part V of chapter 112, Florida Statutes, the Rule, derived from Article III, Section 4(a) of the Constitution of Florida, shall take precedence.

RULE THIRTEEN

SPECIAL SESSION

13.1—Applicability of Senate Rules

All Senate Rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President.

13.3—Committee meetings; schedule, notice

Committee meetings shall be coordinated and scheduled by the Committee on Rules and Calendar, or a subcommittee thereof. Meetings of standing committees and standing subcommittees scheduled in accordance with this Rule may be held following an announcement by the chairman while the Senate is in session, and by posting a notice on a bulletin board in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. The notice posted shall include the date, time, and place of the committee meeting, and short title and the bill number of each bill to be considered. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

13.5—Committee reports

Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third calendar day from the day of reference (the day of reference not being counted as the first day) unless otherwise ordered by the Senate by majority vote of those present. Any bill on

which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once.

The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment striking everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

When a bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day.

13.8—Special order calendar

The Committee on Rules and Calendar may submit a Special Order Calendar determining the time and priority for consideration of bills.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal". At the bottom shall be the date: "1838". The perimeter of the seal shall contain the words: "Senate" and the "State of Florida".

There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate".

REPORTS OF COMMITTEES, continued

The Committee on Health Care recommends the following pass: SB 358

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

The Committee on Transportation recommends the following pass: SB 236

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 118 with 1 amendment

The Committee on Natural Resources recommends the following pass: SB 52

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

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 132 with 1 amendment

The Committee on Transportation recommends the following pass: SB 374, SB 396 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: SB 28

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

The Committee on Regulated Industries recommends the following pass: SB 68 with 1 amendment, SB 82 with 2 amendments

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

The Committee on Children, Families and Seniors recommends the following pass: SB 372 with 2 amendments

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 208

The Committee on Community Affairs recommends the following pass: SB 14 with 1 amendment, SB 62 with 1 amendment

The Committee on Governmental Reform and Oversight recommends the following pass: SB 268

The Committee on Health Care recommends the following pass: SB 244 with 2 amendments

The Committee on Natural Resources recommends the following pass: SB 4 with 3 amendments

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

The Committee on Criminal Justice recommends the following pass: SB 42 with 1 amendment, SB 122 with 1 amendment, SB 156, SB 258 with 2 amendments, SB 316 with 1 amendment

The Committee on Education recommends the following pass: SB 342

The Committee on Health Care recommends the following pass: SB 144

The Committee on Judiciary recommends the following pass: CS for SB 104

The Committee on Rules and Calendar recommends the following pass: SB 416, SB 418, SB 420, SB 422, SB 424, SB 428, SB 430, SB 432, SB 434, SB 436, SB 438, SB 440, SCR 454

The Committee on Transportation recommends the following pass: SB 98

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

The Committee on Natural Resources recommends the following not pass: SB 48

The bill was laid on the table.

The Committee on Regulated Industries recommends a committee substitute for the following: Senate Bills 404 and 414

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 300

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 138

The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 248

The Committee on Community Affairs recommends a committee substitute for the following: SB 104

The Committee on Transportation recommends a committee substitute for the following: SB 106

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 Agriculture recommends a committee substitute for the following: SB 186

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 288

The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 384

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 188

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 284, SB 286

The Committee on Judiciary recommends a committee substitute for the following: SB 82

The Committee on Natural Resources recommends committee substitutes for the following: SB 26, SB 266

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 Education recommends committee substitutes for the following: SB 340, SB 458, SB 460, SB 462

The Committee on Judiciary recommends a committee substitute for the following: SB 8

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 Health Care recommends that the Senate confirm the appointment made by the Governor of Dr. James Thomas Howell, as **Secretary of the Department of Health**, to serve at the pleasure of the Governor.

[The appointment contained in the foregoing report was referred to the Committee on Executive Business, Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Meadows and Casas—

SB 2—A bill to be entitled An act relating to postsecondary education; creating the minority teacher education scholars program; requiring a training program; providing for enrollment in the program; authorizing scholarships to certain students; authorizing incentive awards for public community colleges and certain public and private colleges and universities; providing restrictions; providing for repayment of scholarships; providing exceptions; creating the Florida Fund for Minority Teachers, Inc., in the College of Education at the University of Florida; requiring budget projections and a 7-year plan; authorizing scholarships and incentives; providing for a board of directors; providing responsibilities; limiting administrative costs; providing an effective date.

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

By Senator Meadows—

SB 4—A bill to be entitled An act relating to motor vehicles; defining the term "alternative fuel"; providing for an alternative-fuel-use permit and alternative-fuel decal to be issued by the Department of Revenue for a fee; providing for tax and fee exemptions; authorizing noneconomic incentives for alternative-fuel vehicles; providing an effective date.

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

By Senator Bronson—

SB 6—A bill to be entitled An act relating to handgun purchases; amending s. 790.0655, F.S.; revising the provision of law relating to the 3-day waiting period for the purchase of a handgun to exempt purchases by certain law enforcement officers, correctional officers, or correctional probation officers; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Meadows—

SB 8—A bill to be entitled An act relating to settlement of claims by or on behalf of a minor; amending s. 744.387, F.S.; increasing the amount of a net settlement to a minor ward that will require a legal guardianship; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Burt—

SB 10—A bill to be entitled An act relating to state correctional facilities; creating the “Tobacco-free Prisons Act”; providing legislative intent; requiring the Department of Corrections and the Correctional Privatization Commission to make smoking-cessation assistance available to inmates; requiring the act to be fully implemented by a specified date; providing definitions; prohibiting an inmate within a state correctional facility from possessing or using tobacco products; permitting certain inmates to possess or use tobacco products; prohibiting visitors from possessing tobacco products while in a state correctional facility; requiring the superintendent of each correctional facility to designate an outdoor smoking area within the facility for use by employees; providing a limitation on areas that may be designated as smoking areas; providing penalties; permitting the department to develop and implement an employee wellness program; providing an effective date.

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

By Senator Burt—

SB 12—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; clarifying the benefit payment and calculation procedure under the system; providing for dual calculation of benefits with respect to members of the Elected State and County Officers’ Class who initially become members of that class on or after a specific date; providing for matters relative thereto; providing an effective date.

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

By Senator Meadows—

SB 14—A bill to be entitled An act relating to ad valorem taxes; amending s. 196.081, F.S.; providing an exemption from taxation for the homestead of the surviving spouse of a veteran who was killed while on active duty; providing an effective date.

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

By Senator Meadows—

SB 16—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “normal retirement date” to provide for retirement after 25 years of service at age 55 for certain members; repealing s. 121.052(8), F.S., relating to the normal retirement date for elected officers, which provisions are clarified and reenacted elsewhere in the act; increasing contribution rates to fund the provisions of the act; providing a declaration of important state interest; providing an effective date.

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

By Senator Burt—

SB 18—A bill to be entitled An act relating to the Violent Crime Emergency Account; amending ss. 943.031, 943.042, F.S.; changing terminology to conform to the renaming of the Violent Crime Investigative Emergency Account as the Violent Crime Emergency Account by ch. 94-215, Laws of Florida; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Brown-Waite—

SB 20—A bill to be entitled An act relating to financial responsibility for medical expenses of certain prisoners; amending s. 901.35, F.S.;

prescribing the sources from which reimbursement must be sought for medical care provided to a person who is ill or injured during or at the time of the person’s arrest; providing an effective date.

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

By Senator Bronson—

SB 22—A bill to be entitled An act relating to liens; creating s. 713.656, F.S.; providing for liens for bulk feed; providing definitions; providing for a lien for distributors registered under s. 580.041, F.S., of the Florida Commercial Feed Law who furnish bulk feed for the unpaid portion of such bulk feed; providing an exception; requiring feeders to obtain a “feed bond” of not less than \$25,000; providing a presumption; providing for the term of the lien; providing for perfection of the lien; providing for notice; requiring the clerk of the circuit court to file a claim of lien and charge a fee therefor; providing for a termination statement upon the satisfaction of the lien; providing an effective date.

—was referred to the Committees on Agriculture and Judiciary.

By Senator Burt—

SJR 24—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to limit legislative authority with respect to taxes.

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

By Senator Bronson—

SB 26—A bill to be entitled An act relating to environmental protection; amending s. 403.813, F.S.; providing that certain environmental permits are not required for maintenance dredging of portions of natural waterbodies within approved rights-of-way or drainage easements; providing an effective date.

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

By Senator Meadows—

SB 28—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.732, F.S.; including motor vehicles used as public school transportation in the definition of “motor vehicle” for insurance purposes; amending s. 627.733, F.S.; providing an exemption from a requirement to maintain certain financial security; providing an effective date.

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

By Senator Burt—

SB 30—A bill to be entitled An act relating to sentencing; amending s. 921.001, F.S.; authorizing the court to sentence a defendant to a specified term of incarceration if the defendant is convicted of a felony committed on or after a certain date, the defendant has previously been convicted of a felony, and the sentence recommended under the sentencing guidelines is not a state prison sanction; providing that a determination of guilt is a conviction for purposes of imposing such sentence, regardless of whether adjudication is withheld; providing that the sentence may not be appealed except upon grounds of illegality; providing an effective date.

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

By Senator Burt—

SB 32—A bill to be entitled An act relating to sentencing; amending s. 921.001, F.S.; providing that the court may impose a sentence outside the sentencing guidelines based on prior offenses that indicate an increase in the severity of the defendant's criminal conduct; providing that the prior offenses need not be similar in nature or temporally proximate to the current offense before the court; providing an effective date.

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

SCR 34 was withdrawn prior to introduction.

By Senator Williams—

SB 36—A bill to be entitled An act relating to secondhand dealers; amending s. 538.06, F.S.; providing limitations on vehicle title loan transactions; creating s. 538.065, F.S.; providing for the licensure of dealers making title loan transactions; providing fees; providing for regulation by the Department of Banking and Finance; providing guidelines for the operation of title loan businesses; providing grounds for discipline of licensees; providing penalties; prohibiting certain acts; creating s. 538.067, F.S.; providing for the examination of certain records; providing examination fees; creating s. 538.069, F.S.; providing immunity; providing for the issuance of subpoenas; providing powers and duties of the Department of Banking and Finance; providing for the adoption of rules; amending s. 538.09, F.S.; exempting certain secondhand dealers from registering with the Department of Revenue; providing an effective date.

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

By Senator Meadows—

SB 38—A bill to be entitled An act relating to education; creating the "Florida Maximum Class Size Goals Act"; providing intent; providing goals relating to class size in certain grade levels; providing for funding; providing for review of statutory mandates; requiring annual reports and a study based on class size reductions; providing an effective date.

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

By Senators Brown-Waite, Dudley and Grant—

SB 40—A bill to be entitled An act relating to wrongful death; repealing s. 768.21(8), F.S., which prohibits the recovery of damages for wrongful death by specified persons; providing an effective date.

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

By Senator Williams—

SB 42—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date the holder of the license establishes legal residence in this state; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Scott and Williams—

SB 44—A bill to be entitled An act relating to diesel fuels; providing that certain sales and uses of dyed diesel fuels are lawful; amending s.

212.0501, F.S.; providing that certain sales of diesel fuel are subject to the sales tax under ch. 212, F.S.; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Rossin—

SB 46—A bill to be entitled An act relating to the rights of accused persons; creating the Speedy Trial Reform Act of 1996; amending s. 918.015, F.S.; allowing the Florida Supreme Court discretion in adopting rules that provide for the right of a defendant to a speedy trial; prohibiting a court from discharging a defendant from prosecution unless the court finds a substantive violation of the defendant's right to a speedy trial; providing for determining the period that constitutes a speedy trial; amending s. 39.048, F.S.; deleting provisions that provide for dismissal with prejudice if an adjudicatory hearing for a juvenile offender is not held within a specified time; providing for the release of the juvenile until such adjudicatory hearing is complete; repealing Rule 3.191, Florida Rules of Criminal Procedure, relating to a defendant's right to a trial within a specified time; repealing Rule 8.090, Florida Rules of Juvenile Procedure, relating to a juvenile's right to an adjudicatory hearing within a specified time; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; and Rules and Calendar.

By Senator Meadows—

SB 48—A bill to be entitled An act relating to motor vehicles; directing the Department of Highway Safety and Motor Vehicles to establish two alternative-fuel-vehicle pilot projects; imposing a fee on the registration of motor vehicles; creating a trust fund; directing the legal entities for the Florida Gold Coast Clean Cities Coalition and the Florida Suncoast Clean Cities Coalition to perform certain duties relating to the pilot projects; providing for the use of trust fund moneys; authorizing a future fee increase; providing an effective date and termination date.

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

By Senator Meadows—

SB 50—A bill to be entitled An act relating to state procurement of contractual services; amending s. 287.057, F.S.; exempting the purchase of certain services for delinquency prevention and delinquency diversion programs from certain competitive sealed bid requirements; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Governmental Reform and Oversight.

By Senator Rossin—

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

By Senator Meadows—

SB 54—A bill to be entitled An act relating to municipal elections; amending s. 100.3605, F.S.; prohibiting a member of the governing body

of a municipality who is found guilty of a felony with adjudication of guilt withheld from qualifying for election to the governing body of any municipality; providing an effective date.

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

By Senator Jenne—

SB 56—A bill to be entitled An act relating to illegal aliens; amending s. 287.012, F.S.; providing that, to be a “qualified bidder” with respect to providing personal property or services, a person must certify that he does not, and will not, employ illegal aliens, as defined; providing an effective date.

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

By Senator Kirkpatrick—

SB 58—A bill to be entitled An act relating to leadership funds; amending s. 106.295, F.S.; providing additional restrictions on leadership funds; providing an effective date.

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

By Senator Horne—

SB 60—A bill to be entitled An act relating to sentencing; amending s. 775.084, F.S.; revising criteria for classifying and sentencing a habitual felony offender, a habitual violent felony offender, and a violent career criminal; providing an effective date.

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

By Senator Horne—

SB 62—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; providing that the tax on instruments relating to real property does not apply to certain conveyances between spouses or former spouses pursuant to an action for dissolution of marriage; providing an effective date.

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

By Senator Bronson—

SB 64—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; providing that certain high tourism impact counties may impose an additional tax by ordinance; providing for tax revenue use; providing for severability; providing an effective date.

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

By Senator Kurth—

SB 66—A bill to be entitled An act relating to education; amending s. 229.602, F.S., relating to private sector and education partnerships; revising provisions relating to teacher/quest partnership projects; amending s. 240.4082, F.S.; revising requirements of teacher/quest scholarship projects; providing an effective date.

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

By Senators Kurth and Bronson—

SB 68—A bill to be entitled An act relating to mobile home park recreation districts; amending s. 418.304, F.S.; providing alternatives to district boards of trustees for collecting a district assessment and for enforcing a lien for a district assessment; providing penalties; providing for delinquent fees; providing for a claim of lien for delinquent assessments; providing for awarding attorney’s fees in certain circumstances; providing an effective date.

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

By Senator Jenne—

SB 70—A bill to be entitled An act relating to Medicaid third-party liability; amending s. 409.910, F.S.; clarifying legislative intent as to certain amendments enacted by ch. 94-251, Laws of Florida; providing definitions; providing for judicial review of certain fees; recognizing remedial intent of ch. 94-251, Laws of Florida; providing an effective date.

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

By Senator Jenne—

SB 72—A bill to be entitled An act relating to district school board elections; requiring certain school districts to elect school district board members from single-member residence areas; providing an effective date.

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

By Senator Kirkpatrick—

SB 74—A bill to be entitled An act relating to expenditure requirements for education programs; amending s. 237.34, F.S.; providing restrictions on the allocation of funds appropriated for advanced placement instruction; providing an effective date.

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

By Senator Kirkpatrick—

SB 76—A bill to be entitled An act relating to the Postsecondary Education Planning Commission; amending s. 240.145, F.S.; authorizing the commission to suspend or dismiss its executive director and to fix compensation and job classifications for commission personnel; providing an effective date.

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

By Senator Kirkpatrick—

SB 78—A bill to be entitled An act relating to State University System student fees; amending s. 240.235, F.S.; authorizing a university resource fee, providing conditions for the expenditure of fee revenues; providing a procedure for increases; providing an effective date.

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

By Senator Burt—

SB 80—A bill to be entitled An act relating to sentencing; amending s. 921.0016, F.S.; providing that substance abuse or addiction, including

intoxication, shall not be the basis for mitigating a recommended guidelines sentence; providing an effective date.

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

By Senators Dudley, Childers, Grant, Myers, Kirkpatrick, Dantzer, Rossin, Brown-Waite, Thomas, Dyer, Williams, Latvala, Meadows, Clary, Lee, Silver, Forman, Bronson, Horne, Harris, Casas, Kurth, Campbell, Crist and Sullivan—

SB 82—A bill to be entitled An act relating to real estate transactions; amending s. 475.01, F.S.; defining the terms “customer,” “first contact,” and “principal”; redefining the term “transaction broker”; deleting the definition of the terms “buyer,” “disclosed dual agent,” and “seller”; amending s. 475.25, F.S.; modifying grounds for the imposition of discipline by the Florida Real Estate Commission; conforming a statutory cross-reference; creating ss. 475.270, 475.272, 475.274, 475.276, 475.278, 475.280, F.S.; establishing the “Brokerage Relationship Disclosure Act”; providing for notice of nonrepresentation; providing for disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; authorizing rulemaking by the Florida Real Estate Commission; amending s. 475.015, F.S.; adding disclosure documents to items to be retained as brokerage business records; amending s. 468.383, F.S.; conforming a statutory cross-reference; providing an effective date.

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

By Senator Burt—

SB 84—A bill to be entitled An act relating to false or perjured statements; amending s. 775.15, F.S.; providing that a person may be prosecuted at any time for the offense of committing perjury in an official proceeding that relates to the prosecution of a capital felony; amending s. 837.02, F.S.; providing that it is a second-degree felony to make a false statement under oath in an official proceeding that relates to the prosecution of a capital felony; providing that the defendant’s belief that a statement was immaterial is not a defense; amending s. 837.021, F.S.; providing that it is a second-degree felony to make contradictory statements under oath in an official proceeding that relates to the prosecution of a capital felony; providing that the materiality of a statement is a question of law; providing that it is unnecessary to prove which contradictory statement is untrue; providing that the defendant’s belief in the truth of each statement is a defense; amending s. 837.05, F.S.; providing that it is a third-degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a capital felony; amending s. 921.0012, F.S.; providing for the ranking under the sentencing guidelines of the offenses of giving false or perjured statements; providing an effective date.

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

By Senator Burt—

SB 86—A bill to be entitled An act relating to sentencing; amending s. 775.0845, F.S.; restating legislative intent with respect to sentencing for offenses committed while wearing a mask, hood, or similar device; providing an effective date.

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

By Senator Burt—

SB 88—A bill to be entitled An act relating to evidence in a criminal proceeding; creating s. 90.4051, F.S.; prohibiting consideration of evidence of a defendant’s voluntary intoxication to determine the existence

of a mental state that is an element of a crime; providing an effective date.

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

By Senator Burt—

SB 90—A bill to be entitled An act relating to theft; amending s. 812.015, F.S.; providing definitions; providing that failure to return rental property within a specified period after termination of the rental agreement or failure to pay certain amounts due to the merchant constitutes the offense of rental theft; authorizing a law enforcement officer, merchant, employee, or farmer to take a person into custody upon probable cause that the person has committed rental theft; providing that a merchant, employee, or farmer who takes a person into custody upon such probable cause is not liable for false arrest or false imprisonment; authorizing a law enforcement officer to arrest a person upon probable cause that the person has committed rental theft; providing that, while committing or after committing rental theft, it is a first-degree misdemeanor to resist efforts by a law enforcement officer, merchant, employee, or farmer to recover the property; providing an effective date.

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

By Senators Sullivan, Myers, Jenne, Rossin, Brown-Waite, Grant, Bronson, Horne, Dudley, Lee, Burt, Klein, Forman, Dyer, Latvala, Harris, Diaz-Balart, Campbell, Gutman, Ostalkiewicz, Kirkpatrick, Meadows and Cowin—

SB 92—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding flunitrazepam, gamma-hydroxybutyrate, alpha-ethyltryptamine, 2-amino-5-phenyl-2-oxazoline, 4-bromo-2, 5-dimethoxyphenethylamine, and methcathinone to the list of Schedule I controlled substances; adding fenfluramine to Schedule IV; eliminating flunitrazepam from the list of Schedule IV controlled substances; amending s. 893.13, F.S.; eliminating language with respect to penalties for the use of flunitrazepam; revising language with respect to combinations of certain controlled substances; amending s. 893.135, F.S.; providing penalties for trafficking in flunitrazepam; amending s. 921.0012, F.S.; conforming the sentencing guidelines to the act; providing an effective date.

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

By Senator Bronson—

SB 94—A bill to be entitled An act relating to operating motor vehicles; amending s. 316.1932, F.S.; providing that a person who operates a motor vehicle thereby gives consent to submit to a field sobriety test at the request of a law enforcement officer; providing that preliminary breath or saliva testing devices may be used in determining probable cause of arrest; providing that results from such test are inadmissible in certain proceedings; providing that a preliminary breath or saliva test does not satisfy the requirements of s. 316.1932(1), F.S.; providing an effective date.

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

By Senator Bronson—

SB 96—A bill to be entitled An act relating to law enforcement officers; amending s. 943.135, F.S.; allowing certain law enforcement officers to maintain certification and receive training and education from any program approved by the Criminal Justice Standards and Training Commission; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Williams—

SB 98—A bill to be entitled An act relating to outdoor advertising; amending s. 479.16, F.S.; allowing certain unpermitted signs in rural areas; prohibiting the implementation of this provision in certain circumstances; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Forman—

SB 100—A bill to be entitled An act relating to nursing home administration; amending s. 468.1645, F.S.; revising provisions that exempt from licensure requirements administrators of nursing homes operated by and for persons who rely upon treatment by spiritual means through prayer; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Forman—

SB 102—A bill to be entitled An act relating to homeowners' associations; amending s. 617.305, F.S.; authorizing associations to levy fines for certain continuing violations; limiting the amount of such fines; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senators Dyer and Forman—

SB 104—A bill to be entitled An act relating to homeowners' associations; amending s. 617.303, F.S.; providing that statutory provisions applicable to association board meetings do not apply to meetings of committees or similar bodies; amending s. 617.305, F.S.; deleting the limit on fines that an association may impose on members, tenants, guests, or invitees; deleting the prohibition against an association suspending the voting rights of a member; amending s. 617.306, F.S.; providing that members may vote for directors of the association by absentee ballot but not by proxy; providing an effective date.

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

By Senator Bronson—

SB 106—A bill to be entitled An act relating to the suspension of driver's licenses and motor vehicle registrations; amending s. 61.13016, F.S.; specifying requirements for giving a delinquent child-support obligor notice of delinquency and intent to suspend; providing an effective date.

—was referred to the Committees on Transportation and Judiciary.

By Senator Burt—

SB 108—A bill to be entitled An act relating to evidence in criminal proceedings; creating s. 90.1041, F.S.; prescribing the standard to be used by a court to determine whether a motion for a new trial based on a claim of newly discovered evidence should be granted; providing that a claim for any other relief or remedy based on such claim be treated as a motion for a new trial and providing that such claim is subject to the same standard; amending s. 90.104, F.S., relating to rulings on evidence, to conform; providing an effective date.

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

By Senator Rossin—

SJR 110—A joint resolution proposing amendments to Section 8 of Article II, Section 15 of Article III, and Section 4 of Article VI of the State Constitution relating to legislative campaign contributions, terms, and term limitations.

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

By Senators Kirkpatrick, Diaz-Balart, Casas, Sullivan, Silver, Horne, Williams, Dudley, Burt, Jones, Meadows, Latvala and McKay—

SB 112—A bill to be entitled An act relating to education; creating the Grant Program for Economically Disadvantaged Students; providing eligibility requirements; providing a time limitation for grant renewals; requiring transfer of funds by a date certain; requiring an annual report; providing for deposit of appropriations in the State Student Assistance Trust Fund; authorizing certain funds as sources for use by the program for certain purposes; amending s. 232.2465, F.S.; changing eligibility dates; authorizing the State Board of Education to specify the score required for a student to earn a Florida Academic Scholars' Certificate; amending s. 239.217, F.S.; providing requirements for qualification for the Florida gold seal vocational endorsement; changing an eligibility date; 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. 240.40, F.S.; reducing the portion of allocated funds that may remain in a trust fund at the end of a fiscal year; amending s. 240.4021, F.S.; deleting an obsolete date; correcting obsolete terminology; establishing a time limit; amending s. 240.404, F.S.; 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. 240.409, F.S.; authorizing eligibility determination and grant distribution for the Florida Public Student Assistance Grant Program to be conducted by the receiving institution; specifying a dollar value range for grant awards; amending s. 240.4095, F.S.; authorizing eligibility determination and grant distribution for the Florida Private Student Assistance Grant Program to be conducted by the receiving institution; specifying a dollar value range for grant awards; amending s. 240.4097, F.S.; authorizing eligibility determination and grant distribution for the Florida Postsecondary Student Assistance Grant Program to be conducted by the receiving institution; specifying a dollar value range for grant awards; amending s. 240.412, F.S.; deleting a CLAST requirement; amending s. 240.424, F.S.; requiring the Department of Education to develop an integrated student financial aid database; requiring a progress report; amending s. 240.437, F.S.; authorizing the Department of Education to use the Student Loan Guaranty Reserve Trust Fund for planning and developing student financial aid; deleting a CLAST requirement; amending s. 240.606, F.S.; deleting a requirement that a certain portion of funds for the Florida Work Experience Program be used for contracts with public schools; repealing s. 240.4045, F.S., which requires male applicants and recipients of financial aid services to comply with Selective Service System registration requirements; repealing s. 240.4093, F.S., which created the Vocational Student Assistance Grant Fund; providing effective dates.

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

By Senator Williams—

SB 114—A bill to be entitled An act relating to postconviction proceedings; amending s. 27.51, F.S.; revising duties of the public defender with respect to collateral relief and executive clemency; repealing ss. 27.7001, 27.701, 27.702, 27.703, 27.704, 27.705, 27.706, 27.707, 27.708, F.S.; abolishing the office of the capital collateral representative; amending ss. 43.16, 112.0455, 121.055, 216.011, 790.25, F.S., relating, respectively, to the Justice Administrative Commission, the Drug-Free Workplace Act, the Florida Retirement System, definitions relating to fiscal affairs of the state, and possession and use of firearms, in order to delete references to the capital collateral representative; providing an effective date.

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

By Senator Kirkpatrick—

SB 116—A bill to be entitled An act relating to expenses incurred by persons during their apprehension; amending s. 901.35, F.S.; prescribing the financial responsibility for medical and other specified expenses of a person who becomes ill, wounded, or injured during apprehension for violation of a state law or county or municipal ordinance; providing that responsibility for such expenses exists until treatment is completed; prescribing guidelines for payment of such costs from the county or municipal general fund; providing for assignment of benefits to a health care provider; prescribing responsibilities of the arresting or apprehending law enforcement agency and guidelines relating to provision of security to an arrested or apprehended person transported to a licensed health care facility and to facility patients and employees; providing an effective date.

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

By Senator Crist—

SB 118—A bill to be entitled An act relating to admissions to sporting events; amending s. 212.04, F.S.; exempting from taxation admissions to certain collegiate tournament games and baseball all-star games; providing an effective date.

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

By Senator Crist—

SB 120—A bill to be entitled An act relating to elections; amending s. 106.143, F.S.; providing conditions for political advertisements; providing additional requirements for specified political advertisements; providing a penalty; creating s. 106.1431, F.S.; requiring specific disclosures during telephone calls made in relation to a candidate, ballot proposal, or political organization; providing conditions for telephone solicitations; providing a penalty; creating s. 106.1432, F.S.; requiring the appointment of a registered agent for a person providing political campaign services or products before that person conducts business; requiring the filing of such appointment with the Division of Elections of the Department of State; providing a penalty; creating s. 106.1433, F.S.; requiring disclosure of messages accessible by computer or other medium; providing an effective date.

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

By Senator Crist—

SB 122—A bill to be entitled An act relating to corrections; amending s. 28, ch. 95-283, Laws of Florida; prescribing additional guidelines with respect to the policy of requiring certain offenders to perform labor in chain-gang work groups; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Kurth—

SB 124—A bill to be entitled An act relating to sex offenders; amending s. 948.03, F.S.; requiring that, as a condition of probation or community control, an offender convicted of certain sexual offenses be prohibited from living within a specified distance from the residence of a child under 16 years of age; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Kurth and Myers—

SB 126—A bill to be entitled An act relating to alcohol, drug abuse, and mental health services; providing a process for achieving equity in the funding of such services among the service districts of the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

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 referred to the Committees on Education; and Children, Families and Seniors.

By Senator Kirkpatrick—

SB 130—A bill to be entitled An act relating to traffic infractions; amending s. 318.121, F.S., relating to preemption of additional fees, fines, surcharges, and costs for traffic infractions; providing an exception from preemption with respect to such additional fees, fines, surcharges, and costs authorized under provisions of a general or special law or municipal or county ordinance which establish or fund a regional criminal justice assessment center or other local criminal justice access and assessment center; providing an effective date.

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

By Senator Crist—

SB 132—A bill to be entitled An act relating to political campaigns; prohibiting the use of state-owned aircraft by public officers for campaign purposes; providing a penalty; providing an effective date.

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

By Senators Horne, Myers, Diaz-Balart, Campbell, Klein, Clary, Ostalkiewicz, Bronson, Harris, Dudley, Holendorf, Kurth, Casas, Childers, Williams, Meadows, Hargrett, Burt, Gutman, Kirkpatrick and Sullivan—

SB 134—A bill to be entitled An act relating to ad valorem tax administration; amending s. 194.171, F.S.; providing that the property appraiser's assessment or determination is presumed correct in an administrative or judicial action in which a taxpayer challenges an assessment or a denial of an exemption or classified status; defining the taxpayer's burden of proof; providing an effective date.

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

By Senator Crist—

SB 136—A bill to be entitled An act relating to prisoners; amending s. 946.002, F.S.; requiring prisoners in the state correctional system to perform a specified amount of work; providing legislative intent; authorizing the Department of Corrections to adopt rules to implement the prisoner work requirement in accordance with specified guidelines; excluding certain education and job training from the prisoner work requirement; providing for in-house farming programs at correctional facilities; providing that certain moneys otherwise expended on prisoners'

food or on compensation for prisoners' work shall be used to offset costs of implementing the prisoner work requirement or correctional facility operation; providing that workers' compensation otherwise due or payable to a prisoner shall be used for restitution, child support, alimony, and correctional facility operation or placed for disposition purposes in the Crimes Compensation Trust Fund; providing an effective date.

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

By Senator Forman—

SB 138—A bill to be entitled An act relating to genetic testing for insurance purposes; amending s. 627.401, F.S.; providing applicability of provisions regulating insurance contracts to s. 627.4301, F.S.; creating s. 627.4301, F.S.; prohibiting insurers from requiring or using certain information derived from genetic testing of insureds or insurance applicants; requiring insurers that obtain such information to maintain its confidentiality; amending s. 632.638, F.S.; providing applicability of s. 627.4301, F.S., to fraternal benefit societies; creating s. 636.0201, F.S.; providing applicability of s. 627.4301, F.S., to prepaid limited health service organizations; amending s. 641.30, F.S.; providing applicability of s. 627.4301, F.S., to health maintenance organizations; creating s. 641.4285, F.S.; providing applicability of s. 627.4301, F.S., to prepaid health clinics; amending s. 760.40, F.S.; defining the term "genetic testing"; providing standards for informed consent; providing for confidentiality of records; providing civil and criminal penalties; providing an effective date.

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

By Senator Crist—

SB 140—A bill to be entitled An act relating to marine net fishing; defining the term "net" for purposes of the constitutional limit on marine net fishing; providing for the Marine Fisheries Commission to adopt rules relating to nets used in such fishing; providing guidelines for the interpretation of the constitutional ban on nets; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senators Crist and Campbell—

SB 142—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; adding to the Special Risk Class of membership certain emergency medical technicians and paramedics; providing legislative intent; providing an effective date.

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

By Senator Myers—

SB 144—A bill to be entitled An act relating to limited licensure of physicians; amending ss. 458.317 and 459.0075, F.S.; eliminating the requirement that a physician or osteopathic physician be retired as a condition of being issued a limited license; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Williams—

SJR 146—A joint resolution proposing amendments to sections 3, 4, and 5 of Art. V of the State Constitution, relating to the judiciary.

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

By Senators Rossin and Campbell—

SB 148—A bill to be entitled An act relating to domestic violence; creating s. 784.09, F.S.; reclassifying the offense of battery as a third-degree felony if such offense constitutes an act of domestic violence and is committed in the presence of a minor under a specified age; providing applicability; amending s. 741.29, F.S.; prescribing standards for arrest policy for a law enforcement officer investigating alleged domestic violence; requiring certain reports by law enforcement officers; amending s. 943.171, F.S.; requiring certain training for law enforcement officers; providing an effective date.

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

By Senator Holzendorf—

SB 150—A bill to be entitled An act relating to the Florida Vessel Registration and Safety Law; amending s. 327.25, F.S.; providing an exemption from annual vessel registration fees for vessels owned and operated by the Safe Harbor Haven, Inc.; providing an effective date.

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

By Senators Holzendorf, Meadows, Forman, Jenne and Kirkpatrick—

SB 152—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; prohibiting the sale, manufacture, delivery, or possession with intent to sell, manufacture, or deliver any controlled substance within a specified distance of property used for religious services or property on which specified business enterprises conduct business; amending s. 921.0012, F.S.; prescribing sentencing guideline offense levels; providing an effective date.

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

By Senator Clary—

SB 154—A bill to be entitled An act relating to sentencing; amending s. 775.0845, F.S.; restating legislative intent with respect to sentencing for offenses committed while wearing a mask, hood, or similar device; providing an effective date.

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

By Senator Gutman—

SB 156—A bill to be entitled An act relating to the Violent Crime Emergency Account; amending ss. 943.031, 943.042, F.S.; changing terminology to conform to the renaming of the Violent Crime Investigative Emergency Account as the Violent Crime Emergency Account by ch. 94-215, Laws of Florida; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Gutman, Diaz-Balart and Casas—

SB 158—A bill to be entitled An act relating to welfare reform; prohibiting certain discrimination in the provision of Medicaid and other public assistance; providing for certain assistance to legal residents of the United States; providing conditions; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senators Scott, Dudley and Jenne—

SB 160—A bill to be entitled An act relating to the Constitution Revision Commission; prescribing duties of the Joint Legislative Management Committee; authorizing the chairman of the commission to incur expenses, expend funds, and employ personnel; directing agencies to assist the commission; providing an appropriation; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Klein—

SB 162—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; prohibiting the sale, manufacture, or delivery of controlled substances, or possession of controlled substances with intent to sell, manufacture, or deliver, within 1,000 feet of the real property comprising a child care facility; providing penalties; amending s. 921.0012, F.S.; providing for classification of such offenses within the offense severity ranking chart; providing an effective date.

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

By Senator Gutman—

SB 164—A bill to be entitled An act relating to false or perjured statements; amending s. 775.15, F.S.; providing that a person may be prosecuted at any time for the offense of committing perjury in an official proceeding that relates to the prosecution of a capital felony; amending s. 837.02, F.S.; providing that it is a second-degree felony to make a false statement under oath in an official proceeding that relates to the prosecution of a capital felony; providing that the defendant's belief that a statement was immaterial is not a defense; amending s. 837.021, F.S.; providing that it is a second-degree felony to make contradictory statements under oath in an official proceeding that relates to the prosecution of a capital felony; providing that the materiality of a statement is a question of law; providing that it is unnecessary to prove which contradictory statement is untrue; providing that the defendant's belief in the truth of each statement is a defense; amending s. 837.05, F.S.; providing that it is a third-degree felony to knowingly give false information to a law enforcement officer concerning the alleged commission of a capital felony; amending s. 921.0012, F.S.; providing for the ranking under the sentencing guidelines of the offenses of giving false or perjured statements; providing an effective date.

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

By Senator Gutman—

SB 166—A bill to be entitled An act relating to criminal sentencing; amending s. 775.021, F.S., relating to rules of construction of the Florida Criminal Code; providing for imposition of consecutive sentences notwithstanding specified provisions relating to habitual offenders; providing for imposition of consecutive mandatory minimum terms of incarceration, limitations on release, and other mandatory minimum punishments; reenacting ss. 790.1615(3), 806.031(3), F.S., relating to penalties for unlawful throwing, projecting, placing, or discharging of destructive device or bomb that results in injury to another, and relating to penalties for arson resulting in injury to another, to incorporate the amendment in references thereto; providing an effective date.

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

By Senator Gutman—

SB 168—A bill to be entitled An act relating to evidence in a criminal proceeding; creating s. 90.4051, F.S.; prohibiting consideration of evidence of a defendant's voluntary intoxication to determine the existence

of a mental state that is an element of a crime; providing an effective date.

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

By Senator Gutman—

SB 170—A bill to be entitled An act relating to theft; amending s. 812.015, F.S.; providing definitions; providing that failure to return rental property within a specified period after termination of the rental agreement or failure to pay certain amounts due to the merchant constitutes the offense of rental theft; authorizing a law enforcement officer, merchant, employee, or farmer to take a person into custody upon probable cause that the person has committed rental theft; providing that a merchant, employee, or farmer who takes a person into custody upon such probable cause is not liable for false arrest or false imprisonment; authorizing a law enforcement officer to arrest a person upon probable cause that the person has committed rental theft; providing that, while committing or after committing rental theft, it is a first-degree misdemeanor to resist efforts by a law enforcement officer, merchant, employee, or farmer to recover the property; providing an effective date.

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

By Senators Brown-Waite, Cowin and Dyer—

SB 172—A bill to be entitled An act relating to juries; amending s. 40.24, F.S., relating to compensation for juror service; authorizing donation of juror compensation to a program specified by a certified guardian ad litem program or to a domestic violence shelter; providing duties of the clerk of court and guidelines with respect to receipt or expenditures of such donated moneys; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Rossin—

SB 174—A bill to be entitled An act relating to public records; creating s. 914.27, F.S.; providing an exemption from public records requirements for certain information held by various governmental entities and certain business entities relating to a victim of or witness to a crime obtained in connection with victim and witness protection services provided pursuant to s. 914.25, F.S., for certain information relating to such person's family, and for information relating to the protection program and permanent relocation sites; providing for future review and repeal under the Open Government Sunset Review Act of 1995; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Rossin—

SB 176—A bill to be entitled An act relating to victim and witness protection protocol; creating s. 914.25, F.S.; providing for the coordination of specified victim and witness special protection services for victims and witnesses at risk of harm by virtue of cooperation in cases involving serious felonies; providing for certification by the state attorney or statewide prosecutor; authorizing relocation of the victims or witnesses, with assistance from the Department of Law Enforcement; creating s. 914.26, F.S.; establishing a Victim and Witness Protection Review Committee within the Florida Violent Crime Council and providing membership and duties; providing for per diem and travel expenses of members; providing for reimbursements by the committee for protection or relocation services; providing an appropriation; providing an effective date.

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

By Senator Latvala—

SB 178—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 school personnel duties; amending s. 232.2462, F.S.; providing for conversion of college credit hours to high school credit according to certain requirements; providing an effective date.

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

By Senator Gutman—

SB 180—A bill to be entitled An act relating to minors; amending s. 562.13, F.S.; prohibiting the employment of a minor by a vendor licensed under the Beverage Law when the employment involves nudity, as defined, on the part of the minor; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Gutman—

SB 182—A bill to be entitled An act relating to sentencing; amending s. 921.001, F.S.; providing that the court may impose a sentence outside the sentencing guidelines based on prior offenses that indicate an increase in the severity of the defendant's criminal conduct; providing that the prior offenses need not be similar in nature or temporally proximate to the current offense before the court; providing an effective date.

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

By Senators Crist and Diaz-Balart—

SJR 184—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution relating to an additional homestead tax exemption.

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

By the Committee on Agriculture—

SB 186—A bill to be entitled An act relating to fertilizers; amending s. 576.011, F.S.; defining "compost," "investigational allowance," "manipulated manure," "manure," "pelletized fertilizer," "soil amendment," "soil conditioner," "soil additive," and "unmanipulated animal and vegetable manure"; amending s. 576.021, F.S.; deleting registration requirements; amending s. 576.031, F.S.; deleting labeling requirements; amending s. 576.051, F.S.; authorizing the Department of Agriculture and Consumer Services to test fertilizers and collect fees for costs; amending s. 576.061, F.S.; establishing investigational allowances; providing for penalties and compensation for certain plant nutrient deficiencies; amending s. 576.071, F.S.; revising the method of determining commercial value; amending s. 576.091, F.S.; providing for the appointment of members and alternate members of the Fertilizer Technical Council; amending s. 576.101, F.S.; revising performance levels for licenses; amending s. 576.151, F.S.; providing standards for the distribution of certain fertilizers; amending s. 576.181, F.S.; revising the department's authority relating to tolerances and investigational analyses; reenacting ss. 576.041, 576.055, 576.085, 576.087, 576.111, 576.122, 576.132, 576.141, 576.161, 576.171, 576.191, F.S., relating to fertilizers and scheduled for repeal October 1, 1997; reenacting s. 576.045, F.S., relating to nitrates in fertilizers; repealing s. 19, ch. 92-143, Laws of Florida, relating to the repeal and review of ch. 576, F.S.; providing an effective date.

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

By Senators McKay and Williams—

SB 188—A bill to be entitled An act relating to unemployment compensation; providing for temporary amendments to the contribution rates for specified employers; amending s. 443.111, F.S.; prescribing the maximum allowable weekly benefit amount; amending s. 443.131, F.S.; providing an exemption for family businesses; providing an effective date.

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

By Senator McKay—

SB 190—A bill to be entitled An act relating to public nuisances; amending s. 893.138, F.S.; providing that counties and municipalities may impose additional penalties by ordinance on the owner of a place declared to be a public nuisance; providing an effective date.

—was referred to the Committees on Community Affairs and Criminal Justice.

By Senator McKay—

SJR 192—A joint resolution proposing an amendment to Section 3 of Article III of the State Constitution, relating to the Legislature, to limit the subjects that may be considered at certain sessions of the Legislature.

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

By Senator McKay—

SB 194—A bill to be entitled An act relating to education; creating the "Parental Choice in Education Act"; providing purpose and definitions; providing duties of the Department of Education and district school boards; providing for the admission to participating schools of children with educational certificates; requiring agreements between participating schools and district school boards; providing standards and requirements for participating schools; restricting regulation of private schools; providing for the value of certificates and their redemption; providing eligibility for low-income students; providing for Choice Information Centers; providing for personal education accounts; authorizing establishment of Public Schools of Excellence; authorizing transportation service; providing an effective date.

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

By Senator Crist—

SJR 196—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to require voter approval of new or increased taxes or deletion of existing exemptions from taxes except in described circumstances.

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

By Senators Diaz-Balart, Crist, Silver and Gutman—

SB 198—A bill to be entitled An act relating to stalking; creating the "Jennifer Act"; amending s. 784.048, F.S.; defining the offense of aggravated stalking of a minor under age 16; providing penalties; providing an effective date.

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

By Senator Campbell—

SB 200—A bill to be entitled An act relating to condominiums; amending s. 718.116, F.S.; providing that a certain amount of condominium association liens shall have limited priority over other mortgages; providing an effective date.

—was referred to the Committees on Regulated Industries and Judiciary.

By Senator Bankhead—

SB 202—A bill to be entitled An act relating to juvenile justice; amending s. 39.01, F.S.; clarifying circumstances in which a child in need of services may be considered an abandoned child; amending s. 39.442, F.S.; authorizing the court to commit a child in need of services to the Department of Children and Family Services for placement in foster care or in a temporary shelter; authorizing the court to commit a child in need of services to the Department of Juvenile Justice if the parent refuses to care for the child; providing that such commitment does not abrogate the parent's legal responsibility for the child; specifying the maximum term of commitment; specifying circumstances in which the child must be treated as a dependent child; revising provisions to recognize the creation of the Department of Children and Family Services by the Legislature; amending s. 39.446, F.S., relating to the examination and treatment of a child and the examination of a parent who requests custody of a child; conforming a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Criminal Justice; and Ways and Means.

By Senators Cowin and Burt—

SB 204—A bill to be entitled An act relating to sentencing; amending s. 921.0016, F.S.; providing that substance abuse or addiction, including intoxication, shall not be the basis for mitigating a recommended guidelines sentence; providing an effective date.

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

By Senator McKay—

SB 206—A bill to be entitled An act relating to environmental control; repealing s. 403.708(10)(b), F.S., which prohibits the distribution or sale of certain polystyrene foam or plastic-coated paper products; providing an effective date.

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

By Senators Crist and Lee—

SB 208—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for certain complimentary meals; providing an effective date.

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

By Senator Crist—

SB 210—A bill to be entitled An act relating to public notices; creating s. 775.212, F.S.; requiring the sheriff or chief of police of the county or municipality wherein an offender released from incarceration plans to reside to notify the public if the offender is a violent offender; specifying the information to be provided to the public; defining the term "violent offender" for purposes of s. 775.212, F.S., to mean a person who has been

convicted of specified violent felonies or convicted of an attempt or conspiracy to commit such felonies; providing an effective date.

—was referred to the Committees on Criminal Justice and Community Affairs.

By Senator Williams—

SJR 212—A joint resolution proposing an amendment to section 4, Article X of the State Constitution, relating to homestead exemptions.

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

By Senators Latvala, Williams, Dyer, Bronson and Campbell—

SB 214—A bill to be entitled An act relating to telecommunications; creating ss. 125.421, 166.047, F.S.; prohibiting a local government from owning a telecommunications company or providing telecommunications services except through a business corporation subject to all applicable taxes and fees; providing an effective date.

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

By Senator Campbell—

SB 216—A bill to be entitled An act relating to deceptive and unfair trade practices; amending s. 501.2105, F.S.; providing for the award of attorney's fees and costs to a prevailing plaintiff; amending s. 501.211, F.S.; providing for recovery of damages in individual actions; providing an effective date.

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

By Senators Dyer, Forman, Casas, Dudley, Meadows and Childers—

SB 218—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; changing the normal retirement date for a member of the special risk class; amending s. 121.091, F.S.; changing the disability retirement benefit for a member of the special risk class; providing an effective date.

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

By Senator Kirkpatrick—

SB 220—A bill to be entitled An act relating to information management; providing for public information and specialized information services; creating the Florida Information Council in the Department of Management Services and providing its powers and duties; providing for the deposit of revenues from the sale of specialized information services and the funding of expanded public access to information and electronic records; providing an effective date.

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

By Senator Williams—

SB 222—A bill to be entitled An act relating to regulation of trade and commerce; repealing s. 559.04, F.S., relating to requirements of trading stamp companies prior to distribution of trading stamps; repealing s.

559.05, F.S., relating to required notice of intention to suspend or cease redemption of trading stamps; providing an effective date.

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

By Senator Crist—

SB 224—A bill to be entitled An act for the relief of the Estate of Alice Berdat, deceased; providing an appropriation to compensate the Estate of Alice Berdat for the death of Alice Berdat due to the negligence of the Department of Corrections; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Crist—

SB 226—A bill to be entitled An act for the relief of Mary Beth Wiggers; providing an appropriation to compensate Mary Beth Wiggers for injuries she sustained due to the negligence of the Department of Corrections; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Kirkpatrick—

SB 228—A bill to be entitled An act relating to the State University System; amending s. 110.131, F.S.; deleting a reporting requirement for the Board of Regents with respect to other-personal-services employees; amending s. 235.055, F.S.; deleting the authority of the Board of Regents to construct facilities on leased property and enter into certain leases; amending s. 240.205, F.S.; revising provisions relating to Board of Regents' contracts and acquisition of property and services; amending s. 240.207, F.S.; requiring an orientation program for members of the Board of Regents; amending s. 240.209, F.S., relating to duties of the Board of Regents; revising requirements for the board with respect to procurement and construction contracts; authorizing the Board of Regents to acquire and dispose of real property; providing procedures for appraisals and property acquisition; providing for personnel contracts; amending s. 240.2097, F.S.; deleting a requirement that the Board of Regents report to the Legislature on limited-access programs; revising requirements for student handbooks; amending s. 240.2111, F.S., relating to an employee recognition program; deleting requirement that the program be adopted by rule; amending s. 240.214, F.S.; revising accountability goals and reporting procedures for the State University System; amending s. 240.227, F.S.; providing responsibilities of university presidents; providing for the appointment of university presidents; revising duties of university presidents relating to acquisition of, and contracts for and management of, property and financial resources and approval and execution of general construction contracts; amending s. 240.241, F.S., relating to divisions of sponsored research at state universities; providing an exemption from certain contract requirements; amending s. 240.2605, F.S., relating to the Trust Fund for Major Gifts; deleting Board of Regents' rulemaking power; authorizing the Board of Regents Foundation to participate in the major gifts program; amending s. 240.274, F.S., relating to university libraries; deleting Board of Regents' rulemaking power; amending s. 240.2803, F.S.; revising the funds included within the definition of auxiliary enterprises; amending s. 240.281, F.S.; revising the authority for an institution to deposit certain funds outside the State Treasury; amending s. 240.295, F.S., relating to fixed capital outlay projects; providing for dormitories; deleting Board of Regents' rulemaking power; amending s. 243.151, F.S.; providing a procedure through which a university may construct facilities on leased property; amending ss. 282.308, 282.312, F.S.; providing Board of Regents' duties relating to resource management; amending s. 287.012, F.S., relating to purchasing and contractual services; providing responsibilities; amending s. 287.017, F.S.; revising the threshold amounts of purchasing categories; deleting applicability of certain rules to the State University System; repealing ss. 240.225, 240.247, 240.4988(4), F.S., and ss. 15 and 16 of ch. 94-232, Laws of Florida, relating to delegation of authority by the Department of Management Services to the State University System, eradication of salary discrimination, Board of Regents' rules for the Theodore R. and Vivian M. Johnson Scholarship

Program, the title of ch. 239, F.S., and a directive to the Division of Statutory Revision; providing an effective date.

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

By Senator Brown-Waite—

SB 230—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.075 and 316.192, F.S.; revising language with respect to traffic control signal devices; providing that reckless driving shall include violations for running a red light; providing an effective date.

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

By Senator Gutman—

SB 232—A bill to be entitled An act relating to SAR dogs; amending s. 843.19, F.S.; defining the term "SAR dog"; prohibiting the injuring or killing of an SAR dog under specified circumstances; providing penalties; providing an effective date.

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

By Senator Gutman—

SB 234—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating s. 212.0607, F.S.; imposing a surcharge on the sale of certain cruise ship admissions or tickets; providing rates of the surcharge; providing exemptions; providing that the proceeds shall be deposited in the Ecosystem Management and Restoration Trust Fund and used exclusively to implement a statewide beach management plan; providing for administration, collection, and enforcement; providing for rules; providing an effective date.

