



# Journal of the Senate

Number 5—Regular Session

Thursday, March 13, 1997

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## CALL TO ORDER

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

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

Excused: Senator Casas; Senator Silver at 2:57 p.m.

## PRAYER

The following prayer was offered by the Rev. Steven Davies, Village Baptist Church, Destin:

Almighty God, we come before you this afternoon in recognition of the need of your divine presence and guidance in our lives. Lord, as we bow our heads and bow our hearts today, I personally come before you in the name of my Lord and Savior, Jesus Christ, to pray on behalf of this congregation of ladies and gentlemen that represent the people of this state.

Lord, we are grateful for the many blessings of our past. We are grateful for the destiny that you have given us as Americans. We are grateful for the blessings that you have given us as a nation. And Lord, we bow in your presence with a word of praise acknowledging your tender hand that guides and leads us each day, as well as your mercy and grace so freely given.

Father, this afternoon as we are gathered here, we come with problems that we face as a people. Lord, the morality of our country seems to be on a downhill swing. Lord, there are problems that our children face not only in their homes but upon the schoolyards. Places of learning at times have become a battlefield. Father, the problems are great and oftentimes we look to our government leaders to solve the problems, but your word says that unless the Lord builds a house, they labor in vain who build it. So Lord, really our greatest need is the need to know your heart and, Lord, we know that your heart is for the good and the best of all people.

So Father, this afternoon as we bow and lift up this request unto you, Lord, I would pray that you would bestow understanding upon those who are gathered in this Chamber. Lord, I would ask that you would fill their hearts with wisdom, even as you did King Solomon in days of old. Father, I pray that your hand would guide and lead them as they try to steer a

course for this state and, Lord, in turn as this state sets a standard for the nation which we are a part.

Lord, we are grateful for your hand of blessing and we ask your continued protection and guidance and, Lord, we bring these things before you asking your help and, Lord, I pray these things through your Son and my Savior, Jesus Christ. Amen.

## PLEDGE

Senate Pages, Kareem Bradshaw of Opa Locka and Tanya Jones of Rockledge, led the Senate in the pledge of allegiance to the flag of the United States of America.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Sullivan, by two-thirds vote **SB 164, SB 182, SB 198, CS for SB 232, SB 268, CS for CS for SB 286, CS for CS for SB 384, SB 656 and CS for SB 658** were withdrawn from the Committee on Ways and Means.

On motion by Senator Grant, by two-thirds vote **SB 1928 and SB 488** were withdrawn from the committees of reference and further consideration.

On motion by Senator Bronson, by two-thirds vote **SB 6** was withdrawn from the committee of reference and further consideration.

On motion by Senator Forman, by two-thirds vote **SB 102** was withdrawn from the committee of reference and further consideration.

## CONSIDERATION OF BILLS ON THIRD READING

On motion by Senator Sullivan, by two-thirds vote **CS for HB 91** was withdrawn from the Committee on Criminal Justice.

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

**CS for HB 91**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding flunitrazepam, alpha-ethyltryptamine, 2-amino-5-phenyl-2-oxazoline, 4-bromo-2, 5-dimethoxyphenethylamine, and methcathinone to the list of Schedule I controlled substances; adding gamma-hydroxy-butyrate to the list of Schedule II 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; repealing s. 893.03(4)(w), F.S.; providing for the removal of fenfluramine from the schedule of controlled substances; providing a conditional effective date and an effective date.

—a companion measure, was substituted for **SB 92** as amended and by two-thirds vote read the second time by title. On motions by Senator Sullivan, by two-thirds vote **CS for HB 91** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Madam President	Bronson	Burt	Childers
Bankhead	Brown-Waite	Campbell	Clary

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

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**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 read the third time by title.

On motions by Senator Gutman, **SB 156** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

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**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; repealing Rule 3.250, Florida Rules of Criminal Procedure, relating to the accused as a witness and being entitled to concluding arguments before the jury; providing a contingent effective date.

—as amended March 12 was read the third time by title.

On motions by Senator Gutman, **SB 316** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

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**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.

—as amended March 12 was read the third time by title.

On motions by Senator Bronson, **CS for SB 288** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

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**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 read the third time by title.

On motions by Senator Crist, **SB 258** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

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**CS for SB 794**—A bill to be entitled An act relating to property insurance; amending s. 627.351, F.S.; providing standards for member-

ship in the Florida Windstorm Underwriting Association; providing exclusions from membership; providing definitions; requiring retention of surplus; providing for participation in regular assessments by member insurers; authorizing credits from assessments for taking policies out of the Residential Property and Casualty Joint Underwriting Association; 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; requiring the Department of Insurance to verify calculations of emergency assessments; specifying purpose of financing mechanisms; 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; revising the notice requirements for cancellation of association policies; providing for a notice to be placed in the association policy; providing legislative intent that the rate and premium structure of the association be actuarially sound and noncompetitive; authorizing the establishment of a partnership, a trust, and a limited liability company; providing for certain powers; authorizing issuance of bonds and other indebtedness in the absence of a hurricane; providing legislative intent; providing for the protection of creditors; providing immunity from liability; applying such prohibition to pending applications; prohibiting expansion of the geographical boundaries of the association after the effective date of this act; applying such prohibition to pending applications; providing standards 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; requiring the Department of Insurance to verify the calculations of emergency assessments; specifying purpose of financing mechanisms; creating a limitation upon an assessment; providing technical corrections; providing for agent commissions; revising notice requirement for cancellation of association policies; providing for a market equalization surcharge; authorizing different eligibility requirements and operational procedures of operation; providing for rates; revising the mobile home rate requirements for the association; 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; revising the standards and scope of the immunity from causes of action provided to board members and others; providing for protection of creditors; 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; creating s. 627.3513, F.S.; establishing requirements for the sale of bonds and the selection of financial services providers and underwriters by the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association; prohibiting the engagement of the services of certain persons; requiring the disclosure of certain information; providing that failure to comply does not affect validity of bond issue but is a violation of the Insurance Code; 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; prescribing additional guidelines with respect to deductibles offered on hurricane coverage; conforming cross-references; providing an effective date.

