



# Journal of the Senate

Number 1—Regular Session

Tuesday, March 3, 1998

**Beginning the Thirtieth Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 3rd of March, A.D., 1998, being the day fixed by the Constitution of the State of Florida for convening the Legislature.**

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## CALL TO ORDER

The Senate was called to order by President Jennings at 10:00 a.m. A quorum present—37:

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

Excused: Senator Jones

**Vacancies in Office:** Senator Rick Dantzler, who represented Senate District 17, resigned from office January 6, 1998. A special election will be held March 10, 1998 to fill the vacancy. Senator Kenneth C. (Ken) Jenne, who represented Senate District 29, resigned from office January 20, 1998. A special election will be held March 17, 1998 to fill the vacancy.

## PRAYER

The following prayer was offered by Pastor Ron Clark, Living Water Church, Tampa:

Father, I pray for the 1998 Legislative Session, that you will enable this great body to fulfill the highest calling of a representative form of government and that is to "carry out the known will of their citizens." Empower them to keep the faith in what is right and to remain steadfast to principles and ideals that are highest and best for all men.

Lord, I know that you are pleased to encourage and inspire our hearts and minds with wisdom, moral strength and courage that are sufficient for the challenges that face this great state.

God, we are reminded of the words of Abraham Lincoln that "...if we do right, God will be with us and if God is with us, we will not fail." Your word and the voice of our conscience are the true standards in which we judge all moral and ethical decisions.

Now with the favor of God and the hopes of the people of the State of Florida, I ask you to bless this Senate. In the name of the anointed one, Amen.

## PLEDGE

Senate Pages Clyde Baker, Jr. of Tallahassee and David Sellers of Crawfordville, led the Senate in the pledge of allegiance to the flag of the United States of America.

## SPECIAL GUESTS

The President introduced the following guests: Chief Justice Gerald Kogan, Justice Ben Overton, Justice Leander Shaw, Justice Major Harding, Justice Charles Wells, Justice Harry Lee Anstead and Justice Barbara Pariente; Commissioner of Education Frank Brogan, Attorney General Bob Butterworth, Commissioner of Agriculture Bob Crawford (Senate President 1988-90), and Comptroller Bob Milligan.

The President recognized former Senate President Phil Lewis, 1978-80.

The President also recognized former Senators Fred Karl and Congressman Mark Foley.

## SPECIAL RECOGNITION

The President announced that on this date in 1845, Florida became a state and was celebrating its 153rd anniversary of statehood.

## ADDRESS BY PRESIDENT TONI JENNINGS

Twelve months ago today I stood before you with a challenge. A challenge for change. A challenge so great that it would forever improve the way we do business in Tallahassee. Senators, I am proud to say you rose to the occasion. You met the challenge. You set the standard for responsible leadership.

Last year we made promises. We promised Floridians we would conduct the people's business in the light of day, and we did. We promised we would slow down the process, make legislative trains a relic of the past, and end by dinner time, and we did. We promised to work as a team and, despite some philosophical differences, we are a team. I thank you for your commitment to change.

In addition to restoring trust in our legislative process, we accomplished great things in '97. From job creation to education, from public

safety to government efficiency, our team performed and we performed well.

In the past, our education system failed to measure up. The statistics were frightening. All warning signs encouraged us to act and act now. And we did. Our Education Chairman, Senator Grant, led the charge. Our recent initiatives cemented our firm commitment to our Number One resource: our children. We no longer tolerate mediocrity. We raised graduation standards. We reduced the education bureaucracy. We rewarded our best teachers. Speaking of the best—let me introduce Florida's Teacher of the Year, Grace Williams, who is a fourth grade teacher at North Shore Elementary School in Jacksonville. She is a shining example of how good Florida's *public* education system can be. And that is exactly what we want to strive for in Florida. With Senator Horne's help, we committed \$2.7 billion to new school facilities—without raising taxes . . . not even one dime.

Although shiny new classrooms may foster a better learning environment, they cannot guarantee success or improve student performance. Today, we expect more from our students, more from our teachers and more from our parents. Performance IS improving.

In the area of economic development, the Senate is paving the way. A recent Florida Chamber of Commerce survey showed that business owners' confidence in the economy is at its highest level since 1995. In fact, 60 percent of companies polled considered Florida a good or excellent place to do business. Last summer, the national business magazine *Business Facilities* ranked Florida as "the best place for business." Given our proximity to Latin America, we have become a global leader in the export market with total trade exceeding \$63 billion. With experts predicting 3½ million new Floridians by the year 2010, our efforts to fuel Florida's economy must be greater than ever.

Last year, we took the lead to stimulate Florida's economy. We tapped business leaders for guidance and created programs that produce jobs. The effort—called JOBS for short—highlights Florida as a business mecca. We are cultivating a reputation for being business-friendly, education-minded and environmentally-concerned. In fact, as a direct result of these initiatives and our unprecedented welfare reform legislation, more than 145,000 welfare recipients have moved from public assistance to the job market. And seventy-four thousand more will be headed for the workforce over the next 18 months.

Our goal was to make Florida not just a good place to take a vacation or retire—but a place to start a business and raise a family. With such recent strides, Florida communities are joining the ranks of the nation's best places to live. We are headed in the right direction. But like every journey to a brighter future, we will face new challenges.

And as we embark on this journey to a better Florida, remember: We are here for one reason and one reason only—to serve the people of our State. Interestingly, we have a unique situation over the next few weeks with two special elections in the Senate. Not since Senator Childers rode in here 30 years ago with a full head of hair have we had dual special elections during a legislative session.

But as Senators Burt and Dyer guide their respective parties outside this chamber, I ask you all to park your party politics at the door and focus on the state's priorities.

The year may be new, but our priorities remain the same. Clearly, education is our most important challenge.

As a Senate, we will provide \$350 million in enhancement money for K-12 education. We have committed \$100 million to reduce class size in the early grades over each of the past three years. We are doing our part; school boards must do the same. But this has to be a partnership; this has to be bipartisan; this has to be a shared priority. So I am asking school boards across Florida to enter into a covenant with this legislature, parents and teachers and publicly commit to reducing classroom size. We must give our children every opportunity to succeed. Smaller classes with better-equipped teachers is the way to do it.

In addition, we will propose a 10-percent increase in money for textbooks, library books and other education materials. We are putting our money where education starts—in the classroom.

Children must be healthy and prepared to learn before they arrive at the school doors. We will send a clear message to parents, teachers and

service providers: We expect children to start school with the tools necessary to be successful students. We will enforce that message and support the children's health initiative led by Senators Myers and Brown-Waite. Fortunately, new tobacco money and Title XXI funding will provide the resources necessary. Senator Thomas will oversee tobacco spending while Senators Holzendorf and Kirkpatrick spearhead the school readiness initiative. Our goal for Florida's children: healthy minds and healthy bodies.

When talking about educating our young people, we must remember that our outdoor classroom—Florida's natural environment—is just as important as all those shiny new buildings we are about to construct.

With better-educated students comes the demand for good jobs. Phase two of our JOBS program will attract new industry. Litigation and regulatory reforms mean jobs. Economic and tax incentives mean jobs.

Our recent commitment to reducing bureaucratic red tape is beginning to pay off. This session, we will review the more than 2,000 administrative rules that have absolutely no statutory authority and repeal those which are unnecessary. Executive agencies do not make the law; we do. And we are held accountable.

Senator Bankhead will lead us in implementing TaxWatch's recommendations to reform the intangibles tax. Under this plan, we will raise the minimum payment to \$60 and free 180,000 Floridians from filing returns. This is what I call smart government. My goal is to make those two words go together like Florida and sunshine.

Along with a smarter government, we will have a leaner government. State positions vacant for over six months will be targeted for elimination. I call this "Truth in Budgeting," and I expect the state to save more than \$80 million alone this year. We will demand performance for every penny of that \$45 billion budget. We are debating the details earlier than ever before and will pass a prudent budget this month. Under Senator Sullivan's leadership, we are already on our way. It is our sole mandate and it deserves our undivided attention.

Good schools, a strong economy and smart government mean little unless Floridians feel safe in their homes and on our streets. We have lengthened sentences and built more prisons. With the guidance of Senators Gutman and Silver, public safety will remain a top priority.

Beginning Thursday, with the help of Senators Lee and Klein, we will address an immediate threat—the attack on Florida's death penalty. Floridians demand justice. Public safety is nonnegotiable. And that goes double when it comes to protecting our children from abuse and neglect. Under Senator Rossin's proposal, Florida's children will have an opportunity to grow up without the pain and terror of abuse.

A couple of weeks ago, all the Tallahassee reporters came in for their pre-session interviews. And almost everyone of them suggested this would be a boring session, that not much would happen. That made me think of a particular quote I like by Winston Churchill. "Success is never final. Failure is never fatal. It's courage that counts." I believe this Senate has the courage to make the tough decisions and move forward. The people of Florida are counting on us. Let's not let them down.

## COMMITTEES APPOINTED

On motion by Senator Casas that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Campbell, Clary, Cowin, Klein, Lee and Silver. The committee was excused.

On motion by Senator Thomas that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Burt, Crist, Dudley, Dyer, Harris and Kurth. The committee was excused.

## COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Flanagan, Dockery, Kelly, Lippman, Dawson-White, Boyd and Sembler was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

## COMMITTEES DISCHARGED

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

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

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

*John B. Phelps, Clerk*

By Representatives Thrasher and Crady—

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

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

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bankhead, by two-thirds vote **SB 846, SB 1004, SB 1164** and **SB 1232** were withdrawn from the Committee on Governmental Reform and Oversight; **SB 1152** was withdrawn from the Committees on Governmental Reform and Oversight; and Ways and Means; **SB 1054** was withdrawn from the Committee on Judiciary; **SB 128** was withdrawn from the Committees on Governmental Reform and Oversight; and Ways and Means and referred to the Committees on Regulated Industries; and Ways and Means; **SB 566** was withdrawn from the Committee on Ways and Means and referred to the Committees on Rules and Calendar; and Ways and Means; **SB 604** was withdrawn from the Committee on Transportation and referred to the Committees on Criminal Justice and Transportation; **SB 922** was withdrawn from the Committee on Commerce and Economic Opportunities and referred to the Committees on Governmental Reform and Oversight; and Executive Business, Ethics and Elections; **SB 898** was withdrawn from the Committees on Judiciary; and Rules and Calendar; and **SJR 1234** and **SJR 964** were withdrawn from the Committee on Rules and Calendar.

On motion by Senator Sullivan, by two-thirds vote **SB 78, CS for SB 86, SB 106, CS for SB 110, CS for SB 156, SB 170, SB 174, SB 230, SB 240, CS for SB 250, CS for SB 276, SB 288, CS for CS for SB 306, CS for SB 358, CS for SB's 360 and 350, SB 376, SB 472, CS for SB 486, CS for SB 492, SB 496, CS for SB 524, SB 526, SB 534, SB 540, CS for SB 586** and **SJR 964** were withdrawn from the Committee on Ways and Means.

On motion by Senator Forman, by two-thirds vote **SB 24, SB 488** and **SB 1102** were withdrawn from the committees of reference and further consideration.

On motion by Senator Kirkpatrick, by two-thirds vote **SB 184** and **SB 648** were withdrawn from the committees of reference and further consideration.

On motion by Senator Sullivan, by two-thirds vote **SB 856** was withdrawn from the committees of reference and further consideration.

On motion by Senator Campbell, by two-thirds vote **SB 88, SB 120, SB 134, SB 414** and **SB 450** were withdrawn from the committees of reference and further consideration.

On motion by Senator Clary, by two-thirds vote **SB 1048** was withdrawn from the committees of reference and further consideration.

## MOTIONS

Senator Bankhead moved that following the joint session, the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Thursday, March 5 at 2:15 p.m. The motion was adopted.

## JOINT SESSION

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

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

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

## THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

Rev. R. B. Holmes, Pastor, Bethel Missionary Church, Tallahassee, delivered the prayer.

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

On motion by Representative Byrd that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Bankhead, Casas, Hargrett, Scott and Thomas; and on behalf of the Speaker, appointed Representatives Jones, Dennis, Minton, Murman, Healey, Ogles and Pruitt. The committee withdrew from the chamber.

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

## SPECIAL GUESTS

The President recognized the following guest: Rhea Chiles, wife of the Governor.

The President presented the Governor to the joint assembly.

## ADDRESS BY GOVERNOR LAWTON CHILES

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

Last week, the worst string of tornadoes ever to hit Florida slashed across our state—with winds up to 210 miles an hour.

The Mayor of Kissimmee told me of the outpouring of help and support for his people. He was appreciative of the quick response of the state emergency system and FEMA.

I'd like to express our concern for all those who suffered losses in this storm and to thank the people and businesses who have given so much of themselves to help others in need.

Our people who work on the emergency preparedness team, both at the state and county level, are the best in the country. Since Hurricane Andrew, FEMA, under James Lee Witt, has reinvented itself. FEMA makes a tremendous contribution to our communities when disaster strikes.

I am happy today to report that the State of the State looks very strong. Jobs are up; unemployment and crime are down; and we're preserving our fragile ecosystems, including the jewel in our crown—the Florida Everglades.

We've begun to build a solid economic foundation for this state. Wall Street has recognized this effort—and Florida now has the highest bond rating in our history—double-A-plus.

You and I created Enterprise Florida and our tourism partnership Visit Florida. These public/private partnerships have become our engine for creating jobs.

They've been road tested and are firing on all cylinders.

Florida is creating jobs faster than any other state in the nation.

Last year was our best year ever for tourism.

International trade is growing by double digits each year and is now valued at \$63.4 billion.

#### WELFARE REFORM

We've cut our welfare caseload by nearly half. Participants who go to work, can keep part of their cash grant, receive two years transitional child care and get education and training.

We've now put the incentives on the side of work, not welfare dependency.

One fact to remember—the more successful we are, the harder our job becomes. Families remaining on welfare will need more intensive services to move from welfare to work. We must continue to take the savings from the declining welfare rolls and invest in child care and the support services families need.

Our business-oriented state WAGES board and the 24 community-based WAGES coalitions are a great example of our partnering with the private and local sectors.

#### EDUCATION

We are all aware of the importance of education and the role education must play to provide Florida with the skilled work force we need for the next century. The Governor's Commission on Education, on which a number of you serve with other Florida leaders, is addressing some very important areas.

Last year, the Commission sounded the alarm about school overcrowding. The public responded. We witnessed an outpouring of concern during the special session.

Many predicted we'd get nowhere. But, we came together to curb school overcrowding. As your governor, I'd like to say to each of you—thank you. It was an important step.

Mr. Speaker, Madam President, thank you for your cooperation.

The Education Commission recognized the merits of Blueprint 2000—a comprehensive school improvement and accountability system. And that we've adopted world-class standards for our students—the Sunshine State standards.

Our schools are improving. The list of critically low performing schools has dropped from 158 to 30 since 1995. Commissioner Brogan deserves credit for his leadership in this area.

However, the members of the study commission raise the question: "What happens when the Florida Comprehensive Assessment Test scores become binding, and we are faced with holding students back? Will we hold fast and not retreat?"

To hold fast, we'll have to provide teachers and students with the support and tools they need. We must commit ourselves to provide that remedial help now.

#### TEACHERS

Our colleges and universities must change their curriculum to produce teachers prepared for today's challenges. And we must re-train many of our current teachers.

We should recognize and reward top-quality teachers.

We should encourage more teachers to receive national certification—and pay them better when they achieve it.

#### TEXTBOOKS/TECHNOLOGY

During the special session last fall, you provided \$250 for every teacher in Florida. This money will help pay for the paper and classroom supplies that too often came out of our teacher's pockets.

That was a good idea.

We must also continue to fund books and materials. This year we should provide an additional \$24.5 million to fully fund this item.

For today's kids, a computer is vital to their learning. The Internet is a gateway to a whole universe of knowledge.

This morning, Florida school children are watching us live on the Internet. Later today, Buddy and I will talk with kids via the World Wide Web.

Kids, I'm glad you're tuning in. There is a lot going on here that will affect you, your families and your schools. I'm hoping this legislative session will be dedicated to you.

But, only a quarter of our classrooms have access to the Internet. We increased funding for classroom technology by 43 percent over the past two years. This year, let's continue that effort.

#### SCHOOL HEALTH NURSES

A kid who's sick can't learn. Yet, Florida ranks 48th in student-to-school nurse ratio. If it wasn't for Louisiana and Mississippi, we'd be dead last.

When a child has a medical problem, and there's no one to turn to, often Mom has to leave her job and come take the child home. Many times, that's not warranted.

When we were growing up, most schools had a nurse. They were there for minor scrapes or major emergencies. Much has changed, but the need for school nurses has not. Let's provide our school children with more nurses.

#### HIGHER EDUCATION

Florida still does not provide higher education opportunities to enough of our Florida kids. This year we must increase that number.

It's fair to ask parents to pick up 25 percent of tuition if we provide sufficient needs-based scholarships. Let's keep the doors of higher education open for all our kids. We also must work to keep Florida's merit scholars in our universities.

#### READINESS

The most compelling product of the Education Commission is the Readiness Committee's report—adopted unanimously by the full commission.

I'm sending each of you a copy. I'm also sending a copy of the speech delivered at the 1998 Children's Summit by the chair of the committee, David Lawrence, publisher of *The Miami Herald*.

I urge you to read these insightful comments. They show that the readiness of our kids, zero to five, is Florida's Achilles' heel.

This session we can make major strides to improve readiness by addressing child care and health care for our children.

#### CHILD CARE

Balancing the needs of work and raising children is an every day challenge for many of our state's families.

Last year, you provided child care for our WAGES moms. But, there are thousands of working moms who have not gone on welfare but can't afford child care. They toughed it out.

Let's use our WAGES' savings to provide child care for 26,000 of their kids.

There are two other steps we can take to improve the quality of child care.

First, we should require background checks of any child care provider who receives government funds. We must ensure our kids are safe.

Second, we should increase the number of Gold Seal child care centers in Florida. This good program you've created assures parents their children are in a truly quality center.

To date there are 550 Gold Seal centers now—let's increase that number by at least 300.

#### CHILDREN'S HEALTH INITIATIVE

This year we have an unprecedented opportunity to provide health care coverage for our infants, pre-schoolers and students.

Using new federal funds plus our tobacco victory dollars we can provide health insurance for 300,000 uninsured children. That's 10,000 classrooms full of kids.

Now, health care for these children comes only at the emergency room.

This morning, I was escorted into the chamber by some of the newest members of the Florida Healthy Kids program. Nine-year-old Amanda Anderson is a third grader here at Chaires Elementary.

She had a serious heart condition that required open heart surgery just days after birth. Luckily, at that time, her parents had health insurance. But Amanda's Mama lost her husband and her family health insurance.

On Sunday, Amanda became one of Leon County's first enrollees in Healthy Kids.

With your help, more children like Amanda will receive the coverage they need to stay healthy and do better in school. We know kids in every school district should have that chance.

Thank you Representative Albright and Senator Myers for the work your committees are doing to bring this about.

#### TOBACCO VICTORY

We're able to afford this children's health care plan, in part, because of our victory against Big Tobacco.

This fight was for children.

When we brought the nation's strongest lawsuit against cigarette makers, the odds were against us. Tobacco had never paid a dime to anyone.

We won an historic settlement.

Today, there are no longer any tobacco billboards or transit ads in Florida. No Joe Camel, no Marlboro Man or Virginia Slims models looking down at our kids.

And we won \$11.3 billion over the first 25 years. \$419 million is now in the state treasury.

The settlement earmarked \$200 million for an anti-smoking campaign to protect our kids from years of aggressive and deceptive marketing.

Big Tobacco spends more than \$14 million each day selling its products. By the time a teen turns 14, they've already been exposed to \$20 billion of tobacco advertising.

For years we've done nothing to counter that. Unless we act, we know that 300,000 of Florida's children will one day die of a tobacco-related disease.

But, if we reduce youth tobacco use by just one percent—we can save the lives of 10,000 children.

ONLY a substantial program can succeed. An under-funded program is doomed to failure—and that plays directly into the hands of Big Tobacco.

Let's fund this program the right way—not half way. Our kids' lives are at stake.

We have held meetings with local anti-smoking coalitions. We have selected an advertising team. And on March 29th, 500 teens from all over Florida will come together in Haines City to plan our attack against tobacco.

Teens know best how to talk to teens. And since the day of the settlement, they've been advising us on what works best.

Florida will be the first state to give teens a major role in the fight against tobacco. And from what I've seen, Big Tobacco is in for a big surprise.

#### TOBACCO PREEMPTION

There's another thing we can do to free our people from the dangers of smoking.

A few years ago we extended Florida's Clean Indoor Air Act to ensure public areas are smoke free.

But today, the Act represents the most a community can do to clear the air. The state has choked local efforts to provide cleaner air for their citizens and that's not fair.

This is a home rule issue.

New York City provides us with strong evidence that the restaurant and tourism business can thrive when the air is cleared. Florida's communities deserve the opportunity to strengthen their clean air laws.

Let's remove the preemption clause. Let's let communities decide what's best.

Florida has long been known as the Sunshine State. Madam President, I agree with you. Let's work together to make Florida the Fresh Air State. We can get this done this year.

#### GUN VIOLENCE

In 1996, 190 Florida kids died as a result of guns in our communities.

Last year, Representative Miller's son Trey was shot in the shadow of the Capitol. He was one of five random victims shot during a graduation party.

Those shots hit very close to home for all of us—but unfortunately, gun violence in our society has become background noise.

We need to change that.

Two of our outstanding local officials—Orange County chair Linda Chapin and Miami-Dade Mayor Alex Penelas—are crying out for our support. They're telling us: If the state's not going to act, then allow us to do it.

We should help them.

Let's close the loophole in our gun laws and make gun shows play by the same rules as retail stores and pawn shops. We should require background checks and a waiting period for gun show purchases.

This is the year to take a stand on gun violence.

Too many of our kids live in fear of guns on our school yards and in their neighborhoods. Let's give them a greater measure of safety.

#### CHILD ABUSE

When a child dies from abuse and neglect, we are all outraged. We all feel the black eyes, bruises and broken bones.

Last year, 116 children died from abuse and neglect in our state. During one tragic week in September, five children died from child abuse.

In each of these cases, the warning signs were there.

These are our children. If you and I don't protect them, who will?

We must fund 200 new child protective investigators and provide all of them with better supervision and training. And we also must work at the front end.

Healthy Families, established in 1992, now operates in FIVE counties: Pinellas, Orange, Hillsborough, Duval and Polk.