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

By Senator Horne—

SB 236—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 324.202, F.S.; expanding into two additional counties a pilot project that authorizes a recovery agent or recovery agency to seize the license plate of a motor vehicle following suspension of the vehicle's registration or suspension of the driver's license of the owner or operator of the vehicle for failing to maintain personal injury protection; requiring that the department provide procedures for paying fees and transmitting a seized license plate to the local law enforcement agency; requiring the department to report to the Legislature on the results of the pilot project; providing an effective date.

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

By Senator Brown-Waite—

SB 238—A bill to be entitled An act relating to certificates of need; amending s. 408.032, F.S.; deleting the definition of the term "capital expenditure" for purposes of the review for a certificate of need by the Agency for Health Care Administration; redefining the term "health care facility" to include a hospice; amending s. 408.036, F.S., relating to health care projects that are subject to certificate-of-need review; requiring the review of certain replacement health care facilities; eliminating certificate-of-need review for projects exceeding a specified expenditure threshold and for acquisition of major medical equipment; eliminating

the expedited review of research projects, education and training programs, donations, acquisition of land for health care facilities or health care provider offices, termination of health care services, and contracts for shared services; eliminating the expedited review of emergency projects and unforeseen major public health hazards; eliminating the exemption from review granted for certain facilities not directly used for health care services; exempting from review the termination of a health care service and certain expenditures for outpatient services; amending s. 408.037, F.S.; requiring that an applicant for a certificate of need comply with certain requirements with respect to the applicant's board of directors; amending s. 408.039, F.S.; revising requirements for an applicant with respect to letters of intent and administrative hearings; requiring a prehearing order; providing requirements for evidence presented at a final hearing; authorizing the hearing officer to impose certain sanctions; amending ss. 408.040, 408.702, F.S., relating to project monitoring and community health purchasing alliances; conforming cross-references to changes made by the act; amending s. 408.043, F.S.; providing that private accreditation is not required for issuance or maintenance of a certificate of need; amending ss. 400.602, 641.60, F.S., relating to hospice licensure for certain entities and the Statewide Managed Care Ombudsman Committee; conforming cross-references; providing an effective date.

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

By Senators Forman and Meadows—

SB 240—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from the public records law for certain records furnished pursuant to certain housing assistance programs; providing a statement of public necessity; providing an effective date.

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

By Senators Clary, Horne, Burt, Latvala, Jenne, Grant, Cowin, McKay, Diaz-Balart and Bankhead—

SB 242—A bill to be entitled An act relating to hurricane preparedness; amending s. 215.555, F.S.; providing for the use of investment income from the Florida Hurricane Catastrophe Fund by school boards in certain counties to construct and retrofit hurricane shelters; providing a limitation; providing guidelines for construction; providing an effective date.

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

By Senators Myers, Childers, Casas, Brown-Waite and Bankhead—

SB 244—A bill to be entitled An act relating to managed care; amending s. 627.6472, F.S.; requiring exclusive provider organizations to provide direct patient access to a dermatologist under contract with the organization and to develop criteria for compliance; amending s. 641.31, F.S.; requiring health maintenance organizations to provide direct patient access to a dermatologist under contract with the organization and to develop criteria for compliance; providing an effective date.

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

By Senator Turner—

SB 246—A bill to be entitled An act relating to selection of probation and parole office space by the Department of Corrections; amending s. 945.28, F.S.; requiring the department to advise by letter the county or municipal administrator 30 days prior to signing the lease or purchasing the property for intended probation or parole office space which is contiguous to a place where children or a population especially vulnerable to

crime due to age or physical or mental disability regularly congregates; providing an effective date.

—was referred to the Committees on Criminal Justice and Community Affairs.

By Senator Burt—

SB 248—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.464, F.S.; specifying additional circumstances under which the Department of Children and Family Services, the guardian ad litem, a child-placing agency, or certain other persons may petition the court for termination of parental rights; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Judiciary; and Ways and Means.

By Senators Kurth and Bronson—

SB 250—A bill to be entitled An act relating to Challenger license plates; amending s. 320.08085, F.S.; providing for the distribution of funds to the Astronauts Memorial Foundation, Inc., and the Technological Research and Development Authority; providing for the use of funds; imposing additional fees on certain purchases of license plates; providing an effective date.

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

By Senator Bronson—

SB 252—A bill to be entitled An act relating to battery; creating s. 784.041, F.S.; defining the offense of felony battery, and providing penalties therefor; amending s. 921.0012, F.S., relating to sentencing guidelines offense levels; providing for classification of felony battery offenses in the level 6 category of the offense severity ranking chart; providing an effective date.

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

By Senator Scott—

SB 254—A bill to be entitled An act relating to performance-based budgeting; amending s. 216.0172, F.S.; providing that the schedule for state agencies to institute performance-based budgets may be amended by the annual implementing bill; conforming or repealing obsolete terminology; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senators Forman and Grant—

SB 256—A bill to be entitled An act relating to legislative employees; amending s. 121.055, F.S.; authorizing the President of the Senate and the Speaker of the House of Representatives to designate additional employees of their respective house who may be required to participate in the Senior Management Service Class of the Florida Retirement System; providing an effective date.

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

By Senator Crist—

SB 258—A bill to be entitled An act relating to parole; amending ss. 947.16, 947.174, 947.1745, F.S., relating to eligibility for parole, parole

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

—was referred to the Committee on Criminal Justice.

By Senator Crist—

SB 260—A bill to be entitled An act relating to misdemeanor offenses; requiring that the court impose an enhanced sentence if an offender who has been found guilty of committing six or more second-degree misdemeanors within a specified period commits an additional second-degree misdemeanor; providing an effective date.

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

By Senator Dantzler—

SB 262—A bill to be entitled An act relating to aquatic plants; amending s. 206.606, F.S.; transferring funds from the Gas Tax Collection Trust Fund for the purpose of aquatic plant management and control on certain public lands and waters; providing an effective date.

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

By Senator Latvala—

SB 264—A bill to be entitled An act relating to secondhand dealers; amending ss. 516.02, 538.03, 538.15, F.S.; removing the authority of secondhand dealers to engage in title loan transactions; repealing s. 538.06(5), F.S., relating to title loan transactions by secondhand dealers; repealing s. 538.16, F.S., relating to the disposal of property by secondhand dealers; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Latvala—

SB 266—A bill to be entitled An act relating to drainage districts; amending ss. 298.005, 298.11, 298.12, 298.15, 298.16, 298.22, 298.23, 298.24, 298.25, 298.26, 298.28, 298.59, F.S.; creating ss. 298.225, 298.301, 298.305, 298.329, 298.333, 298.337, 298.341, 298.345, 298.349, 298.353, F.S.; providing definitions; providing for the water management plan to be renamed the water control plan; providing for the water control plan to serve the functions of the former plan of reclamation; providing for the jurisdictional water management district to provide certain review responsibilities previously provided by the Department of Environmental Protection; providing for the appointment of certain supervisors by the Governor; providing revised water control plan adoption and amendment requirements; providing for assessment of lands; providing duties for district engineer and district attorney; providing for the levy and enforcement of non-ad valorem assessments; authorizing the issuance of bonds; providing for liens; providing for a uniform initial acreage assessment for payment of expenses; authorizing districts to designate financial units; repealing s. 298.07, F.S., which provides for the water management plan; repealing s. 298.27, F.S., which provides for the plan of reclamation; repealing s. 298.29, F.S., which provides for the levy and collection of taxes; repealing s. 298.30, F.S., which provides for appraisal of lands; repealing s. 298.31, F.S., which provides for appointment of commissioners; repealing s. 298.32, F.S., which provides for duties of commissioners, district attorney, and district engineer; repealing s. 298.33, F.S., which provides for notice of report; repealing s. 298.34, F.S., which provides for exceptions to report; repealing s. 298.35, F.S., which provides for plan of reclamation; repealing s. 298.36, F.S., which provides for assessment of lands; repealing s. 298.467, F.S., which prohibits the Department of Environmental Protection from borrowing money; repealing s. 298.55, F.S., which provides for readjustment of assessment of benefits; providing an effective date.

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

By Senator Burt—

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.

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

By Senator Gutman—

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 ss. 483.101, 483.106, F.S.; deleting a requirement that application for a clinical laboratory license or certificate of exemption be made under oath; 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.

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

By Senators Grant, Williams, Bronson, Dudley, Horne, Casas, Ostalkiewicz, Bankhead, Burt, Sullivan, Holzendorf, Myers, Brown-Waite, Cowin, Clary, Crist, Kirkpatrick, Childers, Latvala, Lee and Diaz-Balart—

SB 272—A bill to be entitled An act relating to marriage; providing that same-sex marriages entered into in other jurisdictions are not recognized in this state; prohibiting the state and its agencies and subdivisions from giving effect to specified public acts, records, or proceedings respecting such relationships or claims arising from such relationships; providing an effective date.

—was referred to the Committees on Judiciary; and Children, Families and Seniors.

By Senators Grant, Campbell, Forman, Latvala and Dantzer—

SB 274—A bill to be entitled An act relating to health insurance; providing a short title; providing application; amending s. 627.668, F.S.; providing that the current requirement for group insurers to offer coverage for mental health conditions does not apply to serious mental illness;

creating s. 627.6681, F.S.; requiring group health insurers and health maintenance organizations to provide coverage for serious mental illness; requiring benefits to be the same as for physical illness generally; requiring the health benefit plan committee to consider and recommend modifications to standard, basic, and limited health benefit plans; providing definitions; providing an appropriation; providing a description of state interest; providing an effective date.

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

By Senator Latvala—

SB 276—A bill to be entitled An act relating to insurance; providing for offset of dividends or premium refunds in calculating the annual assessment for the Special Disability Trust Fund and expenses of administration; providing an effective date.

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

By Senators Burt, Rossin and Gutman—

SB 278—A bill to be entitled An act relating to juveniles; amending s. 39.0145, F.S.; authorizing the court to direct the Department of Highway Safety and Motor Vehicles to withhold issuance of, or suspend, a child's driver's license if the child is held in contempt; authorizing the court to order that a child in need of services who is held in contempt be issued a restricted license; amending ss. 39.044, 39.054, F.S.; authorizing the Department of Juvenile Justice to employ a collection agency to collect delinquent fees required under part II, ch. 39, F.S.; amending s. 39.422, F.S.; revising limitations on placing a child adjudicated in need of services in a shelter; amending s. 39.423, F.S.; clarifying that a child's parent or legal custodian may make a complaint alleging that the family is in need of services; revising provisions to conform to the creation of the Department of Children and Family Services by the Legislature; requiring the Department of Juvenile Justice to provide certain information to the parent or custodian during the intake process pursuant to a complaint that a child is from a family in need of services; amending s. 39.424, F.S.; authorizing the department to employ a collection agency to collect delinquent fees required under part IV, ch. 39, F.S.; amending s. 39.426, F.S.; providing for the state attorney to be represented on a case-staffing committee; authorizing a parent and any other member of the committee to convene a meeting of the committee; requiring that the committee make a written report to the parent; amending s. 39.436, F.S.; authorizing a child's parent or custodian to file a petition alleging that a child is a child in need of services; requiring notice to the department; requiring that such a petition allege certain facts; authorizing the court to determine the sufficiency of the petition; amending ss. 39.438, 39.44, F.S., relating to the response to a petition and hearings; conforming provisions to changes made by the act; amending s. 39.442, F.S.; authorizing the department to employ a collection agency to collect delinquent fees required under part IV, ch. 39, F.S.; creating s. 39.4421, F.S.; specifying circumstances under which a child in need of services may be placed into a staff-secure shelter for an extended period; providing requirements for the child's parent or custodian; requiring that the child receive education while in the shelter; authorizing the court to extend the term of commitment; requiring that the court review a child's commitment and make certain determinations; specifying circumstances under which a child must be treated as a dependent child; creating s. 39.4422, F.S.; authorizing the court to commit a child in need of services to a physically secure facility if the child is held in contempt; requiring that the child be afforded the rights of due process; requiring that a child receive certain services while in the physically secure facility; providing requirements for the child's parent or custodian; requiring the Department of Juvenile Justice to establish a pilot program to operate a physically secure facility for the placement of children in need of services who are found to be in contempt of court; requiring the Juvenile Justice Advisory Board and the department to make certain reports to the Legislature with respect to the pilot program; providing that it is a first-degree misdemeanor for a person to knowingly shelter a minor for longer than a specified period without the consent of the minor's parent or guardian or without notifying a law enforcement officer; providing that it is a first-degree misdemeanor for a person to knowingly provide aid

to a minor who has run away from home without notifying the minor's parent or guardian or a law enforcement officer; requiring the Department of Juvenile Justice and the Department of Children and Family Services to coordinate services provided to children who are locked out of the home and to the families of those children; requiring the departments to establish a joint work group to develop proposals for coordinating services and report to the Legislature; requiring the Department of Juvenile Justice to develop information that details the services and resources that are available for parents of troubled or runaway children; requiring school districts and law enforcement agencies to distribute the information; requiring the Department of Education to analyze data collection and assist school districts in identifying habitual truants; requiring the Department of Education to report to the Legislature on the implementation of programs designed to prevent truancy and make recommendations; providing appropriations; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Criminal Justice; and Ways and Means.

By Senator Burt—

SB 280—A bill to be entitled An act relating to insurance; amending s. 624.4071, F.S.; authorizing an exemption from regular assessments by the Residential Property and Casualty Joint Underwriting Association or the Florida Windstorm Underwriting Association for the special purpose homeowner insurance company; authorizing the use of the Residential Property and Casualty Joint Underwriting Association's forms and rate manuals by the special purpose homeowner insurance company without approval by the Department of Insurance; prescribing the rate for each risk; authorizing the exchange of a certificate of authority to operate as a special purpose homeowner insurance company for a certificate of authority to operate as an insurer; providing an effective date.

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

By Senator Forman—

SB 282—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; making certain types of animal exhibitions a crime; providing an effective date.

—was referred to the Committee on Agriculture.

By Senators Thomas, Childers, Brown-Waite and Williams—

SB 284—A bill to be entitled An act relating to trust funds; amending s. 112.215, F.S.; creating the Government Employees Deferred Compensation Trust Fund in the State Treasury and providing for its assets and purpose; providing an effective date.

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

By Senators Thomas, Childers, Forman and Williams—

SB 286—A bill to be entitled An act relating to state group insurance; amending s. 110.123, F.S.; providing a definition; creating the Division of State Group Insurance in the Department of Management Services; requiring the department to provide administrative support and service to the division; excluding the division from control, supervision, or direction by the department; providing for a director of the division; providing requirements; providing for administration of the state group insurance program by the division; providing criteria for division contracts with insuring entities; authorizing the division to adopt rules; providing an effective date.

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

By Senator Bronson—

SB 288—A bill to be entitled An act relating to money transmitters; amending s. 560.103, F.S.; redefining the term "funds transmitter"; amending s. 560.111, F.S.; providing that violations of certain statutes of other jurisdictions by money transmitters and money-transmitter-affiliated parties are unlawful in this state; providing penalties; amending s. 560.114, F.S.; prescribing additional grounds for disciplinary action against persons registered as money transmitters; amending s. 560.118, F.S.; revising standards for examinations and audits of money transmitters and authorized vendors; amending s. 560.128, F.S.; authorizing the Department of Banking and Finance to require money transmitters to display their registration; amending s. 560.205, F.S.; requiring additional information from applicants for registration; providing an effective date.

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

By Senators Scott, Crist, Jenne and Dudley—

SB 290—A bill to be entitled An act relating to the Constitution Revision Commission; providing duties of lobbyists before the commission with respect to registration and reporting; providing duties of the Commission on Ethics; providing definitions; providing penalties; providing an expiration date and an effective date.

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

By Senator Klein—

SB 292—A bill to be entitled An act relating to artificial reefs; amending s. 370.25, F.S.; providing requirements with respect to the artificial reef program within the Department of Environmental Protection; directing the department to establish criteria for determining eligibility of nonprofit organizations to apply for and receive available reef development funds; establishing an office to act as a coordinating authority for artificial reef construction; directing the department to develop a plan; providing that certain acts are unlawful; providing penalties; providing for disposal of certain materials; providing that certain persons are deemed responsible for violations; providing for administrative fines; providing an effective date.

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

By Senator Klein—

SJR 294—A joint resolution proposing an amendment to Section 4 of Article IX of the State Constitution relating to school districts.

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

By Senator Klein—

SB 296—A bill to be entitled An act relating to the inhumane treatment of exotic mammals; prohibiting the killing or wounding, or allowing the killing or wounding, of an exotic mammal that is tied, staked out, or otherwise enclosed within a specified area for the purpose of gain, amusement, or sport; prohibiting the sale or purchase of an exotic mammal used in violation of the act; specifying certain actions that do not constitute a violation of the act; providing penalties; providing for recovery of costs incurred in investigating and prosecuting a violation of the act; providing an effective date.

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

By Senator Harris—

SJR 298—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to recording of instruments.

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

By Senator Harris—

SB 300—A bill to be entitled An act relating to the Comptroller; amending s. 17.16, F.S.; revising the seal of the Comptroller; amending s. 17.20, F.S.; authorizing the deduction of certain fees and expenses from property that has not been claimed and is reportable to the department; amending s. 17.325, F.S.; revising language with respect to governmental efficiency hotlines; revising requirements with respect to "Get Lean" telephone calls; providing for certain confidentiality; amending s. 687.143, F.S.; requiring the Department of Banking and Finance to deposit certain fines in the Department of Banking and Finance Administrative Trust Fund; amending s. 939.01, F.S.; providing for certain investigative costs to be entered in a judgment; providing an effective date.

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

By Senator Harris—

SB 302—A bill to be entitled An act relating to injunctions and restraining orders for domestic violence; amending s. 28.241, F.S.; limiting certain fees for injunctions relating to domestic violence; amending s. 741.30, F.S.; limiting total charges for issuing or serving injunctions or restraining orders relating to domestic violence; providing an effective date.

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

By Senator Sullivan—

SB 304—A bill to be entitled An act relating to journalism; creating s. 90.5015, F.S.; creating a privilege for professional journalists to refuse to be a witness, to disclose specified information, or to produce certain objects, writings, or recordings; providing definitions; authorizing courts to order disclosure of certain information; providing for nonwaiver of the privilege; providing for severability; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Sullivan, Klein, Grant, Harris, Bronson, Dyer, Forman, Childers, Clary and Myers—

SB 306—A bill to be entitled An act relating to clean indoor air; amending s. 386.202, F.S.; providing legislative intent that the "Florida Clean Indoor Air Act" is a uniform statewide minimum code; repealing s. 386.209, F.S., which provides that the regulation of smoking is preempted to the state; providing an effective date.

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

By Senator Gutman—

SB 308—A bill to be entitled An act relating to the interception of wire, oral, or electronic communications; amending s. 934.02, F.S.; revising definitions; eliminating certain exceptions provided for the radio portion of a cordless telephone communication; providing that information used for the electronic storage and transfer of funds is not included within the meaning of the term "electronic communication"; amending s. 934.03, F.S.; providing that it is a third-degree felony to obstruct a

criminal investigation by disclosing information obtained through the interception of a wire, oral, or electronic communication; revising the penalties imposed for intercepting certain private communications and cordless telephone communications; amending s. 934.07, F.S.; authorizing the interception of wire, oral, or electronic communications that involve certain felony offenses; amending s. 934.09, F.S.; authorizing the court to issue an order to enforce the requirements of the federal Communications Assistance for Law Enforcement Act; authorizing a specially designated investigative or law enforcement officer to intercept a wire, oral, or electronic communication under specified emergency circumstances; requiring that the officer obtain a court order for the interception within a specified period; providing conditions under which the interception must be terminated; amending s. 934.10, F.S.; providing an additional circumstance that constitutes a defense to a civil or criminal action arising out of the interception of a wire, oral, or electronic communication; creating s. 934.11, F.S.; authorizing a court to direct compliance with the federal Communications Assistance for Law Enforcement Act; providing for civil penalties for noncompliance; amending s. 934.23, F.S.; specifying information that must be disclosed by a provider of electronic communication service or remote computing service pursuant to a subpoena; revising conditions under which the court may issue such a subpoena; providing requirements with respect to the preservation of records and other evidence in the possession of a provider; amending s. 934.27, F.S.; providing an additional circumstance that constitutes a defense to a civil or criminal action arising out of the interception of a wire, oral, or electronic communication; amending s. 934.31, F.S.; providing requirements for the authorized use of a pen register; amending s. 934.34, F.S.; providing requirements for the provider of electronic communication service in the installation and use of a pen register or a trap and trace device; authorizing the court to order compliance with the federal Communications Assistance for Law Enforcement Act; creating s. 934.35, F.S.; authorizing a specially designated investigative or law enforcement officer to order the installation and use of a pen register or a trap and trace device under certain specified emergency circumstances; requiring that the officer obtain a court order for the installation and use within a specified period; providing conditions under which the use must be terminated; providing for the compensation of a person who furnishes facilities or technical assistance; providing an effective date.

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

By Senator Gutman—

SB 310—A bill to be entitled An act relating to abuse, neglect, or exploitation of an elderly person or disabled adult; amending s. 825.103, F.S.; imposing a more severe penalty for the offense of exploiting an elderly person or disabled adult if the value of the property involved is less than a specified amount; amending s. 895.02, F.S.; redefining the term "racketeering activity" for purposes of the the Florida RICO Act to include the offense of abuse, neglect, or exploitation of an elderly person or disabled adult; reenacting ss. 16.56(1)(a), 27.34(1), 655.50(3)(g), 896.101(1)(g), 905.34, F.S., relating to the Office of Statewide Prosecution, salaries and other costs of state attorneys, unlawful financial transactions, and statewide grand juries, to incorporate the amendment to s. 895.02, F.S., in references thereto; amending s. 921.0012, F.S., relating to the sentencing guidelines; revising a penalty to conform to changes made by the act; providing an effective date.

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

By Senator Gutman—

SB 312—A bill to be entitled An act relating to the human immunodeficiency virus; amending s. 796.08, F.S.; specifying the elements of the offense of offering to commit prostitution when infected with the human immunodeficiency virus; providing a penalty; providing an effective date.

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

By Senator Gutman—

SB 314—A bill to be entitled An act relating to evidence in criminal proceedings; creating s. 924.067, F.S.; prescribing the standard to be used by a court to determine whether a motion for a new trial based on a claim of newly discovered evidence should be granted; providing that a claim for any other relief or remedy based on such claim be treated as a motion for a new trial and providing that such claim is subject to the same standard; providing an effective date.

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

By Senators Gutman and Dudley—

SB 316—A bill to be entitled An act relating to criminal prosecutions; creating s. 918.18, F.S.; authorizing accused persons to be witnesses in their own behalf; providing for the examination of such persons in the same manner as other witnesses; providing limitations; providing responsibility of prosecuting attorneys; creating s. 918.19, F.S.; prescribing rights of the prosecution in closing arguments; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Forman—

SB 318—A bill to be entitled An act relating to standards for teachers; providing an appropriation to pay for the participation of public-school teachers in this state in the certification procedure conducted by the National Board for Professional Teaching Standards; providing qualifications for participation; requiring the State Board of Education to allow NBPTS-certified teachers to be certified in this state without meeting additional requirements; requiring school districts that apply for funding to provide staff development activities; providing an effective date.

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

By Senator Turner—

SB 320—A bill to be entitled An act relating to persons with disabilities; creating ss. 410.701, 410.702, 410.703, 410.704, 410.705, 410.706, F.S.; establishing the home and community-based personal care services for persons with disabilities program in the Department of Children and Family Services; directing the Agency for Health Care Administration to request a waiver of Medicaid regulations; providing conditions for implementation; providing a repeal date; requiring reports; amending s. 400.0065, F.S.; directing the State Long-Term Care Ombudsman to promote the home and community-based personal care services for persons with disabilities program among disabled adults who would otherwise require nursing home care; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Health Care; and Ways and Means.

By Senator Campbell—

SB 322—A bill to be entitled An act relating to education funding; amending s. 24.121, F.S.; stating legislative intent with respect to the use of lottery moneys from the Educational Enhancement Trust Fund; providing an effective date.

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

By Senator Jenne—

SB 324—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.202, F.S.; increasing the amount of the exemption for property of widows, widowers, blind persons, and disabled persons;

amending s. 196.031, F.S.; decreasing the amount of an increased home-
stead exemption allowed to disabled persons qualified for the exemption
under s. 196.202; providing an effective date.

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

By Senators Bankhead, Horne and Holzendorf—

SB 326—A bill to be entitled An act relating to building designations; designating a building on the campus of the University of North Florida as the “J. Brooks Brown Hall”; providing an effective date.

—was referred to the Committee on Education.

By Senator Kirkpatrick—

SB 328—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; requiring that the court require a person to perform a specified number of hours of community service if the person is found guilty of, or pleads guilty or nolo contendere to, a second or subsequent violation of chapter 893, F.S., relating to offenses that involve controlled substances; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Crist—

SB 330—A bill to be entitled An act relating to confirmation of executive appointments; amending s. 114.05, F.S.; prohibiting executive appointees under certain circumstances from assuming office prior to confirmation by the Senate; providing an effective date.

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

By Senator Rossin—

SB 332—A bill to be entitled An act relating to investment of public funds; amending s. 218.403, F.S.; defining the terms “current expenses” and “short term” for purposes of investment of local government surplus funds; amending s. 218.415, F.S.; prescribing applicability of provisions that require a unit of local government to make its investment activity consistent with an adopted, written investment plan; revising a list of authorized investments; providing an effective date.

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

By Senator Casas—

SB 334—A bill to be entitled An act relating to tobacco products; creating s. 210.155, F.S.; defining the term “primary source of supply”; requiring registration as a primary source of supply; prohibiting distributing agents and wholesale dealers from delivering, or accepting delivery of, cigarettes other than directly from a primary source of supply; amending s. 210.15, F.S.; providing an additional requirement for issuance of a permit for a distributing agent or wholesale dealer; amending s. 210.151, F.S., relating to temporary initial cigarette and other tobacco products permits, to conform; revising provisions relating to the period of validity of such permits; amending s. 210.16, F.S.; providing for revocation and suspension of registration of a primary source of supply; providing for renewal of registration subsequent to revocation; providing for civil penalties in lieu of revocation or suspension; providing an effective date.

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

By Senator Casas—

SB 336—A bill to be entitled An act relating to alcoholic beverages; repealing ss. 561.501, 561.121(4), F.S., relating to the surcharge on the sale of alcoholic beverages for consumption on the premises; amending s. 561.025, F.S.; conforming to the act; providing an effective date.

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

By Senator Kurth—

SB 338—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.

By Senators Grant, Dudley, Diaz-Balart, Horne, McKay, Sullivan, Cowin, Lee, Clary and Kirkpatrick—

SB 340—A bill to be entitled An act relating to school district personnel; amending s. 231.29, F.S.; revising performance assessments of school district instructional staff; requiring notice of unsatisfactory performance; requiring corrective action; providing for hearings; specifying district school board authority; requiring certain evaluations; amending s. 231.36, F.S.; revising contracts for school district instructional staff; specifying a probationary period; requiring performance assessments; providing for dismissal; requiring a probationary period for certain administrative staff; restricting issuance of professional service contracts after a date certain; applying new performance assessment and appeal procedures upon renewal of a professional service contract; amending s. 231.3605, F.S., relating to educational support employees; limiting probationary status to employees hired before a certain date; providing that this act supersedes local laws; providing an effective date.

—was referred to the Committee on Education.

By Senators Harris, Cowin, Clary, Diaz-Balart, Dudley, Lee, Grant, Latvala, Horne, Dyer, Meadows, Kirkpatrick, Holzendorf, Jenne and McKay—

SB 342—A bill to be entitled An act relating to school district personnel; amending s. 230.23, F.S., relating to powers and duties of district school boards; requiring the adoption of salary schedules based on performance assessments of instructional personnel; amending s. 230.33, F.S.; requiring superintendents to recommend salary schedules for instructional personnel based on performance assessments; amending s. 236.02, F.S., relating to participation in the Florida Education Finance Program; requiring expenditures for instructional personnel salaries based on performance assessments; providing an effective date.

—was referred to the Committee on Education.

By Senator Campbell—

SB 344—A bill to be entitled An act relating to regulation of firearms; amending s. 790.33, F.S., relating to state preemption of the field of regulation of firearms and ammunition; providing that certain ordinances, resolutions, rules, or regulations of local government are not precluded with respect to possession of weapons or firearms of public employees or possession of weapons or firearms on public property controlled by local government, under specified circumstances; providing an exception for certain street, road, or highway rights-of-way; providing an effective date.

—was referred to the Committees on Criminal Justice and Community Affairs.

By Senator Bronson—

SB 346—A bill to be entitled An act relating to carrying of self-defense weapons or devices; amending s. 790.001, F.S.; providing an exception for certain self-defense chemical sprays from the definition of “tear gas gun,” “chemical weapon,” or “device”; amending s. 790.01, F.S., relating to carrying concealed weapons; providing that certain chemical weapons or devices, or stun guns or nonlethal electric weapons or devices, may be carried openly or concealed for lawful self-defense, without violating specified prohibitions; amending s. 790.053, F.S., relating to open carrying of weapons; providing that certain chemical weapons or devices, or stun guns or nonlethal electric weapons or devices may be carried openly for lawful self-defense, without violating specified prohibitions; creating s. 790.054, F.S.; defining the offense of knowingly and willfully using a chemical weapon or device or stun gun or nonlethal electric weapon or device against a law enforcement officer engaged in the performance of duty, and providing penalties therefor; providing an effective date.

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

By Senator Sullivan—

SB 348—A bill to be entitled An act relating to health care service programs; amending s. 641.315, F.S.; providing additional criteria for certain provider contracts; amending s. 641.3903, F.S.; prohibiting health maintenance organizations from taking certain retaliatory action against providers of health care services; providing an effective date.

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

By Senators Sullivan, Forman, Kurth, Latvala, Gutman and Diaz-Balart—

SB 350—A bill to be entitled An act relating to health insurance; amending s. 627.419, F.S.; including physician assistants within certain benefits or services payment provisions; limiting application; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Sullivan—

SB 352—A bill to be entitled An act relating to medical examiners; amending s. 406.11, F.S.; authorizing medical examiners to obtain records necessary for their investigations of deaths; amending s. 406.12, F.S.; specifying certain medical information or other records pertinent to death investigations that must be reported to the medical examiner; providing that documents or records made confidential by statute do not lose such status upon receipt by the medical examiner; providing immunity from civil liability for persons who provide such information to the medical examiner; providing an effective date.

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

By Senator Hargrett—

SB 354—A bill to be entitled An act relating to public records requirements; amending s. 409.175, F.S., exempting from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution certain information contained in files that pertain to the licensure of family foster homes, residential child-caring agencies, and child-placing agencies; providing for repeal and for legislative review of the exemption; providing a rationale for the exemption; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Governmental Reform and Oversight.

By Senator Brown-Waite—

SB 356—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 112.153, F.S., relating to local governmental group insurance plans; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Cost Containment Board; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending s. 212.055, F.S., relating to discretionary sales surtaxes; updating provisions to reflect the assumption by the agency of duties formerly performed by the Health Care Cost Containment Board; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending s. 395.806, F.S.; providing for the agency to assume the board's duties in reviewing family practice teaching hospitals; amending s. 408.033, F.S.; revising membership on the Statewide Health Council to reflect the abolishment of the Health Care Board; amending ss. 408.05, 408.061, 408.062, 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the Department of Health and Rehabilitative Services; authorizing the agency to conduct studies and make recommendations to the Governor and the Legislature with respect to the cost, quality, and accessibility of health care; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673, 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; amending s. 440.13, F.S., relating to reimbursements for medical services under the Workers' Compensation Law; deleting a reference to reviews of hospital budgets made obsolete by the act; amending s. 240.4076, F.S.; conforming a cross-reference to changes made by the act; amending s. 395.0197, F.S.; exempting ambulatory surgical centers and hospitals from certain staffing requirements in surgical recovery rooms; repealing ss. 407.61, 408.003, 408.072, 408.085, F.S., relating to studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of the act; providing an effective date.

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

By Senator Brown-Waite—

SB 358—A bill to be entitled An act relating to community health purchasing alliances; amending s. 408.702, F.S.; providing immunity from liability for members of the board of directors of a community health purchasing alliance, and its employees and agents, in the performance of the board's duties; correcting a cross-reference; amending s. 408.703, F.S.; providing that a small employer member of an alliance remains eligible for coverage for a specified period following an expansion of business; repealing s. 408.705, F.S., relating to the boards of directors of community health purchasing alliances; providing an effective date.

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

By Senators Brown-Waite and Latvala—

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 referred to the Committee on Community Affairs.

By Senator Brown-Waite—

SB 362—A bill to be entitled An act relating to the Statewide Provider and Subscriber Assistance Program; amending s. 408.7056, F.S.; revising requirements for the review panel that hears grievances filed by providers and subscribers under the program; providing additional conditions under which the review panel may not review a grievance; requiring that a provider or subscriber complete the formal grievance procedure of the accountable health partnership, health maintenance organization, prepaid health clinic, prepaid health plan, or exclusive provider organization before filing a grievance with the review panel; providing for certain exceptions; specifying timeframes for review by the panel; providing for an expedited review of certain grievances; providing for the recommendation of the review panel to be adopted by the Agency for Health Care Administration or the Department of Insurance; providing conditions under which the agency or the department may reject a recommendation of the review panel; providing for a final order of the agency or the department to be appealed; providing an effective date.

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

By Senator Brown-Waite—

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; providing for future legislative repeal and review; exempting from the public meetings law a meeting, or portion of a meeting, of the review panel at which matters of a sensitive or personal nature are reviewed with respect to a subscriber or a provider who has filed a grievance under the program; providing for future legislative repeal and review; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Rossin—

SB 366—A bill to be entitled An act relating to education funding; amending s. 24.121, F.S.; revising provisions relating to apportionment and expenditure of funds in the Educational Enhancement Trust Fund; amending ss. 229.592 and 230.23, F.S.; correcting cross references; amending s. 240.4024, F.S., relating to the Florida Postsecondary Tuition Program; expanding eligible institutions; providing for initial awards; providing an effective date.

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

By Senator Ostalkiewicz—

SB 368—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for certain radio stations and other organizations that conduct religious activities; providing an effective date.

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

By Senator Ostalkiewicz—

SB 370—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for the sale or purchase of tangible personal property or services sold to raise funds for educational activities of a school; providing an effective date.

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

By Senator Ostalkiewicz—

SB 372—A bill to be entitled An act relating to child abuse or neglect; directing the Joint Legislative Management Committee to conduct a study of cases involving referral of parents or other family members to mental health services or parenting classes; requiring a report; directing the Department of Children and Family Services to provide access to certain records; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Rules and Calendar; and Ways and Means.

By Senator Ostalkiewicz—

SB 374—A bill to be entitled An act relating to driver's licenses; amending s. 322.32, F.S.; prohibiting the display or possession of fictitious or fraudulently altered driver's licenses; providing for the seizure of such licenses by law enforcement officers; requiring certain knowledge for possession or display of certain invalid licenses to constitute a criminal violation; defining the term "knowledge"; providing for the seizure of such licenses; providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations of driving privileges; requiring the surrender of driver's licenses to law enforcement officers in certain situations; providing penalties; creating s. 322.325, F.S.; prohibiting the display or possession of canceled, suspended, or revoked driver's licenses; providing for the surrender of such licenses to law enforcement officers; amending s. 322.34, F.S.; providing penalties for driving with certain invalid driver's licenses; prohibiting the seizure of vehicles for certain offenses; defining the term "knowledge"; providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations; requiring the issuance of a reference guide; providing penalties for habitual offenders; prohibiting the seizure of vehicles for certain offenses; providing for the seizure of certain licenses; providing penalties for the refusal to surrender such licenses; providing an effective date.

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

By Senators Ostalkiewicz, Bronson, Williams, Harris, Clary, Jenne, Lee, Thomas and Cowin—

SB 376—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.02, F.S.; providing a definition of "self-propelled farm equipment," "power-drawn farm equipment," and "power-driven farm equipment"; amending s. 212.08, F.S.; revising application of the partial exemption for self-propelled or power-drawn farm equipment; including power-driven farm equipment within such exemption; reducing the rate of tax on such equipment over a specified period and exempting such equipment beginning July 1, 2000; amending s. 212.12, F.S., relating to promulgation of tax brackets by the Department of Revenue, to conform; providing an effective date.

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

By Senator Brown-Waite—

SB 378—A bill to be entitled An act relating to municipal government; creating s. 166.0495, F.S.; authorizing municipalities to enter into inter-

local agreements to provide law enforcement services within the boundaries of other municipalities; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator McKay—

SB 380—A bill to be entitled An act relating to the Florida Evidence Code; creating s. 90.4011, F.S.; providing for admissibility of a defendant's confession or admission when the defendant is charged with a crime against a child under s. 794.011, F.S., relating to sexual battery, s. 794.05, F.S., relating to carnal intercourse with an unmarried person under 18 years of age, s. 800.04, F.S., relating to lewd, lascivious, or indecent assault or act upon or in the presence of a child, s. 826.04, F.S., relating to incest, s. 827.03, F.S., relating to aggravated child abuse, s. 827.04, F.S., relating to child abuse, s. 827.071, F.S., relating to sexual performance by a child, or any other crime involving sexual abuse against a child, or with an attempt, solicitation, or conspiracy to commit any of these crimes, under specified circumstances; providing for a court hearing on whether the confession or admission is trustworthy; specifying burden of proof; providing for admissibility of hearsay at such hearing; requiring specific findings of fact; providing an effective date.

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

By Senator McKay—

SB 382—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may receive for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing an effective date.

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

By the Committee on Children, Families and Seniors—

SB 384—A bill to be entitled An act relating to program administration by the Department of Children and Family Services; amending s. 20.19, F.S.; providing additional duties for the department's Office of Standards and Evaluation with respect to reports due to the Legislature; revising requirements for the department in procuring contracts for client services; requiring that the department procure certain services competitively; authorizing the department to develop rules relating to an alternative competitive procurement process; requiring that certain provisions be included in each contract entered into by the department in excess of a certain amount; requiring that the department develop, and incorporate into the department's Employee Disciplinary Handbook, standards of conduct and a range of disciplinary sanctions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; requiring reports to the Legislature by the department; requiring the department to provide training for staff in negotiating contracts; requiring the department to ensure certain assistance to staff who are negotiating a contract; requiring the department to reduce pay disparity among certain staff members; requiring the department to evaluate certain districts that have centralized contracting functions; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Ostalkiewicz—

SB 386—A bill to be entitled An act relating to education; amending ss. 232.246 and 232.2465, F.S.; revising high school graduation require-

ments to include study of the Constitution of the United States; providing an effective date.

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

By Senator Sullivan—

SB 388—A bill to be entitled An act relating to funding for the rehabilitation of persons with brain or spinal cord injuries; amending s. 316.193, F.S.; assessing an additional fine for driving under the influence, to be deposited in the Brain and Spinal Cord Rehabilitation Trust Fund; amending s. 327.35, F.S.; assessing an additional fine for boating while under the influence, to be deposited in the Brain and Spinal Cord Rehabilitation Trust Fund; providing an effective date.

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

By Senators Kurth, Brown-Waite and Latvala—

SB 390—A bill to be entitled An act relating to residential insurance; amending s. 627.4025, F.S.; including insurance policies for cooperative unit owners and cooperative associations within certain residential insurance coverage provisions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Grant—

SB 392—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; correcting an obsolete reference; postponing the expiration date for the indigent care surtax; providing an effective date.

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

By Senators Grant and Horne—

SB 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.

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

By Senator Burt—

SB 396—A bill to be entitled An act relating to driver's licenses and identification cards; amending s. 322.32, F.S.; deleting reference to possession of a fictitious or fraudulently altered driver's license, knowingly permitting another to use one's driver's license, using another's driver's license, and permitting unlawful use of a driver's license; amending s. 322.212, F.S.; providing that it is unlawful for any person knowingly to possess any instrument in the similitude of a driver's license issued by the Department of Highway Safety and Motor Vehicles or of any other state or jurisdiction that issues licenses recognized in this state for the

operation of a motor vehicle, or any identification card issued by the department or of another state or jurisdiction, unless possession by such person has been duly authorized by the department; providing penalties; providing that it is unlawful to allow another to use one's driver's license or identification card or to use another's driver's license or identification card; amending s. 831.29, F.S.; prohibiting the possession, use, or transport of implements and materials used to produce identification cards; amending s. 921.0012, F.S.; conforming cross-references; providing an effective date.

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

By the Committee on Education—

SB 398—A bill to be entitled An act relating to the Florida Prepaid Tuition Scholarship Program; reviving and readopting s. 240.552, F.S., which establishes the program; providing an effective date.

—was referred to the Committee on Education.

By Senators Brown-Waite, Grant and Forman—

SB 400—A bill to be entitled An act relating to campaign financing; amending s. 106.07, F.S.; revising reporting requirements applicable to candidates for other than statewide office who qualify with the Department of State; providing an effective date.

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

By Senator Dudley—

SB 402—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; authorizing use of tax revenues to acquire property for beach parking or beach access and to construct or improve existing beach parking facilities or beach access areas; authorizing issuance of bonds; providing an effective date.

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

By Senator Dudley—

SB 404—A bill to be entitled An act relating to electronic communication services; amending ss. 203.012, 212.05, F.S.; specifying that telecommunication service does not include the services of providing access to the Internet and electronic mail; providing legislative intent; reenacting s. 166.231(10), F.S., relating to municipal public service taxes, s. 203.62, F.S., relating to the applicability of statutes relating to gross receipts taxes, s. 337.401(4), F.S., relating to use of right-of-way by regulated utilities, s. 212.12(11), F.S., relating to dealer's credit for collecting tax, to incorporate the amendments to s. 203.012(5)(c), F.S., and s. 212.05(1)(e), F.S., in references thereto; providing an effective date.

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

By Senator Dudley—

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

By Senator Holzendorf—

SB 408—A bill to be entitled An act relating to employment equity in postsecondary education; amending s. 240.2475, F.S., relating to the State University System equity accountability program; requiring each state university to maintain an equity plan to increase the representation of women and minorities in faculty and administrative positions; providing for the submission of reports; requiring the development of a plan for achievement of equity; providing for administrative evaluations; requiring the development of a budgetary incentive plan; providing for an appropriation; amending s. 240.3355, F.S., relating to the State Community College System equity accountability program; requiring each community college to maintain a plan to increase the representation of women and minorities in faculty and administrative positions; providing contents of an employment accountability plan; requiring the development of a plan for corrective action; providing for administrative evaluations; providing for submission of reports; requiring the development of a budgetary incentive plan; providing an effective date.

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

By Senator Scott—

SB 410—A bill to be entitled An act relating to the management and regulation of financial institutions; amending s. 655.005, F.S.; adding savings banks to the offices and relocation procedures; defining “strong, well-managed state bank or trust company”; amending s. 658.295, F.S.; deleting notice requirements; amending s. 658.2953, F.S.; deleting notice and filing fee requirements; amending s. 658.73, F.S.; revising some filing fees and authorizing refunds; amending s. 663.06, F.S.; establishing an indefinite license period for international banks; amending s. 663.12, F.S.; providing for annual operating fees and semiannual assessments; creating ss. 667.001, 667.002, 667.003, 667.004, 667.005, 667.006, 667.007, 667.008, 667.009, 667.010, 667.011, 667.012, 667.013, F.S.; establishing the “Florida Savings Bank Act”; defining terms; providing for the applicability of specific statutory law; providing Department of Banking and Finance regulatory requirements for the establishment, reorganization, consolidation, merger, conversion, operation, acquisition, control, loan standards, and loan expenses of savings banks; authorizing the department to take action against certain foreign savings banks; providing an effective date.

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

By Senator Latvala—

SB 412—A bill to be entitled An act relating to marine fisheries; amending s. 370.021, F.S.; providing that specified violations of administrative rules, the Florida Statutes, and the constitutional ban on the use of certain nets are major violations; providing penalties; prohibiting a court from suspending, deferring, or withholding adjudication of guilt in specified circumstances; providing for the suspension of violators’ licenses and prohibiting participation in the fishing during the period of suspension; providing restrictions on operation; deleting obsolete provisions; requiring a court to notify the Department of Environmental Protection of the disposition of cases; providing for the admissibility of Marine Fisheries Commission rules into evidence; amending s. 370.025, F.S.; deleting a requirement that Marine Fisheries Commission rules be approved by the Board of Trustees; permitting the adoption of conservation and management measures when available information is incomplete or inconclusive; amending s. 370.026, F.S.; placing the Marine Fisheries Commission within the Department of Environmental Protection; amending s. 370.027, F.S.; deleting a limitation on the power of the Marine Fisheries Commission to regulate fishing gear; providing procedures for filing rules with the Department of State; conforming provisions; amending s. 370.062, F.S.; deleting a requirement for rulemaking for the issuance of tarpon tags; deleting a requirement for the annual issuance of tarpon tags; amending s. 370.0821, F.S.; revising the mesh size of a recreational net allowed in St. Johns County; amending s. 370.092, F.S.; deleting provisions relating to the carriage of proscribed nets across Florida waters, major violations, and fines and penalties; prohibiting the harvest of marine life with nets inconsistent with s. 16, Art. X of the State Constitution; prohibiting the use of any net not

approved by the Marine Fisheries Commission; defining the terms “net” or “netting” and “miles”; providing for forfeiture of nets illegally used; amending s. 370.14, F.S.; deleting a requirement that a marine patrol officer be present at the weighing of crawfish during the closed season; amending s. 370.142, F.S.; providing additional penalties for violation of crawfish laws; amending s. 370.15, F.S.; revising shrimp trawling regulations; amending s. 370.25, F.S.; providing the department with discretionary rulemaking authority relating to grant programs for construction of artificial fishing reefs; prescribing unlawful activities; providing criminal, civil, and administrative penalties; providing for revocation of licenses and permits of violators; repealing s. 370.08(7), F.S., relating to the use of gear and other equipment; repealing s. 370.0821(3), F.S., relating to the use of nets in St. Johns County; repealing s. 370.11(2) and (3), F.S., relating to the length of saltwater fish and the use of nets to harvest shad; repealing s. 370.1125, F.S., relating to the harvest of permit; repealing s. 370.114, F.S., relating to the taking of corals and sea fans; repealing s. 370.13(2), F.S., relating to a major violation involving stone crabs; repealing s. 370.135(2), (3), and (4), F.S., relating to the harvest and sale of blue crabs; repealing s. 370.14(6), F.S., relating to a major violation involving crawfish; repealing s. 370.15(2) and (3), F.S., relating to the harvest of shrimp; repealing s. 370.151(2), F.S., relating to the Tortugas shrimp beds; repealing s. 370.153(4)(c), (d), (e), and (5)(b), (d), F.S., relating to the harvest of shrimp in Clay, Duval, Nassau, Putnam, Flagler, and St. Johns Counties; repealing s. 370.156, F.S., relating to the Florida East Coast Shrimp Bed; repealing s. 370.157, F.S., relating to the harvest of shrimp in the Cedar Key closed area; providing an effective date.

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

By Senators Scott, Crist, Gutman, Lee, Childers, Jenne, Holzendorf, Meadows, Casas, Brown-Waite, Harris, Klein and Ostalkiewicz—

SB 414—A bill to be entitled An act relating to taxation of telecommunications services; prohibiting any tax pursuant to ch. 166, ch. 203, or ch. 212, F.S., on specified services; providing an effective date.