—as amended March 12 was read the third time by title.

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

**Amendment 1**—On page 15, line 29, after “or” insert: *, if consistent with the insurer’s underwriting rules as filed with the department,*

**Amendment 2**—On page 30, line 23, after “or” insert: *, if consistent with the insurer’s underwriting rules as filed with the department,*

Senator Williams moved the following amendment:

**Amendment 3 (with title amendment)**—On page 52, line 28, after the period (.) insert: *The requirement of this subsection that the producing agent of record is entitled to retain the unearned commission on an association policy does not apply to a policy for which coverage has been provided in the association under a binder of 30 days or less or for which a cancellation notice has been issued pursuant to s. 627.351(6)(c)11. during the first 30 days of coverage.*

And the title is amended as follows:

On page 3, line 26, after the semicolon (;) insert: *providing that the required payment of unearned commission to an agent does not apply under certain circumstances;*

Senator Dudley moved the following amendment to **Amendment 3** which was adopted by two-thirds vote:

**Amendment 3A**—On page 1, lines 19 and 20, delete “under a binder of” and insert: *for*

**Amendment 3** as amended was adopted by two-thirds vote.

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

**Amendment 4**—On page 53, line 3, after “or” insert: *, if consistent with the insurer’s underwriting rules with the department,*

On motions by Senator Diaz-Balart, **CS for SB 794** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

**CS for 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.

—as amended March 12 was read the third time by title.

On motions by Senator Thomas, **CS for SB 788** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Kirkpatrick

## REPORTS OF COMMITTEES

The Committee on Judiciary recommends the following pass: SB 40

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

The Committee on Education recommends the following pass: SB 128

**The bill was referred to the Committee on Children, Families and Seniors under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 988 with 1 amendment

The Committee on Education recommends the following pass: SB 76

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

The Committee on Regulated Industries recommends the following pass: SB 650 with 6 amendments, SB 652 with 1 amendment

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

The Committee on Education recommends the following pass: SB 542, SB 588, SB 624

The Committee on Natural Resources recommends the following pass: SB 150, SB 206, SB 292 with 1 amendment, SB 406

The Committee on Regulated Industries recommends the following pass: SB 334 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: SB 350 with 1 amendment

The Committee on Education recommends the following pass: SB 28, SB 664

The Committee on Health Care recommends the following pass: SB 100

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

The Committee on Health Care recommends a committee substitute for the following: SB 1058

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

The Committee on Education recommends committee substitutes for the following: SB 690, SB 786, SB 868

**The bills with committee substitutes attached were 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 968

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

The Committee on Banking and Insurance recommends committee substitutes for the following: CS for SB 286, SB 410, SB 770

The Committee on Criminal Justice recommends committee substitutes for the following: SB 232, CS for SB 278, Senate Bills 312 and 478, SB 396, SB 850

The Committee on Education recommends committee substitutes for the following: SJR 294, SB 442, SB 586, SB 798

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: CS for SB 384

The Committee on Health Care recommends committee substitutes for the following: SB 270, SB 490

**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 Health Care recommends committee substitutes for the following: SB 852, SB 1012

**The bills with committee substitutes attached were placed on the calendar.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By Senator Myers—

**SB 1960**—A bill to be entitled An act relating to the Department of Health; transferring certain powers, duties, functions, and assets of the Department of Children and Family Services with respect to child abuse and child protection to the Department of Health; transferring certain powers, duties, functions, and assets of the Agency for Health Care Administration with respect to rural health networks and local health councils to the Department of Health; transferring certain powers, duties, functions, and assets of the Correctional Medical Authority to the Department of Health; amending s. 20.43, F.S.; conforming to these transfers; renaming certain divisions in the Department of Health; creating the Division of Local Health Planning, Education, and Workforce

Development; providing the department with budget flexibility; amending ss. 20.19, 39.4031, 39.4032, 39.408, 110.131, 119.07, 154.067, 216.341, 232.50, 381.0405, 381.0406, 381.04065, 391.051, 395.1023, 408.033, 415.501, 415.50171, 415.50175, 415.5018, 415.503, 415.5055, 415.5095, 415.51, 415.514, 945.602, 945.603, 945.6031, 945.6032, F.S.; conforming provisions to the changes made by the act; providing for the continued effect of rules; providing for continuation of judicial and administrative proceedings; providing an effective date.

—was referred to the Committees on Health Care; Children, Families and Seniors; Criminal Justice; and Ways and Means.

