



Journal of the Senate

Number 7—Regular Session

Thursday, March 20, 1997

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CALL TO ORDER

The Senate was called to order by the President at 9:30 a.m. A quorum present—40:

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

PRAYER

The following prayer was offered by Lieutenant Colonel Jon Wuerffel, father of University of Florida Heisman Trophy winner, Danny Wuerffel, Destin:

Lord God, Heavenly Father, we thank you for this day. We thank you for this opportunity to serve you with who we are, where we are, and what we are.

We are the elected elect, chosen twice to make decisions governing vast numbers and resources.

You have strategically placed us in this office and this building, and we desire to do your will because we are people of courage and justice, striving to maintain and distribute good will and peace throughout this region of our great land.

Guide us with wisdom and vision. Amen.

PLEDGE

Senate Pages, Paul Bachman of South Daytona and Alex Rudloff of Indialantic, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Kirkpatrick—

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

SR 1972—A resolution commending the University of Florida Gator football team for its first national championship and for its 1996 football season.

WHEREAS, the University of Florida Gator football team captured the university's first national championship with a number one ranking in the Associated Press and the USA Today-CNN coaches' poll, and

WHEREAS, the Gators won the 1997 Nokia Sugar Bowl Game in a decisive victory over arch rival FSU, defeating the Seminoles 52-20, and

WHEREAS, the 52 points scored by the Gators in the Sugar Bowl are the most points ever scored in one game in Sugar Bowl history, and

WHEREAS, the Gator football team won the University's fourth straight SEC title, becoming only the second team in conference history to do so, and

WHEREAS, the Gators were ranked number one for eleven weeks of the regular football season, longer than any University of Florida football team in the school's history, and

WHEREAS, the 1996 Gator team and the 1995 Gator team are the only teams in the University's history with a twelve win season, and

WHEREAS, the 1996 Gator football team is the only team in the nation to win at least twelve games in each of the last two seasons, and

WHEREAS, the 1996 Gators are the second team in school history to post a perfect 9-0 SEC conference record, and

WHEREAS, this year's Gator team stretched the University of Florida's unbeaten mark in the SEC to twenty-two games, the third longest streak in conference history, and

WHEREAS, with this year's ranking, the University of Florida remains one of only two football teams in the nation to finish in the Top Ten in each of the last six years, NOW, THEREFORE,

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

That the University of Florida Gator football team, Head Coach Steve Spurrier, and the coaching staff are commended for their outstanding accomplishments in bringing the University of Florida to national prominence and excellence in intercollegiate football.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the University of Florida Gator football team and to Coach Steve Spurrier as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Kirkpatrick, **SR 1972** was read the second time in full and adopted.

SPECIAL GUEST

Senator Kirkpatrick recognized A. P. "Pete" Tully, seated in the gallery, who at ninety years of age is the oldest living Gator football player.

On motion by Senator Kirkpatrick—

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

SR 556—A resolution honoring University of Florida Quarterback Danny Wuerffel.

WHEREAS, Danny Wuerffel led the University of Florida Fighting Gators to their first National College Football Championship and in so doing was named the 1997 Sugar Bowl Most Valuable Player and set a bowl record for most points scored, and

WHEREAS, Danny Wuerffel led the Gators to a second consecutive 12-win season and a fourth consecutive Southeastern Conference title, and

WHEREAS, during his career Danny Wuerffel set numerous records including the best passing percentage in NCAA Division I-A history and holds the Southeastern Conference record for passes completed, and

WHEREAS, Danny Wuerffel received the 1995 and 1996 Davey O'Brien Award as the nation's best college quarterback, and

WHEREAS, Danny Wuerffel received the 1996 Heisman Trophy, and

WHEREAS, Danny Wuerffel received numerous awards and accolades for both his athletic and academic accomplishments, and

WHEREAS, Danny Wuerffel serves as a spiritual inspiration and role model to the youth of our nation, and

WHEREAS, Danny Wuerffel has represented both the University of Florida and the State of Florida so admirably, NOW, THEREFORE,

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

That the Senate pause in its deliberations to honor Danny Wuerffel for his many superlative accomplishments and express its appreciation for the honor that Danny Wuerffel has bestowed upon the State of Florida and the University of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Danny Wuerffel, to Dr. John Lombardi, President of the University of Florida, to Steve Spurrier, Head Football Coach of the University of Florida, and to Jeremy Foley, Athletic Director of the University of Florida as tangible tokens of the sentiment of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Kirkpatrick, **SR 556** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Kirkpatrick introduced the following guests who were present in the chamber: Danny Wuerffel, team quarterback and Heisman Trophy recipient; Lieutenant Colonel Jon Wuerffel, father of Danny Wuerffel; Lawrence Wright, team captain and recipient of the Jim Thorpe Award; Steve Spurrier, Head Coach; Jeremy Foley, Athletic Director; Dr. John Lombardi, University President; and James Salt as the Gator mascot, Albert the Alligator.

Upon request of the President, Senators Kirkpatrick, Bankhead, Campbell, Dantzler, Dyer, and Thomas escorted the guests to the rostrum where they were presented copies of the resolutions.

At the request of Senator Childers—

By Senator Childers—

SR 2198—A resolution recognizing the Escambia Chapter of the Order of DeMolay.

WHEREAS, DeMolay was started more than 70 years ago in Kansas City, Missouri, and

WHEREAS, the first DeMolay chapter in Florida was organized in Escambia County, Florida, in 1922, and

WHEREAS, the Escambia Chapter of the Order of DeMolay was chartered in 1954, and

WHEREAS, there are currently 21 DeMolay chapters in Florida, and

WHEREAS, the Order of DeMolay is an association of young men thirteen to twenty-one years of age who are seeking to better themselves by learning leadership skills and practicing civic responsibility, and

WHEREAS, the seven basic principles taught by DeMolay are love of parents, respect for the religious beliefs and opinions of others, courtesy, friendship, faithfulness, cleanness in thought and action, and patriotism, and

WHEREAS, DeMolay International is the largest fraternity of young men in the world, and

WHEREAS, there are approximately 1,000 chapters in the United States, as well as those chapters located in seven foreign countries, and

WHEREAS, DeMolay alumni include President Bill Clinton, United States senators, state governors, U.S. astronauts, professional athletes, chairmen of major U.S. corporations, John Wayne, Dan Rather, Willard Scott, Walt Disney, and countless others who have gone on to greatness, NOW, THEREFORE,

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

That the Escambia Chapter of the Order of DeMolay is recognized and commended for its positive influence on the lives of young men in Escambia County and for its service to the residents of Escambia County.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Escambia Chapter of the Order of DeMolay as a tangible token of the sentiments of the Florida Senate.

—**SR 2198** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote **SB 1688** was withdrawn from the Committee on Ways and Means and referred to the Committees on Education; and Ways and Means.

On motion by Senator Sullivan, by two-thirds vote **CS for SB 1002**, **CS for SB 1238** and **CS for SB 1546** were withdrawn from the Committee on Ways and Means.

On motion by Senator Bankhead, by two-thirds vote **SB 1306** was withdrawn from the Committees on Community Affairs; and Ways and Means and referred to the Committee on Ways and Means.

MOTIONS

On motion by Senator Bankhead, a deadline of 9:00 a.m. Tuesday, March 25, was set for filing amendments to Bills on Third Reading to be considered Wednesday, March 26.

CONSIDERATION OF BILLS ON THIRD READING

CS for SB 1366—A bill to be entitled An act relating to road designations; designating State Road 293 (Mid-Bay Bridge Road) from the south portion of the bridge toward U.S. Highway 98 in Destin as "Danny Wuerffel Way"; providing for the erection of markers; providing an effective date.

—was read the third time by title.

On motions by Senator Clary, **CS for SB 1366** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Diaz-Balart

CS for HB's 461, 281 and 75—A bill to be entitled An act relating to elections; amending s. 106.08, F.S., relating to limitations on campaign contributions; revising restrictions on contributions by and prohibiting certain contributions to a political party; requiring the reporting of illegal contributions; providing for certain notification relating to pending determinations of the qualification of independent candidates and the applicability of such determinations to candidates becoming unopposed and having to return certain contributions; providing penalties; amending ss. 106.04 and 106.07, F.S.; revising campaign finance reporting requirements of committees of continuous existence, candidates, and political committees relating to the employment of contributors; increasing the fine for late filing of campaign financing reports by candidates, political committees, and committees of continuous existence; providing for deposit of such fines in the Elections Commission Trust Fund; eliminating an inoperable provision relating to certain first-time offenders; amending s. 106.29, F.S.; increasing the fine for late filing of campaign finance reports by political parties; prohibiting political parties from contributing to candidates beyond a specified amount; clarifying reporting requirements; providing penalties; amending s. 106.021, F.S.; reducing the required minimum number of candidates that may be jointly endorsed under certain circumstances without the expenditures therefor being considered as contributions to or expenditures on behalf of such candidates; amending s. 106.1405, F.S.; prohibiting the use of campaign funds for salary or personal expenses; providing a penalty; amending ss. 99.092, 99.093, and 105.031, F.S.; revising the candidate filing fee and the municipal candidate election assessment; amending s. 99.103, F.S., relating to distribution of party assessments and certain filing fees, to conform; amending s. 106.141, F.S.; providing requirements for disposition and reporting of surplus funds resulting from refund checks received after all other surplus funds have been disposed of; restricting the amount of surplus funds that may be given to a political party; amending s. 106.143, F.S.; providing requirements for political advertisements with respect to candidate approval; creating s. 106.147, F.S.; providing disclosure requirements and prohibitions relating to political solicitation by telephone; providing an exemption; providing penalties; creating s. 106.1475, F.S.; requiring the appointment of a registered agent for any person or organization conducting certain political telephone solicitations; requiring the filing of a notice of such appointment with the Division of Elections of the Department of State and providing requirements of such notice; providing for long arm jurisdiction over out-of-state persons or organizations conducting certain political telephone solicitations in this state; providing a penalty; creating s. 106.148, F.S.; providing disclosure requirements for political solicitation by online computer service; amending s. 99.097, F.S., relating to verification of signatures on petitions; requiring advance payment for checking signatures; amending s. 100.371, F.S.; revising provisions relating to initiative amendments; requiring each initiative amendment to be on a petition form prescribed by the division; requiring the sponsor of a proposed initiative amendment to give the division notice of the use of paid petition circulators; requiring the sponsor of a proposed initiative amendment to provide the names and addresses of its paid petition circulators to the division; requiring paid petition circulators to place their names and addresses on each petition form gathered and requiring the sponsor of the proposed initiative amendment to ensure that such information has been provided prior to submission of the forms to the supervisors for verification; prohibiting the sponsor of a proposed initiative amendment who pays to have signatures collected from paying on a per-signature basis and from filing an oath of undue burden in lieu of paying the fee