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

By Senator Bankhead—

SB 416—A bill to be entitled An act relating to the Florida Statutes; amending ss. 607.10025(4), 616.21(2)(a), 617.1507(2), 617.1533(1)(a), 617.1604(3), 627.092, 627.311(4)(b), 627.429(4)(a), (g), (5)(d), 627.659(8), 631.965, 636.053(2), 697.07(5), 721.301(1)(c), 721.55(8)(a), 721.553(4), 744.639, 790.08(1), 914.17(2)(c), 945.04(4), (5), and 945.35(3), (5), Florida Statutes, and ss. 641.22(6)(c), 626.9911(4), 626.9916(7)(d), 627.3511(5)(c), 627.481(1), 627.701(5)(d), 627.7013(2)(b), 627.7014(2)(a), 648.44(9)(a), 648.45(3)(e), 717.124(3), 718.112(2)(k), 766.105(3)(b), 768.28(19), 796.08(1)(b), 944.801(3)(c), 946.509(2), and 951.27(1), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 418—A bill to be entitled An act relating to the Florida Statutes; repealing ss. 159.811(2), 206.065, 206.425, 206.426, 212.60, 212.61, 212.62, 212.6201, 212.635, 212.637, 212.64, 212.65, 212.655, 212.66, 212.67, 232.165, 258.024, 366.84, 403.709(3)(f), 409.7015, 461.006(1)(d), 468.385(9)-(13), 468.387(2), (3), 468.389(2)(d), 491.0055, 617.0122(24), 617.01225, 627.837, 768.73(2)-(7), 790.06(13)(b), 946.40(5), and 946.508, Florida Statutes, and ss. 212.05(1)(g), 216.292(11), 255.25(4)(c), 259.032(11)(d)2., 288.1065, 373.59(15), 403.7197, 550.01215(9)(b),

627.351(5)(a)1.d.(II), 790.065(1)(b)2., 950.002(10), (11), and 958.04(4), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the Florida Statutes 1997 only through a reviser's bill duly enacted by the Legislature.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 420—A bill to be entitled An act relating to the Florida Statutes; amending ss. 11.39(2)(c), 13.01(2), 25.388(1)(a), 27.38(3), 27.60(3), 39.4105, 39.455(1), (2), 83.51(2)(b), 112.153, 125.485, 154.304(4), 205.033(5), 206.60(1)(a), 216.0152(1), 216.023(7)(b), 231.614(2)(a), 235.15(1), and 235.199(1)(c), (d), (f), (2), Florida Statutes, and ss. 14.2015(2)(k), 14.22(5)(a), 20.255(4), 39.058(4)(e), 39.0582(4)(e), 61.13(6), 112.181(1)(a), (2)(a), 159.8081(1), and 216.0445(2), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 422—A bill to be entitled An act relating to the Florida Statutes; amending ss. 17.03(2), 17.08, 39.402(6), 39.41(2)(a), 48.27(2), 61.13016(1)(c), 175.091(1)(b), 233.0664, 240.2995(4), 250.34(2), 253.787(4)(a), 320.0807(1), 322.264(1)(d), (f), 337.409, 364.509(3)(f), (k), 370.0805(1)(a), 375.314(3), 400.407(3)(b), 402.37(1), and 402.61(6)(g), Florida Statutes, and ss. 11.45(3)(a), 30.49(11), 39.01(59)(c), 39.0361(4)(a), 70.51(2)(e), (3), (15)(a), 112.181(1)(d), (2), (3), (5), 193.625(2), 212.05(1)(j), 218.503(3), 231.261(4), 250.482(2), 250.5204(2), 250.5205(3), 282.404(4), 320.771(1)(b), (4), 322.18(8)(c), 322.245(2), 322.2615(10), 322.2616(1)(b), (2)(b), (8)(b), (14), (15), (16), 327.25(6), 327.30(4), 327.54(4), 337.14(7), 370.0605(7)(b), 370.153(3)(f), 373.4211(10), 374.986(1), 376.306(1)(f), 377.075(4)(a), and 394.4598(1), (3), Florida Statutes (1996 Supplement), pursuant to the directive in s. 1, ch. 93-199, Laws of Florida; removing gender-specific references applicable to human beings from volumes 1 and 2 of the Florida Statutes without substantive changes in legal effect.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 424—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes; adopting the Florida Statutes 1997 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 1997 shall be effective immediately upon publication; providing that general laws enacted during the 1995 regular legislative session and prior thereto and not included in the Florida Statutes 1997 are repealed; providing that general laws enacted during the 1996 regular session and the 1997 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 426—A bill to be entitled An act relating to the Florida Statutes; amending s. 44.102, Florida Statutes (1996 Supplement), and repealing s. 838.15, Florida Statutes, and ss. 39.061, 626.988, and 794.03, Florida

Statutes (1996 Supplement), to conform to judicial decisions holding said provisions or parts thereof unconstitutional or preempted.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 428—A bill to be entitled An act relating to the Florida Statutes; repealing ss. 106.32, 232.246(6)(c), 253.7821(2), 322.292(5), 344.29, 372.025(2)(b), 373.1965, 374.9785, 381.81, 403.08735(2), 403.7061(5), 407.61, 411.222(3)(b), 440.151(1)(e), 626.8414(2), 627.311(4)(p), 636.005(4), 636.013, 636.014, 679.111, 721.301(2), 760.85(5), and 796.02, Florida Statutes, and ss. 61.181(2)(b)3. and 741.31(6), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions that have become obsolete, have had their effect, have served their purpose, or have become impliedly repealed or superseded.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 430—A bill to be entitled An act relating to the Florida Statutes; amending ss. 403.088(1), 403.7186(3), 403.7238(1)(b), 408.0455(2), 409.212(3)(a), 411.221(5), 411.222(1), (2), (4)(c), 413.033(3)(d), (4)(d), 415.102(4), (23), 415.1034(1)(a), 415.1051(3)(b), 415.1055(1)(f), (2)(c), 415.50171(2)(c), 440.106(2), 443.175(2), 446.011(2), 446.041(8), 446.052(2), (3), 446.25(2), 482.2267(1)(b), (7), 483.308(2), 489.521(7)(b), 499.028(2), 501.203(3)(c), 513.065(4), 518.11(1)(c), 550.054(1), 550.105(9), 550.1815(1)(b), 550.235(1), 550.2614(3), (4), 559.809(12), 559.916(1), 561.42(7), 570.07(16)(i), 570.15(1)(b), Florida Statutes, and ss. 403.7895(5)(d), 403.9328(5), 403.9615(4), 408.061(4)(a), 409.25645, 409.906, 409.912(16), 414.027(1), 414.028, 414.065(1)(f), 414.105, 414.36(3), 414.37, 458.3145(3), 489.131(11), 489.555(4), 497.129(5), 597.004(3)(a), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 432—A bill to be entitled An act relating to the Florida Statutes; amending ss. 125.0108(2)(a), 212.0506(3), (4), (9), (10), 212.0596(1), (2), (3), (4), 212.0598(1), (3), (5), 212.06(1)(a), (b), (2)(k), (l), (5)(a), (11)(a), (c), 212.0601(2), 212.0606(1), (3), 212.07(9), 212.095(1), (2)(a), (b), (d), (3)(c), (10), 212.14(7)(a), 212.15(2), 403.718(1), 403.7185(1), and 681.117(2), Florida Statutes, and ss. 125.0104(3)(m), (10), 163.3184(11)(a), 212.02(2), (14)(a), (c), 212.0305(3)(c), (l), (5), 212.04(1)(c), 212.05(1)(e), (j), (k), (l), (4), 212.0515(4)(a), (b), (5)(c), (7), 212.054(2)(a), 212.08, 212.084(6)(a), 212.11(1)(a), (4), 212.12(1)(c), (3), (5)(b), (6)(b), 212.18(3), (5), 212.20(1), (6), 213.053(1), (7)(m), 288.1045(2)(f), (3)(b), (c), (d), 288.106(3)(c), (4)(a), 288.1162(4)(e), 288.1168(2)(e), 376.75(9)(a), and 538.11, Florida Statutes (1996 Supplement), pursuant to the directive of the Legislature in s. 30, ch. 96-323, Laws of Florida, to conform the Florida Statutes to the repeal of part II of chapter 212, Florida Statutes, by chapter 95-417, Laws of Florida.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 434—A bill to be entitled An act relating to the Florida Statutes; amending ss. 240.117(3), 240.118(1), 240.2098(2), 240.268(6), 240.3215(2), 240.38(6), 242.3305(1), 250.10(1), (2), (3), (5), 253.033(1), (4)(a), 255.29(3), 282.322, 324.202(2)(b), 334.14(1)(a), 339.135(4)(g), 341.052(5), 348.753(2), 348.967(2)(a), 364.025(2), 370.154,

373.0693(1)(b), 373.605(1), 377.709(6), 381.0101(2)(a), 381.0301(1), 397.411(2)(b), 400.191(1)(c), 400.441(1)(a), 400.4415(1), (2)(a), (b), (9), 400.452(3), 400.471(3), and 400.6255, Florida Statutes, and ss. 240.253(1)(a), (b), 240.61(13), 250.5205(1), 252.85(1), 282.3061(8), 287.042(2)(a), 287.055(10)(b), 287.0947(1)(f), 288.1221(2), 288.1226(5)(c), 288.905(3)(c), 288.9604(2), 288.973(1)(f), 288.975(11), 290.0065(10), 290.009(1), 316.193(3)(c), 320.08056(4)(j), 320.08058(10)(c), 320.0848(1)(d), (2)(c), 320.27(2), 320.827, 322.2616(18), 338.155(2), 341.501, 370.021(2)(d), 370.0615(9), 370.092(2), 370.1111(1)(c), 376.30711(1)(b), 378.101(4)(b), 381.00315, 381.004(2)(c), 394.90(5)(b), 400.4075(5), (6), and 402.33(10)(b), Florida Statutes (1996 Supplement), pursuant to s. 11.242, Florida Statutes; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 436—A bill to be entitled An act relating to the Florida Statutes; amending ss. 39.012, 39.014, 39.046(1), (2), 39.055(1), 39.0573(2), 39.059(7)(c), 39.39, 39.41(2)(a), 39.449, 39.459, 63.032(1), 63.202(1), 63.212(1)(c), (d), (g), (h), 63.301(1), (2)(c), (4), 153.19(2), 154.001, 154.01, 154.011(1), (3), 154.013(1), 154.03, 154.05, 154.06, 154.304(5), 216.341, 232.032(1), (7), (8), 240.4075(7)(a), 240.4076(4)(a), 381.001(1), (4), 381.0011, 381.0019, 381.0034(1), 381.0035(1), 381.0036, 381.0038, 381.0039, 381.0042, 381.0051(4), (5)(a), 381.0063, 381.0072, 381.008(2), 381.0084(2), 381.009, 381.0101(2)(b), 381.0201, 381.0203(2)(a), (d), 381.0302(2)(a), (c), (e), 381.0402(1)(d), 381.0406(8), (13), 381.045, 381.0602(1), (3), 381.698(2)(l), (3)(a), (b), (6), (8), 382.002(5), 382.0135, 383.011, 383.013, 383.016, 383.04, 383.05, 383.11, 383.13, 383.16(1), 383.216(1), (2), (4), (5)(b), (6), (7), (10), 383.2161, 383.302(4), 383.3362(5)(a), (6)(a), (7)(h), 384.23(1), (2), 384.27(2), 385.103(1)(d), (2)(a), 385.203(1), (2), 385.204(1), 385.205(1), 385.206(1)(a), 385.207(2), (3), 385.209(2), 386.02, 386.03(1), 386.041(2), 386.203(7), 386.205(2)(a), 387.02, 387.03(1), 387.05, 387.08, 387.10(1), 388.45, 388.46(2)(a), 391.021(1), 391.091(1)(a), 391.214(1), 391.304, 391.305, 391.306, 391.307(1), 392.51, 392.52(2), (4), 392.55(2), 392.62(3)(e), 395.603(1), 400.441(1)(d), 400.464(4), 402.32(3)(d), (5), (6)(a), 402.321(4), (5)(b), 403.853(6), 403.860(4), (5), (6), 403.862(1), (6), (7), 404.056(6), 408.601(2), 408.701(13), 408.901(9), 409.016(1), (2), 409.141(1), (4), 409.146(1), (5), (6), (9), 409.166(2)(b), 409.167(1), 409.1685, 409.1755(3)(a), (b), (4)(a), 409.2599, 409.2675, 409.285, 409.403(1), (2), 409.404(1), 409.9112(3)(g), 410.032(1), 410.602, 410.603(1), 415.102(9), 415.501(2)(b), (3), 415.5015(5)(a), 415.5016(1), 415.50165(1), (2), (5), 415.502, 415.507(4), 415.5075, 415.5095(2), 415.515, 415.602(1), 415.604, 419.002(1), 420.623(1)(b), 458.315, 458.317(1)(c), (2), 459.0075(2), (4), 467.019(2), 509.232, 513.01(1), 513.045(2), (3), as amended by s. 6, ch. 93-120, Laws of Florida, 513.045(3), as amended by s. 17, ch. 93-150, Laws of Florida, 513.055(2)(a), as amended by s. 17, ch. 93-120, Laws of Florida, 513.055(2)(a), as amended by s. 12, ch. 93-150, Laws of Florida, 514.025, 514.028(1)(b), 514.05(4), 514.06, and 743.0645(5), Florida Statutes, and ss. 39.001(2), 39.003(5), 39.01(7), (8), (12), (14)(b), (c), (20), (30), (38), (39), (54), (55), (56), (57), (66), (67), 39.021(5), 39.025(2), (4)(d), (f), (5)(a), (c), (6)(d), (7), (8)(a), (b), 39.0361(5)(c), 39.039(3), 39.047(1)(a), 39.0517(1)(b), (c), (2), (3), (5), (7), 39.052(2)(c), (4)(d), 39.0585(1)(b), 39.418, 39.423(1), 39.442(3), (4), 39.446(3), 39.457, 63.022(2)(d), 110.205(2)(p), 230.2305(11)(b), 381.0031(1), 381.004(4), (5), (8), (10), (11)(a), (b), 381.0041(1), (3), (4), (8), (10), 381.0055, 381.0062(2)(b), (5)(c), 381.0064(1), 381.0065(3), (4), (5)(b), 381.0068, 381.0087(7), 381.0098(1), (2)(c), 381.0407(3)(b), (5), (7), 381.815, 382.356, 383.14(1), (3), (5), 384.25(7), 385.202(1), 390.002(1), (4), 402.45(3), (10), 409.1671(1), (4)(a), (5), 409.175(5)(e), (14)(a), 409.178(6), 409.2355, 409.2572(3), 409.2673(4)(b), (8)(c), (9)(a), (10)(c), 409.441(2)(a), 409.803(2), 409.9116(5)(c), 409.912(3)(a), 409.9122(7)(b), 411.232(4)(a), 411.242(4)(a), 414.0252(3), 414.026(2)(a), 414.028(4)(e), 414.095(4)(a), 414.13, 414.175(1), 414.25, 414.27(1), 414.28(8), 414.36(1), 414.37, 414.38(1), (9), (10)(a), (c), (11), (12), 414.39(6), (9), 414.40(2)(d), 414.42, 415.503(6), 419.001(1)(a), (b), 458.347(4)(d), 459.022(4)(d), 514.033(1), (4), and 817.505(2)(a), Florida Statutes (1996 Supplement), pursuant to the directive of the Legislature in s. 26, ch. 96-

403, Laws of Florida, to conform the Florida Statutes to the organizational changes made by ch. 96-403, Laws of Florida. References to the “Department of Children and Family Services” are substituted for references to the “Department of Health and Rehabilitative Services,” and the title of the secretary of the department is conformed to the change in provisions within chapters 39, 63, 410, 411, 414, 415, and 419, and ss. 409.016-409.803, Florida Statutes. References to the “Department of Health” are substituted for references to the “Department of Health and Rehabilitative Services,” and the title of the secretary of the department is conformed to the change in provisions within chapters 153, 154, 381, 382, 383, 384, 385, 386, 387, 388, 390, 391, and 392, Florida Statutes. The term “county health department” is substituted for the term “county public health unit” and for references to “public health unit” or “unit” where clearly in reference to county public health units. References to the “County Health Department Trust Fund” are substituted for references to the “County Public Health Unit Trust Fund” to reflect the change of name of the fund.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 438—A bill to be entitled An act relating to the Florida Statutes; amending ss. 607.0120(6)(a), (7), 607.0129, 607.0130(1), 607.01401(9), 607.0302(16), 607.0501(3), 607.0504(2), 607.0620(5), 607.0622(4), 607.0630(2)(b), 607.0705(1), (5), 607.0707(2), 607.0720(2), (3), (5), 607.0721(5), (6), (7), (8)(a), 607.0722(2), (4), (7), (9), 607.0728(2), 607.0730(1), 607.0731(3), 607.07401(7), 607.0805(5), 607.0807(1), 607.0808(2), (3), 607.0820(3), 607.0824(4), 607.0825(4), 607.0830, 607.0831(1), 607.0832(1), 607.0834(1), 607.0850(1), (2), (3), (4), (6), (7), (10), (11)(g), (12), 607.1302(1), (2), (3), (5), 607.1320(1), (2), (3), (4), (6), (7), 607.1406(5), 607.1421(4), (5), 607.1432(3)(a), (5), 607.1436(2), 607.14401, 607.1507(2), 607.1508(2), 607.1509(1), 607.1530(5), 607.1602(1), (2), (3), (4), (6), (8), 607.1603(1), (4), 607.1604(3), 607.1620(2), (3), 607.1904, 608.404(10), 608.407(1)(d), 608.416(2), (3), 608.4211(3), (5), 608.4225, 608.426(3), 608.427(1), (2), (4), 608.428, 608.432(1)(d), 608.433(2), (3), (4), 608.434, 608.4362(1), 608.4363(1), (2), (3), (4), (6), (7), (10)(g), (11), 608.4421(5), 608.4481(4), 608.4492(3)(a), (5), 608.4494, 608.463(1)(b), 608.508(2), 608.509(1), 608.512(6), 609.02, 609.08(8), 610.021(2), 610.041(1), 610.061(2), 610.081(1), 616.121, 616.21(2)(a), 617.01201(6)(a), (7), 617.0129, 617.01301(1), 617.0501(3), 617.0504(2), 617.0701(3), 617.0721(2), (3), (4), 617.0806, 617.0807(1), 617.0808(7), (8), 617.0809(2), 617.0820(3), 617.0824(4), 617.0825(4), 617.0830, 617.0832(1), 617.0834(1), 617.1421(4), 617.1432(3)(a), (5), 617.1440, 617.1507(2), 617.1508(2), 617.1509(1), 617.1530(5), 617.1602(1), (2), (3), (5), (6), 617.1603(1), (4), 617.1604(2), 617.1807, 617.1904, 617.2003, 617.2006, 617.31(1), (2), 618.09(8), (9), 618.12(2), 618.14, 618.15(1), (2), 618.18(1), 618.25(1), 619.06(3), (4), (5), 619.07(1), (6), 620.102(2), 620.1051(2), (3), 620.116(1), 620.117(1), 620.124(4)(c), (d), (e), (f), (6), 620.126, 620.129(1), (3), (4), 620.132(1), 620.136(2), (4), 620.139, 620.142, 620.144, 620.145, 620.146, 620.148, 620.152(1)(d), 620.153, 620.154(2), (3), 620.155, 620.159(1), 620.164, 620.172(2), 620.1835(1), 620.57(1), (2)(b), 620.59(4), 620.60(1), 620.605(1), (2), 620.61, 620.615, 620.62, 620.625(1), 620.635, 620.64, 620.645(1), (2), (3), (4), (6), 620.66(1), 620.665(1), 620.675, 620.68(1), (2)(a), (d), (e), 620.685, 620.69, 620.695(1), (3), 620.715(1)(a), (b), (d), 620.725, 620.73(1)(b), (2)(b), (3)(c), (4), 620.735(2), (4), 620.74, 620.745(1), (2)(b), (c), 620.75(1), (2), 620.755(6), (9), 620.76(1), (3), (8), 620.765, 620.77, 620.78(3), 620.7885(3), 621.06, 621.11(1), 623.03(2), 623.04, 623.06, 623.12(1)(b), 624.155(1)(b), (2)(b), 624.305(1)(b), (3), 624.315(1), 624.317(3), 624.318(3), 624.321(1), (2), 624.322, 624.4211(2), 624.422(1), 624.423(1), (2), 624.424(8)(c), 624.425(3), 624.470(2)(b), 624.472(2), 624.474(4), 624.489(1), 624.501(22), 624.505(1), (2), 624.506(1), (3), 624.509(4), 624.5092(2)(a), (b), 624.510(3), 624.516(2), 624.523(1)(l), (n), 624.610(9), 625.75, 625.77, 625.78, 626.022(1)(c), 626.041(2)(b), (c), (d), 626.0428(1), 626.051(2)(b), 626.062(2)(b), 626.071(2), 626.091(3), 626.112(1), (2), (3), (4), (5), (6), (7), (8)(b), 626.171(2)(a), (b), (c), (e), (f), 626.172(1)(b), 626.181, 626.191, 626.201, 626.211(2), 626.212(2)(e), (g), 626.231, 626.251(1), 626.311(1), (4), 626.321(1)(d), (h), (i), 626.322, 626.331(1), (2), 626.341(2), 626.342(2), 626.431(2), (3), 626.451(2), (3), 626.471(1), (4), 626.541(1), 626.551, 626.561(1), (3), 626.572(1), 626.581, 626.592(1), (2), (4), (5), 626.611(6), (11), 626.621(4), (6), 626.6215(5)(f), 626.730(1), (2), (3), 626.731(1)(b), (c), 626.732, 626.734, 626.7351(2), (5), 626.7352, 626.7353(2), 626.7354, 626.736, 626.738, 626.739(1)(a), 626.741(1), (2), (4), 626.742(1), (2), (4), (5), 626.7451(10)(c), 626.7454(3), 626.748, 626.749(1), (2), 626.7492(8)(c), 626.752(1)(a), (2), 626.753(1)(a),

626.754(1), 626.784(1), (2), 626.785(2), 626.7851, 626.790(1), 626.791(1)(a), 626.792(6), (7), 626.793(1), 626.795, 626.798, 626.829(2), 626.830(1), (2), 626.831(2), 626.8311, 626.835(6), (7), 626.837(1), 626.8373(1), 626.839, 626.8421, 626.8427(1)(a), (3), 626.844(5), 626.8463(1), (3), 626.8467, 626.857, 626.858(2), 626.862(1), 626.863(2), 626.865(1)(c), (d), (2), 626.866(3), (4), 626.867(3), (4), 626.869(1), (3), (5), 626.8695(1), (3), (4), 626.872(1)(c), (4), 626.873(1), (4), 626.8805(1), 626.894(2), 626.906, 626.907(1), 626.908(1)(d), 626.909(4), 626.912(4), 626.918(3), (5), 626.919(3), 626.922(2), 626.924, 626.927(7), 626.9271(1)(a), 626.9295, 626.930(1), (3), 626.931(1), 626.932(1), 626.935(1)(b), (d), 626.937(3), 626.942, 626.945(1)(k), (l), 626.9541(1)(o), (v), 627.041(3), 627.066(11)(a), 627.072(4)(c), 627.162(4), 627.215(12)(a), 627.291(2), 627.311(3)(e), (4)(a), (o), 627.371(1), 627.406(2), (4), 627.407, 627.410(7)(c), 627.4132, 627.4137(1), 627.4143(2)(d), 627.418(1), 627.4237, 627.553(3), 627.555(2)(b), 627.560, 627.561, 627.562, 627.566, 627.567, 627.568, 627.571(1), 627.6044(2), 627.619, 627.621, 627.624(1), 627.6401, 627.646(1), 627.6486(2)(b), 627.6488(2)(a), (b), 627.6516(2)(b), 627.657(1)(a), 627.664(1), 627.6645(2), 627.6675, 627.679(1)(c), 627.681(3), 627.6841(1), 627.6843(1)(a), 627.702(1), 627.727(1), (9)(b), (c), (d), (e), 627.7275(2)(a), 627.7286, 627.732(4), 627.733(5), (7)(a), 627.737(1), (2), 627.832(2), 627.835, 627.836(1), 627.839(3)(a), 627.840(3)(b), 627.841(3), 627.842(3), 627.843, 627.844(3), 627.845, 627.944(1)(c), 627.948(2), 627.952(1)(b), (3), 627.971(1)(b), 627.983(1), 627.985(1)(a), 628.152(2), 628.221(2)(a), 628.255(2), (4), 628.421(1)(a), 628.441(2)(c), (e), (g), 628.491(4), 628.501(2), 628.6013(7), (8), 628.6017(1)(d), 629.121(1), (2), 629.211(2), 629.221(2), 629.231(2), (4), 629.241, 629.291(3), 629.301(2), 629.401(2), (6)(b), 631.051(4), 631.112, 631.154(1), 631.171(2), 631.181(1)(b), (d), (2)(a), 631.191(2)(a), 631.261(1), 631.263(2)(b), 631.271(1)(b), 631.281(2)(a), 631.321(1), 631.331(2), (4), 631.371(3), 631.391(1)(b), 631.571(1)(a), 631.60(1), 631.61, 631.717(8)(a), 631.816(4), 631.93(2), 631.935(1)(c), 631.98(1), 632.608(2), (3), 632.634(2), 633.02, 633.052(1)(b), 633.061(3)(b), (c), (d), (4)(b), (6), 633.081, 633.085(1)(a), (2), 633.101(1), (2), (3), 633.13, 633.14, 633.151, 633.162(2), 633.167, 633.18, 633.31(3), 633.32(1), (2), 633.35(2), 633.351(2), 633.352, 633.382(2)(a), 633.47, 633.511(1), (2), (2)(a), (3), 633.514(1), 633.517(2), 633.521(2)(a), (e), (3), (4), (6), 633.527(1), 633.531, 633.534(1), (2), (3)(a), (b), 633.537(1), (2), 633.547(2)(c), (3), 633.551(3), 633.702(3)(c), 633.721(a), 634.011(13), 634.044(2)(i), 634.095, 634.101(1), 634.111(4), 634.121(3), (4), (5), (6), 634.136(2), (4), 634.151(1), 634.161(1), 634.171, 634.181, 634.191, 634.242, 634.261, 634.271(1), 634.281, 634.3077(3), 634.318, 634.319, 634.320(9), 634.321(4), (5), 634.3284(1), 634.342, 634.406(3)(e), 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665.033(1)(a), (d), 665.0501(8), 671.102(5)(b), 671.201(9), (23), (25), (26), (27), (44), 671.205(6), 671.206(1), 671.208, 672.104(1), 672.201(1), (3)(b), 672.210(1), (2), (4), (5), 672.304(1), 672.305(2), (3), 672.308(1), 672.310(2), 672.311(3), 672.312(2), 672.313(2), 672.316(3)(b), 672.318, 672.319(1)(b), (c), (2)(a), (3), 672.320(2), 672.324(1), 672.325(2), 672.326(3), 672.328(2), (3), (4), 672.401(2), (3)(a), 672.402(2), 672.403(1), (2), 672.501(1), (2), 672.502, 672.503(1), (3), (5)(a), 672.504, 672.505(1), 672.507, 672.508, 672.509(1), (2)(a), (c), (3), 672.510(2), (3), 672.512(2), 672.602(2)(b), 672.603(1), (2), 672.604, 672.605(1), 672.606(1)(a), (c), 672.607(3), (5), 672.608(1), (3), 672.609(1), 672.610(2), (3), 672.611(1), 672.612(3), 672.613(2), 672.615(1), (2), 672.616(1), 672.702(1), (2), 672.704(1)(a), 672.705(1), 672.706(3), (6), 672.707(1), 672.709(2), 672.711(1), (3), 672.712(3), 672.714(1), 672.716(3), 672.717, 672.718(2), (4), 672.722(2), 672.723(3), 675.106(1), (2), 675.108(2)(a), 675.112(2), 675.113(2)(b), 675.115(2), 675.116(2), (3), 677.102(1)(g), 677.202(2)(d), (g), (i), (3), 677.204(1), (2), 677.206(2), (3), (5), 677.209(1), (3), (4), 677.210(1), (2), (6), (7), (8), 677.301(5), 677.302(2), 677.303(1)(d), 677.304(3), 677.307(3), 677.308(1), (5), (6), 677.309(1), (2), 677.401(2), 677.402, 677.403(1)(d), (3), 677.404, 677.501(1), (2)(b), 677.502(1)(d), 677.503(1), 677.504(1), (2)(b), 677.506, 677.507, 677.602, 677.603, 678.103(2), 678.104(1), 678.105(3)(e), 678.107(1), 678.108, 678.201(1)(a), (b), (c), (2), 678.202(1)(b), (2), 678.203(1), 678.204(2), 678.206(3)(b), 678.208, 678.301(1), 678.302(1)(a), (3), (4), 678.303, 678.304(2), 678.306(1), (2)(a), (c), (3), (5), (6), (7)(a), (8), (9)(a), (10), 678.307, 678.308(1), (8)(a), (c), (f), (9), (10), (11), 678.311(1), 678.313(1)(a), (b), (c), (d), (e), (f), (g), (2), 678.314, 678.315(1), (2), 678.316, 678.318, 678.319(1), (3), (4), 678.321(1), (3), (4), 678.401(2), 678.403(2), (3)(c), (4)(c), (5), 678.405(1), (3), 678.406(1), 678.407(2), 679.103(2)(d), (3)(d), 679.105(1)(d), (k), 679.108, 679.109(4), 679.112, 679.206(1), 679.207(1), (3), 679.208(1), (2), 679.301(1)(c), (d), (2), 679.302(3)(b), 679.307, 679.308, 679.310, 679.313(3), 679.314(3), (4), 679.318(3), 679.401(1)(a), 679.402(6), 679.403(3), (5), (7), 679.404(1), (2), 679.405(2), 679.406, 679.501(1), (4), (5), 679.502, 679.504(1)(c), (3), (4)(a), (5), 679.505, 679.506, 679.507(2), 680.1031(1)(a), (o), 680.1091(1), 680.22(1)(b), (2), 680.221(2), 680.303(2)(a), (b), (4), (6), 680.306, 680.309(8), 680.311(5), 680.401(2), 680.405(2), 680.501(5), 680.504(3), 680.507(3), 680.511(2), (2), 680.513(2), 680.516(4)(a), 680.517(1), 680.526(2), 680.531(2), 682.04, 682.06(1), 682.08(1), (2), 682.09, 682.10, 682.13(1)(c), (d), 682.14(1)(b), 682.19, 684.04(2)(a), 684.07(2), 686.201(1)(c), 686.402(16)(b), (c), 686.405(3)(a), 686.406(3), 686.407(1), (2), (5), 686.409, 686.41, 686.413(3)(b), (c), (d), (e), (g), (4)(c), 686.417(1), (5), 686.501(2), (3), 686.503(5), 686.504(2)(b), 686.506(3), 687.071(5), (6), 687.14(4)(d), 687.145(1), (2), 688.002(2)(b), 689.01, 689.02(1), 689.03, 689.05, 689.06, 689.075(1)(f), (2), 689.14, 689.17, 689.21(2)(b), (3), (5), (6), 694.09, 694.14, 695.02(2), 695.03, 695.031(2), 695.09, 695.11, 695.12, 695.13, 695.17, 695.18, 695.20, 695.25(1), 695.26(2), 697.06, 697.08(1)(c), 697.10, 697.202(4), (6), (7), 697.205(1)(a), 698.01, 698.03(1), (2), (5), 698.09, 701.01, 702.05, 703.08, 703.10, 703.11, 703.18, 704.01(1), 704.04, 705.102(2), (3), (4), 705.103(2), (5), 705.19(1), (3), 709.01, 709.015(1), (3), 709.02, 709.08(7)(a), 712.02, 712.05(1)(b), (2), 712.08, 713.01(16), (22), 713.02(7), 713.03(1), (2), 713.04(1), 713.07(4), 713.09, 713.10, 713.11, 713.14, 713.15, 713.21(1), (4), 713.22(2), 713.23(1)(c), (d), (f), 713.24(1), (2), 713.245(13), 713.28(1), 713.29, 713.30, 713.31(2)(a), (b), 713.32, 713.3471(2)(i), 713.56, 713.57, 713.585(5), (8), (10), 713.60, 713.665(1), 713.691(2), 713.71, 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947.172(2), 947.174(4), 947.1745(1), 947.181(1)(b), 947.19(3), 947.20, 947.21, 947.22, 947.23(1), (2), (3), (4)(a), (d), (e), (5), (6)(a), (b), (7), 948.011, 948.015(1), (5), (7), (10), (12), (13), 948.034(1)(a), (b), (c), (2)(a), (b), (c), (d), (e), 948.04(2), 948.06(1), (2), (3), (4), (6), 948.08(2), (4), (7), as amended by s. 9, ch. 91-225, Laws of Florida, 948.08(2), as amended by s. 6, ch. 91-280, Laws of Florida, 948.10(2), 949.07(1), (3), 950.03, 950.04, 950.09, 951.04, 951.062(9), 951.08, 951.14, 951.15, 951.21(2), (4), 951.231(1)(a), (b), 951.24(2)(a), (3)(a), (b), (c), (4), (5), 958.045(4), 958.07, 958.09(1), 958.12(1), 958.13(2), 958.14, 960.002(2)(c), 960.05(2)(k), 960.065(1)(d), 960.07(1), and 960.17(1), Florida Statutes, and ss. 607.0502(2), (3), 616.252(1)(a), 617.0502(2), (3), 617.2103(3), 617.306(6), (7), 624.310(1)(a), (4)(f), 624.311(4)(b), 624.319(5), 624.91(4)(a), 626.2815(3)(j), (5), (6)(c), 626.521(4), 626.601(2), (5), 626.9571(3), 626.9581(1), 626.988(5), (6), 626.989(1), (4)(b), 626.99(1), (5)(b), 627.351(6)(c), as amended by s. 2, ch. 96-377, Laws of Florida, 627.351(2)(b), (3)(a), (4)(c), (i), (5)(b), (6)(c), as amended by s. 8, ch. 96-194, Laws of Florida, 627.4147(1)(b), (2), 627.6692(5)(b), 627.6699(5)(h), (11)(b), (g), 627.701(1)(c), 627.728(1)(c), (4)(a), (6), 627.736(1)(a), (b), (2)(b), (3), (4)(d), (5), (6)(b), (c), (7)(b), 627.848(1)(a), (c), (d), 628.461(6)(b), (8), 628.4615(7)(b), (9), 633.111, 633.161(1), 633.175(2), (7), 633.445(5)(d), (e), (7)(d), (e), (9), 634.031(1), 634.201(1), (2), 634.338(3), 634.339(1), 634.438(3), 634.439(1), 641.31(10), 641.386(1)(b), (3), 641.3907(3), 641.445(3), 648.36, 648.44(1)(a), (d), 655.037(6)(a), 658.295(2)(e), 658.33(4), 697.04(1)(b), 705.18(1), 713.05, 713.06(1), (2)(a), (b), (c), (3)(c), (d), (f), (g), 713.08(1), (2), (3), 713.13(1)(a), (b), (d), (g), 713.16(1), (2), (3), (4), 713.18(1)(b), 713.20(1), (3), 717.101(14), 717.117(3), (5), 717.124(5)(a), 718.112(2)(d), 718.501(1)(d), 719.106(1)(d), (f), 719.501(1)(d), 721.071(4), 723.031(8), 741.01(1), 744.102(8), 744.309(1)(b), (2), (3), 744.3215(1)(b), (f), (h), (j), (3)(e), (g), (4)(b), 744.331(1), (2)(a), (3)(a), (d), (5)(b), (6)(a), (c), 744.334(1), 744.351(1), 744.3675(1)(a), (c), 744.454, 744.474(1), (2), (3), (4), (8), 744.703(5), 744.704(4), (5), (8), 744.708(4), 760.29(1), 760.34(1), (2), (3), 760.35(3)(b), 760.40(3), 760.50(3)(b), 765.202(3), 766.101(5), 766.105(3)(b), (c), (d), (f), 766.106(2), (9), (10), 766.207(7)(b), 766.21(1), (3), 766.304, 766.305(1)(a), 766.309(2), 766.312(1), 766.314(9)(d), 766.315(3), (4)(k), 768.28(1), (6)(a), (9)(a), (b), (19), 775.083(1), 775.0877(1), (4), 775.15(3), 787.01(1), 787.02(1), 787.04(5), 790.065(1), (2)(c), (3), 790.22(2), (3), (8), 810.09(2)(c), 812.014(4), 812.015(1)(c), (f), 832.07(1)(a), 832.08(1), (4), (5), 837.011(2), 838.014(1), (3), (4), (6), 849.0935(4)(e), 893.035(2), (4), (5), (6)(b), (7)(a), 893.13(6)(a), 893.135(5), 893.138(2), 901.15(2), (3), (7), (8), (9), (10)(a), (11), 905.17(1), 907.041(4)(b), (i), (j), 916.107(3), (4), (5)(c), (6), (8), (9)(b), (11), 921.0014(1), 921.142(2), (7)(e), (g), 922.052(1), 922.07(1), (2), (3), (4), 922.08(1), 922.11(1), 924.051(6)(a), 925.037(3)(a), (6), 940.03, 943.0515(1)(b), (2)(b), 943.054(1)(b), 943.0585(1)(b), 943.059(1)(b), 943.06(2), (3), 943.1395(2), (4), (6)(c), (8)(c), (d), 943.14(1), (8), 944.09(1)(o), 944.275(4), (c), 944.28(1), (2)(b), (c), as amended by s. 6, ch. 89-531, Laws of Florida, 944.28(1), as reenacted by s. 2, ch. 91-280, Laws of Florida, 944.31, 945.091(1), (4), 945.215(1)(f), 945.42(3), (4), (5), (12), (13), 945.43(1), (2)(b), (c), (3), 945.44, 945.45(1), (2), 945.47, 945.48(1), (2), 945.602(1), (2), 946.002(1)(a), (4), 946.006(3)(h), (j), 946.504(5)(b),

947.02(2), (3), 947.03(1), (3), 947.04(1), (2), (5), 947.1405(5), 947.146(1), (2), 947.173(1), (2), 947.18, 948.01(2), 948.03(1)(b), (e), (g), (k), (8)(b), 948.09(3)(a), (d), (4), 951.061, 951.23(8), 951.26(1)(a), 958.11(3)(b), (6), 960.001(1)(d), (e), (i), 960.003(5)(a), (6), 960.13(7), (9)(b), Florida Statutes (1996 Supplement), pursuant to the directive in s. 1, ch. 93-199, Laws of Florida; removing gender-specific references applicable to human beings from volume 4 of the Florida Statutes without substantive changes in legal effect.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

SB 440—A bill to be entitled An act relating to the Florida Statutes; amending ss. 403.087(6)(a), 403.0877(2), 403.091(3)(c), (d), 403.141(2), 403.321(1), 403.331(1)(a), (b), 403.341, 403.381(1), 403.411, 403.412(2)(f), 403.413(6)(c), (f), (h), 403.415(8)(b), 403.60, 403.709(5), 403.716(3), 403.7185(1), 403.721(6)(h), 403.809(2), 403.862(4), 403.905, 404.056(2)(c), (3)(g), (h), 404.161(2), 404.22(2), 404.30, 406.02(1)(b), (c), (2), 406.03, 406.06(2), 406.08(2), (3), (4), (5), 406.11(1), (2)(a), 406.13, 406.145, 406.16, 408.0014(4)(a), 408.006(1)(a), 408.033(1)(a), (2), 408.035(1)(h), 408.05(8)(b), (c), (d), 408.07(29), 408.7045(3), 408.705(6), 408.7071(2)(a), (b), 409.145(2)(a), (c), 409.166(1), 409.212(3), 409.2574(2)(b), 409.2575(1), 409.352(1)(a), (2), 409.401, 410.032(2), 410.603(2), 411.202(2), (7), 413.031(3), 413.033(3)(c), (4)(c), 413.034(2), (4), 413.037(2), 413.063, 413.08(4)(b), (d), 413.20(12), 413.273(1), 413.401, 413.445(3), (4), (5), (6), 413.604, 413.72(1), 415.104(6), 415.1065(2)(c), 415.1085(1), 415.109, 415.1113(10), 415.501(2)(b), 415.506, 415.507(2)(b), 415.5084, 415.511(2), 415.512, 418.302(1), (3), (4), (5), 420.101(1)(d), 420.124, 420.503(5), (16), 420.508(1)(a), 420.609(1)(n), (2)(a), 420.9075(4)(h), 421.05(1), (2), 421.06, 421.07, 421.19(2), 421.30(3), (5), 421.31, 421.33, 421.44(1), 421.50(3), (5), 425.045(2), 425.09(1), 425.10(2), 425.12, 425.20, 430.05(3)(a), 440.02(4), (5), (6), (13)(b), (c), (d), (15)(a), (16), (18), (24), (31)(b), 440.04(1), (3), 440.05(3), 440.06, 440.09(1)(d), (7)(a), 440.091(1), (3), 440.092(3), (4), 440.10(1)(a), (b), (c), (g), 440.105(3)(b), (4)(a), (e), (f), 440.1051(2), 440.107(1), 440.11(1), 440.12(2), 440.14(1)(a), (e), (f), 440.151(1)(a), (b), (3), 440.185(1), (2), 440.19(6), 440.191(2)(b), 440.192(1), (2)(g), 440.20(6), (11)(b), (12)(b), (c), (d), (13), (14), (15)(b), (c), 440.21, 440.25(4)(h), (5)(b), (c), (7), 440.33(1), 440.34(1), (3), (4), 440.38(1)(b), 440.381(6), 440.385(1)(b), (3)(c), (7)(a), 440.386(5)(d), (9)(a), (11)(b), 440.40, 440.4416(2)(c), (d), 440.442(1), (2), (3), (4), (5), (6)(a), 440.51(3), (10), 441.01, 442.018(2)(b), 442.101, 442.102(8), 442.103(3), 442.105(1)(a), (c), 442.106(3)(a), 442.107(2), (4), 442.116(1)(b), (3), 442.119, 443.021, 443.041(1), 443.051(3)(a), 443.071(1), (5)(a), 443.191(2), 443.211(1), (2), 446.045(2)(b), (c), 446.081(2), 447.01(1), 447.04(1)(a), (2)(a), 447.08, 447.09(1), (3), (11), 447.17(1), 447.203(13)(b), (18), 447.208(2), (3)(d), 447.301(4), (5), 447.309(1), (2)(a), 447.401, 447.403(3), (4)(a), 447.405, 447.4095, 447.501(1)(d), (2)(d), 447.507(5), (6)(a), 447.509(3), 447.609, 448.01, 448.045, 448.05, 448.07(1)(c), (2)(a), (3), 448.09(1), 448.103(1)(c), 450.081(5)(b), (c), (6), 450.141(1), 450.151, 450.251, 450.261, 450.30(1), (5), 450.31(2)(b), 450.34(1), 450.35, 452.01, 452.02, 452.03, 454.18, 454.19, 454.23, 454.31, 455.02(1), 455.10, 455.209(1), 455.214(2), 455.2275, 455.2416(1)(b), 455.245(2), 455.2456(2)(d), (e), (f), 456.31(3), 456.32(3), 457.105(2)(a), 457.109(1)(j), (o), (q), (t), (3), 457.116(1)(a), 458.307(4), 458.309(2), 458.310(4), 458.315(1), 458.316(1), (2)(a), 458.3165(1)(b), 458.317(1)(a), (c), (d), (2), 458.319(3), 458.324(2)(a), (c), 458.325(1), 458.327(2)(c), 458.3295(3), 458.335(2), (3), 458.346(2), 459.0075(1)(a), (b), (4), 459.0077(1), 459.008(3), 459.0125(2)(a), (c), 459.013(3)(b), 459.0145(3), 460.402(5), 460.4165(2), (5)(a), (6), (10), 461.004(4), 461.006(2)(b), 461.013(1)(m), (o), (p), (r), (u), (x), (3), (6), 461.0134(1), (2), 462.08, 462.14(1)(k), (p), (q), (r), (s), (v), (y), 462.16, 462.17(3), (5), (6), 462.18(1), 462.19(3), 463.001, 463.003(3)(b), 463.0057(1), (2), 463.006(1)(b), 463.009, 463.012, 463.0135(1), 463.016(1)(e), (i), (o), (s), (3), 465.003(1), (5), (13), 465.007(1)(b), (c), 465.009(1), 465.014, 465.015(2)(a), (3)(a), 465.016(1)(d), (j), (m), (3), 465.017(2), 465.025(2), 465.026(1)(a), (2), 465.0276(1), (2)(a), (3), (4), (5), 465.186(1), 466.002(1), 466.006(2), (3), (4)(b), (c), 466.009(2), (3), 466.0135(3), 466.014, 466.016, 466.017(1), (6), (7), 466.018(1), (2), (4), 466.021, 466.024(5), 466.025(1), 466.026(2)(b), (c), 466.028(1)(m), (o), (p), (q), (s), (x), (y), (bb), (2)(e), (5), 466.031(2), 467.0125(1), (2)(a), 467.013, 467.203(1)(g), 468.1115(2)(c), 468.1135(3), 468.1245(2), 468.1275, 468.1285(1)(d), 468.1655(4)(b), 468.1705(1), 468.1745(1)(c), 468.1755(1)(k), (l), (o), 468.207, 468.209(1), (4), 468.211(1), (2), 468.215(2), (3), 468.217(1)(p), (s), (t), (w), 468.223(1)(b), (c), 468.225(1)(a), (b), 468.304, 468.306(3), 468.3065, 468.307(2)(b),

468.309(5), (6), 468.3095(1), 468.3101(1)(f), 468.314(3), 468.352(3), 468.354(4)(a), (c), 468.36, 468.362(1), 468.365(1)(m), (x), 468.366(1)(d), 468.368(4), (5), (6), 468.383(1), 468.385(2), (3), (4), (5), (6), 468.386(2), 468.387(1), 468.388(3)(b), (5), 468.389(1)(h), 468.395(4), 468.401(3)(c), 468.402(1)(d), (e), (f), (q), (r), 468.403(1), (3)(a), (5), 468.407(3), 468.408(1)(a), 468.531(1)(d), 468.543, 468.551(1)(a), (b), (c), 468.723(6), 470.006(3), 470.007(1)(b), 470.009(2), 470.011(1)(b), 470.019(2)(f), (o), 470.021(2), 470.023, 470.0255(1), 470.026(5), 470.028(3), 470.031(1)(c), 470.032, 470.033, 470.034, 470.036(1)(q), (w), 470.039(2), 471.003(2)(a), (h), (i), (3), 471.005(6), 471.013(1)(a), (b), 471.023(1), (2), (3), 471.025, 471.031(1)(c), 471.033(1)(j), 472.003(2), (3)(a), (b), 472.013(2)(c), (d), (3), 472.017(1), 472.018, 472.021(1), (2), (3), 472.025, 472.031(1)(c), 472.033(4), 473.302(5)(b), 473.303(2), 473.308(3)(b), 473.313(1), 473.315(1), (2), 473.316(1)(c), (4)(b), (5), 473.318, 473.3205, 474.202(10), 474.203(2), (3), (4), (6), 474.207(3)(b), (5), 474.2125(1), 474.213(1)(c), 474.214(1)(h), 474.216, 474.217(1), 475.01(1)(c), (2), 475.011(1), (3), (5), (8)(a), 475.03(1), 475.10, 475.17(1), (2), (4)(c), 475.175(1), 475.180(2)(a), 475.182(1), 475.183(1), 475.22, 475.23, 475.24, 475.25(1)(b), (d), (i), (j), (k), (o), 475.37, 475.42(1)(b), (d), (e), (h), (j), (k), (n), 475.43, 475.451(2), (7), 475.483(1)(d), 475.484(2), 475.486(2), 475.5015, 475.5017(1), 475.613(1)(a), 475.615(4), (5), 475.616, 475.617, 475.619(2), 475.620(1), 475.622, 475.623, 475.624(2), (6), (7), (10), (18), 475.626(1)(b), 475.627(1), (2), 476.054(5), (6), 476.064(1), (3), 476.114(2)(c), 476.134(3), 476.144(4), 476.154(1), 476.204(1)(a), (d), 477.0135(1)(g), 477.015(3), (4), (5), (6), (8), 477.019(2)(c), 477.022(1), (5), 477.029(1)(a), (d), 478.44(4)(a), 478.49, 478.50(3), 478.52(1)(m), (q), (r), 479.16(4), 480.035(3), (4), (5), 480.042(1), (5), 480.046(1)(g), (i), 480.047(1)(a), (d), (e), 481.219(2), (3), (5), (10), 481.221(2), (3), (4), (5), (6), (9), 481.223(1)(d), 481.225(4), 481.2251(1)(c), (j), (l), 481.229(4), 481.301, 481.319(4), (6), 481.321(1), (2), (3), 481.323(1)(b), (c), 481.325(1)(l), (4), 481.329(4), (5), (6), (7), 482.021(9), (18)(b), (21)(a), 482.091(2)(c), 482.111(5), (6)(a), (b), (10), 482.121(1), 482.132(1), 482.141(4), 482.152, 482.155(2), 482.211(1), (11), 482.226(3), 482.2267(3), 483.23(1)(a), 483.285(8), 483.308, 483.817(1), 483.819(1), 483.821, 483.823, 483.825(2), 483.901(4)(e), (10)(c), (11)(a), (b), (f), 484.011, 484.013(1)(a), (2), 484.014(1)(k), (t), (3), 484.018(1), (2), 484.042(4), 484.0445(1), 484.045(2), 484.051(2), 484.053(1)(c), 484.058, 486.028, 486.031(3)(a), (b), 486.041, 486.051, 486.061, 486.081(1), (3), 486.085(4)(c), 486.102(3)(a), (b), 486.103, 486.104, 486.106, 486.107(1), (3), 486.108(4)(c), 486.125(1)(a), (b), (g) (j), (3), 486.135(1), 486.161(1), (2)(a), 486.171(2), 487.021(8), (22), (30), (41), (48)(b), (49), (65), 487.025(2)(d), (g), (h), 487.049(1), 487.051(1)(a), 487.1585(1), 488.04(1), 489.111(2), 489.113(1), (3)(b), (g), (4)(a), (7)(b), (8), (9), 489.115(4)(a), (5)(b), (c), (6), 489.117(1)(a), (b), 489.1195(1), (2)(e), (3)(a), (d), 489.121, 489.128, 489.133(2), (3), 489.134, 489.141(1)(a), 489.509(2), 489.511(2)(a), 489.513(1), (3)(b), (5), 489.515(1)(b), 489.516(1), (3), 489.521(2), (4), (5), (7)(a), (8), 489.522(1), (2)(b), (3), 489.523, 489.531(1)(b), (c), (3)(d), (k), 489.532, 489.537(3)(e), (4), (8)(a), (b), 489.538, 490.0111, 490.012(1), (2), 490.0121(5), 490.0142(a), (b), (e), (f), (3), 490.0141, 490.0143, 490.0147, 491.006(1), 491.0111, 491.012(1)(a), (b), (c), (d), (e), (2), 491.014(3), (4)(a), (b), (5), 491.0141, 491.0143, 491.0147, 491.0149(1), 492.102(3), (4), (7), 492.103(1), 492.105(1)(e), 492.108(1), 492.109(3), 492.111(2), (4), 492.112(1)(c), 492.113(1)(j), 492.116(5), 493.6104(8), 493.6105(1)(a), (3)(a), (b), (c), (d), (e), (f), (h), (i), (5), (6), (9), 493.6106(1)(c), (d), (e), (3), 493.6107(5), 493.6109(2)(b), 493.6113(3), (4), (6), 493.6114, 493.6115(3), (4), (6), (8), (9), (12)(b), 493.6118(1)(c), (d), (i), (p), (q), (u), (4), (6), 493.6119(1), (4), 493.6120(4), 493.6123(2), 493.6304(2)(a), 493.6404(2), 493.6406(2)(a), 494.0013(3), 494.003(1)(e), 494.0031(3), 494.0033(4), 494.0039(3), 494.0041(2)(f), (3), (h), 494.006(1)(d), (i), (j), 494.0061(2), 494.0062(2), 494.0072(2)(e), (f), (h), 495.011(1), (2), (6), (8), (9), 495.021(1)(d), 495.031(1)(c), (2)(d), 495.051(2), 495.101(4)(e), 495.121, 495.151, 496.404(1), (14), 496.405(7), 496.406(1)(a), 496.409(1), 496.410(1), (7)(d), 496.412(1)(a), 496.415(17), 496.425(6), (7)(a), (8), 497.135, 497.225, 497.445(5), 497.527, 498.005(2)(e), (3), (17), (18), 498.021(2), 498.023(2)(c), (3)(d), (4), 498.024(3)(d), 498.027(1)(c), (4), 498.031(3), 498.035(4), 498.037(2)(d), 498.041(1)(c), 498.047(4), 498.051(3)(a), 498.057(1)(a), (2), 498.059, 498.061(3), (4), (5), (6), 499.003(10), (11)(b), (c), 499.005(7), 499.007(12), 499.015(3), (4), 499.02(5)(a), 499.024, 499.028(15), 499.041(1)(f), 499.06(1), (2), (3), 499.063, 499.067(5), 499.069(2), (3), 499.62(1), 499.64(3)(b), (c), (d), 499.65(1), 499.68(1), 499.73(3), 499.76, 500.04(7), 500.11(2), 500.121(1)(c), 500.13(2), 500.172(3), 500.177(2), 500.301(12), 501.001(1)(a), (2)(d), 501.021(2)(a), 501.022(1)(b), (5), 501.031(1), 501.041, 501.045, 501.055(2), 501.059(1)(c), (9)(a), (b), 501.065(2), (6), (7)(a), 501.081(2), 501.091(1), (2), (3)(a), 501.095, 501.105(2), 501.122(3)(a), 501.135(5)(c), (6), 501.138(1), 501.141(1), (2)(a), 501.143(3)(f), (4)(f), (6)(f), 501.160(2), 501.206(1), (2), (4), 501.207(3), 501.2075, 501.2077(2), 501.2105(1), (2), 501.32(3), 501.606(1), 501.607(1)(h), (2)(a), 501.609(1), 501.611(4), 501.613(1), (2), 501.615(6),