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By Senator Dudley—

**SB 1962**—A bill to be entitled An act relating to the representation of persons sentenced to death; amending s. 27.7001, F.S.; providing that it is the intent of the Legislature to abolish the statewide office of the capital collateral representative on a specified date and to establish a capital collateral representative in each judicial circuit; amending s. 27.701, F.S.; providing for the circuit capital collateral representative to be appointed by the chief judge of the circuit; providing that the capital collateral representative may be appointed to a full-time or part-time position; providing for the appointment of a temporary capital collateral representative; deleting a provision that prevents the capital collateral representative from running for or accepting appointment to any state office for a specified period after leaving office; amending s. 27.702, F.S.; providing for the statewide office of capital collateral representative to continue to represent certain persons sentenced to death until a specified date; providing for the circuit capital collateral representative to represent persons sentenced to death after a specified date; amending s. 27.703, F.S.; providing for the capital collateral representative to appoint substitute counsel to resolve any conflict of interest; amending s. 27.704, F.S.; providing for the appointment of part-time assistant capital collateral representatives; amending s. 27.705, F.S.; providing for compensation of circuit capital collateral representatives; requiring the circuit capital collateral representatives to develop an annual classification and pay plan to be submitted to the Justice Administrative Commission; requiring an annual review of policies for the purpose of eliminating inequities based on gender or race in the position of assistant capital collateral representative; amending s. 27.706, F.S.; prohibiting the circuit capital collateral representative from engaging in private law practice; providing an effective date.

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

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By Senator Lee—

**SB 1964**—A bill to be entitled An act relating to tobacco products; retitling chapter 569, F.S., "Tobacco Products"; amending and renumbering s. 859.06, F.S., to clarify provisions; amending s. 569.002, F.S.; excluding certain classes of persons from the definition of the term "under age 18"; creating s. 569.11, F.S.; making it unlawful for any person under age 18 to misrepresent age or military service to acquire, purchase, or knowingly possess any tobacco product and providing for civil citation and imposition of sanctions by court; providing for the disposition of fines; creating s. 569.12, F.S.; providing for enforcement and local tobacco product enforcement officers; providing necessary information for civil citation form; amending ss. 569.003, 569.004, and 569.006, F.S.; clarifying provisions; renumbering and amending s. 859.061, F.S., relating to posting of signs to conform and clarify provisions; repealing s. 859.058, F.S., relating to clove cigarettes; amending s. 569.007, F.S.; providing an additional exemption from the prohibition against sale or delivery of tobacco products through vending machines; amending s. 569.008, F.S.; conforming and clarifying provisions relating to responsible tobacco product dealers; amending s. 569.009, F.S.; conforming and clarifying provisions relating to rulemaking authority; amending s. 322.056, F.S.; providing for mandatory revocation or suspension of, or delay of eligibility for, driver's licenses for persons under age 18 who commit noncriminal tobacco violations and fail to comply with corresponding sanctions; creating s. 569.010, F.S.; providing for an annual report; providing an effective date.

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

By Senator Hargrett—

**SB 1966**—A bill to be entitled An act relating to child care programs; creating a pilot project to be known as the "ASCENT Project" for the purpose of training participants in the WAGES Program for careers as child care providers; providing for the pilot project to be implemented in a single county by the Department of Children and Family Services or a contract provider; providing goals of the project; providing for participant selection; requiring a background investigation of project participants; providing components of the pilot project; providing for training participants and mentors; providing for a mentor who is an operator of a family day care home or a child care center to host a project participant; providing for assistance to be provided to a project participant in establishing a business; providing for support services; requiring the department to provide certain incentives to encourage the development of family day care homes; requiring the department to adopt rules for evening child care; requiring the department to establish a grievance procedure for child care providers who violate licensing standards; requiring the department to secure certain federal waivers; providing an appropriation; requiring the department to evaluate the pilot project; providing an effective date.

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

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By Senator McKay—

**SB 1968**—A bill to be entitled An act relating to enforcement of compulsory school attendance; amending s. 232.19, F.S.; requiring each public school principal to notify the district school board of students who accumulate a specified number of unexcused absences; authorizing the governing body of a private school to provide such information to the Department of Education; requiring that the Department of Highway Safety and Motor Vehicles withhold issuance of or suspend the driver's license or a learner's driver's license of a student who fails to satisfy school attendance requirements; requiring the Department of Juvenile Justice, the Department of Children and Family Services, and the school districts to develop cooperative agreements for working with habitual truants and their families; providing for an additional fine to be imposed against a parent who fails to comply with the compulsory school-attendance requirements; providing that proceeds of the fine be used to fund truancy prevention programs; amending s. 322.05, F.S., relating to the issuance of driver's licenses; conforming provisions to changes made by the act; amending s. 322.09, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from issuing a driver's license or restricted license to a person under a specified age who does not meet requirements for school attendance and is not otherwise exempt from such requirements; creating s. 322.091, F.S.; providing that a minor is not eligible for driving privileges unless the minor is enrolled in school or a home-education program, has received a high school diploma or certificate, is enrolled in certain other educational activities, or obtains a certificate of exemption or hardship waiver; requiring the Department of Highway Safety and Motor Vehicles to notify a minor before the department suspends the minor's driving privileges because of noncompliance with school-attendance requirements; providing for a hardship waiver; providing for a hearing before the public school principal or the designee of the governing body of a private school; providing for the department to reinstate a minor's driving privileges following compliance with school-attendance requirements for a specified period; requiring the department to report to school districts on students whose driving privileges are suspended; providing an effective date.