required to have signatures verified; providing a signature verification period; amending s. 104.185, F.S.; clarifying a prohibition against signing a petition more than once; prohibiting the signing of another person's name or a fictitious name on any petition for a candidate, a minor political party, or an issue; providing penalties; amending s. 106.19, F.S.; prohibiting the sponsor of a proposed initiative amendment from submitting petitions by a paid petition circulator without the name and address of the circulator on the petition form and providing penalties therefor; providing a penalty for violating the prohibition against paying petition circulators on a per-signature basis; providing applicability to petitions already initiated; amending s. 97.052, F.S.; providing an additional purpose for, and modifying the contents of, the uniform statewide voter registration application; providing for an assessment on requests for forms beyond a specified number from individuals or groups conducting voter registration programs; amending s. 97.053, F.S.; providing for acceptance of requests for a replacement registration identification card; requiring that an applicant provide additional information on the voter registration form to establish eligibility; amending ss. 97.071 and 97.1031, F.S., relating to registration identification cards; changing notification requirements to receive an updated or replacement card; amending s. 98.461, F.S.; modifying the information required on the precinct register; amending s. 104.011, F.S.; increasing the penalty for willfully submitting false voter registration information; amending s. 104.012, F.S.; prohibiting the altering of a voter registration application of another person without that person's knowledge and consent; providing a penalty; repealing ss. 98.391-98.441, F.S., relating to automation in processing of voter registrations by means of data processing cards and the use of such cards at voting precincts; amending s. 97.012, F.S.; requiring the Secretary of State to create and maintain a central voter file; amending s. 97.021, F.S.; defining "central voter file"; creating s. 98.097, F.S.; providing for creation and maintenance of the central voter file; providing that information in the central voter file not otherwise confidential or exempt from public records requirements is public information; requiring the central voter file to be self-sustaining; amending ss. 98.045 and 98.095, F.S., relating to administration of voter registration and public access to registration information, respectively, to conform; amending s. 98.212, F.S.; requiring supervisors of elections to provide voter registration information to the division for the central voter file; amending s. 101.591, F.S.; providing for voting system audits only upon specific appropriation and directive of the Legislature; amending s. 125.01, F.S.; correcting a cross reference; transferring the Florida Elections Commission from the Department of State to the Department of Legal Affairs, Office of the Attorney General; amending s. 104.271, F.S.; authorizing filing of complaints with the commission relating to false statements about candidates; amending s. 106.19, F.S.; eliminating authority of the Division of Elections to bring civil actions to recover certain civil penalties; amending s. 106.22, F.S.; deleting duties of the division relating to investigation of complaints; requiring the division to report certain information to the commission; requiring the division to conduct preliminary investigations into irregularities or fraud involving voter registration or voting and report the findings to the appropriate state attorney for prosecution, where warranted; requiring the division to perform random audits relating to reports and statements required to be filed under ch. 106, F.S., relating to campaign financing; amending s. 106.23, F.S.; restricting powers of the division to issue subpoenas and administer oaths to specified duties; amending s. 106.24, F.S.; increasing membership of the commission; revising appointment procedures and criteria for membership on the commission; revising administrative and organizational structure of the commission; providing for appointment of an executive director and employment of staff; authorizing the commission to contract or consult with other state agencies for assistance as needed; amending s. 106.25, F.S.; vesting the commission with jurisdiction to investigate and determine violations of ch. 106, F.S.; requiring transmittal of a copy of a sworn complaint to the alleged violator; providing for an administrative hearing upon written request of the alleged violator; amending s. 106.26, F.S.; providing rulemaking authority to the commission relating to its investigative responsibilities; prohibiting the commission from issuing advisory opinions; providing for establishment by rule of minor offenses that may be resolved without further investigation by means of a plea of no contest and a fine; requiring the commission to adhere to statutory law and advisory opinions of the division; amending s. 106.265, F.S.; requiring the State Comptroller to collect fines resulting from actions of the commission in circuit court to enforce payment of civil penalties; providing for termination of terms of current members of the commission and appointment of new members; transferring to the commission all division records, personnel, property, and unexpended funds associated with the complaint investigation process under ch. 106, F.S.; providing for transition from the

current commission to the newly constituted commission; providing effective dates, including a contingent effective date.

—as amended March 19 was read the third time by title.

Senator Holzendorf moved the following amendment to **Engrossed Senate Amendment 1** which was adopted by two-thirds vote:

Amendment 1 (with title amendment)—On page 89, lines 9-20, delete those lines and renumber subsequent section.

And the title is amended as follows:

On page 97, line 31 through page 98, line 3, delete those lines and insert: providing severability; providing effective dates, including

On motions by Senator Latvala, **CS for HB's 461, 281 and 75** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—2

Crist Hargrett

SPECIAL ORDER CALENDAR

On motion by Senator Rossin—

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.

—was read the second time by title.

Senator Rossin moved the following amendments which were adopted:

Amendment 1 (with title amendment)—On page 9, between lines 21 and 22, insert:

(c) *The competitive requirements of paragraph (a) of this act must be initiated for each contract that meets the criteria of this subsection within the time limits set forth in paragraph (b), unless the secretary makes a written determination that particular facts and circumstances require deferral of the competitive process. Facts and circumstances must be specifically described for each individual contract proposed for deferral and must include one or more of the following:*

1. *An immediate threat to health, safety, or welfare of the department clients;*

2. *A threat to appropriate use or disposition of facilities that have been financed in whole, or substantially in part, through contracts or agreements with a state agency; or*

3. *A threat to the service infrastructure of a community which could endanger the well-being of the department's clients.*

Under no circumstances may competition be deferred for longer than 3 years beyond the time limits set forth in paragraph (b), nor shall deferral be used to circumvent the intent of paragraph (b).

(Reletter subsequent paragraphs.)

And the title is amended as follows:

On page 1, line 20, following the semicolon (;) insert: authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals;

Amendment 2—On page 10, lines 14-16, delete those lines and insert: *the provider, dependability of the provider's services, the experience of the provider in serving target populations or client groups substantially identical to members of the target population for the contract in question, and the ability of the provider to secure local funds to support the delivery of services, including, but not limited to, funds derived from county governments. These alternative procedures need not conform to the*

Amendment 3—On page 10, line 23 through page 11, line 5, delete those lines and insert:

(e) *When it is in the best interest of a defined segment of its consumer population, the department may competitively procure and contract for systems of treatment or service that involve multiple providers, rather than procuring and contracting for treatment or services separately from each participating provider. The department must ensure that all providers that participate in the treatment or service system meet all applicable statutory, regulatory, service quality, and cost-control requirements. If other governmental entities or units of special purpose government contribute local match to the support of a given system of treatment or service, the department shall formally request information from those funding entities in the procurement process and shall take such information as is received from those funding entities into account in the selection process. The department may also involve nongovernmental funding entities in the procurement process when appropriate.*

Amendment 4—On page 11, line 6, delete that line and insert:

(f) *The department may contract*

Senator Hargrett moved the following amendment which was adopted:

Amendment 5—On page 13, line 8, delete "12" and insert: 24

Senator Rossin moved the following amendment which was adopted:

Amendment 6 (with title amendment)—On page 13, between lines 9 and 10, insert:

Section 2. Section 394.74, Florida Statutes, is amended to read:

394.74 Contracts for provision of local alcohol, drug abuse, and mental health programs.—

(2) Contracts for service shall be *performance-based and consistent with the approved district plan and the service priorities established in s. 394.75(4).*

(3) Contracts shall include, but are not limited to:

(a) A provision that, within the limits of available resources, primary care alcohol, drug abuse, and mental health services shall be available to any individual residing or employed within the service area, regardless of ability to pay for such services, current or past health condition, or any other factor;

(b) A provision that such services be available with priority of attention being given to individuals who exhibit symptoms of chronic or acute alcoholism, drug abuse, or mental illness and who are unable to pay the cost of receiving such services;

(c) A provision that every reasonable effort to collect appropriate reimbursement for the cost of providing alcohol, drug abuse, and mental health services to persons able to pay for services, including first-party payments and third-party payments, shall be made by facilities providing services pursuant to this act;

~~(d) A program description and line item operating budget by program service component for alcohol, drug abuse, and mental health services, provided the entire proposed operating budget for the service provider will be displayed; and~~

(e) A requirement that the contractor must conform to department rules and the priorities established thereunder.

Section 3. Subsection (3) of section 394.76, Florida Statutes, is amended to read:

394.76 Financing of district programs and services.—If the local match funding level is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, such funding level shall be provided as follows:

(3) The state share of financial participation shall be determined by the following formula:

(a) *For performance based contracts and purchase-of-service contracts, the state must purchase units of services or outcomes at a per-unit rate. The state rate must be a negotiated rate not to exceed the state model rate and model rates must be reevaluated biennially. At a minimum, financial rules must address a chart of accounts for state reporting and auditing and programmatic rules must address performance outcomes, including client satisfaction and functional assessments, service protocols, quality assurance standards, and service standards.*

(b) *For start-up contracts, the state shall reimburse actual expenditures made in accordance with contract specifications that include a description of services to be provided and a detailed line-item budget.*

~~All contracts for client services must provide for an evaluation of the contractor's performance. The evaluation must be based on contractually agreed-upon outcome performance standards that measure the effectiveness of the services provided. The state share of approved program costs shall be a percentage of the net balance determined by deducting from the total operating cost of services and programs, as specified in s. 394.675(1), those expenditures which are ineligible for state participation as provided in subsection (7) and those ineligible expenditures established by rule of the department pursuant to s. 394.78.~~

(c)(b) Residential and case management services which are funded as part of a deinstitutionalization project shall not require local matching funds and shall not be used as local matching funds. The state and federal financial participation portions of Medicaid earnings pursuant to Title XIX of the Social Security Act, except for the amount of general revenue equal to the amount appropriated in 1985-1986 plus all other general revenue that is shifted from any other alcohol, drug abuse, and mental health appropriation category after fiscal year 1986-1987, shall not require local matching funds and shall not be used as local matching funds. Local matching funds are not required for general revenue transferred by the department into alcohol, drug abuse, and mental health appropriations categories during a fiscal year to match federal funds earned from Medicaid services provided for mental health clients in excess of the amounts initially appropriated. Funds for children's services which were provided through the Children, Youth, and Families Services budget which did not require local match prior to being transferred to the Alcohol, Drug Abuse, and Mental Health Services budget shall be exempt from local matching requirements. All other contracted

community alcohol and mental health services and programs, except as identified in s. 394.457(3), shall require local participation on a 75-to-25 state-to-local ratio.

(d)(e) The expenditure of 100 percent of all third-party payments and fees shall be considered as eligible for state financial participation if such expenditures are in accordance with subsection (7) and the approved district plan.

(e)(d) Fees generated by residential and case management services which are funded as part of a deinstitutionalization program and do not require local matching funds shall be used to support program costs approved in the district plan.

(f)(e) Any earnings pursuant to Title XIX of the Social Security Act in excess of the amount appropriated shall be used to support program costs approved in the district plan.

And the title is amended as follows:

On page 2, line 4, after the semicolon (;) insert: amending 394.74, F.S.; adding a provision that contracts for services must be performance-based, removing an obsolete requirement associated with cost reimbursement contracts; amending s. 394.76, F.S.; authorizing performance-based contracts, purchase-of-service contracts, and start-up contracts; adding provisions for all types of contracts; requiring an evaluation of the contractor's performance;

Senator Bankhead moved the following amendment which was adopted:

Amendment 7—On page 15, lines 1-10, delete those lines and renumber subsequent subsection.

Senator Rossin moved the following amendment:

Amendment 8 (with title amendment)—On page 13, between lines 9 and 10, insert:

(k) The department shall file a lien against the property where facilities are located that have been constructed or substantially renovated, in whole or in part, through the use of state funds. The lien must be filed upon the execution of the contract authorizing such construction or renovation. The lien must specify that the department has a financial interest in the property equal to the pro rata portion of the state's original investment of the then-fair-market value for renovations, or the proportionate share of the cost of the construction. The lien must also specify that the department's interest is proportionately reduced and subsequently vacated over a 20-year period of depreciation. The contract must include a provision that, as a condition of receipt of state funding for this purpose, the provider agrees that, if it disposes of the property before the department's interest is vacated, the provider will refund the proportionate share of the state initial investment, as adjusted by depreciation.

And the title is amended as follows:

On page 2, line 4, following the semicolon (;) insert: providing for department liens against certain property constructed or renovated using state funds;

Senator Dudley moved the following amendment to **Amendment 8** which was adopted:

Amendment 8A—On page 1, line 20, delete "filed" and insert: *recorded in the county where the property is located*

Amendment 8 as amended was adopted.