(9), 501.617(1), (2), 501.621(4), 501.623(2), 501.922, 501.925(5)(a), 502.032(5), 503.041(2), 504.31(2)(a), (b), 506.01, 506.03, 506.06, 506.09(7), 506.12, 506.16, 506.19, 506.20, 506.24, 506.25, 506.26, 506.27, 506.30, 506.34, 506.35, 506.36, 506.37, 506.38, 506.39, 506.42, 506.43, 506.44, 506.511, 509.111(2), 509.213(3), 509.281(2), 509.504(1), 509.508(3), 514.011(4), 516.02(1), 516.031(4), 516.12(1), 516.16, 516.35(1), 517.021(6), (9), (10), (18), 517.141(10), 517.191(1), (2), 517.311(2), 518.11(4), 520.07(1)(c), (4), (5), 520.08(4), 520.10, 520.34(1)(c), (6)(b), (8), (10), 520.36, 520.61(4), 520.68(2), 520.74(2), (3), 520.76(4), 520.78(4), 520.83(1)(a), 520.88(4), 522.03, 522.06, 523.02, 523.08, 523.09, 523.10, 523.11, 523.13, 523.14, 523.15, 523.18, 523.19, 523.20, 523.21, 525.16(3), 526.01(2)(c), 526.03, 526.06, 526.11, 526.111(1), 526.141(7), 526.312(2)(a), 526.511(1)(a), 526.55(3), 527.021(3), 527.04(1), (2), 527.067(2), 527.09, 527.11(2), 527.16(5), (6), 531.42(2)(a), (3), 531.43, 531.50(1), 532.02, 532.04(1), 533.05, 534.021, 534.041, 534.081(1), 534.52(1), 534.54(2)(a), 535.11(2), (3), (6), (7), 536.13, 536.14, 536.15, 536.18, 538.03(2)(m), 538.09(2), (3), (5)(g), 538.15(1)(c), 538.19(2)(f), 538.20, 538.25(1)(c), 540.08(1)(b), (c), (2), (3)(b), (5), (6), 540.09(4), 542.22(1), (3)(b), (d), 542.235(4), 542.27(3), 542.33(2)(a), 544.04, 544.05, 545.03, 545.04, 545.11, 548.003(3), (4), 548.014(1)(a), (d), 548.022, 548.042, 548.045(1), (3), (4), 548.046(2), 548.047, 548.05(2), 548.052, 548.053, 548.054(1), 548.056(2), 548.057(4), 548.058(1), (2), 548.07, 548.071(6), (9), 549.02, 549.03, 549.06, 549.09(2), 550.0235, 550.0425(1), 550.105(1), (4)(c), 550.125(3)(a), 550.155(6), 550.175, 550.1815(3), 550.334(1), 550.3605, 550.3615(4), 552.093(1), (2), 552.094(3), (5)(b), (c), 552.101, 552.113(1), 552.114, 552.23, 553.03(1), 553.04(1), (3)(a), (b), 553.05(1), 553.11(4), 553.381, 553.74(2), (4), 553.75(1), (2), 553.80(3)(a), 553.851(2)(e), 553.907, 553.993(2), 554.105(2)(d), 556.106(2)(a), (e), 559.21(2), 559.23, 559.27(1), 559.3904(3), 559.544(4), 559.545(3), 559.55(6), 559.565(3), 559.72(3), (4), (5), (7), (8), (15), (16), 559.77, 559.805(1), (3), 559.811(1), 559.813(5), 559.905(3), (5), 559.907(2), 559.909(2), (5), 559.917(1)(a), (2), 559.920(10), 559.921(5)(a), 559.9221(2)(a), (b), 559.9233(3), 559.9236(2), 559.928(8)(d), (e), 559.932(1)(g), 559.933(4), 559.935(1)(a), (6), 560.109(3)(c), 560.118(2)(a), 561.051(1), 561.111, 561.17(1), (4), 561.20(2)(e), 561.22(2)(a), 561.27(1), 561.29(1)(a), (h), (i), (2), (3), 561.32(1), 561.33(1), (2), 561.37, 561.42(4), (5), (10), (11), (12), 561.421, 561.57(2), (4), (5), 561.65(1), 561.68(1), (2), (3), (5), 562.02, 562.03, 562.061, 562.07(5), 562.11(1)(b), (2), 562.111(1), 562.12(1), (3), 562.13(2)(d), (e), 562.131(1), (2), 562.16, 562.18, 562.27(1), (2), 562.28, 562.34(1), 562.41(3), (4), 562.451(1), (2), 562.454(4), 562.47(3), 563.02(2), (3), 563.022(5)(b), (7)(e), (18)(c), (20)(b), (e), 564.02(2), (3)(a), 565.02(9), 565.03(1)(a), 565.11, 567.09, 567.10, 568.06, 568.07(2), 568.08, 568.10, 569.003(2)(b), 570.07(24), 570.0705(5), (6), 570.10(4), 570.11, 570.15(3), 570.16, 570.22, 570.23(1)(e), 570.244(8), 570.248(1)(a), 570.34(1)(a), 570.381(3)(c), 570.382(3)(c), 570.543(2), 570.545, 571.06, 573.103(6), 573.112(2)(b), (d), (3), (5), 573.122, 573.124(5), (8)(b), 574.02, 574.03(2), (3), (6), 574.08, 574.09(2), 574.12(2), 576.111(2), 578.10(3), 578.11(3)(b), 578.26(1)(a), (2), 578.27(1), (3), (4)(b), (c), 580.041(1)(a), 581.031(19), 581.071, 581.122, 581.131(1), (2), 581.141(1), 581.181, 581.185(3)(d), (f), 581.211(1)(c), (e), 582.02, 582.18(1)(a), (b), 582.19(2), (3), 582.23(1), 582.25, 582.26, 582.41, 582.44, 585.006, 585.09, 585.50, 585.53, 585.83(5), 585.88(1)(a), (b), (c), 585.90(4), 586.02(14), 586.03(1), 586.10(15), 586.11(2)(a), 588.07, 588.16, 588.17(1), 588.19, 588.20(1), (2), 589.01(3), 589.02, 589.06, 589.30, 589.32, 589.33, 590.026(5)(b), 590.082(1), (2), 590.12(1)(b), 590.29(1), 590.31, 590.33, 590.34, 591.30, 591.34, 593.107, 593.111(2)(b), 593.116(3), 600.041(6), (7), 600.051(2)(a), 601.04(1)(a), (c), (2)(b), (c), (3), 601.06, 601.08, 601.155(9), 601.28(7), 601.33, 601.39, 601.40, 601.51, 601.54(1), 601.601(1), 601.61(1), (3), 601.641(2), (3), 601.66(3), 601.67(1), 601.68, 601.69, 601.731(1)(d), (2), 601.90(1), 601.96, 601.9910(1)(d), 601.9911, 603.161(3), 603.203(1), (2), (3), 603.204(1), 604.11(2), 604.12(1)(e), 604.15(1), (8)(a), 604.20(3), 604.211, 604.22(1), 604.23, 604.25(1)(a), (d), (g), (2), 604.30(3)(b), 604.32(10), and 604.33, Florida Statutes, and ss. 403.021(11), 403.031(7), 403.0876(3)(b), 403.0885(4), 403.508(4)(e), 403.785, 403.805(2), 403.814(2), 403.9326(1)(e), 404.111(4), 404.131(2), 406.075(1)(d), (f), (2), (3)(a), 408.001(3)(e), 408.40(1), (2)(a), (c), (d), 409.175(2)(g), (3)(e), (11)(a), (14)(a), 409.176(12)(a), 409.2561(2), 409.2598(4)(b), (7), 409.9081(3)(c), 409.910(5), (6)(b), (c), (d), (7)(a), (12)(a), (b), (d), (f), (g), (h), (14), (18), (19), 409.9123, 409.913(1)(b), 410.037, 410.605, 413.011(2), 413.012(2), 413.341(1)(a), (f), 414.095(2)(b), 414.115(2)(a), 414.26, 414.27, 414.28(1), (3), 414.29(2)(a), 414.39(1)(b), (3)(a), (4)(a), 414.41(1), 414.55(2), 415.503(9)(j), (11), 415.504(3), 415.505(1)(h), (i), 415.5055(1)(d), (g), 415.51(1)(a), (2)(h), (4), 420.504(3), (4), 420.9071(3), 430.207, 430.501(3)(b), 440.101(2), 440.102(1)(n), (3)(a), (5)(b), 440.13(2)(c), (4)(b), (c), (5)(a), (b), (d), (9)(c), (d), (f), (12)(a), (13)(b), (c), (d), (e), 440.15(1)(d), (f), (2)(b), (d), (5)(a), (8), (9), (10)(a), (c), (13), 440.39(1), (2), (3), (4), (5), (6), 440.49(1), (4), (5),

(6)(a), (9)(a), 440.491(1)(g), (h), 440.50(2), (3), 442.109(1)(b), (c), (d), 443.036(6), (7), (9), (12)(b), (18)(c), (19), (26), (28), (32), (33)(b), 443.091(1), (2), 443.101(1), (2), (3), (4), (5), (7)(b), (8), (9), (10)(b), 443.111(1)(b), (4), (5)(b), (6)(a), (c), (d), (e), (h), (7)(e), (f), 443.131(1), (2), (3)(a), (b), (e), (g), (h), (i), (k), (4)(b), (d), 443.141(3)(a), 443.151(1)(a), (3)(a), (4)(a), (b), (6)(a), (b), (c), (e), 443.171(5)(c), (7), (9), (10), 443.1715(1), 443.221(1)(a), (b), 443.231(2)(d), 446.52, as amended by s. 91, ch. 95-418, and s. 297, ch. 96-406, Laws of Florida, 446.52, as amended by s. 8, ch. 95-394, and s. 296, ch. 96-406, Laws of Florida, 446.602(1), 447.205(1), (2), (5), 447.503(3), (6)(a), 447.605(1), (2), 450.061(1)(g), 450.33(1), (3), (5), (7), (8), (9), (10)(c), 455.213(4), 455.2141(3), 455.217(2), 455.2173(2), 455.225(1), (4), (8), (10), 455.236(4)(j), 455.241(2), 455.261(3)(a), 458.311(1)(f), (2), (3), (4), (9)(a), 458.313(1), (3), (4), 458.3145(2), 458.320(4)(a), (5)(d), (e), (g), (7), 458.331(1)(j), (p), (q), (r), (s), (v), (4), (9), (4), 458.337(1)(a), 458.339, 458.341, 458.347(1)(b), (4)(e), (7)(f), (9)(a), (11), 459.0055(4), 459.0085(4)(a), (5)(d), (e), (g), (7), 459.015(1)(s), (t), (u), (w), (z), (cc), (4), (9), 459.016(1), 459.017, 459.018, 459.022(1)(b), (4)(e), (7)(e), (9)(a), (11), 460.406(1)(b), (c), 460.413(1)(e), (o), (q), (7), (8), (9), (3), (5), 464.009(1), 464.012(1), (4), 464.018(1)(j), 466.004(1), 466.007(3)(a), (4)(b), 466.022(1), 466.0275, 466.0282(1), 466.032(2), (4), 468.302(1), (2), (6)(b), 468.432(1), 470.035, 473.322(1)(d), 474.2185, 475.045(2)(b), (c), (4)(a), (b), (6)(a), 475.612(6), 479.07(2), (3)(b), (8)(b), 479.105(2)(a), 487.031(5), (8), (9), 487.041(3), (7), 487.0615(1)(d), (e), (2)(c), 489.103(2)(a), (3), (4), (9)(b), (11), 489.105(3), (4), (5), 489.119(3)(a), (b), (5)(a), (6), 489.127(1)(a), (c), (f), (5)(d), (k), 489.129(1)(f), (9), 489.131(3)(f), (7)(a), (b), 489.143(2), (6), 489.503(1)(a), (2), (3), (6), (9), 489.505(14), (15), (16), (21), (22), (23), 489.533(1)(k), (7)(b), 490.009(2)(c), (g), (p), 491.009(2)(c), (g), (p), 493.6101(4), (11), (13), 493.6102(1), (2), (3), (4), (6), (13), 493.6121(4), (8)(c), 494.00125(2), 497.002(2), 497.005(17), (24), 497.101(1), 497.127(3), 497.131(1), (8), 497.233(1)(r), 497.407(1), (2)(c), (3), (7), 497.413(9), 497.417(1), (3), (5), 497.419(7), 497.429(7), (9), 497.447(3), 498.025(1)(a), (4), 498.029(3), (4)(a), 499.018(1)(o), (p), 501.017(1)(d), 501.075(4), (7), 501.1375(5), (7)(d), 501.603(2), 501.604(8), (26), 501.605(2)(a), (h), 501.608(2), (3), 501.612(1)(b), (2), 501.93(2)(b), 509.032(4), 517.061(3), (11)(a), (b), 517.12(7)(a), (c), (d), 517.131(3)(b), 517.161(1)(h), (k), (3), 517.2015(2), 519.101(3), (6), 520.9965(2), 542.28(8), (11), (12), 550.2415(3)(c), 553.79(5)(c), (d), (8), (11), 556.105(1)(a), 556.107(1)(e), 561.15(3)(b), 561.19(2)(d), 561.705(6), 561.706(1), 570.02(1), 570.544(10), 570.903(3)(b), 573.123(4), 578.13(2)(c), 578.30(3), 585.01(15), (18), 585.19(2), 585.20, 601.10(9), 601.15(4), (8)(a), (9)(b), 601.152(1)(c), (7), (10)(b), 601.154(2)(c), (4)(a), (b), (c), (e), (9), (13)(a), (b), 602.055(5)(b), (c), and 604.21(1), (4), Florida Statutes (1996 Supplement), pursuant to the directive in s. 1, ch. 93-199, Laws of Florida; removing gender-specific references applicable to human beings from volume 3 of the Florida Statutes without substantive changes in legal effect.

—was referred to the Committee on Rules and Calendar.

By Senator Turner—

SB 442—A bill to be entitled An act relating to education; creating a pilot project to promote school readiness for preschool children; requiring a report; providing an effective date.

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

By Senator Crist—

SB 444—A bill to be entitled An act relating to foreign records of regularly conducted business activity; amending s. 92.60, F.S.; providing for admissibility in civil proceedings of such records under a specified exception to the hearsay rule; requiring 60 days' written notice of a party's intention to offer civil trial evidence of such records; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Horne and Sullivan—

SB 446—A bill to be entitled An act relating to waiver of sovereign immunity in tort actions; amending s. 768.28, F.S.; prescribing time for

submitting notice of a claim to the Department of Insurance; prohibiting actions against the state or its agencies or subdivisions by persons who are operating a motor vehicle while under the influence of drugs or alcohol, by passengers in a motor vehicle that is operated by a person who is under the influence of drugs or alcohol, and by persons using property without permission or in an unintended manner; providing an effective date.

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

By Senator Rossin—

SB 448—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; including certain correctional probation officers within the Special Risk Class of that system; amending s. 121.0515, F.S.; specifying criteria for inclusion of correctional probation officers in that class; providing for inclusion of probation and parole circuit and deputy circuit administrators in that class; providing a finding of important state interest; providing an effective date.

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

By Senator Grant—

SB 450—A bill to be entitled An act relating to public records; creating s. 315.18, F.S.; providing an exemption from public records requirements for certain proposals and counterproposals exchanged between certain deepwater ports and nongovernmental entities for a specified period; providing an exemption from public records requirements for certain financial records submitted by such entities to such ports; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Dantzler—

SJR 452—A joint resolution proposing amendments to Section 15 of Article III, Sections 8, 17, and 18 of Article V, and Section 1 of Article VIII and the creation of Section 7 of Article VI of the State Constitution, relating to residency requirements for justices, judges, legislators, state attorneys, public defenders, and county commissioners.

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

By Senator Bankhead—

SCR 454—A concurrent resolution amending Joint Rule One, Joint Rules of the Florida Legislature, relating to lobbyist registration and reporting.

—was referred to the Committee on Rules and Calendar.

By Senators Silver, Latvala, Forman, Myers, Klein and Sullivan—

SB 456—A bill to be entitled An act relating to tax on sales, use, and other transactions; creating s. 212.0607, F.S.; imposing a surcharge on the sale of certain cruise ship admissions or tickets; providing rates of the surcharge; providing exemptions; providing that the proceeds shall be deposited in the Ecosystem Management and Restoration Trust Fund and used exclusively to implement a statewide beach management plan; providing for administration, collection, and enforcement; providing for rules; providing an effective date.

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

By Senators Harris, Klein, Latvala, Diaz-Balart, Brown-Waite, Horne, Forman, Campbell, Williams, Crist, Lee, Grant, Sullivan, Holzendorf, Burt and Clary—

SB 458—A bill to be entitled An act relating to education; amending s. 229.565, F.S., relating to student performance standards; providing for the Commissioner of Education to adopt rules; amending s. 229.57, F.S., relating to the student assessment program; amending standards and procedures relating to the statewide program, district testing programs, and school testing programs and provisions relating to annual reports on the assessment program; amending s. 231.17, F.S.; requiring demonstration of the ability to communicate verbally and mastery in the subject area of mathematics for certain teacher certifications; amending s. 232.245, F.S.; raising the cumulative grade point average required for purposes of a district's comprehensive program for pupil progression; amending s. 232.2454, F.S.; revising provisions relating to student performance standards; amending s. 232.246, F.S.; revising credit requirements; allowing certain courses taken below the 9th grade to be used to satisfy high school graduation requirements; raising the cumulative grade point average that is required for high school graduation; restricting the award of credit toward high school graduation for enrollment in certain courses; correcting cross-references; amending s. 232.2462, F.S.; revising the definition of dual enrollment credit; amending s. 232.2463, F.S.; revising the high school grading system; amending s. 232.425, F.S.; raising the cumulative grade point average that is required for participation in interscholastic extracurricular student activities; amending s. 233.065, F.S.; allowing the posting of certain documents; amending s. 240.116, F.S.; providing requirements for student enrollment in dual enrollment courses; requiring the development of standards; amending s. 240.1161, F.S.; requiring district interinstitutional articulation agreements to include the process for the award of high school credit for dual enrollment courses; amending 240.529, F.S.; requiring standards for preparation of teachers for instruction of higher-level mathematics concepts; requiring a study on the feasibility of adding a verbal-communication assessment to the teacher certification examination process; providing an effective date.

—was referred to the Committee on Education.

By Senator Kirkpatrick—

SB 460—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; requiring school districts to award college-ready high school diplomas to certain students; correcting obsolete references; creating s. 232.2466, F.S.; providing requirements for the college-ready diploma program; providing an effective date.

—was referred to the Committee on Education.

By Senator Diaz-Balart—

SB 462—A bill to be entitled An act relating to education; amending s. 231.17, F.S.; revising educator certification requirements; specifying minimum competencies; making conforming changes; authorizing school districts to provide alternate certification programs and systems for demonstrating professional competencies; specifying minimum requirements; requiring approval by the Department of Education; requiring demonstration of professional competencies within a certain period; providing exceptions; authorizing the Commissioner of Education to contract for written certification examinations; deleting state university responsibility for such examinations; deleting requirements for professional orientation programs; deleting requirements for certification to teach certain ages and grades; amending s. 231.24, F.S., relating to renewal of educator certification; providing for extensions of professional certificates; extending permission to use certain training for renewal of any certification specialization; deleting additional renewal requirements for certificate holders not employed in instructional positions; providing for reissuance of expired certificates; amending s. 240.529, F.S., relating to approval of teacher preparation programs; requiring emphasis on educator accomplished practices; deleting obsolete dates; deleting references to professional orientation programs; requiring higher education institutions to assist in continued program approval; deleting consideration of graduates of out-of-state and alternate preparation programs; making conforming changes in preservice field experi-

ences; repealing s. 231.171, F.S., relating to alternate preparation programs for teachers; providing an effective date.

—was referred to the Committee on Education.

By Senator Silver—

SB 464—A bill to be entitled An act relating to offenses against persons; amending s. 782.051, F.S.; providing that an act, to be punishable under s. 782.051, F.S., must have resulted in great bodily harm; deleting requirements relating to the assessment of victim injury points and the ranking of offenses; amending s. 921.0012, F.S.; ranking offenses described in s. 782.051, F.S., for purposes of sentencing guideline offense severity; providing an effective date.

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

By Senator Silver—

SB 466—A bill to be entitled An act relating to motor vehicle licenses; amending s. 320.06, F.S.; eliminating the requirement that a permanent validation sticker be issued in connection with each license plate and revising requirements relating to the annual validation sticker; requiring that an annual validation decal be issued in connection with each license plate in addition to the annual validation sticker; providing exemptions; amending ss. 320.03, 320.031, F.S.; providing for issuance of decals by tax collectors and delivery of decals by mail; amending s. 320.061, F.S.; providing a penalty for altering a decal; amending s. 320.07, F.S.; providing penalties for operating a motor vehicle without a current decal; amending s. 320.071, F.S.; providing for issuance of decals as part of the advance registration renewal process; providing a penalty; amending s. 320.26, F.S.; providing a penalty for counterfeiting decals; amending s. 320.261, F.S.; providing a penalty for attaching a decal to a vehicle to which the decal was not assigned; amending ss. 320.04, 320.0607, 320.0657, 320.084, 320.10, 921.0012, F.S., relating to service charges, replacement plates and decals, fleet license plates, disabled veterans' license plates, licensing of exempt vehicles, and a sentencing guidelines ranking chart, to conform; providing an effective date.

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

By Senator Silver—

SB 468—A bill to be entitled An act relating to criminal actions committed through the use of simulated legal process or under false color of law; creating s. 843.0855, F.S.; providing definitions; defining the offense of deliberately impersonating or falsely acting as a public officer or tribunal or public employee or utility employee in connection with or relating to legal process, or taking action under color of law against persons or property, and providing penalties therefor; defining the offense of simulating legal process with knowledge or reason to know of fraud with respect to a legal document, proceeding, or basis for action, and providing penalties therefor; defining the offense of falsely under color of law attempting to influence, intimidate, or hinder a public officer or law enforcement officer in the discharge of official duties, and providing penalties therefor; providing for applicability; providing an effective date.

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

By Senator Gutman—

SB 470—A bill to be entitled An act relating to the regulation of alcoholic beverages; amending s. 562.45, F.S.; providing that a county or municipality may not, by ordinance, restrict the manufacture, bottling, possession, advertising, manner of sale, distribution, handling, or trans-

portation of alcoholic beverages, except as authorized by the Beverage Law and the State Constitution; providing an effective date.

—was referred to the Committees on Regulated Industries and Community Affairs.

By Senators Gutman and Burt—

SB 472—A bill to be entitled An act relating to sentencing; amending s. 921.001, F.S.; authorizing the court to sentence a defendant to a specified term of incarceration if the defendant is convicted of a felony committed on or after a certain date, the defendant has previously been convicted of a felony, and the sentence recommended under the sentencing guidelines is not a state prison sanction; providing that a determination of guilt is a conviction for purposes of imposing such sentence, regardless of whether adjudication is withheld; providing that the sentence may not be appealed except upon grounds of illegality; providing an effective date.

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

By Senators Gutman, Burt, Jenne, Crist and Campbell—

SB 474—A bill to be entitled An act relating to civil damages against drug offenders; creating s. 772.12, F.S.; creating the "Drug Dealer Liability Act"; providing that persons injured by a drug dealer may recover treble damages and reasonable attorney's fees and court costs; providing for minimum damages; providing for recovery of damages, court costs, and fees from the parents or legal guardian of an unemancipated minor under certain circumstances; providing conditions under which a defendant may recover attorney's fees and court costs; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Forman—

SB 476—A bill to be entitled An act relating to vocational rehabilitation; amending s. 413.273, F.S.; extending reimbursement for per diem and travel expenses to all activities required of members of certain councils involved with vocational rehabilitation; providing for reimbursement for or provision of accommodations necessitated by members' disabilities; amending s. 413.395, F.S., relating to the Florida Independent Living Council; authorizing the council to incorporate as a not-for-profit corporation; providing for its board of directors; providing for reimbursement for certain childcare expenses; providing for reasonable compensation to certain members under certain circumstances; amending s. 413.405, F.S., relating to the Rehabilitation Advisory Council; revising provisions relating to reimbursement for expenses, to conform; providing an effective date.

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

By Senator Dyer—

SB 478—A bill to be entitled An act relating to the human immunodeficiency virus; amending ss. 384.24, 384.34, F.S.; increasing the penalty in cases in which a person who has the human immunodeficiency virus has sexual intercourse without informing his or her partner of the presence of the disease; amending s. 796.08, F.S.; specifying the elements of the offense of offering to commit prostitution when infected with the human immunodeficiency virus; providing a penalty; providing an effective date.

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

By Senator Forman—

SB 480—A bill to be entitled An act relating to health maintenance organizations and prepaid health clinics; amending s. 641.511, F.S.; providing subscriber grievance reporting and resolution requirements; providing an effective date.

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

By Senator Latvala—

SJR 482—A joint resolution proposing the creation of Section 26 of Article I of the State Constitution, to provide for amendment or revision of statutory law by citizen initiative.

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

By Senator Latvala—

SB 484—A bill to be entitled An act relating to the lead-acid battery fee; amending ss. 403.717 and 403.7185, F.S.; specifying that the fee applies to new lead-acid batteries sold at retail; providing an effective date.

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

By Senator Forman—

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

By Senator Grant—

SB 488—A bill to be entitled An act relating to criminal exposure of sexual organs; amending s. 800.03, F.S.; prohibiting willfully and intentionally being "naked," as defined, in certain lands under concurrent state and federal jurisdiction; providing penalties; reenacting ss. 914.16, 933.18(7)(c), and 943.051(3)(b), F.S., relating to limits on interviews of victims of child abuse and sexual abuse of children under age 16 or persons with mental retardation, issuance of warrant for search of private dwelling, and fingerprinting of minors for criminal justice information purposes, respectively, to incorporate said amendment in references; providing an effective date.

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

By Senators Latvala and Myers—

SB 490—A bill to be entitled An act relating to mental health services; amending s. 456.32, F.S.; including specified mental health professionals within the definition of "practitioner of the healing arts"; amending s. 490.003, F.S.; revising and providing definitions relating to the regulation of psychological services; amending s. 490.005, F.S.; conforming cross-references; creating s. 490.0051, F.S.; providing for provisional licensure; repealing s. 490.008, F.S., relating to inactive status; amending s. 490.0085, F.S.; authorizing the Board of Psychology to designate

an organization responsible for approval of continuing education providers, programs, and courses for psychologists; amending s. 490.009, F.S.; revising and providing grounds for disciplinary action; amending s. 490.012, F.S.; providing requirements for display of licenses and provisional licenses; eliminating a requirement relating to use of the license number on professional advertisements; providing requirements for promotional materials of provisional licensees; conforming cross-references; providing penalties; amending s. 490.014, F.S.; clarifying applicability of exemption provisions; removing an obsolete licensing exemption that required registration of certain trainees or interns; amending s. 490.0147, F.S.; revising provisions relating to waiver of secrecy of confidential communications; amending s. 491.003, F.S.; revising and providing definitions relating to the regulation of clinical, counseling, and psychotherapy services; creating s. 491.0045, F.S.; requiring registration of interns and providing requirements thereof; creating s. 491.0046, F.S.; providing for provisional licensure; amending s. 491.005, F.S.; revising requirements for licensure by examination; providing for additional educational requirements at a future date; creating s. 491.0057, F.S.; providing for dual licensure as a marriage and family therapist; amending s. 491.007, F.S.; providing for biennial renewal of registrations; providing for fees; amending s. 491.009, F.S.; revising and providing grounds for disciplinary action; amending s. 491.012, F.S.; prohibiting the use of certain titles under certain circumstances; providing a penalty; amending s. 491.014, F.S.; revising and clarifying exemption provisions; removing an obsolete licensing exemption that required registration of certain trainees or interns; amending s. 491.0147, F.S.; revising provisions relating to waiver of secrecy of confidential communications; amending s. 491.0149, F.S.; requiring display of registrations and provisional licenses and use of applicable professional titles on promotional materials; amending s. 766.1115, F.S.; including specified mental health professionals within the definition of "health care provider" under the Access to Health Care Act; amending ss. 232.02, 394.455, F.S.; conforming cross-references; providing for a work group to analyze community mental health care services; requiring recommendations to the Legislature; providing effective dates.

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

By Senator Campbell—

SB 492—A bill to be entitled An act relating to campaign financing; creating s. 106.37, F.S.; prescribing elements of a willful violation of the campaign financing law; amending ss. 106.04, 106.07, 106.08, 106.082, 106.19, 106.25, 106.29, F.S.; conforming provisions; providing an effective date.

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

By Senator Forman—

SB 494—A bill to be entitled An act relating to the detention of juveniles; amending s. 39.044, F.S.; specifying circumstances in which a child who is taken into custody may continue to be detained by a court; amending s. 39.0145, F.S.; deleting time limits for holding in a secure detention facility a delinquent child who has been held in contempt of court; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families and Seniors; and Ways and Means.

By Senators Brown-Waite, Grant and Forman—

SB 496—A bill to be entitled An act relating to the regulation of orthotists and prosthetists; providing definitions; creating the Board of Orthotists and Prosthetists; establishing membership requirements; providing for the adoption of rules; providing licensure requirements; providing for fees; providing for licensure without examination; providing for license renewal; providing for temporary licenses; prohibiting certain acts and providing penalties; providing exemptions from licen-

sure; prohibiting the use of certain titles by unlicensed persons; providing an effective date.

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

By Senator Campbell—

SB 498—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; providing enhanced penalties for the sale, delivery, or possession of a controlled substance during a specified time within 1,000 feet of a bus stop for a public or private elementary, middle, or secondary school; defining the term “bus stop”; providing an effective date.

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

By Senators Ostalkiewicz, Brown-Waite, Crist, Diaz-Balart, Bronson, Myers, Dudley, Horne, Williams, Cowin, Harris and Grant—

SB 500—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.185, F.S.; increasing the value of property that is exempted from the annual tax of taxpayers who are natural persons; providing an exemption from the annual tax for taxpayers that are not natural persons; excluding accounts receivable from the property subject to taxation; amending s. 199.32, F.S.; providing an exemption from the tax for certain intangible personal property that is secured by mortgage, deed of trust, or other lien upon real estate; repealing ss. 199.012, 199.023, 199.032, 199.042, 199.052, 199.057, 199.062, 199.103, 199.104, 199.106, 199.133, 199.135, 199.143, 199.145, 199.155, 199.175, 199.183, 199.185, 199.202, 199.212, 199.218, 199.232, 199.262, 199.272, 199.282, 199.292, 199.303, F.S., relating to the tax on intangible personal property; abolishing the tax; providing duties and powers of the Department of Revenue with respect to collection of unpaid taxes; providing effective dates.

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

By Senator Ostalkiewicz—

SB 502—A bill to be entitled An act relating to the lottery; amending s. 24.115, F.S.; providing for reducing prize amounts under certain circumstances; providing duties of the Department of the Lottery; providing an effective date.

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

By Senator Forman—

SB 504—A bill to be entitled An act relating to health care; creating s. 154.501, F.S.; creating the “Primary Care Challenge Grant Act”; creating s. 154.502, F.S.; providing legislative findings and intent; creating s. 154.503, F.S.; providing for the creation and administration of the Primary Care Challenge Grant Program; creating s. 154.504, F.S.; providing for eligibility and benefits; creating s. 154.505, F.S.; providing an application process and requirements; authorizing contracts for health care services; creating s. 154.506, F.S.; providing for primary care challenge grant awards; providing for local matching funds; providing an effective date.

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

By Senator Ostalkiewicz—

SB 506—A bill to be entitled An act relating to taxpayer rights; amending s. 213.015, F.S.; providing additional rights to taxpayers re-

garding interest paid on delinquent taxes and interest received on delinquent refunds, freedom from being reaudited, rights of appeal, rights to obtain reimbursement of certain fees on favorable appeals, the right to compensation for providing certain information or documents to the department, freedom from commissioned auditors, statutes of limitation, the time permitted to file for refunds, and the right to apply overpayments to the payment of other taxes due; providing an effective date.

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

By Senator Brown-Waite—

SB 508—A bill to be entitled An act relating to Medicaid provider agreements; amending s. 409.907, F.S.; requiring state and national criminal-history checks of those who apply to be providers; defining the term “applicant”; allowing the Agency for Health Care Administration to permit an agency to become a provider pending the results of such checks, and to revoke permission in specified circumstances; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Childers—

SB 510—A bill to be entitled An act relating to telecommunications; amending s. 364.025, F.S.; requiring the Public Service Commission to establish a competitively neutral universal service and carrier-of-last-resort mechanism; amending s. 364.163, F.S.; requiring the Public Service Commission to establish rates for network access service; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Childers—

SB 512—A bill to be entitled An act relating to insurance; creating s. 624.4351, F.S.; prohibiting certain insurers from terminating certain contracts between insurers and agents unless just cause exists; providing definitions; providing a cause of action; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senators Burt, Horne, Gutman and Brown-Waite—

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”; 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 operate a toll-free telephone number to provide public access to information regarding sex offenders; 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 certain sex offenders to report their current address and place of permanent or temporary residence to the Department of Law Enforcement within a specified time and upon moving to a new place of residence; requiring the department to adopt rules on sex-offender reporting; providing a penalty for failing to report as required; providing immunity from civil liability for the department and its personnel in compiling, recording, and reporting information regarding certain sex offenders; providing that the department and its personnel 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 certain sex offenders who are in the custody of the Department of Corrections on or after a specified date; providing for a joint agreement to determine the time and manner in which the information is provided; providing

immunity from civil liability for the Department of Corrections and its personnel in compiling, recording, and reporting information regarding certain 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; amending s. 944.606, F.S., relating to the release of information regarding certain sex offenders by the Department of Corrections; providing that the release of such information does not constitute unauthorized public disclosure under the Florida Sexual Predators Act; amending s. 948.03, F.S.; requiring the Department of Corrections to compile information on certain sex offenders who are under the supervision of the department on or after a specified date; requiring that the Department of Corrections provide such information to the Department of Law Enforcement; providing immunity from civil liability for the Department of Corrections and its personnel in compiling, recording, and reporting information regarding certain sex offenders; providing that the department and its personnel are presumed to have acted in good faith; 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 offense of failure to report current place of residence; 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 Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles to report to the Legislature on a plan to make digitized photographs of certain sex offenders; requiring the Department of Corrections to report to the Legislature on a plan for directly transmitting data on sex offenders to the Department of Law Enforcement; requiring that the report also include a plan for taking digitized photographs of certain sex offenders under the supervision of the department; providing an effective date.

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

By Senator Ostalkiewicz—

SB 516—A bill to be entitled An act relating to proceedings that involve juveniles; creating s. 39.4015, F.S.; creating the "Family Bill of Rights Act"; requiring the Department of Children and Family Services to obtain a court order before taking a child into custody; requiring an affidavit stating that the child is in immediate danger; defining the term "immediate danger"; providing penalties; amending s. 39.401, F.S.; conforming provisions to changes made by the act; amending s. 39.402, F.S.; modifying provisions that allow a child to be placed in a shelter prior to a court hearing; providing that a protective investigator or law enforcement officer may take a child into custody without a court order due to a medical emergency or if the child is subject to immediate harm or danger; providing that a law enforcement officer may take a child into custody without a court order if the child is a runaway or truant from school; requiring the court to hold an emergency hearing on the continued removal of the child; providing for the court to issue an emergency order authorizing the removal of a child from the home; requiring the court to hold a shelter hearing within a specified time following issuance of the emergency order; requiring that a child's parent or guardian be notified before the shelter hearing; amending s. 39.404, F.S.; changing a time limitation on holding a child in custody to conform to changes made by the act; requiring that parents receive a copy of the petition 48 hours before arraignment hearing; amending s. 39.408, F.S.; revising the time within which an arraignment hearing must be held; providing that clear and convincing evidence is required to establish a child's dependency; conforming a cross-reference to changes made by the act; amending s. 39.409, F.S.; providing for the child's parent or guardian or the county to be awarded attorney's fees and costs upon dismissal of a case alleging dependency; amending s. 415.5017, F.S.; requiring department staff to audio-record or videotape all interviews with a child who is the subject of a report alleging abuse; amending ss. 415.504, 415.505, F.S.; modifying the manner in which reports of abuse or neglect may be given, received, and investigated; requiring that notice of additional rights be provided to the subject of an investigation; requiring the de-

partment to show cause prior to a court order authorizing the department to examine and interview a child; amending s. 415.51, F.S.; providing for the name of a person reporting child abuse or neglect and a copy of the department's file on the case to be released to certain alleged perpetrators upon order of the court; amending s. 933.18, F.S.; deleting a provision authorizing a law enforcement officer to remove a child from a private dwelling; amending s. 39.038, F.S., relating to the release of a child from custody; conforming cross-references to changes made by the act; repealing s. 415.506, F.S., relating to authorization for a law enforcement officer or agent of the department to take a child into protective custody; amending s. 39.044, F.S.; providing for the detention hearing for a juvenile to be held by means of closed-circuit television; requiring the Department of Children and Family Services to report the savings or costs of implementing the act to the Governor and the Legislature; providing for certain provisions of the act to be void if the loss of federal funds that results from enactment of the act exceeds the amount of savings; providing an effective date.

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

By Senator Brown-Waite—

SB 518—A bill to be entitled An act relating to disability retirement for deputy sheriffs; providing that specified disabilities suffered by deputy sheriffs are presumed to have been incurred in the line of duty; providing an effective date.

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

By Senator Hargrett—

SB 520—A bill to be entitled An act relating to economic development; creating ss. 212.098, 212.097, F.S.; creating the Rural Job Tax Credit Program and the Urban High-Crime Area Job Tax Credit Program; amending ss. 220.02, 220.13, F.S.; conforming provisions; creating s. 220.189, F.S.; allowing credit for the Rural Job Tax Credit Program and the Urban High-Crime Area Job Tax Credit Program; providing an effective date.

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

By Senator Latvala—

SJR 522—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution relating to initiatives.

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

By Senators Childers, Dudley, Forman, Turner, Myers and Dyer—

SB 524—A bill to be entitled An act relating to municipal firefighters' pension trust funds and municipal police officers' retirement trust funds; amending and revising the provisions of chapters 175 and 185, F.S.; defining "chapter plans" and "local law plans"; redefining "compensation" or "salary" for retirement purposes under these chapters; clarifying the applicability of minimum benefits for both chapter and local law plans; revising investment provisions to permit cities greater investment latitude to make foreign investments; eliminating discriminatory language in conformance with state and federal discrimination provisions; providing that certain benefits provided are a minimum and may not be diminished by any other state, local, or federal benefits; providing an exception; modifying the formula for calculating volunteer firefighter service retirement benefits; clarifying terminology relating to "sole and exclusive use of" premium tax funds and "extra benefits" by providing that moneys must be placed in a police-only or firefighter-only plan or a combined police and firefighter plan as opposed to placing moneys in any type of plan that includes general employees; providing for establishment of a new board and for transfer of assets in certain cases;

creating s. 175.195, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 175.152, F.S., relating to contributions; repealing s. 175.251, F.S., relating to employment records that are required to be kept by the secretary of the board of trustees; repealing s. 175.291, F.S., relating to the requirement that the attorney for the municipality or special fire control district represent the board of trustees upon request and the option to employ independent counsel and other persons; repealing s. 175.321, F.S., relating to the application of certain provisions to municipalities and fire control districts; repealing s. 175.331, F.S., relating to the rights of firefighters under former law; repealing s. 175.391, F.S., relating to payment of attorney's fees and costs; repealing s. 185.14, F.S., relating to contributions; repealing s. 185.15, F.S., relating to contributions and new employees; creating s. 185.185, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 185.27, F.S., relating to the roster of retirees; repealing s. 185.29, F.S., relating to the city attorney representing the board of trustees; repealing s. 185.32, F.S., relating to exemptions from the chapter; repealing s. 185.36, F.S., relating to the rights of police officers under former laws; repealing s. 185.40, F.S., relating to costs and attorney's fees; providing an effective date.

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

By Senators Dyer, Forman, Childers, Thomas, Gutman and Lee—

SB 526—A bill to be entitled An act relating to the Board of Professional Engineers; creating s. 417.038, F.S.; providing legislative findings and intent; providing definitions; creating the Florida Engineers Management Corporation; providing for the organization, powers, and duties of the corporation; providing an appropriation; providing an effective date.

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

By Senator Myers—

SB 528—A bill to be entitled An act relating to preservation of covenants or restrictions; amending s. 712.01, F.S.; revising and adding definitions; amending ss. 712.03, 712.05, and 712.06, F.S.; protecting certain covenants or restrictions from extinguishment; providing for preservation of certain covenants or restrictions under certain circumstances; authorizing certain homeowners' associations to file for preservation of covenants or restrictions on behalf of certain parcel owners; providing a limitation; revising certain notice provisions to conform; providing an exception; providing an effective date.

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

By Senator Scott—

SB 530—A bill to be entitled An act relating to breast cancer treatment; creating ss. 627.64185, 627.66125, F.S.; prohibiting certain health insurance policies from imposing certain limitations on coverage for hospital stays or for certain followup care for breast cancer treatments under certain circumstances; requiring insurers to communicate certain information to a treating physician or hospital; amending s. 641.31, F.S.; prohibiting certain health maintenance contracts from imposing certain limitations on coverage for hospital stays or for certain followup care for breast cancer treatments under certain circumstances; requiring insurers to communicate certain information to a treating physician or hospital; providing an effective date.

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

By Senator Latvala—

SB 532—A bill to be entitled An act relating to time limitations for sexual battery prosecutions; amending s. 775.15, F.S.; providing an unlimited time period for the commencement of prosecutions for first or second degree felony violations of s. 794.011, F.S., under certain circumstances; providing an effective date.

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

SR 534—Not referenced.

SR 536—Not referenced.

By Senator Forman—

SB 538—A bill to be entitled An act relating to health insurance; providing a short title; providing legislative findings; creating the Premium Assistance Program within the Agency for Health Care Administration to assist small businesses in purchasing health insurance coverage for employees; providing eligibility requirements; specifying the subsidies that a small business may receive under the program; requiring that moneys in the Public Medical Assistance Trust Fund be used to fund the Premium Assistance Program; providing for distribution of funds; providing an appropriation; providing an effective date.

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

By Senator Forman—

SB 540—A bill to be entitled An act relating to construction contracts; amending s. 255.071, F.S.; providing that payment to a contractor on a public projects construction contract is not a condition precedent to payment to a subcontractor; providing that payment to one subcontractor is not a condition precedent for payment to any other subcontractor and that contracts providing otherwise are unenforceable; amending s. 713.346, F.S.; providing similar conditions for contracts for constructing or altering permanent improvements to real property; providing an effective date.

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

By Senator Turner—

SB 542—A bill to be entitled An act relating to postsecondary education; amending s. 239.105, F.S.; providing that supplemental vocational courses may include parent education courses; amending ss. 239.117, 240.35, F.S.; authorizing the use of financial aid fees for payment of child care; deleting restrictions on the use of capital improvement fees for child care centers; providing for the use of activity and service fees for child care centers; providing an effective date.

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

By Senator Turner—

SB 544—A bill to be entitled An act relating to the storage of firearms; amending s. 784.05, F.S.; providing that it is culpable negligence and a third-degree felony to store or leave a loaded firearm within the reach of a student who takes the firearm to an elementary or secondary school; specifying certain circumstances under which such an act does not constitute culpable negligence; providing an effective date.

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

By Senator Jones—

SB 546—A bill to be entitled An act relating to tax credits for charitable contributions to state contract providers; amending s. 199.023, F.S.; defining the term “state contract provider contribution”; creating s. 199.105, F.S.; providing a credit against the intangibles tax for charitable contributions to not-for-profit state contract provider organizations; providing for a reduction in state funding of recipient organizations; creating s. 220.185, F.S.; providing legislative policy and purpose; providing a credit against the corporate income tax for charitable contributions to not-for-profit state contract provider organizations; providing for a reduction in state funding of recipient organizations; amending s. 220.02, F.S.; providing for the order in which credits against the corporate income tax are to be taken; creating s. 624.5104, F.S.; providing a credit against the insurance premium tax for charitable contributions to not-for-profit state contract provider organizations; providing for a reduction in state funding of recipient organizations; providing an effective date.

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

By Senator Gutman—

SB 548—A bill to be entitled An act relating to retirement funds; amending s. 175.071, F.S.; prescribing authorized investments for firefighters’ pension trust funds; amending s. 185.06, F.S.; prescribing authorized investments for municipal police officers’ retirement trust funds; providing an effective date.

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

By Senator Latvala—

SB 550—A bill to be entitled An act relating to oil and gas drilling; amending s. 377.2425, F.S.; revising surety requirements for drilling permittees; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Brown-Waite—

SB 552—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; renaming certain divisions within the department; authorizing certain use of state or federal funds to protect and improve public health; amending s. 154.04, F.S.; authorizing county health departments to establish peer review committees for certain purposes; amending s. 154.06, F.S.; removing requirement that county health department fees cover costs; amending ss. 232.465, 240.4075, 381.0065, 381.0302, 381.0405, 381.0406, 381.04065, 392.52, 392.565, 395.401, 401.107, 401.111, 401.117, 401.23, 401.245, 401.265, 403.703, 404.051, 404.0614, 404.131, 404.20, 414.23, 414.38, 458.316, 468.301, 468.314, and 514.011, F.S.; revising and conforming language and references relating to the public health functions of the department; deleting obsolete language; amending s. 240.4076, F.S.; revising operation of the nursing scholarship loan program; amending s. 381.0055, F.S.; deleting a provision relating to confidentiality of certain quality assurance information; amending s. 381.0101, F.S.; revising requirements relating to professional standards, continuing education, and certification of environmental health professionals; revising certification fees; providing for denial, suspension, or revocation of a certificate; providing for fines; amending s. 381.0203, F.S.; providing for a contraceptive distribution program; specifying eligibility requirements; providing for fees; providing for rules; amending s. 381.0407, F.S.; clarifying reimbursement to county health departments by Medicaid providers; amending s. 383.3362, F.S., relating to Sudden Infant Death Syndrome; deleting requirement for visits by county public health nurses or social workers; deleting an advisory council; revising duties of the department; amending s. 385.202, F.S.; revising requirements relating to reporting and analysis of reports to the statewide cancer registry; amending s. 385.203, F.S.; deleting requirement for an annual diabetes state plan; creating s. 392.551, F.S.; providing that parental consent is not required to examine

a minor for tuberculosis; amending s. 392.62, F.S.; providing for forensic units in tuberculosis hospitals; amending s. 395.3025, F.S.; expanding the department’s authority to examine records of licensed facilities; increasing a penalty for unauthorized disclosure of information; amending s. 401.252, F.S.; providing requirements for interfacility transport of certain infants; providing for rules for interfacility transport; amending s. 401.27, F.S.; providing for inactive status of emergency medical technician and paramedic certificates; providing for reactivation and renewal; providing a fee; amending and renumbering s. 402.105, F.S., relating to biomedical and social research; amending and renumbering s. 402.32, F.S., relating to the school health services program; amending and renumbering s. 402.321, F.S., relating to funding for school health services; amending s. 402.41, F.S., relating to educational materials and training in human immunodeficiency virus infection and acquired immune deficiency syndrome; amending and renumbering s. 402.475, F.S., relating to the osteoporosis prevention and education program; amending and renumbering s. 402.60, F.S., relating to insect sting emergency treatment; amending and renumbering s. 402.61, F.S., relating to regulation of tanning facilities; amending s. 404.031, F.S.; revising definitions; amending s. 404.056, F.S.; providing penalties for certain fraud, deception, or misrepresentation in performing radon measurements or mitigation; amending s. 404.22, F.S.; reducing the frequency of inspections required for certain radiation machines; amending s. 408.701, F.S.; expanding the definition of “health care provider” for purposes of community health purchasing; amending s. 409.905, F.S.; expanding family planning services provided under the Medicaid program; amending s. 409.908, F.S.; requiring a county health department to be reimbursed for certain Medicaid compensable services; deleting obsolete repeal provision; amending s. 468.3101, F.S.; providing additional grounds for disciplinary action against a radiologic technologist; providing penalties; amending s. 514.028, F.S.; providing for reimbursement for travel expenses for members of the advisory review board on swimming and bathing facilities; amending s. 627.4236, F.S.; transferring rulemaking authority relating to bone marrow transplant procedures to the Agency for Health Care Administration; amending s. 627.6419, F.S.; revising criteria relating to denial or cancellation of insurance for fibrocystic conditions; amending s. 766.101, F.S.; including certain committees of a county health department, healthy start coalition, or certified rural health network within the definition of “medical review committee”; amending s. 766.314, F.S.; exempting public health physicians from assessments that finance the Florida Birth-Related Neurological Injury Compensation Plan; amending ss. 28.101, 28.222, 63.062, 382.003, 382.004, 382.007, 382.011, 382.0135, 382.021, 382.022, 382.023, 382.356, 383.2161, 402.40, 460.414, 742.10, and 742.16, F.S.; revising and conforming language and references relating to the department’s responsibility for vital records and statistics; amending s. 63.165, F.S.; revising and expanding provisions relating to the state registry of adoption information; amending s. 68.07, F.S.; revising procedures relating to change of name; amending s. 382.002, F.S.; revising definitions; amending s. 382.005, F.S.; revising duties of local registrars; amending s. 382.006, F.S.; revising duties of funeral directors with respect to burial-transit permits; restricting issuance thereof if death occurred from a communicable disease; providing authority of certifications of death certificates issued in other states or countries; eliminating provisions relating to permits for disinterment and reinterment; amending s. 382.008, F.S., relating to death and fetal death certificates; providing for entry of aliases; requiring certain persons to provide medical information regarding a fetal death within a specified period; providing for extensions of time for certification of cause of death; providing for temporary death certificates; requiring certificates to contain information required for legal, social, and health research purposes; amending s. 382.012, F.S.; providing requirements for a petitioner seeking a presumptive death certificate; amending s. 382.013, F.S.; revising provisions and requirements relating to registration of a live birth, paternity, and the name of the child; amending s. 382.015, F.S.; revising provisions relating to new certificates of live birth; revising procedures for annulment of adoptions and determination of paternity; providing for filing of a new birth certificate upon receipt of an order of affirmation of parental status; providing for the form of original, new, and amended birth certificates; providing for rules; amending s. 382.016, F.S.; revising provisions relating to amendment of birth and death records; amending s. 382.017, F.S.; revising procedures relating to registration of birth certificates for adopted children of foreign birth; amending and renumbering s. 382.018, F.S.; revising procedures and requirements relating to issuance of delayed birth certificates; amending s. 382.019, F.S.; revising procedures and requirements relating to the delayed registration of a death or birth certificate; amending s. 382.025, F.S.; revising procedures and requirements relating to issuance of certified copies of birth and death records;

providing requirements and restrictions for sharing vital records with a research entity; providing for rules; creating s. 382.0255, F.S.; increasing fees for searching and processing vital records; revising and consolidating provisions relating thereto; amending s. 382.026, F.S.; revising and expanding penalties; providing for rules; amending s. 741.041, F.S.; conforming provisions relating to the period of validity of marriage licenses; repealing s. 110.1125, F.S., relating to a requirement to provide information on human immunodeficiency virus infection and acquired immune deficiency syndrome to state employees; repealing s. 381.698, F.S., relating to "The Florida Blood Transfusion Act"; repealing s. 381.81, F.S., relating to the "Minority Health Improvement Act"; repealing s. 382.014, F.S., relating to contents, form, and disclosure of birth certificates; repealing s. 382.024, F.S., relating to departmental accounting of dissolution of marriage fees and charges; repealing s. 382.027, F.S., relating to voluntary registration of adoption information; repealing ss. 387.01, 387.02, 387.03, 387.04, 387.05, 387.06, 387.07, 387.08, 387.09, and 387.10, F.S., relating to permits for draining surface water or sewage into underground waters of the state, penalties for polluting water supplies or surface or underground waters, septic tank construction requirements, and injunction proceedings; repealing s. 402.37, F.S., relating to the medical manpower clearinghouse grant program; repealing s. 403.7045(1)(e), F.S., relating to activities regulated under the "Florida Hazardous Substances Law" exempted from environmental regulation; repealing ss. 501.061, 501.065, 501.071, 501.075, 501.081, 501.085, 501.091, 501.095, 501.101, 501.105, 501.111, 501.115, and 501.121, F.S., relating to the "Florida Hazardous Substances Law"; repealing s. 501.124, F.S., relating to art or craft material containing toxic substances and labeling requirements therefor; repealing s. 766.1115(12), F.S., as created by section 1 of ch. 92-278, Laws of Florida, relating to the scheduled repeal of the "Access to Health Care Act"; providing an effective date.