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

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By Senator Gutman—

**SB 1970**—A bill to be entitled An act relating to residential condominiums; amending s. 718.616, F.S.; prescribing contents of a municipality's acknowledgment relating to its notification by a developer of a conversion of existing property into a condominium; providing an effective date.

—was referred to the Committees on Regulated Industries and Community Affairs.

**SR 1972**—Not referenced.

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By Senator McKay—

**SB 1974**—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; limiting the interest on overdue personal injury benefit payments by insurers; limiting medical fees; requiring a notice of treatment and services; requiring itemized statement of services and charges; providing an effective date.

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

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By Senator Campbell—

**SB 1976**—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.315, F.S.; prohibiting certain provisions in contracts with health care providers; providing a penalty; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator Hargrett—

**SB 1978**—A bill to be entitled An act relating to the Department of Banking and Finance; amending s. 655.033, F.S.; authorizing the department to issue to a financial institution or affiliate an order to cease and desist from the use of data-processing software that determines credit-worthiness based solely upon place of residence and that results in unlawful discrimination; providing an effective date.

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

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By Senator Jones—

**SB 1980**—A bill to be entitled An act relating to social and economic assistance; amending s. 409.908, F.S.; deleting a provision relating to the reimbursement for midwives who provide services to Medicaid recipients; providing an effective date.

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

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By Senator Jones—

**SB 1982**—A bill to be entitled An act relating to victim assistance; amending s. 960.003, F.S.; revising legislative intent and guidelines with respect to human immunodeficiency virus testing in connection with a criminal episode; revising criteria for persons subject to such testing to provide for testing under certain circumstances when probable cause exists that a person has committed an offense enumerated under specified provisions relating to criminal transmission of HIV; providing conforming language with respect to disclosures of results to the alleged offender and victim; reenacting s. 381.004(3)(g) and (i), F.S., relating to HIV testing, s. 775.0877(2), F.S., relating to criminal transmission of HIV, and s. 951.27(2), F.S., relating to blood tests of inmates, to incorporate the amendments to s. 960.003, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice and Health Care.

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By Senator Williams—

**SB 1984**—A bill to be entitled An act relating to the Suwannee River Heritage Region; directing the Suwannee River Water Management District to pursue national designation for the Suwannee River Heritage

Region; providing for a boundary for the region; providing for legislative findings; providing for limitations on the designation; directing the district to provide reports; providing an effective date.

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

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By Senator Forman—

**SB 1986**—A bill to be entitled An act relating to health care; amending ss. 458.320, 459.0085, F.S.; requiring maintenance of financial responsibility as a condition of licensure of physicians and osteopathic physicians; providing for payment of any outstanding judgments or settlements pending at the time a physician or osteopathic physician is suspended by the Department of Business and Professional Regulation; repealing an alternative method of establishing financial responsibility; amending s. 455.245, F.S.; requiring the Agency for Health Care Administration to issue an emergency order suspending the license of a physician or osteopathic physician whom the agency has probable cause to believe has violated s. 458.320 or s. 459.0085, F.S.; requiring the Department of Insurance to review the effect of changes made by the act and annually report to the Governor and Legislature; requiring the Agency for Health Care Administration to review the effect of changes made by the act and annually report to the Governor and Legislature; providing an effective date.

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

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By Senator Jones—

**SB 1988**—A bill to be entitled An act relating to Monroe County; specifying rights of members of the classified service of the Monroe County Sheriff's Office; providing procedures for appeal of disciplinary actions against members; providing for the appointment of boards to hear appeals and procedures with respect thereto; providing a procedure for transition upon the expiration of a sheriff's term; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Forman—

**SB 1990**—A bill to be entitled An act relating to explosive materials; requiring that the State Fire Marshal propose legislation and rules to require the tagging of explosive material manufactured or offered for sale in this state for purposes of detection and identification; providing definitions; requiring the State Fire Marshal to consult with experts; requiring that the State Fire Marshal consider specified interests in proposing methods for tagging; exempting certain explosive materials from regulation; requiring the State Fire Marshal to submit proposed legislation to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

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

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By Senators Jenne and Dyer—

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

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

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By Senator Holzendorf—

**SB 1994**—A bill to be entitled An act relating to education; establishing a study commission to determine the need for creating a statewide residential mathematics and sciences academy; providing commission membership and duties; requiring presentation of findings and recommendations; providing an effective date.

—was referred to the Committees on Education; Governmental Reform and Oversight; and Rules and Calendar.

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By Senator Rossin—

**SB 1996**—A bill to be entitled An act relating to appropriations; providing for an annual appropriation to be made in the General Appropriations Act to compensate Glades County for ad valorem taxes lost due to the construction of a private correctional facility in that county; providing for repeal of the act; providing an effective date.