MOTION

On motion by Senator Bankhead, the rules were waived and time of recess was extended until completion of **CS for CS for SB 384**.

Senator Hargrett moved the following amendment:

Amendment 9 (with title amendment)—On page 8, between lines 22 and 23, insert:

(9) DISTRICT ADMINISTRATOR.—

(a) The secretary shall appoint a district administrator for each of the service districts. Each district administrator *shall be appointed to a term of 4 years and is subject to confirmation by the Senate. A district administrator shall serve* at the pleasure of the secretary and has the same standing within the department as an assistant secretary. Except as otherwise provided in this section, each district administrator has direct line authority over all departmental programs assigned to the district. In addition to those responsibilities assigned by law, the district administrator shall carry out those duties delegated by the secretary.

And the title is amended as follows:

On page 1, line 11, after the semicolon (;) insert: providing for district administrators to be appointed to terms of appointment and be confirmed by the Senate;

Senator Hargrett moved the following amendments to **Amendment 9** which were adopted:

Amendment 9A—On page 1, line 21, after the period (.) insert: *Each district administrator serving in a service district on the effective date of this act must be reappointed by the secretary.*

Amendment 9B—On page 1, line 20, delete “of” and insert: *not to exceed*

POINT OF ORDER

Senator Rossin raised a point of order that pursuant to Rule 7.1 **Amendment 9** as amended was not germane to the bill.

RULING ON POINT OF ORDER

On recommendation of Senator W. G. (Bill) Bankhead, Chairman of the Committee on Rules and Calendar, the President ruled the point well taken and the amendment out of order.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Hargrett, the Senate reconsidered the vote by which **Amendment 9A** and **Amendment 9B** were adopted. **Amendment 9B**, **Amendment 9A** and **Amendment 9** were withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 384** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES

The Committee on Agriculture recommends the following pass: SB 1268

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

The Committee on Agriculture recommends the following pass: SB 1088, SB 1090, SB 1104, SB 1152, SB 1344

The bills were referred to the Committee on Ways and Means under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1778

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

The Committee on Transportation recommends a committee substitute for the following: Senate Bills 2028 and 394

The bills with committee substitute 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 1682

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

The Committee on Transportation recommends a committee substitute for the following: SB 250

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

The Committee on Education recommends committee substitutes for the following: SB 38, SB 74, SB 112, SB 318, SB 858, SB 894, SB 1084, SB 1128, SB 1250, SB 1384

The Committee on Governmental Reform and Oversight recommends a committee substitute for the following: SB 1824

The Committee on Transportation recommends committee substitutes for the following: SB 1238, SB 2060

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Lee—

SB 2068—A bill to be entitled An act relating to emergency medical services; amending ss. 365.171, 395.1027, F.S.; requiring a local governmental entity that operates a “911” emergency telephone system to enter into an agreement with the regional poison control center; requiring that the agreement outline a protocol under which the poison control center is consulted with respect to each emergency call that involves exposure to a potentially toxic substance; requiring the poison control center to assess the emergency and recommend an appropriate response; providing an effective date.

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

By Senators Gutman, Meadows, Holzendorf, Jones and Forman—

SB 2070—A bill to be entitled An act relating to regulation of wrecker operators and persons immobilizing vehicles; amending s. 1.01, F.S.; defining the term “wrecker operator”; providing for a law enforcement officer to place a hold order on a motor vehicle in a wrecker operator’s storage facility; prescribing conditions on such acts; authorizing county and municipal wrecker operator systems; prohibiting certain acts in contravention of such systems; providing penalties; amending ss. 125.0103, 166.043, F.S.; authorizing county and municipal regulation of the practice of immobilizing vehicles; amending s. 316.193, F.S.; providing for payment of charges when a vehicle is impounded or immobilized as a result of a charge of driving under the influence; amending s. 321.051, F.S.; revising provisions authorizing the Florida Highway Patrol to establish a wrecker operator system; prohibiting certain acts in contravention of such system; providing penalties; amending s. 322.34, F.S.; revising provisions relating to impoundment or immobilization of vehicles being operated while the operator’s license is suspended, revoked, canceled, or disqualified; providing for payment of accrued charges; amending s. 713.78, F.S.; providing that law allowing a lien for recovering, towing, or storing a vehicle does not authorize a lien for immobilizing a vehicle; providing liability for damages or theft in connection with a towed vehicle; amending s. 715.07, F.S.; regulating the practice of immobilizing vehicles parked on private property; prohibiting

certain practices and acts; providing penalties; amending s. 319.30, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Grant—

SB 2072—A bill to be entitled An act relating to workers' compensation; amending s. 440.09, F.S.; excluding benefits for disability or death covered by the Defense Base Act; amending s. 440.15, F.S.; providing for termination of certain payments under certain circumstances; providing for offsets against certain payments under certain circumstances; amending s. 440.34, F.S.; providing limits on attorneys' fees; providing that certain reimbursable amounts are not included in benefits secured; prohibiting interest on attorney's fees; repealing s. 440.02(34)(f), F.S., relating to the definition of catastrophic injury; repealing s. 440.15(6), F.S., relating to the obligation to rehire an employee after maximum medical improvement; providing an effective date.

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

By Senator McKay—

SB 2074—A bill to be entitled An act relating to accessibility for persons with disabilities; amending s. 316.1955, F.S.; revising standards for number, size, layout, and marking of parking spaces for persons with disabilities; amending s. 553.504, F.S.; revising certain guidelines relating to ramps and curb ramps; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Klein—

SB 2076—A bill to be entitled An act relating to sexually violent predators; providing a short title; creating s. 916.30, F.S.; providing findings and intent; creating s. 916.31, F.S.; defining terms; creating s. 916.32, F.S.; requiring notice of release from custody of a person alleged to be a sexually violent predator; providing for evaluation of such person; creating s. 916.33, F.S.; providing for petition to have such person declared a sexually violent predator; creating s. 916.34, F.S.; providing for determination of probable cause, hearings, taking such person into custody; creating s. 916.35, F.S.; providing for trial on issue of whether person is a sexually violent predator; creating s. 916.36, F.S.; providing for commitment of a person determined to be a sexually violent predator; creating s. 916.37, F.S.; requiring annual examination of persons committed; creating s. 916.38, F.S.; requiring detention and commitment to conform to constitutional requirements; creating s. 916.39, F.S.; providing for petitions for release; creating s. 916.40, F.S.; requiring certain findings before conditional release to a less-restrictive form of treatment; creating s. 916.41, F.S.; authorizing conditional release to a less-restrictive form of treatment; creating s. 916.42, F.S.; requiring certain findings before conditional release; providing for conditions and annual review; creating s. 916.43, F.S.; providing for revocation or modification of less-restrictive treatment; creating s. 916.44, F.S.; providing that the Department of Children and Family Services is responsible for costs; creating s. 916.45, F.S.; providing for notice to victims; creating s. 916.46, F.S.; providing severability; creating s. 916.47, F.S.; providing for access to certain records; providing an effective date.

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

By Senator Kirkpatrick—

SB 2078—A bill to be entitled An act relating to regulation of professions and occupations; amending s. 455.225, F.S., relating to disciplinary proceedings for boards within the Department of Business and Professional Regulation and the Department of Health; providing for confidentiality while an investigation is active; authorizing disclosure of an ac-

tive investigation under certain circumstances; providing an effective date.

—was referred to the Committees on Governmental Reform and Oversight; Regulated Industries; and Health Care.

By Senators Rossin and Gutman—

SB 2080—A bill to be entitled An act relating to the storage of firearms; creating the "Safe Storage of Firearms for the Protection of Children Act"; amending s. 790.001, F.S.; redefining the term "securely encased" to mean a firearm that is secured with an activated safety lock; defining the term "safety lock"; providing that it is a third-degree felony to knowingly alter or remove a safety lock from a firearm without authorization of the owner; providing that it is a third-degree felony to knowingly sell, deliver, or possess a firearm if the firearm's safety lock has been altered or removed without authorization of the owner; amending s. 784.05, F.S.; providing that it is not culpable negligence to store or leave a loaded firearm within the reach of a person under a specified age, which firearm is used to inflict injury or death, if the firearm was locked with a safety lock; amending s. 790.174, F.S.; providing that a safety lock may be used for the purpose of lawfully storing a firearm within access of a person under a specified age; amending s. 790.175, F.S.; requiring a licensed dealer to advise a potential buyer of a handgun of the availability of a safety lock that renders the handgun inoperable; requiring that the dealer provide the potential buyer the opportunity to purchase a safety lock at the time of the sale; prohibiting an insurer from increasing the premium for homeowner's insurance or property and casualty insurance if each firearm on the insured property is stored with a safety lock; providing an effective date.

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

By Senator Campbell—

SB 2082—A bill to be entitled An act relating to juveniles; amending s. 39.044, F.S.; requiring arraignment of a juvenile ordered into or held in secure, nonsecure, or home detention care within a specified time; providing an effective date.

—was referred to the Committees on Judiciary; and Children, Families and Seniors.

By Senators Jenne and Dyer—

SB 2084—A bill to be entitled An act relating to construction of school facilities; providing matching grants to certain school districts; providing legislative intent; providing funding; specifying eligible facilities; providing for allocation and use of matching grants from the Florida Lottery School Construction Trust Fund; authorizing school districts to pledge discretionary lottery funds designated for school facilities and any matching grants for the payment of bonds; creating the Florida School Construction Commission to maintain oversight of public school construction; providing membership; providing duties; requiring school boards to provide information on construction projects to the commission for review; amending s. 236.39, F.S.; providing that no election is required to pledge lottery funds from the Educational Enhancement Trust Fund for bonds; providing an effective date.

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

By Senator Bankhead—

SB 2086—A bill to be entitled An act relating to juvenile justice; creating chapter 985, F.S., relating to certain juvenile proceedings; creating s. 985.01, F.S.; providing purposes and intent; creating s. 985.02, F.S.; providing legislative intent for the juvenile justice system; creating s. 985.03, F.S.; providing definitions; renumbering and amending s. 39.045, F.S., relating to oaths, records, and confidential information; creating s. 985.05, F.S.; providing for court records; renumbering and