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

By Senator Latvala—

SB 554—A bill to be entitled An act relating to the distribution of sales tax revenues; amending s. 212.20, F.S.; providing for a reduction of funds deposited into the Solid Waste Management Trust Fund and a redistribution of those funds into the Ecosystem Management Trust Fund for the purpose of funding the Surface Water Improvement and Management Program; providing an effective date.

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

SR 556—Not referenced.

By Senators Cowin, Latvala, Clary, Lee, Dudley, Diaz-Balart, Forman, Kurth, Silver, Brown-Waite, Myers and Bankhead—

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.

—was referred to the Committee on Regulated Industries.

By Senator Forman—

SB 560—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.743, F.S.; requiring a search for liens on certain damaged vehicles before payment is made; providing circumstances when joint payment of certain automobile damage claims is not required; providing a limitation; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Forman—

SB 562—A bill to be entitled An act relating to public health; creating s. 408.605, F.S.; creating the Public Health Communication Act; providing a short title; providing legislative findings and intent; requiring the Department of Health to conduct a competition intended to create a public health campaign and advertisements; providing requirements for procedures and substance of the campaign; providing for evaluation, measurement, and a 10-year plan; providing an appropriation; providing an effective date.

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

By Senator Latvala—

SB 564—A bill to be entitled An act relating to water management districts; amending s. 373.605, F.S.; deleting reference to a repealed section relating to payment of insurance premiums; providing an effective date.

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

By Senator Rossin—

SB 566—A bill to be entitled An act relating to the WAGES Program; amending s. 414.0252, F.S.; revising definitions; conforming terminology to reflect the reorganization of the Department of Health and Rehabilitative Services and the creation of the Department of Children and Family Services; amending s. 414.026, F.S.; revising membership of the WAGES Program State Board of Directors; deleting obsolete provisions; amending s. 414.027, F.S., relating to the WAGES Program statewide implementation plan; conforming terminology to reflect the redesignation of the Enterprise Florida Jobs and Education Partnership as the workforce development board; amending s. 414.028, F.S., relating to local WAGES coalitions; deleting a provision that allowed a member of a local coalition to benefit financially from transactions of the coalition under certain circumstances; requiring the local coalition to select an entity to administer the program and financial plan; amending s. 414.029, F.S.; specifying certain tax exemptions allowed to a business that provides jobs for program participants; amending s. 414.065, F.S., relating to work requirements; clarifying duties of the Department of Children and Family Services and the Department of Labor and Employment Security with respect to program implementation; deleting obsolete provisions for implementing the program if the Federal Government failed to enact welfare-reform legislation; amending ss. 414.075, 414.085, 414.095, F.S., relating to resource and income eligibility standards and the determination of eligibility; clarifying certain requirements under which a person is eligible to participate in the WAGES Program; amending s. 414.105, F.S., relating to time limitations for receiving temporary cash assistance under the WAGES Program; deleting a future repeal of such provisions; amending s. 414.115, F.S.; clarifying circumstances under which assistance is limited if additional children are born to a family that receives temporary cash assistance; amending s. 414.122, F.S.; revising procedures for the department in withholding payments based on evidence of fraud; amending s. 414.125, F.S.; providing for sanctions to be imposed if a participant fails to attend a conference with a school official as required under the Learnfare Program; amending s. 414.15, F.S., relating to diversion assistance; clarifying provisions for determining eligibility; amending s. 414.16, F.S., relating to emergency assistance; correcting a cross-reference; amending s. 414.175, F.S., relating to the review of waivers granted by the Federal Government; clarifying provisions; amending s. 414.20, F.S.; clarifying the duties of the Department of Labor and Employment Security with respect to support services provided under the WAGES Program; amending ss. 414.21, 414.22, 414.23, 414.24, F.S., relating to transitional benefits, evaluations, and the integrated delivery of services; clarifying the duties of the Department of Labor and Employment Security; amending s. 414.25, F.S., relating to an exemption from requirements for leasing real property; correcting provisions to reflect the creation of the Department of Children and Family Services; amending s. 414.27, F.S.; clarifying provisions for paying temporary cash assistance upon the death of the recipient; amending s. 414.28, F.S.; clarifying procedures for making a claim against the estate of a recipient of public assistance;

amending s. 414.29, F.S.; providing that lists of persons who have received temporary cash assistance are a public record; amending s. 414.32, F.S.; clarifying provisions under which a person's food stamp allotment is reduced or terminated; amending s. 414.35, F.S., relating to emergency relief; clarifying provisions; amending s. 414.36, F.S.; clarifying requirements for the Department of Children and Family Services with respect to recovering overpayments of public assistance; amending s. 414.38, F.S.; clarifying duties of the department with respect to a pilot work experience and job training program for noncustodial parents; amending ss. 414.39, 414.40, F.S., relating to penalties for fraudulently obtaining public assistance and the Stop Inmate Fraud Program; revising provisions to reflect changes in terminology and the transfer of responsibility for persons receiving temporary cash assistance to the Department of Children and Family Services; amending s. 414.41, F.S., relating to the recovery of payments; clarifying duties of the Agency for Health Care Administration with respect to collecting overpayments of Medicaid funds; amending s. 414.42, F.S.; revising provisions to reflect the responsibilities of the Department of Children and Family Services with respect to public assistance programs; amending ss. 414.44, 414.45, F.S.; authorizing the Department of Labor and Employment Security to collect data, make reports required under federal law, and adopt rules; amending s. 414.55, F.S.; requiring that the Governor take certain actions with respect to implementing a community work program; providing requirements for determining eligibility for individuals assigned to an ongoing evaluation; providing for the evaluation agreement to continue regardless of federal waivers; amending s. 402.313, F.S.; providing requirements for standards established for family day care homes that provide subsidized child care; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; and Children, Families and Seniors.

By Senator Latvala—

SB 568—A bill to be entitled An act relating to elections; amending s. 106.08, F.S., relating to limitations on campaign contributions; revising restrictions on contributions by and prohibiting certain contributions to a political party; requiring the reporting of illegal contributions; providing penalties; amending ss. 106.04, 106.07, F.S.; increasing the fine for late filing of campaign financing reports by candidates, political committees, and committees of continuous existence; providing for deposit of such fines in the Elections Commission Trust Fund; eliminating an inoperable provision relating to certain first-time offenders; amending s. 106.29, F.S.; increasing the fine for late filing of campaign finance reports by political parties; prohibiting political parties from contributing to candidates beyond a specified amount; clarifying reporting requirements; providing penalties; amending s. 106.021, F.S.; reducing the required minimum number of candidates that may be jointly endorsed under certain circumstances without the expenditures therefor being considered as contributions to or expenditures on behalf of such candidates; amending ss. 99.092, 99.093, 105.031, F.S.; revising the candidate filing fee and the municipal candidate election assessment; amending s. 99.103, F.S., relating to distribution of party assessments and certain filing fees, to conform; amending s. 106.141, F.S.; providing requirements for disposition and reporting of surplus funds resulting from refund checks received after all other surplus funds have been disposed of; restricting the amount of surplus funds that may be given to a political party; amending s. 106.143, F.S.; providing requirements for political advertisements with respect to candidate approval; creating s. 106.147, F.S.; providing disclosure requirements and prohibitions relating to political solicitation by telephone; providing an exemption; providing penalties; creating s. 106.148, F.S.; providing disclosure requirements for political solicitation by online computer service; amending s. 99.097, F.S., relating to verification of signatures on petitions; clarifying petition requirements with respect to addresses; requiring advance payment for checking signatures; amending s. 100.371, F.S.; revising provisions relating to initiative amendments; requiring each initiative amendment to be on a petition form prescribed by the division; requiring the sponsor of a proposed initiative amendment to give the division notice of the use of paid petition circulators; requiring the sponsor of a proposed initiative amendment to provide the names and addresses of its paid petition circulators to the division; requiring paid petition circulators to place their names and addresses on each petition form gathered and requiring the sponsor of the proposed initiative amendment to ensure that such information has been provided prior to submission of the forms to the supervisors for verification; prohibiting the sponsor of a proposed initiative amendment who pays to have signatures collected from filing an

oath of undue burden in lieu of paying the fee required to have signatures verified; providing a signature verification period; amending s. 104.185, F.S.; clarifying a prohibition against signing a petition more than once; prohibiting the signing of another person's name or a fictitious name on any petition for a candidate, a minor political party, or an issue; providing penalties; amending s. 106.19, F.S.; prohibiting the sponsor of a proposed initiative amendment from submitting petitions by a paid petition circulator without the name and address of the circulator on the petition form; providing penalties; providing applicability to petitions already initiated; repealing s. 100.091, F.S., relating to the second primary election; repealing s. 100.096, F.S., relating to the holding of special elections required by local law in conjunction with the second primary election; amending s. 100.061, F.S.; providing for a single primary election; providing the day for holding the primary election; providing for nomination by a plurality of the votes cast; providing a method for deciding tie votes; eliminating the second primary election; amending ss. 10.1008, 97.021, 97.055, 97.071, 98.081, 99.061, 99.095, 99.103, 100.071, 100.081, 100.111, 100.141, 101.141, 101.251, 101.252, 101.62, 102.012, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, 106.29, F.S.; revising references and provisions relating to the primary elections, to conform; revising campaign financing reporting dates, to conform; removing language pertaining to ballot content and validity of absentee ballots for overseas electors; amending s. 102.031, F.S.; prohibiting the solicitation of voters within a specified distance of any polling place or polling room; specifying acts of solicitation that may not be restricted; authorizing a supervisor of elections to permit solicitation within a specified zone under prescribed conditions; authorizing an election board to have disruptive persons removed by law enforcement officers; requiring the law enforcement officer assigned to an election precinct to inform solicitors of zone surrounding the polling place and to remove disruptive solicitors; creating s. 99.013, F.S.; providing definitions; requiring that certain candidates or public officers have only one declared residence; providing factors to be considered; requiring candidates and appointed public officers for certain offices to meet the residency requirement from the time of qualifying for office; providing for investigation of violations by the Florida Elections Commission; amending s. 106.18, F.S.; requiring omission from the ballot of the name of any candidate found in violation of the residency requirement; amending s. 106.25, F.S.; granting the commission authority to investigate, consider, and determine such violations; providing procedure; amending s. 106.26, F.S.; providing procedure upon a determination that such a residency violation has occurred or has not occurred; amending s. 97.052, F.S.; providing an additional purpose for, and modifying the contents of, the uniform statewide voter registration application; providing for an assessment on requests for forms beyond a specified number from individuals or groups conducting voter registration programs; amending s. 97.053, F.S.; providing for acceptance of requests for a replacement registration identification card; requiring that an applicant provide additional information on the voter registration form to establish eligibility; amending ss. 97.071, 97.1031, F.S., relating to registration identification cards; changing notification requirements to receive an updated or replacement card; amending s. 98.461, F.S.; modifying the information required on the precinct register; amending s. 104.011, F.S.; increasing the penalty for willfully submitting false voter registration information; amending s. 104.012, F.S.; prohibiting the altering of a voter registration application of another person without that person's knowledge and consent; providing a penalty; repealing ss. 98.391-98.441, F.S., relating to automation in processing of voter registrations by means of data processing cards and the use of such cards at voting precincts; amending s. 97.012, F.S.; requiring the Secretary of State to create and maintain a central voter file; amending s. 97.021, F.S.; defining "central voter file"; creating s. 98.097, F.S.; providing for creation and maintenance of the central voter file; providing that information in the central voter file not otherwise confidential or exempt from public records requirements is public information; requiring the central voter file to be self-sustaining; amending ss. 98.045, 98.095, F.S., relating to administration of voter registration and public access to registration information, respectively, to conform; amending s. 98.212, F.S.; requiring supervisors of elections to provide voter registration information to the division for the central voter file; amending s. 101.591, F.S.; providing for voting system audits only upon specific appropriation and directive of the Legislature; amending s. 125.01, F.S.; conforming a cross-reference; transferring the Florida Elections Commission from the Department of State to the Department of Legal Affairs, Office of the Attorney General; amending s. 104.271, F.S.; authorizing filing of complaints with the commission relating to false statements about candidates; amending s. 106.19, F.S.; eliminating authority of the Division of

Elections to bring civil actions to recover certain civil penalties; amending s. 106.22, F.S.; deleting duties of the division relating to investigation of complaints; requiring the division to report certain information to the commission; requiring the division to conduct preliminary investigations into irregularities or fraud involving voter registration or voting and report the findings to the appropriate state attorney for prosecution, where warranted; requiring the division to perform random audits relating to reports and statements required to be filed under ch. 106, F.S., relating to campaign financing; amending s. 106.23, F.S.; restricting powers of the division to issue subpoenas and administer oaths to specified duties; amending s. 106.24, F.S.; increasing membership of the commission; revising appointment procedures and criteria for membership on the commission; revising administrative and organizational structure of the commission; providing for appointment of an executive director and employment of staff; authorizing the commission to contract or consult with other state agencies for assistance as needed; amending s. 106.25, F.S.; vesting the commission with jurisdiction to investigate and determine violations of ch. 106, F.S.; requiring transmittal of a copy of a sworn complaint to the alleged violator; providing for an administrative hearing upon written request of the alleged violator; amending s. 106.26, F.S.; providing rulemaking authority to the commission relating to its investigative responsibilities; prohibiting the commission from issuing advisory opinions; providing for establishment by rule of minor offenses that may be resolved without further investigation by means of a plea of no contest and a fine; requiring the commission to adhere to statutory law and advisory opinions of the division; amending s. 106.265, F.S.; requiring the State Comptroller to collect fines resulting from actions of the commission in circuit court to enforce payment of civil penalties; providing for termination of terms of current members of the commission and appointment of new members; transferring to the commission all division records, personnel, property, and unexpended funds associated with the complaint investigation process under ch. 106, F.S.; providing for transition from the current commission to the newly constituted commission; providing effective dates, including contingent effective dates.

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

By Senator Clary—

SB 570—A bill to be entitled An act relating to the Department of Juvenile Justice; amending s. 20.316, F.S.; requiring the Secretary of Juvenile Justice to appoint an inspector general; providing duties of the Office of Inspector General; providing for the Office of Inspector General to have unrestricted access to employees and to records, documents, and other materials that relate to programs operated by the department or operated by a private entity, county or municipal government, or law enforcement agency under a contract with the department; authorizing the department to cancel the contract of an entity that fails to timely provide information upon request; authorizing the inspector general to administer oaths and issue affidavits; authorizing the inspector general to investigate complaints; specifying circumstances under which an employee of the department, or an employee of a provider under contract with the department, may apply physical force upon a juvenile offender; requiring the Juvenile Justice Standards and Training Commission to teach methods of applying authorized physical force; requiring that a health care provider examine persons involved in an incident in which physical force was used; requiring a report; requiring a physician to examine any noticeable physical injury; requiring an employee who applies physical force, or who makes a decision to apply physical force, to prepare a report; providing for review of such report by the superintendent or program director; requiring that the report be forwarded to the district juvenile justice manager and the inspector general; providing requirements for maintaining reports on the use of physical force; 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 unlawful abuse or sexual misconduct, or who has reason to suspect that unlawful abuse or 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 force or 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.

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

By Senator Forman—

SB 572—A bill to be entitled An act relating to growth management concurrency; amending s. 163.3180, F.S.; revising statewide concurrency requirements; providing an effective date.

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

By Senator Forman—

SB 574—A bill to be entitled An act relating to health care; creating s. 641.555, F.S.; creating the “Managed-Care-Subscriber’s Bill of Rights and Responsibilities”; specifying the purpose of the act; requiring an organization that offers a managed-care plan to provide certain information about the plan to a prospective subscriber in the plan; requiring that a health-care provider observe certain standards in providing health care for subscribers in a managed-care plan; providing for privacy; providing for access to health care and medical treatment; providing for grievance procedures; providing for disenrollment; providing limitations on experimental research; providing responsibilities of a subscriber in a managed-care plan; creating s. 641.5551, F.S.; requiring that an organization’s handbook include the subscriber’s rights and responsibilities; requiring that the handbook be written in plain language; providing an effective date.

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

By Senator Clary—

SB 576—A bill to be entitled An act relating to sewage treatment facilities; amending s. 403.1835, F.S.; authorizing the Department of Environmental Protection to make grants to financially disadvantaged communities from loan surcharges and federal funds; providing for the deposit of funds into the Grants and Donations Trust Fund; providing an effective date.

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

By Senator Clary—

SB 578—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; providing that the victim of a crime and the state attorney, upon the victim’s consent, have standing to assert the rights of the victim; providing an effective date.

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

By Senator Clary—

SB 580—A bill to be entitled An act relating to saltwater plants and animals; amending s. 370.01, F.S.; defining the term “nonindigenous saltwater species”; amending s. 370.06, F.S.; authorizing the Department of Environmental Protection to consider the protection of indigenous species when issuing special activities licenses or aquaculture permits; amending s. 370.081, F.S.; authorizing possession of nonindigenous saltwater species for aquaculture or scientific purposes; amending

s. 370.10, F.S.; authorizing the possession of saltwater species for experimental, scientific, and exhibitional purposes; amending s. 370.14, F.S.; requiring imported shipments of crawfish to be available for inspection by the department; requiring that weight receipts be sent to a Florida Marine Patrol Office; revising permitholder report requirements; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Latvala—

SB 582—A bill to be entitled An act relating to environmental protection; amending ss. 403.061, 403.703, 403.786, 403.813, 403.855, F.S.; changing references from the Department of Health and Rehabilitative Services to the Department of Health; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Kirkpatrick—

SB 584—A bill to be entitled An act relating to mining; amending s. 378.601, F.S.; providing that certain heavy mineral mining operations are not required to undergo development-of-regional-impact review; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Meadows—

SB 586—A bill to be entitled An act relating to education; 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; providing an effective date.

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

By Senator Diaz-Balart—

SB 588—A bill to be entitled An act relating to schools; 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; providing an effective date.

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

By Senator Clary—

SM 590—A memorial to the Congress of the United States, urging Congress to enact amendments to the National Voter Registration Act of 1993.

—was referred to the Committee on Rules and Calendar.

By Senator Brown-Waite—

SB 592—A bill to be entitled An act relating to the “Water and Wastewater Treatment Regulatory Law”; amending s. 367.022, F.S.; deleting the requirements for reseller annual reports and meter testing; amending s. 367.071, F.S.; providing that the transfer of a utility to an exempt

entity is to be treated as a matter of right by the Public Service Commission; amending s. 367.081, F.S.; providing a procedure for the handling of a decrease in expenses; amending s. 367.0814, F.S.; allowing interim rates in staff assisted rate cases; amending s. 367.082, F.S.; providing procedures for adopting interim rates; amending s. 367.145, F.S.; providing for regulatory assessment fees when jurisdiction is transferred from the commission; authorizing a payment plan for an application fee; amending s. 367.165, F.S.; providing additional requirements to ensure that utility service is not interrupted by the abandonment or receivership of a utility; providing an effective date.

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

By Senator Thomas—

SB 594—A bill to be entitled An act relating to the Beverage Law; amending s. 561.67, F.S.; providing that it is unlawful for any licensed vendor to obstruct or hinder a reclamation by a distributor of beverages not paid for by a licensed vendor; providing for an exemption from certain criminal trespass provisions and an exemption from liability for civil trespass; providing an effective date.

—was referred to the Committees on Regulated Industries and Judiciary.

By Senator Dudley—

SB 596—A bill to be entitled An act relating to coordinated business reporting; providing legislative findings and intent; creating the “Florida Business Coordination Act”; providing definitions; requiring the Department of State to create a master business index for certain purposes; designating the Secretary of State as the custodian of the index; providing duties of the department; requiring certain state agencies to maintain certain records; requiring the Secretary of State to conduct a study and develop legislation for certain purposes; repealing s. 119.092, F.S., relating to registration of federal employer registration numbers; providing an effective date.

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

By Senator Casas—

SB 598—A bill to be entitled An act relating to foreign licensed physicians; creating s. 458.3124, F.S.; providing for development of formulas for reserving certain medical education postgraduate training positions for foreign licensed physicians; providing for proposals to increase the number of certified or establish noncertified postgraduate training positions; providing eligibility requirements for such positions for foreign licensed physicians; specifying circumstances under which supervised practice shall fulfill the postgraduate training requirement; requiring additional supervised practice for certain foreign licensed physicians prior to examination for licensure; providing for rules; providing for future repeal and legislative review; amending s. 458.311, F.S.; revising a medical education specialty requirement for foreign licensed physicians; providing an effective date.

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

By Senator Dudley—

SB 600—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.171, F.S.; revising language with respect to the exclusive jurisdiction of the Florida Public Service Commission over certain utility facilities; providing an effective date.

—was referred to the Committees on Regulated Industries and Natural Resources.

By Senator Bankhead—

SB 602—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.171, F.S.; including Flagler County within a list of counties excluded from the provisions of the Water and Wastewater System Regulatory Law; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Bankhead—

SB 604—A bill to be entitled An act relating to road designations; designating an interchange in Jacksonville as the “Whatley Memorial Overpass”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Childers—

SB 606—A bill to be entitled An act relating to the Department of Health; creating s. 381.0075, F.S.; providing for regulation of body piercing by the department; providing definitions; providing exemptions; requiring a license to operate a body-piercing salon; providing licensing procedures and fees; prohibiting body piercing of a minor without consent of a parent or legal guardian; prohibiting other acts; providing penalties; providing for injunction; providing for enforcement; providing rulemaking authority; providing specific requirements for body-piercing salons; providing an effective date.

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

By Senator Meadows—

SB 608—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.011, F.S.; authorizing the granting of exemption to property entitled to a charitable exemption for the 1994 tax year for which application was not timely filed under certain circumstances; providing for cancellation of taxes assessed and outstanding tax certificates; providing for expiration; providing an effective date.

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

By Senator Klein—

SB 610—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.

By Senator Brown-Waite—

SB 612—A bill to be entitled An act relating to veterans’ homes, including the Veterans’ Domiciliary Home of Florida and the Veterans’ Nursing Home of Florida; amending s. 296.02, F.S.; providing definitions; amending s. 296.03, F.S.; including extended congregate care in the types of care offered by the domiciliary home; amending s. 296.04, F.S.; replacing the term “member” with the term “resident”; amending s. 296.06, F.S.; amending prerequisites to eligibility for admission to the domiciliary home; amending s. 296.07, F.S.; replacing the term “member” with the term “resident”; amending s. 296.08, F.S.; amending a cross-reference; amending s. 297.09, F.S.; replacing the term “member”

with the term “resident”; amending the list of information about each resident which is to be kept in the general register; amending ss. 296.10, 296.11, 296.12, 296.13, 296.14, 296.15, 296.16, F.S.; replacing the term “member” with the term “resident”; amending s. 296.36, F.S.; amending the residency requirement for admission into the Veterans’ Nursing Home of Florida; providing an effective date.

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

By Senator Ostalkiewicz—

SB 614—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing that a business may deduct from any such taxes that it owes to the state the cost of certain software; providing an effective date.

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

By Senator Ostalkiewicz—

SB 616—A bill to be entitled An act relating to professions, occupations, and businesses; prohibiting specified state agencies from penalizing a person for violating specified regulations of which he had no knowledge; prohibiting such agencies from enforcing regulations applicable to the collection of taxes or to professions, occupations, or businesses when specified conditions are met; providing a defense for enforcement actions in specified circumstances; providing an effective date.

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

By Senator Ostalkiewicz—

SB 618—A bill to be entitled An act relating to credits against taxes; amending s. 220.02, F.S.; providing the order of credits against the corporate income tax or franchise tax; amending s. 220.03, F.S.; revising the definition of “child care facility startup costs” and defining “operation of a child care facility”; amending s. 220.12, F.S.; revising the definition of a taxpayer’s net income for corporate income tax purposes to delete the deduction of child care facility startup costs; creating s. 220.19, F.S.; authorizing a credit against the corporate income tax for child care facility startup costs and operation, and for payment of an employee’s child care costs; providing limitations; requiring a recipient to refund a portion of tax credits received under certain conditions; providing eligibility and application requirements; providing for administration by the Department of Revenue; providing for future expiration; creating s. 624.5107, F.S.; authorizing a credit against insurance premium taxes for child care facility startup costs and operation, and for payment of an employee’s child care costs; providing definitions; providing limitations; requiring a recipient to refund a portion of tax credits received under certain conditions; providing eligibility and application requirements; providing for administration by the Department of Revenue; providing for future expiration; providing an effective date.

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

By Senator Harris—

SB 620—A bill to be entitled An act relating to insurance; requiring certain insurers to file reports concerning their risk based capital; requiring the Department of Insurance to request such reports under certain circumstances; providing for hearings; providing definitions and reporting requirements; requiring certain insurers to file reports of material transactions concerning their assets or their ceded reinsurance agreements; providing definitions and reporting requirements; prescribing authority of the Department of Insurance with respect to such reports; amending s. 624.3161, F.S.; deleting a limitation on frequency of certain market conduct examinations; amending s. 624.424, F.S.; in-

creasing the time limitation on insurers using certain accounting services for certain purposes; providing an effective date.

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

By Senator Ostalkiewicz—

SB 622—A bill to be entitled An act relating to referenda on taxation; prohibiting the holding of a referendum on taxation at any election other than a general election; providing an effective date.

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

By Senator McKay—

SB 624—A bill to be entitled An act relating to educational finance; amending s. 236.25, F.S.; amending provisions that authorize the Legislature to prescribe a maximum amount of nonvoted current operating discretionary millage that school boards may levy and authorizing school boards to determine such millage, within specified limits; providing an effective date.

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

By Senator Campbell—

SB 626—A bill to be entitled An act relating to the “Work and Gain Economic Self-sufficiency (WAGES) Act”; amending s. 414.065, F.S.; raising the age limit for qualifying to receive continuing support through a protective payee in circumstances involving a family member’s repeated noncompliance with work requirements of the act; providing an effective date.

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

By Senator Rossin—

SB 628—A bill to be entitled An act relating to assisted living facilities; amending s. 400.402, F.S.; defining the term “special care unit” for purposes of part III, ch. 400, F.S., relating to assisted living facilities; amending s. 400.4177, F.S.; requiring certain assisted living facilities to provide special care units for the care of persons who have Alzheimer’s disease or related disorders; amending s. 400.452, F.S.; providing additional training requirements for staff and for direct caregivers who work in special care units; specifying topics to be included in level I and level II curricula; requiring continuing education for direct caregivers; providing for certification upon completion of training; providing for employees of certain facilities to receive training at no charge; providing requirements for providers of initial and continuing education courses; requiring the Department of Elderly Affairs to approve courses and providers; amending s. 400.407, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Rossin—

SB 630—A bill to be entitled An act relating to children; amending s. 230.2305, F.S.; providing for privatization of the prekindergarten early intervention program; providing for funding; providing for standards; providing for a sliding fee scale; providing references to the Department of Children and Family Services; amending s. 402.302, F.S.; defining “evening child care”; providing references to the Department of Children and Family Services; amending s. 402.305, F.S.; providing minimum standards for staff-to-children ratio in a licensed child care facility with children of mixed age ranges; providing for minimum standards for

evening child care; amending s. 402.3015, F.S.; requiring level 2 background screening of nonrelated, unregulated caregivers receiving subsidies through the subsidized child care program or other public funds; providing references to the Department of Children and Family Services; amending s. 402.3051, F.S.; providing a timeframe for market rate reimbursement for providers of subsidized child care; amending s. 402.313, F.S.; providing for establishment of minimum standards for licensed family day care homes; amending ss. 220.03, 943.0585, 943.059, F.S.; conforming cross-references; providing references to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Education; and Ways and Means.

By Senator Campbell—

SB 632—A bill to be entitled An act relating to probate; amending s. 732.201, F.S.; revising language with respect to the right to elective share; creating s. 732.2025, F.S.; providing definitions; creating s. 732.2035, F.S.; providing for property entering into the elective estate; creating s. 732.2045, F.S.; providing for exclusions and overlapping application; amending s. 732.205, F.S.; providing for the valuation of the elective estate; amending s. 732.206, F.S.; providing for the elective share amount; amending s. 732.207, F.S.; providing for the sources from which the elective share is payable; providing for abatement; amending s. 732.208, F.S.; providing for the liability of direct recipients and beneficiaries; amending s. 732.209, F.S.; providing for the valuation of the property used to satisfy the elective share; amending s. 732.210, F.S.; providing for the effect of the election on other interests; amending s. 732.211, F.S.; providing for the protection of payors and other third parties; amending s. 732.212, F.S.; providing who may exercise the right of election; amending s. 732.213, F.S.; providing for the time of election; providing for extensions and for withdrawal; amending s. 732.214, F.S.; providing for the order of contribution; providing for the personal representative’s duty to collect contributions; amending s. 732.215, F.S.; providing for the effective date, the effect of prior waivers, and transition rules; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

SB 634—A bill to be entitled An act relating to tax on cigarettes; amending s. 210.02, F.S.; increasing the rate of the excise tax on cigarettes; amending s. 210.20, F.S.; revising the distribution of proceeds of the tax; providing for distribution of proceeds to fund health care programs and services; requiring rulemaking; providing for a tax on the inventory of cigarettes on hand on the effective date of the act; providing for application of penalties and interest; providing for distribution of the proceeds of the inventory tax; requiring rulemaking; providing an effective date.

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

By Senator Campbell—

SB 636—A bill to be entitled An act relating to sexual offenders; creating the “Children’s Protection Act of 1997”; creating s. 775.231, F.S.; providing legislative findings and intent with respect to imposition of mandatory minimum imprisonment upon sexual offenders who have committed specified offenses against minors; providing a mandatory minimum of 25 years’ imprisonment when the sexual offender’s victim was a minor under 12 years of age; providing a mandatory minimum of 15 years’ imprisonment when the sexual offender’s victim was at least 12 years of age but under 16 years of age; providing a mandatory minimum of 15 years’ imprisonment and prohibiting plea bargaining, under certain circumstances, when the sexual offender has committed a violation of, or a criminal attempt to violate, s. 800.04(4), F.S., relating to lewd, lascivious, or indecent acts upon or in the presence of child; providing for construction; providing an effective date.

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

By Senator Campbell—

SB 638—A bill to be entitled An act relating to campaign financing; amending s. 106.011, F.S.; prohibiting a corporation from forming more than one political committee; amending s. 106.08, F.S.; limiting contributions made by a political committee or committee of continuous existence; providing an effective date.

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

By Senator Campbell—

SB 640—A bill to be entitled An act relating to campaign financing; amending s. 106.011, F.S.; providing a definition; amending s. 106.08, F.S.; providing limitations on contributions; providing penalties; providing an effective date.

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

By Senator Ostalkiewicz—

SJR 642—A joint resolution proposing an amendment to Section 2 of Article VII of the State Constitution, relating to tax rates, and the creation of Section 19 of Article VII of the State Constitution and Section 22 of Article XII of the State Constitution, to prohibit the imposition of taxes on intangible personal property.

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

By Senator Horne—

SB 644—A bill to be entitled An act relating to mandatory minimum sentences; amending s. 775.0823, F.S.; providing mandatory minimum terms of imprisonment for certain violent offenses against a law enforcement officer or other designated officers and officials; deleting an obsolete reference; amending s. 775.0875, F.S.; providing a mandatory minimum term of imprisonment for the offense of taking a law enforcement officer's firearm; amending s. 784.07, F.S.; increasing the mandatory minimum term of imprisonment for committing certain offenses while possessing a firearm; correcting an erroneous cross-reference; amending s. 784.08, F.S.; providing a mandatory minimum term of imprisonment for an aggravated assault or aggravated battery committed against a person of a specified age or older; amending ss. 921.0014, 947.146, F.S., relating to the sentencing guidelines worksheet and the Control Release Authority; conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Meadows—

SB 646—A bill to be entitled An act relating to residential tenancies; creating s. 83.565, F.S.; providing for a tenant to repair rental premises after notice to the landlord under certain conditions; providing for deduction of the costs of repair from rent due; providing limitations; amending s. 83.60, F.S.; providing for the right of the tenant to repair to be a defense to an action for rent or possession; providing for the payment of certain funds into the registry of the court; amending s. 83.64, F.S.; prohibiting retaliatory actions by the landlord; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Ostalkiewicz—

SB 648—A bill to be entitled An act relating to taxation; amending s. 199.143, F.S.; defining "residence" for purposes of provisions which specify when the nonrecurring intangible personal property tax is paid when the property subject to the mortgage, deed of trust, or other lien which secures a line of credit is the borrower's residence; amending s. 201.08, F.S., which imposes the excise tax on documents on notes and other obligations to pay money, and mortgages and other evidences of indebtedness; specifying the conditions under which a renewal of a document is taxable under said section; providing that taxability of a document shall be determined solely from the face of the document and separate documents expressly incorporated therein; specifying application of tax when multiple documents secure the same primary debt; providing that no tax imposed before the effective date of this act and not actually collected on certain documents exempted by this act shall be due with respect to such documents; specifying status of mortgages given by a taxpayer other than or in addition to the taxpayer obligated on the primary obligation or given to secure a guaranty or surety on a primary note; amending s. 201.09, F.S.; specifying conditions under which a renewal note evidencing a revolving obligation is exempt from said tax; creating s. 201.091, F.S.; providing that if a document is not qualified for exemption as a renewal solely because of nonpayment of tax on a prior document, payment of the deficiency, interest, and any penalty shall allow the document to qualify for exemption; providing for administration; providing an effective date.

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

By Senator Dudley—

SB 650—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 498.005, F.S.; providing definitions; amending s. 498.007, F.S.; revising language with respect to the general powers and duties of the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 498.011, F.S.; revising language with respect to per diem and mileage; amending s. 498.017, F.S.; revising certain fees; deleting certain fees; amending s. 498.022, F.S.; revising language with respect to jurisdiction over fraudulent acts; providing that it is a violation of the act to dispose of, conceal, or divert any funds or assets of any person so as to adversely affect the interest of a purchaser; amending s. 498.023, F.S.; providing additional criteria with respect to permitted disposal of an interest in subdivided lands; amending s. 498.024, F.S.; revising language with respect to reservations; amending s. 498.025, F.S.; revising language with respect to exemptions; amending s. 498.027, F.S.; revising language with respect to application for registration; providing for rules; amending s. 498.029, F.S.; eliminating the registration of certain subdivided lands; amending s. 498.031, F.S.; providing for the time period during which registration becomes effective; revising language with respect to inquiry and examination; amending s. 498.033, F.S.; revising language with respect to the registration of subdivided lands; amending s. 498.035, F.S.; authorizing, rather than requiring, the division to approve advertising material; revising language with respect to advertising material; requiring the full disclosure of certain pertinent information; amending s. 498.037, F.S.; revising language with respect to public offering statements; amending s. 498.039, F.S.; revising language with respect to certain trust and escrow accounts; providing for rules; amending s. 498.041, F.S.; revising language with respect to annual renewal; providing for termination of registration; amending s. 498.059, F.S.; providing penalties with respect to certain violations; providing an effective date.

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

By Senator Dudley—

SB 652—A bill to be entitled An act relating to public records; amending s. 498.047, F.S.; providing an exemption from public records requirements for information relative to an investigation by the Division of Florida Land Sales, Condominiums, and Mobile Homes; providing an exemption from public records requirements for certain identifying information of a purchaser or account holder, or a complainant; providing

for specific use of the confidential information; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Regulated Industries and Judiciary.

By Senator Dudley—

SB 654—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.145, F.S.; prohibiting the dispensing of alcoholic beverages or beverage alcohol for consumption on the premises at a price other than the licensee's initial price that business day, at a reduced price for a class of persons, or at no cost; providing penalties; providing an effective date.

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

By Senator Dudley—

SB 656—A bill to be entitled An act relating to funding for criminal proceedings; amending ss. 27.38, 27.60, F.S.; revising the budget transfer authority of state attorneys and public defenders; providing an effective date.

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

By Senator Holzendorf—

SB 658—A bill to be entitled An act relating to ad valorem tax administration; amending s. 197.222, F.S.; providing that the tax collector may accept a late payment of the first installment of ad valorem taxes prepaid by the installment method; providing a penalty; providing an effective date.

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

By Senator Holzendorf—

SB 660—A bill to be entitled An act relating to public records and meetings; providing for application of public records exemptions in ss. 455.225(2) and (10) and 455.261(3)(e) and (5)(a), F.S., to certain information concerning provisional psychologists, registered clinical social worker interns, registered marriage and family therapist interns, registered mental health counselor interns, provisional clinical social workers, provisional marriage and family therapists, and provisional mental health counselors; providing for application of the public meetings exemption in s. 455.225(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Dudley—

SB 662—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08053 and 320.08058, F.S.; providing for collegiate license plates for all of the 10 state universities; providing an effective date.

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

By Senator Dudley—

SB 664—A bill to be entitled An act relating to building designations; designating the first building constructed on the campus of Florida Gulf Coast University as the "Ben Hill Griffin III Building"; directing the Board of Regents of the Division of Universities of the Department of Education to erect suitable markers; providing an effective date.

—was referred to the Committee on Education.

By Senator Gutman—

SB 666—A bill to be entitled An act relating to public records; creating s. 159.6085, F.S.; providing that when a housing finance authority applies for or obtains a charter for a federal savings and loan association or bank, the personal financial records of the members of the authority or the directors of the bank do not become public records and are exempt from public records requirements; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Holzendorf—

SB 668—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; providing procedures for incorporating the expenses incurred by insurers due to catastrophe fund premium payments and residual market deficit assessments into residential insurance rate filings; providing procedures for residential insurance rate filings for other factors based on the amount of the proposed statewide average change; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Kirkpatrick—

SB 670—A bill to be entitled An act relating to pupil progression; amending ss. 232.245, 232.246, and 232.425, F.S.; raising the required cumulative grade point average for purposes of the school district comprehensive program for pupil progression, high school graduation, and participation in interscholastic extracurricular activities; requiring reading courses under certain circumstances; restricting access to certain high school courses; providing for satisfaction of certain requirements; revising credit requirements; conforming cross-references; amending s. 232.2454, F.S.; revising provisions relating to student performance standards; amending ss. 229.565 and 233.011, F.S.; conforming cross-references; amending s. 240.116, F.S.; requiring the development of standards for dual enrollment courses; amending s. 240.117, F.S., relating to the common placement test for postsecondary education; revising a dual enrollment requirement; amending s. 240.118, F.S.; requiring the recommendation of statutory changes to reduce postsecondary remediation; providing an effective date.

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

By Senator Campbell—

SB 672—A bill to be entitled An act relating to emergency medical services; creating the "Access to Emergency Medical Services Act"; providing findings and purpose; requiring a health plan that provides coverage for emergency services to cover emergency services furnished to an enrollee under specified circumstances; requiring the health plan to promptly pay for services; prohibiting a health plan from imposing certain types of cost-sharing; providing that a health plan may impose a reasonable copayment; providing requirements for a health plan with respect to providing prior authorization; specifying circumstances under which a health plan is deemed to have approved a request for prior authorization for certain services; prohibiting a health plan from subsequently denying or reducing payment for items or services; requiring that a health plan include certain information in educational materials; providing civil penalties; requiring that the Director of Health Care

Administration take certain factors into consideration in imposing a civil penalty; requiring the Agency for Health Care Administration to adopt rules; providing definitions; repealing s. 641.513, F.S., relating to requirements for providing emergency services and care; providing an effective date.

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

By Senator Diaz-Balart—

SB 674—A bill to be entitled An act relating to public assistance; creating s. 414.103, F.S.; providing for screening of applicants for and recipients of temporary assistance or services under the “Work and Gain Economic Self-sufficiency (WAGES) Act” for illegal use of controlled substances; providing responsibilities of the Department of Children and Family Services; providing requirements relating to notice of and procedures for drug testing; providing for random testing of recipients; providing for certain retesting and appeal of test results; providing for notice to certain persons of local substance abuse assistance programs; providing circumstances resulting in ineligibility for or termination of temporary assistance or services; providing certain limitations; providing an effective date.

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

By Senators Scott, Meadows, Jenne and Forman—

SB 676—A bill to be entitled An act relating to municipal special assessments; amending s. 170.201, F.S.; providing an exemption from any special assessment levied by a municipality to fund emergency medical services for property owned or occupied by a religious institution or elementary, middle, or high school; providing an effective date.

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

By Senator Horne—

SB 678—A bill to be entitled An act relating to local government finance; amending s. 212.055, F.S.; authorizing charter counties and counties as defined in s. 125.011, F.S., to use the proceeds of local government infrastructure surtax revenues and interest thereon to retire or service indebtedness incurred for certain bonds and to refund bonds issued after a specified date; ratifying any use of such proceeds or interest for purposes of retiring or servicing indebtedness incurred before the effective date of this act for refunding certain bonds; providing an effective date.

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

By Senator Rossin—

SB 680—A bill to be entitled An act relating to pollution control; amending s. 403.021, F.S.; providing public policy relating to the promotion of demineralized water supplies; creating s. 403.0882, F.S.; providing definitions; specifying conditions and limitations for the discharge of demineralization concentrate; providing for regulation by the Department of Environmental Protection; specifying conditions for discharge of concentrate from small water utility businesses; limiting departmental regulation of such businesses; providing a permitting schedule for demineralization facilities; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Campbell—

SB 682—A bill to be entitled An act relating to corporations; amending s. 48.101, F.S.; providing for service on certain dissolved corporations; amending s. 607.032, F.S.; providing a condition for an agreement among shareholders of certain corporations; amending s. 607.1002, F.S.; providing a condition for amending articles of incorporation; providing a definition; providing an effective date.

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

By Senator Gutman—

SB 684—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 2 of ch. 95-305, Laws of Florida; abrogating the future repeal of certain amendments made by that chapter to s. 212.05(1)(a)2., F.S., and abrogating the reversion of the text of that subparagraph to that in existence on September 30, 1995, with specified exceptions; providing an effective date.

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

By Senators Kirkpatrick and Bronson—

SB 686—A bill to be entitled An act relating to game and fresh water fish; amending s. 212.04, F.S.; providing an admissions tax exemption for freshwater fishing tournaments; amending s. 372.0222, F.S.; authorizing the Game and Fresh Water Fish Commission to advertise and promote wildlife diversity and recreational opportunities and to collect certain fees for services and information; authorizing the commission to adopt rules for purchasing advertising and promotional contractual services; providing an effective date.

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

By Senator Dudley—

SB 688—A bill to be entitled An act relating to prison inmates; amending s. 440.15, F.S.; providing that workers’ compensation benefits for inmates are payable to the state and prohibiting inmates from receiving public assistance benefits; providing an effective date.

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

By Senator Dudley—

SB 690—A bill to be entitled An act relating to investments in education; providing purposes; creating the Florida Education Technology Foundation for certain purposes; providing for a board of directors; providing for membership; providing duties of the board; providing for creation of Florida Future Funds for certain purposes; providing for investment of moneys in such funds; providing for contributing a portion of investment interest to the foundation for certain purposes; providing an effective date.

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

By Senators McKay and Holzendorf—

SB 692—A bill to be entitled An act relating to economic development; creating s. 212.098, F.S.; creating the Rural Job Tax Credit Program; amending ss. 220.02, 220.13, F.S.; conforming provisions; creating s.

220.189, F.S.; allowing credit for the Rural Job Tax Credit Program; providing an effective date.

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

By Senator Crist—

SB 694—A bill to be entitled An act relating to contracting; amending ss. 489.127 and 489.531, F.S.; providing for similar penalties for unlicensed violations with respect to construction contracting and electrical contracting; providing for additional penalties for certain violations by electrical contractors; providing an effective date.

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

By the Committee on Regulated Industries—

SB 696—A bill to be entitled An act relating to the taxation of telecommunication services; providing legislative intent with respect to the application of chapters 166, 203, and 212, F.S.; providing an effective date.

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

By the Committee on Judiciary—

SB 698—A bill to be entitled An act relating to enforcement of child support; amending s. 61.13, F.S.; providing for enforcement of an award of health care coverage; amending s. 61.13016, F.S.; providing for suspension of drivers license or motor vehicle registration for failure to comply with subpoena or warrant; amending s. 61.1354, F.S.; providing for provision of child support arrearage information to or obtaining consumer credit reports from consumer reporting agencies; providing rulemaking authority; amending s. 61.14, F.S.; providing for modification of child support award without change in circumstances pursuant to periodic review; providing rulemaking authority; creating s. 61.151, F.S.; providing for liens on real and personal property; providing for rulemaking authority; amending s. 61.30, F.S.; providing for modification of child support award without change in circumstances pursuant to periodic review; amending s. 88.1011, F.S.; providing definitions; amending ss. 88.1021, 88.2031, and 88.2051, F.S.; making technical changes; amending s. 88.2071, F.S.; providing for determination of controlling child support order; amending ss. 88.3011, 88.3031, F.S.; making technical changes; amending s. 88.3041, F.S.; providing duties of initiating state when responding state has not adopted act; amending ss. 88.3051, 88.3061, F.S.; deleting provision for service of process by first class mail; amending s. 88.3071, F.S.; deleting provisions for service of process by first class mail and attorney and client relationship; amending s. 88.5011, F.S.; deleting duties of employer under foreign state income deduction order; transferring and renumbering s. 88.5021, F.S.; creating s. 88.50215, F.S.; providing duties of employer under foreign state income deduction order; creating s. 88.5031, F.S.; providing for compliance with multiple income deduction orders; creating s. 88.5041, F.S.; providing for immunity from civil liability; creating s. 88.5051, F.S.; providing for penalties for noncompliance; creating s. 88.5061, F.S.; providing for contest of income deduction order by obligor; amending s. 88.6051, F.S.; deleting provisions specifying method of notice, content of notice, and notice to employer; amending s. 88.6061, F.S.; deleting provisions for contest of registered order and for notice by first class mail; amending s. 88.6111, F.S.; providing procedures for order modification if multiple orders exist; amending s. 88.6121, F.S.; making technical changes; creating s. 88.6131, F.S.; providing for modification of foreign order when all parties live in this state; creating s. 88.6141, F.S.; providing for notice of modification of order to tribunal which issued order; amending s. 88.7011, F.S.; making technical changes; creating s. 88.9051, F.S.; providing rulemaking authority; amending s. 213.053, F.S.; providing that department may release confidential tax payer information to any state or local child support enforcement program; amending s. 320.05, F.S.; providing that department is to release records to child support enforcement agency; amending s. 382.013, F.S.; providing for use of register of births for comparison with state child support case registry; amending

s. 409.2564, F.S.; providing department authority to subpoena information and to impose fine for failure to comply; providing authority to change child support payee; providing authority for increasing child support award to include delinquencies; amending s. 409.2564, F.S.; providing an effective date; providing for reporting arrearages to the Secretary of the U.S. Department of Health and Human Services; providing rulemaking authority; amending s. 409.25641, F.S.; providing procedures for processing interstate enforcement requests; providing rulemaking authority; amending s. 409.25645, F.S.; making technical changes; creating s. 409.25657, F.S.; requiring financial institutions to cooperate with the Department of Revenue to develop and operate a data match system; providing rulemaking authority; amending s. 409.2577, F.S.; providing an effective date; requiring the Department of Revenue to notify U.S. Department of Health and Human Services of reasonable evidence of domestic violence or child abuse, the disclosure of which could be harmful to parent or child; creating s. 409.2578, F.S.; providing state child support agency access to employment information; providing an administrative fine; providing rulemaking authority; amending s. 409.2579, F.S.; prohibiting state child support enforcement agency from disclosing to one party to a protective order information concerning the location of the other party; providing rulemaking authority; amending s. 409.2598, F.S.; providing that state child support agency may take action against license of an obligor who fails to comply with a subpoena or warrant; providing procedures; amending s. 742.031, F.S.; requiring social security number of each party to be entered on order of paternity; providing for prima facie evidence of expenses of genetic testing; requiring temporary order for child support upon clear and convincing evidence of paternity; creating s. 742.032, F.S.; requiring each party to paternity action to file specified information with court; providing for use of such information in subsequent action; transferring, renumbering, and amending s. 742.08, F.S.; deleting provision for lien; making technical changes; amending s. 742.10, F.S.; providing for rescission of acknowledgment of paternity; providing additional notice requirements; amending s. 742.105, F.S.; providing for effect of foreign paternity order which is based upon an acknowledgment of paternity; amending s. 742.12, F.S.; requiring scientific testing for paternity; establishing criteria therefor; amending s. 943.053, F.S.; requiring the Department of Law Enforcement to disclose criminal justice information to state child support agency; providing an effective date.

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

By Senator Bronson—

SB 700—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S.; providing a definition; amending s. 517.051, F.S.; deleting an exemption from securities registration requirements for investment companies; amending s. 517.07, F.S.; prohibiting the sale of certain securities; requiring the Department of Banking and Finance to issue a permit upon granting a registration; amending s. 517.081, F.S.; providing additional authority to the Department of Banking and Finance relating to registration requirements; providing for filing certain alternative information; providing requirements; amending ss. 517.082, 517.101, F.S.; deleting obsolete cross-references; amending s. 517.12, F.S.; exempting commodity trading advisers from certain registration requirements under certain circumstances; providing for a reduced assessment fee under certain circumstances; amending s. 517.1203, F.S.; providing for termination of allocation of certain assessment fee revenues to the Securities Guaranty Fund under certain circumstances; amending s. 517.131, F.S.; specifying an allocation of certain assessment fee revenues to the Securities Guaranty Fund under certain circumstances; providing effective dates.