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

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By Senator Kurth—

**SB 1998**—A bill to be entitled An act relating to juvenile sexual offenders; amending s. 39.0571, F.S.; requiring the Department of Juvenile Justice to establish a certification process for juvenile sexual offender commitment programs; prohibiting uncertified programs from holding themselves out as juvenile sex offender day treatment or residential treatment programs as of January 1, 1999; amending s. 212.02, F.S.; revising the definition of “admissions” to include admissions to establishments that offer, advertise, or engage in adult entertainment services, for purposes of imposition of tax thereon; amending s. 212.05, F.S.; providing for imposition of sales tax on charges for personal escort services; amending s. 212.20, F.S.; providing for deposit of the proceeds of said taxes in the Grants and Donations Trust Fund under the Office of the Attorney General to fund grants under the Sexual Abuse Intervention Network; amending s. 490.012, F.S., relating to violations, penalties, and injunction; defining the offense of unlicensed practice of “juvenile sexual offender therapy” for compensation, and providing penalties therefor; providing for injunctive relief; creating s. 490.0145, F.S.; providing that only persons licensed under ch. 490, F.S., relating to psychological services, or ch. 491, F.S., relating to clinical, counseling, and psychotherapy services, may hold themselves out as juvenile sexual offender therapists; prescribing qualifications for licensure under ch. 490, F.S., as a juvenile sexual offender therapist; providing for adoption of rules by the Board of Psychology relating to such qualifications; amending s. 491.003, F.S.; redefining “practice of clinical social work,” “practice of marriage and family therapy,” and “practice of mental health counseling” with respect to ch. 491, F.S., to include juvenile sexual offender therapy; reenacting s. 491.012(1)(i)-(k), F.S., relating to violations and penalties, and s. 491.014(7), F.S., relating to exemptions, to incorporate said amendment in references; amending s. 491.012, F.S.; defining the offenses of unlawful use of the term “juvenile sexual offender therapist,” and providing penalties therefor; defining the offense of unlicensed practice of “juvenile sexual offender therapy” for compensation, and providing penalties therefor; defining the offense of unlawful description of services using the term, or derivative thereof, “juvenile sexual offender therapy,” and providing penalties therefor; providing for injunctive relief with respect to such offenses; creating s. 491.0144, F.S.; prescribing qualifications for licensure of a juvenile sexual offender therapist under ch. 491, F.S.; providing for adoption of rules with respect to such licensure by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling; creating s. 943.17291, F.S.; requiring the Criminal Justice Standards and Training Commission to incorporate certain instruction into certain law enforcement officer course curriculum; creating s. 943.17295, F.S.; requiring the commission to incorporate certain subjects into certain law enforcement officer continuous employment or appointment curricula; creating s. 39.0251, F.S.; requiring the department to establish the Sexual Abuse Intervention Network; providing for use of the proceeds of the tax on admissions to establishments offering, advertising, or engaging in adult entertainment services and of the tax on personal escort services to fund grants

under the network; delineating procedures for grant awards; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 2000**—A bill to be entitled An act relating to medical examiners; amending s. 406.11, F.S.; restricting the authority of a medical examiner to perform autopsies or laboratory examinations; prohibiting the sale, donation, or contribution of a deceased’s body parts without the consent of the deceased’s next of kin; providing a penalty; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Gutman—

**SB 2002**—A bill to be entitled An act relating to gain-time awards; amending s. 775.084, F.S.; providing that the gain-time that the Department of Corrections may award to a habitual felony offender, a habitual violent felony offender, or a violent career criminal is limited to monthly incentive gain-time; providing an effective date.

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

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By Senator Williams—

**SB 2004**—A bill to be entitled An act expressing legislative intent to reorganize the Department of Management Services and to revise the laws relating to the Career Service and Select Exempt Service Systems, the Innovation Investment Program, public property and publicly owned buildings, and the Correctional Privatization Commission.

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

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By Senator Dudley—

**SB 2006**—A bill to be entitled An act relating to Lee County; excluding certain lands from the San Carlos Park Fire and Protection Rescue Service District as created by ch. 76-411, Laws of Florida, as amended; amending s. 5, ch. 76-411, Laws of Florida, as amended; increasing the maximum permissible ad valorem tax that may be levied by the board of the district; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Bankhead—

**SB 2008**—A bill to be entitled An act relating to the City of Jacksonville, Duval County; providing for the abolition or restructuring of certain community redevelopment agencies currently existing within the city and providing for the redistribution of their powers, functions, duties, liabilities, property and personnel; amending chapter 92-341, Laws of Florida, as amended; creating the Jacksonville Economic Development Commission to exist as an autonomous body within the executive branch of the consolidated government; providing for designation as an industrial development authority and as a community redevelopment agency; providing for powers, duties, functions, personnel, and obligations of the Jacksonville Sports Development Authority, the Jacksonville Downtown Development Authority, the Jacksonville International Airport Community Redevelopment Authority, the Cecil Field Development Commission and the Economic Development Division of the Planning and Development Department of the city; excluding officials and employees of the commission from civil service; transferring all existing

powers, duties, responsibilities and authorities of the Jacksonville Downtown Development Authority to the commission and restructuring the authority as an advisory body to the commission; amending chapter 89-509, Laws of Florida, as amended; transferring to the commission all powers, duties, functions, personnel and obligations of the Jacksonville Sports Development Authority; restructuring the authority as an advisory body to the commission; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Childers—