amending s. 39.0573, F.S., relating to statewide information sharing; renumbering s. 39.0574, F.S., relating to school district and law enforcement information sharing; renumbering and amending s. 39.0585, F.S., relating to information systems; renumbering and amending s. 39.022, F.S., relating to court jurisdiction; renumbering and amending s. 39.014, F.S., relating to legal representation for delinquency cases; renumbering and amending s. 39.041, F.S., relating to the right to counsel; renumbering s. 39.0476, F.S., relating to powers with respect to certain children; creating s. 985.205, F.S.; providing that hearings are open to the public; renumbering and amending s. 39.0515, F.S., relating to rights of victims; renumbering and amending s. 39.037, F.S., relating to taking a child into custody; renumbering and amending s. 39.064, F.S., relating to detention of furloughed children or escapees; renumbering s. 39.0471, F.S., relating to juvenile justice assessment centers; renumbering and amending s. 39.047, F.S., relating to intake and case management; renumbering and amending s. 39.038, F.S., relating to release or delivery from custody; renumbering and amending s. 39.039, F.S., relating to fingerprinting and photographing a minor; renumbering and amending s. 39.042, F.S., relating to the use of detention; renumbering s. 39.043, F.S., relating to prohibited uses of detention; renumbering and amending s. 39.044, F.S., relating to detention; transferring and renumbering s. 39.0145, F.S., relating to punishment for contempt of court; renumbering and amending s. 39.0445, F.S., relating to juvenile domestic violence offenders; renumbering s. 39.048, F.S., relating to petitions for delinquency; renumbering and amending s. 39.049, F.S., relating to process and service; renumbering and amending s. 39.0495, F.S., relating to threatening or dismissing employees; renumbering s. 39.073, F.S., relating to court and witness fees; renumbering s. 39.051, F.S., relating to answers to petitions; renumbering and amending s. 39.0517, F.S., relating to incompetency in juvenile delinquency cases; renumbering and amending s. 39.046, F.S., relating to medical, psychiatric, psychological, substance abuse, and educational examinations and treatment; creating s. 985.225, F.S.; providing for indictment of a juvenile; providing for sentencing; creating s. 985.226, F.S.; providing criteria for waiver of juvenile court jurisdiction; creating s. 985.227, F.S.; providing for prosecution of juveniles as adults; creating s. 985.228, F.S.; providing for adjudicatory hearings, withheld adjudications, and orders of adjudication; creating s. 985.229, F.S.; providing for predisposition reports; creating s. 985.23, F.S.; providing for disposition hearings in delinquency cases; creating s. 985.231, F.S.; providing powers of disposition in delinquency cases; renumbering s. 39.078, F.S., relating to commitment forms; creating s. 985.233, F.S.; providing dispositional powers and procedures and alternatives for juveniles prosecuted as adults; renumbering s. 39.069, F.S., relating to appeals; renumbering s. 39.0711, F.S., relating to additional grounds for appeals by the state; renumbering s. 39.072, F.S., relating to orders or decisions when the state appeals; renumbering and amending s. 39.0255, F.S., relating to civil citations; renumbering s. 39.019, F.S., relating to teen courts; renumbering and amending s. 39.0361, F.S., relating to the Neighborhood Restorative Justice Act; renumbering and amending s. 39.026, F.S., relating to community arbitration; renumbering and amending s. 39.055, F.S., relating to early delinquency intervention; renumbering s. 39.0475, F.S., relating to delinquency pretrial intervention; renumbering s. 39.0551, F.S., relating to juvenile assignment centers; renumbering s. 39.0571, F.S., relating to juvenile sexual offender commitment programs; renumbering and amending s. 39.057, F.S., relating to boot camps for children; renumbering and amending s. 39.058, F.S., relating to serious or habitual juvenile offenders; renumbering and amending s. 39.0582, F.S., relating to intensive residential treatment; renumbering and amending s. 39.0583, F.S., relating to intensive residential treatment programs; renumbering s. 39.0581, F.S., relating to maximum-risk residential programs; renumbering and amending s. 39.0584, F.S., relating to commitment programs for juvenile felony offenders; renumbering and amending s. 39.05841, F.S., relating to vocational work training programs; renumbering s. 39.067, F.S., relating to furlough and intensive aftercare; renumbering and amending s. 39.003, F.S., relating to the Juvenile Justice Advisory Board; renumbering s. 39.085, F.S., relating to the Alternative Education Institute; renumbering s. 39.0572, F.S., relating to the Task Force on Juvenile Sexual Offenders and their Victims; renumbering and amending s. 39.021, F.S., relating to administering the juvenile justice continuum; creating s. 985.405, F.S.; requiring the Department of Juvenile Justice to adopt rules; renumbering s. 39.024, F.S., relating to juvenile justice training academies, the Juvenile Justice Standards and Training Commission, and the Juvenile Justice Training Trust Fund; renumbering s. 39.076, F.S., relating to contracting and personnel; renumbering s. 39.075, F.S., relating to consultants; creating s. 985.409, F.S.; providing for participation in the Florida Casualty Insurance Risk

Management Trust Fund; renumbering s. 39.074, F.S., relating to facilities siting; renumbering and amending s. 39.0215, F.S., relating to county and municipal delinquency programs and facilities; creating s. 985.412, F.S.; providing for quality assurance; renumbering and amending s. 39.025, F.S., relating to district juvenile justice boards; creating s. 985.414, F.S.; providing for county juvenile justice councils; creating s. 985.415, F.S.; providing for county juvenile justice partnership grants; creating s. 985.416, F.S.; providing for innovation zones; renumbering s. 39.062, F.S., relating to transferring children from the Department of Corrections to the Department of Juvenile Justice; renumbering s. 39.063, F.S., relating to transferring children to other treatment services; renumbering s. 39.065, F.S., relating to contracts for the transfer of children under federal custody; renumbering s. 39.51, F.S., relating to the Interstate Compact on Juveniles; renumbering s. 39.511, F.S., relating to execution of the compact; renumbering s. 39.512, F.S., relating to the juvenile compact administrator; renumbering s. 39.513, F.S., relating to supplementary agreements; renumbering s. 39.514, F.S., relating to financial arrangements; renumbering s. 39.515, F.S., relating to responsibility of state departments, agencies, and officers; renumbering s. 39.516, F.S., relating to additional procedures with respect to the compact; creating s. 984.01, F.S.; providing purposes and intent with respect to children and families in need of services; creating s. 984.02, F.S.; providing legislative intent; creating s. 984.03, F.S.; providing definitions; renumbering and amending s. 39.421, F.S., relating to taking certain children into custody; renumbering and amending s. 39.015, F.S., relating to rules relating to habitual truants; renumbering and amending s. 39.4451, F.S., relating to oaths, records, and confidential information; renumbering s. 39.447, F.S., relating to appointed counsel; renumbering and amending s. 39.017, F.S., relating to attorney's fees; creating s. 984.09, F.S.; providing for punishment for contempt of court; renumbering and amending s. 39.423, F.S., relating to intake of children; renumbering and amending s. 39.424, F.S., relating to services to families in need of services; renumbering s. 39.426, F.S., relating to staffing for treatment and services to families in need of services; renumbering and amending s. 39.421, F.S., relating to taking certain children into custody; renumbering and amending s. 39.422, F.S., relating to shelter placement of certain children; renumbering and amending s. 39.436, F.S., relating to petitions for children in need of services; renumbering s. 39.437, F.S., relating to process and service; renumbering s. 39.438, F.S., relating to response to petition and representation of parties; renumbering s. 39.4431, F.S., relating to referral of children-in-need-of-services cases to mediation; renumbering and amending s. 39.446, F.S., relating to examination and treatment of certain children; renumbering s. 39.44, F.S., relating to hearings for children-in-need-of-services cases; renumbering s. 39.441, F.S., relating to orders of adjudication; renumbering and amending s. 39.442, F.S., relating to powers of disposition; renumbering s. 39.4375, F.S., relating to court and witness fees; renumbering s. 39.4441, F.S., relating to appeals; amending s. 39.01, F.S.; revising definitions applicable to ch. 39, F.S.; repealing ss. 39.0205, 39.0206, F.S., relating to a short title and a definition; renumbering s. 39.061, F.S., relating to escapes from detention or residential commitment facilities; repealing s. 39.419, F.S., relating to a definition; repealing ss. 39.027, 39.028, 39.029, 39.033, 39.034, 39.035, 39.036, F.S., relating to community arbitration, which provisions are otherwise incorporated into this act; repealing ss. 39.052, 39.053, 39.054, 39.059, F.S., relating to adjudicatory hearings, adjudication, powers of disposition, and community control or commitment of children prosecuted as adults, which provisions are otherwise incorporated into this act; repealing ss. 39.05842, 39.05843, 39.05844, 39.05845, F.S., relating to vocational/work programs, which provisions are otherwise incorporated into this act; repealing s. 39.056, F.S., relating to early delinquency intervention, which provision is otherwise incorporated into this act; amending s. 39.002, F.S.; providing legislative intent for the juvenile justice system; amending s. 39.012, F.S.; providing for the Department of Children and Family Services to adopt rules; designating and naming parts of ch. 985, F.S.; providing an effective date.

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

By Senator Childers—

SB 2088—A bill to be entitled An act relating to the re-creation of the Operating Trust Fund of the Department of Management Services without modification; re-creating the Operating Trust Fund; carrying for-

ward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2090—A bill to be entitled An act relating to the re-creation of the State Game Trust Fund without modification; re-creating the State Game Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2092—A bill to be entitled An act relating to the re-creation of the Dedicated License Trust Fund without modification; re-creating the Dedicated License Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2094—A bill to be entitled An act relating to the re-creation of the Florida Panther Research and Management Trust Fund without modification; re-creating the Florida Panther Research and Management Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2096—A bill to be entitled An act relating to the re-creation of the Land Acquisition Trust Fund of the Game and Fresh Water Fish Commission without modification; re-creating the Land Acquisition Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2098—A bill to be entitled An act relating to the re-creation of the Lifetime Fish and Wildlife Trust Fund without modification; re-creating the Lifetime Fish and Wildlife Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2100—A bill to be entitled An act relating to the re-creation of the Nongame Wildlife Trust Fund without modification; re-creating the Nongame Wildlife Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2102—A bill to be entitled An act relating to the re-creation of the Lottery Administrative Trust Fund without modification; re-creating

the Lottery Administrative Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2104—A bill to be entitled An act relating to the re-creation of the Armory Board Trust Fund without modification; re-creating the Armory Board Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2106—A bill to be entitled An act relating to the re-creation of the Camp Blanding Management Trust Fund without modification; re-creating the Camp Blanding Management Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2108—A bill to be entitled An act relating to the re-creation of the Grants and Donations Trust Fund of the Department of Management Services without modification; re-creating the Grants and Donations Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2110—A bill to be entitled An act relating to the re-creation of the Administrative Trust Fund of the Department of Management Services without modification; re-creating the Administrative Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2112—A bill to be entitled An act relating to the re-creation of the State Agency Law Enforcement Radio System Trust Fund without modification; re-creating the State Agency Law Enforcement Radio System Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2114—A bill to be entitled An act relating to the re-creation of the Pretax Benefits Trust Fund without modification; re-creating the Pretax Benefits Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2116—A bill to be entitled An act relating to trust funds; declaring the findings of the Legislature that specified trust funds in the Game and Fresh Water Fish Commission and the Department of Management Services are exempt from the automatic-termination requirements of Section 19(f), Article III of the State Constitution; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2118—A bill to be entitled An act relating to the re-creation of the State Employee Child Care Revolving Trust Fund without modification; re-creating the State Employee Child Care Revolving Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2120—A bill to be entitled An act relating to the re-creation of the State Personnel System Trust Fund without modification; re-creating the State Personnel System Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2122—A bill to be entitled An act relating to the re-creation of the Architects Incidental Trust Fund without modification; re-creating the Architects Incidental Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2124—A bill to be entitled An act relating to the re-creation of the Bureau of Aircraft Trust Fund without modification; re-creating the Bureau of Aircraft Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2126—A bill to be entitled An act relating to the re-creation of the Communications Working Capital Trust Fund without modification; re-creating the Communications Working Capital Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2128—A bill to be entitled An act relating to the re-creation of the Motor Vehicle Operating Trust Fund without modification; re-creating the Motor Vehicle Operating Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2130—A bill to be entitled An act relating to the re-creation of the Supervision Trust Fund without modification; re-creating the Supervision Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2132—A bill to be entitled An act relating to the re-creation of the Surplus Property Revolving Trust Fund without modification; re-creating the Surplus Property Revolving Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2134—A bill to be entitled An act relating to the re-creation of the Working Capital Trust Fund of the Department of Management Services without modification; re-creating the Working Capital Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Childers—

SB 2136—A bill to be entitled An act relating to the re-creation of the Administrative Trust Fund of the Division of Administrative Hearings of the Department of Management Services without modification; re-creating the Administrative Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Ways and Means.