It provides home visits, parent education and child development programs for at-risk families. We see incredible statistics about families involved in this innovative program: More than 96 percent experience no abuse or neglect.

It's working. Let's expand Healthy Families statewide this year.

#### ADOPTION

Another program that's working to build Florida's families is our effort to promote adoption. We now provide a free college tuition to adopted foster kids.

Using the adoption hotline, our Internet homepage, and a new public awareness campaign, we're encouraging more families to, in the words of our campaign slogan: "Get a Life."

The Governor's Adoption Partnership will begin an intensive campaign this summer.

Let's back up this effort to find permanent homes for more foster kids by increasing the Maintenance Adoption Subsidy.

We have a few members here for their first session.

Forty years ago I was here as a member of the House for my first session. It was an incredible time to be a member.

Florida was in the last throes of the Pork Chop rule when Senators and House members represented pine trees—not people.

I recall a House member being kicked out of the Pork Chop gang because he cast a vote of conscience to allow Broward County, then our fastest growing county to have four representatives rather than three.

The Federal Court reapportioned us and the top guns of the House moved to the Senate and a new class in the House included a Graham and a D'Alemberte.

It was a renaissance time. Florida burst forth from a rural, Southern state to an urban, major player.

After four years in the State Senate, I took a walk and not only did I get elected to the U.S. Senate, I learned to listen.

It was lonesome when I started walking the Panhandle, and I found people would walk with me longer if I listened rather than talked. And I learned a lot when I listened.

After 18 years in the Senate (the job I'd wanted since I was 10 years old), I broke my pick on the budget and I came home disgusted and ready to hang it up.

Two years later, I was elected Governor, the one job I never coveted.

I don't know what I did to deserve it but being Florida's Governor has been the most exciting and rewarding experience of my life.

I know this sounds like a nostalgia trip, but that's not what I'm about. I have some things, after these 40 years, that I want to share with you.

The Florida I see today is more exciting than the old Florida I described. We are more diverse than ever before.

The voices we hear in the neighborhoods of Overtown and Little Havana—of Orlando and Apalachicola—these are the voices of a new Florida. And though they may speak with different tongues, we share one voice.

Florida is poised to lead in the next millennium by allowing all our people to have a seat at the table—to be a part of our engine.

To do so, we must fix our children. We must fix our inner cities. We must fix our rural blights—and preserve our environment.

Dr. John Hope Franklin is a remarkable man. He's the Chairman of the President's Commission on Human Relations. He was here last week

and he told me about an article he wrote titled "The Land of Room Enough". We must make Florida the Land of Room Enough.

Or we can continue to live off of our sunshine and location and be a state of haves and have nots—with the haves forced to hide behind their locked gates.

You will have a lot to do with making these calls. I can't tell you all the answers but, I can tell you . . . Trust the people.

They really care about our state—about our people. They will respond if you tell them what you truly believe.

You don't have to put a spin on it. Be willing to hang out on something you really believe.

The way to achieve leadership is to learn more about your subject than anyone else and to work harder. You don't have to look for short cuts.

Part of your contract with the people entitles them to have you vote your honest convictions of what you think is best for them.

You must take that risk, but remember the only vote you can explain is a vote you believed in.

Be bold—dare to look foolish. Reach beyond your grasp and go beyond the path you can see.

I have the utmost respect for the representative office you hold and for the people you represent. I truly envy the exciting but awesome task you face. I wish you Godspeed.

### **DISSOLUTION OF JOINT SESSION**

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

On motion by Senator Bankhead, the joint session was dissolved at 11:58 a.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate Business taken up prior to joint session.)

### **REPORTS OF COMMITTEES**

The Committee on Health Care recommends the following pass: SB 162

The Committee on Transportation recommends the following pass: SB 224

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

The Committee on Agriculture recommends the following pass: SB 410

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

The Committee on Criminal Justice recommends the following pass: SB 444

The Committee on Governmental Reform and Oversight recommends the following pass: SB 670

The Special Master on Claims recommends the following pass: SB 4, SB 6, SB 22, SB 26, SB 30 with 1 amendment, SB 34, SB 44, SB 52, SB 56, SB 58, SB 64, SB 70

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

The Committee on Children, Families and Seniors recommends the following pass: SB 180 with 3 amendments

The Special Master on Claims recommends the following pass: SB 16, SB 32, SB 36 with 1 amendment, SB 38

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

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The Committee on Natural Resources recommends the following pass: SB 152

**The bill was referred to the Committee on Executive Business, Ethics and Elections under the original reference.**

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The Committee on Children, Families and Seniors recommends the following pass: SB 108 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 200 with 1 amendment

The Committee on Health Care recommends the following pass: SB 166, SB 316 with 1 amendment

The Special Master on Claims recommends the following pass: SB 18, SB 20 with 1 amendment, SB 66

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

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The Committee on Commerce and Economic Opportunities recommends the following pass: SB 188 with 2 amendments

The Special Master on Claims recommends the following pass: SB 8 with 1 amendment, SB 14 with 1 amendment, SB 40, SB 42, SB 54 with 1 amendment, SB 60

**The bills contained in the foregoing reports were referred to the Committee on Health Care under the original reference.**

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The Committee on Commerce and Economic Opportunities recommends the following pass: SB 280 with 4 amendments

The Committee on Community Affairs recommends the following pass: SB 544 with 2 amendments

The Committee on Criminal Justice recommends the following pass: SB 212, SB 454, SB 460

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

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The Committee on Transportation recommends the following pass: SB 516

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

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The Committee on Community Affairs recommends the following pass: SB 370

The Committee on Education recommends the following pass: SB 482 with 1 amendment

**The bills contained in the foregoing reports were referred to the Committee on Regulated Industries under the original reference.**

The Special Master on Claims recommends the following pass: SB 2, SB 28 with 1 amendment

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

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The Committee on Agriculture recommends the following pass: SB 230

The Committee on Banking and Insurance recommends the following pass: CS for SB 314 with 3 amendments, SB 510 with 2 amendments

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 762 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 4, SB 6, SB 22, SB 26, SB 30 with 1 amendment, SB 34, SB 44, SB 52 with 1 amendment, SB 56, SB 58 with 1 amendment, SB 64, SB 70, SJR 246 with 1 amendment, SB 594

The Committee on Criminal Justice recommends the following pass: SB 10, SB 12, SB 106 with 1 amendment, SB 526, SB 540 with 1 amendment, SB 596

The Committee on Education recommends the following pass: SB 16 with 1 amendment, SB 32, SB 36 with 2 amendments, SB 38, SB 76, SB 174

The Committee on Executive Business, Ethics and Elections recommends the following pass: SB 240

The Committee on Governmental Reform and Oversight recommends the following pass: SB 18, SB 20 with 1 amendment, SB 66, SB 400, CS for SB 486, SB 496, SB 498, SB 534

The Committee on Health Care recommends the following pass: SB 8 with 2 amendments, SB 14 with 1 amendment, SB 40, SB 42 with 1 amendment, SB 54 with 2 amendments, SB 60, SB 170, SB 288 with 2 amendments, SB 304 with 1 amendment

The Committee on Natural Resources recommends the following pass: SB 48 with 1 amendment, SB 376, SB 470

The Committee on Regulated Industries recommends the following pass: SB 78, SB 472 with 1 amendment

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

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The Committee on Agriculture recommends the following pass: SB 734

The Committee on Banking and Insurance recommends the following pass: SB 232 with 1 amendment, SB 412, SB 766 with 1 amendment, SB 768, SB 770

The Committee on Children, Families and Seniors recommends the following pass: SB 116, SB 396

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 218 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 254, SB 474

The Committee on Criminal Justice recommends the following pass: SB 136, SB 198, SB 404 with 1 amendment, SB 480

The Committee on Governmental Reform and Oversight recommends the following pass: SB 108, SB 112, SB 166 with 1 amendment, SB 222, SB 348 with 1 amendment, SB 678

The Committee on Judiciary recommends the following pass: SB 394

The Committee on Natural Resources recommends the following pass: SB 146

The Committee on Regulated Industries recommends the following pass: SB 238

The Committee on Ways and Means recommends the following pass: CS for SB 2, SB 4, SB 6, SB 8 with 1 amendment, SB 10, SB 12, SB 14 with 1 amendment, SB 16 with 1 amendment, SB 18 with 1 amendment, SB 20, SB 22, SB 26 with 1 amendment, SB 30, SB 32, SB 34 with 2 amendments, SB 36 with 1 amendment, SB 38, SB 40, SB 42 with 1 amendment, SB 44, SB 52 with 2 amendments, SB 54, SB 56, SB 60 with 1 amendment, SB 64, SB 66, SB 70 with 1 amendment

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

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The Special Master on Claims recommends the following not pass: SB 10, SB 12

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

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The Special Master on Claims recommends the following not pass: SB 48

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

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The Special Master on Claims recommends the following not pass: SB 46

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

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The Committee on Health Care recommends a committee substitute for the following: SB 314

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

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 646

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

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The Committee on Judiciary recommends a committee substitute for the following: SB 644

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

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The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 442

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

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The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 182

The Committee on Community Affairs recommends a committee substitute for the following: SB 124

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

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The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 506

The Committee on Criminal Justice recommends a committee substitute for the following: SB 486

The Committee on Education recommends a committee substitute for the following: SB 306

The Committee on Judiciary recommends a committee substitute for the following: SB 92

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

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The Committee on Criminal Justice recommends committee substitutes for the following: SB 428, SB 502

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

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The Committee on Transportation recommends a committee substitute for the following: SB 374

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

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The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 642

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

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 162, SB 268

The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 236

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 760

The Committee on Community Affairs recommends committee substitutes for the following: SJR 408, SB 492

The Committee on Criminal Justice recommends committee substitutes for the following: SB 194, SB 276, SB 334, SB 358, Senate Bills 360 and 350, SB 524, SB 586

The Committee on Education recommends committee substitutes for the following: SB 86, SB 386, SB 388, SB 390, SB 758

The Committee on Governmental Reform and Oversight recommends committee substitutes for the following: SB 156, SB 216, CS for SB 306, SB 380

The Committee on Health Care recommends committee substitutes for the following: SB 94, SB 208, SB 250, SB 484

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 502

The Committee on Regulated Industries recommends a committee substitute for the following: SB 340

The Committee on Transportation recommends committee substitutes for the following: SB 2, SB 28, SB 110, SB 190, SB 666

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

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 226

The Committee on Children, Families and Seniors recommends a committee substitute for the following: SB 118

The Committee on Community Affairs recommends committee substitutes for the following: SB 140, SB 302

The Committee on Criminal Justice recommends committee substitutes for the following: SB 154, SB 514, SB 590

The Committee on Education recommends a committee substitute for the following: SB 96

The Committee on Health Care recommends committee substitutes for the following: SB 188, SB 290 with 1 amendment, SB 364

The Committee on Judiciary recommends committee substitutes for the following: SB 114, SB 176

The Committee on Regulated Industries recommends a committee substitute for the following: SB 406

The Committee on Transportation recommends committee substitutes for the following: SB 178, SB 476

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

**REPORTS OF SUBCOMMITTEES**

The Subcommittee on Finance and Tax recommends favorably to the full Committee on Ways and Means the following: SB 326, SB 328 with 2 amendments, SB 338 with 3 amendments, SB 538 with 1 amendment, SB 638 with 1 amendment, SB 808, SB 984, SB 1082; and recommends committee substitutes for the following: SB 522, SB 634, SB 916

*John Ostalkiewicz, Chairman*  
Subcommittee on Finance and Tax

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Childers—

**SB 2**—A bill to be entitled An act for the relief of David Kelley and the Estate of Alto Kelley; providing an appropriation as compensation for injuries and damages sustained as a result of the negligence of the Department of Transportation; providing an effective date.

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

By Senator Forman—

**SB 4**—A bill to be entitled An act relating to the City of Miami Beach; providing for the relief of Juan A. Garcia, Jr., and Juan and Barbara Garcia, as natural parents of Juan A. Garcia, Jr.; providing for an appropriation to compensate them for injuries and damages sustained as a result of the negligence of the City of Miami Beach; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Meadows—

**SB 6**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Michelle Ponce, a minor; providing for

an appropriation to compensate her for injuries and damages sustained as a result of the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Grant—

**SB 8**—A bill to be entitled An act for the relief of Heather Roszell, a minor; providing appropriations to compensate her for injuries and damages sustained as a result of the negligence of the State of Florida, Board of Regents and the Hillsborough County Hospital Authority, d.b.a. Tampa General Hospital; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Crist—

**SB 10**—A bill to be entitled An act for the relief of the Estate of Alice Berdat, deceased; providing an appropriation to compensate the Estate of Alice Berdat for the death of Alice Berdat due to the negligence of the Department of Corrections; providing an effective date.

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

By Senator Crist—

**SB 12**—A bill to be entitled An act for the relief of Mary Beth Wiggers; providing an appropriation to compensate Mary Beth Wiggers for injuries she sustained due to the negligence of the Department of Corrections; providing an effective date.

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

By Senator Forman—

**SB 14**—A bill to be entitled An act relating to Broward County; providing for the relief of Tirini S. Riley, a minor, for injuries sustained arising out of an accident that occurred while she was a patient of the South Broward Hospital District, d/b/a Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Turner—

**SB 16**—A bill to be entitled An act relating to the Dade County School Board; providing for the relief of Lazaro Gutierrez; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Dade County School Board; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Clary—

**SB 18**—A bill to be entitled An act relating to the Department of Revenue; providing for the relief of Ray Construction of Okaloosa County, Ltd.; providing an appropriation to compensate Ray Construction of Okaloosa County, Ltd., for documentary stamp tax assessments paid to the Department of Revenue and for attorney's fees and court costs; providing an effective date.

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

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By Senator Clary—

**SB 20**—A bill to be entitled An act relating to the Department of Management Services; providing for the relief of Dale R. Cowie; providing an appropriation to reimburse him for expenses incurred in the completion of a state contract; providing an effective date.

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

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By Senator Campbell—

**SB 22**—A bill to be entitled An act providing for the relief of Triesa Wells; providing for an appropriation to compensate Triesa Wells for injuries sustained as a result of the negligence of an employee of the City of Pembroke Pines; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Forman—

**SB 24**—A bill to be entitled An act relating to the City of Sanibel; providing for the relief of Jeremy Stewart; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the City of Sanibel; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Turner—

**SB 26**—A bill to be entitled An act providing for the relief of Adela Azcu, for injuries suffered as a result of the negligence of Dade County; providing for an appropriation; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Forman—

**SB 28**—A bill to be entitled An act providing for the relief of Frank Roster; providing an appropriation to reimburse him for injuries suffered due, in part, to the negligence of the Department of Transportation; providing an effective date.

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

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By Senator Forman—

**SB 30**—A bill to be entitled An act relating to Collier County; providing for the relief of Franklin David Messick as Personal Representative of the Estate of Arthur D. Messick; providing for an appropriation to compensate him for the wrongful death of his son, Arthur D. Messick, which occurred as a result of the negligence of Collier County; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Silver—

**SB 32**—A bill to be entitled An act providing for the relief of Kathryn Malloy, formerly known as Kathryn Sperdute; providing for an appropriation to reimburse her for injuries suffered in an accident that was caused by the negligence of an employee of the Palm Beach County School Board; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Casas—

**SB 34**—A bill to be entitled An act relating to Metropolitan Dade County; providing for the relief of Bruce Wiggins as Personal Representative of the Estate of Helen Wiggins, deceased, for the benefit of Bruce Wiggins, Alisha Wiggins, a minor, and Jake Wiggins, a minor; providing for an appropriation to compensate them for the death of Helen Wiggins as a result of the negligence of Metropolitan Dade County; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Horne—

**SB 36**—A bill to be entitled An act providing for the relief of Carrie A. Wilson; providing an appropriation to reimburse Carrie A. Wilson, a minor, and her mother, Barbara Britt, for injuries sustained by Carrie A. Wilson as a result of the negligence of the Duval County School Board; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Thomas—

**SB 38**—A bill to be entitled An act relating to the City of Tallahassee and the Leon County School Board; providing for the relief of Dena Sheryl Steels; providing for an appropriation by the City of Tallahassee and the Leon County School Board to compensate her for the wrongful death of Kenneth Michael Pyles, her son, resulting from the negligence of the City of Tallahassee and the Leon County School Board; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Campbell—

**SB 40**—A bill to be entitled An act relating to the North Broward Hospital District, Broward County; providing for the relief of Bruce Silverman and Janie Silverman, personal representatives of the estate of Alexandra Silverman; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Silver—

**SB 42**—A bill to be entitled An act relating to the Department of Health; providing an appropriation for the relief of Vernelle Lowder, to compensate her for damages she sustained due to the negligence of the Department of Health and Rehabilitative Services; providing an effective date.

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

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By Senator Turner—

**SB 44**—A bill to be entitled An act relating to Manatee County; providing for the relief of Frank H. Holliday; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Manatee County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Holzendorf—

**SB 46**—A bill to be entitled An act for the relief of Frances McGrady; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Jacksonville Transportation Authority; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Silver—

**SB 48**—A bill to be entitled An act relating to the South Florida Water Management District; providing for the relief of Alan Taylor; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Florida Water Management District; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Grant—

**SB 50**—A bill to be entitled An act relating to Columbia County; providing for the relief of Runette J. Bass; providing for an appropriation to compensate her for injuries and damages sustained as a result of the actions of the Sheriff of Columbia County; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Grant—

**SB 52**—A bill to be entitled An act relating to the City of Tampa; providing for the relief of Jemal Kurein, by and through his wife and natural guardian, Semira Kurein, and for Semira Kurein, individually, and for Remzu Kurein and Nima Kurein, minor children of Jemal Kurein and Semira Kurein, by and through their mother, Semira Kurein; providing for an appropriation to compensate them for injuries and damages sustained by Jemal Kurein as a result of the negligence of the City of Tampa; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Dyer—

**SB 54**—A bill to be entitled An act relating to the West Volusia Hospital Authority; providing for relief of Michelle Jones, a minor, and Kathy M. Jones, her mother; directing the West Volusia Hospital Authority to appropriate funds to be paid to Kathy Jones, individually, and for the benefit of Michelle Jones, a minor, to compensate them for injuries and damages sustained as a result of the negligence of the West Volusia Hospital Authority, formerly d/b/a West Volusia Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Klein—

**SB 56**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Julie McGinnes; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of Palm Beach County; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Meadows—

**SB 58**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Kimberly L. Gonzalez; providing for an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Gutman—

**SB 60**—A bill to be entitled An act relating to Dade County; providing for the relief of Jeanette Alonso, a minor, for injuries sustained as a result of the conduct of the Public Health Trust of Dade County, d.b.a. Jackson Memorial Hospital; providing for payment by the Public Health Trust of Dade County, d.b.a. Jackson Memorial Hospital; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Diaz-Balart—

**SB 62**—A bill to be entitled An act for the relief of Joseph Bellamy Farver; providing an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Department of Children and Family Services, formerly the Department of Health and Rehabilitative Services; providing an effective date.

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

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By Senator Gutman—

**SB 64**—A bill to be entitled An act relating to the City of Hialeah; providing for the relief of Jose Pena, as Personal Representative of the Estate of Carmen Pena, deceased, and individually, as surviving father of Katherine Pena and Richard Pena, minor children of Carmen Pena and Jose Pena, deceased; providing for the relief of Johannes Pena, surviving son of Carmen Pena; providing for an appropriation to compensate them for the death of Carmen Pena, Katherine Pena, and Richard Pena as a result of the negligence of the City of Hialeah; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Williams—

**SB 66**—A bill to be entitled An act for the relief of Penny Tilley, as widow of Jack W. Tilley and beneficiary of his estate; providing an appropriation for the purpose of paying Penny Tilley the retirement benefits to which she would have been entitled as surviving spouse of Jack W. Tilley had Jack W. Tilley survived to the date on which he would have vested in the Florida System; providing an effective date.

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

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By Senators Holzendorf and Turner—

**SB 68**—A bill to be entitled An act for the relief of Freddie Lee Pitts and Wilbert Lee; providing an appropriation to compensate them for being victims of a miscarriage of justice; providing an effective date.

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

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By Senator Klein—

**SB 70**—A bill to be entitled An act relating to Alachua County; providing for the relief of Matthew White; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the Alachua County Sheriff's Department; providing an effective date.

Proof of publication of the required notice was attached.

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

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By Senator Holzendorf—

**SB 72**—A bill to be entitled An act relating to public officers and employees; amending s. 112.324, F.S.; allowing the Commission on Ethics to dismiss a complaint that involves a technical or minor error, under specified conditions; providing an effective date.

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

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By Senator Bronson—

**SB 74**—A bill to be entitled An act relating to the Local Government Code Enforcement Boards Act; amending s. 162.11, F.S.; providing that when an appeal is filed with the circuit court with respect to actions of a code enforcement board, all action by the board shall cease or be held in abeyance until the court issues an order; providing exceptions; providing for the removal of liens or impediments from property governed by a code enforcement board under certain circumstances; providing an effective date.

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

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By Senator Jenne—

**SB 76**—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.

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

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By Senator Childers—

**SB 78**—A bill to be entitled An act relating to athlete agents; amending s. 468.453, F.S.; requiring each applicant for licensure as an athlete agent to submit a full set of fingerprints for purposes of the required criminal records check; exempting members of The Florida Bar from regulations imposed on athlete agents; providing an effective date.

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

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By Senator McKay—

**SJR 80**—A joint resolution proposing an amendment to Section 3 of Article III of the State Constitution, relating to the Legislature, to limit the subjects that may be considered at certain sessions of the Legislature.

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

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By Senator Burt—

**SJR 82**—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to limit legislative authority with respect to taxes.

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

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By Senator Burt—

**SB 84**—A bill to be entitled An act relating to state correctional facilities; creating the "Tobacco-free Prisons Act"; providing legislative intent; requiring the Department of Corrections and the Correctional Privatization Commission to make smoking-cessation assistance available to inmates; requiring the act to be fully implemented by a specified date; providing definitions; prohibiting an inmate within a state or private correctional facility from possessing or using tobacco products regardless of an inmate's location; prohibiting visitors from possessing tobacco products while in a state or private correctional facility; authorizing the superintendent of each correctional facility to designate special smoking areas within the facility for use by employees; authorizing employees to possess and use tobacco products outdoors within a facility perimeter; requiring policies for the disposal of used tobacco products; providing penalties; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 86**—A bill to be entitled An act relating to education; requiring academic enrichment activities for specified students; requiring an evaluation of student academic progress; providing conditions that require a funding shift; providing an effective date.