**SB 2010**—A bill to be entitled An act relating to ignition interlock devices; amending s. 316.1937, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to require persons who are convicted of driving under the influence or who refuse to submit to a breath, blood, or urine test to install a functioning ignition interlock device in any vehicle the person operates; requiring compliance with operating and maintenance instructions for department-certified breath alcohol ignition interlock devices; providing penalties for driving a motor vehicle that is not equipped with a required device under certain circumstances; revising provisions with respect to penalties; providing a penalty for preventing or attempting to prevent any person legally authorized by the court or the department from installing, monitoring, or repairing a department-certified breath alcohol ignition interlock device; providing an exception for certain persons to operate a vehicle while conducting the employer's business under certain circumstances; amending s. 316.1938, F.S.; requiring that the department adopt specifications for service providers; amending s. 322.27, F.S.; providing an exception with respect to the revocation of the driving privilege; amending s. 322.271, F.S.; decreasing the time period to petition for restoration of the driving privilege; reducing time periods for reinstatement; providing for enrollment in the statewide interlock supervision program; authorizing the department to require that persons convicted of certain offenses of driving under the influence install an ignition interlock device; requiring the department to adopt rules for a statewide interlock supervision program in conjunction with the DUI programs; amending s. 322.28, F.S.; providing for restricted driving privileges for business or employment if the person installs a certified breath alcohol ignition interlock device; amending s. 322.292, F.S.; directing the department to regulate a statewide interlock program; providing an effective date.

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

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By Senator Jenne—

**SB 2012**—A bill to be entitled An act relating to hurricane preparedness and mitigation; amending s. 215.555, F.S.; authorizing a program administered by the Department of Community Affairs to assist homeowners in retrofitting certain homes to withstand certain hurricane force winds; providing for an advisory committee; providing rulemaking authority; providing for approval of the program by the State Board of Administration; providing for program evaluation; providing rulemaking authority for the department; providing for funding from moneys appropriated from the investment income of the Florida Hurricane Catastrophe Fund; establishing a project to be administered by the Florida Windstorm Underwriting Association for the purpose of providing grants to homeowners for structural evaluations of their homes for the purpose of determining the homes' ability to withstand certain hurricane force winds and to make recommendations for retrofitting the homes to withstand such winds; providing for the department to adopt standards; requiring the association to identify high-risk areas; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 2014**—A bill to be entitled An act relating to education; directing the Department of Education to develop a plan for use of electronic media to facilitate student access to educational opportunities; providing an effective date.

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

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By Senator Forman—

**SB 2016**—A bill to be entitled An act relating to the City of North Lauderdale, Broward County; extending and enlarging the corporate limits of the City of North Lauderdale to include specified unincorporated lands within said corporate limits; providing for compliance with ch. 96-542, Laws of Florida, relating to Broward County and annexations conducted in accordance with s. 171.0413, F.S.; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Forman—

**SB 2018**—A bill to be entitled An act relating to the City of Deerfield Beach, Broward County; extending and enlarging the corporate limits of the City of Deerfield Beach to include specified unincorporated lands within said corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Forman—

**SB 2020**—A bill to be entitled An act relating to the City of Lauderdale-by-the-Sea, Broward County; extending and enlarging the corporate limits of the City of Lauderdale-by-the-Sea to include specified unincorporated lands within said corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

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By Senator Grant—

**SB 2022**—A bill to be entitled An act relating to compulsory school attendance; amending s. 232.01, F.S.; revising the age at which students must begin school; providing an effective date.

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

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By Senators Gutman, Casas, Childers, Diaz-Balart, Grant, Turner and Bronson—

**SB 2024**—A bill to be entitled An act relating to alcoholic beverages; creating s. 561.545, F.S.; providing legislative findings; prohibiting direct shipments of alcoholic beverages to certain state residents; providing penalties; providing exceptions and applicability; providing an effective date.

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

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By Senator Latvala—

**SB 2026**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.531, F.S.; adding part-time employees to the definitions of the terms “law enforcement officer” and “correctional officer” and defining the term “willful and knowing”; amending s. 112.532, F.S.; authorizing an officer under interrogation to record the interrogation and keep the recording; prohibiting the use of specified information in any administrative proceeding against an officer; providing that the communication between an officer under investigation and his or her representative is confidential; amending s. 112.533, F.S.; authorizing an officer to review recorded statements of complainants and nonincarcerated witnesses; requiring written or recorded statements by complainants and nonincarcerated witnesses to be under oath; prohibiting a law enforcement or correctional agency from placing certain material in an officer’s personnel file; amending s. 112.534, F.S.; providing that an officer may apply to the circuit court for a determination of a willful and knowing violation of his or her rights; amending s. 901.15, F.S.; providing additional arrest powers for certain state law enforcement officers; amending s. 491.0147, F.S.; providing for confidentiality of communications in certain circumstances; providing an effective date.

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

By Senator Hargrett—

**SB 2028**—A bill to be entitled An act relating to motor vehicle records; amending s. 119.07, F.S.; providing an exemption from public inspection for certain information contained in motor vehicle records; providing a definition of motor vehicle records; subjecting the exemption to review; providing for access by certain entities to such exempt information in motor vehicle records; amending ss. 319.17, 319.25, F.S.; limiting access to indexes and records of motor vehicle titles; amending s. 320.05, F.S.; limiting access to motor vehicle registration records; amending s. 322.20, F.S.; limiting access to driver’s license records; authorizing the department to perform activities to implement the act; providing an effective date.