By Senator Myers—

SB 2138—A bill to be entitled An act relating to bond validation; creating s. 75.012, F.S.; defining the terms "general obligation bond," "revenue bond," "special assessment bond," and "governmental unit"; amending s. 75.02, F.S.; prescribing venue for actions to validate bonds; amending s. 75.05, F.S.; providing for orders and service in actions to validate bonds; amending s. 75.06, F.S.; providing effect of publishing notice of action to validate bonds; amending s. 75.07, F.S.; defining the term "interested person" and providing for intervention by such persons; amending s. 75.08, F.S.; prescribing those parties entitled to appeal an action to validate bonds; amending s. 75.09, F.S.; prescribing the effect of final judgment in an action to validate bonds; providing an effective date.

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

By Senators Kirkpatrick, Latvala, Dyer, Williams, Meadows and Grant—

SB 2140—A bill to be entitled An act relating to postsecondary education; amending s. 240.1201, F.S.; authorizing certain scholars to be classified as residents for tuition purposes; amending s. 240.235, F.S.; authorizing each state university to establish a technology fee; limiting the amount of the fee; prescribing uses for the fee revenue; requiring an oversight committee; providing for approval by the Board of Regents; amending s. 240.4069, F.S.; changing the name and administration pro-

cedures of the Virgil Hawkins Fellows Scholarships; providing an effective date.

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

By Senator Forman—

SB 2142—A bill to be entitled An act relating to health quality assurance; amending ss. 112.0455, 381.026, 381.0261, 383.302, 383.305, 390.011, 390.015, 391.206, 391.207, 391.210, 393.063, 393.065, 394.67, 394.875, 395.002, 395.0163, 395.0193, 395.0197, 395.0199, 400.071, 400.411, 400.414, 400.417, 400.4174, 400.4176, 400.461, 400.462, 400.471, 400.474, 400.484, 400.506, 400.509, 400.555, 400.606, 400.607, 400.619, 400.801, 400.805, 408.033, 483.101, 483.106, 483.30, F.S.; creating ss. 381.60225, 395.0055, 400.5572, F.S.; transferring, renumbering, and amending ss. 626.941, 626.942, 626.943, 626.944, 626.945, F.S.; providing background screening requirements and standards for laboratories that perform tests relating to the Drug-Free Workplace Act, organ procurement organizations and tissue and eye banks, birth centers, abortion clinics, prescribed pediatric extended care centers, facilities for the developmentally disabled, facilities for treating alcohol and drug abuse and for mental health services, crisis stabilization units and residential treatment facilities, hospitals, private review agents, nursing homes and related facilities, assisted living facilities, direct-care employees, home health agencies, nurse registries, providers of certain home services, adult day care centers, hospices, adult family-care homes, homes for special services, transitional living facilities, clinical laboratories, and multiphasic health testing centers; amending grounds for denial and revocation of licensure or registration for such entities; allowing limited reporting of certain confidential information relating to the internal risk management programs of hospitals and ambulatory surgical centers; transferring duties pertaining to health care risk management from the Insurance Commissioner to the Director for Health Care Administration; amending fees and procedures relating to qualifications for health care risk managers; amending the Florida patient's Bill of Rights and Responsibilities; providing information about filing complaints with licensing agencies; expanding the applicability of the act to emergency care and outpatient care providers; adding a requirement to provide information about teaching hospitals and about the types of practitioners who are treating the patients; allowing administrative fines to be imposed on facilities that do not inform patients of their rights; requiring certain outpatient facilities to submit construction plans to the Agency for Health Care Administration for review; amending provisions relating to who must make application for licensure and for a certificate of exemption on behalf of a clinical laboratory; repealing s. 455.239, F.S., relating to licensure requirements for designated health care services; transferring the health care risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; allocating positions to the Agency for Health Care Administration for specified purposes; providing for funding for such positions to be appropriated from the Health Care Trust Fund; providing effective dates.

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

By Senator Kurth—

SB 2144—A bill to be entitled An act relating to community collaboration grants; creating the community collaboration grant program; providing for administration of the program by the Department of Children and Family Services; establishing criteria for selection; providing application procedures; providing for renewal; providing for an evaluation of grants; providing an effective date.

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

By Senator Silver—

SB 2146—A bill to be entitled An act relating to health care; amending s. 408.036, F.S.; providing an exemption from the requirement of filing for a certificate of need for the conversion of certain hospital beds; requiring the Agency for Health Care Administration to adopt by rule

methodology that provides for the separate evaluation of applications for skilled nursing beds in facilities licensed under ch. 395, F.S.; providing criteria for the methodology; providing an exemption from review for conversion of certain hospitals if the agency fails to adopt a rule; providing an effective date.

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

By Senator McKay—

SB 2148—A bill to be entitled An act relating to civil actions; amending s. 95.031, F.S.; providing a limitation period for actions for product liability; amending s. 768.72, F.S.; providing conditions for claiming punitive damages; providing applicability; providing for payment into the Court Article V Trust Fund and to the Public Medical Assistance Trust Fund of certain punitive damages; amending s. 768.73, F.S.; providing restrictions on the awarding of punitive damages; providing applicability; amending s. 768.77, F.S.; providing for itemized verdicts in civil actions; amending s. 768.78, F.S.; providing alternative methods of payment of damage awards in civil actions in which the trier of fact makes an award to compensate the claimant for certain future noneconomic losses; providing that liability of the defendant to pay noneconomic damages and claimant's attorney's fees in periodic payments ceases upon the death of the claimant; providing for periodic payment of attorney's fees in certain actions; repealing s. 768.81(5), F.S., which provides for joint and several liability in certain actions; providing an effective date.

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

By Senator Dyer—

SB 2150—A bill to be entitled An act relating to taxation; amending s. 212.054, F.S.; exempting from newly enacted discretionary sales surtaxes transactions that are subject to specified tourist development taxes in an aggregate rate that exceeds a specified maximum; providing an effective date.

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

By Senator Horne—

SB 2152—A bill to be entitled An act relating to certified capital companies; providing a short title; providing a purpose; providing definitions; providing for a credit against the insurance premium tax; providing for certification of certified capital companies; requiring an application fee; requiring an annual certification fee; providing procedures; providing requirements; providing requirements for continuing certification; providing for distributions from certified capital companies; providing for decertification; providing procedures; requiring the Department of Banking and Finance to conduct annual reviews of certified capital companies for certain purposes; providing for recapture or forfeiture of premium tax credits under certain circumstances; providing exceptions; providing for immunity from regulation and certification for certain companies under certain circumstances; providing for transferability of certain credits; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2154—A bill to be entitled An act relating to state government; providing initiatives for efficiency in state government; requiring a reduction in levels of management; requiring a reduction in the number of state job classifications; providing duties of the Department of Management Services and the Office of Program Policy Analysis and Government Accountability; requiring a report; providing for incentives for

state employees to increase knowledge and skills; providing an appropriation; providing an effective date.

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

By Senator Forman—

SB 2156—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; providing an alternative base period to be used in calculating benefits in specified circumstances; providing that in certain circumstances involving a recalculation of benefits, benefits previously received do not constitute an overpayment; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2158—A bill to be entitled An act relating to taxation; amending s. 199.023, F.S.; defining the term “account receivable”; repealing s. 199.103(5), F.S.; repealing a reference to valuation of accounts receivable; amending s. 199.185, F.S.; providing an exemption from the tax on intangible personal property for accounts receivable; amending s. 220.03, F.S.; updating references to the Internal Revenue Code for corporate income tax purposes; providing for retroactive effect; providing effective dates.

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

By Senator Williams—

SB 2160—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; providing that committees advisory to specified public bodies or officers may meet in private and without public notice under certain conditions; providing legislative findings; providing an effective date.

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

By Senator Silver—

SB 2162—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; revising certain application requirements for permitholders who broadcast out-of-state races; deleting obsolete provisions; amending s. 550.0951, F.S.; exempting certain passes and complimentary tickets from admission taxes; amending s. 550.5251, F.S.; revising provisions related to the rebroadcast of out-of-state races; amending s. 550.615, F.S.; providing for thoroughbred permitholders to accept intertrack wagers on live races conducted by certain harness permitholders; deleting a requirement that certain thoroughbred permitholders make available certain live pari-mutuel events; amending s. 550.6305, F.S.; deleting provisions relating to the distribution of proceeds by certain guest tracks; revising provisions related to the rebroadcast of thoroughbred races; amending s. 550.6305, F.S.; providing remedies for tracks when other tracks default on certain intertrack and interstate wagering payments; creating s. 550.715, F.S.; providing for a percentage of the purse from thoroughbred horse races to be distributed to a horseman's association to promote the horseracing industry; repealing s. 550.2425, F.S., relating to authorization to build a racing laboratory; repealing s. 550.2614, F.S., relating to the distribution of certain funds to a horseman's association; repealing s. 550.655, F.S., which requires the funding of a medical plan for certain persons; repealing s. 550.2633(3), (4), F.S.; deleting obsolete provisions relating to the disposition of certain funds; providing an effective date.

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

By Senator Ostalkiewicz—

SB 2164—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.03, F.S.; providing that certain persons who provide food, drinks, or other tangible personal property as part of a packaged room rate without separately stating a charge for such items are not considered consumers of the items; providing an effective date.

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

By Senator Myers—

SB 2166—A bill to be entitled An act relating to medical negligence actions; amending s. 766.101, F.S.; defining the term “medical review committee”; amending s. 766.102, F.S.; prescribing qualifications for expert witnesses in medical malpractice actions; amending s. 766.205, F.S.; providing for discovery of medical information and records; providing an exception to s. 455.241, F.S.; amending s. 766.207, F.S.; providing for routine rotation among administrative law judges serving as arbiters; providing for calculation of economic damages awardable in a medical negligence arbitration proceeding; clarifying the limitation of noneconomic damages in a medical negligence arbitration proceeding; eliminating the doctrine of joint and several liability in medical negligence arbitration proceedings; amending s. 766.208, F.S.; eliminating the doctrine of joint and several liability in medical negligence arbitration proceedings; amending s. 766.209, F.S.; prescribing economic damages awardable upon a rejection to arbitrate a medical negligence claim; amending s. 766.211, F.S.; providing that interest on a medical negligence arbitration award must be calculated in compliance with s. 55.03, F.S.; providing an effective date.

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

By Senator Latvala—

SB 2168—A bill to be entitled An act relating to education; creating the Florida School Recognition Program; providing findings; providing for an incentive program of financial awards for teachers and staff in high quality schools; providing criteria for determining eligibility for awards; prescribing duties of the Commissioner of Education; providing conditions for participation in the program; providing an effective date.

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

By Senator Harris—

SB 2170—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; specifying uses for the investment income of the fund; providing an effective date.

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

By Senator Jones—

SB 2172—A bill to be entitled An act relating to personal injury protection insurance coverage; amending s. 627.736, F.S.; providing for creation of a panel of physicians who are available to perform examinations and write reports of examinations of persons covered by personal injury protection; providing duties of the Department of Insurance; providing an effective date.

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

By Senator Rossin—

SB 2174—A bill to be entitled An act relating to state property; transferring certain described property from the state to Palm Beach County; providing an effective date.

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

By Senator Dyer—

SB 2176—A bill to be entitled An act relating to public school instructional staff; amending s. 231.36, F.S.; requiring district school boards to give notice of nomination status to certain members of the instructional staff; providing an effective date.

—was referred to the Committee on Education.

By Senator Childers—

SB 2178—A bill to be entitled An act relating to fiscal matters of government; authorizing entities of state or local government to accept a credit card, charge card, or debit card in payment of any amount due the entity; providing guidelines and conditions on such acceptance; authorizing agreements with card issuers; authorizing certain fees, discounts, and surcharges; providing for rules; providing continuing duty of payors; providing an effective date.