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

By Senator Campbell—

**SB 88**—A bill to be entitled An act relating to limitations on actions; amending s. 95.11, F.S.; providing a time for bringing an action for wrongful death; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

**SB 90**—A bill to be entitled An act relating to solicitation of accident victims and their relatives; creating s. 624.417, F.S.; prohibiting insurers from soliciting accident victims and their relatives; providing exceptions; providing an administrative fine; creating s. 626.6116, F.S.; prohibiting insurance agents and others licensed by the Department of Insurance from soliciting accident victims and their relatives; providing exceptions; providing penalties; creating s. 877.021, F.S.; prohibiting persons from soliciting accident victims and their relatives; providing exceptions; providing a criminal penalty; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senators Grant and Casas—

**SB 92**—A bill to be entitled An act relating to eminent domain; amending s. 73.0511, F.S.; providing for a written offer of settlement as part of the prelitigation notice; amending s. 73.071, F.S.; providing that the jury must determine full compensation in eminent domain actions; providing for consideration of business damages; providing for the determination of compensation in inverse condemnation proceedings; providing for consideration of mitigation by a property owner; providing for construction of the term “property”; creating s. 74.0205, F.S.; providing for presuit negotiations; creating s. 74.042, F.S.; providing for mandatory nonbinding mediation prior to the order of taking hearing; amending s. 337.271, F.S.; providing for the simplification of the acquisition negotiation process; providing an effective date.

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

By Senator Grant—

**SB 94**—A bill to be entitled An act relating to health care; amending s. 240.5121, F.S.; allowing the Florida Cancer Control and Research Advisory Council either to purchase or to develop a written summary of cancer treatment alternatives for prostate cancer; providing an appropriation to the council for developing or purchasing and for distributing a pamphlet and for developing and implementing an education program on prostate cancer; providing an effective date.

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

By Senator Grant—

**SB 96**—A bill to be entitled An act relating to academic degrees; amending s. 817.567, F.S.; providing for disclosure of unrecognized degrees; providing an effective date.

—was referred to the Committee on Education.

By Senators Crist, Myers and Campbell—

**SB 98**—A bill to be entitled An act relating to electrical power plants; prohibiting the use of orimulsion as a fuel to generate electricity; providing for an independent environmental impact study and report to the Legislature; providing an effective date.

—was referred to the Committees on Natural Resources and Regulated Industries.

By Senator Bronson—

**SJR 100**—A joint resolution proposing amendments to Section 6 of Article IV and Section 1 of Article VII of the State Constitution, relating to executive departments and taxation.

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

By Senator Bronson—

**SB 102**—A bill to be entitled An act relating to water management; amending s. 20.02, F.S.; providing for an increase in the reference to the constitutional limitation on executive departments; creating ss. 20.44, 20.45, 20.46, 20.47, 20.48, F.S.; creating the Department of Northwest Florida Water Management, the Department of Suwannee River Water Management, the Department of St. Johns River Water Management, the Department of Southwest Florida Water Management, and the Department of South Florida Water Management; providing a contingent effective date.

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

By Senator Dyer—

**SJR 104**—A joint resolution proposing the repeal of section 16 of Article III of the State Constitution, relating to legislative apportionment, and the addition of section 10 to Article II of the State Constitution, relating to the establishment of a commission to reapportion the state legislative districts and redistrict congressional districts; prescribing guidelines for such reapportionment and redistricting; providing for judicial review thereof.

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

By Senator Gutman—

**SB 106**—A bill to be entitled An act relating to assault and battery upon code inspectors; creating s. 784.083, F.S.; providing enhanced penalties for assault or aggravated assault or battery or aggravated battery upon “a code inspector,” as defined; providing an effective date.

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

By Senator Hargrett—

**SB 108**—A bill to be entitled An act relating to public records requirements; amending s. 409.175, F.S., exempting from s. 119.07(1), F.S., and from s. 24(a), Art. I of the State Constitution certain information contained in files that pertain to the licensure of family foster homes, residential child-caring agencies, and child-placing agencies; providing for repeal and for legislative review of the exemption; providing a rationale for the exemption; providing an effective date.

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

By Senator Hargrett—

**SB 110**—A bill to be entitled An act relating to airports; amending s. 330.30, F.S.; exempting certain airports used exclusively for aerial application or spraying of crops on a seasonal basis from a provision of law providing for the approval of airport sites and the licensing of airports; providing an effective date.

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

By Senator Latvala—

**SB 112**—A bill to be entitled An act relating to public records; amending s. 110.1091, F.S.; revising provisions which specify that communications relating to a state employee's participation in an employee assistance program are confidential, and which provide a public records exemption for records relating thereto; creating ss. 125.585, 166.0444, F.S.; providing that certain communications relating to a county or municipal employee's participation in such a program are confidential; providing an exemption from public records requirements for records relating to such participation; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Latvala—

**SB 114**—A bill to be entitled An act relating to liens; creating s. 713.596, F.S.; creating a molder's lien and specifying rights of a molder; providing definitions; providing for ownership rights to molds; providing procedures; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Holzendorf—

**SB 116**—A bill to be entitled An act relating to public records; creating s. 741.465, F.S.; providing an exemption from public records requirements for certain personal information about program participants in the Address Confidentiality Program for Victims of Domestic Violence; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senator Holzendorf—

**SB 118**—A bill to be entitled An act relating to confidentiality of identifying information regarding domestic violence victims; creating s. 741.401, F.S.; providing legislative findings and purpose; creating s. 741.402, F.S.; providing definitions; creating s. 741.403, F.S.; providing for creation of the Address Confidentiality Program for Victims of Domestic Violence; providing for certification by the Attorney General of applicants to participate in the program; defining the offense of falsely attesting or knowingly providing false or incorrect information in such program application, and providing penalties therefor; defining the offense of attempting to gain access to a program participant's actual address through fraud, and providing penalties therefor; creating s. 741.404, F.S.; providing for certification cancellation; creating s. 741.405, F.S.; providing authority of state and local agencies and other governmental entities and guidelines relating to use of designated address; creating s. 741.406, F.S.; providing for voting by program participants in the same manner as for absentee voters; prohibiting the supervisor of elections from disclosing certain information except under specified circumstances; providing for appeal by agency of requested waiver; creating s. 741.407, F.S.; prohibiting disclosure of addresses and certain information, except under specified circumstances; requiring immediate written notification by the Attorney General to a program participant with respect to certain disclosure of information; creating s. 741.408, F.S.; providing for certain assistance for program applicants; creating s. 741.409, F.S.; providing for adoption of rules; providing for limitations on an appropriation to fund the program; specifying the maximum percentage for an increase in the general appropriation for subsequent

years; providing for the Attorney General to seek other funds; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senator Campbell—

**SB 120**—A bill to be entitled An act relating to domestic violence remedies; amending s. 28.101, F.S.; increasing the amount of a charge relating to a petition for dissolution of marriage; providing for the proceeds of the charge to be deposited into the Domestic Violence Trust Fund and used as specified; amending s. 741.282, F.S.; providing for a fee to be imposed upon a batterer and for the proceeds to be deposited into the Domestic Violence Trust Fund and used as specified; prohibiting offsetting this fee against any fee assessed under s. 945.76, F.S.; providing an effective date.

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

By Senator Holzendorf—

**SB 122**—A bill to be entitled An act relating to medical examiners; amending s. 406.11, F.S., relating to examinations, investigations, and autopsies required of medical examiners; requiring notification and approval of next of kin if a procedure of the medical examiner on a dead human body is primarily for purposes of medical research; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Forman—

**SB 124**—A bill to be entitled An act relating to ad valorem tax administration; amending s. 200.065, F.S., which provides requirements for the determination of the millage levied by taxing authorities; revising the form of the notice of tax increase that must be published by school districts; excluding certain amounts from proposed operating budget expenditures for purposes of the budget summary notice that taxing authorities must publish; revising the form of the notice of tax for school capital outlay that must be published by school districts; providing an effective date.

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

By Senator Grant—

**SB 126**—A bill to be entitled An act relating to the Insurance Commissioner; amending s. 20.13, F.S.; transferring responsibilities of head of the Department of Insurance from the State Treasurer to an appointed Insurance Commissioner; amending s. 14.24, F.S.; transferring responsibility for making an appointment; amending ss. 48.151, 175.032, 175.141, 185.12, 215.02, 215.58, 238.15, 240.551, 284.41, 554.105, 607.0501, 617.0501, 624.305, 624.319, 624.321, 624.422, 624.423, 624.502, 624.506, 624.523, 626.2815, 626.742, 626.906, 626.907, 626.912, 626.937, 626.9912, 626.9916, 627.944, 627.948, 628.461, 628.4615, 629.401, 634.151, 634.161, 641.19, 641.402, 641.454, 651.125, F.S., to conform terminology to the change made by this act; providing an effective date.

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

By Senator Grant—

**SB 128**—A bill to be entitled An act relating to business brokers; providing for the regulation of business brokers and business salespersons; creating the Florida Business Brokerage Board; providing for the appointment and confirmation of board members; providing for licensure and renewal of licenses by the Department of Business and Professional Regulation; providing for qualifications and education and experience requirements for licensure; providing for examination and continu-

ing education requirements; providing for the inactive status of licenses; providing for registration of office locations; requiring compliance with professional standards; providing for discipline; providing for violations and penalties; providing for final orders; providing for business broker course instructors; providing for retention of records; providing for temporary practice; providing an effective date.

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

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**SR 130**—Not referenced.

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By Senator Crist—

**SB 132**—A bill to be entitled An act relating to elections; amending s. 106.17, F.S.; prohibiting state agencies and certain other governmental entities from soliciting pledges or authorizing or conducting polls or surveys relating to candidacies for public office; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; and Governmental Reform and Oversight.

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By Senator Campbell—

**SB 134**—A bill to be entitled An act relating to motor vehicle liability; repealing s. 627.737, F.S., relating to exemption from tort liability for certain owners, registrants, operators, or occupants of motor vehicles; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senator Forman—

**SB 136**—A bill to be entitled An act relating to dog guides and service dogs; amending s. 413.08, F.S.; prohibiting a person from interfering with a person who is engaged in training a dog guide or service dog; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senators Forman and Grant—

**SB 138**—A bill to be entitled An act relating to legislative employees; amending s. 121.055, F.S.; authorizing the President of the Senate and the Speaker of the House of Representatives to designate additional employees of their respective house who may be required to participate in the Senior Management Service Class of the Florida Retirement System; providing an effective date.

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

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By Senator Forman—

**SB 140**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from the public records law for certain records furnished pursuant to certain housing assistance programs; providing a statement of public necessity; providing for future review and repeal; providing an effective date.

—was referred to the Committee on Community Affairs.

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By Senators Brown-Waite, Clary, Meadows, Latvala, Forman, Bronson, Myers and Harris—

**SB 142**—A bill to be entitled An act relating to veterans' preference in employment; transferring and renumbering s. 295.15, F.S., relating

to legislative intent; amending s. 295.07, F.S.; clarifying provisions; providing for rules; amending s. 295.08, F.S.; revising provisions with respect to positions for which a numerically based selection process is used; removing a monetary limitation with respect to certain classes of positions; amending s. 295.085, F.S.; revising provisions with respect to positions for which a numerically based selection process is not used; providing for preference for certain veterans with service-connected disabilities; deleting provisions for rules; amending s. 295.101, F.S.; revising provisions with respect to the expiration of employment preference; amending s. 295.11, F.S.; revising provisions with respect to investigative findings; deleting reference to the Department of Management Services and providing reference to the Department of Veterans Affairs; amending s. 295.14, F.S.; revising provisions with respect to penalties; repealing s. 295.151, F.S., relating to the application of ch. 78-372, Laws of Florida, with respect to point preference to certain persons in applying for employment; creating s. 295.155, F.S.; providing that military retirement on the basis of longevity does not disqualify a person from veterans' employment preference; providing an effective date.

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

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By Senators Brown-Waite, Grant and Dudley—

**SB 144**—A bill to be entitled An act relating to wrongful death; repealing s. 768.21(8), F.S., which prohibits the recovery of damages for wrongful death by specified persons; providing an effective date.

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

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By the Committee on Natural Resources—

**SB 146**—A bill to be entitled An act relating to petroleum storage systems; amending s. 376.313, F.S.; correcting references to the Florida Administrative Code; repealing s. 21, ch. 86-159, Laws of Florida, relating to the scheduled repeal of s. 376.313(4), F.S.; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senators Sullivan, Klein, Meadows, Campbell, Grant, Turner, Cowin, Brown-Waite, Childers, Myers, Clary, Forman, Dyer, Harris and McKay—

**SB 148**—A bill to be entitled An act relating to clean indoor air; amending s. 386.202, F.S.; providing legislative intent that the "Florida Clean Indoor Air Act" is a uniform statewide minimum code; repealing s. 386.209, F.S., which provides that the regulation of smoking is preempted to the state; providing an effective date.

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

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By Senator Sullivan—

**SB 150**—A bill to be entitled An act relating to journalism; creating s. 90.5015, F.S.; creating a privilege for professional journalists to refuse to be a witness or to disclose specified information; providing definitions; authorizing courts to order disclosure of certain information; providing for nonwaiver of the privilege; providing severability; providing an effective date.

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

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By Senators Latvala, Dudley and Crist—

**SB 152**—A bill to be entitled An act relating to the powers and duties of the Governor; amending s. 14.23, F.S.; regulating the nomination of

appointees to federal regional fisheries management councils; providing an effective date.

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

By Senator Campbell—

**SB 154**—A bill to be entitled An act relating to offenses that evidence prejudice; amending s. 775.085, F.S.; providing enhanced penalties for offenses that show evidence of prejudice against the victim, based on the victim's mental or physical disability or advanced age; providing definitions; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Governmental Reform and Oversight—

**SB 156**—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; allowing a phase-in period for competitive procurement of certain client services; authorizing deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; authorizing the department to adopt rules relating to an alternative competitive procurement process; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that the department adopt rules for imposing penalties against a provider that fails to comply with a requirement for corrective action; requiring notice; 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; providing for department liens against certain property constructed or renovated using state funds; 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; requiring an evaluation of the contractor's performance; 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 referred to the Committees on Governmental Reform and Oversight; and Ways and Means.

**SR 158**—Not referenced.

By Senator Kirkpatrick—

**SB 160**—A bill to be entitled An act relating to the State University System; amending s. 110.131, F.S.; deleting a reporting requirement for the Board of Regents with respect to other-personal-services employees; amending s. 235.055, F.S.; deleting the authority of the Board of Regents to construct facilities on leased property and enter into certain leases; amending s. 240.205, F.S.; revising provisions relating to Board of Regents' contracts and acquisition of property and services; amending s.

240.207, F.S.; requiring an orientation program for members of the Board of Regents; amending s. 240.209, F.S., relating to duties of the Board of Regents; revising requirements for the board with respect to procurement and construction contracts; authorizing the Board of Regents to acquire and dispose of real property; providing procedures for appraisals and property acquisition; providing for personnel contracts; amending s. 240.2097, F.S.; deleting a requirement that the Board of Regents report to the Legislature on limited-access programs; revising requirements for student handbooks; amending s. 240.2111, F.S., relating to an employee recognition program; deleting a requirement that the program be adopted by rule; amending s. 240.214, F.S.; revising accountability goals and reporting procedures for the State University System; amending s. 240.227, F.S.; providing responsibilities of university presidents; providing for the appointment of university presidents; revising duties of university presidents relating to acquisition of, and contracts for and management of, property and financial resources and approval and execution of general construction contracts; amending s. 240.235, F.S.; requiring approval procedures for raising certain fees; amending s. 240.241, F.S., relating to divisions of sponsored research at state universities; providing an exemption from certain contract requirements; amending s. 240.2605, F.S., relating to the Trust Fund for Major Gifts; deleting Board of Regents' rulemaking power; authorizing the Board of Regents Foundation to participate in the major gifts program; amending s. 240.274, F.S., relating to university libraries; deleting Board of Regents' rulemaking power; amending s. 240.2803, F.S.; revising the funds included within the definition of auxiliary enterprises; amending s. 240.281, F.S.; revising the authority for an institution to deposit certain funds outside the State Treasury; amending s. 240.295, F.S., relating to fixed capital outlay projects; providing for dormitories; deleting Board of Regents' rulemaking power; amending s. 243.151, F.S.; providing a procedure through which a university may construct facilities on leased property; amending s. 287.012, F.S., relating to purchasing and contractual services; providing responsibilities; amending s. 287.017, F.S.; revising the threshold amounts of purchasing categories; deleting applicability of certain rules to the State University System; repealing ss. 240.225, 240.247, 240.4988(4), F.S., and ss. 15 and 16 of ch. 94-232, Laws of Florida, relating to delegation of authority by the Department of Management Services to the State University System, eradication of salary discrimination, Board of Regents' rules for the Theodore R. and Vivian M. Johnson Scholarship Program, the title of ch. 239, F.S., and a directive to the Division of Statutory Revision; providing an effective date.

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

By Senator Brown-Waite—

**SB 162**—A bill to be entitled An act relating to the Statewide Provider and Subscriber Assistance Program; amending s. 408.7056, F.S.; providing definitions; revising criteria and procedures for review of grievances against a managed care entity by the statewide provider and subscriber assistance panel; providing for initial review by the Agency for Health Care Administration; providing time requirements for panel hearings and recommendations, and final orders of the agency or the Department of Insurance; providing for notice; providing requirements for expedited or emergency hearings; providing an exemption from the Administrative Procedures Act; providing for requests for patient records; authorizing an administrative fine for failure to timely provide records; providing for furnishing of evidence in opposition to panel recommendations; providing for adoption of panel recommendations in final orders of the agency or department; authorizing imposition of fines and sanctions; specifying conditions for rejection of panel recommendations; requiring certain notice to subscribers and providers of their right to file grievances; creating s. 408.7057, F.S.; providing for appeals; providing for attorney's fees and costs; amending s. 641.511, F.S.; correcting a cross-reference; providing an appropriation; providing an effective date.

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

By Senator Jenne—

**SJR 164**—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to designate the Attorney General as the statewide prosecutor.

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



By Senator Brown-Waite—

**SB 166**—A bill to be entitled An act relating to public records and meetings; amending s. 408.7056, F.S.; providing an exemption from public records requirements for certain personal information in documents, reports, or records prepared or reviewed by a provider and subscriber assistance panel or obtained by the Agency for Health Care Administration; providing an exemption for portions of meetings of such panels when such information or trade secret or internal risk management program information is discussed; requiring recording of closed meetings; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Burt—

**SB 168**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; clarifying the benefit payment and calculation procedure under the system; providing for dual calculation of benefits with respect to specified members of the Elected State and County Officers' Class who initially become members of that class on or after a specific date; providing for matters relative thereto; providing an effective date.

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

By Senator Childers—

**SB 170**—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising a definition; requiring a study; providing an effective date.

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

By Senator Horne—

**SB 172**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; repealing s. 324.201(5), F.S., which requires recovery agents to notify law enforcement of the tag seizure; amending s. 324.202, F.S.; expanding a pilot project that authorizes a recovery agent or recovery agency to seize the license plate of a motor vehicle following suspension of the vehicle's registration or suspension of the driver's license of the owner or operator of the vehicle for failing to maintain personal injury protection; requiring that the department provide procedures for paying fees and transmitting a seized license plate to the local law enforcement agency; requiring the department to report to the Legislature on the results of the pilot project; providing an effective date.

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

By Senator Kirkpatrick—

**SB 174**—A bill to be entitled An act relating to expenditure requirements for education programs; amending s. 236.081, F.S., relating to funds for operation of schools; requiring school districts to allocate at least 80 percent of specified funds to the schools generating the funds; providing an effective date.

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

By Senators Meadows, Campbell and Forman—

**SB 176**—A bill to be entitled An act relating to residential tenancies; creating s. 83.565, F.S.; providing for a tenant to repair the premises after notice to the landlord; providing for deduction of the costs of repair from rent due; providing limitations; amending s. 83.60, F.S.; providing for the right of the tenant to repair to be a defense to an action for rent

or possession; providing for the payment of certain funds into the registry of the court; amending s. 83.64, F.S.; prohibiting retaliatory actions by the landlord; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Burt, Forman and Dyer—

**SB 178**—A bill to be entitled An act relating to building designations; naming the Florida Department of Transportation District Five Headquarters Building in DeLand the "Ben G. Watts Building"; providing for the erection of markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Kirkpatrick—

**SB 180**—A bill to be entitled An act relating to trust funds; creating the Early Education and Child Care Trust Fund within the Department of Children and Family Services; providing for sources of moneys and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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

By Senator Kirkpatrick—

**SB 182**—A bill to be entitled An act relating to early education and child care; creating s. 402.265, F.S.; providing legislative intent; establishing the early education and child care program and providing for optional participation; providing for oversight; establishing a State Board of Governance; providing eligibility for participation in the program; providing performance standards and outcome measures; providing for district interagency coordinating councils; providing for implementation of programs; requiring development of a plan and providing program requirements; requiring a sliding fee scale; providing for funding; requiring a reimbursement rate schedule; providing requirements relating to fiscal agents; providing for vouchers or contracts and an electronic funds transfer system; providing for evaluation and reporting; providing that federal requirements control in the case of conflict; providing an effective date.

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

By Senator Kirkpatrick—

**SB 184**—A bill to be entitled An act relating to school district improvement; amending s. 229.0535, F.S.; clarifying State Board of Education authority to enforce school and school district improvement; providing legislative intent that the State Board of Education and the school district work in partnership to achieve improvement; requiring consultation with the superintendent; expanding the authority of the state board to intervene in the operation of a district school system under described circumstances; providing for recommended actions and sanctions; requiring the state board to make specified recommendations; amending s. 230.23, F.S., to conform; providing an effective date.

—was referred to the Committee on Education.