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

By Senator Williams—

SB 702—A bill to be entitled An act relating to the repeal of advisory bodies and other governmental entities; amending s. 27.36, F.S., to conform to the abolition of the Council on Organized Crime; amending s. 228.0875, F.S.; terminating the Governor's Summer Colleges Council; amending s. 230.71, F.S.; terminating the Intergenerational School Volunteer Advisory Board; amending s. 239.505, F.S.; terminating the Advisory Board on Constructive Youth Programs; repealing ss. 288.971,

288.972, 288.973, 288.974, 288.975, 288.976, 288.977, 288.980, F.S., to terminate the Florida Defense Conversion and Transition Commission and its related duties; amending s. 408.033, F.S., relating to local and state health planning; terminating the Statewide Health Council; amending ss. 186.022, 186.508, 240.5121, 395.604, 408.038, 408.039, 408.0455, F.S., and repealing ss. 186.003(9), 186.503(9), relating to definitions of the council, to conform; repealing chapter 30280, Laws of Florida, 1955, as amended, to terminate the Clay County Hospital District and the Clay County Hospital Authority; repealing chapter 57-700, Laws of Florida, as amended, to terminate the Suwanee River Authority; repealing chapter 59-1939, Laws of Florida, as amended, to terminate the Union County Development Authority; repealing chapter 67-2027, Laws of Florida, to terminate the Santa Rosa County Airport and Industrial Authority; repealing chapter 71-926, Laws of Florida, to terminate the Sumter County Hospital Authority; repealing s. 79, ch. 90-201, Laws of Florida, to terminate the International Language Institute Advisory Council; repealing s. 1, ch. 90-232, Laws of Florida, to terminate the Task Force on County Contributions to Medicaid; repealing proviso language in s. 1, ch. 91-193, Laws of Florida, to terminate the Commission on Long-Term Care; repealing s. 63, ch. 93-164, Laws of Florida, to terminate the Commission to Study the Safety and Security of Railroad-Highway Grade Crossings; repealing ss. 23, 24, ch. 94-292, Laws of Florida, to terminate the Florida Education Facilities Study Committee; repealing proviso language in s. 1A, ch. 94-357, Laws of Florida, to terminate the Task Force on Productivity Enhancement; providing effective dates.

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

By Senator Williams—

SB 704—A bill to be entitled An act relating to environmental permitting; requiring the Department of Environmental Protection and water management districts to develop checklists of permit requirements and to provide such checklists to permit applicants; requiring the department and water management districts to timely review all permit applications; providing responsibilities of the department and water management districts; providing for appeal of department and water management district decisions; providing for refund of a permit application fee under certain circumstances; amending s. 403.815, F.S.; providing for notice to certain adjacent property owners of applications for certain permits from the department; providing an effective date.

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

By Senator Williams—

SB 706—A bill to be entitled An act relating to the State Board of Administration; amending s. 240.551, F.S., relating to the Florida Prepaid Postsecondary Education Expense Program; transferring the program from the State Board of Administration to the Department of Education; transferring records, personnel, property, and certain funds of the program to the Department of Education; amending s. 376.3075, F.S.; transferring certain staff duties of the State Board of Administration regarding the functioning of the Inland Protection Financing Corporation to the Department of Environmental Protection; providing effective dates.

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

By Senator Williams—

SB 708—A bill to be entitled An act relating to the tax refund program for qualified target industry businesses; amending s. 288.106, F.S.; providing for a waiver of requirements for the estimated annual average wage that must be paid by an applicant business; providing prerequisites and procedures; providing an effective date.

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

By Senator Latvala—

SB 710—A bill to be entitled An act relating to lands acquired for conservation and recreation; amending s. 373.59, F.S.; requiring water management districts to require appraisals in specified circumstances; providing an effective date.

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

By Senator Hargrett—

SB 712—A bill to be entitled An act relating to domestic wastewater management; providing a short title and legislative findings; creating the Interagency Task Force on Total Cost Assessment/Full Cost Accounting for Domestic Wastewater Disposal; providing for its membership, duties, public hearings, and report; assigning the task force to the Executive Office of the Governor; providing an effective date.

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

By Senator Horne—

SB 714—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; prohibiting payment of dividends; providing for mergers and acquisitions of mutual insurance holding companies; providing 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 Senators Horne and Campbell—

SB 716—A bill to be entitled An act relating to sentencing; repealing s. 921.001, F.S., relating to the Sentencing Commission and sentencing guidelines, generally; abolishing the Sentencing Commission; eliminating certain general provisions with respect to the sentencing guidelines; repealing s. 921.005, F.S., relating to sentencing criteria; establishing the Sentencing Reform Commission; providing for membership and expenses of the commission; providing for meetings of the commission; requiring that certain legislative staff members assist the commission; directing the commission to provide the Legislature with recommendations for sentencing policy and structure; providing effective dates.

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

By Senators Kirkpatrick, Horne and Sullivan—

SB 718—A bill to be entitled An act relating to state financial matters; amending s. 215.322, F.S.; authorizing state agencies and the judicial branch to accept debit cards in payment for certain goods and services; providing duties of the Treasurer and the Florida Fiscal Accounting Management Information System Coordinating Council; authorizing certain fees; amending s. 282.20, F.S.; defining "customers" of the Division of Information Services and prescribing its duties with respect thereto; prescribing voting rights of members of the data processing policy board; prescribing additional duties of the board; creating s. 282.21, F.S.; authorizing the Department of Management Services to collect fees for use of electronic information services; creating s. 282.22, F.S.; declaring legislative intent with respect to availability and use of

products and materials developed by or under the direction of the department; providing an effective date.

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

By Senator Williams—

SJR 720—A joint resolution proposing the creation of Section 17 of Article X of the State Constitution, relating to property rights.

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

By Senator Horne—

SB 722—A bill to be entitled An act relating to court funding; creating s. 25.402, F.S.; providing compensation to counties for certain costs through a trust fund to be administered by the Supreme Court; amending s. 318.21, F.S., 1996 Supplement, relating to the disposition of civil penalties by county courts; providing for distribution of civil penalties to the County Article V Trust Fund beginning July 1, 1998; creating s. 939.18, F.S.; providing for an additional assessment on persons pleading guilty or nolo contendere to, or found guilty of, a crime to be used to provide and maintain court facilities; requiring clerks of circuit court to submit specified financial reports; providing an effective date.

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

By Senator Horne—

SB 724—A bill to be entitled An act relating to tests for alcohol, chemical substances or controlled substances; amending ss. 316.1932, 316.1933, F.S.; amending the implied consent law and laws prescribing testing for impairment or intoxication in cases of death or serious bodily injury; authorizing certain health care providers who become aware of a person's unlawful blood-alcohol level to notify law enforcement officials; prescribing a form for the notice; providing that such reporting is not a violation of any ethical or moral duty; prohibiting any action or administrative proceeding being brought against anyone participating in good faith in making such report; providing immunity from civil or criminal liability and from any professional disciplinary action; providing immunity in any judicial proceeding resulting from the report; providing that information relating to the alcohol content of the blood or breath or the presence of chemical substances or controlled substances in the blood obtained under these sections must be released to a court, prosecuting attorney, defense attorney, or law enforcement officer in connection with a violation of s. 322.2616, F.S., relating to suspension of a driver's license; providing an effective date.

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

SR 726—Not referenced.

By Senators Myers, Casas and Thomas—

SB 728—A bill to be entitled An act relating to family practice teaching hospitals; amending s. 395.806, F.S.; providing that only community hospitals may be designated as family practice teaching hospitals; prohibiting certain teaching hospitals from designation as family practice teaching hospitals; deleting a restriction; amending s. 395.807, F.S.; revising the membership of the family practice physician retention advisory committee; deleting a program requirement; providing an effective date.

—was referred to the Committee on Health Care.

By Senators Brown-Waite, Dudley, Meadows and Turner—

SB 730—A bill to be entitled An act relating to veterans' preference in employment; transferring and renumbering s. 295.15, F.S., relating to legislative intent; amending s. 295.07, F.S.; clarifying provisions; providing for rules; amending s. 295.08, F.S.; revising provisions with respect to positions for which a numerically based selection process is used; removing a monetary limitation with respect to certain classes of positions; amending s. 295.085, F.S.; revising provisions with respect to positions for which a numerically based selection process is not used; providing for preference for certain veterans with service-connected disabilities; deleting provisions for rules; amending s. 295.101, F.S.; revising provisions with respect to the expiration of employment preference; amending s. 295.11, F.S.; revising provisions with respect to investigative findings; deleting reference to the Department of Management Services and providing reference to the Department of Veterans Affairs; amending s. 295.14, F.S.; revising provisions with respect to penalties; repealing s. 295.151, F.S., relating to the application of ch. 78-372, Laws of Florida, with respect to point preference to certain persons in applying for employment; creating s. 295.155, F.S.; providing that military retirement on the basis of longevity does not disqualify a person from veterans' employment preference; providing an effective date.

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

By Senator Turner—

SB 732—A bill to be entitled An act relating to road designation; designating a portion of State Road 9 (N.W. 27 Ave.) and N.W. 54 Street in Dade County as the Brownsville Commercial District; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Turner—

SB 734—A bill to be entitled An act relating to youth employment; creating the "Florida Comprehensive Youth Employment Act"; requiring that each state agency having an annual budget of \$1,000,000 or more include a separate budget category for youth employment; providing a portion of such budget category for the employment of minority youths; providing an effective date.

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

By Senator Turner—

SB 736—A bill to be entitled An act relating to the WAGES Program; amending s. 414.065, F.S.; revising the conditions under which a single custodial parent who is unable to obtain child care may remain eligible for assistance under the program; providing an effective date.

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

By Senator Turner—

SB 738—A bill to be entitled An act relating to adult family-care homes; amending s. 400.621, F.S.; providing for rules relating to respite care; amending s. 400.6211, F.S.; requiring the Department of Elderly Affairs to inform providers of financial assistance that may be available to certain residents; creating s. 400.626, F.S.; providing for waivers to enable residents to age in place; requiring a report; providing for renewal or revocation of waivers; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Dudley—

SB 740—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.

By Senator Dudley—

SB 742—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.

By Senator Dudley—

SB 744—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.

By Senators Clary, Horne, Grant, Brown-Waite, Ostalkiewicz and Cowin—

SB 746—A bill to be entitled An act relating to informed consent; creating s. 390.003, F.S.; creating the “Woman’s Right-To-Know Act”; requiring the voluntary and informed consent of a woman upon whom a termination of pregnancy is to be performed or induced; providing requirements of informed consent; providing that a physician who is to perform the procedure, or the physician’s designee, provide certain information by a prescribed deadline; requiring written certification that the pregnant woman has been provided with certain information; providing requirements relating to an emergency procedure; providing for disciplinary actions; limiting the civil liability of a physician who complies with this section; providing an effective date.

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

By Senator Gutman—

SB 748—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “termination” for Deferred Retirement Option Program participants; defining the term “DROP participants”; amending s. 121.091, F.S.; specifying benefits may be payable to a participant’s Deferred Retirement Option Program; specifying that the option selection for payment of benefits shall be final at the time a benefit payment is assigned to the Deferred Retirement Option Program; specifying death benefits applicable to Deferred Retirement Option Program participants; specifying employment after retirement limitations applicable to Deferred Retirement Option Program participants; providing overview of the Deferred Retirement Option Program; providing eligibility criteria; providing for procedures for election of participation; providing for benefits payable; providing for death benefits; providing for a cost-of-living adjustment; specifying health insurance subsidy payments are not payable; specifying Deferred Retirement Option Program participation does not qualify as renewed membership; providing limitations on employment after participation; specifying con-

tribution rates; specifying Deferred Retirement Option Program participation does not exempt such participants from the forfeiture of benefits under the provisions of ss. 112.3173 and 121.091(5), F.S.; providing for administration of the program; providing a declaration of important state interest; providing a contingent effective date.

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

By Senators Latvala, Brown-Waite, Kurth, Dudley, Grant, Crist, Lee, Cowin, Sullivan, Dyer, McKay, Myers, Campbell, Dantzler and Burt—

SB 750—A bill to be entitled An act relating to mobile homes; amending s. 723.003, F.S.; defining the term “pass-on charge”; amending s. 723.035, F.S.; prohibiting certain mobile home park rules and regulations; amending s. 723.037, F.S.; requiring a mobile home park owner to disclose material factors that justify a change in rentals, services, utilities, or rules; amending s. 723.0381, F.S.; deleting court-ordered arbitration; amending s. 723.063, F.S.; providing for the participation of mobile home owners’ associations in certain legal actions; amending s. 723.071, F.S.; providing conditions for the sale of mobile home parks to mobile home owners; revising the definition of the term “affiliate”; amending s. 723.083, F.S.; removing other suitable facilities from governmental action affecting removal or relocation of mobile home owners; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Crist—

SB 752—A bill to be entitled An act relating to elections; amending s. 101.62, F.S.; revising the deadline for mailing absentee ballots to absent qualified electors overseas; providing an effective date.

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

By Senator Childers—

SB 754—A bill to be entitled An act relating to the Florida Americans With Disabilities Accessibility Implementation Act; repealing s. 553.509, F.S.; relating to vertical accessibility; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Holzendorf—

SB 756—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; amending s. 470.002, F.S.; redefining the term “legally authorized person”; amending s. 470.0085, F.S.; requiring certain students to register with the Department of Business and Professional Regulation; amending s. 470.009, F.S.; revising licensure requirements; amending s. 470.015, F.S.; revising education requirements for license renewal; amending s. 470.018, F.S.; revising continuing education requirements; amending s. 470.024, F.S.; prohibiting certain colocated funeral establishments; providing exceptions; requiring relicensure of establishments following ownership changes; amending s. 470.029, F.S.; setting deadlines for reports; amending s. 470.294, F.S.; providing for reliance on certain representations by legally authorized persons; amending s. 470.0301, F.S.; providing registration requirements for central embalming facilities; providing fees; creating ss. 470.0315, 470.0325, F.S.; providing for the storage, preservation, and shipment of human remains; establishing criteria; creating s. 470.0355, F.S.; providing for the identification of human remains; providing an effective date.

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

By Senator Crist—

SB 758—A bill to be entitled An act relating to civil actions; amending s. 776.085, F.S.; prohibiting recovery for damages by a person who, with criminal intent, has entered another's property or committed a crime against another's person or property; providing exceptions; providing for nonapplicability of specified provisions when the person committing or attempting to commit the crime has "clearly retreated," as defined, from the criminal activity; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Crist—

SB 760—A bill to be entitled An act relating to boating; creating s. 327.511, F.S.; requiring propeller guards on motorboats operated on the waters of this state; providing an exception; providing for the adoption of rules; amending s. 327.73, F.S.; providing penalties; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Crist—

SB 762—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Keep Kids Drug-Free license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

By Senator Crist—

SB 764—A bill to be entitled An act relating to illegal drug dealers; creating the Drug Dealer Liability Act; providing a purpose; providing definitions; providing liability for participation in the illegal drug market; providing for recovery of damages; limiting recovery of damages under certain circumstances; providing third-party liability; providing for joinder of parties; providing for comparative responsibility of individual drug users; providing for contribution among defendants; providing a standard of proof; providing for prejudgment attachment and execution on judgments; providing a statute of limitations; providing for the representation of governmental agencies and for stays of actions; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Health Care—

SB 766—A bill to be entitled An act relating to volunteer health care providers; amending s. 766.1115, F.S.; revising legislative findings and intent with respect to sovereign immunity for health care providers that provide free medical services; revising definitions; redefining the term "low-income" to remove application of the act to persons who are eligible for Medicaid; deleting obsolete dates; revising terminology to reflect the transfer of duties to the Department of Health and the Agency for Health Care Administration; deleting alternative notice provisions that apply to federally funded community health centers; abrogating the repeal of s. 766.1115, F.S., as it appears in s. 1 of chapter 92-278, Laws of Florida; providing effective dates.

—was referred to the Committee on Health Care.

By Senators Williams, Kirkpatrick and Bronson—

SB 768—A bill to be entitled An act relating to ecosystem management; creating s. 403.075, F.S.; providing legislative findings; creating s. 403.0751, F.S.; providing definitions; creating s. 403.0752, F.S.; autho-

rizing ecosystem management unit agreements; authorizing ecosystem management unit advisory teams; providing an effective date.

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

By Senator Williams—

SB 770—A bill to be entitled An act relating to insurance; amending ss. 624.425, 624.428, 624.478, and 626.112, F.S.; requiring agents to be appointed; amending s. 624.426, F.S.; exempting United States Customs surety bonds from the resident agent and countersignature law; amending s. 624.501, F.S.; clarifying application of fees for title insurance agents; amending s. 626.022, F.S.; providing for applicability of ch. 626, F.S.; amending s. 626.051, F.S.; revising a definition; amending s. 626.062, F.S.; conforming a cross-reference; amending ss. 626.141, 626.171, 626.181, 626.211, 626.221, 626.266, 626.281, 626.311, 626.511, 626.521, 626.561, 626.601, 626.611, 626.621, 626.641, 626.651, 626.727, 626.730, 626.732, 626.733, and 626.877, F.S.; including customer representatives within and deleting claims investigators from application of certain provisions; excluding solicitors; authorizing the department to secure a credit and character report on certain persons; providing limits; providing requirements of the department; amending s. 626.451, F.S.; requiring law enforcement agencies, the state attorney's office, and court clerks to notify the department of agents found guilty of felonies; amending s. 626.201, F.S.; providing for interrogatories before reinstatement; amending s. 626.321, F.S.; authorizing persons who hold a limited license for credit insurance to hold certain additional licenses; amending s. 626.331, F.S.; requiring licensure of certain agents for certain appointments; providing that an appointment fee is not refundable; amending s. 626.342, F.S.; prohibiting furnishing supplies to certain agents; amending s. 626.541, F.S.; specifying names and addresses required of certain personnel of corporations; amending s. 626.592, F.S.; revising provisions relating to designation of primary agents; amending s. 626.681, F.S.; providing for administrative fines in addition to certain actions; increasing such fines; applying administrative fine provisions to certain approved persons; amending s. 626.691, F.S.; authorizing the department to place certain persons on probation in addition to suspending, revoking, or refusing to renew a license or appointment; creating s. 626.692, F.S.; providing for restitution under certain circumstances; amending s. 626.7351, F.S.; specifying additional qualifications for a customer representative's license; amending s. 626.739, F.S.; specifying a temporary license as general lines insurance agent; amending s. 626.741, F.S.; authorizing the department to issue a customer representative license to certain persons; providing a limitation; providing procedures for agent licensure of certain persons under certain circumstances; providing for cancellation of a nonresident agent's license; amending ss. 626.792 and 626.835, F.S.; providing procedures for issuing a resident agent's license to certain persons; amending s. 626.837, F.S.; clarifying conditions of placing certain excess or rejected risks; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8417, F.S.; revising the qualifications for licensure as a title insurance agent; amending s. 626.8418, F.S.; increasing the amount of the deposit or bond of a title insurance agency; specifying that the bond of a title insurance agency must be posted with the department and must inure to the benefit of damaged insurers and insureds; amending ss. 626.8437 and 626.844, F.S.; clarifying application of grounds for refusal, suspension, or revocation of license or appointment; amending s. 626.8443, F.S.; providing additional limitations on activities during suspension or after revocation of a license; amending s. 626.852, F.S.; providing for applicability; amending s. 626.858, F.S.; revising a definition; amending s. 626.869, F.S.; requiring certain continuing education courses; clarifying requirements of such courses; amending s. 626.8695, F.S.; providing for notice to the department; requiring designation of primary adjuster on forms prescribed by the department; amending s. 626.872, F.S.; prohibiting the department from issuing a temporary adjuster's license to certain persons; amending s. 626.873, F.S.; providing procedures for licensing certain persons as resident adjusters; providing for cancellation of nonresident adjuster's license; amending ss. 626.927, 626.9271, 626.929, 626.935, and 626.944, F.S.; requiring appointment in addition to licensure of certain persons; amending s. 627.745, F.S.; clarifying a provision related to final examination; revising administration of the auto mediation program; amending s. 634.011, F.S.; revising a definition; amending ss. 634.171 and 634.420, F.S.; clarifying application of accountability provisions; amending s. 634.317, F.S.; providing for responsibility and accountability of sales representatives; repealing s. 626.112(6), F.S.,

relating to licensing of claims investigators; repealing s. 626.532, F.S., relating to insurance vending machine licenses; repealing s. 626.857, F.S., relating to the definition of "claims investigator"; providing an effective date.

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

By Senator Crist—

SB 772—A bill to be entitled An act relating to homestead property; amending s. 193.155, F.S.; prescribing guidelines and limitations on when the property appraiser may increase the assessed value of property that is subject to homestead exemption; providing an effective date.

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

By Senators Cowin, Gutman and Silver—

SB 774—A bill to be entitled An act relating to sexual battery; authorizing the court to sentence a defendant to be treated with medroxyprogesterone acetate (MPA) if the defendant is convicted of sexual battery; providing for mandatory treatment with medroxyprogesterone acetate (MPA) upon a subsequent conviction of sexual battery; providing for voluntary physical castration as an alternative penalty under specified circumstances; defining prior convictions; prohibiting the failure or refusal to appear for or allow the administration of medroxyprogesterone acetate (MPA); providing for severability of provisions held invalid; providing penalties; providing an effective date.

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

By Senators Cowin, Bronson, Diaz-Balart, Kirkpatrick, Harris, Clary, Myers, Forman, McKay, Latvala, Holzendorf, Jones, Turner, Lee, Dudley, Jenne, Sullivan, Grant, Horne, Klein, Silver, Gutman, Burt, Brown-Waite and Campbell—

SB 776—A bill to be entitled An act relating to the distribution of lottery proceeds; amending s. 24.121, F.S.; amending provisions relating to the distribution of the proceeds that are transferred annually to the Educational Enhancement Trust Fund; allowing local school boards to determine how the local portion of such funds is to be used; repealing certain requirements for using such funds; requiring public notice and a public hearing; amending ss. 229.592, 230.23, F.S., to conform; providing an effective date.

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

By Senator Lee—

SB 778—A bill to be entitled An act relating to school buses; amending s. 316.172, F.S.; providing additional penalties for passing to the right side of a school bus which is displaying a stop signal; providing for warning lights pursuant to rule of the State Board of Education; amending s. 318.18, F.S.; providing a fine for illegally passing to the right side of a school bus; amending s. 318.19, F.S.; providing a mandatory hearing for illegally passing to the right side of a school bus; providing an effective date.

—was referred to the Committee on Transportation.

By Senators Holzendorf, Hargrett, Turner, Casas, Diaz-Balart, Thomas, Dudley, Harris, Jenne, Kurth and Klein—

SB 780—A bill to be entitled An act relating to economic development; creating ss. 212.098, 212.097, F.S.; creating the Rural Job Tax Credit

Program and the Urban High-Crime Area Job Tax Credit Program; amending ss. 220.02, 220.13, F.S.; conforming provisions; creating s. 220.189, F.S.; allowing credit for the Rural Job Tax Credit Program and the Urban High-Crime Area Job Tax Credit Program; providing an effective date.

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

By Senator Burt—

SB 782—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; deleting a limitation on the amount of the tax exemption allowed on certain items of tangible personal property used to increase business output; providing for the exemption to apply if the use of such tangible personal property improves the environment; removing a provision that prevents an exemption for industrial machinery and equipment purchased for use in new or expanding businesses from applying to certain publishing firms; providing an effective date.

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

By Senator Ostalkiewicz—

SB 784—A bill to be entitled An act relating to special districts; requiring certain special districts to conduct a referendum on their continued existence and certify the results to the Legislature; requiring certain special districts to obtain the approval of their electors before imposing or raising taxes; providing an effective date.

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

By Senators Sullivan, Kirkpatrick, Grant, Horne, Williams, Ostalkiewicz, Bronson and Turner—

SB 786—A bill to be entitled An act relating to high school athletics; directing the public schools to operate a nonprofit organization to govern high school athletic programs; providing for the structure, duties, and responsibilities of the organization; providing an effective date.

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

By Senators Thomas, Williams, Childers, Dantzler and Clary—

SB 788—A bill to be entitled An act relating to water resources; creating the Apalachicola-Chattahoochee-Flint River Basin Compact; providing for enactment by certain state legislatures and the United States Congress; providing purposes; providing scope; providing parties; providing definitions; providing for legal viability; creating the Apalachicola-Chattahoochee-Flint River Basin Commission; providing for appointments, organization, powers, and duties; providing for development of an allocation formula for the equitable apportionment of surface waters; providing for termination of the compact; providing for completion of certain water resource studies; providing for relationship of the compact to other laws; providing for public participation; providing for funding of the commission's operations; providing procedures for resolution of disputes; providing for enforcement actions; providing for inapplicability to other stream systems; preserving certain water-use rights within a member state; providing agreements regarding water quality; providing for effect of underuse of a state's water allocation; providing severability; providing for notice of ratifications; requiring signatures to and recording of compact; providing an effective date.

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

By Senators Forman, Grant, Myers, Casas and Turner—

SB 790—A bill to be entitled An act relating to human rights; creating s. 402.164, F.S.; providing legislative intent with respect to the duties and powers of the Statewide Human Rights Advocacy Committee and the district human rights advocacy committees; defining the term “state agencies” for purposes of ss. 402.164-402.167, F.S.; providing for the Statewide Human Rights Advocacy Committee to monitor the activities of, and investigate complaints against, the Department of Children and Family Services, the Department of Health, the Department of Elderly Affairs, the Department of Juvenile Justice, and the Agency for Health Care Administration; amending s. 402.166, F.S.; requiring that the district human rights advocacy committees create juvenile justice subcommittees; providing additional training requirements for members appointed to the juvenile justice subcommittees; revising the duties of the district human rights advocacy committees to conform to the expanded duties of the statewide committee; amending s. 402.167, F.S.; providing rulemaking authority to the state agencies subject to investigation by the human rights advocacy committees; providing an effective date.

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

By Senator Diaz-Balart—

SB 792—A bill to be entitled An act relating to career and adult education; amending s. 240.301, F.S.; amending the mission and responsibilities of community colleges to authorize them to provide adult education services and career education; repealing s. 239.109, F.S., relating to career and adult education interinstitutional articulation agreements; providing an effective date.

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

By the Committee on Banking and Insurance—

SB 794—A bill to be entitled An act relating to property insurance; amending s. 627.351, F.S.; providing standards for membership in the Florida Windstorm Underwriting Association; providing exclusions from membership; providing definitions; requiring retention of profits; providing for participation in regular assessments by member insurers; providing for membership on the board of directors; providing for term of office of certain board members; providing for regular assessments; prohibiting credits, exemptions, limitations, deferment, or other relief from participation in emergency assessments collected from policyholders; conforming references; creating a limitation upon an assessment; providing for participation in emergency assessments; providing for the financing of bond issues or other indebtedness; providing for market equalization surcharges; authorizing local government to issue bonds and pay for fund reimbursement; authorizing limited apportionment for companies writing a specified percentage of the total countrywide property insurance premiums in this state; providing for rates of the association; requiring underwriting criteria; providing standards for eligibility of new and covered risks; providing for establishment of operational procedures; providing for a notice to be placed in the association policy; authorizing the establishment of a partnership, a trust, and a limited liability company; providing for certain powers; providing legislative intent; providing for the protection of creditors; providing immunity from liability; providing for membership in the Residential Property and Casualty Joint Underwriting Association; providing definitions; providing for the payment of regular assessments; requiring participation in emergency assessments collected from policyholders without credit, limitation, deferment, or exemption; creating a limitation upon an assessment; providing technical corrections; providing for agent commissions; providing for a market equalization surcharge; authorizing different eligibility requirements and operational procedures of operation; providing for rates; authorizing local governments to issue bonds; limiting credits, limitations, exemptions, or deferments from regular assessments for a period of time; authorizing the sale of revenue bonds; amending s. 627.3511, F.S.; providing for the cancellation of policies; providing terms for the payment for the removal of policies; providing definitions; allowing for deduction of acquisition costs; providing for exemptions and credits for a limited period of time from regular assessments but not emergency assessments; providing terms for replacement of policies;

making technical corrections; providing for the ownership of escrow accounts; expanding the condominium association take-out plan to all commercial residential policies; providing terms for the take-out plan; providing terms for the assumption of policies; providing for the calculation of regular and emergency assessments for certain insurers; amending s. 624.4071, F.S.; providing that policyholders of special purpose homeowner insurance companies are subject to emergency assessments; amending s. 624.424, F.S.; prescribing a time period for insurers to use certain accountants; amending s. 626.752, F.S.; deleting the role of the market assistance plan in the removal of policies from the Residential Property and Casualty Joint Underwriting Association; amending s. 627.701, F.S.; providing for certain offers up to a specified deductible; conforming cross-references; providing an effective date.

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

By Senator Lee—

SB 796—A bill to be entitled An act relating to criminal sentencing; amending s. 775.021, F.S., relating to rules of construction of the Florida Criminal Code; providing for imposition of consecutive sentences notwithstanding specified provisions relating to habitual offenders; providing for imposition of consecutive mandatory minimum terms of incarceration, limitations on release, and other mandatory minimum punishments; reenacting ss. 790.1615(3), 806.031(3), F.S., relating to penalties for unlawful throwing, projecting, placing, or discharging of destructive device or bomb that results in injury to another, and relating to penalties for arson resulting in injury to another, to incorporate the amendment in references thereto; providing an effective date.

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

By Senator Clary—

SB 798—A bill to be entitled An act relating to instructional materials; amending s. 233.07, F.S.; deleting obsolete language relating to state instructional materials committee appointments; conforming provisions relating to committee meetings; amending s. 233.09, F.S.; revising provisions relating to evaluation of instructional materials by state instructional materials committees; deleting obsolete provisions; amending s. 233.11, F.S.; conforming language relating to committee procedures; amending s. 233.16, F.S.; authorizing a publisher or manufacturer to provide a cash deposit in lieu of a bond; revising provisions relating to preservation of contracts; amending s. 233.18, F.S.; revising requirements for specimen copies of instructional materials; amending s. 233.25, F.S.; revising requirements for samples of nonprint instructional materials; revising requirements of publishers or manufacturers relating to description of instructional materials; conforming provisions; amending ss. 233.46 and 233.47, F.S.; providing additional penalties for lost or damaged books; deleting obsolete provisions; providing an effective date.

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

By Senator Latvala—

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; providing an effective date.

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

By Senators Silver, Grant and Thomas—

SB 802—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “special risk

member” to include any member employed as an assistant state attorney; providing an effective date.

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

By Senator Clary—

SB 804—A bill to be entitled An act relating to marine net fishing; amending s. 370.01, F.S.; defining the terms “netting material” and “net” for constitutional, statutory, and administrative law purposes; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Grant—

SB 806—A bill to be entitled An act relating to eminent domain; amending s. 73.0511, F.S.; providing for a written offer of settlement as part of the prelitigation notice; amending s. 73.071, F.S.; providing that the jury must determine full compensation in eminent domain actions; providing for consideration of business damages; providing for the determination of compensation in inverse condemnation proceedings; providing for consideration of mitigation by a property owner; providing for construction of the term “property”; creating s. 74.0205, F.S.; providing for presuit negotiations; creating s. 74.042, F.S.; providing for mandatory nonbinding mediation prior to the order of taking hearing; amending s. 337.271, F.S.; providing for the simplification of the acquisition negotiation process; providing an effective date.

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

By Senator Grant—

SB 808—A bill to be entitled An act relating to small business employment incentives; providing for issuing tax credit vouchers; requiring the Department of Revenue to develop forms and procedures; limiting the availability of the credit vouchers; providing an effective date.

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

By Senator Grant—

SB 810—A bill to be entitled An act relating to health care responsibility; directing the Agency for Health Care Administration to convene a task force on The Florida Health Care Responsibility Act of 1988; providing for membership; specifying topics for task force study; requiring a report; providing agency duties; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Grant—

SB 812—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing an exemption for the Gasparilla Distance Classic Association, Inc., in specified circumstances; providing an effective date.

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

By Senators Grant, Williams, Childers, Casas and Thomas—

SB 814—A bill to be entitled An act relating to motor vehicle and casualty insurance; amending s. 627.728, F.S.; prescribing notice re-

quirements relating to nonpayment of premiums; amending s. 627.7295, F.S.; revising certain per-policy fees; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Grant—

SB 816—A bill to be entitled An act relating to the Insurance Commissioner; amending s. 20.13, F.S.; transferring responsibilities of head of the Department of Insurance from the State Treasurer to an appointed Insurance Commissioner; amending s. 14.24, F.S.; transferring responsibility for making an appointment; amending ss. 48.151, 175.032, 175.141, 185.12, 215.02, 215.58, 238.15, 240.551, 284.41, 554.105, 607.0501, 617.0501, 624.305, 624.319, 624.321, 624.422, 624.423, 624.502, 624.506, 624.523, 626.2815, 626.742, 626.906, 626.907, 626.912, 626.937, 626.9912, 626.9916, 627.944, 627.948, 628.461, 628.4615, 629.401, 634.151, 634.161, 641.19, 641.402, 641.454, 651.125, F.S., to conform terminology to the change made by this act; providing an effective date.

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

By Senators Grant and Lee—

SB 818—A bill to be entitled An act relating to the administration of trusts and estates; amending s. 689.225, F.S.; providing a statement of the rule against perpetuities; amending s. 709.08, F.S.; authorizing certain corporations to serve as an attorney in fact; amending s. 733.707, F.S.; defining the term “right of revocation” with respect to the order of payment of expenses and obligations of an estate; amending s. 737.111, F.S.; revising language with respect to execution requirements for express trusts; providing for the application of the section; amending s. 737.2041, F.S., relating to trustee’s attorney’s fee; revising procedures for determining attorney’s fees; providing for determining fees for an attorney who is retained for limited services; revising the list of services that constitute ordinary services in an initial trust administration; deleting an exception from the applicability of presumptive fees for a corporate fiduciary that serves as a trustee or cotrustee; amending s. 737.303, F.S.; revising language with respect to the duty of the trustee to inform and account to beneficiaries to require information to the grantor with respect to certain trusts; amending s. 733.817, F.S.; revising provisions of law with respect to the apportionment of estate taxes; amending s. 738.12, F.S.; providing conditions under which a trust beneficiary is considered an income beneficiary; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Klein and Turner—

SB 820—A bill to be entitled An act relating to veterans; amending s. 295.17, F.S.; eliminating the requirement of renewing identification cards; eliminating a service charge; providing an effective date.

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

By Senators Klein and Forman—

SB 822—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; authorizing the department to use certain funds to promote public health; providing the department with greater flexibility in budget expenditures; amending s. 110.131, F.S., relating to temporary employment of health care practitioners, s. 216.341, F.S., relating to disbursement of county health unit trust funds, s. 395.401, F.S., relating to trauma services, ss. 401.111, 401.117, F.S., relating to emergency medical services grants, ss. 401.23, 401.245, 401.265, F.S., relating to emergency medical services, s. 402.60, F.S., relating to emergency treatment for insect stings, to conform to the reorganization of the Department of Health and Rehabilitative Services and to conform other terminology to statutory usage; transferring pow-

ers, duties, functions, and assets of the Agency for Health Care Administration relating to rural health networks and local health councils to the Department of Health; amending ss. 945.602, 945.603, 945.6031, 945.6032, F.S.; transferring the Correctional Medical Authority from the Department of Corrections to the Department of Health; prescribing duties of the authority and both departments; providing an effective date.

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

By Senator Horne—

SB 824—A bill to be entitled An act relating to community colleges; creating s. 240.383, F.S.; establishing the State Community College System Facility Enhancement Challenge Grant Program to aid community colleges in building high priority instructional and community-related capital facilities; providing for deposit of funds; requiring a capital facilities matching account within the direct-support organization of each community college to provide matching funds from private contributions; providing for matching appropriations; providing eligibility requirements; providing guidelines; providing for disbursement of unexpended funds; providing for naming of facilities; providing an effective date.

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

By Senator Horne—

SB 826—A bill to be entitled An act relating to trust funds; creating the Community College Capital Facilities Matching Trust Fund within the Department of Education, to be administered by the State Board of Community Colleges; providing for source of moneys and purposes; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

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

By Senator Bronson—

SB 828—A bill to be entitled An act relating to motor vehicle equipment requirements; repealing ss. 325.221, 325.222, 325.223, F.S., relating to legislative findings and intent with respect to reduction of emission and recovery and recycling of chlorofluorocarbons and halons from motor vehicle air conditioners, definition of terms, training and certification requirements with respect to installation and use of refrigerant recycling equipment and establishments and personnel recovering and recycling used refrigerants from motor vehicle air conditioners, requirements for the sale and distribution of refrigerant and reclaimed refrigerant, certification and renewal fees, and penalties and fees for violation and noncompliance; providing an effective date.

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

By Senator Bronson—

SB 830—A bill to be entitled An act relating to water and wastewater systems; amending s. 367.022, F.S.; providing an exemption from regulation by the Public Service Commission as a utility and from the provisions of ch. 367, F.S., for the sale for resale of bulk supplies of water to governmental authorities or specified utilities; providing an effective date.

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

By Senator Ostalkiewicz—

SB 832—A bill to be entitled An act relating to special districts; requiring each special district that has the power to levy taxes or special assessments to elect the members of its governing body; prescribing requirements for such elections; providing for expiration of terms of office of present, nonelected district governing body members; providing an effective date.

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

By Senators Brown-Waite, Myers, Dudley, Silver and Rossin—

SB 834—A bill to be entitled An act relating to health care service programs; amending s. 641.315, F.S.; providing additional criteria for certain provider contracts; amending s. 641.3903, F.S.; prohibiting health maintenance organizations from taking certain retaliatory action against providers of health care services; requiring that the governing body of a managed care plan provide notice and the opportunity for a hearing before terminating or failing to renew the contract of a health care provider; providing certain exceptions; providing notice requirements; providing requirements for the hearing panel appointed by the managed care plan; requiring that the governing body of the managed care plan render a final decision within a specified time; providing an effective date.

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

By Senators Forman, Dudley, Childers, Williams and Holzendorf—

SB 836—A bill to be entitled An act relating to hospitals and ambulatory surgical centers; amending s. 395.0191, F.S.; prohibiting such facilities from denying staff membership or clinical privileges to optometrists based solely on their licensure as such; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Holzendorf—

SB 838—A bill to be entitled An act relating to the Florida Preservation 2000 Program; amending ss. 259.032 and 373.59, F.S.; revising provisions which authorize certain counties to receive payments in lieu of taxes from funds in the Conservation and Recreation Lands Trust Fund or Water Management Lands Trust Fund for tax losses incurred as a result of acquisitions under the program, to reduce the percentage of tax loss required as a qualification for such payments; providing an effective date.

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

By Senator Holzendorf—

SB 840—A bill to be entitled An act relating to workers' compensation and employer's liability insurance; amending s. 627.072, F.S.; prescribing a minimum value that may be placed on margin for profit and contingencies when determining and fixing rates for such insurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dudley—

SB 842—A bill to be entitled An act relating to liens; amending s. 255.05, F.S.; including unpaid finance charges due under a claimant's contract among charges which may be assessed against certain contractors' bonds; revising language with respect to the timeframe for notice of intent to look to such a bond for recovery; providing for the time period

for notice of nonpayment; amending s. 713.06, F.S.; providing for service of notice of commencement rather than mailing with respect to liens of persons not in privity; amending s. 713.132, F.S.; providing that an owner may not record a notice of termination except after completion of construction; amending s. 713.135, F.S.; requiring certain applicants for building permits to file certain information with the issuing authority; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Gutman—

SJR 844—A joint resolution proposing amendments to Sections 3 and 4 of Article VII and the creation of Section 22 of Article XII of the State Constitution, relating to local option ad valorem tax exemption for, and assessment of, certain historic properties, to remove a requirement that the owner must be renovating the property, and to allow local governments to provide by ordinance for assessments of such property to be based on character or use.

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

SR 846—Not referenced.

By Senator Campbell—

SB 848—A bill to be entitled An act relating to mastectomies; amending ss. 627.6417, 627.6612, 627.6699, 641.31, F.S.; requiring health insurance policies and contracts to provide coverage for mastectomies; prohibiting such policies and contracts from imposing certain limitations on coverage for hospital stays under certain circumstances; creating ss. 627.64175, 627.6614, 641.30198, F.S.; providing requirements and prohibitions for insurers and health maintenance organizations relating to breast cancer coverage; amending ss. 627.651 and 627.6515, F.S.; conforming application provisions to include certain cross-references; providing an effective date.

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

By Senator Campbell—

SB 850—A bill to be entitled An act relating to offenses that evidence prejudice; amending s. 775.085, F.S.; providing enhanced penalties for offenses that show evidence of prejudice against the victim, based on the victim's mental retardation, mental or physical disability, or advanced age; providing definitions; providing an effective date.

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

By Senator Childers—

SB 852—A bill to be entitled An act relating to building designations; designating and naming the Children's Medical Services facility currently under construction at 5192 Bayou Boulevard in the City of Pensacola, Escambia County, as the "Dr. Reed Bell and Dr. John H. Whitcomb Building"; directing the Department of Management Services to erect suitable markers; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Bronson—

SB 854—A bill to be entitled An act relating to state lands; amending s. 253.68, F.S.; deleting a requirement that precludes the Board of Trustees of the Internal Improvement Trust Fund from granting a lease for

aquaculture activities in areas objected to by resolution of the county commission; providing an effective date.

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

By Senator Dyer—

SB 856—A bill to be entitled An act relating to judgments; amending s. 55.03, F.S.; clarifying the rate of interest to be paid on judgments; providing an effective date.

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

By Senator Sullivan—

SB 858—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; providing for the funding of specified postsecondary scholarship programs from the Educational Enhancement Trust Fund; amending s. 232.2465, F.S., relating to Florida Academic Scholars; conforming provisions relating to award of scholarships; amending s. 239.217, F.S., relating to the Florida Gold Seal Vocational Endorsement Program; revising provisions relating to eligibility requirements; amending s. 240.402, F.S., relating to the Florida Undergraduate Scholars' Program; revising eligibility requirements; revising the amount of awards and reinstatement requirements; revising funding source; amending s. 240.4021, F.S., relating to the Vocational Gold Seal Endorsement Scholarship Program; revising eligibility, renewal, and reinstatement requirements; revising the amount of awards; amending s. 240.4024, F.S., relating to the Florida Postsecondary Tuition Program; revising eligible postsecondary institutions; revising provisions relating to the amount of awards; revising eligibility and renewal requirements; revising administrative procedures; requiring annual reports and audits; authorizing penalties for certain noncompliance; amending s. 240.404, F.S., relating to requirement for student eligibility for state financial aid; conforming provisions; providing an effective date.

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

By the Committee on Criminal Justice—

SB 860—A bill to be entitled An act relating to criminal justice; 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.; requiring the court to redetermine the indigency of a defendant represented by a public defender each time the defendant appears before the court; 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. 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 for developing a form to be used for determining the indigency of defendants who claim to be indigent; providing an effective date.

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

By Senator Dyer—

SB 862—A bill to be entitled An act relating to education; providing for a review over a 4-year period of the portions of the Florida School Code that govern the public schools; repealing chs. 228, 229, and 230, F.S., on July 1, 1998, and providing for prior legislative review; repealing chs. 232, 233, and 239, F.S., on July 1, 1999, and providing for prior legislative review; repealing chs. 231, 234, and 238, F.S., on July 1, 2000, and providing for prior legislative review; repealing chs. 235, 236, and 237, F.S., on July 1, 2001, and providing for prior legislative review; providing an effective date.

—was referred to the Committees on Education; Governmental Reform and Oversight; and Rules and Calendar.

By Senator Dyer—

SB 864—A bill to be entitled An act relating to community redevelopment and neighborhood improvement; amending s. 163.340, F.S.; including the reduction or prevention of crime within community redevelopment activities under the Community Redevelopment Act of 1969 and defining "community policing innovation"; amending ss. 163.345, 163.350, 163.356, 163.358, 163.360, 163.361, 163.370, 163.387, F.S.; including the development and implementation of community policing innovations in provisions relating to the encouragement of private enterprise participation in redevelopment, elements of the workable program, exercise of powers under the act, and elements of the community redevelopment plan; authorizing the county or municipality to appropriate funds for community policing innovations; authorizing use of moneys in the redevelopment trust fund for community policing innovations; providing an additional requirement for acquisition of land for nonresidential uses; amending ss. 163.502, 163.503, 163.506, 163.511, 163.512, 163.513, 163.514, 163.516, 163.519, 163.521, F.S.; including crime prevention through development and implementation of community policing innovations in powers of neighborhood improvement districts under the Safe Neighborhoods Act; authorizing use of special assessments for community policing innovations; including community policing innovations within safe neighborhood improvement plans; providing duties of the Department of Legal Affairs with respect to community policing innovations; including capital improvements related to community policing innovations in provisions which authorize certain local governments to request state funding for certain capital improvements; creating s. 943.1729, F.S.; authorizing the Criminal Justice Standards and Training Commission to incorporate community policing concepts into law enforcement officers' certification curriculum and establish a community policing continued-employment training component for such officers; providing an effective date.

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

By Senator Lee—

SB 866—A bill to be entitled An act relating to hearsay exceptions; amending s. 90.803, F.S.; providing an exception to the hearsay rule for certain statements concerning a violent act against a victim who is an elderly person or disabled adult; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Kirkpatrick—

SB 868—A bill to be entitled An act relating to education; transferring certain functions from the State Board of Education to the Commissioner of Education; amending s. 11.42, F.S., relating to the Auditor General; conforming a cross-reference; amending s. 20.15, F.S.; revising duties of the State Board of Education; providing for the Commissioner of Education rather than the State Board of Education to head the Department of Education; providing for the appointment of a Deputy Commissioner for Educational Programs; providing for the appointment of a Deputy Commissioner for Planning, Budgeting, and Management; providing for the Commissioner of Education rather than the State Board of Education to appoint the councils and committees within the

Department of Education; amending s. 228.03, F.S., relating to the scope of the state school system; amending s. 228.041, F.S.; granting the Commissioner of Education rulemaking authority for certain programs; amending s. 228.062, F.S.; requiring the commissioner to adopt rules to implement the migrant education program; amending s. 228.081, F.S.; requiring the State Board of Education and the department to provide certain assistance for educational programs of the Department of Juvenile Justice; amending s. 228.086, F.S., relating to regional centers of excellence in mathematics, science, computers, technology, and global awareness; deleting certain requirements; amending s. 228.088, F.S.; requiring the commissioner to adopt rules relating to utilization of security programs; amending s. 228.092, F.S., relating to retention of records of nonpublic school students; amending s. 228.195, F.S.; requiring the commissioner to prescribe rules for school food service programs; amending s. 228.301, F.S.; providing for security of tests administered by commissioner; amending s. 228.502, F.S.; requiring the commissioner to adopt rules for administration of Education Success Incentive program; amending s. 229.011, F.S.; revising certain functions of the state with respect to public education; amending s. 229.053, F.S.; revising the powers and duties of the State Board of Education; requiring the State Board of Education to establish a clearinghouse for information on economic development; amending s. 229.085, F.S., relating to the custody of educational funds; amending s. 229.111, F.S.; providing for the Commissioner of Education to assume the duties of the State Board of Education with respect to the acceptance of gifts; amending s. 229.512, F.S.; revising the duties of the Commissioner of Education; creating s. 229.515, F.S.; authorizing the commissioner to adopt rules having the effect of law; amending s. 229.559, F.S., relating to the use of student's social security numbers; deleting obsolete provisions; amending s. 229.565, F.S.; deleting a requirement that the State Board of Education approve standards of excellence; deleting requirements for an evaluation of the Florida Primary Education Program; amending s. 229.57, F.S.; revising requirements of the student assessment program; amending s. 229.59, F.S.; requiring the commissioner to adopt rules relating to submission of educational improvement projects; amending s. 229.591, F.S.; deleting the name "Blueprint 2000"; amending s. 229.592, F.S., relating to school improvement and education accountability; deleting obsolete provisions; amending s. 229.593, F.S., relating to the Florida Commission on Education Reform and Accountability; amending s. 229.594, F.S.; deleting obsolete provisions; providing the commissioner's role in reviewing components of school improvement and accountability; amending ss. 229.75, 229.76, F.S.; revising duties of the State Board of Education to conform to changes made by the act; amending s. 229.771, F.S.; providing for removal from office by the State Board of Education; amending s. 229.805, F.S.; requiring provision of educational television in accordance with rules adopted by the commissioner; amending s. 229.8051, F.S.; requiring the commissioner to adopt rules for administration of the state public broadcasting system; amending s. 230.03, F.S.; providing commissioner's rulemaking authority regarding the district school system; amending s. 230.22, F.S.; providing commissioner's rulemaking authority regarding the operation of school districts; amending s. 230.23, F.S.; requiring the commissioner to prescribe rules for various programs of school districts; amending s. 230.2305, F.S., relating to the prekindergarten early intervention program; conforming a cross reference; amending s. 230.2316, F.S.; providing for rules of the commissioner relating to second chance schools and add-on certification programs; amending s. 230.23166, F.S.; requiring the commissioner to adopt rules to implement teenage parent program; amending s. 230.2318, F.S.; requiring the commissioner to adopt rules to implement the school resource officer program; amending s. 230.32, F.S.; providing commissioner's authority to adopt rules and to set minimum standards for school operational programs; amending s. 230.321, F.S.; providing commissioner's authority to prescribe duties of superintendents; amending s. 230.33, F.S.; providing commissioner's authority over superintendents; amending s. 230.64, F.S.; requiring the commissioner to prescribe minimum standards for area technical centers; amending s. 230.71, F.S.; requiring the commissioner to adopt rules implementing intergenerational school volunteer programs; amending s. 232.01, F.S.; requiring rules of the commissioner relating to school attendance; amending s. 232.23, F.S.; providing that procedures for maintenance and transfer of pupil records shall be as prescribed by rules of the commissioner; amending s. 232.2468, F.S.; authorizing the commissioner to adopt rules relating to graduation, habitual truancy, and dropout rates; amending s. 232.247, F.S.; requiring rules of the commissioner relating to special high school graduation requirements for exceptional students; amending s. 232.25, F.S.; requiring rules of the commissioner relating to pupils subject to the control of the school; amending s. 232.303, F.S.; authorizing the commissioner to adopt rules relating to interagency student

services; amending s. 232.435, F.S.; requiring the commissioner to approve courses relating to athletic trainers; amending s. 233.011, F.S.; authorizing the commissioner to develop rules to implement accountability provisions; amending s. 233.015, F.S.; requiring the commissioner to adopt rules for conducting purges of courses; amending s. 233.056, F.S.; requiring rules of the commissioner relating to operation of instructional programs for visually impaired students and deaf or hard-of-hearing students; amending s. 233.058, F.S.; requiring the commissioner to adopt rules for English language instruction for limited English proficient students; amending s. 233.061, F.S.; providing the commissioner authority to adopt rules prescribing required instruction; amending s. 233.067, F.S.; providing that administration of the comprehensive health education and substance abuse prevention program be pursuant to rules adopted by the commissioner; amending s. 233.115, F.S.; providing for adoption of instructional materials by the commissioner; amending s. 233.17, F.S.; authorizing the commissioner to approve by rule certain terms of adoption; amending s. 233.37, F.S.; providing for rules of the commissioner regarding the disposal of instructional materials; amending s. 233.39, F.S.; requiring the commissioner to prescribe rules for the renovation and repair of textbooks; amending s. 234.01, F.S.; providing for transportation of students pursuant to rules adopted by the commissioner; amending s. 234.02, F.S.; providing for rules of the commissioner for the safety and health of pupils being transported by the school district; amending s. 234.03, F.S.; providing for rules of the commissioner relating to tort liability; amending s. 234.051, F.S.; requiring the commissioner to prescribe safety specifications for school buses; amending s. 234.091, F.S.; requiring the commissioner to prescribe general qualifications for school bus drivers; amending s. 234.101, F.S.; requiring the commissioner to adopt requirements for school bus drivers; amending s. 234.301, F.S.; authorizing the commissioner to adopt rules for school bus pool purchases; amending s. 235.01, F.S.; requiring the commissioner to adopt rules for implementation of the Educational Facilities Act; amending s. 235.014, F.S.; requiring the commissioner to review and approve surveys and priority rankings for recommended educational facilities; amending s. 235.04, F.S.; requiring the commissioner to adopt rules for the disposal of real property; amending s. 235.056, F.S.; providing for commissioner's requirements for educational facilities; amending s. 235.06, F.S.; directing the commissioner to adopt and administer rules prescribing safety and health standards for occupants of educational facilities; amending s. 235.15, F.S.; providing for rules of the commissioner governing educational plant surveys and providing for approval of projects; amending s. 235.19, F.S.; directing the commissioner to adopt rules for site planning and selection; amending s. 235.211, F.S.; providing for the commissioner to set standards for educational facilities; amending s. 235.26, F.S.; requiring the commissioner to adopt the uniform building code for public educational facilities construction and granting the commissioner final review of questions, disputes, or interpretations of the uniform code; amending s. 235.31, F.S.; providing for rules of the commissioner relating to prequalification of bidders; amending s. 235.32, F.S.; providing for rules of the commissioner relating to building specifications; amending s. 235.435, F.S.; providing for rules of the commissioner relating to educational plant needs; amending s. 236.02, F.S.; providing for rules of the commissioner relating to reports, minimum term of operation of schools, employment of personnel, salary schedules, and budgets; amending s. 236.0801, F.S.; providing for commissioner approval of education goal; amending s. 236.081, F.S.; requiring rules of the commissioner relating to funding of public schools; amending s. 236.0811, F.S.; requiring rules of the commissioner relating to a school board's master plan for inservice educational training; amending s. 236.083, F.S.; requiring rules of the commissioner for determination of annual allocation for student transportation; amending s. 236.0841, F.S.; providing for rules of the commissioner regarding employment of certain personnel; amending s. 236.1225, F.S.; providing for rules of the commissioner for governing the gifted education grants program; amending s. 236.13, F.S.; providing for rules of the commissioner governing the expenditure of funds by school boards; amending s. 236.685, F.S.; providing for rules of the commissioner relating to teacher-to-student ratio or class size; amending s. 237.211, F.S.; requiring the commissioner to adopt rules prescribing minimum security standards for the direct deposit of funds; amending s. 237.40, F.S.; providing for rules of the commissioner relating to annual audit of direct-support organizations; amending s. 316.615, F.S.; providing for rules of the commissioner relating to physical examination requirements for school bus operators; providing that certain rules of the state board in effect June 30, 1997, shall remain in effect until amended or revoked; amending s. 237.40, F.S.; correcting a cross-reference; repealing s. 228.0617, F.S., relating to the school age childcare incentives program; repealing s. 228.085, F.S., relating to the state comprehensive

plan for mathematics, science, and computer education; providing an effective date.