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

By Senator Turner—

SB 2180—A bill to be entitled An act relating to welfare reform; amending s. 414.065, F.S.; revising the maximum number of hours that a participant in the WAGES Program may be required to participate in community service activities; providing protections for participants; providing that a participant may not be assigned to a work experience activity or a community service activity that involves unreasonable risk or is otherwise inappropriate; requiring that the Department of Children and Family Services consider certain factors in assigning a participant to an activity; providing certain protections for current employees; providing limitations on assigning a WAGES participant to an activity that displaces a current employee, impairs an existing contract for services or a collective bargaining agreement, causes a current employee to be laid off, or infringes on the promotional opportunities of a current employee; providing an effective date.

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

By Senator Williams—

SB 2182—A bill to be entitled An act relating to Nassau County; providing for the payment of moneys from the General Revenue Fund to compensate the county for the loss of revenue due to the delay in implementing the imposition of a specified tax; providing an effective date.

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

By Senator Silver—

SB 2184—A bill to be entitled An act relating to trust funds; creating the Municipal Clerk's Capital Equipment Modernization Trust Fund within each municipality; providing for the trust fund to be administered by the municipal officer who is responsible for municipal records; specifying purposes for which moneys in the trust fund may be used; providing for the trust fund to be funded from the proceeds of a surcharge

imposed on instruments filed with the clerk of the circuit court; specifying the amount of the surcharge; providing for revenues in the trust fund to be apportioned to municipalities within the county based on a municipality's population; providing for a portion of the proceeds of the surcharge to be deposited into the Public Records Modernization Trust Fund; providing for the governing body of a municipality to appropriate funds in the Municipal Clerk's Capital Equipment Modernization Trust Fund; providing for annual audits; providing a contingent effective date.

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

By Senator Silver—

SB 2186—A bill to be entitled An act relating to criminal history background checks; authorizing a religious, charitable, scientific, educational, athletic, or service institution or organization that provides care, treatment, or other services to children, elderly persons, or disabled individuals to require a prospective volunteer or employee to undergo certain background checks; providing for the release of investigative records; providing for a check of fingerprint records; providing that the prospective volunteer or employee may be required to attend a training program; providing for the fees for record checks to be set as provided in the National Child Protection Act; providing an effective date.

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

By Senator Campbell—

SB 2188—A bill to be entitled An act relating to the tax on tobacco products; amending s. 210.02, F.S.; increasing the excise tax on the sale, receipt, purchase, possession, consumption, handling, distribution, and use of cigarettes; amending s. 210.20, F.S.; revising the distribution of proceeds from the cigarette tax; amending s. 210.30, F.S.; increasing the tax on tobacco products; amending s. 210.55, F.S.; specifying the amount of the distributors' collection allowance; amending s. 210.70, F.S.; revising the distribution of proceeds of the tax on tobacco products; providing for a tax on the inventory of cigarettes and tobacco products which manufacturers, distributors, wholesalers, and vendors have on hand on the effective date of this act; providing for penalties and interest for delinquent payments; providing for the distribution of proceeds of the tax on inventory; providing an effective date.

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

By Senator Dyer—

SB 2190—A bill to be entitled An act relating to fuel tax; amending s. 206.41, F.S.; providing for a Federal Replacement Fuel Tax on motor fuel; amending s. 206.606, F.S.; conforming references; amending s. 206.87, F.S.; providing for a Federal Replacement Fuel Tax on diesel fuel; providing an effective date.

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

By Senator Dyer—

SB 2192—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for building materials used in constructing the facilities of an expanding major employer; providing for the exemption to inure to the employer through a refund of previously paid taxes; specifying requirements for qualifying for the tax refund; providing for an amount equal to a specified percent of the refund to be deducted from the Local Government Half-cent Sales Tax Clearing Trust Fund and transferred to the General Revenue Fund; authorizing the Department of Revenue to adopt rules to administer the tax refunds; providing definitions; providing for application of the refund; requiring that an employer

contract with the Department of Labor and Employment Security to employ participants in the WAGES Program as a condition of receiving the tax refund; requiring that the employer repay the tax refund upon failure to employ the required number of WAGES Program participants; providing an effective date.

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

By Senator Horne—

SB 2194—A bill to be entitled An act relating to Medicaid; amending s. 236.0812, F.S.; revising the school-based services that are eligible for Medicaid funds under the certified school match program; excluding certain services from the program; limiting the amount of funds that may be allocated for consulting services; amending s. 409.9071, F.S.; revising eligibility requirements for the certified school match program; requiring the Agency for Health Care Administration to review a school district before it enrolls in the program; amending s. 409.908, F.S.; revising requirements for the Agency for Health Care Administration in reimbursing school districts for services provided under the program; amending s. 409.9122, F.S.; providing requirements for managed-care plans with respect to executing agreements with school districts and county health departments; requiring the Agency for Health Care Administration and the Department of Education to develop certain procedures for providing services under the certified school match program; providing an effective date.

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

By Senator Childers—

SB 2196—A bill to be entitled An act relating to insurance; amending s. 626.572, F.S.; authorizing certain rebates to insureds; amending ss. 626.611, 626.9541, F.S.; revising prohibitions against rebating; amending s. 627.776, F.S.; providing that s. 626.572, F.S., relating to rebating, applies to title insurers; providing an effective date.

—was referred to the Committee on Banking and Insurance.

SR 2198—Not referenced.

By Senator Casas—

SB 2200—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 26, ch. 96-364, Laws of Florida; providing that certain temporary amendments to ss. 550.0951, 550.09511, F.S., relating to license fees and taxes paid by certain pari-mutuel operators, will not expire but will remain in effect indefinitely; providing an effective date.

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

SR 2202—Not referenced.

By Senator Burt—

SB 2204—A bill to be entitled An act relating to pharmacies; amending s. 465.003, F.S.; providing definitions; amending s. 465.014, F.S.; authorizing pharmacy technicians to communicate with practitioners regarding refill authorization requests; amending s. 465.017, F.S.; extending access to patients' prescription records to certain persons; providing guidelines relating to such access; amending s. 426.026, F.S.; revising provisions relating to the transfer of prescriptions by electronic means; amending s. 465.035, F.S.; authorizing the dispensing of con-

trolled substances upon receipt of electronically transmitted prescriptions; providing an effective date.

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

By Senator Silver—

SB 2206—A bill to be entitled An act relating to the circuit courts; authorizing the chief judge of the circuit to establish a separate division of judges to hear cases brought against career criminals; providing for a defendant to be tried in the career-criminal court if the defendant is eligible, if convicted, to be sentenced as a violent career criminal, a habitual felony offender, or a habitual violent felony offender; providing for the Office of the State Courts Administrator to assist in establishing career-criminal courts; providing an effective date.

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

By Senator Harris—

SB 2208—A bill to be entitled An act relating to economic development; amending s. 212.08, F.S.; providing an exemption from the sales and use tax for certain machinery and equipment; amending s. 288.095, F.S.; conforming statutory cross-references; creating s. 288.108, F.S.; providing definitions; establishing eligibility for performance grants; authorizing the Office of Tourism, Trade, and Economic Development in conjunction with Enterprise Florida, Inc., to approve and award performance grants; establishing an application, certification, and grant agreement process; specifying the selection and designation process; requiring a report; authorizing rulemaking; amending s. 288.772, F.S.; redefining the term "board"; amending s. 288.776, F.S.; providing for the membership, powers, and duties of the board of directors of the Florida Export Finance Corporation; amending s. 288.9603, F.S.; redefining the terms "amortization payments," "applicant," and "guaranty agreement"; amending s. 288.9604, F.S.; revising the form of the Florida Development Finance Corporation; authorizing the Governor rather than the board to remove directors; amending s. 288.9606, F.S.; revising the process for issuance of revenue bonds; amending s. 288.9607, F.S.; revising provisions for the guaranty of bond issues; extending a cutoff date; amending s. 288.9608, F.S.; providing for funding of the Guaranty Fund; amending s. 403.973, F.S.; revising expedited permitting for economic development projects; providing an effective date.

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

By Senator Clary—

SB 2210—A bill to be entitled An act relating to educational facilities; expressing legislative intent with respect to the construction of educational facilities.

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

SR 2212—Not referenced.

By Senator Forman—

SB 2214—A bill to be entitled An act relating to Medicaid; creating a work group to advise the Governor and Legislature on matters relating to Medicaid; providing for appointment of members; providing duties; authorizing staff; requiring a report to specified officers; providing an appropriation; providing an effective date.

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

SB 2216 was withdrawn prior to introduction.

By Senator Kurth—

SB 2218—A bill to be entitled An act relating to conveyances of property; amending s. 695.26, F.S.; requiring certain instruments conveying real property to contain an acknowledgement that the property is or is not consistent with local plans and zoning ordinances; providing for fees; providing an effective date.

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

By Senator Grant—

SB 2220—A bill to be entitled An act relating to driver's licenses; amending s. 316.646, F.S.; requiring attendance at a department-approved course for reinstatement of a driver's license or registration suspended for failure to comply with financial responsibility requirements; providing an effective date.

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

By Senator Jones—

SB 2222—A bill to be entitled An act relating to the National Guard; amending s. 250.10, F.S.; revising provisions governing the appointment of the Adjutant General; providing for the performance of the duties of Adjutant General by certain assistants; providing an effective date.

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

By Senator Grant—

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

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

By Senator Horne—

SB 2226—A bill to be entitled An act relating to children's health care; requiring the Division of Children's Medical Services of the Department of Health to develop recommendations regarding the medical delivery system for children; creating the Medical Services for Children Advisory Council; requiring reports; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Lee—

SB 2228—A bill to be entitled An act relating to interscholastic extracurricular student activities; amending s. 232.425, F.S., relating to student standards for participation in interscholastic extracurricular student activities; defining the term "extracurricular"; providing for the accessibility of such activities to home education students; providing an effective date.

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

By Senator Kirkpatrick—

SB 2230—A bill to be entitled An act relating to education and training; amending s. 239.117, F.S.; authorizing payment for costs incurred due to an exemption from certain fees; amending s. 239.301, F.S.; authorizing a contract for certain adult education services; amending s. 240.35, F.S.; authorizing payment for costs incurred due to an exemption from certain fees; amending s. 414.065, F.S.; adding activities related to education and training to certain requirements for WAGES participants; providing an effective date.

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

By Senator Brown-Waite—

SB 2232—A bill to be entitled An act relating to the licensure of home medical equipment suppliers; creating the Home Medical Equipment Supplier Licensure Act; providing legislative intent; providing definitions; requiring licensure; providing for license expiration; providing for exemptions; providing that certain acts are unlawful; providing penalties; providing application procedures; providing for fees; providing for provisional licenses; providing insurance requirements; providing for administrative penalties, injunctions, emergency orders, and moratoria; providing for licensure inspections by the Agency for Health Care Administration; providing for rulemaking; requiring clinical records to be kept; requiring notice of the toll-free number for the central abuse registry; providing for background screening of home medical equipment supplier personnel; providing an exemption from liability for terminating the employment of a person in specified circumstances; restricting the use of information obtained for background screening; providing violations; providing penalties; providing procedures for background screening; providing for injunctive proceedings; prohibiting certain referrals; providing for administrative fines; providing for disciplinary proceedings; prohibiting rebates; providing penalties; providing an effective date.

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

By Senator Brown-Waite—

SB 2234—A bill to be entitled An act relating to confidentiality; providing that information about patients of home medical equipment suppliers which is obtained by employees or service providers is confidential and exempt from s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution; providing that specified information obtained by the Agency for Health Care Administration or a home medical equipment supplier in connection with background screening of prospective employees of the supplier is confidential; providing justifications for these exemptions from the public records law; providing a conditional effective date.