By Senator Grant—

**SB 186**—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; specifying the time when personal injury protection benefits are overdue; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Brown-Waite—

**SB 188**—A bill to be entitled An act relating to transitional living facilities for brain-injured and spinal-cord-injured persons; creating pt. IX of ch. 400, F.S.; creating s. 400.905, F.S.; providing for licensure of transitional living facilities; creating s. 400.906, F.S.; providing definitions; creating s. 400.907, F.S.; establishing license and fee requirements; creating s. 400.908, F.S.; regulating sale or transfer of ownership of a facility; creating s. 400.909, F.S.; providing for denial, revocation, or suspension of a license and imposition of an administrative fine; creating s. 400.910, F.S.; providing for a moratorium on admissions; creating s. 400.911, F.S.; providing for initial licensure application; creating s. 400.912, F.S.; providing for renewal, expiration, and conditional licenses; creating s. 400.913, F.S.; requiring reports of abuse in facilities; creating s. 400.914, F.S.; providing for disposition of fees and fines; creating s. 400.915, F.S.; providing for violations and penalties; creating s. 400.916, F.S.; prohibiting rebates; providing penalties; creating s. 400.917, F.S.; prohibiting certain solicitations; allowing certain third-party supplementation; creating s. 400.918, F.S.; providing for injunctive proceedings; creating s. 400.919, F.S.; providing for receivership proceedings; creating s. 400.920, F.S.; providing for contracts; creating s. 400.921, F.S.; providing requirements for use of licensed personnel; creating s. 400.922, F.S.; providing for appropriateness of placements and examination of residents; creating s. 400.923, F.S.; providing for property and personal affairs of residents; providing a penalty; creating s. 400.924, F.S.; providing a resident bill of rights; creating 400.925, F.S.; providing for civil actions to enforce rights; creating s. 400.926, F.S.; providing right of entry and inspection; creating s. 400.927, F.S.; providing procedures for closing of facilities, including notice and penalties; creating s. 400.928, F.S.; providing for rules establishing standards; creating s. 400.929, F.S.; providing for maintenance of records and reports; amending s. 413.605, F.S.; providing additional duty of the advisory council on brain and spinal cord injuries; amending s. 413.273, F.S.; revising per diem and travel expenses for members of certain councils; amending s. 413.395, F.S.; authorizing incorporation of the Florida Independent Living Council; authorizing members' compensation and reimbursement for child care; amending s. 413.405, F.S., relating to the Rehabilitation Advisory Council; authorizing members' reimbursement for child care; repealing s. 400.805, F.S., relating to transitional living facilities for brain-injured and spinal-cord-injured persons; providing an effective date.

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

By Senator McKay—

**SB 190**—A bill to be entitled An act relating to driver's licenses; amending s. 322.18, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from renewing a driver's license if its records show that the driver is the subject of an outstanding warrant for worthless checks; directing the Department of Law Enforcement to provide the Department of Highway Safety and Motor Vehicles with electronic access; providing circumstances for renewal of license; providing for confidentiality; providing for a fee; providing an effective date.

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

By Senator Horne—

**SB 192**—A bill to be entitled An act relating to community contribution tax credits; amending ss. 220.183 and 624.5105, F.S.; increasing the annual limitation on the amount of such credits which may be granted against the corporate income tax and insurance premium taxes; providing an effective date.

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

By Senators Childers and Lee—

**SB 194**—A bill to be entitled An act relating to title loan transactions; creating the "Florida Title Loan Act"; providing definitions; requiring licensure by the Department of Agriculture and Consumer Services to be in the business as a title loan lender; providing for eligibility for

licensure; providing for application; providing for suspension or revocation of license; providing for a title loan transaction form; providing for recordkeeping and reporting and safekeeping of property; providing for title loan charges; providing a holding period when there is a default under the title loan agreement; providing for the disposal of pledged property; providing for disposition of excess proceeds; prohibiting certain acts; providing for the right to redeem; providing for lost title loan transaction forms; providing for a title loan lenders lien; providing for criminal penalties; providing for certain records from the Department of Law Enforcement; providing for subpoenas, enforcement of actions, and rules; providing a fine; providing for investigations and complaints; providing an appropriation; providing legislative intent; repealing s. 538.06(5), F.S., which allows a secondhand dealer to engage in a title loan transaction; repealing s. 538.15(4), (5), F.S., which prohibit certain acts and practices by secondhand dealers; amending s. 538.03, F.S.; deleting references to title loans; providing an effective date.

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

By Senator Klein—

**SB 196**—A bill to be entitled An act relating to execution; amending s. 922.10, F.S.; providing for execution of the death penalty by means of lethal injection; providing for election of lethal injection by certain persons sentenced to death for capital offenses committed before a specified date; providing for administration of the lethal injection; providing for execution by electrocution under specified circumstances; providing an exemption from chapter 120, F.S., relating to the Administrative Procedures Act, for the policies and procedures of the Department of Corrections relating to execution; providing for designation of the executioner by the superintendent; providing for confidentiality of information identifying the person administering the lethal injection; providing for applicability or retroactive applicability to certain offenses; providing an effective date.

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

By Senator Klein—

**SB 198**—A bill to be entitled An act relating to public records; providing exemptions from public records requirements for information identifying the person administering the lethal injection during execution of the death sentence; providing for future review and repeal; providing a finding of public necessity; amending s. 945.10, F.S., relating to confidential information of the Department of Corrections, to conform; providing a contingent effective date.

—was referred to the Committee on Criminal Justice.

By Senator Klein—

**SB 200**—A bill to be entitled An act relating to county court assessments; amending s. 34.191, F.S.; providing that the county commission may assign the collection of fines, court costs, and other costs imposed by the county court and remaining unpaid after a certain period to a private attorney or collection agency under specified circumstances; providing for authorization by the county commission of any additional fee to offset collection costs; providing an effective date.

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

By Senator Crist—

**SJR 202**—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution to require voter approval of new or increased taxes or deletion of existing exemptions from taxes except in described circumstances.

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

By Senator Brown-Waite—

**SB 204**—A bill to be entitled An act relating to campaign financing; amending s. 106.07, F.S.; revising reporting requirements applicable to candidates for other than statewide office who qualify with the Department of State; providing an effective date.

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

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By Senator Crist—

**SB 206**—A bill to be entitled An act relating to claims for damages occurring to a person engaged in criminal conduct; creating the “Crime Victim’s Protection Act”; creating s. 960.298, F.S.; barring recovery of damages for personal injury or injury to property in cases when the claimant has incurred the damages while engaged in certain criminal conduct and seeks recovery from the person or other entity that was the victim or object of the claimant’s criminal conduct; providing for the court to stay the civil action during the pendency of the criminal action which forms the basis for the defense; providing an exception; providing for award of attorney’s fees, costs, and other expenses to the victim or object of the claimant’s criminal conduct when the recovery is barred; providing for applicability; providing an effective date.

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

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By Senators Brown-Waite, Latvala, Bronson, McKay and Grant—

**SB 208**—A bill to be entitled An act relating to personnel working in nursing facilities; creating s. 400.215, F.S.; requiring background screening for nursing facility staff who have regular, unsupervised contact with residents; providing for fees; providing for exemptions from disqualification; providing certain exemptions from screening requirements; requiring adoption of rules; specifying dates for compliance by employees and new applicants; providing an effective date.

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

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By Senator Rossin—

**SB 210**—A bill to be entitled An act relating to the rights of accused persons; amending s. 918.015, F.S.; allowing the Florida Supreme Court discretion in adopting rules that provide for the right of a defendant to a speedy trial; prohibiting a court from discharging a defendant from prosecution unless the court finds a substantive violation of the defendant’s right to a speedy trial; amending s. 985.218, F.S.; deleting provisions that provide for dismissal with prejudice if an adjudicatory hearing for a juvenile offender is not held within a specified time; providing for the release of the juvenile until such adjudicatory hearing is complete; repealing Rule 3.191, Florida Rules of Criminal Procedure, relating to a defendant’s right to a trial within a specified time; repealing Rule 8.090, Florida Rules of Juvenile Procedure, relating to a juvenile’s right to an adjudicatory hearing within a specified time; providing a contingent effective date.

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

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By Senator Meadows—

**SB 212**—A bill to be entitled An act relating to violations involving checks; amending s. 68.065, F.S.; providing for damages, court costs, and attorney’s fees with respect to certain civil actions to recover fines due on stop payments on checks, drafts, or orders of payment; amending s. 166.251, F.S.; revising provisions with respect to service fee for dishonored checks; amending s. 832.07, F.S., relating to prima facie evidence of identity with regard to prosecution of bad check charges; removing race as a required element of establishing the identity of the person presenting the check; providing an effective date.

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

By Senator Jenne—

**SB 214**—A bill to be entitled An act relating to sentencing; amending s. 775.0823, F.S.; providing that a person convicted of certain violent offenses against a law enforcement officer, correctional officer, state attorney, assistant state attorney, justice, or judge be sentenced under certain uniform penalties rather than under the Criminal Punishment Code; amending s. 775.084, F.S., relating to sentences imposed against violent career criminals, habitual felony offenders, and habitual violent felony offenders; deleting a reference made obsolete by the act; amending ss. 775.0845, 775.087, 775.0875, F.S., relating to wearing a mask while committing an offense, possessing a weapon while committing a felony, and taking a law enforcement officer’s firearm; deleting requirements that such offenses be ranked under the sentencing guidelines or the Criminal Punishment Code; amending s. 777.03, F.S., relating to the offense of being an accessory to a crime; providing for uniform penalties for such offense; amending s. 777.04, F.S.; requiring that a person convicted of criminal attempt, criminal solicitation, or criminal conspiracy be sentenced under certain uniform penalties rather than under the Criminal Punishment Code; amending s. 782.051, F.S.; deleting requirements that certain offenses that result in bodily injury be ranked under the Criminal Punishment Code; amending s. 784.08, F.S.; deleting a requirement that a person convicted of assault and battery against an elderly person be sentenced under the Criminal Punishment Code; authorizing the court to impose a term of imprisonment and a fine; amending ss. 794.023, 874.04, F.S., relating to sexual battery by multiple perpetrators and to criminal street-gang activity; deleting requirements that such offenses be ranked under the Criminal Punishment Code; amending s. 893.13, F.S., relating to the offense of selling, manufacturing, or possessing certain controlled substances; deleting provisions made obsolete by the act; amending s. 893.135, F.S.; deleting a requirement that a person convicted of certain drug-trafficking offenses be sentenced under the Criminal Punishment Code; authorizing the court to impose a term of imprisonment and a fine; amending s. 893.20, F.S.; requiring that a person convicted of engaging in a continuing criminal enterprise be sentenced under certain uniform penalties rather than under the Criminal Punishment Code; amending s. 921.187, F.S., relating to disposition and sentencing; deleting provisions made obsolete by the act; amending s. 921.188, F.S.; revising conditions based on the Criminal Punishment Code under which a felon may be placed into the custody of a local detention facility; amending s. 924.07, F.S., relating to appeals by the state; deleting a reference to the Criminal Punishment Code to conform to changes made by the act; amending s. 944.17, F.S.; deleting a requirement that a prisoner’s Criminal Punishment Code scoresheet be submitted to the Department of Corrections; amending ss. 947.141, 947.146, F.S., relating to violations of conditional release or control release and the Control Release Authority; deleting provisions made obsolete by the act; amending s. 948.015, F.S.; revising conditions under which the court may request that the department make a presentence report; amending s. 948.034, F.S., relating to terms and conditions of probation; deleting references to the Criminal Punishment Code to conform to changes made by the act; amending s. 948.51, F.S.; revising requirements for a county or county consortium in developing a public safety plan; amending s. 958.04, F.S.; providing that the sentencing limitations provided under certain uniform penalties, rather than the limitations provided under the Criminal Punishment Code, apply to a youthful offender; amending s. 985.313, F.S.; providing for the criteria under which a juvenile is committed to a maximum-risk residential program to be based on specified offenses rather than on the level at which the offense is ranked under the Criminal Punishment Code; repealing s. 2 of ch. 97-194, Laws of Florida, ss. 921.002, 921.0021, 921.0022, 921.0023, 921.0024, 921.0026, F.S., and ss. 42, 43 of ch. 97-194, Laws of Florida, relating to the Criminal Punishment Code; amending s. 947.16, F.S.; providing that a person sentenced for an offense committed on or after a specified date is eligible for parole consideration after serving 85 percent of his or her court-imposed sentence; providing that the Legislature intends that the Florida Supreme Court review the sentencing practices of circuit judges; providing that the Legislature intends that the Florida Supreme Court submit a report of the review to the Legislature; providing effective dates.

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

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By Senator Gutman—

**SB 216**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; authorizing certain persons to partic-

ipate in the Deferred Retirement Option Program notwithstanding certain restrictions; providing a contingent effective date.

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

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By Senator Rossin—

**SB 218**—A bill to be entitled An act relating to employment screening; amending s. 64, ch. 95-228, Laws of Florida; restricting an applicability provision relating to criminal offenses that was inadvertently attributed to certain employment screening provisions; providing legislative findings and intent; providing a retroactive effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senators Forman, Campbell and Turner—

**SB 220**—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, in certain circumstances involving a recalculation of benefits, for treatment of the excess benefits that were previously received; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senator Burt—

**SB 222**—A bill to be entitled An act relating to public officers and employees; amending ss. 18.01, 19.14, 20.23, F.S.; eliminating bond requirements for the Treasurer, the Commissioner of Agriculture, and the comptroller of the Department of Transportation; amending s. 20.05, F.S.; allowing the head of an executive department to require bonds for officers or employees of the department and to set the amount of the bond and approve the bond; amending s. 20.32, F.S.; allowing the Parole Commission to require bonds for employees, set the bond amount, and approve the bonds; amending s. 27.255, F.S.; authorizing state attorneys to require bonds for full-time investigators and special investigators; amending ss. 28.01, 28.02, 28.09, 30.01, 30.02, 30.06, 30.09, 30.21, 40.35, F.S.; requiring bonds and the filing of bonds with the clerk of the circuit court as determined by the board of county commissioners for the clerk of the circuit court, clerks ad interim, sheriffs, and deputy sheriffs; providing requirements for bonds when sheriffs are appointed to fill vacancies; clarifying the liability of sureties; amending ss. 48.021, 98.015, F.S.; eliminating bond requirements for special process servers, and supervisors of elections; amending s. 113.07, F.S.; eliminating the requirement for public officials to file a surety bond as a prequalification to holding office or performing duties; amending s. 115.03, F.S., relating to elected officers' duties; clarifying that any required bonds remain in effect for the remainder of a term of office; allowing for the deputy to give a bond; amending s. 137.01, F.S.; eliminating the bond requirements for county officers; allowing the board of county commissioners to require county officers to give a bond, set the amount of the bond, and approve the bond; requiring the filing of bonds with the clerk of the circuit court instead of the Department of State; amending s. 137.02, F.S.; eliminating the bond requirements for tax collectors; requiring bond as determined by the board of county commissioners; eliminating the requirement that the Department of State approve the bond; amending s. 137.03, F.S.; eliminating the bond requirement for property appraisers; requiring bond as determined by the board of county commissioners; amending s. 137.04, F.S.; eliminating the bond requirement for county commissioners; requiring bond as determined by the board; eliminating the requirement that the Department of State approve the bond; amending s. 137.05, F.S., relating to the examination requirements of bonds of county officers by the county commissioners; removing the examination criteria for sureties; removing the required report of impaired bonds by the county commissioners to the Governor; amending s. 240.268, F.S.; eliminating the bond requirement for university police officers; allowing the university to require a bond, set the amount of the bond, and approve the bond; amending s. 240.38, F.S.; eliminating the bond requirement for community college police officers; allowing the community college to require a bond, set the amount of the bond, and approve the bond; amending s. 242.343, F.S.; eliminating the bond requirement for campus police of the Florida School for the Deaf and the Blind; allowing the

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

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

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By Senators Ostalkiewicz, Clary, Horne, Bronson, Brown-Waite, Crist and Lee—

**SB 224**—A bill to be entitled An act relating to motorcycle riders; amending s. 316.211, F.S.; exempting persons of a specified age from certain safety equipment requirements; requiring insurance coverage under certain conditions; providing an effective date.

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

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By the Committee on Banking and Insurance—

**SB 226**—A bill to be entitled An act relating to insurance for family day care homes; creating s. 627.70161, F.S.; providing legislative intent; providing definitions; providing an exclusion from liability coverage under residential property insurance policies for losses arising out of the operation of a family day care home; prohibiting cancellation, refusal to renew, or denial of coverage for residential property insurance due to

family day care operations; providing exceptions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senators Gutman, Holzendorf, Kurth, Myers and Forman—

**SB 228**—A bill to be entitled An act relating to health insurance; creating s. 627.64193, F.S.; providing prohibitions and requirements relating to congenital cranio-facial anomalies of dependent children; providing a legislative determination of important state interest; providing an effective date.

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

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By the Committee on Agriculture and Senator Ostalkiewicz—

**SB 230**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; reviving and readopting ss. 500.12, 500.121, F.S., relating to food permits and building permits and to penalties for violations relating to such permits; providing an effective date.

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

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By the Committee on Banking and Insurance—

**SB 232**—A bill to be entitled An act relating to windstorm insurance risk apportionment; amending s. 627.351, F.S.; continuing the prohibition on extending eligibility for coverage from the Florida Windstorm Underwriting Association to any area that was not eligible on March 1, 1997; deleting the scheduled repeal of this prohibition; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By the Committee on Regulated Industries and Senator Cowin—

**SB 234**—A bill to be entitled An act relating to water and wastewater utility systems; amending s. 367.045, F.S.; revising provisions relating to the issuance of or amendment to certificates of authorization; amending s. 367.071, F.S.; providing a procedure for determination of rate base when one utility is acquired by another; amending s. 367.081, F.S.; providing for consideration of the economic impact on customers in setting rates; revising the procedure for the automatic increase or decrease of rates; deleting the reasonableness standard for rate case expenses; authorizing a customer or the public counsel to petition the Public Service Commission for a proposed agency action proceeding; amending s. 367.0816, F.S.; providing for proportionate recovery of rate case expenses; providing a reasonableness standard in recovery of rate case expenses; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By the Committee on Children, Families and Seniors; and Senator Cowin—

**SB 236**—A bill to be entitled An act relating to the mental health of children and adolescents; creating s. 394.490, F.S.; providing a short title; creating s. 394.491, F.S.; establishing guiding principles for the child and adolescent mental health treatment and support system; creating s. 394.492, F.S.; providing definitions; creating s. 394.493, F.S.; defining target populations for child and adolescent mental health services; providing for fees to be based on a sliding scale according to a family's income; creating s. 394.494, F.S.; providing general performance outcomes for the child and adolescent mental health treatment and support system; creating s. 394.495, F.S.; requiring that the Department of Children and Family Services establish the services to be provided to members of the target populations under the child and adolescent mental health treatment and support system; providing requirements for assessment services; requiring that the system include the local educational multiagency network for emotionally disturbed students; creating

s. 394.496, F.S.; providing legislative intent with respect to service planning; providing requirements for services plans; creating s. 394.497, F.S.; specifying requirements for case management services; requiring the department to develop criteria to define the target populations who are assigned a case manager; establishing the Child and Adolescent Interagency System of Care Demonstration Models; specifying the goals and essential elements of the demonstration models; providing for the demonstration models to be governed by a multiagency consortium of state and county agencies; requiring that an oversight body be established to direct a demonstration model; requiring that a mechanism be developed for selecting the children and adolescents who are eligible to participate in a demonstration model; providing for pooled funding of the models; providing requirements for the care management entity that provides services for a demonstration model; requiring a mechanism for measuring compliance with the goals of the demonstration models; providing that in one demonstration model the consortium of purchasers may contract with a network of service providers; requiring that a provider network be identified for each demonstration model; providing requirements for maintaining confidentiality of records; providing application requirements for designation as a demonstration model; providing for evaluation of the demonstration model; requiring state agencies that participate in the demonstration models to adopt rules; authorizing the Agency for Health Care Administration to obtain certain federal waivers; requiring each service district to develop an implementation plan for an information and referral network; repealing ss. 394.50, 394.56, 394.57, 394.58, 394.59, 394.60, 394.61, 394.62, F.S., relating to children's residential and day treatment centers, voluntary and involuntary admission to such centers, records, payment for care and treatment of patients, transfer of patients, discharge of voluntary patients, and age limits; providing an effective date.

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

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By the Committee on Regulated Industries—

**SB 238**—A bill to be entitled An act relating to the regulation of professions and occupations; amending s. 11.62, F.S.; providing criteria for evaluating proposals for new regulations based on the effect of such regulations on job creation or retention; amending ss. 455.201 and 455.517, F.S.; providing criteria for evaluating proposals to increase the regulation of currently regulated professions based on the effect of such regulations on job creation or retention; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By the Committee on Executive Business, Ethics and Elections; and Senators Crist, Latvala, Silver, Clary, Bronson, Meadows, Childers, Lee, Kirkpatrick, Dyer, Hargrett and Harris—

**SB 240**—A bill to be entitled An act relating to overseas electors; amending s. 97.021, F.S.; defining the terms "absent qualified elector overseas," "fax," and "faxed"; amending s. 100.025, F.S.; revising the notice of election to overseas electors; amending s. 101.5614, F.S.; designating procedures for tabulating faxed ballots; amending s. 101.62, F.S.; authorizing supervisors of elections to fax absentee ballots to overseas electors requesting faxed ballots; deleting certain requirements applicable to overseas ballots; amending ss. 101.64, 101.65, F.S., to conform; creating s. 101.653, F.S.; providing instructions to be included with faxed overseas ballots; amending s. 101.68, F.S., to conform; amending s. 101.694, F.S.; authorizing procedure for overseas electors using the Federal Post Card Application to request faxed ballots; creating s. 101.697, F.S.; authorizing the Department of State to adopt rules to administer faxed balloting; providing an effective date.

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

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By Senator Grant—

**SB 242**—A bill to be entitled An act relating to the Florida Safety Belt Law; amending s. 316.614, F.S.; deleting a provision that requires enforcement of the act only as a secondary action; providing an effective date.

—was referred to the Committees on Transportation and Judiciary.

By the Committee on Natural Resources—

**SB 244**—A bill to be entitled An act relating to drycleaning solvent cleanup; amending s. 376.30, F.S.; providing legislative intent regarding drycleaning solvents; amending s. 376.301, F.S.; providing definitions; amending s. 376.303, F.S.; providing for late fees for registration renewals; amending s. 376.3078, F.S.; providing legislative intent regarding voluntary cleanup; providing that certain deductibles must be deposited into the Water Quality Assurance Trust Fund; clarifying circumstances under which drycleaning restoration fund may not be used; providing additional criteria for determining eligibility for rehabilitation; specifying when certain deductibles must be paid; amending the date after which no restoration funds may be used for drycleaning site rehabilitation; clarifying who may apply jointly for participation in the program; providing certain liability immunity for certain adjacent landowners; providing for contamination cleanup criteria that incorporate risk-based corrective action principles to be adopted by rule; requiring certain third-party liability insurance coverage for each operating facility; specifying the circumstances under which work may proceed on the next site rehabilitation task without prior approval; requiring the Department of Environmental Protection to give priority consideration to the processing and approval of permits for voluntary cleanup projects; providing the conditions under which further rehabilitation may be required; providing for continuing application of certain immunity for real property owners; requiring the Department of Environmental Protection to attempt to negotiate certain agreements with the U.S. Environmental Protection Agency; amending s. 376.308, F.S.; protecting certain immunity for real property owners; amending s. 376.313, F.S.; correcting a statutory cross-reference; amending s. 376.70, F.S.; clarifying certain registration provisions; requiring certain facilities to pay the gross receipts tax; deleting a requirement that certain information must be disclosed on the drycleaning receipt; providing for the payment of taxes and the determination of eligibility in the program; amending s. 376.75, F.S.; deleting a requirement that certain information must be disclosed on the drycleaning receipt; amending ss. 287.0595, 316.302, F.S.; correcting statutory cross-references; providing an effective date.