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

By Senator Crist—

**SJR 2030**—A joint resolution proposing an amendment to Section 8, Article IV of the State Constitution, relating to clemency.

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

**COMMITTEE SUBSTITUTES**

**FIRST READING**

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

**CS for 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 referendum; providing for tax revenue use; providing for severability; providing an effective date.

By the Committee on Criminal Justice and Senator Gutman—

**CS for SB 232**—A bill to be entitled An act relating to police and fire animals; 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 for inflicting bodily harm upon specified animals; providing penalties; providing an effective date.

By the Committee on Health Care and Senator Gutman—

**CS for SB 270**—A bill to be entitled An act relating to clinical laboratory personnel; amending s. 408.033, F.S.; providing an exemption from certain health care facilities assessments for clinical laboratories operated by practitioners for exclusive use; amending s. 483.035, F.S.; requiring the Agency for Health Care Administration to adopt rules relating to personnel of such laboratories; amending s. 483.061, F.S.; authorizing the agency to perform on-site or off-site inspections; amending s. 483.172, F.S.; providing for expiration of the agency’s authority to collect a fee from certain laboratories; amending ss. 483.801, 483.813, F.S.; providing for an exemption from regulation for certain practitioners and persons employed by certain laboratories; amending s. 483.803, F.S.; revising the definition of “clinical laboratory personnel”; amending s. 483.811, F.S.; providing application of regulatory provisions to certain clinical laboratories; creating s. 483.824, F.S.; providing qualifications of a clinical laboratory director; providing an effective date.

By the Committees on Criminal Justice; Children, Families and Seniors; and Senators Burt, Rossin and Gutman—

**CS for CS for 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 receive, collect, and manage the payment of 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 receive, collect, and manage the payment of 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; providing a timeframe; requiring that the committee make a written report to the parent within 7 days; 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 and verify that the child meets certain qualifications; 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 receive, collect, and manage the payment of 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.; requiring the Department of Juvenile Justice to establish a pilot program for operating one or more physically secure facilities designated exclusively for children in need of services who are found in contempt of court; requiring that a child alleged to be a child in need of services within the judicial circuit in which the pilot program is established be represented by counsel; providing for an attorney to be appointed to represent an indigent child; 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 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; requiring a specified State Attorney's Office to report to the Legislature on the feasibility of expanding the Truancy Intervention Program statewide; providing appropriations; providing an effective date.

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By the Committees on Banking and Insurance; Governmental Reform and Oversight; and Senators Thomas, Childers, Forman and Williams—

**CS for CS for SB 286**—A bill to be entitled An act relating to state group insurance; amending s. 20.22, F.S.; renaming the Division of State Employees' Insurance within the Department of Insurance as the Division of State Group Insurance; creating the Florida State Group Health Insurance Council within the department; providing its membership; providing its powers and duties; providing for meetings; providing travel and per diem; amending s. 20.42, F.S.; eliminating 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.; defining the term "division"; creating the Division of State Group Insurance within the Department of Management Services and requiring that 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; requiring notice by certain health care providers; authorizing the division to adopt rules; amending s. 110.12315, F.S.; assigning the Division of State Group Insurance duties relating to the prescription drug program; amending s. 110.1232, F.S.; assigning the Division of State Group Insurance duties relating to health insurance coverage for persons retired under state-administered retirement before a specified date; amending s. 110.1234, F.S.; assigning the Division of State Group Insurance duties relating to health insurance for retirees under the Florida Retirement System or Medicare Supplement; amending s. 110.161, F.S.; assigning the Division of State Group Insurance duties relating to the pretax benefits program; providing an effective date.

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By the Committee on Education and Senator Klein—

**CS for SJR 294**—A joint resolution proposing an amendment to Section 4 of Article IX of the State Constitution relating to school districts.

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

**CS for SB's 312 and 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.

By the Committees on Governmental Reform and Oversight; and Children, Families and Seniors—

**CS for 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 measuring standards of performance and to reports due to the Legislature; providing duties of program offices; requiring an evaluation and a report from the Assistant Secretary for Administration; revising requirements for the department in procuring contracts for client services and in establishing standards for the delivery of those services; requiring the department to 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; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that certain provisions be included in specified contracts entered into by the department; 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; providing duties of the Auditor General and the Office of Program Policy Analysis and Government Accountability; providing for cancellation of contracts under specified circumstances; 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 contracting functions in the service districts; 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.

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By the Committee on Criminal Justice and Senator Burt—

**CS for SB 396**—A bill to be entitled An act relating to driver's licenses, identification cards, 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.; 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.

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

**CS for SB 410**—A bill to be entitled An act relating to the management and regulation of financial institutions; amending s. 280.02, F.S.; revising a definition; amending s. 655.005, F.S.; revising definitions; amending s. 655.0322, F.S.; applying prohibited acts and practices provisions to state or federal savings banks; providing penalties; amending s. 655.045, F.S.; deleting a report requirement; amending s. 655.41, F.S.; revising a definition; amending s. 655.414, F.S.; requiring approval by the Department of Banking and Finance for a financial entity to acquire certain financial entities; providing for a nonrefundable filing fee; deleting a requirement to file a separate application for each branch office; amending s. 658.21, F.S.; revising criteria for approval of applications;

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

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By the Committee on Education and Senator Turner—

**CS for 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.

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By the Committee on Health Care and Senators Latvala and Myers—

**CS for 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. 490.009, 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. 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. 491.0149, F.S.; requiring display of registrations and provisional licenses and use of applicable professional titles on promotional materials; amending ss. 232.02, 394.455, F.S.; conforming cross-references; providing effective dates.