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

By Senator Lee—

SB 2236—A bill to be entitled An act relating to medical procedures; amending s. 240.215, F.S.; revising the requirements for providing notice to a patient who receives medical care or treatment at any hospital or health care facility affiliated with the Board of Regents; requiring that the patient be advised that some or all of the care may be provided by a doctor-in-training; requiring that the patient be advised of certain limitations on payments for liability; amending s. 381.026, F.S., relating to the Florida Patient's Bill of Rights and Responsibilities; deleting a provision that prohibits the use of the patient's bill of rights in any civil or administrative action; amending s. 766.103, F.S., relating to the Florida Medical Consent Law; revising the requirements for providing notice to a patient before the patient receives treatment by a physician, osteopath, chiropractor, podiatrist, or dentist; requiring a consent form that describes the nature of the treatment, the risks, and any alternative

treatments; requiring that the form be signed and witnessed; providing penalties; providing an effective date.

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

By Senator Turner—

SB 2238—A bill to be entitled An act relating to physician assistants; providing for the certification of persons meeting specified education standards as physician assistants; providing an effective date.

—was referred to the Committee on Health Care.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Education and Senator Meadows—

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

By the Committee on Education and Senator Kirkpatrick—

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

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

CS for SB 112—A bill to be entitled An act relating to education; creating the Grant Program for Economically Disadvantaged Students; providing eligibility requirements; providing a time limitation for grant renewals; requiring transfer of funds by a date certain; requiring an annual report; providing for deposit of appropriations in the State Student Assistance Trust Fund; authorizing certain funds as sources for use by the program for certain purposes; amending s. 240.107, F.S.; revising provisions relating to the college-level communication and computation skills examination; providing exemptions from a required test; amending s. 240.115, F.S.; authorizing national accreditation as a criterion for public technical centers to participate in the common course numbering system; amending s. 240.40, F.S.; reducing the portion of allocated funds that may remain in a trust fund at the end of a fiscal year; amending s. 240.404, F.S.; deleting a requirement for participation in a testing program; requiring achievement of certain academic requirements as a condition for receiving state student financial aid; deleting a requirement; amending s. 240.412, F.S.; deleting a CLAST requirement; amending s. 240.424, F.S.; requiring the Department of Education to develop an integrated student financial aid database; requiring a progress report; amending s. 240.437, F.S.; authorizing the Department of Education to use the Student Loan Guaranty Reserve Trust Fund for planning and developing student financial aid; deleting a CLAST requirement; amending s. 240.551, F.S.; authorizing the Board of Directors of the Florida Prepaid Postsecondary Education Expense Program to include certain fees in contracts for participants in the prepayment plans offered for universities and community colleges; amending s. 240.606, F.S.; deleting a requirement that a certain portion of funds for the Florida Work Experience Program be used for contracts with public schools; repealing s. 240.4045, F.S., which requires male applicants and recipients of financial aid services to comply with Selective Service System registration requirements; repealing s. 240.4093, F.S., which created the Vocational Student Assistance Grant Fund; providing effective dates.

By the Committee on Transportation and Senators Kurth and Bronson—

CS for SB 250—A bill to be entitled An act relating to Challenger license plates; amending s. 320.08058, F.S.; providing for the distribution of funds to the Astronauts Memorial Foundation, Inc., and the Technological Research and Development Authority; providing for the use of funds; revising fee amounts on certain purchases of license plates; providing an expiration date; providing an effective date.

By the Committee on Education and Senator Forman—

CS for SB 318—A bill to be entitled An act relating to standards for teachers; providing an appropriation to pay for the participation of public-school teachers in this state in the certification procedure conducted by the National Board for Professional Teaching Standards; providing qualifications for participation; requiring school districts to apply for funding and provide staff-development activities; amending s. 231.173, F.S., relating to certification of out-of-state teachers; providing that certification by the National Board for Professional Teaching Standards satisfies certain requirements; providing an effective date.

By the Committee on Education and Senators Sullivan and Cowin—

CS for SB 858—A bill to be entitled An act relating to education; establishing the Florida Bright Futures Scholarship Program; providing levels of award; providing for administration and funding; providing student eligibility and program requirements; providing for awards; providing requirements for qualification for a Florida Academic Scholars award, a Florida Merit Scholarship award, and a Florida Gold Seal Vocational Endorsement Scholarship award; providing a transition in eligibility for scholarship awards; amending s. 24.121, F.S.; providing for funding of the Florida Bright Futures Scholarship Program from the Educational Enhancement Trust Fund; repealing ss. 232.2465, 239.217, 240.402, 240.4021, and 240.4024, F.S., relating to the Florida Academic Scholars' Certificate Program, the Florida Gold Seal Vocational Endorsement Program, the Florida Undergraduate Scholars' Program, the Vocational Gold Seal Endorsement Scholarship Program, and the Florida Postsecondary Tuition Program; amending ss. 240.233, 232.246, 240.404, and 240.40242, F.S.; conforming cross-references and provisions; providing an effective date.

By the Committee on Education and Senator Holzendorf—

CS for SB 894—A bill to be entitled An act relating to community colleges; providing an appropriation to the Florida Education Fund to support the Community College Faculty Diversity Program to increase the number of minority personnel holding faculty and executive-level positions in the State Community College System; amending s. 240.498, F.S.; establishing the program; providing for scholarships; requiring service or repayment; providing an effective date.

By the Committee on Education and Senator Rossin—

CS for SB 1084—A bill to be entitled An act relating to postsecondary student fees; amending ss. 239.117, 240.235, 240.35, F.S.; exempting children adopted from the Department of Children and Family Services from certain postsecondary student fees; providing an effective date.

By the Committee on Education and Senator Jenne—

CS for SB 1128—A bill to be entitled An act relating to superintendents of schools; providing limitations upon benefits that a superintendent of schools may receive upon termination of employment; providing an effective date.

By the Committee on Transportation and Senator Lee—

CS for SB 1238—A bill to be entitled An act relating to motor vehicle license plates; amending s. 316.515, F.S.; changing exemptions from maximum width, height, and length requirements for wreckers; amending s. 316.550, F.S.; providing special-use permits for wreckers; amending s. 320.01, F.S.; providing definitions; amending s. 320.06, F.S.; requiring the word “wrecker” to be printed on certain license plates; amending s. 320.08, F.S.; revising license tax requirements for wreckers; creating s. 320.0821, F.S.; providing requirements for wrecker license plates; amending s. 206.877, F.S., to conform a cross-reference; providing an effective date.

By the Committee on Education and Senator Dudley—

CS for SB 1250—A bill to be entitled An act relating to postsecondary education; creating s. 240.4027, F.S.; establishing the Florida Supplemental Student Grant and Loan Program; providing for administration and rules; providing for student eligibility; providing for amount of awards; providing for student charges to fund the program; providing for deposit and investment of funds; authorizing refund of student charges; requiring the adoption of loan repayment schedules; providing an effective date.

By the Committee on Education and Senator Diaz-Balart—

CS for SB 1384—A bill to be entitled An act relating to education; amending s. 230.2316, F.S., relating to dropout prevention; providing that second chance schools may include residential academies; providing criteria for establishment, operation, and funding of residential academies; providing criteria for participation; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz-Balart—

CS for SB 1682—A bill to be entitled An act relating to health insurance; amending s. 627.6406, F.S., relating to coverage for maternity care; prohibiting an insurer from imposing certain limitations on benefits, coverage, or reimbursement; amending s. 627.6425, F.S.; requiring an insurer that provides individual coverage to renew or continue coverage; providing certain exceptions; requiring an insurer to provide notice of discontinuation; authorizing an insurer to modify coverage; revising requirements for renewability of individual coverage; creating s. 627.6475, F.S.; providing for an individual reinsurance pool; providing purpose; providing definitions; providing applicability and scope; providing requirements for availability of coverage; requiring maintenance of records; providing an election for carriers; providing an election process; requiring operations of the program to be subject to the board of the Florida Small Employer Reinsurance Program; requiring the establishment of a separate account; providing for standards to assure fair marketing; authorizing the Department of Insurance to adopt rules; creating s. 627.6487, F.S.; providing for guaranteed availability of health insurance coverage to eligible individuals; prohibiting an insurer or health maintenance organization from declining coverage for eligible individuals or imposing preexisting conditions; providing definitions; providing certain exceptions; creating s. 627.64871, F.S.; providing for application of requirements for certification of coverage; providing exceptions; creating s. 627.6512, F.S.; exempting certain group health insurance policies from specified requirements with respect to excepted benefits; amending s. 627.6561, F.S., relating to exclusions for preexisting conditions; providing definitions; specifying circumstances under which an insurer may impose an exclusion for a preexisting condition; providing exceptions; providing requirements for creditable coverage; providing for an election of methods for calculating creditable coverage; requiring disclosure of certain elections; providing for establishing creditable coverage; providing exceptions; requiring an issuer to provide certification pursuant to rules adopted by the department; creating s. 627.65615, F.S.; providing for special enrollment periods for employees and dependents; specifying conditions for special enrollment periods; creating s. 627.65625, F.S.; prohibiting an insurer from discriminating against individual participants and beneficiaries based on health status; creating s. 627.6571, F.S.; specifying circumstances under which an insurer that issues group health insurance policies must renew or continue coverage; providing for

notice of discontinuation; providing a process for notification; authorizing an insurer to modify coverage; amending s. 627.6574, F.S., relating to coverage for maternity care; prohibiting a group, blanket, or franchise policy from imposing certain limitations on enrolling or renewing coverage; prohibiting an insurer from imposing certain limitations on benefits, coverage, or reimbursement; prohibiting an insurer from providing monetary payments or rebates; amending s. 627.6675, F.S.; revising time limitations for application for and payment of a converted policy; requiring an insurer to offer a standard health benefit plan; amending s. 627.6699, F.S., relating to the Employee Health Care Access Act; revising definitions; providing requirements for policies with respect to preexisting conditions; providing exceptions; requiring special enrollment periods; authorizing a small carrier to deny coverage under certain circumstances; revising requirements for renewing coverage; increasing membership of the board of the Small Employer Health Reinsurance Program; requiring a small employer to disclose certain information with respect to a health benefit plan; creating s. 627.94075, F.S.; authorizing the issuance of federally qualified long-term care insurance contracts; requiring policies and applications to disclose whether a policy is or is not federally qualified for favorable tax treatment; providing rule-making authority to the department for this purpose; creating s. 641.2018, F.S.; authorizing a health maintenance organization to offer high deductible contracts to certain employers; amending s. 641.31, F.S.; revising requirements for a health maintenance contract that provides coverage for maternity care; prohibiting a health maintenance organization from denying eligibility to enroll or to renew coverage; prohibiting such an organization from imposing certain limitations on benefits, coverage, or reimbursement; prohibiting such an organization from providing monetary payments or rebates; amending s. 641.3102, F.S.; prohibiting health maintenance organizations from declining to offer coverage to an eligible individual under s. 627.6487, F.S.; creating s. 641.31071, F.S., relating to exclusions for preexisting conditions; providing definitions; specifying circumstances under which a health maintenance organization may impose an exclusion for a preexisting condition; providing exceptions; providing requirements for creditable coverage; providing for an election of methods for calculating creditable coverage; requiring disclosure of certain elections; providing for establishing creditable coverage; providing exceptions; requiring a health maintenance organization to provide certification pursuant to rules adopted by the department; creating s. 641.31072, F.S.; requiring a health maintenance organization to provide for special enrollment periods under a contract for employees and dependents; providing conditions for special enrollment periods; creating s. 641.31073, F.S.; prohibiting a health maintenance organization from discriminating against individual participants and beneficiaries based on health status; creating s. 641.31074, F.S.; requiring a health maintenance organization to renew or continue coverage of certain group health insurance contracts; requiring notice of discontinuation; prescribing a process for notification; authorizing a health maintenance organization to modify coverage; amending s. 641.3921, F.S.; clarifying circumstances under which a health maintenance organization may issue a converted contract; amending s. 641.3922, F.S.; revising the time limitation for applying for a converted contract; revising the maximum premium rate for a converted contract; requiring a health maintenance organization to offer a standard health benefit plan; providing that the act fulfills an important state interest; repealing s. 627.6576, F.S., relating to a prohibition against discriminating against handicapped persons under policies of group, blanket, or franchise health insurance; providing for application of the act; providing for application of the act with respect to a plan or contract maintained pursuant to a collective bargaining agreement; providing an effective date.