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

By Senator Forman—

SB 870—A bill to be entitled An act relating to excise tax on documents; creating s. 201.032, F.S.; authorizing district school boards to levy an additional surtax on deeds and other instruments relating to real property and interests therein; providing procedures; providing for a public hearing; providing for use of the proceeds; authorizing pledge of the proceeds for bonds; providing that a school board may elect to receive surtax proceeds or certain impact fee proceeds; providing that certain impact fee programs are not repealed by this act; specifying effect on conflicting ordinances and laws; requiring a report; providing an effective date.

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

By Senators Forman, Gutman, Grant, Brown-Waite and Campbell—

SB 872—A bill to be entitled An act relating to trauma centers; amending s. 395.402, F.S.; providing legislative recognition of pediatric trauma referral centers; providing legislative intent regarding factors to be considered in devising planning guidelines; prescribing the number and types of patients to be treated at pediatric trauma referral centers; amending s. 395.4025, F.S.; providing for the selection of state-approved trauma centers and pediatric trauma referral centers; amending procedures for renewing verification; requiring the formation of a task force on pediatric trauma; providing for membership, duties, and responsibilities of the task force members; requiring a report to the Legislature; providing for the inapplicability of this act to certain pending cases; providing an effective date.

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

By Senator Dyer—

SB 874—A bill to be entitled An act relating to the solicitation of a minor to commit an offense; amending s. 777.04, F.S.; providing that it is a second-degree felony to solicit a minor to commit an offense prohibited by law; specifying elements of the offense; providing for ranking the offense for purposes of sentencing under the sentencing guidelines; requiring that a sentence of imprisonment imposed for the offense of soliciting a minor be served consecutively to any other sentence imposed for an offense committed during the course of the same criminal transaction; amending s. 921.0012, F.S., relating to the sentencing guidelines; providing for ranking the offense of soliciting a minor to commit an offense prohibited by law; providing an effective date.

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

By Senators Forman and Harris—

SB 876—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Sea Turtle license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

By Senator Latvala—

SB 878—A bill to be entitled An act relating to the Pinellas Police Standards Council, Pinellas County; amending ch. 72-666, Laws of Florida, as amended; prescribing purposes, membership, powers, and duties of the countywide police standards council; providing for screening applicants for public-safety positions; providing for continued funding of the council through a court cost; providing for fees from applicants for public-safety positions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Forman, Myers, Grant, Turner and Casas—

SB 880—A bill to be entitled An act relating to human rights; creating s. 402.164, F.S.; providing legislative intent with respect to the duties and powers of the human rights advocacy councils; amending s. 402.165, F.S.; redesignating the Statewide Human Rights Advocacy Committee as the Statewide Human Rights Advocacy Council; revising membership of the statewide council; increasing the term of appointment to the statewide council; providing for the statewide council to monitor the activities of, and investigate complaints against, the Department of Children and Family Services; amending s. 402.166, F.S.; redesignating the district human rights advocacy committees as the local human rights advocacy councils; providing for additional local councils to be established; increasing the term of appointment to a local council; providing for appointing a vice chairperson to each local council; providing for local councils to monitor the activities of, and investigate complaints against, the Department of Children and Family Services; amending s. 402.167, F.S.; revising provisions to reflect the redesignation of the human rights advocacy committees as human rights advocacy councils; amending ss. 393.13, 394.459, 394.4595, 394.4597, 394.4598, 394.4599, 394.4615, 400.0067, 400.0089, 400.419, 400.428, 415.1034, 415.104, 415.1055, 415.106, 415.107, 415.501, 415.505, 415.51, F.S.; conforming terminology to changes made by the act; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By the Committee on Commerce and Economic Opportunities—

SB 882—A bill to be entitled An act relating to private activity bonds; amending s. 159.804, F.S.; removing the expiration date on the allocation of the state volume limitation to the manufacturing facility bond pool; providing an effective date.

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

By Senator Brown-Waite—

SB 884—A bill to be entitled An act relating to confidentiality of records relating to practitioner profiles; providing that information obtained for the purpose of creating such profiles is exempt from public-records disclosure; providing findings of public necessity; providing an effective date.

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

By Senator Myers—

SB 886—A bill to be entitled An act relating to criminal justice officers; amending s. 112.532, F.S., relating to law enforcement officers' and correctional officers' rights; requiring certain notice to a law enforcement officer or correctional officer under internal investigation; providing a limitation with respect to the right to counsel or representation of the officer under investigation; repealing s. 112.533(3), F.S., relating to the offense of willful disclosure by a participant in an internal investigation of certain confidential information; amending s. 119.07, F.S., relating to inspection, examination, and duplication of public records; provid-

ing that the exemption from public records requirements for photographs of former or active law enforcement personnel is inapplicable in the case of arrested personnel; providing an effective date.

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

By Senator Rossin—

SB 888—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing for the release of records of the Department of Children and Family Services which pertain to the investigation of the death of a disabled adult, elderly person, or child as a result of abuse, neglect, exploitation, or abandonment; requiring that the department redact names and other identifying information in certain records; authorizing any person or organization, or the Department of Children and Family Services, to petition the court to prohibit public disclosure of such records; providing for a presumption that disclosure is in the public interest; revising provisions to reflect the creation of the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Governmental Reform and Oversight.

By Senator Rossin—

SB 890—A bill to be entitled An act relating to the financing of substance abuse and mental health services; amending s. 394.467, F.S.; requiring that an involuntary placement order be made to the appropriate facility or service if the department's contract provider is a managed care organization; amending s. 394.65, F.S.; making conforming changes; amending s. 394.66, F.S., broadening legislative intent; making conforming changes; amending 394.67, F.S.; adding definitions; making conforming changes; creating s. 394.674, F.S.; providing clinical and financial eligibility criteria for substance abuse and mental health services funded by the Department of Children and Family Services; requiring the Department of Children and Family Services to develop administrative rules; amending 394.675, F.S.; expanding comprehensive substance abuse and mental health services by adding acute care services and substance abuse services; deleting primary care services and preventive services; making conforming changes; amending 394.73, F.S.; deleting obsolete language regarding "planning council" and adding "board"; making conforming changes; amending 394.74, F.S.; expanding the list of entities with which the department may contract for substance abuse and mental health services; requiring that performance-based budgeting provisions be included in the contracts with provider agencies; deleting obsolete contracting provisions; making conforming changes; amending 394.75, F.S.; changing requirements related to the district substance abuse and mental health plan; requiring a plan every 5 years rather than biennially; deleting priority population groups; making conforming changes; amending s. 394.76, F.S.; deleting obsolete contracting provisions; adding provisions for managed care contracts, rate and purchase of service contracts, and start-up contracts; adding provisions for reinvestment plan; adding provisions for evaluating the performance of the service provider under contract with the Department of Children and Family Services; deleting obsolete contracting language; adding provisions for ownership of property of service providers whose contract is terminated or not renewed; amending s. 394.77, F.S.; providing for a penalty to be imposed on providers that fail to timely submit reports; requiring eligibility and enrollment systems; amending s. 394.78, F.S.; expanding rulemaking authority of the department to include service standards, quality assurance standards, service protocols, functional assessments, and client satisfaction standards for the substance abuse and mental health programs with which the department contracts; amending s. 394.79, F.S.; requiring an annual state plan for substance abuse and mental health services rather than a biennial plan; making conforming changes; amending 397.6818, F.S.; requiring that an involuntary court order for assessment and stabilization be made, when appropriate, to a licensed service provider that is under contract with a managed care organization; amending 397.697, F.S.; requiring that an involuntary treatment order be made, when appropriate, to a licensed service provider who is under contract with a managed care organization; amending s. 409.906, F.S.; revising the criteria for the provision of community mental health services under the Medicaid program; authorizing the agency to seek certain federal waivers; amending s. 409.912,

F.S.; modifying the licensure requirements of certain entities that provide mental health services under Medicaid; deleting a rulemaking requirement for the Department of Insurance; creating s. 636.0145, F.S.; exempting from certain regulatory requirements those prepaid limited health service organizations that serve only Medicaid clients; providing legislative findings; directing the Florida Mental Health Institute, in conjunction with certain agencies, to report to the Governor and the Legislature regarding the activities and resources necessary for developing an integrated behavioral health care data system; specifying report topics to be addressed; directing the Agency for Health Care Administration to review administrative costs related to providing certain managed behavioral health care services and to report its findings to the Governor and the Legislature by a specified date; directing the Department of Children and Family Services, in collaboration with others, to prepare a plan relating to the community placement of certain hospital patients and to submit a report to the Governor and the Legislature by a specified date; directing the Agency for Health Care Administration and the Department of Children and Family Services to develop a joint plan related to behavioral health services and to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Health Care; and Ways and Means.

By Senators Dudley, Grant, Horne, Campbell, Burt and Rossin—

SB 892—A bill to be entitled An act relating to the judiciary; amending s. 26.031, F.S.; increasing the number of judges for specified judicial circuits; amending s. 34.022, F.S.; increasing the number of judges for specified county courts; providing for the filling of vacancies occurring as a result of the creation of judicial offices; providing effective dates.

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

By Senator Holzendorf—

SB 894—A bill to be entitled An act relating to community colleges; providing an appropriation to the Commissioner of Education to enter into an agreement with the Southern Regional Education Board to support a “Compact for Faculty Diversity Program” to increase the number of minority personnel holding doctoral degrees in selected Florida community colleges; providing for scholarships; establishing a process for selection of community college and minority participants; providing requirements of doctoral candidates; requiring service or repayment; requiring rules; providing an effective date.

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

By Senator Holzendorf—

SB 896—A bill to be entitled An act relating to elections; amending s. 97.055, F.S.; eliminating the book-closing period for voter registration; providing for registration and changes in registration at the polls on election day; amending ss. 97.021, 97.053, 97.071, 98.065, 98.081, 98.231, 101.045, and 101.663, F.S., to conform; creating s. 101.657, F.S.; requiring the office of the supervisor of elections and any branch office to be open on the Saturday prior to any statewide election or other election held in conjunction therewith, for the purpose of allowing early in-person absentee voting for that election; providing an effective date.

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

By Senator Holzendorf—

SB 898—A bill to be entitled An act relating to secondary notice of lapse of insurance policies; amending ss. 627.4555 and 627.5045, F.S.; revising provisions requiring notice to policyowners and secondary addressees of impending lapse of certain insurance policies under certain

circumstances; providing procedures; providing application; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Holzendorf—

SB 900—A bill to be entitled An act relating to collective bargaining; amending s. 447.403, F.S.; revising procedures for resolving certain impasses; providing duties of parties; requiring a special master to hold public hearings under certain circumstances; requiring a legislative body to hold a public hearing under certain circumstances; providing duties of the Public Employees Relations Commission; providing an effective date.

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

By Senator Silver—

SB 902—A bill to be entitled An act relating to trust funds; creating the County Article V Trust Fund to be administered by the Supreme Court; providing for future review and termination or re-creation of the fund; providing an effective date.

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

By Senator Grant—

SB 904—A bill to be entitled An act relating to confidentiality of information held by the Florida Surplus Lines Service Office; providing that certain information required to be kept by the office is confidential and exempt from disclosure; providing for future review of this exemption; providing legislative findings of necessity; providing a conditional effective date.

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

By Senator Dudley—

SB 906—A bill to be entitled An act relating to Lee County independent fire control districts; prescribing uniform criteria for operation of independent special fire-control districts; providing definitions; preempting certain special acts and general acts of local application; providing for district boards of commissioners and for their election; providing for officers of boards; providing for commissioners’ compensation and expenses; providing general and special powers of districts; providing for ad valorem taxes, non-ad valorem assessments, user charges, bonds, and impact fees; providing for referenda; providing for intergovernmental coordination; providing for expansion, merger, and dissolution of districts; 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.

By Senator Grant—

SB 908—A bill to be entitled An act relating to surplus lines insurance; amending s. 626.921, F.S.; creating a nonprofit association named the “Florida Surplus Lines Service Office”; providing findings; requiring surplus lines agents to be members of the association; providing duties; requiring the office to collect a service fee from surplus lines agents; providing for a board of governors; providing for appointment of board members; requiring a plan of operation to be submitted to the Department of Insurance; requiring the department to conduct examinations of the association; providing for limitations of liability for the association

under certain circumstances; amending s. 626.931, F.S.; requiring surplus lines agents, foreign insurers, and alien insurers to file a quarterly report with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; requiring surplus lines agents to pay a surplus lines tax to the office; requiring the service office to remit the taxes and interest to the department within a specified time; excluding from the term "premium" a service fee; creating s. 626.9325, F.S.; imposing a service fee on premiums charged for surplus lines insurance; requiring surplus lines agents to collect the fee and pay the fee to the office; requiring interest under certain circumstances; providing for application; specifying use of such fees; providing definitions; providing an effective date.

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

By Senator Dudley—

SB 910—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S.; specifying persons who have standing and may present evidence for an injunction for protection against domestic violence; providing for information and assistance 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 programs and batterers' intervention programs; amending s. 61.13, F.S.; providing for presumption of child custody when false accusations of domestic violence or child abuse have been proven; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Latvala—

SB 912—A bill to be entitled An act relating to liens; creating s. 713.596, F.S.; providing for molders' liens and rights; providing definitions; providing for ownership rights to molds; providing procedures; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Silver—

SB 914—A bill to be entitled An act relating to service of process; amending s. 48.031, F.S., providing for service upon a sole proprietorship; amending s. 48.183, F.S., providing for service in action to recover residential property; amending s. 48.27, F.S., providing for application and fee for inclusion on list of certified process servers; amending s. 55.03, F.S., providing for docketing and indexing of civil process generally; amending s. 56.27, F.S., providing for payment to execution creditor of money collected; amending s. 56.28, F.S., prescribing procedure for demand for payment of moneys collected; providing an effective date.

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

By Senator Grant—

SB 916—A bill to be entitled An act relating to reconstructive breast surgery; amending ss. 627.6417, 627.6612, and 627.6699, F.S.; requiring certain insurance policies to provide coverage for reconstructive breast surgery for certain purposes; providing an effective date.

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

By Senator Burt—

SB 918—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; defining the term "computer software" for purposes of imposing ad valorem taxes; specifying circumstances under

which computer software constitutes personal property; providing for application of the act; providing an effective date.

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

By Senator Childers—

SB 920—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; redefining the term "motor vehicle"; amending s. 634.121, F.S.; revising provisions relating to disclosure of limitations on warranty transfer rights; amending s. 634.312, F.S.; providing certain disclosure requirements on home warranty transfer limitations; creating s. 634.331, F.S.; providing for the purchase of home warranty coverage of residential property prior to sale; amending s. 634.406, F.S.; revising certain financial requirements for service warranty associations; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Kirkpatrick—

SB 922—A bill to be entitled An act relating to private attorney services; amending s. 287.059, F.S.; prohibiting certain private attorneys under contract with a state agency from representing certain persons before state agencies; providing for an affidavit; providing a penalty; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Gutman—

SB 924—A bill to be entitled An act relating to designated parking; amending s. 316.008, F.S.; authorizing counties or municipalities to impose certain fines under certain circumstances; creating s. 316.1961, F.S.; providing for parking places for persons who transport certain young children; providing requirements; providing criteria; prohibiting parking in such places under certain circumstances; providing penalties; providing exceptions; amending s. 316.1957, F.S.; providing presumptions relating to parking in certain spaces; amending s. 316.1959, F.S.; providing for parking enforcement; amending s. 316.1967, F.S.; providing liability for certain parking violations; amending s. 318.18, F.S.; requiring community service in addition to certain civil penalties under certain circumstances; creating s. 320.0849, F.S.; providing for temporary parking permits for certain persons; providing requirements; providing criteria; providing penalties; requiring the Department of Highway Safety and Motor Vehicles to adopt rules; providing an effective date.

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

By Senator Gutman—

SB 926—A bill to be entitled An act relating to campaign financing; amending s. 106.1405, F.S.; prohibiting the use of campaign funds by candidates and their spouses for salary or personal expenses; providing penalties; creating the Campaign Finance Reform Study Committee within the Department of State; providing for appointment of members; requiring the Division of Elections to provide staff support for the committee; providing purpose; requiring a report and providing for termination of the committee upon submission thereof; providing effective dates.

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

By Senator Gutman—

SB 928—A bill to be entitled An act relating to sexual battery; creating s. 794.025, F.S.; creating the "Officer Elizabeth Alvarez Child Protec-

tion Act of 1997"; providing legislative findings and intent with respect to imposition of mandatory minimum imprisonment upon sexual batterers whose victims are under 13 years of age; providing a mandatory minimum penalty of 2 years' imprisonment when the sexual battery victim was under 13 years of age; providing for construction; providing an effective date.

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

By Senator Gutman—

SB 930—A bill to be entitled An act relating to mental health; creating the "Robert Newman and Stuart Simon Act of 1997"; amending s. 394.463, F.S.; providing for court hearings on requests for ex parte orders for involuntary examination of mentally ill persons; providing for findings; providing for rescission of orders under certain circumstances; providing for release of persons being held for examination; providing penalties; providing an effective date.

—was referred to the Committees on Judiciary; and Children, Families and Seniors.

By Senator Gutman—

SB 932—A bill to be entitled An act relating to education; creating a pilot program to increase the number of school counselors; establishing a ratio of counselors to students; requiring an evaluation; providing an appropriation; providing an effective date.

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

By Senator Gutman—

SB 934—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the holder of certain outstanding tax certificates to withhold a property from public auction upon payment of a surcharge; providing for title to the property to vest in the certificate-holder upon failure of the property owner to redeem the tax certificates; amending s. 197.512, F.S.; requiring publication of notice; amending s. 197.522, F.S.; providing requirements for notifying the property owner of the application for a tax deed; providing an effective date.

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

By Senator Gutman—

SB 936—A bill to be entitled An act relating to local graffiti ordinances; amending s. 806.13, F.S.; providing legislative intent; providing that a county or municipality is not preempted by state law from establishing an ordinance which prohibits the marking of graffiti or other graffiti-related offense and penalizes such offense with higher penalties than those provided by state law or with mandatory community service and mandatory restitution; providing for the court to apply such higher penalties in a delinquency or other proceeding for violation of the ordinance; providing an effective date.

—was referred to the Committees on Community Affairs and Criminal Justice.

By Senator Holzendorf—

SB 938—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending chapter 92-341, Laws of Florida, as amended; amending the Charter of the City of Jacksonville; clarifying the exemptions provided by the charter to designated employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senators Kirkpatrick, Sullivan and Forman—

SB 940—A bill to be entitled An act relating to information resources management; amending s. 120.52, F.S.; providing an additional exclusion to the definition of "rule"; creating s. 216.0446, F.S.; authorizing a mechanism for the review of agency legislative budget requests for information technology resources; amending s. 282.003, F.S.; revising the short title of ch. 282, F.S.; creating s. 282.005, F.S.; providing legislative intent with respect to information resources management; amending s. 282.303, F.S.; revising definitions; creating s. 282.3031, F.S.; providing for assignment of information resources management responsibilities; creating s. 282.3041, F.S.; providing for information resources management responsibilities within state agencies; creating s. 282.3055, F.S.; creating the position of Chief Information Officer; providing duties; creating s. 282.3063, F.S.; requiring an Agency Annual Information Resources Management Report; creating s. 282.3091, F.S.; creating the position of State Chief Technology Officer; creating s. 282.3093, F.S.; providing legislative intent with respect to the State Chief Technology Officer; providing powers and duties; creating s. 282.3095, F.S.; creating the Office of the State Chief Technology Officer; creating s. 282.310, F.S.; requiring an annual report on information resources management; creating s. 282.315, F.S.; creating the Chief Information Officers Council; providing legislative intent; providing purposes and membership of the council; amending s. 282.1021, F.S.; revising requirements of the State Implementation Plan for Communications Services; amending s. 282.20, F.S., relating to the Technology Resource Center; removing references to the Information Resource Commission; amending s. 282.313, F.S.; revising provisions relating to data processing policy boards; amending s. 282.318, F.S.; revising security requirements for data and information technology resources; amending s. 282.322, F.S., relating to special monitoring for designated information resources management projects; providing for the assumption of specified responsibilities by the technology budget review group; amending s. 282.404, F.S., relating to the Geographic Information Board; requiring the board to approve a strategic plan; removing references to the Information Resource Commission; revising the membership of the Geographic Information Advisory Council; repealing s. 282.004, F.S., relating to legislative intent with respect to information resources management and paperwork reduction; repealing s. 282.304, F.S., which provides for the creation of the Information Resource Commission; repealing s. 282.307, F.S., which requires each department to submit a strategic plan for information resources management; repealing s. 282.308, F.S., which requires each state university to prepare a strategic plan for information resources management; repealing s. 282.312, F.S., which requires the submission of annual performance reports to the Information Resource Commission; repealing s. 287.0735, F.S., which requires the review of contracts relating to the acquisition of information technology resources by the Information Resource Commission; repealing s. 287.073(5), (6), (7), and (8), F.S., which creates the Information Technology Resource Procurement Advisory Council within the Department of Management Services; repealing s. 216.0445, F.S., relating to budget evaluation by the Information Resource Commission; repealing s. 282.309, F.S., which requires the preparation of strategic plans for information resources management by the judicial branch; repealing s. 282.311, F.S., which provides for information resource managers; repealing s. 282.305, F.S., which provides powers and duties of the Information Resource Commission and the Board of Regents with respect to information resources management; repealing s. 282.3061, F.S., which provides for a State Strategic Plan for Information Resources Management; repealing s. 282.3062, F.S., which requires an annual report on information resources management by the Information Resource Commission; repealing s. 282.314, F.S., which creates the Information Resources Management Advisory Council; amending s. 11.39, F.S.; revising the duties of the Legislative Information Technology Resource Committee; amending ss. 20.19, 20.316, 20.41, F.S., to conform and correct cross-references; amending s. 112.3145, F.S.; removing voting members of the Information Technology Resource Procurement Advisory Council from the definition of "specified state employee"; amending ss. 186.021, 186.022, F.S.; revising provisions relating to state agency strategic plans; amending s. 215.96, F.S., relating to the Florida Fiscal Accounting Management Information System; revising provisions relating to the coordinating council to the system; amending s. 216.031, F.S.; conforming references; amending ss. 216.235,

216.236, F.S., to conform; amending s. 287.042, F.S., relating to the powers, duties, and functions of the Division of Purchasing of the Department of Management Services, to conform; amending s. 287.073, F.S.; revising the definition of "information technology resources"; amending s. 943.06, F.S.; relating to the Criminal and Juvenile Justice Information Systems Council; adding the State Chief Technology Officer as an ex officio nonvoting member; amending s. 943.08, F.S.; requiring the council to approve a strategic plan; requiring that the current staff of the Information Resource Commission be given priority consideration for vacant or new positions; requiring that the records of the Information Resource Commission be transferred to the State Chief Technology Officer; providing for the repeal of the administrative rules of the Information Resource Commission on June 30, 1998; providing for the transfer of specified unexpended appropriations to the technology budget review group; providing an effective date.

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

By Senator Holzendorf—

SB 942—A bill to be entitled An act relating to the sale of used motor vehicles; creating the "Used Motor Vehicle Warranty Act"; providing legislative intent; providing definitions; requiring express warranties with respect to the sale of used motor vehicles; providing exceptions; providing requirements for used motor vehicle dealers in honoring warranties; providing for extension of warranty terms under certain circumstances; providing for inability of dealer to conform the motor vehicle to the warranty; providing certain remedies; providing for duties of the Department of Legal Affairs; providing for establishment of resource center and toll-free consumer number; providing liability for bad faith claims; providing for application of the Used Motor Vehicle Warranty Act; amending s. 320.27, F.S.; providing additional circumstances under which the Department of Highway Safety and Motor Vehicles may suspend certain vehicle dealers' licenses; providing for collection of a fee on each sale of a used motor vehicle; providing an effective date.

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

By Senator Holzendorf—

SB 944—A bill to be entitled An act relating to public streets, highways, and roads; amending ss. 316.2045 and 337.406, F.S.; prohibiting solicitation by children of a certain age upon any public street, highway, right-of-way of a state transportation facility, or road; providing an effective date.

—was referred to the Committees on Transportation and Community Affairs.

By Senator Holzendorf—

SB 946—A bill to be entitled An act relating to confidentiality of identifying information regarding domestic violence victims; creating s. 741.401, F.S.; providing legislative findings and purpose; creating s. 741.402, F.S.; providing definitions; creating s. 741.403, F.S.; providing for creation of the Address Confidentiality Program for Victims of Domestic Violence; providing for certification by the Secretary of State of applicants to participate in the program; defining the offense of falsely attesting or knowingly providing false or incorrect information in such program application, and providing second degree misdemeanor penalties therefor; creating s. 741.404, F.S.; providing for certification cancellation; creating s. 741.405, F.S.; providing authority of state and local agencies and other governmental entities and guidelines relating to use of designated address; creating s. 741.406, F.S.; providing for voting by program participants in the same manner as absentee voters; creating s. 741.407, F.S.; prohibiting disclosure of addresses and certain information, except under specified circumstances; creating s. 741.408, F.S.; providing for certain assistance for program applicants; creating s. 741.409, F.S.; providing for adoption of rules; creating s. 741.411, F.S.; providing an exemption from public records requirements for certain

personal information about program participants in the Address Confidentiality Program for Victims of Domestic Violence; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; Governmental Reform and Oversight; and Executive Business, Ethics and Elections.

By Senator Brown-Waite—

SB 948—A bill to be entitled An act relating to medical practitioners; requiring physicians, osteopathic physicians, podiatrists, and chiropractors to furnish specified biographical and other data to the Department of Health; requiring the department to verify certain of the information and compile the information submitted and other public record information into a practitioner profile of each licensee and to make the profiles available to the public; providing for rules; providing duties of practitioners to update information and duties of the department to update profiles; providing for retention of information in superseded profiles; amending ss. 458.311, 458.313, 458.319, F.S.; requiring applicants for licensure or relicensure as physicians to submit information, fingerprints, and fees; providing for tolling of license expiration under certain circumstances; providing for citations to, and fines of, certain practitioners; amending ss. 459.0055, 459.008, F.S.; requiring applicants for licensure or relicensure as osteopathic physicians to submit information, fingerprints, and fees; providing for tolling of license expiration under certain circumstances; providing for citations to, and fines of, certain practitioners; amending ss. 460.406, 460.407, F.S.; requiring applicants for licensure or relicensure as chiropractors to submit information, fingerprints, and fees; providing for tolling of license expiration under certain circumstances; providing for citations to, and fines of, certain practitioners; amending ss. 461.006, 461.007, F.S.; requiring applicants for licensure or relicensure as podiatrists to submit information, fingerprints, and fees; providing for tolling of license expiration under certain circumstances; providing for citations to, and fines of, certain practitioners; amending s. 455.225, F.S.; providing for consumer access to certain background information pertaining to physicians and health care facilities; requiring the agency to issue an emergency order suspending the license of a physician or osteopathic physician for certain violations; creating s. 455.2478, F.S.; providing that reports on professional liability actions and information relating to bankruptcy proceedings of specified health care practitioners which are in the possession of the Department of Health are public records; requiring the department to make such information available to persons who request it; amending s. 627.912, F.S.; providing for insurer reporting of professional liability claims and actions; revising the timeframe for reporting; providing penalties; providing for a toll-free telephone number for reporting complaints relating to medical care; providing applicability; providing an effective date.

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

By Senator Silver—

SB 950—A bill to be entitled An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; eliminating limitations on utility rates charged outside municipal boundaries in certain municipalities in home rule charter counties; providing an effective date.

—was referred to the Committees on Community Affairs and Regulated Industries.

By Senator Brown-Waite—

SB 952—A bill to be entitled An act relating to confidentiality of public hospital records and meetings; amending s. 395.3035, F.S.; providing that votes by the governing board to approve or modify strategic plans are confidential; providing a definition; providing an effective date.

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

By Senator Brown-Waite—

SB 954—A bill to be entitled An act relating to telecommunications; amending s. 364.163, F.S.; requiring certain local telecommunications companies to reduce their intrastate switched access rates; providing an effective date for the reductions; providing an effective date.

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

By Senator Forman—

SB 956—A bill to be entitled An act relating to disposition of unclaimed moneys; amending s. 116.21, F.S.; providing that specified unclaimed moneys in the possession of a municipality will be paid into the municipality's fine and forfeiture fund; providing an effective date.

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

By Senator Forman—

SB 958—A bill to be entitled An act relating to public notification concerning sexual predators; amending s. 775.21, F.S.; requiring the sheriff to advertise certain information regarding the release of sexual predators; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Forman—

SB 960—A bill to be entitled An act relating to gambling; amending s. 849.085, F.S.; providing that bunko is a legal penny-ante game in certain situations; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Forman—

SB 962—A bill to be entitled An act relating to the Community Juvenile Justice System Act; amending s. 39.025, F.S.; replacing the defunct Department of Health and Rehabilitative Services with the Department of Children and Family Services in a provision relating to the intent to encourage county and district juvenile justice plans and interagency agreements; deleting the Department of Health and Rehabilitative Services from a provision requiring specified entities to participate in a written interagency partnership agreement as a prerequisite to applying for community juvenile justice partnership grants; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senator Brown-Waite—

SB 964—A bill to be entitled An act relating to fuel taxes; amending ss. 336.021, 336.025, F.S.; amending the purposes for which the local option fuel tax on motor fuel and diesel fuel and the ninth-cent fuel tax on motor fuel and diesel fuel may be used; providing an effective date.

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

By Senator Gutman—

SB 966—A bill to be entitled An act relating to meetings of the Florida Violent Crime Council; amending s. 943.031, F.S.; providing for portions of meetings of the Florida Violent Crime Council to be exempt from public meetings requirements if active criminal investigative or intelligence information is discussed; providing for the council to be defined as

a criminal justice agency for purposes of chapter 119, F.S.; providing for future repeal under the Open Government Sunset Review Act of 1995; providing a finding of public necessity; providing an effective date.

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

By Senators Rossin, Harris, Thomas, Holzendorf, Grant, Bronson, Cowin and Lee—

SB 968—A bill to be entitled An act relating to prepaid limited health service organizations; creating s. 636.0155, F.S.; requiring prepaid limited health services organizations' contracts and materials to include specified disclosures; amending s. 636.016, F.S.; requiring such organizations to provide certain disclosures to prospective enrollees; amending s. 636.035, F.S.; requiring certain provider contracts to contain termination notice provisions; providing exceptions; providing that certain contracts are unenforceable; providing an effective date.

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

By Senator Harris—

SB 970—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.

By Senator Williams—

SB 972—A bill to be entitled An act relating to efficiency of state employees in government; expressing legislative intent; providing an effective date.

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

By Senator Williams—

SB 974—A bill to be entitled An act relating to efficiency in government; expressing legislative intent; providing an effective date.

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

By Senator Williams—

SB 976—A bill to be entitled An act relating to the efficiency of the Division of Consumer Services, Department of Agriculture and Consumer Services; expressing legislative intent; providing an effective date.

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

By Senator McKay—

SB 978—A bill to be entitled An act relating to special care units; amending s. 400.402, F.S.; defining the term "special care unit" for

purposes of part III, ch. 400, F.S., relating to assisted living facilities; amending s. 400.4177, F.S.; requiring that an assisted living facility provide a special care unit for the care of persons who have Alzheimer's disease or related disorders; amending s. 400.452, F.S.; providing additional training requirements for staff who work in special care units and for direct caregivers; requiring that the training be completed by specified dates; specifying topics to be included in level I and level II curricula; requiring continuing education for direct caregivers; providing for certification upon completion of training; providing for employees of certain facilities to receive training at no charge; providing requirements for providers of initial and continuing education courses; requiring the Department of Elderly Affairs to approve courses and providers; amending s. 400.441, F.S., relating to rules establishing standards; providing for the department to adopt such rules at its discretion; amending s. 400.407, F.S., relating to licensure of facilities; conforming a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families and Seniors; and Ways and Means.

By Senator Holzendorf—

SB 980—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.054, F.S., which provides general administrative provisions for the levy of discretionary sales surtaxes by counties; providing for application of those administrative, collection, enforcement, and penalty provisions to levy by a municipality; amending s. 212.055, F.S.; authorizing levy of the local government infrastructure surtax by municipalities; providing for application of provisions requiring referendum approval and restricting use of the proceeds; providing for distribution of the proceeds; prohibiting levy by a municipality located in a county which levies local option sales surtaxes in excess of a specified rate; providing for repeal of a municipality's local government infrastructure surtax if the county subsequently levies the surtax at an equal or higher rate; amending s. 212.0596, F.S., relating to responsibility of dealers making mail order sales to collect local option surtaxes, to include surtaxes levied by municipalities; providing an effective date.

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

SR 982—Not referenced.

By Senator Ostalkiewicz—

SB 984—A bill to be entitled An act relating to motorcycle riders; amending s. 316.211, F.S.; exempting persons of a specified age from certain safety equipment requirements; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Ostalkiewicz—

SJR 986—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 22 of Article XII of the State Constitution relating to exemption from ad valorem taxation of certain tangible personal property.

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

By Senator Kurth—

SB 988—A bill to be entitled An act relating to investments of state moneys; amending s. 18.10, F.S.; revising guidelines for the Treasurer in investing state moneys; prescribing additional depositories qualified to receive investments; providing an effective date.

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

By Senator Rossin—

SB 990—A bill to be entitled An act relating to insurance; amending s. 626.072, F.S.; authorizing general lines agents and general lines agencies to appoint temporary representatives to assist in transacting the business of insurance or private passenger motor vehicle insurance; providing conditions of appointment; providing a limitation; providing responsibilities of agents and agencies that make such appointments; providing responsibility; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Silver—

SB 992—A bill to be entitled An act relating to endangered or threatened native flora; amending s. 581.185, F.S.; creating the Endangered or Threatened Native Flora Conservation Grants Program in the Department of Agriculture and Consumer Services to provide grants for the protection, curation, propagation, reintroduction, and monitoring of endangered or threatened native flora; providing an effective date.

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

By Senator Rossin—

SB 994—A bill to be entitled An act relating to Lee County; amending chapter 76-414, Laws of Florida, as amended; authorizing the Bayshore Fire Protection and Rescue Service 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; providing for reports on the actions of the board and for the accounting of its funds in accordance with chapter 189, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Silver—

SB 996—A bill to be entitled An act relating to dual officeholding; providing that a person employed as a law enforcement officer, correctional officer, or correctional probation officer is not considered to be holding an "office" for certain purposes; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary and Senator Meadows—

CS for SB 8—A bill to be entitled An act relating to settlement of claims by or on behalf of a minor; amending s. 744.301, F.S.; increasing the amount of a settlement to a minor that may be authorized by a natural guardian without appointment, authority, or bond; increasing the amount of certain settlements on behalf of a minor for which the court may appoint a guardian ad litem; amending s. 744.387, F.S.; increasing the amount of a net settlement to a minor ward that will require a legal guardianship; providing an effective date.

By the Committee on Natural Resources and Senator Bronson—

CS for SB 26—A bill to be entitled An act relating to environmental protection; amending s. 403.813, F.S.; providing that certain environmental permits are not required for maintenance dredging of portions

of natural waterbodies within approved rights-of-way or drainage easements; providing limitations for such maintenance dredging; providing for notice to the water management district or the Department of Environmental Protection; providing an effective date.

By the Committee on Judiciary and Senators Dudley, Childers, Grant, Myers, Kirkpatrick, Dantzer, Rossin, Brown-Waite, Thomas, Dyer, Williams, Latvala, Meadows, Clary, Lee, Silver, Forman, Bronson, Horne, Harris, Casas, Kurth, Campbell, Crist and Sullivan—

CS for SB 82—A bill to be entitled An act relating to real estate transactions; amending s. 475.01, F.S.; defining the terms “customer,” “first contact,” and “principal”; redefining the term “transaction broker”; deleting the definitions of the terms “buyer,” “disclosed dual agent,” and “seller”; amending s. 475.25, F.S.; modifying grounds for the imposition of discipline by the Florida Real Estate Commission; conforming a statutory cross-reference; creating ss. 475.2701, 475.272, 475.274, 475.276, 475.278, 475.2801, F.S.; establishing the “Brokerage Relationship Disclosure Act”; providing for notice of nonrepresentation; providing for disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; authorizing rulemaking by the Florida Real Estate Commission; amending s. 475.5015, F.S.; adding disclosure documents to items to be retained as brokerage business records; amending s. 468.383, F.S.; conforming a statutory cross-reference; providing an effective date.

By the Committee on Community Affairs and Senators Dyer and Forman—

CS for SB 104—A bill to be entitled An act relating to homeowners’ associations; amending s. 617.303, F.S.; providing that statutory provisions applicable to association board meetings apply to meetings of committees when a final decision will be made regarding the expenditure of association funds; amending s. 617.305, F.S.; increasing the limit on fines that an association may impose on members, tenants, guests, or invitees; creating an exemption from the prohibition against an association suspending the voting rights of a member; providing an effective date.

By the Committee on Transportation and Senator Bronson—

CS for SB 106—A bill to be entitled An act relating to the suspension of driver’s licenses and motor vehicle registrations; amending s. 61.13016, F.S.; specifying requirements for giving a delinquent child-support obligor notice of delinquency and intent to suspend; amending s. 322.245, F.S.; providing notice in accordance with s. 61.13016, F.S.; amending s. 322.32, F.S.; requiring certain knowledge for possession or display of certain invalid licenses to constitute a criminal violation; defining the term “knowledge”; providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations of driving privileges; providing penalties; amending s. 322.34, F.S.; providing penalties for driving with certain invalid driver’s licenses; defining the term “knowledge”; providing for the use of other evidence to impute knowledge; providing for notification of certain cancellations, suspensions, or revocations; providing penalties for habitual offenders; providing an effective date.

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

CS for SB 138—A bill to be entitled An act relating to genetic testing for insurance purposes; creating s. 627.4301, F.S.; prohibiting health insurers from using genetic information; providing definitions; providing exemptions; amending s. 627.6419, F.S.; prohibiting insurers from denying or canceling coverage or limiting benefits solely due to family history, unless the condition is diagnosed through a breast biopsy; amending s. 632.638, F.S.; providing applicability of s. 627.4301, F.S., to fraternal benefit societies; creating s. 636.0201, F.S.; providing applicability of s. 627.4301, F.S., to prepaid limited health service organizations; amending s. 641.30, F.S.; providing applicability of s. 627.4301, F.S., to health maintenance organizations; creating s. 641.438, F.S.; providing applicability of s. 627.4301, F.S., to prepaid health clinics;

providing an effective date.

By the Committee on Agriculture—

CS for SB 186—A bill to be entitled An act relating to fertilizers; amending s. 576.011, F.S.; defining “compost,” “investigational allowance,” “manipulated manure,” “manure,” “pelletized fertilizer,” “soil amendment,” “soil conditioner,” “soil additive,” and “unmanipulated animal and vegetable manure”; amending s. 576.021, F.S.; deleting registration requirements; amending s. 576.031, F.S.; deleting labeling requirements; amending s. 576.051, F.S.; authorizing the Department of Agriculture and Consumer Services to test fertilizers and collect fees for costs; amending s. 576.061, F.S.; establishing investigational allowances; providing for penalties and compensation for certain plant nutrient deficiencies; amending s. 576.071, F.S.; revising the method of determining commercial value; amending s. 576.091, F.S.; providing for the appointment of members and alternate members of the Fertilizer Technical Council; amending s. 576.101, F.S.; revising performance levels for licensees; amending s. 576.151, F.S.; providing standards for the distribution of certain fertilizers; amending s. 576.181, F.S.; revising the department’s authority relating to investigational allowances; reenacting ss. 576.041, 576.055, 576.085, 576.087, 576.111, 576.122, 576.132, 576.141, 576.161, 576.171, 576.191, F.S., relating to fertilizers and scheduled for repeal October 1, 1997; reenacting s. 576.045, F.S., relating to nitrates in fertilizers; repealing s. 19, ch. 92-143, Laws of Florida, relating to the repeal and review of ch. 576, F.S.; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senators McKay and Williams—

CS for SB 188—A bill to be entitled An act relating to unemployment compensation; providing for temporary amendments to the contribution rates for specified employers; amending s. 443.111, F.S.; prescribing the maximum allowable weekly benefit amount; amending s. 443.036, F.S.; changing the exemption criteria on services performed by children in the employment of their parents; providing an effective date.

By the Committee on Children, Families and Seniors; and Senator Burt—

CS for SB 248—A bill to be entitled An act relating to termination of parental rights; amending s. 39.464, F.S.; providing additional grounds for the termination of parental rights; amending s. 39.469, F.S.; revising language with respect to the powers of disposition of the court concerning termination of parental rights; amending s. 39.471, F.S.; eliminating the provisions stating that certain orders are admissible in evidence in subsequent adoption proceedings relating to the child; amending s. 61.13, F.S.; including reference to one of the grounds for termination of parental rights as a rebuttable presumption of detriment to the child when the court is determining matters relating to the custody of a minor child; amending s. 63.072, F.S.; including certain parents whose consent to an adoption may be waived; providing an effective date.

By the Committee on Natural Resources and Senator Latvala—

CS for SB 266—A bill to be entitled An act relating to drainage districts; amending ss. 298.005, 298.11, 298.12, 298.15, 298.16, 298.22, 298.23, 298.24, 298.25, 298.26, 298.28, 298.36, 298.47, 298.59, F.S.; creating ss. 298.225, 298.301, 298.305, 298.329, 298.333, 298.337, 298.341, 298.345, 298.349, 298.353, F.S.; providing definitions; providing for the water management plan to be renamed the water control plan; providing for the water control plan to serve the functions of the former plan of reclamation; providing for the jurisdictional water management district to provide certain review responsibilities previously provided by the Department of Environmental Protection; providing for the appointment of certain supervisors by the Governor; providing revised water control plan adoption and amendment requirements; providing for assessment of lands; providing duties for district engineer and district attorney; providing for the levy and enforcement of non-ad valorem

assessments; authorizing the issuance of bonds; providing for liens; providing for a uniform initial acreage assessment for payment of expenses; authorizing districts to designate financial units; deleting the provision relating to the levy of a tax and issuance of bonds for certain purposes; authorizing the board of supervisors to issue bonds for a certain amount of non-ad valorem assessments; repealing s. 298.07, F.S., which provides for the water management plan; repealing s. 298.27, F.S., which provides for the plan of reclamation; repealing s. 298.29, F.S., which provides for the levy and collection of taxes; repealing s. 298.30, F.S., which provides for appraisal of lands; repealing s. 298.31, F.S., which provides for appointment of commissioners; repealing s. 298.32, F.S., which provides for duties of commissioners, district attorney, and district engineer; repealing s. 298.33, F.S., which provides for notice of report; repealing s. 298.34, F.S., which provides for exceptions to report; repealing s. 298.35, F.S., which provides for plan of reclamation; repealing s. 298.467, F.S., which prohibits the Department of Environmental Protection from borrowing money; repealing s. 298.55, F.S., which provides for readjustment of assessment of benefits; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senators Thomas, Childers, Brown-Waite and Williams—

CS for SB 284—A bill to be entitled An act relating to trust funds; amending s. 112.215, F.S.; creating the Government Employees Deferred Compensation Trust Fund in the State Treasury and providing for its assets and purpose; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senators Thomas, Childers, Forman and Williams—

CS for SB 286—A bill to be entitled An act relating to state group insurance; amending s. 20.42, F.S.; deleting duties of the Division of State Health Purchasing of the Agency for Health Care Administration with respect to state employee health insurance; amending s. 110.123, F.S.; providing a definition; creating the Division of State Group Insurance in the Department of Management Services; requiring the department to provide administrative support and service to the division; excluding the division from control, supervision, or direction by the department; providing for a director of the division; providing requirements; providing for administration of the state group insurance program by the division; providing criteria for division contracts with insuring entities; authorizing the division to adopt rules; amending s. 626.9641, F.S.; prescribing applicability of the policyholders' bill of rights to certain state health insurance contracts; requiring insureds in such plans to be notified of certain actions; amending s. 20.22, F.S.; renaming the Division of State Employees' Insurance within the department as the Division of State Group Insurance; creating the Florida State Group Health Insurance Commission within the department; providing its membership; providing its powers and duties; providing for meetings; providing travel and per diem; requiring notification by certain service providers; transferring powers, duties, and functions of the Division of State Health Purchasing in the Agency for Health Care Administration; providing an effective date.

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

CS for SB 288—A bill to be entitled An act relating to money transmitters; amending s. 560.103, F.S.; redefining terms; amending s. 560.111, F.S.; providing that violations of certain statutes of other jurisdictions by money transmitters and money transmitter-affiliated parties are unlawful in this state; providing penalties; amending s. 560.114, F.S.; prescribing additional grounds for disciplinary action against persons registered as money transmitters or money transmitter-affiliated parties; amending s. 560.118, F.S.; revising standards for examinations and audits of money transmitters and authorized vendors; amending s. 560.128, F.S.; authorizing the Department of Banking and Finance to require money transmitters to display their registration; amending s. 560.205, F.S.; requiring additional information from applicants for registration; providing an effective date.

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

CS for SB 300—A bill to be entitled An act relating to the Comptroller; amending s. 17.20, F.S.; authorizing the deduction of certain fees and expenses from property that has not been claimed and is reportable to the department; amending s. 17.325, F.S.; revising language with respect to governmental efficiency hotlines; revising requirements with respect to "Get Lean" telephone calls; providing for certain confidentiality; amending s. 687.143, F.S.; requiring the Department of Banking and Finance to deposit certain fines in the Division of Financial Investigations Administrative Trust Fund; amending s. 939.01, F.S.; providing for certain investigative costs to be entered in a judgment; providing an effective date.

By the Committee on Education and Senators Grant, Dudley, Diaz-Balart, Horne, McKay, Sullivan, Cowin, Lee, Clary and Kirkpatrick—

CS for SB 340—A bill to be entitled An act relating to school district personnel; amending s. 231.29, F.S.; revising performance assessments of school district instructional staff; requiring notice of unsatisfactory performance; requiring corrective action; providing for hearings; specifying district school board authority; requiring certain evaluations; amending s. 231.36, F.S.; revising contracts for school district instructional staff; specifying a probationary period; requiring performance assessments; providing for dismissal; requiring a probationary period for certain administrative staff; restricting issuance of professional service contracts; applying new performance assessment and appeal procedures upon renewal of a professional service contract; amending s. 231.3605, F.S., relating to educational support employees; limiting probationary status to employees hired before a certain date; providing that this act supersedes local laws; providing an effective date.

By the Committee on Children, Families and Seniors—

CS for SB 384—A bill to be entitled An act relating to program administration by the Department of Children and Family Services; amending s. 20.19, F.S.; providing additional duties for the department's Office of Standards and Evaluation with respect to reports due to the Legislature; requiring an evaluation and a report from the Assistant Secretary for Administration; revising requirements for the department in procuring contracts for client services; requiring that the department procure certain services competitively; authorizing the department to develop rules relating to an alternative competitive procurement process; allowing a phase-in period for competitive procurement of certain client services; requiring that certain provisions be included in each contract entered into by the department in excess of a certain amount; requiring that the department develop, and incorporate into the department's Employee Handbook, standards of conduct and a range of disciplinary actions relating to certain staff functions; requiring the department to assure the accountability of each provider of client services; requiring reports to the Legislature by the department; requiring the department to provide training for staff in negotiating contracts; requiring the department to ensure certain assistance to staff who are negotiating a contract; requiring the department to create contract management units at the district level; providing specifications for these units; specifying the date by which the contract management units must be in operation; requiring the department to evaluate certain districts that have centralized contracting functions; authorizing the department to exercise budget and personnel flexibility; authorizing the department to transfer specified funds from certain budget entities in order to create certain staff positions; requiring a report; providing an effective date.