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

By Senators Diaz-Balart, Crist and Horne—

**SRJ 246**—A joint resolution proposing an amendment to Section 6, Article VII of the State Constitution relating to an additional homestead tax exemption.

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

By Senator Brown-Waite—

**SB 248**—A bill to be entitled An act relating to the practice of medicine; providing for the revocation of the licenses of health care professionals who are convicted of sexual misconduct; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Health Care—

**SB 250**—A bill to be entitled An act relating to certificates of need; amending s. 400.071, F.S., relating to nursing home licensure; revising certain requirements for the Agency for Health Care Administration in issuing a certificate of need to a nursing home; deleting provisions expressing legislative preference for certificate-of-need applications that indicate intent to meet certain needs of Medicaid recipients with respect to nursing home services; requiring that certain information be included on a facility's license; amending s. 408.034, F.S.; specifying duties and responsibilities of the agency with respect to administering the certificate-of-need program; requiring the agency, in consultation with the Medicaid program office and the Department of Elderly Affairs, to establish by rule projections of patient-day needs for Medicaid patients in nursing homes; requiring publication of such needs with the batching-cycle data for nursing homes; amending s. 408.036, F.S.; providing for expedited review of requests for modifications of certificate-of-need conditions; amending s. 408.040, F.S., relating to certificate-of-need conditions and monitoring of certificates of need; authorizing the Agency for

Health Care Administration to condition issuance of a certificate of need for nursing home beds on an applicant's indication that it will provide a specified number of days of care for Medicaid patients; requiring that such condition be stated on the certificate of need; directing the agency to consult with the Medicaid program office and the Department of Elderly Affairs when imposing conditions in an area in which a community diversion pilot project is implemented; requiring the agency to adopt rules; requiring a letter of intent to request a modification in the conditions of a certificate of need; requiring that the certificate-of-need program confer with the Medicaid program office and the Department of Elderly Affairs when reviewing modification requests; requiring the certificate-of-need program to develop an impact analysis for affected geographic market areas; requiring that modification decisions be based on the impact analysis; correcting references to reflect the transfer of the responsibility for administering the certificate-of-need program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; providing an effective date.

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

By Senator Brown-Waite—

**SB 252**—A bill to be entitled An act relating to telecommunications; amending s. 364.163, F.S.; requiring certain local telecommunications companies to reduce their intrastate switched access rates; providing an effective date for the reductions; authorizing a local exchange telecommunications company to petition the Florida Public Service Commission if it believes a reduction in intrastate switched access rates will impair its financial viability; providing for a hearing; providing for determining the company's achieved rate of return; authorizing the commission to examine books and records of the petitioning company and its affiliated companies; providing an effective date.

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

By Senators Latvala, Brown-Waite and Grant—

**SB 254**—A bill to be entitled An act relating to designation of state buildings; designating a state veterans' nursing home in Land O' Lakes, Pasco County, as the "Baldomero Lopez State Veterans' Nursing Home"; providing an effective date.

—was referred to the Committee on Community Affairs.

By the Committee on Health Care—

**SB 256**—A bill to be entitled An act relating to regulation of health care professions; creating boards within the Department of Health to function as multidisciplinary probable cause panels to assist the Secretary of the Department of Health in disciplining health care professionals under the department's jurisdiction; providing requirements for the appointment of board members; providing terms of appointment; providing requirements for the boards to assist the Department of Health in the regulation of health care professionals; providing for the applicability of part II of chapter 455, F.S., to the activities of the disciplinary boards; providing for a training program for board members; providing the Secretary of the Department of Health with the authority to take final agency action with respect to all disciplinary cases involving health practitioners within the department; revising requirements for existing boards within the Department of Health to discipline health care professionals; amending ss. 455.614, 455.617, 455.621, 455.624, 455.627, 455.707, F.S.; conforming those sections to the revision of the disciplinary system for health care professionals within the Department of Health; amending s. 455.644, F.S.; revising requirements for an annual report; amending ss. 457.109, 458.331, 459.015, 460.413, 461.004, 461.013, 463.016, 464.018, 465.016, 466.028, 468.1295, 468.1685, 468.1755, 468.217, 468.365, 468.518, 468.811, 480.046, 484.014, 484.042, 484.056, 486.125, 490.009, 491.009, F.S.; conforming those sections to the revision of the disciplinary system used for health care professionals within the Department of Health; correcting terminology; providing for appointment of a task force to develop procedures to ensure uniformity and accountability in the implementation and enforcement of the disciplinary process among health care professionals within the Department of Health; repealing s. 458.307(4) and (5), F.S., which provide training requirements for the Board of Medicine members who

participate in disciplinary proceedings and provide requirements for members of the Board of Medicine who are appointed to probable cause panels; providing an effective date.

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

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By Senators Williams, Latvala and Cowin—

**SB 258**—A bill to be entitled An act relating to secondhand dealers; amending s. 538.06, F.S.; providing limitations on vehicle title loan transactions; creating s. 538.065, F.S.; providing for the licensure of dealers making title loan transactions; providing fees; providing for regulation by the Department of Banking and Finance; providing guidelines for the operation of title loan businesses; providing grounds for discipline of licensees; providing penalties; prohibiting certain acts; creating s. 538.067, F.S.; providing for the examination of certain records; providing examination fees; creating s. 538.069, F.S.; providing immunity; providing for the issuance of subpoenas; providing powers and duties of the Department of Banking and Finance; providing for the adoption of rules; amending s. 538.09, F.S.; exempting certain secondhand dealers from registering with the Department of Revenue; providing an effective date.

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

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By the Committee on Health Care—

**SB 260**—A bill to be entitled An act relating to confidentiality; providing definitions; providing for the confidentiality of health, medical, patient, and insurance records and for identifying information pertaining to natural persons contained in such records; providing exceptions; amending s. 455.677, F.S., relating to disposition of certain medical records held by practitioners; requiring rules to provide for specific methods of disposal following expiration of the mandatory retention period; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator Rossin—

**SB 262**—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"; prohibiting insurance companies authorized to conduct business in this state from increasing premiums on homeowner's or property and casualty insurance on the ground of storage of a firearm that has been secured with an activated locking device; authorizing such insurance companies to decrease premiums on such insurance if the insured has certified that all firearms owned by the insured are stored and secured with an activated locking device; amending s. 790.001, F.S.; redefining the term "securely encased" to mean a firearm that is secured with an activated locking device; defining the term "locking device"; providing that it is a third degree felony to knowingly alter or remove a locking device 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 locking device has been altered or removed without authorization of the owner; providing penalties; 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 locking device; amending s. 790.174, F.S.; providing that a locking device 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 locking device that renders the handgun inoperable; requiring that the dealer provide the potential buyer the opportunity to purchase a locking device at the time of the sale; providing an effective date.

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

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By Senator Rossin—

**SB 264**—A bill to be entitled An act relating to adoption of foster children; amending s. 39.469, F.S.; allowing communication or contact

between a child and siblings of a parent whose rights are terminated; amending s. 63.022, F.S.; providing legislative intent for continuing sibling contact; creating s. 63.0427, F.S.; providing for an adopted minor's right to continued communication or contact with siblings; providing an effective date.

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

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By Senator Childers—

**SB 266**—A bill to be entitled An act relating to the municipal firefighters' pension trust fund and the municipal police officers' retirement trust fund; amending ss. 175.071, 185.06, F.S.; revising the powers of the board of trustees for each trust fund; providing guidelines for the investment of funds; requiring additional recordkeeping by the boards; providing qualifications for professionally qualified independent consultants; providing an effective date.

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

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By Senators Grant, Myers, Latvala, Forman, Campbell, Kurth, Casas, Rossin, Meadows, Sullivan, Klein and Cowin—

**SB 268**—A bill to be entitled An act relating to health insurance; providing a short title; amending s. 627.668, F.S.; providing that the current requirement for group insurers to offer coverage for mental health conditions does not apply to serious mental illness; creating s. 627.6681, F.S.; requiring group health insurers and health maintenance organizations to provide coverage for serious mental illness; requiring benefits to be the same as for physical illness generally; requiring the health benefit plan committee to consider and recommend modifications to standard, basic, and limited health benefit plans; providing a definition; providing authority for certain manuals to be updated by rule; authorizing an insurer to establish certain compliance functions; amending ss. 627.6472, 627.6515, 641.31, F.S., relating to exclusive provider organizations, out-of-state groups, and health maintenance contracts; providing requirements for coverage compliance; providing an appropriation; providing a description of state interest; providing an effective date.

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

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By Senators Childers, Dudley, Dyer, Silver, Turner, Jones, Casas, Forman, Campbell, Holzendorf, Thomas, Diaz-Balart, Gutman, Crist, Rossin, Brown-Waite, Bronson, Harris, Klein, Myers, Kurth, Meadows, McKay and Clary—

**SB 270**—A bill to be entitled An act relating to municipal firefighters' pension trust funds and municipal police officers' retirement trust funds; amending and revising the provisions of chapters 175 and 185, F.S.; defining "chapter plans" and "local law plans"; redefining "compensation" or "salary" for retirement purposes under these chapters; clarifying the applicability of minimum benefits for both chapter and local law plans; revising investment provisions to permit cities greater investment latitude to make foreign investments; eliminating discriminatory language in conformance with state and federal discrimination provisions; providing that certain benefits provided are a minimum and may not be diminished by any other state, local, or federal benefits; providing an exception; modifying the formula for calculating volunteer firefighter service retirement benefits; clarifying terminology relating to "sole and exclusive use of" premium tax funds and "extra benefits" by providing that moneys must be placed in a police-only or firefighter-only plan or a combined police and firefighter plan as opposed to placing moneys in any type of plan that includes general employees; providing for establishment of a new board and for transfer of assets in certain cases; creating s. 175.195, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 175.152, F.S., relating to contributions; repealing s. 175.251, F.S., relating to employment records that are required to be kept by the secretary of the board of trustees; repealing s. 175.291, F.S., relating to the requirement that the attorney for the municipality or special fire control district represent the board of trustees upon request and the option to employ independent counsel and other persons; repealing s. 175.321, F.S., relating to the

application of certain provisions to municipalities and fire control districts; repealing s. 175.331, F.S., relating to the rights of firefighters under former law; repealing s. 175.391, F.S., relating to payment of attorney's fees and costs; repealing s. 185.14, F.S., relating to contributions; repealing s. 185.15, F.S., relating to contributions and new employees; creating s. 185.185, F.S.; prohibiting certain fraudulent practices; providing criminal and administrative penalties; repealing s. 185.27, F.S., relating to the roster of retirees; repealing s. 185.29, F.S., relating to the city attorney representing the board of trustees; repealing s. 185.32, F.S., relating to exemptions from the chapter; repealing s. 185.36, F.S., relating to the rights of police officers under former laws; repealing s. 185.40, F.S., relating to costs and attorney's fees; providing an effective date.

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

By Senator Grant—

**SB 272**—A bill to be entitled An act relating to government; creating the "Citizen Participation in Government Act" and providing for its purposes; providing immunity from civil liability; providing procedures for the judiciary to respond to lawsuits relating to the constitutional right to petition the government for redress of grievances; defining terms; providing an effective date.

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

By Senator Grant—

**SB 274**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.031, F.S.; excluding certain pass-through charges on commercial real estate leases from such taxes; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senators Brown-Waite, Sullivan, Grant, Latvala, Williams, Horne, Meadows and McKay—

**SB 276**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding ketamine hydrochloride to the list of Schedule II controlled substances; providing penalties; providing that there is a presumption of the presence of gamma-hydroxy-butyrate when certain conditions are met in testing therefor; amending ss. 316.193, 327.35, 415.503, 440.102, 458.326, 465.035, 766.101, 817.563, 831.31, 856.015, 893.02, 893.0356, 893.08, 893.12, 893.13, 921.0022, F.S., to incorporate the amendment of s. 893.03, F.S., in cross-references; providing an effective date.

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

By Senators Grant, Clary and Casas—

**SB 278**—A bill to be entitled An act relating to taxation of intangible property; amending s. 199.185, F.S.; providing an exemption for certain intangible personal property; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Banking and Insurance.

By Senator Williams—

**SB 280**—A bill to be entitled An act relating to sales contracts for farm equipment and motor vehicle or truck repair parts; creating s. 686.4035, F.S.; revising the Farm Equipment Manufacturers and Dealers Act to provide that the termination of franchise agreements must be done in good faith; providing definitions; providing for applicability; providing

requirements with respect to franchise agreements between manufacturers, wholesalers, and distributors and dealers of motor vehicle or truck repair parts; requiring that termination of such franchises be done in good faith; providing a definition; providing for liability; providing for applicability; prohibiting certain practices; providing liability with respect to failure to pay a specified sum on cancellation of contract; providing an effective date.

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

By Senator Crist—

**SB 282**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Keep Kids Drug-Free license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

By Senator Crist—

**SB 284**—A bill to be entitled An act relating to prisoners; amending s. 946.002, F.S.; requiring prisoners in the state correctional system to perform a specified amount of work; providing legislative intent; authorizing the Department of Corrections to adopt rules to implement the prisoner work requirement in accordance with specified guidelines; excluding certain education and job training from the prisoner work requirement; providing for in-house farming programs at correctional facilities; providing that certain moneys otherwise expended on prisoners' food or on compensation for prisoners' work shall be used to offset costs of implementing the prisoner work requirement or correctional facility operation; providing that workers' compensation otherwise due or payable to a prisoner shall be used for restitution, child support, alimony, and correctional facility operation or placed for disposition purposes in the Crimes Compensation Trust Fund; providing an effective date.

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

By Senator Crist—

**SB 286**—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; defining the term "data communication device"; revising the definition of the term "practice of the profession of pharmacy"; amending s. 465.017, F.S.; providing additional persons and entities to whom records relating to the filling of prescriptions and the dispensing of medicinal drugs which are maintained by a pharmacy may be furnished; providing restrictions on such records when transmitted through a data communication device; amending ss. 465.014, 465.015, 465.0196, 468.812, and 499.003, F.S.; conforming cross-references; providing an effective date.

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

By Senators Thomas and Myers—

**SB 288**—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising the definition of "rural hospital" to increase the allowable number of licensed beds; amending s. 409.9116, F.S.; providing that rural hospitals designated after July 1, 1998, may not be included in the rural hospital disproportionate share of financial assistance programs unless additional appropriations are provided; providing an effective date.

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



By Senator Klein—

**SB 290**—A bill to be entitled An act relating to paramedics and emergency medical technicians; creating s. 401.272, F.S.; authorizing paramedics and emergency medical technicians to conduct certain delegated tasks; providing legislative intent; specifying the limited services to be rendered under specific arrangements; requiring the verification of certain training and experience; providing a construction clause; amending s. 401.265, F.S.; specifying additional liability provisions for medical directors under certain circumstances; amending s. 401.411, F.S.; modifying an action for which certain personnel may be disciplined; providing an effective date.

—was referred to the Committee on Health Care.

By Senators Brown-Waite and Forman—

**SB 292**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information about patients of home medical equipment providers which is obtained by employees or service providers or the licensing agency; providing an exemption from public records requirements for information obtained by the Agency for Health Care Administration or a home medical equipment provider in connection with background screening of prospective employees of the provider; providing for future review and repeal; providing findings of public necessity; providing a contingent effective date.

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

By Senators Brown-Waite and Forman—

**SB 294**—A bill to be entitled An act relating to home medical equipment providers; creating part IX of chapter 400, F.S.; providing for regulation of home medical equipment providers by the Agency for Health Care Administration; providing legislative intent; providing definitions; providing for licensure and exemptions; providing unlawful acts; providing penalties; providing for license applications; providing for fees; providing for background screening; providing for provisional licenses and temporary permits; providing for administrative penalties; providing for injunctions, emergency orders, and moratoriums; providing for licensure inspections and investigations; providing minimum standards; providing for agency rules; providing for patient records; providing for notice of toll-free telephone number for the central abuse registry; providing for background screening of home medical equipment provider personnel; providing penalties; providing screening procedures; providing for agency injunctions; prohibiting patient referrals and rebates; providing for application of the act to existing providers; providing an appropriation; providing an effective date.

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

By Senators Grant, Bronson and Klein—

**SB 296**—A bill to be entitled An act relating to religious freedom; creating the “Religious Freedom Restoration Act of 1998”; providing that government shall not substantially burden the exercise of religion; providing exceptions; providing definitions; providing for attorney’s fees and costs; providing applicability; providing construction; providing an effective date.

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

By Senators Grant and Bronson—

**SJR 298**—A joint resolution proposing an amendment to Section 3 of Article I of the State Constitution relating to religious freedom.

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

By Senators Hargrett and Lee—

**SB 300**—A bill to be entitled An act relating to enterprise zones; authorizing tax credits to a certain business; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Community Affairs.

By Senator Lee—

**SB 302**—A bill to be entitled An act relating to emergency medical services; amending ss. 365.171, 395.1027, F.S.; requiring a local governmental entity that operates a “911” emergency telephone system to enter into an agreement with the regional poison control center; requiring that the agreement include a protocol under which the poison control center is consulted with respect to each emergency call that involves exposure to a toxic substance; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Childers—

**SB 304**—A bill to be entitled An act relating to organ and tissue donation; amending ss. 320.08047, 322.08, 381.6024, F.S.; authorizing the use of certain funds for maintaining the organ and tissue donor registry; revising annual assessments on certain organ procurement organizations, tissue banks, and eye banks; amending s. 732.911, F.S.; providing definitions; amending ss. 732.912, 732.914, F.S.; clarifying who may make an anatomical gift in the absence of a declaration by a decedent; amending s. 732.913, F.S.; specifying that entities as well as persons may become donees of anatomical gifts; amending s. 732.915, F.S.; repealing an annual assessment on organ procurement organizations, tissue banks, and eye banks; amending s. 732.916, F.S.; revising procedures for amending or revoking an anatomical gift, amending s. 732.9216, F.S.; adding a cross-reference; amending s. 732.922, F.S.; providing a limitation in civil or criminal liability for organ procurement organizations, eye banks, tissue banks, hospitals, and hospital administrators or their designees; providing additional duties for the hospital administrator or his designee and for organ procurement organizations; providing severability; providing effective dates.

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

By Senator Grant—

**SB 306**—A bill to be entitled An act relating to the State University System; amending s. 240.289, F.S.; authorizing the use of credit card, charge card, and debit card payments for tuition and fees without a service fee or surcharge; providing an effective date.

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

By Senator Clary—

**SB 308**—A bill to be entitled An act relating to victim assistance; amending s. 960.001, F.S.; granting the victim of a crime standing to assert the rights of the victim; providing an effective date.

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

By Senator Bronson—

**SB 310**—A bill to be entitled An act relating to parole; creating s. 947.182, F.S.; providing definitions; requiring as a condition of the parole of a sex offender or a murderer that the offender apply to the Department of Highway Safety and Motor Vehicles for a special identification card or driver’s license and, if subject to motor vehicle registration requirements, a special color-coded license tag; requiring the department in cooperation with the Department of Law Enforcement to provide for special designation of a sex offender or murderer on any driver’s license, identification card, or license tag issued to the paroled offender;

amending s. 775.21(7), F.S.; conforming provision relating to determination of the feasibility of requiring sexual predators to have a special designation on any identification card, driver's license, or license tag issued in the state; providing an effective date.

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

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By Senators Brown-Waite, Bronson, Cowin, Williams and Horne—

**SB 312**—A bill to be entitled An act relating to water sources; amending s. 373.223, F.S.; prescribing matters to be considered in authorizing the transport of ground or surface water; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

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By Senator Brown-Waite—

**SB 314**—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 240.4076, F.S.; conforming a cross-reference to changes made by the act; amending s. 395.0163, F.S.; providing exemptions from construction inspections and investigations by the Agency for Health Care Administration for certain outpatient facilities; providing exceptions; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed facilities are capable of serving as shelters only for patients, staff, and the families of staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending ss. 408.05, 408.061, 408.062, 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673, 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; repealing ss. 395.403(9), 407.61, 408.003, 408.072, 408.085, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; amending ss. 381.026, 381.0261, F.S.; requiring distribution of the Florida Patient's Bill of Rights and Responsibilities; providing penalties; repealing s. 395.002(2) and (15), F.S.; deleting definitions of "adverse or untoward incident" and "injury"; amending s. 395.0193, F.S.; revising provisions relating to facility peer review disciplinary actions against practitioners; requiring a report to the Agency for Health Care Administration; providing penalties; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; renumbering s. 626.941, F.S., relating to the purpose of the health care risk manager licensure program; renumbering and amending s. 626.942, F.S., relating to the Health Care Risk Manager Advisory Council; renumbering and amending s. 626.943, F.S.; providing powers and duties of the agency; renumbering and amending s. 626.944, F.S., relating to qualifications

for health care risk managers; providing for fees; providing for issuance, cancellation, and renewal of licenses; renumbering and amending s. 626.945, F.S., relating to grounds for denial, suspension, or revocation of licenses; amending ss. 394.4787, 395.602, 400.051, 409.905, 440.13, 458.331, 459.015, 468.505, 641.55, 766.1115, F.S.; conforming references and correcting cross-references; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing an appropriation; providing effective dates.