By the Committee on Education and Senator Meadows—

**CS for 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.

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

**CS for 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; limiting the amount of the deduction; providing a condition under which a business will not be required to file such tax information electronically; providing an effective date.

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By the Committee on Education and Senator Dudley—

**CS for SB 690**—A bill to be entitled An act relating to investments in education; creating the Florida Education Technology Foundation for certain purposes; providing for a board of directors; providing for membership; providing for appointing members; providing for electing members; providing duties of the board; providing for creation of Florida’s Future Investment Funds for certain purposes; providing for investment of moneys in such funds; providing for donating certain revenues to the foundation; providing for contributing a portion of investment interest to the foundation for certain purposes; providing for a reduced intangibles tax rate on securities in Florida’s Future Investment Funds under certain circumstances; providing an effective date.

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

**CS for 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 certain entities that hold a limited license for credit life or disability insurance to sell credit property insurance; 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.

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By the Committee on Commerce and Economic Opportunities; and Senators Holzendorf, Hargrett, McKay, Turner, Casas, Diaz-Balart, Thomas, Dudley, Harris, Jenne, Kurth and Klein—

**CS for SB's 780, 520 and 692**—A bill to be entitled An act relating to economic development; creating ss. 212.097, 212.098, 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.

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By the Committee on Education and Senators Sullivan, Kirkpatrick, Grant, Horne, Williams, Ostalkiewicz, Bronson and Turner—

**CS for 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

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By the Committee on Education and Senator Clary—

**CS for SB 798**—A bill to be entitled An act relating to instructional materials; amending s. 229.512, F.S.; prescribing power of the Commissioner of Education; amending s. 233.07, F.S.; deleting obsolete language relating to state instructional materials committee appointments; conforming provisions relating to committee meetings; providing a definition; amending s. 233.09, F.S.; requiring state instructional materials committees to adhere to procedures prescribed by the commissioner; 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.; providing procedures for evaluating instructional materials; authorizing a publisher or manufacturer to provide a cash deposit in lieu of a bond; revising provisions relating to preservation of contracts; amending s. 233.17, F.S.; providing for the commissioner to approve terms of adoption for instructional material; 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 s. 233.34, F.S.; providing for use of certain materials; amending ss. 233.46 and 233.47, F.S.; providing additional penalties for lost or damaged books; deleting obsolete provisions; amending s. 233.061, F.S.; providing required instruction; providing an effective date.

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By the Committee on Criminal Justice and Senator Campbell—

**CS for 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 or physical disability, or advanced age; providing definitions; providing an effective date.

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By the Committee on Health Care and Senator Childers—

**CS for 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; naming buildings at the University of Central Florida; authorizing the University of Central Florida to erect markers; providing an effective date.

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By the Committee on Education and Senator Kirkpatrick—

**CS for 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 s. 229.602, F.S.; replacing the term "career education" with the term "vocational education"; 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. 228.121, F.S.; conforming 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.

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By the Committee on Banking and Insurance; and Senators Rossin, Harris, Thomas, Holzendorf, Grant, Bronson, Cowin and Lee—

**CS for 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.

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By the Committee on Health Care and Senator Silver—

**CS for SB 1012**—A bill to be entitled An act relating to chiropractic; amending s. 460.403, F.S.; revising and providing definitions applicable to the regulation of chiropractic; eliminating the requirement of certifi-

cation to practice phlebotomy or physiotherapy or to administer proprietary drugs; amending ss. 460.406 and 460.413, F.S., relating to licensure by examination and grounds for disciplinary action, to conform; providing an effective date.

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By the Committee on Health Care and Senator Brown-Waite—

**CS for SB 1058**—A bill to be entitled An act relating to Medicaid; amending s. 409.912, F.S.; modifying the regulatory requirements of certain entities that provide health services under Medicaid; deleting a rule-making requirement for the Department of Insurance; deleting duplicative provisions relating to Medicaid recipient selection of provider entities; creating s. 636.0145, F.S.; exempting from certain regulatory requirements prepaid limited health service organizations that serve only Medicaid clients; amending s. 409.906, F.S.; revising the criteria for providing community mental health services under the Medicaid program; authorizing the agency to seek certain federal waivers; providing an effective date.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

#### FIRST READING

*The Honorable Toni Jennings, President*

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 91 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

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By the Committee on Crime and Punishment; and Representative Stafford and others—

**CS for HB 91**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding flunitrazepam, alpha-ethyltryptamine, 2-amino-5-phenyl-2-oxazoline, 4-bromo-2, 5-dimethoxyphenethylamine, and methcathinone to the list of Schedule I controlled substances; adding gamma-hydroxy-butyrate to the list of Schedule II 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; repealing s. 893.03(4)(w), F.S.; providing for the removal of fenfluramine from the schedule of controlled substances; providing a conditional effective date and an effective date.

—was referred to the Committee on Criminal Justice.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 12 was corrected and approved.

#### RECESS

On motion by Senator Bankhead, the Senate recessed at 3:00 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, March 19.