By the Committee on Transportation and Senator Burt—

CS for SB 1778—A bill to be entitled An act relating to rental car companies; creating s. 768.092, F.S.; limiting liability for certain damages and injuries; providing an effective date.

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

CS for SB 1824—A bill to be entitled An act relating to retirement; amending s. 121.011, F.S.; providing for purchase of retirement credit following reinstatement after suspension or dismissal under certain circumstances; amending s. 121.021, F.S.; defining the term “phased retirement program”; amending s. 121.052, F.S.; authorizing certain elected

officers to elect membership in the Senior Management Service Class under specified conditions; clarifying provisions relating to purchase of retirement credit for upgraded service by certain elected officers and former elected officers; amending s. 121.053, F.S.; allowing Senior Management Service Class renewed membership service to be used by members with renewed membership in the Elected State And County Officers' Class; amending s. 121.055, F.S.; allowing certain elected officers to participate in the Senior Management Service Optional Annuity Program under certain conditions; providing that a Senior Management Service Optional Annuity Program benefit be paid only as a lifetime annuity; providing for State Board of Administration review of investment products; providing for payment of certain creditable service; amending s. 121.091, F.S.; providing for forfeiture of benefits for a beneficiary found guilty of killing or causing the death of the member; clarifying the effective date for a change of joint annuitant; amending s. 121.1115, F.S.; authorizing the purchase of retirement credit under the Florida Retirement System for certain out-of-state and federal service; creating s. 121.1122, F.S.; allowing the purchase of certain in-state service; amending s. 121.121, F.S.; providing for authorized leave of absence credit after 1 month on an employer's payroll; amending s. 121.122, F.S.; allowing renewed membership in the Senior Management Service Class; amending s. 121.23; providing for reasonable attorney's fees for a disability retirement order issued by the State Retirement Commission which sustains the application of a member; amending s. 121.35, F.S.; providing for membership in the Florida Retirement System under certain circumstances; providing that contributions accumulated in the Florida Retirement System Trust Fund for certain participants be applied toward retroactive system membership; limiting the employee contribution to the Optional Retirement Program to the federal limitations and providing that program benefits be paid only as a lifetime annuity except in certain circumstances; providing for State Board of Administration review of investment products; amending s. 121.051, F.S.; providing for optional participation in plans other than the Florida Retirement System under certain circumstances; amending s. 238.181, F.S.; providing for participation in a phased retirement system for certain employees of a community college; repealing ch. 123, F.S.; the Supreme Court Justices, District Courts of Appeal Judges, and Circuit Judges Retirement System; providing an appropriation for certain attorney's fees approved by the State Retirement Commission; providing rulemaking authority; providing a finding of important state interest; providing an effective date.

By the Committee on Transportation and Senators Hargrett, Grant and Horne—

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

By the Committee on Transportation and Senator Hargrett—

CS for SB 2060—A bill to be entitled An act relating to transportation administration; amending s. 20.23, F.S.; providing for the relocation of the turnpike district; providing responsibilities for the Fort Myers Urban Office; amending s. 206.46, F.S.; authorizing the department to use State Transportation Trust Fund moneys to pay for the operation and maintenance of existing or future department-owned toll facilities and reimburse the trust fund from turnpike revenues; amending s. 316.215, F.S.; exempting front-end-loading vehicles from certain requirements applicable to motor vehicles; amending s. 316.2397, F.S.;

allowing petroleum tankers to display amber warning lights; amending s. 316.302, F.S., relating to commercial motor vehicle safety regulations; updating reference to federal regulations; providing exception to specified provisions for public utility and authorized emergency vehicles; exempting drivers who are subject to alcohol and drug test programs related to employment from drug and alcohol testing when operating a bus owned by a church under certain circumstances; amending s. 316.515, F.S.; providing exception to length limitations for certain utility vehicles under specified conditions; providing an exception to load extension limitation; deleting an axle restriction for straight trucks; amending s. 322.53, F.S.; deleting an exemption to the requirement of having a commercial driver's license; amending s. 334.27, F.S.; revising provisions with respect to governmental transportation entities; creating s. 334.351, F.S., relating to youth work experience program within the Department of Transportation; providing for the awarding of program contracts; amending s. 335.0415; providing responsibility for operation and maintenance within the right-of-way of public roads; amending s. 337.25, F.S.; authorizing the department to use projected maintenance costs over a period of time to offset the market value of certain property to establish a value for the disposal of the property; creating s. 338.161, F.S.; authorizing the Department of Transportation to advertise and promote electronic toll collection; amending s. 338.221, F.S.; providing that interchanges that are added to the existing turnpike system are exempt from the economic feasibility test; providing additional requirements that must be met before turnpike revenue bonds are issued; amending s. 338.223, F.S.; authorizing the department to acquire right-of-way before the determination of economic feasibility is completed; authorizing the department, with legislative approval, to pay or lend all or a portion of the operating maintenance costs of any turnpike project; amending s. 338.2275, F.S.; deleting certain turnpike projects; deleting the limit on the amount of bonds that may be issued for turnpike projects; providing for legislative approval to issue bonds; amending s. 338.2276, F.S.; providing a description of the Western Beltway turnpike project; amending s. 338.231, F.S.; providing for public hearings before increases in turnpike toll rates take effect; authorizing the adoption of rules relating to toll rates for new toll projects; amending s. 339.12, F.S.; revising provisions with respect to aid and contributions by governmental entities for department projects; amending s. 339.175, F.S.; revising the membership of certain Metropolitan Planning Organization; amending s. 348.0003, F.S.; revising the membership of certain expressway authorities; amending s. 348.0004, F.S.; revising provisions with respect to the type of facilities under the jurisdiction of certain expressway authorities; amending s. 348.754, F.S.; providing for additional powers of the Orlando-Orange County Expressway Authority in certain counties; amending s. 479.261, F.S.; revising provisions with respect to the logo-sign program; revising requirements for the placement of such signs; repealing s. 339.121, F.S., relating to aid and contribution by local governmental entities for public transportation projects; 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 CS for HB 7, HB 11, HB 65, CS for HB 69, HB 99, CS for HB 107, HB 115, HB 131, CS for HB 249, HB 359; has passed as amended HB 53, HB 253, HB 255; has passed by the required Constitutional three-fifths vote of the membership HJR 293; has passed as amended by the required Constitutional three-fifths vote of the membership HJR 125 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on Health Care Services and Representative Morse—

CS for HB 7—A bill to be entitled An act relating to health insurance; amending s. 627.419, F.S.; including physician assistants within certain benefits or services payment provisions; limiting application; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Representative Saunders and others—

HB 11—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; providing that the victim of a crime and the state attorney, upon the victim's consent, have standing to assert the rights of the victim; providing an effective date.

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

By Representative Constantine—

HB 65—A bill to be entitled An act relating to crime prevention assistance; repealing ss. 426.001, 426.002, 426.003, 426.004, 426.005, 426.006, 426.007, 426.008, and 426.009, F.S., relating to crime prevention assistance; amending ss. 775.0836 and 939.015, F.S., to conform; providing an effective date.

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

By the Committee on Health Care Standards and Regulatory Reform; and Representative Valdes—

CS for HB 69—A bill to be entitled An act relating to the Department of Health; creating s. 381.0075, F.S.; providing for regulation of body piercing by the department; providing definitions; providing exemptions; requiring a license to operate a body-piercing salon; providing licensing procedures and fees; prohibiting body piercing of a minor without consent of a parent or legal guardian; prohibiting other acts; providing penalties; providing for injunction; providing for enforcement; providing rulemaking authority; providing specific requirements for body-piercing salons; providing an effective date.

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

By Representative Miller—

HB 99—A bill to be entitled An act relating to public records; creating s. 315.18, F.S.; providing an exemption from public records requirements for certain proposals and counterproposals exchanged between certain deepwater ports and nongovernmental entities for a specified period; providing an exemption from public records requirements for certain financial records submitted by such entities to such ports; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By the Committee on Environmental Protection and Representative Ogles and others—

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

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

By Representative Brown and others—

HB 115—A bill to be entitled An act relating to veterans; amending s. 295.17, F.S.; eliminating the requirement of renewing identification cards; eliminating a service charge; providing an effective date.

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

By Representative Lacasa and others—

HB 131—A bill to be entitled An act relating to foreign records of regularly conducted business activity; amending s. 92.60, F.S.; providing for admissibility in civil proceedings of such records under a specified exception to the hearsay rule; requiring 60 days' written notice of a party's intention to offer civil trial evidence of such records; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Regulated Services and Representative Fasano and others—

CS for HB 249—A bill to be entitled An act relating to gambling; amending s. 849.0935, F.S.; providing additional tax-exempt organizations which are authorized to conduct drawings by chance under said section, including civic organizations, employees' associations, clubs, fraternal benefit societies, fraternal lodges, and armed forces and veterans' organizations; amending s. 849.094, F.S., which regulates game promotions in connection with the sale of products or services; providing that specified provisions of said section do not apply to television or radio broadcasting companies licensed by the Federal Communications Commission; providing an effective date.

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

By Representative Harrington and others—

HB 359—A bill to be entitled An act relating to plant control; amending s. 369.252, F.S.; revising provisions relating to the Department of Environmental Protection program to achieve eradication or maintenance control of invasive exotic plants on public lands; providing an effective date.

—was referred to the Committee on Natural Resources.

By Representative Warner and others—

HB 53—A bill to be entitled An act relating to limited licensure of physicians; amending ss. 458.317 and 459.0075, F.S.; eliminating the requirement that a physician or osteopathic physician be retired as a condition of being issued a limited license; providing an effective date.

—was referred to the Committee on Health Care.

By Representative Smith and others—

HB 253—A bill to be entitled An act relating to ad valorem tax administration; amending s. 197.222, F.S.; providing that the tax collector may accept a late payment of the first installment of ad valorem taxes prepaid by the installment method; providing a penalty; providing for distribution of penalty revenue; providing an effective date.

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

By Representative Smith—

HB 255—A bill to be entitled An act relating to the National Guard; amending s. 250.10, F.S.; revising language with respect to the appointment of the Adjutant General; providing for the performance of the duties of Adjutant General by certain assistants; providing an effective date.

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

By Representative Livingston—

HJR 293—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution relating to initiatives.

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

By Representative Gay and others—

HJR 125—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution relating to recording of instruments.

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 19 was corrected and approved.

CO-SPONSORS

Senators Bronson—SB 1726; Campbell—SB 126, SB 546; Casas—SJR 1570; Childers—SB 546; Cowin—SB 126; Dudley—SB 142; Forman—SB 1598; Harris—SJR 1570; Holzendorf—SB 904, SB 908, SB 1978; Kurth—SB 274, CS for SB 778, CS for SB 888; Kirkpatrick—CS for SB 458; Latvala—SB 546; Meadows—SB 1978; Myers—SB 1598; Sullivan—SB 1726; Williams—SB 648

RECESS

On motion by Senator Bankhead, the Senate recessed at 11:38 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, March 26.