By the Committee on Regulated Industries and Senators Dudley, Scott, Crist, Gutman, Lee, Childers, Jenne, Holzendorf, Meadows, Casas, Brown-Waite, Harris, Klein, Ostalkiewicz and Bankhead—

CS for SB's 404 and 414—A bill to be entitled An act relating to taxation of telecommunications services; prohibiting any tax pursuant to ch. 166, ch. 203, or ch. 212, F.S., on specified services; providing an effective date.

By the Committee on Education and Senators Harris, Klein, Latvala, Diaz-Balart, Brown-Waite, Horne, Forman, Campbell, Williams, Crist, Lee, Grant, Sullivan, Holzendorf, Burt and Clary—

CS for SB 458—A bill to be entitled An act relating to education; amending s. 229.565, F.S., relating to student performance standards; providing for the Commissioner of Education to adopt rules; amending s. 229.57, F.S., relating to the student assessment program; amending standards and procedures relating to the statewide program, district testing programs, and school testing programs and provisions relating to annual reports on the assessment program; amending s. 232.245, F.S.; raising the cumulative grade point average required for purposes of a district's comprehensive program for pupil progression; amending s. 232.2454, F.S.; revising provisions relating to student performance standards; amending s. 232.246, F.S.; revising credit requirements; allowing certain courses taken below the 9th grade to be used to satisfy high school graduation requirements; raising the cumulative grade point average that is required for high school graduation; restricting the award of credit toward high school graduation for enrollment in certain courses; correcting cross-references; amending s. 232.2462, F.S.; revising the definition of dual enrollment credit; amending s. 232.2463, F.S.; revising the high school grading system; amending s. 232.425, F.S.; raising the cumulative grade point average that is required for participation in interscholastic extracurricular student activities; amending s. 233.065, F.S.; allowing the posting of historic documents; amending s. 240.116, F.S.; providing requirements for student enrollment in dual enrollment courses; requiring the development of standards; amending s. 240.1161, F.S.; requiring district interinstitutional articulation agreements to include the process for the award of high school credit for dual enrollment courses; amending 240.529, F.S.; requiring standards for preparation of teachers for instruction of higher-level mathematics concepts; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

CS for SB 460—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; requiring school districts to award college-ready high school diplomas to certain students; correcting obsolete references; creating s. 232.2466, F.S.; providing requirements for the college-ready diploma program; providing an effective date.

By the Committee on Education and Senator Diaz-Balart—

CS for SB 462—A bill to be entitled An act relating to education; amending s. 231.17, F.S.; revising educator certification requirements; specifying minimum competencies; making conforming changes; authorizing school districts to provide alternate certification programs and systems for demonstrating professional competencies; specifying minimum requirements; requiring approval by the Department of Education; requiring demonstration of professional competencies within a certain period; providing exceptions; authorizing the Commissioner of Education to contract for written certification examinations; deleting state university responsibility for such examinations; deleting requirements for professional orientation programs; deleting requirements for certification to teach certain ages and grades; amending s. 231.24, F.S., relating to renewal of educator certification; providing for extensions of professional certificates; extending permission to use certain training for renewal of any certification specialization; deleting additional renewal requirements for certificate holders not employed in instructional positions; providing for reissuance of expired certificates; amending s. 240.529, F.S., relating to approval of teacher preparation programs; requiring emphasis on educator accomplished practices; deleting obsolete dates; deleting references to professional orientation programs; requiring higher education institutions to assist in continued program approval; deleting consideration of graduates of out-of-state and alternate preparation programs; making conforming changes in preservice field experiences; repealing s. 231.172, F.S., relating to alternate preparation programs for teachers; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 1996 REGULAR SESSION

*The Honorable Toni Jennings
President*

February 27, 1997

Dear Madam President:

In compliance with the provisions of Article III, Section 8(b) of the State Constitution, I am transmitting to you for consideration of the Senate, the following 1996 vetoed bills, Regular Session. The Governor's objections are attached thereto.

- SB 356 An act relating to outpatient facilities;...
- CS for SB 424 An act relating to state government;...
- CS for SB 624 An act relating to taxation;...
- CS for SB 690 An act relating to the regulation of health care facilities;...
- SB 1630 An act relating to Collier County;...
- CS for SB 1692 An act relating to nonpublic postsecondary institutions;...
- SB 2354 An act relating to schools;...
- SB 2636 An act relating to the Constitutional Revision Commission;...
- SB 2940 An act relating to highway safety;...

Sincerely,
Sandra B. Mortham
Secretary of State

The Honorable Sandra B. Mortham
Secretary of State

May 30, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 356, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to outpatient facilities; ...

This legislation deregulates hospital outpatient facilities from the Agency for Health Care Administration's plans and construction review process. Although the agency will continue to review licensed ambulatory surgical centers, it will not have authority to review comparable outpatient surgery centers operated by licensed hospitals. While I would agree to exempt hospital outpatient facilities which do not provide surgery, this bill goes too far and can place patients at risk. Through construction review, the state ensures that acceptable electrical and medical gas systems are in place to safely support the medical and surgical procedures in such a way to protect patient safety. This is very important because technology has allowed for more complex and numerous surgical procedures to be performed on an outpatient basis. The bill creates an inequitable system of review between hospital outpatient facilities and the non-hospital surgical centers. As a proponent generally of deregulation, we can address this issue again next session and correctly deregulate the non-surgical hospital outpatient facilities if either is to be deregulated.

Additionally, this legislation provides that MediPass enrollees may receive up to ten visits of reimbursable services by participating chiropractors and four visits by podiatrists without receiving prior authorization by the MediPass primary care provider. As the bill is written, it is unclear if the number of visits of reimbursable services means office visits with an unlimited number of services during each visit, or a specific number of reimbursable services without prior authorization.

I am also concerned that the bill does not require chiropractors and podiatrists to report the results of the MediPass recipient's visits and treatments to the primary care provider. I believe this will hinder the primary care provider's ability to manage health services and maintain a comprehensive medical record for the protection of the patient.

For these reasons, I am withholding my approval of Senate Bill 356, and hereby veto the same.

Sincerely,
LAWTON CHILES

The Honorable Sandra B. Mortham
Secretary of State

May 31, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 424, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to state government; ...

It is a worthy effort for any law-enacting or law-adopting body to consider the impact of its actions on the family. Committee Substitute for Senate Bill 424 requires that the Legislature must do so prior to enacting any law and each agency must do so before adopting, amending, or repealing a rule or policy. There, the similarity ends.

In fact, no legislative enactment could be declared invalid for failure to consider family impact, since it is specifically exempted in the bill. On the other hand, administrative rules would be subject to challenge on that basis. The four issues that must be analyzed by agencies are almost entirely subjective. A rule challenge proceeding based upon an inadequate family impact statement, with expert psychologists testifying as to "what message, intended or otherwise, ... this rule or policy send(s) to the public concerning the status of the family," and expert accountants testifying as to the impact on the family budget, boggles the mind and would strangle normal rulemaking.

I agreed early in the session to work on a comprehensive bill acceptable to the Legislature on the subject of the Administrative Procedure Act. The bill that passed and which has already become law, opens up many more avenues for challenging administrative rules, and in many cases, assesses penalties against agencies when they are unsuccessfully challenged. Committee Substitute for Senate Bill 424 was outside of the debate and extensive review given other changes to the APA. This bill, when read in conjunction with the many changes just recently in place, would have consequences beyond those intended, and be largely counterproductive.

For these reasons, I am withholding my approval of Committee Substitute for Senate Bill 424, and hereby veto the same.

Sincerely,
LAWTON CHILES

The Honorable Sandra B. Mortham
Secretary of State

May 28, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 624, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to taxation; ...

While many of the provisions in the bill deserve to become law, the inclusion of numerous costly tax breaks makes this impossible. This bill contains exemptions from sales taxes, documentary stamp taxes, corporate income taxes, insurance premium taxes, severance taxes, pollutants taxes, intangibles taxes, gross receipts taxes, workers compensation assessments, hospital assessments, local option sales taxes, property taxes, and municipal utility taxes. By combining so many diverse issues into a single bill, the Legislature has not allowed me to consider them based on their individual merits. I am left no choice but to veto the entire bill.

One significant provision contained in CS/SB 624 relates to the taxation of Internet access services. The bill exempts such services until completion by a study commission of a broad reexamination of telecommunication taxes. I intend to create a similar study commission by executive order and to request the Department of Revenue to hold the taxation of Internet access services in abeyance until completion of the study. Developing a thoughtful, rational state tax policy towards these new services is of paramount state importance and it is extremely unfortunate that the Legislature did not allow me to approve this provision of CS/SB 624.

According to the Revenue Estimating Conference, the total recurring cost of this bill exceeds \$60 million. I do not think it is appropriate to enact tax exemptions of this magnitude, tax exemptions which lack any clear public purpose, while also substantially reducing funding for services used by citizens at the lowest rung of the economic ladder. The Legislature has chosen to cut funding for social services by approximately \$400 million for the 1996-97 fiscal year. In good conscience I can not allow this bill to become law as well.

For these reasons, I am withholding my approval of Committee Substitute for Senate Bill 624, and hereby veto the same.

Sincerely,
LAWTON CHILES

The Honorable Sandra B. Mortham
Secretary of State

May 24, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 690, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to the regulation of health care facilities; ...

This legislation repeals the current hospital budget review program which provides for protection of the public from excessive increases in hospital charges. The multi-million dollar hospital industry is undergoing a period of rapid change characterized by increased mergers and consolidation. Health care experts argue that with the merger of many hospitals, and the acquisition of many hospitals by a few larger hospitals, operating efficiency may improve, but competition may decline. These circumstances make it far more difficult in the future to negotiate prices and thus hospital charges may continue to increase. Many hospitals offer fixed discounts on their charges. Even with a constant discount rate, the cost for the customers will increase when hospital charges increase. Until a true market-driven price competitive system is developed for health care, repeal of the State's exception-based hospital budget review program is premature at this time.

The role of the government is most appropriately one of ensuring its citizens a quality health care delivery system which is both accessible and cost effective. The current hospital budget review program has been the very successful vehicle by which such assurance has been achieved over the past several years. Until such time as a true market place assurance has been achieved to protect these citizen interests the budget review process within the Agency for Health Care Administration should remain in place. Through the budget review program, excess charges have directly been reduced by over \$100 million per year resulting in savings to health care consumers. Those hospitals most recently requesting increases over the limit automatically granted by statute have been primarily from the for-profit sector; the sector leading the trend toward increasing consolidation and merger in the health care industry. The for-profit sector receives approximately 30% of the revenues paid to hospitals in this state.

In addition, Committee Substitute for Senate Bill 690 rescinds the statutory authority provided in current law which allows the state to regulate surgery and other invasive procedures in a hospital outpatient facility through a construction review. While I would agree to exempt hospital outpatient facilities which do not provide surgery from review, this bill goes too far and can place patients at risk. Through construction review the state ensures that acceptable electrical and medical gas systems are in place to safely support the medical and surgical procedures

The Honorable Sandra B. Mortham
Secretary of State

May 31, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 2636, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to the Constitutional Revision Commission; ...

I applaud the intent of Senate Bill 2636, which is to assist the 1997-98 Constitutional Revision Commission by creating a steering committee to lay some preliminary groundwork. Two items in the bill cause me concern.

First, while the steering committee is intended to be created in an abbreviated image of the Constitutional Revision Commission, the steering committee should not reflect a different balance in membership than is provided for the Commission itself. The Commission reflects that the officers of no one branch of government have a majority of appointments. Throughout the session, my office made it quite clear that an upset in that balance was not acceptable, yet as the bill passed, the legislative officers would appoint a majority of members to the steering committee.

Second, the steering committee should be a solely advisory entity, as opposed to membership constituting a public office. By providing that the steering committee is independent and "not subject to control, supervision, or direction by the Executive Office of the Governor in any manner including, but not limited, to personnel, purchasing, and budgetary matters," it appears that the members of the steering committee are possessed of the authority to exercise sovereign power in hiring the committee's own personnel and in making other spending decisions affecting state funds. This being so, it is inappropriate for any member of the judicial or legislative branch to sit on the steering committee, and it is inappropriate for the President of the Senate and the Speaker of the House of Representatives to make appointments to this entity as it is constituted in this bill.

For these reasons, I am withholding my approval of Senate Bill 2636, and hereby veto the same.

Sincerely,
LAWTON CHILES

The Honorable Sandra B. Mortham
Secretary of State

May 31, 1996

Dear Secretary Mortham:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of the State of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 2940, enacted during the 28th Session of the Legislature since the Constitution of 1968, during the Regular Session of 1996, and entitled:

An act relating to highway safety; ...

Senate Bill 2940 evidences both practical and legal problems.

On the practical level, there are four appointing authorities to make seven appointments, with no direction as to which authority appoints which member. There is a provision for staggered terms, yet no authority charged with designating which appointee serves which term. Ensuring that there is at least one member from each appellate district would be exceedingly difficult in that the appointing authorities have no control in who is nominated by the four associations which provide nominees.

While the practical considerations make the bill extraordinarily difficult to enforce, the legal ramifications are even more troublesome. The members of the DUI and Drug/Alcohol Traffic Education Commission are clearly officers of the executive branch of state government. The Commission appoints its own director, is independent of the Department of Highway Safety and Motor Vehicles, where it is housed, grants and revokes licenses, exercises rulemaking authority, and administers substantial amounts of state funds. It is constitutionally unacceptable for

the President of the Senate and the Speaker of the House of Representatives to exercise appointment power within the executive branch. It is equally unacceptable for judicial officers to exercise executive power in implementing the provisions of this bill.

There are many examples in our current law where commissions have been established in a similar unlawful manner. Most often, these commissions are logrolled into comprehensive bills which, for practical purposes, are not amenable to veto. The Legislature should be aware that these commissions often subject those appointed to dual office holding concerns, including possible forfeiture of office, as well as laying open the validity of actions of an improperly constituted commission should it be challenged.

For these reasons, I am withholding my approval of Senate Bill 2940 and hereby veto the same.

Sincerely,
LAWTON CHILES

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules and Calendar.

The following Executive Orders were filed with the Secretary:

EXECUTIVE ORDER NUMBER 96-326

(Executive Order of Suspension)

WHEREAS, Lenzy Corbin is presently serving as a member of the County Commission of Washington County, Florida, and

WHEREAS, on October 9, 1996, the Honorable Jim Appleman, State Attorney for the Fourteenth Circuit of Florida, filed an information charging Lenzy Corbin with violating section 468.629(1)(f), Florida Statutes, and

WHEREAS, it is in the best interest of the residents of Washington County and the citizens of the State of Florida that Lenzy Corbin be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. Lenzy Corbin is, and at all times material hereto was, a member of the County Commission of Washington County, Florida.

B. The office of County Commission member is within the purview of the suspension powers of the Governor, pursuant to Article IV, section VII, Florida Constitution and section 112.41, Florida Statutes.

C. The attached information alleges that Lenzy Corbin committed acts in violation of the laws of the State of Florida, and this information is hereby incorporated by reference as if fully set forth in this executive order.

D. This suspension is predicated upon the attached information, which constitutes misfeasance and/or malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this executive order is hereby promulgated, effective immediately:

Section 1. Lenzy Corbin is hereby suspended from the public office which he now holds, to wit: Member of the County Commission of Washington County, Florida.

Section 2. Lenzy Corbin is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 22nd day of October, 1996.

Lawton Chiles
GOVERNOR

ATTEST:
Sandra B. Mortham
SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

EXECUTIVE ORDER NUMBER 97-42

(Executive Order of Reinstatement)

WHEREAS, Lenzy Corbin was suspended from his office as a member of the County Commission of Washington County, Florida, pursuant to Executive Order 96-326, dated October 22, 1996, and

WHEREAS, on October 9, 1996, the Honorable Jim Appleman, State Attorney for the Fourteenth Circuit of Florida, filed an information charging Lenzy Corbin with violating section 468.629(1)(f), Florida Statutes, which was the basis for his suspension, and

WHEREAS, on January 28, 1997, the court entered a directed verdict in favor of Lenzy Corbin,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby promulgate the following Executive Order, effective immediately:

1. Lenzy Corbin is hereby reinstated to the public office which he held at the time of the above mentioned suspension, to wit: Member of the County Commission of Washington County, Florida.
2. Executive Order 96-326 is hereby revoked and the suspension of Lenzy Corbin is terminated.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 29th day of January, 1997.

Lawton Chiles
GOVERNOR

ATTEST:
Sandra B. Mortham
SECRETARY OF STATE

(Copy of indictment was filed in the office of the Secretary of the Senate.)

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

APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy Appointee: Spottswood, Andrea A., Key West	10/31/1999
Board of Acupuncture Appointees: Fraser, John Michael, Tallahassee Yen, Johanna Chu, Plantation	10/31/2000 10/31/2000
Board of Architecture and Interior Design Appointees: Butt, Arnold Frederick, Howey in the Hills Hall, Berta S., Winter Park	10/31/1998 10/31/1999

<i>Office and Appointment</i>	<i>For Term Ending</i>
State Athletic Commission Appointee: Goodman, Alvin, Miami	09/30/2000
Greater Orlando Aviation Authority Appointees: Hattaway, Robert T., Altamonte Springs Miller, William, Jr., Orlando Ritch, John Bunnette, Kissimmee	04/16/2000 04/16/2000 04/16/2000
Barbers' Board Appointee: McCanless, Walter C., Jr., St. Petersburg	10/31/2000
Florida Black Business Investment Board Appointees: Carswell, Keith A., Davie Nelson, Tony D., Jacksonville	09/30/1997 08/30/1998
Florida Building Code Administrators and Inspectors Board Appointee: Rogers, George Arthur, Pensacola	10/31/2000
Board of Building Codes and Standards Appointees: Harris, Peggy P., Winter Garden Thorne, Karl Seymour, Gainesville	05/01/1999 08/11/1999
Capitol Center Planning Commission Appointee: Block, Charles Edward, Vero Beach	09/30/2000
Board of Chiropractic Appointees: Sheldon, Richard Alan, Destin Wolfson, Wayne Curtis, Winter Park	10/31/2000 10/31/2000
Florida Citrus Commission Appointee: McPherson, Rex Vanburt II, Orlando	05/31/1998
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling Appointee: Waldo, John Stephen, Shalimar	10/31/1998
Regulatory Council of Community Association Managers Appointees: Creekmore, Thomas, Jr., Panama City Beach Hildebrandt, Harold R., Largo	10/31/2000 10/31/1999
Florida Communities Trust Appointee: Perez, Julian Humberto, Miami	01/31/1997
State Board of Community Colleges Appointees: Brice, Peggy J., Zellwood Platt, George I. III, Ft. Lauderdale	09/30/1997 09/30/2001
Florida Commission on Community Service Appointee: Bailey, Mark Lawrence, Coral Gables	09/14/1998
Board of Trustees of Edison Community College Appointees: Heber, Thomas C., Clewiston Warr, Katherine L., Moore Haven	05/31/2000 05/31/2000
Board of Trustees of Florida Community College at Jacksonville Appointee: Barrett, Martha Elizabeth, Jacksonville	05/31/1999
Board of Trustees of Florida Keys Community College Appointee: Cates, Emma Carrero, Key West	05/31/1998
Board of Trustees of Gulf Coast Community College Appointee: Bloodworth, Leon Reed, Apalachicola	05/31/2000
Board of Trustees of Manatee Community College Appointees: Branich, Gladys, Bradenton McGuire, Hugh Etheridge, Jr., Parrish Perkins, Robert Eugene, Sarasota	05/31/2000 05/31/2000
Board of Trustees of Pensacola Junior College	

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointee: Goodman, Antoinette L., Pensacola	05/31/1998	Appointees: Buermann, Eric, Miami	12/10/1999
Board of Trustees of Polk Community College		Hardaway, Larry D., Winter Haven	12/10/1999
Appointee: Ruthven, Joe P., Lakeland	05/31/1997	McClure, Julie G., Bradenton	12/27/1999
Board of Trustees of St. Petersburg Junior College		Murrah, Kenneth F., Winter Park	12/10/1999
Appointee: Megaloudis, Gary, Palm Harbor	05/31/1999	Ostrau, Norman M., Plantation	12/10/1997
Board of Trustees of Tallahassee Community College		Board of Employee Leasing Companies	
Appointee: May, Fountain Howard, Jr., Quincy	05/31/1997	Appointees: Saladrigas, Carlos A., Miami	10/31/1999
Board of Trustees of Valencia Community College		Samuels, Robert J., Tampa	10/31/1997
Appointee: Lackey, Jan Duke, Kissimmee	05/31/2000	Board of Professional Engineers	
Construction Industry Licensing Board		Appointee: Whitston, David Austin, Ocala	10/31/1999
Appointees: Malia, Robert Joseph, Cooper City	10/31/2000	Board of Directors, Enterprise Florida, Inc.	
Palacios, Rafael Raul, Miami	10/31/2000	Appointees: Hodor, Howard Irwin, Gainesville	07/01/1998
Florida Corrections Commission		Nunis, Richard A., Windermere	07/01/1999
Appointees: Bolte, John R., Maitland	06/30/2000	Board of Directors, Capital Development Board	
Harvey, David Fulton,		Appointee: Burton, Donald Williamson, Tampa	03/09/2000
Crawfordville	06/30/2000	Board of Directors, Florida International Trade and Economic Development Board	
State of Florida Correctional Medical Authority		Appointees: Dye, H. Michael, Miami Lakes	11/21/2000
Appointees: Baker, Jeannie Brinson, Starke	09/30/1999	Hsu, Paul S., Fort Walton Beach	11/21/1999
Clark, Nereyda Polo, Gainesville	07/01/2000	Jennings, Cleastor William,	
Board of Cosmetology		Orlando	11/21/1999
Appointees: Ortiz, Maria M., Miami	10/31/1998	Maguire, Amelia Rea, Coral Gables	11/21/2000
Poole, David William, Tallahassee	10/31/1999	O'Brien, James Joseph, Plantation	11/21/2000
Stone, Ann E., Mt. Dora	10/31/1998	Schirard, Joseph Brantley, Fort	
Board of Trustees for the Florida School for the Deaf and the Blind		Pierce	11/21/2000
Appointees: Mauldin, Mary Inez, Panama City	12/10/2000	Simonetta, Rocco Santo, Sarasota	11/21/2000
Turner, Edgar Malone, Pensacola	11/19/2000	Smith, John Edward, Miami	11/21/2000
Board of Dentistry		Villamil, Jose Antonio, Coral Gables	11/21/1999
Appointees: Brotman, Solomon George, Atlantic Beach	10/31/2000	Board of Directors, Technology Development Board	
McDonald, Mary Lou Duffill,		Appointee: Crissey, Relf Seward, Winter Park	06/14/1997
Sanford	10/31/2000	Board of Directors, Workforce Development Board	
Stavros, Irene J., South Miami	10/31/2000	Appointees: Neimeiser, Mark M., Tallahassee	06/05/1999
Education Practices Commission		Rhoads, Sharon Callen, St.	
Appointees: Burton, Robert E., St. Augustine	09/30/1999	Petersburg	06/05/2000
Coddington, Clarissa H., Ft. Lauderdale	09/30/1999	Tornillo, Pat L., Jr., Miami	06/05/1999
Corbett, Jordon Jerome, Bartow	09/30/1998	Witte, Betty Jean, Coconut Creek	06/05/1999
Kenny, Mary Hannigan, Titusville	09/30/2000	Commission on Ethics	
Palmer, Jayne Ann Wayman,		Appointee: Prieto, Peter, Coral Gables	06/30/1998
Jensen Beach	09/30/1999	Tampa-Hillsborough County Expressway Authority	
Sijan, Amy O'Brien, Fort Myers	09/30/2000	Appointee: Callahan, Frank Thomas, Tampa	07/01/2000
Wolfe, Margaret Ada, Anna Maria	09/30/1999	Board of Funeral Directors and Embalmers	
Wright, Ronald Stephen, Ft. Lauderdale	09/30/1999	Appointees: Benboe, Daniel Leslie, Pensacola	10/31/2000
Education Standards Commission		Cunningham, Albert Lee, Ocala	10/31/1998
Appointees: Coto, Norma E., Orlando	09/30/1998	Game and Fresh Water Fish Commission	
D'Alessandro, Bobbie J., Fort Myers	09/30/1996	Appointees: Bruner, Maxwell Joseph, Mary	
Farmer, Diane Albert, Tampa	09/30/1998	Esther	01/04/2001
Hoag, Patrick John, Deland	09/30/1999	Morris, Julie K., Sarasota	01/06/2003
Horn, Patricia Solomon, St. Augustine	09/30/1997	Board of Professional Geologists	
Johnson, Katherine McDonald, Port St. Lucie	09/30/1998	Appointee: Greene, Collace Clinton, Ormond Beach	10/31/2000
Lisch, Eloise Turner, Bradenton	09/30/1998	Board of Hearing Aid Specialists	
Lopez, Mary Morgan, Arcadia	09/30/1998	Appointees: Telischi, Fred F., Coral Gables	10/31/1997
Martin, Suzanne Owens, Pace	09/30/1999	Weber, Dora W., Pompano Beach	10/31/2000
McBride, Rebecca Rigby, Pensacola	09/30/1998	Yordon, Leonard M., Daytona Beach	10/31/2000
Pippin, James Willard, Okeechobee	09/30/1998	Board of Trustees of South Lake County Hospital District	
Proctor, William Lee, St. Augustine	09/30/1998	Appointee: McGriff, Dorothy C., Clermont	07/05/1999
Rodriguez-Walling, Matty Barcelo, Miami	09/30/1998	Florida Housing Finance Agency	
Sharpe, Barbara Jean, Gainesville	09/30/1996	Appointee: Martin, Richard Charles, Jacksonville	11/13/1998
Florida Elections Commission		Florida Commission on Human Relations	
		Appointees: Ellis, Larry Tyrone, Gainesville	09/30/1999

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Fenton, Jeanette LaRussa, Tampa Townsend, Ronald Paul, Pensacola	09/30/1999 09/30/1999	Scionti, Anthony J., Tampa	10/31/2000
State Board of Independent Colleges and Universities Appointee: Durst, Maribeth, Tampa	09/30/1999	Board of Podiatric Medicine Appointee: Hickey, Jill Virginia, Naples	10/31/1997
State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools Appointee: Peoples, David L., Orlando	07/01/1998	Postsecondary Education Planning Commission Appointees: Bryan, Robert A., Gainesville Kirk, James E., Jr., Ocala Shelton, Maria M., Davie	02/04/2000 02/04/2000 02/04/2000
Board of Landscape Architecture Appointees: Greene, Susan, Pembroke Pines Hemphill, David Keith, Pensacola	10/31/1999 10/31/1999	Prepaid Postsecondary Education Expense Board Appointees: Starling, Bruce Cordell, Orlando Tate, Stanley G., Bay Harbor Islands	06/30/1997 06/30/1999
Gulf States Marine Fisheries Commission Appointee: McFarland, Patrick Kelly, Port St. Joe	01/05/1998	Historic Palm Beach Preservation Board of Trustees Appointees: Healy-Golembe, Patricia Ann, Delray Beach Wescott, William Flynn, Jupiter	06/30/1999 06/30/1999
Board of Massage Appointees: Cressor, Candace, Tampa Rosello, Gloria, Miami	10/31/1999 10/31/2000	Historic Tampa-Hillsborough County Preservation Board of Trustees Appointees: Alvarez, Mary C., Tampa Salaga, Vivian O., Tampa	06/30/1999 06/30/1999
Board of Medicine Appointees: Pardue, Carolyn Rennick, Tallahassee Scooner, Cecile M., Panama City Skinner, Margaret Sheppard, Juno Beach	10/31/2000 10/31/2000 10/31/1997	Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Humphries, Frederick S., Tallahassee Medlin, Kenneth Lewis, Longwood	09/30/1999 09/30/1999
Board of Nursing Appointees: Curry-Baggett, Patricia, Miami Garner, Diane Jimenez, Tampa Leonard, Mary Kathryn, New Smyrna Beach	10/31/2000 10/31/2000 10/31/2000	Chairman of Public Employees Relations Commission Appointee: Mahon, Lacy, Jr., Atlantic Beach	01/01/2000
Board of Nursing Home Administrators Appointees: Conti, Mary Alice, Pensacola Echevarria, Katherine Harris, Tampa Goodman, Terry Carl, Miami Lockeby, Kyle Eustice, Jr., Daytona Beach Trachsel, Sandra Faye, Gainesville	10/31/1999 10/31/1998 10/31/2000 10/31/1998 10/31/2000	Florida Real Estate Appraisal Board Appointee: Callaway, Mary M., Pensacola	10/31/1996
Board of Opticianry Appointees: Chamberlain, Sonya A., Tallahassee Jones, William Vernon, Holmes Beach Whited, Edmund Andrew III, Pensacola	10/31/1996 10/31/1999 10/31/1999	Florida Real Estate Commission Appointees: Fisher, Herbert Roosevelt, Valrico Tangel-Rodriguez, Ana E., Orlando	10/31/2000 10/31/2000
Board of Optometry Appointee: Schlofman, Arthur Leonard, Starke	10/31/2000	Apalachee Regional Planning Council, Region 2 Appointee: Bailar, Richard J., Monticello	10/01/1996 10/01/1999
Board of Osteopathic Medicine Appointees: Owen, Carol R., Hallandale Panzer, Robert George, Ocala	10/31/1997 10/31/1996	North Central Florida Regional Planning Council, Region 3 Appointees: Harris, Oscar L., Jr., Archer Hodges, Evon W., Jr., Hampton	10/01/1996 10/01/1997
Parole Commission Appointees: Crockett, Maurice G., Tallahassee Spooner, Edward M., Quincy Wolson, Judith A., Tallahassee	06/30/1998 06/30/2002 06/30/2000	Northeast Florida Regional Planning Council, Region 4 Appointees: Hawkinson, James Earl, Orange Park McCullagh, Lenore N., Orange Park	10/01/1998 10/01/1998
Board of Pharmacy Appointees: Inge, Leonard LeBaron, Tallahassee Mora, Juan Francisco, Miami	10/31/2000 10/31/2000	Withlacoochee Regional Planning Council, Region 5 Appointees: Barnes, John T., Homosassa Bronson, Thomas Edward, Brooksville Davis, Marjorie C., Williston Neville, Eunice M., Lake Panasoffkee Poole, Eugene Alphonziea, Ocala	10/01/1997 10/01/1998 10/01/1997 10/01/1997 10/01/1998
Board of Physical Therapy Practice Appointees: Bello, Barbara Wynne, Sunrise Menge, Jewell Emily, Panama City Prado, Antonio, Tampa	10/31/1997 10/31/2000 10/31/1999	East Central Florida Regional Planning Council, Region 6 Appointee: Barice, Carole Joy, Longwood	10/01/1998
Board of Pilot Commissioners Appointee: Fuller, James Walden, Panama City	10/31/1996	Central Florida Regional Planning Council, Region 7 Appointees: Clemons, Susanne H., Okeechobee Jones, Mary E., Fort Meade Martz, John Claude, Sebring	10/01/1998 10/01/1997 10/01/1997
Pilotage Rate Review Board Appointees: Rodriguez, Ramon A., Fort Lauderdale	10/31/2000	Tampa Bay Regional Planning Council, Region 8 Appointees: Bradley, Terrye Singletary, St. Petersburg Nodine, William E., Belleair Silverberg, Jane Esther, Redington Beach	10/01/1998 10/01/1997 10/01/1997

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Southwest Florida Regional Planning Council, Region 9 Appointees: Klaas, Richard Lee, Naples Suarez, Israel, Ft. Myers	10/01/1999 10/01/1998	Goetz, Ellin, Naples	03/01/1999
Treasure Coast Regional Planning Council, Region 10 Appointee: Klein, Robert Neal, Port St. Lucie	10/01/1999	Governing Board of the Southwest Florida Water Management District Appointee: Harlee, John Pope IV, Bradenton	03/01/1997
South Florida Regional Planning Council, Region 11 Appointee: Echemendia, Santiago Dionisio, Coral Gables	10/01/1998	Alafia River Basin Board of the Southwest Florida Water Management District Appointee: Haugabook, Earl Stanley, Brandon	03/01/1999
State Retirement Commission Appointee: Butler, Wilbert, Jr., Tallahassee	12/31/1999	Hillsborough River Basin Board of the Southwest Florida Water Management District Appointees: Gaston, Lois Hurston, Valrico Kuenzel, Calvin Arnold, Land O'Lakes	03/01/1999 03/01/1999
Board of Trustees of the John and Mable Ringling Museum of Art Appointee: Austin-Smith, Sheila A., Miami	11/05/1999	Manasota Basin Board of the Southwest Florida Water Management District Appointees: Hamner, John Thomas, Bradenton Jones, Judith Lynne, Sarasota Longino, Berryman Thomas, Arcadia Williams, Charles Erwin, Sarasota	03/01/1998 03/01/1998 03/01/1999 03/01/1999
Board of Speech-Language Pathology and Audiology Appointees: Hough, Gerald Lawrence, Palm Harbor Pellegrino, Mary M., Tallahassee	10/31/2000 10/31/2000	Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District Appointees: Tillotson, Gwendolyn Sue, Odessa Wester, Janette Meredith, Lutz	03/01/1999 03/01/1999
Board of Professional Surveyors and Mappers Appointees: Armstead, Ralph, Orlando Gibson, David Wylie, Evinston	10/31/1997 10/31/2000	Peace River Basin Board of the Southwest Florida Water Management District Appointees: Barben, Robert H., Avon Park Davis, William Keith, Wauchula	03/01/1997 03/01/1999
Florida Commission on Tourism Appointees: Benson, Hayward J., Jr., Lauderhill Cherniavsky, Thomas W., Duck Key Garfield, Randy Alan, Orlando Halford, Nancy Stanton, Pensacola Healan, Jack Bernard, Amelia Island Litrenta, Edward J., Orlando Racanelli, John Charles, Tampa Smith, Roxanna L., Ft. Myers Beach	06/30/2000 06/30/2000 06/30/2000 06/30/1998 06/30/2000 06/30/2000 06/30/2000 06/30/2000	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District Appointee: Spigelman, Adelle Levin, Holiday	03/01/1999 03/01/1999
Unemployment Appeals Commission Appointee: Harris, Charlie N., Nobleton	06/30/2000	Withlacoochee River Basin Board of the Southwest Florida Water Management District Appointees: Dixon, Eleanor Patricia, Inverness Haile, Julia Hackley, Chiefland Lee, Andrew Wayne, Wildwood	03/01/1998 03/01/1999 03/01/1999
Florida Commission on Veterans' Affairs Appointees: Thomas, John W., Niceville Walker, Isabella Beggio, Plantation	11/16/2000 11/16/2000		
Board of Veterinary Medicine Appointees: Lewis, Cynthia N., Winter Garden O'Neil, Robert Eugene, Pembroke Pines	10/31/2000 10/31/2000		
[Referred to the Committees on Executive Business, Ethics and Elections.]			
Secretary of Department of Health Appointee: Howell, James Thomas, Lake Worth	Pleasure of Governor		
[Referred to the Committees on Health Care; and Executive Business, Ethics and Elections.]			
Board of Regents Appointees: Harding, James Raymond, Tallahassee Heekin, James Freeman, Jr., Altamonte Springs Lewis, Phillip Daniel, West Palm Beach	09/01/1997 01/01/2003 01/01/2002		
[Referred to the Committees on Education; and Executive Business, Ethics and Elections.]			
Environmental Regulation Commission Appointees: Batchelor, Dick J., Orlando Rogers, Roy, Lighthouse Point	07/01/1999 07/01/1997		
Big Cypress Basin Board of the South Florida Water Management District Appointees: Davenport, Claudia Annette, Everglades City	03/01/1999		

[Referred to the Committees on Natural Resources; and Executive Business, Ethics and Elections.]

SUPREME COURT OF FLORIDA

The following certificate was received:

No. 89,853

In Re: CERTIFICATION OF THE NEED FOR ADDITIONAL
JUDGES

[February 12, 1997]

KOGAN, C. J.

Under the provisions of article V, section 9 of the Florida Constitution, the Supreme Court of Florida is responsible for determining the need for additional judges, or the necessity for decreasing the number of judges required to consider cases filed before the respective courts. We appreciate the fiscal ramifications of certifying new judges, and have adopted a policy of only doing so when we are certain that such a need exists. To this end, we have analyzed case filings and evaluated the growth in judicial workload over the past several years.

As a result of this careful review, in which we considered requests for a total of 26 new judges, we have determined we should certify the need for seven additional circuit judges, three additional county judges, and no additional appellate judges for a total of 10 new judicial positions. A comparison of the requests for new judges filed by the respective courts and the new judges certified as needed for fiscal year 1997-98 follows:

District Court	District Courts of Appeal		County Court		
	Request	Certified	County	Request	Certified
First District	3	0			
Second District	--	--			
Third District	--	--			
Fourth District	--	--			
Fifth District	--	--			
Totals	3	0			

Circuit	Circuit Court		County	County Court	
	Request	Certified		Request	Certified
Second	1	1	Leon	1	0
Third			Columbia	1	0
Fourth	1	1			
Fifth	2	2			
Seventh	1	1	Putnam	1	0
Ninth	1	1	Orange	1	1
Eleventh	4	0	Dade	1	1
Thirteenth	1	0			
Fifteenth	2	0	Palm Beach	1	0
Seventeenth	1	1	Broward	1	1
Eighteenth	2	0			
Totals	16	7	Totals	7	3

This conservative certification is dependent upon receipt of the requested increase in funding for the assignment of senior judges. As explained herein, using senior judges is a very cost efficient means of meeting the increasing judicial workload.

The criteria for certification of the need for additional judges in the district courts of appeal are set forth in rule 2.035(b)(2), Florida Rules of Judicial Administration. The Court received a request for three additional judges from the First District Court of Appeal. None of the other district courts requested additional judges. The last new judgeships for the district courts were authorized in 1993. Since that time the number of annual filings in each district court has risen steadily. It is forecast that a total of 22,885 cases will be filed in the district courts in 1997, a 24 percent increase since 1993. Judicial workload is expected to range from 337 filings per judge in the Third District Court of Appeal to 411 filings per judge in the Fifth District Court of Appeal.

The district courts have each addressed increased workload pressures through various means. They have improved internal operating procedures, established central legal research staffs to handle selected matters, and assigned senior judges to hear appeals on a temporary basis. The First District Court of Appeal has developed an appellate pre-briefing conference program combining both mediation and case management, as well as a specialized division to handle administrative and workers' compensation cases. We continue to encourage these courts to develop alternative and creative means to efficiently and fairly hear the cases brought before them. Such efforts have enabled the courts to address increases in caseloads without the serial addition of new appellate judges.

Nevertheless, we find that the continued growth in filings will soon force consideration of significant increases of judicial and other resources of the district courts. As an alternative to certifying new judges though, we recommend that consideration be given to changing the organization, jurisdiction, or geographical boundaries of the districts. The creation of additional districts may also be a plausible alternative.

To ensure a thorough review of these potential alternatives, the Court has directed the Judicial Management Council (JMC) to conduct an in-depth study of workload issues and all related policy for the district courts of appeal. The JMC Committee on Appellate Court Workload and Jurisdiction has already begun work in this regard. The Committee is examining the organization, jurisdiction, nature and flow of work, internal operating procedures, need for judges, judicial and support staffing standards, and alternatives to adding more judges. The alternatives being considered include redrawing the boundaries of the current districts and creating new districts. We have asked the Judicial Management Council to complete its study by May 30, 1997.

For the foregoing reasons we are not certifying the need for any of the judgeships requested by the First District Court of Appeal. The results of the Judicial Management Council study will be considered by the Court in preparation for the 1998 certification opinion.

The criteria for certification of the need for judges in trial courts are set forth in rule 2.035(b)(1), Florida Rules of Judicial Administration. Consistent with previous practice, we have placed the greatest weight on statistical data reflecting the growth and composition of caseloads in the various circuits and counties. We have determined that the most consistent and reliable measure of workload at the trial court level is total case filings per judge.

In addition to filings data, we considered the other factors described in rule 2.035(b)(1)(B), Florida Rules of Judicial Administration. These factors included county judge service on the circuit bench, the availability and use of senior judges, the availability and use of supplemental hearing officers, the use of alternative dispute resolution, the number of jury trials, the number of foreign language interpretations, the geographic size of a circuit, special law enforcement activities, the availability and use of case-related support staff and case management policies and practices, the nature and complexity of cases, and caseload trends. This information was extremely useful in evaluating the requests of the various circuit courts.

After reviewing these factors, we find it necessary to certify the need for seven new circuit judges for fiscal year 1997-98, as follows: one additional circuit judge each for the Second, Fourth, Seventh, Ninth, and Seventeenth Judicial Circuits, and two for the Fifth Judicial Circuit.

The overall workload of Florida's circuit courts continues to grow at a steady but modest rate. From 1995 through 1997, total filings are projected to increase five percent. Moreover, criminal filings are projected to grow by 12 percent over the same period. Civil filings, which were relatively flat through 1994, are increasing and are projected to grow by 10 percent through 1997. Domestic relations matters, which had been a growth category through 1994, have leveled off somewhat, but domestic and repeat violence filings continue to increase dramatically. These cases have increased 35 percent over the past four years.

Not only are circuit court filings increasing but, as we pointed out in previous certification opinions, all categories of cases being filed are more labor intensive than in previous years. In the past, circuit courts projected to have 1,865 filings per judge were considered working above capacity. This Court presumed that the circuit courts working at this threshold level required additional judicial resources. Today, there are other factors this Court must consider in evaluating workload. Changes in the statutes, case law and court procedure in recent years have necessitated more hearings for various types of cases, mandated priority handling for certain matters, and required judges to render written findings of fact and conclusions of law more frequently. The collective effect of these changes is that cases are more involved and labor intensive than when the 1,865 filings per judge threshold was adopted in 1986. Often these changes cannot be measured in terms of a need for full-time judicial positions in a particular jurisdiction, but instead serve to gradually increase workload across the board.

Due to the increase in labor intensity, we are compelled to give careful consideration to the necessity for additional judgeships not only for courts near or above the threshold, but also for courts that are somewhat below the standard as well. Four of the six courts for which we are currently certifying a need for an additional judge or judges are forecast to exceed the 1,865 filing per judge threshold in 1997. We also certify the need for one additional judge each for the Fourth and Seventeenth Judicial Circuits which are expected to have 1997 workloads slightly below the threshold.

Although we recognize that these circuits are faced with mounting workload pressures, we elect to limit the number of new judges certified to each and supplement the judicial resources in those circuits with senior judges. The Court has long encouraged the trial courts to consider alternatives to adding additional judgeships whenever possible. In addition to the effective and cost efficient use of senior judges, trial courts have employed an array of resources and case management strategies including: the establishment of specialized subject matter or trial divisions; differentiated case management to consolidate and expedite certain types of cases; the use of general or special masters, child support hearing officers, and traffic magistrates; court annexed mediation or

arbitration of family, civil and selected juvenile matters; and the assignment of a cadre of trial court law clerks to assist with case reviews, case management and legal research. We encourage the continued use of these alternatives.

As in the circuit courts, caseloads in Florida's county courts continue to increase at a steady rate, following a four year downward trend from 1990 through 1993. This increase is largely attributable to growth in criminal filings. We considered this increase in evaluating the need for additional county judges. We relied principally on case filings data that were adjusted to include only criminal, civil, DUI, and other criminal traffic cases. As in the past, worthless check cases and civil traffic infractions were weighted less heavily because of their volume and the lessened requirement for judicial attention per case, the diversion of large numbers of worthless check cases in selected circuits, and the variability and volume of such cases reported from county to county.

County courts with caseload forecasts near or exceeding 6,114 filings per judge are presumed to be operating at or above capacity. All of the counties for which we certify the need for an additional judge are projected to exceed the 6,114 threshold in 1997. We find it necessary to certify the need for three new county judges for fiscal year 1997-98, one each for Broward, Dade and Orange Counties.

Again, it is clear to this Court that adding judges alone will not ensure increased efficiency in the Florida State Courts System. Neither is it the most cost effective means for addressing increased caseloads. This conclusion is supported by our evaluation of judicial workload in the twenty judicial circuits. We will continue to rely heavily on the use of senior judges on temporary assignment to augment the active trial and appellate court judiciary. Senior judges will serve in excess of 5,500 days in the current fiscal year. The cost of the equivalent of a year of senior judge service is approximately 30 percent of the annual cost of a circuit judgeship. We are requesting an increase in funding for approximately 1,400 additional senior judge days for fiscal year 1997-98.

Further, judges cannot efficiently and effectively manage caseloads without the benefit of adequate numbers of trained support staff. The availability of law clerks, case managers, office automation, and other resources are essential to the ability of Florida's courts to effectively address caseload pressures on a continuing basis. We urge the Florida Legislature to fund the judicial branch budget requests for such resources.

Full funding of the requests certified in this opinion is absolutely essential if Florida's courts are to fulfill their constitutional mandate to try cases in a fair, impartial, and timely manner. Therefore, this Court encourages the Florida Legislature to authorize the judgeships certified herein, effective October 1, 1997.

It is so ordered.

OVERTON, SHAW, GRIMES, HARDING, WELLS and ANSTEAD, JJ., concur.

Original Proceeding - Certification of Need for Additional Judges

COMMITTEES OF THE SENATE

(With Revisions)

Agriculture

Senator Bronson, Chairman; Senator Thomas, Vice Chairman; Senators Dantzler, Hargrett, McKay and Ostalkiewicz

Banking and Insurance

Senator Diaz-Balart, Chairman; Senator Holzendorf, Vice Chairman; Senators Bankhead, Childers, Grant, Harris, Jenne, McKay, Rossin, Scott, Sullivan, Thomas and Williams

Children, Families and Seniors

Senator Rossin, Chairman; Senator Cowin, Vice Chairman; Senators Bankhead, Brown-Waite, Campbell, Dantzler, Forman, McKay, Myers, Sullivan and Turner

Commerce and Economic Opportunities

Senator Harris, Chairman; Senator Horne, Vice Chairman; Senators Burt, Casas, Diaz-Balart, Dudley, Grant, Gutman, Holzendorf, Jenne, Jones, Klein, Kurth, Ostalkiewicz, Scott, Thomas and Williams

Community Affairs

Senator Dyer, Chairman; Senator Myers, Vice Chairman; Senators Brown-Waite, Casas, Dantzler, Dudley, Kurth and Meadows

Criminal Justice

Senator Gutman, Chairman; Senator Bronson, Vice Chairman; Senators Burt, Campbell, Crist, Horne, Klein, Silver and Turner

Education

Senator Grant, Chairman; Senator Jenne, Vice Chairman; Senators Clary, Cowin, Diaz-Balart, Dudley, Dyer, Holzendorf, Horne, Kirkpatrick, Latvala, Lee, Meadows and Sullivan

Executive Business, Ethics and Elections

Senator Crist, Chairman; Senator Clary, Vice Chairman; Senators Bronson, Childers, Dyer, Hargrett, Kirkpatrick, Latvala, Lee, Meadows and Silver

Governmental Reform and Oversight

Senator Williams, Chairman; Senator Harris, Vice Chairman; Senators Campbell, Crist, Gutman, Kurth, Rossin, Scott and Turner

Health Care

Senator Brown-Waite, Chairman; Senator Childers, Vice Chairman; Senators Bankhead, Burt, Casas, Forman, Jones, Klein, Myers and Silver

Judiciary

Senator Dudley, Chairman; Senator Jones, Vice Chairman; Senators Burt, Campbell, Crist, Grant, Horne, Ostalkiewicz, Rossin, Silver and Williams

Natural Resources

Senator Latvala, Chairman; Senator Kirkpatrick, Vice Chairman; Senators Bronson, Clary, Cowin, Dantzler, Diaz-Balart, Dyer, Forman, Hargrett, Kurth, McKay, Myers and Sullivan

Select Subcommittee for Land Acquisition and Management

Senator McKay, Chairman; Senators Bronson, Cowin, Forman, Kirkpatrick and Latvala

Regulated Industries

Senator Scott, Chairman; Senator Gutman, Vice Chairman; Senators Bankhead, Brown-Waite, Casas, Childers, Harris, Holzendorf, Jenne, Klein, Lee, Meadows and Turner

Rules and Calendar

Senator Bankhead, Chairman; Senator Diaz-Balart, Vice Chairman; Senators Bronson, Burt, Casas, Childers, Dudley, Grant, Hargrett, Horne, Jenne, Jones, Kirkpatrick, Latvala, McKay, Ostalkiewicz, Rossin, Scott, Silver, Sullivan, Thomas and Williams

Transportation

Senator Hargrett, Chairman; Senator Lee, Vice Chairman; Senators Clary, Cowin, Forman, Jones, Kirkpatrick, Latvala and Ostalkiewicz

Ways and Means

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

Subcommittee A (General Government): Senator Childers, Chairman; Senators Bronson, Casas, Dantzler, Hargrett, Jones, Lee, Scott and Williams

Subcommittee B (Education): Senator Horne, Chairman; Senators Burt, Clary, Cowin, Dyer, Grant, Holzendorf, Jenne and Kirkpatrick

Subcommittee C (Human Services): Senator Myers, Chairman; Senators Bankhead, Brown-Waite, Forman, Kurth, McKay and Rossin

Subcommittee D (Criminal Justice): Senator Silver, Chairman; Senators Campbell, Crist, Dudley, Gutman and Meadows

Subcommittee E (Finance and Tax): Senator Ostalkiewicz, Chairman; Senators Diaz-Balart, Harris, Klein, Latvala, Thomas and Turner

Joint Legislative Management Committee
Senator Grant, Alternating Chairman; Senators Holzendorf and McKay

JOINT COMMITTEES

Joint Administrative Procedures Committee

Senator Williams, Alternating Chairman; Senators Brown-Waite and Dudley

Joint Legislative Information Technology Resource Committee

Senator Kirkpatrick, Alternating Chairman; Senators Forman and Sullivan

Joint Legislative Auditing Committee

Senator Ostalkiewicz, Alternating Chairman; Senators Burt, Gutman, Rossin and Silver

Joint Legislative Committee on Intergovernmental Relations

Senator Meadows, Alternating Chairman; Senators Clary, Dyer and Horne

RECESS

On motion by Senator Bankhead, the Senate recessed at 2:59 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, March 5.

SENATE PAGES

March 3-7

Caroline Burd, Altamonte Springs; Jennifer Burnham, Live Oak; Kristy Calhoun, Crawfordville; James Cornell, Fruitland Park; Alphonso Craig, Tallahassee; Joseph (Joe) Durso, Spring Hill; Brandi M. Hackle, Cross City; Jeremy Harper, Stuart; Lesley (Parrish) Lentz, Daytona Beach; Mikael (Mykey) Tanique Miller, Tallahassee; Joseph Brian Page, Keystone Heights; Sarah Pritchett, East Palatka; Katina Meropi Stamat, Land O'Lakes; David Michael Wiggins, Lake Butler; Carma Williams, Tallahassee