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

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By Senator Brown-Waite—

**SB 316**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information contained in a notification of an adverse incident provided to the Agency for Health Care Administration by a facility licensed under ch. 395, F.S.; providing that such information is not discoverable or admissible in a civil action or administrative proceeding unless such action or proceeding is a disciplinary proceeding conducted by the agency or a regulatory board; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

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By Senator Dyer—

**SB 318**—A bill to be entitled An act relating to real estate appraisals; amending s. 475.25, F.S.; providing disciplinary action for violations of the Uniform Standards of Professional Appraisal Practice; amending s. 475.615, F.S.; providing registration requirements for appraisers; amending s. 475.264, F.S.; revising a ground for disciplinary action to exempt licensees from reporting certain violations; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By Senators Ostalkiewicz, Cowin, Sullivan, Grant, Williams, Bronson, Clary, Crist, Harris and Dudley—

**SB 320**—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.185, F.S.; increasing the value of property that is exempted from the annual tax of taxpayers who are natural persons; providing an exemption from the annual tax for taxpayers that are not natural persons; excluding accounts receivable from the property subject to taxation; amending s. 199.032, F.S.; providing an exemption from the tax for certain intangible personal property that is secured by mortgage, deed of trust, or other lien upon real estate; repealing ss. 199.012, 199.023, 199.032, 199.042, 199.052, 199.057, 199.062, 199.103, 199.104, 199.106, 199.133, 199.135, 199.143, 199.145, 199.155, 199.175, 199.183, 199.185, 199.202, 199.212, 199.218, 199.232, 199.262, 199.272, 199.282, 199.292, 199.303, F.S., relating to the tax on intangible personal property; abolishing the tax; providing duties and powers of the Department of Revenue with respect to collection of unpaid taxes; providing effective dates.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Ostalkiewicz—

**SB 322**—A bill to be entitled An act relating to taxpayer rights; amending s. 213.015, F.S.; providing additional rights to taxpayers regarding interest paid on delinquent taxes and interest received on delinquent refunds, freedom from being reaudited, rights of appeal, rights to obtain reimbursement of certain fees on favorable appeals, the right to compensation for providing certain information or documents to the department, freedom from commissioned auditors, statutes of limita-

tion, the time permitted to file for refunds, and the right to apply overpayments to the payment of other taxes due; providing an effective date.

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

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By Senators Ostalkiewicz, Brown-Waite, Williams, Dudley, Clary, Bronson and Grant—

**SJR 324**—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution; providing for the exemption from ad valorem taxation of certain tangible personal property.

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

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By Senator Ostalkiewicz—

**SB 326**—A bill to be entitled An act relating to the Revenue Estimating Conference; amending s. 216.136, F.S.; prescribing duties of the conference with respect to notice, recording meetings and sessions, and receiving public comment; requiring certain documentation relating to the performance of the conference's duties; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Rules and Calendar.

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By Senators Ostalkiewicz, Grant, Crist, Sullivan, Kurth, Kirkpatrick, Meadows, Bronson, Dyer, Brown-Waite and Hargrett—

**SB 328**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for replacement engines, parts, and equipment used in the repair or maintenance of certain aircraft; providing an exemption for the sale or lease of certain aircraft for use by a common carrier; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senators Campbell and Meadows—

**SM 330**—A memorial to the Congress of the United States, urging Congress to reauthorize the Older Americans Act.

—was referred to the Committee on Rules and Calendar.

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By Senator Forman—

**SB 332**—A bill to be entitled An act relating to juvenile justice; amending s. 985.414, F.S.; requiring that specified entities participate in the interagency agreement developed by the county juvenile justice council; specifying information to be included in the agreement; amending s. 985.415, F.S.; clarifying the minimum requirements pertaining to an application for a community juvenile justice partnership grant; specifying entities that must participate in the application for such a grant; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By the Committee on Criminal Justice—

**SB 334**—A bill to be entitled An act relating to juvenile justice programs; amending s. 985.401, F.S.; requiring the Juvenile Justice Advisory Board to develop a standard methodology for interpreting outcome-evaluation reports; specifying information to be included; requiring the board to consult with other agencies, providers, and interested parties; requiring the board and the Department of Juvenile Justice to report to the Legislature; amending s. 985.404, F.S.; requiring the Department of Juvenile Justice and other agencies to develop a cost-effectiveness model

for each commitment program; requiring the department to rank programs and report to the Legislature; authorizing the department to terminate a program that fails to achieve a minimum threshold of effectiveness; requiring that the cost-effectiveness model be consistent with certain requirements for performance-based budgeting; requiring the department to conduct certain evaluations of commitment programs and identify the factors that contribute to various program ratings; providing appropriations; providing an effective date.

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

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By the Committee on Commerce and Economic Opportunities; and Senators Harris and Klein—

**SB 336**—A bill to be entitled An act relating to international economic development; requiring Enterprise Florida, Inc., to develop a master plan for integrating international trade and reverse investment resources; prescribing procedures, content, and a submission deadline related to such plan; requiring Enterprise Florida, Inc., in conjunction with the Office of Tourism, Trade, and Economic Development, to prepare a plan to promote foreign direct investment in Florida; prescribing procedures, content, and a submission deadline related to such plan; requiring Enterprise Florida, Inc., to develop a strategic plan that will allow Florida to capitalize on the economic opportunities associated with a post-embargo Cuba; amending s. 288.012, F.S., relating to State of Florida foreign offices; directing each office to report annually to the Office of Tourism, Trade, and Economic Development on activities and accomplishments; prescribing the contents of such reports; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senators Latvala and Bronson—

**SB 338**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; revising the activities that constitute a manufacturing function for purposes of the sales tax exemption on certain uses of electricity; exempting the sale of steam energy used in manufacturing; providing a threshold for electricity use; deleting a requirement that the electricity be separately metered; revising the applicability of the exemption; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senators Clary, Harris, McKay, Williams and Kurth—

**SB 340**—A bill to be entitled An act relating to real estate; amending s. 475.15, F.S.; providing registration and licensing requirements for additional business entities; eliminating a conflicting provision relating to automatic cancellation of the registration of a real estate broker partnership; amending s. 475.17, F.S.; providing additional requirements for licensure as a real estate broker; amending s. 475.183, F.S.; revising the period after which involuntarily inactive licenses expire; revising the time for the required notice to the licensee; amending s. 475.25, F.S.; increasing the administrative fine; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; providing that violations of certain standards of the Appraisal Foundation are grounds for the Florida Real Estate Commission to deny, revoke, or suspend the license of, or to fine, real estate brokers or salespersons; reenacting ss. 475.180(2)(b), 475.181(2), 475.22(2), 475.422(2), and 475.482(1), F.S., relating to nonresident licenses, licensure, refusal of a broker to comply with certain requests or notices, furnishing of copies of termite and roof inspection reports, and recovery from the Real Estate Recovery Fund, to incorporate the amendment to s. 475.25, F.S., in references thereto; amending s. 475.272, F.S.; deleting a provision that restricts a real estate licensee to operating as a single agent or as a transaction broker; amending s. 475.278, F.S.; revising provisions relating to disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; amending s. 475.451, F.S.; revising provisions relating to the permitting of instructors for proprietary real estate schools or state institutions; providing permit renewal requirements; revising references relating to examinations; amending s. 475.452, F.S.; providing requirements applicable to advance expenses,

commissions, or fees for brokers auctioning real property; amending s. 475.484, F.S.; providing applicability with respect to a conflict with federal law in the disciplining of certain licensees against whom a judgment has been paid from the Real Estate Recovery Fund; creating s. 475.5016, F.S.; granting the department authority to inspect and audit brokers and brokerage offices; amending ss. 475.611 and 475.612, F.S.; redesignating registered appraisers as registered assistant appraisers; amending ss. 475.01, 475.011, 475.616, 475.618, 475.619, 475.620, 475.622, 475.623, 475.626, 475.627, 475.628, 475.629, and 475.630, F.S., to conform and correct references; creating s. 475.6145, F.S.; providing for a seal for the Florida Real Estate Appraisal Board to authenticate its proceedings, records, and acts; creating s. 475.6147, F.S.; providing a separate section relating to establishment of fees applicable to the regulation of real estate appraisers; amending s. 475.615, F.S.; revising provisions relating to qualifications for registration, licensure, or certification of appraisers; providing for a charge for application for a change in status of appraisal licensure; amending s. 475.617, F.S.; revising continuing education and experience requirements for real estate appraisers; amending s. 475.624, F.S.; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; creating s. 475.6295, F.S.; granting the department authority to inspect appraisers and appraisal offices; amending s. 553.991, F.S.; limiting the purpose of the "Florida Building Energy-Efficiency Rating Act" to providing for a statewide uniform system for rating the energy efficiency of buildings; amending s. 553.994, F.S.; deleting the schedule for phasing in the rating system; amending s. 553.996, F.S.; requiring provision of an information brochure to prospective purchasers of certain real property; deleting a provision authorizing such prospective purchasers to receive a rating on the property upon request; providing an effective date.

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

By Senator Campbell—

**SB 342**—A bill to be entitled An act relating to condominiums; amending s. 718.116, F.S.; providing that a certain amount of condominium association liens shall have limited priority over other mortgages; providing an effective date.

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

By Senator Campbell—

**SB 344**—A bill to be entitled An act relating to juveniles; amending s. 985.215, F.S.; requiring arraignment of a juvenile ordered into or held in secure, nonsecure, or home detention care within a specified time; amending s. 985.228, F.S., to conform; providing an effective date.

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

By Senators Campbell, Gutman, Dyer, Klein, Grant, Forman, Kurth and Rossin—

**SB 346**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.531, F.S.; redefining the terms "law enforcement officer" and "correctional officer" to include part-time officers; defining the term "willful and knowing"; amending s. 112.532, F.S.; revising language with respect to the rights of law enforcement and correctional officers; requiring certain officers in charge of an investigation to be certified; authorizing an officer to bring a civil action against an agency for a willful and knowing violation of part VI of chapter 112, F.S.; providing for costs and attorney's fees; amending s. 112.533, F.S.; authorizing officers to review complaints and all written or otherwise recorded statements made; authorizing an officer to review his or her personnel file under certain circumstances; authorizing the inclusion of certain statements; amending s. 112.534, F.S.; revising language with respect to the failure of an agency to comply with the provisions of part VI of chapter 112, F.S.; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senators Cowin, Rossin, Brown-Waite, Clary, Lee, Diaz-Balart, Campbell, Silver, Forman, Latvala, Grant, Kirkpatrick, Scott, Holzen-dorf, Hargrett, Dyer and Bronson—

**SB 348**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for a videotaped statement of a minor who is the victim of specified crimes involving sexual battery, lewd acts, or other sexual misconduct regarding such offenses; authorizing access by certain governmental agencies; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Klein—

**SB 350**—A bill to be entitled An act relating to execution; amending s. 922.10, F.S.; providing for execution by means of lethal injection if electrocution is held to be unconstitutional; providing an effective date.

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

By Senators Brown-Waite, Hargrett, Cowin, Latvala and Crist—

**SB 352**—A bill to be entitled An act relating to the privatization of foster care and related services; amending s. 409.1671, F.S.; providing legislative intent; defining the terms "privatize" and "related services"; requiring the Department of Children and Family Services to develop a plan to accomplish statewide privatization within a specified time period and to submit the plan to the Governor and to designated legislative officials by a specified date; requiring the department to state whether and why privatization is infeasible in a particular district and how the department will address the obstacles to its feasibility; providing requirements for and restrictions upon funding for privatization; providing for a model program to be initiated in a specified district; requiring the department to contract with the sheriffs in that district for the provision of protective investigative services; providing for funding; providing an effective date.

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

By Senator Rossin—

**SB 354**—A bill to be entitled An act relating to elections; amending s. 101.62, F.S.; providing for direct mailing of absentee ballots; limiting the number of absentee ballots that may be mailed to the same address; providing exceptions; providing an effective date.

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

By Senators Williams and Kirkpatrick—

**SB 356**—A bill to be entitled An act relating to state postconviction proceedings; creating the "Death Penalty Appeals Reform Act of 1998"; amending s. 27.7001, F.S.; revising legislative intent with respect to collateral representation to exclude postconviction proceedings in state court; amending s. 27.701, F.S.; making the regions of the capital collateral regional counsel offices coincident with the jurisdictional areas of certain federal court districts; amending s. 27.702, F.S., relating to duties of capital collateral regional counsel; eliminating certain duties for representation in state court proceedings; revising time limitation for application for relief in federal court; prohibiting use of state funds by the capital collateral regional counsel offices for purposes of state court litigation; amending s. 27.704, F.S.; providing for contracts with private counsel for representation in federal postconviction proceedings; amending s. 27.707, F.S.; providing for service of process of certain subpoenas or court orders issued by federal courts or federal judges; amending s. 12, ch. 97-313, Laws of Florida, to eliminate legislative recommendation that the Florida Supreme Court adopt by rule specified provisions limiting the time for postconviction proceedings in capital cases; amending

s. 27.708, F.S., relating to access to prisoners and compliance with Florida Rules of Criminal Procedure; removing certain provisions with respect to compliance with Florida Rules of Criminal Procedure; amending s. 79.01, F.S., relating to application and writ for habeas corpus; providing that a judgment of conviction or sentence which has been affirmed on direct appeal constitutes "lawful authority" to detain a person for purposes of construing specified provisions; amending s. 924.051, F.S.; revising provisions relating to terms and conditions of appeals and collateral review in criminal cases, to provide for elimination of certain postconviction proceedings in state courts; providing that a state court may not review or examine the legality of judgment or sentence imposed in a criminal case by a court of competent jurisdiction, except pursuant to direct appeal; amending s. 924.055, F.S.; prohibiting certain postconviction proceedings in state courts; repealing s. 924.066, F.S., relating to collateral relief; creating s. 925.0365, F.S.; providing that the admission of ineffective assistance of counsel by attorney in a criminal proceeding makes the attorney ineligible for certain public employment or state compensation in criminal matters; providing for mandatory notification by the Attorney General to The Florida Bar and specified other entities of such admission; repealing Rules 3.850, 3.851, and 3.852, Florida Rules of Criminal Procedure, relating to motion to vacate, set aside, or correct sentence, collateral relief after death sentence has been imposed, and capital postconviction public records production, respectively; providing an effective date.

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

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By Senator Burt—

**SB 358**—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S., relating to prohibitions against selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver, controlled substances within 200 feet of the real property comprising a public housing facility; defining "real property comprising a public housing facility"; providing penalties; providing an effective date.

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

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By Senator Burt—

**SB 360**—A bill to be entitled An act relating to execution; amending s. 922.10, F.S.; providing for execution by means of lethal injection if electrocution is held to be unconstitutional; providing an effective date.

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

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By Senator Crist—

**SB 362**—A bill to be entitled An act relating to public officers and employees; amending s. 99.012, F.S.; requiring public officers and employees to take a leave of absence without pay during the period of their candidacy for public office; providing an effective date.

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

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By the Committee on Health Care—

**SB 364**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S., relating to inspection, examination, and duplication of records; exempting identifying information pertaining to natural persons in health, medical, patient, or insurance records from the public records law; providing exceptions; amending s. 286.011, F.S., relating to public meetings; exempting from public discussion portions of public meetings during which the contents of health, medical, patient, or insurance information pertaining to a natural person are considered; providing exceptions; amending s. 296.09, F.S., relating to veterans residing in the Veterans' Domiciliary Home of Florida; deleting an exemption from the public records law relating to health records and annual reevaluations; amending s. 310.102, F.S., relating to treatment programs for impaired pilots and deputy pilots; deleting an exemption from the public

records law for information about a licensee obtained by a probable cause panel from a consultant; amending s. 383.32, F.S., relating to birth center clinical records; deleting an exemption of clinical records of birth center clients from the public records law; amending s. 394.4615, F.S., relating to mental health; deleting an exemption of clinical records of mental health patients from the public records law; amending s. 400.494, F.S., relating to home health agencies; deleting an exemption of clinical records of home health patients from the public records law; amending s. 400.611, F.S., relating to hospice; deleting an exemption of information obtained from a patient record by a state agency from the public records law; amending s. 408.001, F.S., relating to the Florida Health Care Purchasing Cooperative; deleting an exemption of patient medical records and other similar records from the public records law; amending s. 760.40, F.S., relating to discriminatory use of genetic test results; deleting an exemption of certain information obtained through genetic testing from the public records law; repealing s. 400.0077, F.S., relating to resident records held by state and district long-term-care ombudsmen; repealing s. 440.125, F.S., relating to confidentiality of workers' compensation medical records and reports and identifying information in employee medical bills; providing an effective date.

—was referred to the Committee on Health Care.

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By Senators Williams and Crist—

**SB 366**—A bill to be entitled An act relating to weapons and firearms; providing that a nonresident who is a United States citizen may carry a concealed weapon or firearm in this state if the nonresident has attained a specified age and holds a valid license to carry a concealed weapon or firearm issued in another state; providing that a nonresident is subject to the same laws and restrictions as a licensee in this state; providing that an out-of-state license to carry a concealed weapon or firearm remains in effect for a certain period following the date the holder of the license establishes legal residence in this state; specifying how legal residence is established; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Kurth—

**SB 368**—A bill to be entitled An act relating to motorcycle safety education; amending s. 215.22, F.S.; providing an exemption from a required deduction for that portion of the Highway Safety Operating Trust Fund funded by the motorcycle safety education fee; amending s. 322.0255, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to purchase and maintain motorcycles, equipment, and materials for use in motorcycle safety courses; deleting a limitation on the reimbursement of certain fees; amending s. 322.21, F.S.; increasing the motorcycle endorsement fee; providing an effective date.

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

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By Senator Silver—

**SB 370**—A bill to be entitled An act relating to municipal water and sewer utilities; amending s. 180.191, F.S.; eliminating limitations on utility rates charged outside municipal boundaries in certain municipalities in home rule charter counties; providing an effective date.

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

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By Senator Silver—

**SB 372**—A bill to be entitled An act relating to workers' compensation; amending ss. 440.13, 440.134, F.S.; providing for review of patients' needs for chiropractic services in certain situations; deleting obsolete provisions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By the Committee on Transportation—

**SB 374**—A bill to be entitled An act relating to motor vehicle emissions inspections; amending s. 325.202, F.S.; adopting current Federal Clean Air Act regulations; amending s. 325.203, F.S.; requiring the minimum testing necessary for compliance with the Federal Clean Air Act; providing options for types of emissions tests, frequency of tests, and certain vehicles to be exempted from testing; amending s. 325.207, F.S.; allowing the Department of Highway Safety and Motor Vehicles the alternative to contract with one or more testing companies within a zone; allowing the department the alternative to contract with a testing company in more than one zone; amending s. 325.214, F.S.; allowing the department to include the sum of the cost of inspection in the request for proposal; providing an effective date.

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

By Senator Kirkpatrick—

**SB 376**—A bill to be entitled An act relating to disposal of solid waste; amending s. 403.707, F.S.; revising and clarifying conditions under which the disposal of solid waste is exempt from Department of Environmental Protection permitting requirements; providing an effective date.

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

By Senator Rossin—

**SB 378**—A bill to be entitled An act relating to the Forensic Client Services Act; amending s. 916.106, F.S.; amending the definition of the term “court,” as used in ch. 916, F.S., to include county courts; providing an effective date.

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

By Senator Williams—

**SB 380**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing for benefit computation using dual normal retirement ages for service in the Senior Management Service Class and Elected State and County Officers’ Class; providing for nullification of a joint annuitant designation if there is a dissolution of marriage; providing for purchase of additional service credit using a deceased member’s accumulated leave under certain circumstances; specifying that a member’s spouse at the time of death is the member’s beneficiary under certain circumstances; amending s. 121.122, F.S.; allowing members with renewed membership in the Senior Management Service Class to purchase additional retirement credit for certain postretirement service; providing an effective date.

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

By Senator Williams—

**SB 382**—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising the definition of “secondhand goods”; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Grant—

**SB 384**—A bill to be entitled An act relating to children’s services; amending s. 125.901, F.S.; providing for a superintendent of schools to appoint a designee to serve on the board of independent special districts established to provide funding for children’s services; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Holzendorf—

**SB 386**—A bill to be entitled An act relating to postsecondary education; amending s. 240.529, F.S.; providing that, beginning in the 1999-2000 academic year, State University System initial teacher preparation programs shall include an optional teacher internship in a socially and economically disadvantaged area; providing that, beginning in the 2000-2001 academic year, State University System initial teacher preparation programs, in partnership with public school districts, shall establish teaching residency programs in disadvantaged areas; providing for annual stipends for each teacher who has completed such a residency program; providing an effective date.

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

By Senator Holzendorf—

**SB 388**—A bill to be entitled An act relating to education; establishing a study commission to determine the feasibility of creating a residential mathematics and sciences academy; providing for the commission’s membership and duties; requiring a report; providing an effective date.

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

By Senator Holzendorf—

**SB 390**—A bill to be entitled An act relating to community colleges; amending s. 240.498, F.S., relating to the Florida Education Fund; establishing the Community Faculty Diversity Program; providing for awarding fellowships; requiring service or repayment; providing requirements of participants’ employers; providing an effective date.

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

By Senator Holzendorf—

**SB 392**—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; redefining the term “qualified professional” for purposes of providing certain substance abuse assessment or treatment services; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senator Forman—

**SB 394**—A bill to be entitled An act relating to human rights; creating s. 402.164, F.S.; providing legislative intent with respect to the duties and powers of the Statewide Human Rights Advocacy Committee and the district human rights advocacy committees; defining the term “state agencies” for purposes of ss. 402.164-402.167, F.S.; providing for the Statewide Human Rights Advocacy Committee to monitor the activities of, and investigate complaints against, the Department of Children and Family Services, the Department of Health, and the Agency for Health Care Administration; amending s. 402.166, F.S.; revising the duties of the district human rights advocacy committees to conform to the expanded duties of the statewide committee; amending s. 402.167, F.S.; providing rulemaking authority to the state agencies subject to investigation by the human rights advocacy committees; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Forman—

**SB 396**—A bill to be entitled An act relating to human rights; amending s. 402.165, F.S.; redesignating the Statewide Human Rights Advocacy Committee as the Statewide Human Rights Advocacy Council; revising membership of the statewide council; increasing the term of appointment to the statewide council; amending s. 402.166, F.S.; redesignating the district human rights advocacy committees as the local human rights advocacy councils; providing for additional local councils to be established; increasing the term of appointment to a local council;

providing for appointing a vice chairperson to each local council; providing for local councils to monitor the activities of, and investigate complaints against, the Department of Children and Family Services; amending s. 402.167, F.S.; revising provisions to reflect the redesignation of the human rights advocacy committees as human rights advocacy councils; amending ss. 393.13, 394.459, 394.4595, 394.4597, 394.4598, 394.4599, 394.4615, 400.0067, 400.0089, 400.419, 400.428, 415.1034, 415.104, 415.1055, 415.106, 415.107, 415.501, 415.505, 415.51, F.S.; conforming terminology to changes made by the act; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senators Klein, Williams, Latvala, Brown-Waite, Bronson, Casas, Meadows, Myers and Kurth—

**SB 398**—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 such 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; authorizing the Department of Children and Family Services to enter into an agreement with the Department of Corrections for supervising certain sexually violent predators; 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 for access to certain records; amending s. 775.084, F.S.; redefining the term "habitual violent felony offender" to include a defendant convicted of certain acts of lewd, lascivious, or indecent conduct; providing severability; providing an effective date.

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

By Senator Burt—

**SB 400**—A bill to be entitled An act relating to state financial accountability; creating the Florida Single Audit Act; providing intent and findings; creating s. 216.3491, F.S.; providing purposes of the act; providing definitions; providing duties of the Executive Office of the Governor, the Comptroller, and state agencies that award state funds to nonstate agencies to carry out state projects; providing conditions on nonstate agencies' receipt of state funds; requiring recipients and subrecipients of state funds to obtain audits; prescribing standards for such audits; prescribing duties of auditors; providing for access to records; prescribing duties of the Auditor General; repealing s. 216.349, F.S., relating to financial review of grants and aids appropriations; amending s. 265.2861, F.S., to conform; providing applicability; providing an effective date.

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

By Senators Meadows and Childers—

**SB 402**—A bill to be entitled An act relating to clinical, counseling, and psychotherapy services; creating part II of chapter 491, F.S., to provide regulatory provisions applicable to social work practice that are separate from those applicable to marriage and family therapy and mental health counseling; creating the Board of Social Work Practice;

providing for appointment and terms of members and location of headquarters; providing for rules; providing for different levels of licensure and practice; amending ss. 491.002, 491.003, 491.004, 491.0045, 491.0046, 491.0047, 491.005, 491.0057, 491.006, 491.0065, 491.007, 491.009, 491.0111, 491.0112, 491.012, 491.014, 491.0141, 491.0143, 491.0147, 491.0148, and 491.0149, F.S.; providing conforming changes; repealing s. 491.0145, F.S., relating to certified master social workers, to conform; repealing s. 491.015, F.S., relating to duties of the Department of Health as to certified master social workers, to conform; creating part I of the remaining provisions of chapter 491, F.S., as amended, to conform; revising membership of and providing for appointments to the Board of Marriage and Family Therapy and Mental Health Counseling, to conform; providing applicability to current licensees and certificate-holders; amending ss. 20.43, 61.20, 394.455, 397.311, 397.405, 400.609, 408.07, 408.904, 409.906, 455.501, 455.597, 455.667, 455.677, 468.505, 490.00515, 490.012, 627.4195, 627.6471, 627.6472, 627.668, 627.9404, and 641.59, F.S.; conforming cross-references; providing an effective date.

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

By Senator Bronson—

**SB 404**—A bill to be entitled An act relating to jails; amending s. 951.23, F.S.; providing a criminal penalty for refusing to obey jail rules and regulations; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Clary—

**SB 406**—A bill to be entitled An act relating to land platting; amending s. 177.031, F.S.; defining terms relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper before approval by a governing body; amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.101, F.S.; providing for the vacation and annulment of prior plats; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, F.S.; conforming references; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Gutman—

**SJR 408**—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution relating to homestead exemption.

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

By Senator Bronson—

**SB 410**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.461, F.S.; specifying the types of additional use factors that the property appraiser may consider in assessing agricultural land; providing that the property appraiser, when utilizing the income methodology approach, shall rely on 5-year moving average data for assessment; providing an effective date.

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

By Senator Clary—

**SB 412**—A bill to be entitled An act relating to premium finance agreements; amending s. 627.841, F.S., providing that any installment paid to a premium finance company under a premium finance agreement shall be deemed to be a timely payment if it is received with a postmark on or before the due date; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Campbell—

**SB 414**—A bill to be entitled An act relating to osteoporosis; amending s. 233.061, F.S.; including osteoporosis education in the instruction required for high school graduation; amending s. 381.87, F.S.; expanding the groups targeted to receive educational materials under the osteoporosis prevention and education program to include women of all ages; amending ss. 627.6409, 627.6691, F.S.; expanding the required insurance coverage for osteoporosis-related matters; providing an effective date.

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

By Senator Campbell—

**SB 416**—A bill to be entitled An act relating to criminal offenses involving minors; creating the Children's Protection Act of 1998; amending s. 775.084, F.S., relating to violent career criminal sentencing, to conform to the act; amending ss. 787.01, 787.02, F.S., relating to kidnapping and false imprisonment, to conform to the act; amending s. 800.03, F.S.; redefining the offense of unlawful exposure or exhibition of sexual organs to prohibit appearing naked under specified circumstances; providing penalties; providing an exception for maternal breastfeeding; amending s. 800.04, F.S.; creating the offenses of "lewd or lascivious battery," "lewd or lascivious molestation," "lewd or lascivious conduct," and "lewd or lascivious exhibition"; providing definitions; providing penalties; precluding consent from being raised as a defense except in certain circumstances; precluding ignorance or belief concerning age from being raised as a defense; providing an exception for maternal breastfeeding; deleting provisions that define and provide penalties for "lewd, lascivious, or indecent assault or act upon or in the presence of a child"; amending s. 826.04, F.S., relating to incest; removing definition of "sexual intercourse" and defining "sexual activity"; redefining the offense of third-degree felony incest to include knowingly marrying or engaging in sexual activity with specified adult relatives; providing penalties; defining the offense of second-degree felony incest against a person under 16 years of age; providing penalties; reenacting ss. 775.15(7), 787.025(2)(a), 914.16, 944.606(1)(b), F.S., relating to time limitations, luring or enticing a child, limits on interviews, and sex offender notification upon release, to incorporate the amendments to ss. 800.04, 826.04, F.S., in cross-references; amending s. 921.0022, F.S.; ranking offenses created in the act in the Criminal Punishment Code offense severity ranking chart; amending s. 948.03, F.S., and reenacting s. 948.03(6), F.S., relating to terms and conditions of probation or community control, to conform to the act; providing an effective date.

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

By Senator Bronson—

**SB 418**—A bill to be entitled An act relating to judicial nominating commissions; amending s. 43.29, F.S.; providing for a judicial nominating commission to include at least one resident from each county within the judicial circuit; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Holzendorf—

**SB 420**—A bill to be entitled An act relating to firearms; amending s. 790.001, F.S.; defining the term "locking device"; amending s. 790.174, F.S.; providing that a locking device may be used for the purpose of lawfully storing a firearm within access of a minor, as defined; requiring

a person to secure a firearm with a locking device under specified circumstances when the firearm is left or stored on premises where such minor resides; providing penalties for failure to store or leave the firearm in the required manner, under specified circumstances; creating s. 790.0657, F.S., relating to purchase and delivery of handguns; providing definitions; prohibiting a person who is not a licensed firearms dealer from purchasing more than one handgun within a 30-day period; providing penalties; providing exceptions to the limitation on the number of handguns purchasable by nondealers within the 30-day period; providing for special application procedures under exceptional circumstances; providing duties of the Department of Law Enforcement and prospective purchasers; providing for adoption of rules; providing for nonapplicability of specified provisions to certain persons or entities authorized or licensed to perform law enforcement, correctional, or private security duties; providing for nonapplicability of the provisions to purchase of antique firearms or to replacement of stolen or lost handguns; providing an effective date.

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

By Senators Meadows and Forman—

**SB 422**—A bill to be entitled An act relating to creation of the Florida Community Outreach Partnership Act; directing the Secretary of Community Affairs to carry out a demonstration program to determine the feasibility of facilitating partnerships between state universities and communities to solve urban problems; authorizing grants to state universities to establish Florida Community Outreach Partnership Centers; providing responsibilities of such centers; providing selection criteria for grant recipients; providing requirements regarding the state and nonstate share of grants; providing for a state advisory council and state clearinghouse; specifying use of funds made available for this program; requiring reports; providing an effective date.

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

By Senator Crist—

**SB 424**—A bill to be entitled An act relating to public notices; creating s. 775.212, F.S.; requiring the sheriff or chief of police of the county or municipality wherein an offender released from incarceration plans to reside to notify the public if the offender is a violent offender; specifying the information to be provided to the public; defining the term "violent offender" for purposes of s. 775.212, F.S., to mean a person who has been convicted of specified violent felonies or convicted of an attempt or conspiracy to commit such felonies; providing an effective date.

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

By Senators Crist, Brown-Waite and Cowin—

**SB 426**—A bill to be entitled An act relating to the Florida Public Service Commission; amending s. 350.01, F.S.; providing for nonpartisan election of members of the commission; providing for the initial election of commissioners under this act; amending ss. 350.001, 350.04, 350.041, 350.043, 350.0605, 112.324, F.S., to conform; repealing s. 350.031, F.S., relating to the Florida Public Service Commission Nominating Council; providing an effective date.

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

By the Committee on Criminal Justice—

**SB 428**—A bill to be entitled An act relating to criminal justice; amending s. 741.28, F.S.; redefining the term "domestic violence"; amending ss. 741.281, 741.2909, F.S.; requiring that if a person is ordered by the court to attend a batterers' intervention program, the program must be a program certified by the Department of Corrections; amending s. 775.084, F.S.; authorizing the chief judge of each judicial circuit to establish a court to hear cases against violent career criminals,



habitual felony offenders, habitual violent felony offenders, and prison releasee reoffenders; providing an effective date.

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

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By Senators Brown-Waite and Silver—

**SB 430**—A bill to be entitled An act relating to the school health services program; amending s. 381.0056, F.S.; requiring Department of Education consultation with the Department of Health; providing staff requirements for the school health services program; providing for use of funds; providing for reports; providing for appropriations; providing an effective date.

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

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By Senator Cowin—

**SB 432**—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.081, F.S.; requiring the Public Service Commission to extend time periods and reschedule events by the number of days a utility is late in providing discovery; providing an effective date.

—was referred to the Committee on Regulated Industries.

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By Senators Dyer, Thomas, Horne, Burt, Ostalkiewicz, Williams, Holzen-dorf, Dudley, Childers, Rossin, Kirkpatrick, Klein, Casas, Gutman, Meadows, Bronson, Grant, Lee and Crist—

**SB 434**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.051, F.S.; providing an exemption for certain processes, facilities, equipment, and machinery used for pollution prevention or control, and for structures or equipment associated with replacement thereof; providing for certification by the Department of Environmental Protection; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Natural Resources.

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By the Committee on Regulated Industries—

**SB 436**—A bill to be entitled An act relating to pari-mutuel wagering; reviving and readopting s. 550.09512, F.S., relating to harness horse taxes; repealing s. 550.09512(5), F.S., as created by ch. 93-288, Laws of Florida; abrogating the repeal of s. 550.09512, F.S.; providing an effective date.

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

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By the Committee on Regulated Industries—

**SB 438**—A bill to be entitled An act relating to pari-mutuel wagering; reenacting s. 550.0951(3), F.S., relating to the tax on handle; reenacting s. 550.09511(2), (3), F.S., relating to jai alai taxes; amending s. 26, ch. 96-364, Laws of Florida; abrogating the future amendment of ss. 550.0951(3), 550.09511(2), (3), F.S.; providing an effective date.

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

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By the Committee on Regulated Industries—

**SB 440**—A bill to be entitled An act relating to pari-mutuel wagering; providing legislative intent relating to thoroughbred horse taxes; reenacting s. 550.2625(1), F.S., relating to minimum purse requirements; providing an effective date.

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

By Senators Campbell and Forman—

**SB 442**—A bill to be entitled An act relating to forensic client services; amending s. 40.29, F.S., relating to estimated amount of pay for expert witnesses, to conform a reference; amending s. 393.11, F.S.; specifying persons or entities that may file petition for proposed involuntary admission to residential services arising out of ch. 916, F.S., relating to forensic services; providing for petitions for defendants with autism; revising requirements relating to notice of filing of petition or service of copy of order; prohibiting release from order for involuntary admission except by court order; amending and reorganizing ch. 916, F.S., the Forensic Client Services Act; creating pt. I of ch. 916, F.S.; providing general provisions of the chapter; amending s. 916.105, F.S.; revising legislative intent; amending s. 916.106, F.S.; providing or revising definitions with respect to ch. 916, F.S.; redefining “department” to refer to the Department of Children and Family Services in lieu of the Department of Health and Rehabilitative Services; amending s. 916.107, F.S.; revising state policy with respect to the rights of forensic clients, and conforming terminology; amending and renumbering s. 916.175, F.S., relating to criminal escape by a client; prohibiting escape or attempted escape from a facility or program by a client under specified circumstances, and providing penalties therefor; amending and renumbering s. 916.178, F.S.; prohibiting the introduction of certain articles into or upon, or the taking or attempt to take or send certain articles from, facility grounds, under specified circumstances, and providing penalties therefor; providing for enforcement by institutional security personnel or law enforcement officers; conforming a reference; amending and renumbering s. 916.19, F.S.; providing for client protection and security; renumbering s. 916.20, F.S., relating to departmental rulemaking; creating pt. II of ch. 916, F.S., relating to forensic services for persons who are mentally ill; amending and renumbering s. 916.108, F.S.; providing for evaluation of defendant for competency to proceed or for sanity, under specified circumstances; amending and renumbering s. 916.11, F.S.; revising time limits and guidelines relating to appointment of experts; amending s. 916.12, F.S.; providing duties of examining experts and guidelines with respect to reports on defendant’s mental competence to proceed and recommended treatment for defendant to attain competence to proceed; amending s. 916.13, F.S.; providing criteria for involuntary commitment of defendant adjudicated incompetent to proceed due to mental illness; revising duties of the court or the department and guidelines relating to commitment and placement of defendant and filing of reports; amending s. 916.14, F.S.; providing for inapplicability of statute of limitations and of bar against former jeopardy under specified circumstances when defendant is incompetent to proceed; amending s. 916.145, F.S.; revising time limits and guidelines with respect to dismissal of charges against a defendant adjudicated incompetent to proceed; providing for dismissal without prejudice under specified circumstances; amending s. 916.15, F.S., relating to involuntary commitment of defendant adjudicated not guilty by reason of insanity; conforming terminology; providing for mandatory departmental retention and treatment of defendant; reenacting s. 394.467(7)(a), F.S., relating to procedure for continued involuntary placement, to incorporate said amendment in a reference; amending s. 916.16, F.S.; providing for retention of jurisdiction by committing court over a defendant hospitalized as incompetent to proceed or because of a finding of not guilty by reason of insanity or over a defendant placed on conditional release; prohibiting release except by court order in specified circumstances; amending s. 916.17, F.S.; revising procedures and guidelines relating to conditional release and modification of release conditions, including filing requirements for plans for outpatient treatment; creating pt. III of ch. 916, F.S., relating to forensic services for persons who are mentally retarded or autistic; creating s. 916.301, F.S.; providing for appointment of experts who are mental retardation or autism professionals, under specified circumstances; providing for certain witness fees and evaluator fees as court costs; providing for reimbursement of certain travel and per diem expenses of state employees; creating s. 916.3012, F.S.; providing for determination of incompetence to proceed when the defendant’s suspected mental condition is mental retardation or autism; creating s. 916.302, F.S.; providing for involuntary commitment of defendant determined to be incompetent to proceed due to mental retardation or autism; requiring the department to notify the court of transfer of a defendant; creating s. 916.3025, F.S.; providing for retention of jurisdiction over certain defendants found incompetent to proceed and ordered into a secure facility for mentally retarded or autistic defendants; prohibiting release except by court order; creating s. 916.303, F.S.; providing for dismissal of charges without prejudice or involuntary admission to residential services or a training program under specified circumstances when the defendant is found incompetent to proceed due to mental retardation or autism; providing for petitions to continue defendant’s placement in a secure facility or program under specified circumstances; creating s. 916.304, F.S.; providing for conditional release based on an approved plan for providing continuing community-based training of defendant; providing for modification of release condi-

tions or termination of jurisdiction under specified circumstances; providing an effective date.

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

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By Senator Gutman—

**SB 444**—A bill to be entitled An act relating to criminal mischief; amending s. 806.13, F.S., relating to criminal mischief offenses and penalties; providing for reclassification of a misdemeanor violation of the section involving less than a specified amount in property damage when the offender has one or more prior convictions under the section; providing legislative intent; providing that a county or municipality is not preempted by state law from establishing an ordinance that prohibits the marking of graffiti or other graffiti-related offenses and penalizes such offenses with higher penalties than those provided by state law or with mandatory penalties; providing that the court may not provide a disposition of the case which is less severe than such higher or mandatory penalties in certain juvenile proceedings for violation of the ordinance; amending s. 901.15, F.S., relating to circumstances for arrest without a warrant; providing for such arrest when there is probable cause to believe that the person has committed criminal mischief or a graffiti-related offense; providing an effective date.

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

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By Senator Diaz-Balart—

**SB 446**—A bill to be entitled An act relating to opticianry; amending s. 484.002, F.S.; updating the definition of “department”; defining the term “refracting optician” and revising the definition of “opticianry,” to conform; authorizing refracting opticians to prescribe corrective lenses under certain circumstances; reenacting s. 484.011, F.S., relating to supportive personnel, to incorporate the amendment to s. 484.002, F.S., in a reference thereto; amending s. 484.005, F.S.; granting the Board of Opticianry authority to adopt rules relating to a standard of practice for refracting opticians and the minimum equipment required to perform their work; amending s. 484.012, F.S.; requiring prescriptions by refracting opticians to be kept on file for a specified period; reenacting s. 484.013(1)(c), F.S., relating to prohibitions, to incorporate the amendment to s. 484.012, F.S., in a reference thereto; amending s. 484.013, F.S.; prohibiting opticians from engaging in the diagnosis of the medical condition of the human eyes or attempting to prescribe for or treat diseases or ailments of human beings, except for the prescribing of corrective lenses; providing a penalty; amending s. 484.014, F.S.; conforming a cross-reference; providing an effective date.

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

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By Senator Diaz-Balart—

**SB 448**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.06, F.S.; providing an exemption for tangible personal property donated by a dealer to a nonprofit organization that holds a current certificate of exemption; providing that taxes imposed by ch. 212, F.S., before the effective date of the act and not actually collected on transactions qualified for such exemption are not due from any person; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Campbell—

**SB 450**—A bill to be entitled An act relating to health care coverage; requiring certain health insurance policies, health care services plans, or other contracts to provide coverage for scalp hair prostheses; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senators Brown-Waite and Latvala—

**SB 452**—A bill to be entitled An act relating to the Florida Mobile Home Act; amending s. 723.003, F.S.; revising the definition of “pass-through charge”; amending s. 723.071, F.S., relating to the sale of a mobile home park; revising provisions with respect to a bona fide offer of purchase made to a mobile home park owner; providing for rights of mobile home owners when such an offer of purchase includes other property or more than one mobile home park; revising the definition of the term “affiliate”; amending s. 723.072, F.S.; correcting cross references; amending s. 723.078, F.S., relating to bylaws of homeowners’ associations; revising provisions relating to the number of members which constitutes a quorum; providing an effective date.

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

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By Senator Gutman—

**SB 454**—A bill to be entitled An act relating to waiver of sovereign immunity; amending s. 768.28, F.S.; providing a limited waiver of sovereign immunity for liability for torts committed by private prison guards; providing an effective date.

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

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By Senator Crist—

**SB 456**—A bill to be entitled An act relating to candidates for Congress; requiring certain information to be placed on the ballot informing electors of the candidates’ acts with respect to the proposal to limit Congressional terms; providing duties of the Department of State; providing for appeal of department determinations; providing a repealer; providing legislative intent; amending ss. 101.181, 101.191, F.S., to conform; providing an effective date.

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

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By Senator Crist—

**SB 458**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for consumer credit counseling services; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Crist—

**SB 460**—A bill to be entitled An act relating to victim assistance; requiring that the Crime Victims’ Services Office of the Department of Legal Affairs establish a toll-free telephone number to provide information on the status of a person accused or convicted of a crime; providing for the information to be available to a crime victim, relative of a homicide victim, or witness of a crime; providing requirements for operating the telephone number; requiring the Crime Victims’ Services Office to provide updated address information for a victim, relative, or witness to specified agencies; requiring that the Crime Victims’ Services Office verify information used to notify a victim, relative, or witness; providing an effective date.

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

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By Senator Crist—

**SB 462**—A bill to be entitled An act relating to court enforcement; creating the “Comprehensive Court Enforcement Program Act”; providing for legislative findings and intent; providing for judicial oversight and jurisdiction; providing for the creation of the program by the Supreme Court; providing for staffing; providing for the collection of funds;

providing for a notice to appear and a procedure; providing for the screening of cases for inclusion in the program; providing for hearings; providing for negotiated settlements; providing for alternatives to full payment; providing fees; providing a definition; providing alternatives to court-ordered financial obligations; providing penalties; providing for physical facilities and security; providing for the transfer of certain community service matters to the program for compliance sanctions; providing for hearing costs; providing for the deduction of money collected in the Comprehensive Court Enforcement Program by the clerk of the court; providing for the disbursement of collected funds; providing for the effective date of implementation of the program; providing an effective date.

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

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By Senators Crist and Latvala—

**SB 464**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Conserve Wildlife license plate; providing for the distribution of annual use fees received from the sale of such license plates; providing an effective date.

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

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By Senator Crist—

**SB 466**—A bill to be entitled An act relating to distribution of surplus food; amending s. 570.0725, F.S.; providing legislative intent; providing application; requiring certain persons and organizations to make reasonable efforts to provide, collect, transport, and distribute certain excess or surplus food; amending s. 768.136, F.S.; providing definitions; clarifying application; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senator Klein—

**SB 468**—A bill to be entitled An act relating to hospitals; creating the "Community Hospital Protection Act"; providing for the sale, lease, exchange, conveyance, merger, or other transfer of the assets or management authority of a nonprofit hospital to a for-profit enterprise; providing legislative intent; providing definitions; providing prerequisites to such a transfer, including the provision by the nonprofit hospital of certain statements and notice, and the conduct of public hearings; providing for the Attorney General or a state attorney to challenge such a proposed transaction through an action for declaratory judgment; providing a statement of circumstances in which a court may declare the transaction wholly or partly invalid; providing limitations upon the applicability of the act; providing an effective date.

—was referred to the Committees on Health Care and Community Affairs.

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By Senator Bronson—

**SB 470**—A bill to be entitled An act relating to wildlife; amending s. 372.57, F.S.; providing for a recreational user permit fee to hunt, fish, or otherwise use for outdoor recreational purposes, land leased by the Game and Fresh Water Fish Commission from private nongovernmental owners; providing for the setting of the fee by rule; providing for exceptions to the application of the fee; providing an effective date.

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

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By Senator Dyer—

**SB 472**—A bill to be entitled An act relating to the practice of veterinary medicine; amending s. 474.203, F.S.; revising and providing exemptions from regulation under chapter 474, F.S., relating to veterinary

medical practice; amending s. 474.207, F.S., relating to licensure by examination; eliminating obsolete provisions; amending s. 474.211, F.S.; requiring criteria for providers of continuing education to be approved by the board; amending s. 474.2125, F.S.; exempting veterinarians licensed in another state from certain requirements for temporary licensure in this state; conforming a cross-reference; amending s. 474.214, F.S.; increasing the administrative fine; amending s. 474.215, F.S.; requiring limited service permittees to register each location and providing a registration fee; providing requirements for certain temporary rabies vaccination efforts; providing permit and other requirements for persons who are not licensed veterinarians but who desire to own and operate a veterinary medical establishment; providing disciplinary actions applicable to holders of premises permits; amending s. 474.217, F.S., relating to licensure by endorsement; revising a reference to an examination; providing an effective date.

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

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By Senator Dyer—

**SB 474**—A bill to be entitled An act relating to community redevelopment and neighborhood improvement; amending s. 163.340, F.S.; including the reduction or prevention of crime within community redevelopment activities under the Community Redevelopment Act of 1969 and defining "community policing innovation"; amending ss. 163.345, 163.350, 163.356, 163.358, 163.360, 163.361, 163.370, 163.380 and 163.387, F.S.; including the development and implementation of community policing innovations in provisions relating to the encouragement of private enterprise participation in redevelopment, elements of the workable program, exercise of powers under the act, and elements of the community redevelopment plan; authorizing the county or municipality to appropriate funds for community policing innovations; authorizing use of moneys in the redevelopment trust fund for community policing innovations; providing an additional requirement for acquisition of land for nonresidential uses; authorizing a county, municipality, or community redevelopment agency, subject to specified conditions, to acquire and dispose of certain properties immediately adjacent to existing projects without complying with specified disposition procedures; amending ss. 163.502, 163.503, 163.506, 163.511, 163.512, 163.513, 163.514, 163.516, 163.519, and 163.521, F.S.; including crime prevention through development and implementation of community policing innovations in powers of neighborhood improvement districts under the Safe Neighborhoods Act; authorizing use of special assessments for community policing innovations; including community policing innovations within safe neighborhood improvement plans; providing duties of the Department of Legal Affairs with respect to community policing innovations; including capital improvements related to community policing innovations in provisions that authorize certain local governments to request state funding for certain capital improvements; creating s. 943.1729, F.S.; authorizing the Criminal Justice Standards and Training Commission to incorporate community policing concepts into law enforcement officers' certification curriculum and establish a community policing continued-employment training component for such officers; providing an effective date.

—was referred to the Committee on Community Affairs.

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By Senator Dyer—

**SB 476**—A bill to be entitled An act relating to revocation of drivers' licenses; amending s. 322.28, F.S.; providing for the revocation of a defendant's driver's license to commence only after expiration of the defendant's term of incarceration following a conviction for certain offenses involving driving under the influence, manslaughter resulting from operating a motor vehicle, or vehicular homicide; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Forman—

**SB 478**—A bill to be entitled An act relating to health care; creating s. 641.555, F.S.; creating the "Managed-Care-Subscriber's Bill of Rights and Responsibilities"; specifying the purpose of the act; requiring an organization that offers a managed-care plan to provide certain information about the plan to a prospective subscriber in the plan; requiring that

a health-care provider observe certain standards in providing health care for subscribers in a managed-care plan; providing for privacy; providing for access to health care and medical treatment; providing for grievance procedures; providing for disenrollment; providing limitations on experimental research; providing responsibilities of a subscriber in a managed-care plan; creating s. 641.5551, F.S.; requiring that an organization's handbook include the subscriber's rights and responsibilities; requiring that the handbook be written in plain language; providing an effective date.

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

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By Senator Klein—

**SB 480**—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; correcting a misplaced statutory provision relating to the unlawful sale or possession of a controlled substance within a specified area surrounding a child care facility; providing that certain enhanced penalties do not apply unless the owner or operator of the facility posts a sign identifying the facility as a child care facility; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Rossin—

**SB 482**—A bill to be entitled An act relating to educational facilities; amending s. 235.31, F.S.; requiring boards to prequalify bidders for construction contracts according to Commissioner of Education rule; requiring certification or licensure of bidders or contractors; amending s. 489.125, F.S.; conforming language relating to construction contractors; repealing s. 489.527, F.S., relating to electrical and alarm system contractors, to conform; repealing section 633.551(5), F.S., relating to fire protection system contractors, to conform; providing an effective date.

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

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By the Committee on Health Care—

**SB 484**—A bill to be entitled An act relating to public assistance; amending s. 409.908, F.S.; requiring the agency to establish a reimbursement methodology for long-term-care services for Medicaid-eligible nursing home residents; specifying requirements for the methodology; providing legislative intent; providing certain limitations on payments made by the agency for Medicare services rendered to Medicaid-eligible persons; amending s. 409.912, F.S.; authorizing the agency to include disease-management initiatives in providing and monitoring Medicaid services; authorizing the agency to competitively negotiate home health services; authorizing the agency to seek necessary federal waivers that relate to the competitive negotiation of such services; amending s. 409.9122, F.S.; specifying the departments that are required to make certain information available to Medicaid recipients; extending the period during which a Medicaid recipient may disenroll from a managed care plan or MediPass provider; deleting authorization for the agency to request a federal waiver from the requirement that a Medicaid managed care plan include a specified ratio of enrollees; amending s. 409.910, F.S.; requiring that certain third-party benefits received by a Medicaid recipient be remitted within a specified period; amending s. 414.28, F.S.; revising the order under which a claim may be made against the estate of a recipient of public assistance; amending s. 198.30, F.S.; requiring that each circuit judge provide a report of decedents to the Agency for Health Care Administration; amending s. 733.212, F.S.; requiring that a personal representative serve a copy of the notice of administration on the agency; providing an effective date.

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

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By Senator Silver—

**SB 486**—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 20.201, F.S.; providing additional authority

for the executive director of the department with respect to the organization of the department; providing for the department to be reorganized into specified programs; deleting the division structure of the department; amending s. 943.01, F.S.; revising the title of ch. 943, F.S.; amending s. 943.03, F.S., relating to department employees; conforming provisions to changes made by the act; deleting obsolete provisions; requiring the department to develop and maintain an information system; amending s. 943.04, F.S.; redesignating the Division of Criminal Investigation within the department as the Criminal Justice Investigations and Forensic Science Program; providing for supervision of the program; providing additional duties of the department with respect to the operation of the program; amending s. 943.05, F.S.; redesignating the Division of Criminal Justice Information Systems within the department as the Criminal Justice Information Program; providing for supervision of the program; amending s. 943.051, F.S., relating to criminal justice information; conforming provisions to changes made by the act; authorizing the department to enter into contracts; providing that disclosure of confidential information pursuant to such a contract does not waive any requirements of confidentiality; amending s. 943.0515, F.S., relating to criminal history records of minors; conforming provisions to changes made by the act; amending s. 943.052, F.S.; deleting a requirement that certain agencies inform the department of persons incarcerated or released from jail; amending ss. 943.0525, 943.053, 943.055, 943.056, 943.057, 943.08, F.S., relating to criminal justice information, criminal history records, and the Criminal and Juvenile Justice Information Systems Council; conforming provisions to changes made by the act; amending s. 943.09, F.S.; redesignating the Division of Criminal Justice Standards and Training within the department as the Criminal Justice Professionalism Program; providing for supervision of the program; amending ss. 943.10, 943.133, 943.17, 943.173, 943.25, F.S., relating to definitions, employment qualifications, training programs, examinations, and the Criminal Justice Standards and Training Trust Fund; conforming provisions to changes made by the act; amending s. 943.35, F.S.; deleting the eligibility for state funding for a criminal analysis laboratory; amending s. 938.07, F.S., relating to a fine imposed for driving under the influence; conforming provisions to changes made by the act; repealing ss. 943.26, 943.381, F.S., relating to the Division of Local Law Enforcement Assistance and the Division of Staff Services within the department; providing an effective date.

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

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By Senator Forman—

**SB 488**—A bill to be entitled An act relating to hazardous waste; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to exercise control over hazardous waste corrective-action programs; amending s. 403.087, F.S.; providing additional rulemaking authority for permit fees; amending s. 403.703, F.S.; redefining the term "hazardous waste facility"; amending s. 403.721, F.S.; providing for closure plan requirements; providing additional rulemaking authority for corrective-action orders; amending s. 403.722, F.S.; providing for a post-closure permit; creating s. 403.79, F.S.; providing legislative intent for the state implementation of the corrective-action provisions of federal law; providing for consistency with the federal program; creating s. 403.791, F.S.; providing for the delegation of the federal corrective-action program to the department; providing criteria for the state corrective-action program for hazardous waste facilities; providing an implementation schedule; requiring reports; amending s. 403.809, F.S.; providing additional requirements for certain permit application reviews; providing an effective date.

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

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By Senator Silver—

**SB 490**—A bill to be entitled An act relating to health care service programs; amending s. 440.11, F.S.; establishing exclusive liability of health maintenance organizations; providing application; amending s. 641.28, F.S.; revising award of attorney's fees in civil actions under certain circumstances; amending s. 641.315, F.S.; providing additional criteria for certain provider contracts; amending s. 641.3903, F.S.; specifying additional practices as unfair methods of competition or unfair or deceptive acts or practices; amending s. 641.3917, F.S.; authorizing civil actions against health maintenance organizations by certain persons under certain circumstances; providing requirements and procedures; providing for liability for damages and attorney's fees; prohibiting puni-

tive damages under certain circumstances; requiring the advance posting of discovery costs; providing a legislative declaration; providing an appropriation; providing an effective date.

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

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By Senator McKay—

**SB 492**—A bill to be entitled An act relating to value adjustment boards; amending s. 194.032, F.S.; revising the time for notice to a petitioner of the scheduled time of appearance before the board; providing an effective date.

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

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By Senator Silver—

**SB 494**—A bill to be entitled An act relating to domestic violence; amending s. 25.385, F.S.; redefining the term “domestic violence” for purposes of training provided by the Florida Court Educational Council; amending s. 61.13, F.S.; prohibiting the court from awarding visitation rights to a parent who has been convicted of a capital felony or a first-degree felony that involved domestic violence; providing certain exceptions; requiring that the Supreme Court require judges who hear cases involving domestic violence to attend educational programs on domestic violence; requiring the Florida Court Education Council to develop the programs; requiring that the Office of State Courts Administrator report to the Governor and Legislature on the programs; requiring that The Florida Bar report on its courses of continuing legal education on domestic violence; providing an effective date.

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

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By Senators Kirkpatrick and Forman—

**SB 496**—A bill to be entitled An act relating to telecommuting; repealing s. 3 of ch. 94-113, Laws of Florida; abrogating the repeal of s. 110.171, F.S., which establishes the state employee telecommuting program; providing an effective date.

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

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By Senators Sullivan, Latvala, Brown-Waite, Dudley, Grant, Casas, Kirkpatrick, Bronson, Dyer, Thomas, Kurth, Harris and Ostalkiewicz—

**SB 498**—A bill to be entitled An act relating to tax administration; creating s. 213.285, F.S.; authorizing the Department of Revenue to initiate a certified audits project under which taxpayers may hire qualified practitioners to review and report on their tax compliance; providing definitions; providing requirements for participation by such practitioners and taxpayers; providing requirements for the conduct of certified audits; providing status of the audit report; amending s. 213.053, F.S.; authorizing the department to provide certain information to the Board of Accountancy or to a court with respect to a certified public accountant participating in the project; amending s. 213.21, F.S.; authorizing settlement or compromise of penalties and abatement of interest for taxpayers who participate in the project; providing for repeal of the certified audits project; providing an appropriation and authorizing positions within the department; providing an effective date.

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

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By Senator Burt—

**SB 500**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing a tax exemption for industrial machinery and equipment purchased for use in ex-

panding certain printing or publishing facilities; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Gutman—

**SB 502**—A bill to be entitled An act relating to court costs to fund law enforcement programs; creating s. 938.06, F.S.; imposing an additional court cost on fines for criminal offenses in county and circuit courts; authorizing the courts to increase the amount under certain conditions; providing for deposit in the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing for distribution of such funds in the trust fund by the Department of Legal Affairs to counties to support official Crime Stoppers and their programs; providing an effective date.

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

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By Senator Latvala—

**SB 504**—A bill to be entitled An act relating to firearms-related licenses; amending ss. 493.6111, 493.6113, F.S.; extending the licensure period for certain licenses; amending s. 790.06, F.S.; extending the licensure period for concealed weapons licenses; requiring persons who conduct or instruct certain gun safety and licensure courses to maintain records; providing an effective date.

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

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By Senator Rossin—

**SB 506**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; deleting provisions relating to the release of records of the Department of Children and Family Services which pertain to the investigation of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation or the death of a child as a result of abuse, neglect, or abandonment; amending s. 415.107, F.S., and repealing s. 415.107(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation; amending s. 415.51, F.S., and repealing s. 415.51(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a child as a result of abuse, abandonment, or neglect; providing an effective date.

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

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By Senator Horne—

**SB 508**—A bill to be entitled An act relating to tests for alcohol, chemical substances or controlled substances; amending ss. 316.1932, 316.1933, F.S.; amending the implied consent law and laws prescribing testing for impairment or intoxication in cases of death or serious bodily injury; authorizing certain health care providers who become aware of a person’s unlawful blood-alcohol level to notify law enforcement officials; prescribing a form for the notice; providing that such reporting is not a violation of any ethical or moral duty; prohibiting any action or administrative proceeding being brought against anyone participating in good faith in making such report; providing immunity from civil or criminal liability and from any professional disciplinary action; providing immunity in any judicial proceeding resulting from the report; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Horne—

**SB 510**—A bill to be entitled An act relating to securities transactions; amending s. 517.021, F.S.; revising certain definitions; amending s.

517.051, F.S.; specifying additional securities as exempt from certain registration requirements; specifying priority of application; amending s. 517.061, F.S.; clarifying the exemption of certain securities in certain transactions from registration requirements; specifying additional transactions as exempt from certain registration requirements; amending ss. 517.081, 517.082, 517.12, F.S.; authorizing the Department of Banking and Finance to adopt certain rules for electronic deposits and filings; correcting a cross reference; including certain notice filing requirements within application of certain registration provisions; requiring certain dealers to comply with net capital and ratio requirements; providing application; creating s. 517.1201, F.S.; specifying notice filing requirements for federal covered advisers; prohibiting certain activities; providing for certain fees; authorizing the Department of Banking and Finance to adopt rules; providing for permits for certain purposes; amending ss. 517.1205, 517.131, F.S.; including federal covered advisers within application of certain registration requirements; amending s. 517.161, F.S.; specifying additional conditions for denial, revocation, restriction, or suspension of certain registrations; amending s. 517.302, F.S.; providing for additional uses of moneys in the Anti-Fraud Trust Fund; amending s. 517.311, F.S.; clarifying application of false representation and deceptive words proscriptions to notice filings; providing an appropriation; providing an effective date.

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

By Senators Cowin, Burt, Brown-Waite, Williams, Grant and Ostalkiewicz—

**SB 512**—A bill to be entitled An act relating to a refund of excess utility payments; requiring the Comptroller to provide a refund to certain utility customers who paid more under a uniform rate structure than those customers would have paid under a modified stand-alone rate structure; requiring the Public Service Commission to notify utility customers who are eligible for a refund; providing requirements for applying for a refund; requiring the Comptroller to verify eligibility for a refund; providing for the refund of utility payments to be funded from the Public Service Commission Regulatory Trust Fund; providing an appropriation; providing an effective date.

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

By Senators Grant, Brown-Waite, Cowin, Casas and Williams—

**SB 514**—A bill to be entitled An act relating to sexual predator registration; amending s. 775.21, F.S.; removing an exception to sexual predator registration requirements which authorizes the court to remove the sexual predator designation upon petition by a sexual predator who has not been arrested for at least 10 years following release; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Hargrett—

**SB 516**—A bill to be entitled An act relating to Murphy Act lands; amending s. 253.82, F.S.; providing for conveyance of all Murphy Act transportation easements to the governmental entity currently having title to the adjacent roadway; requiring the establishment of a procedure for review of deeds containing Murphy Act transportation reservations; setting requirements for the review process; providing for compensation of certain property owners when the deed has not contained a statement of the reservation since passage of the Marketable Record Title Act; providing an effective date.

—was referred to the Committees on Transportation, Natural Resources and Judiciary.

By Senator Grant—

**SB 518**—A bill to be entitled An act relating to mergers of business entities or corporations; amending s. 607.0732, F.S.; providing an additional criterion of shareholder agreements; providing limitations; creating ss. 607.1108, 607.1109, 607.11101, F.S.; providing for mergers of

domestic corporations and other business entities under certain circumstances; requiring a plan of merger; providing criteria; providing for articles of merger; providing for effect of merger; creating ss. 608.438, 608.4381, 608.4382, 608.4383, 608.4384, F.S.; providing for mergers of limited liability companies under certain circumstances; requiring a plan of merger; providing criteria; providing for action on a plan of merger; providing procedures; providing for articles of merger; providing for effect of merger; providing for rights of dissenting members; providing procedures; creating ss. 620.201, 620.202, 620.203, 620.204, 620.205, F.S.; providing for mergers of domestic limited partnerships under certain circumstances; requiring a plan of merger; providing criteria; providing for action on a plan of merger; providing procedures; providing for articles of merger; providing for effect of merger; providing for rights of dissenting partners; providing procedures; providing an effective date.

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

By Senator Ostalkiewicz—

**SB 520**—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.185, F.S.; creating exemptions for taxpayers who are not natural persons; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Ostalkiewicz—

**SB 522**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption from the tax for certain nonprofit organizations; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Campbell—

**SB 524**—A bill to be entitled An act relating to the offense of murder; amending s. 782.04, F.S.; redefining the offense of capital murder in the first degree to include the act of unlawfully killing a human being while perpetrating, or attempting to perpetrate, the murder of another human being; reenacting ss. 39.464(1)(d), 435.03(2)(b), 435.04(2)(b), 775.0823(1) and (2), 921.0022(3)(i), 943.325(1), 947.146(3), F.S., relating to the termination of parental rights, screening standards, violent offenses against law enforcement officers and others, the Criminal Punishment Code, blood testing, and the Control Release Authority, to incorporate the amendment to 782.04, F.S., in references thereto; providing an effective date.

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

By Senator Campbell—

**SB 526**—A bill to be entitled An act relating to protective services for victims and witnesses; amending s. 914.25, F.S.; redefining the term "serious felony offense" to include an attempt, solicitation, or conspiracy to commit certain offenses for purposes of provisions that authorize law enforcement agencies to protect victims and witnesses who are at risk of harm; providing an effective date.

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

By Senator Latvala—

**SJR 528**—A joint resolution proposing an amendment to Section 9 of Article XII of the State Constitution, relating to revenue bonds for natural resource conservation and outdoor recreation purposes.

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

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By Senator Kirkpatrick—

**SB 530**—A bill to be entitled An act relating to environmental control; amending s. 403.813, F.S.; providing an exception from permitting requirements for the removal by a property owner of unconsolidated organic detrital material from water bodies adjacent to the owner's property under specified circumstances; providing an effective date.

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

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By Senator Grant—

**SB 532**—A bill to be entitled An act relating to administrative fines; providing for deposit of fines collected by executive-branch agencies to be deposited into the General Revenue Fund; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 534**—A bill to be entitled An act relating to the National Guard; amending s. 250.10, F.S.; revising language with respect to payments under the educational tuition assistance program administered by the Department of Military Affairs; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 536**—A bill to be entitled An act relating to education; amending ss. 239.117, 239.301, 240.117, F.S.; increasing the number of times state funding will support a student enrolled in the same college-preparatory class within a skill area; revising certain funding amounts; providing an effective date.

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

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By Senator Lee—

**SB 538**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for the sale of certain goods by nonprofit organizations through thrift shops for charitable purposes; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Lee—

**SB 540**—A bill to be entitled An act relating to emergency medical services; amending s. 784.07, F.S.; redefining the term "emergency medical care providers" to include physician assistants, emergency room orderlies, and emergency room security guards; providing that the term includes personnel who are performing official duties whether within or outside an emergency room; providing that enhanced penalties and certain minimum sentences apply if a person is convicted of assault or

battery against an emergency medical care provider; providing an effective date.

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

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By Senators Bronson and Latvala—

**SJR 542**—A joint resolution proposing an amendment to Section 19 of Article III of the State Constitution relating to state budgeting, planning, and appropriation processes.

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

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By Senator Dyer—

**SB 544**—A bill to be entitled An act relating to homeowners' associations; amending s. 617.303, F.S.; prohibiting the commingling of certain funds; amending s. 617.307, F.S.; revising language with respect to the transition of homeowners' association control in a community; providing a list of required documents which must be provided to the board by the developer; creating s. 617.3075, F.S.; providing for prohibited clauses in homeowners' association documents; amending s. 689.26, F.S.; revising language with respect to disclosure to prospective purchasers; providing for the cancellation of certain contracts; providing for the inclusion of information on certain amenities; providing an effective date.

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

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By Senator Dyer—

**SB 546**—A bill to be entitled An act relating to education; requiring the Department of Education to adopt a statewide uniform dress code policy for public school students; providing an effective date.

—was referred to the Committee on Education.

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By Senator Ostalkiewicz—

**SB 548**—A bill to be entitled An act relating to proceedings that involve juveniles; creating the "Family Bill of Rights Act"; amending s. 39.401, F.S.; specifying circumstances under which an agent of the Department of Children and Family Services or a law enforcement officer may take a child into protective custody without a court order; requiring that the court conduct an emergency hearing within a specified period after a child is taken into custody; providing notice requirements; providing that it is a first-degree misdemeanor for an agent of the department to take a child into custody without a court order except under specified circumstances; providing for the department to petition the court by sworn affidavit for an emergency order for protective custody; providing that it is a third-degree felony for an agent of the department to make a false statement in the affidavit; amending s. 39.402, F.S.; limiting the period during which a child may be held in a shelter without a court order; providing requirements for the emergency shelter hearing; requiring the appointment of an attorney to represent the child's parent or guardian at the emergency shelter hearing; revising the period during which a child may be held in a shelter following an emergency shelter hearing; amending s. 39.404, F.S.; revising the time within which a petition for dependency must be filed after a child is taken into custody; requiring that the child's parent or guardian receive a copy of the petition before the hearing; amending s. 39.408, F.S.; revising the time within which an arraignment hearing must be held; providing that clear and convincing evidence is required to establish a child's dependency; amending s. 39.409, F.S.; providing for the child's parent or guardian or the county to be awarded attorney's fees and costs upon dismissal of a case alleging dependency; amending s. 415.5017, F.S.; requiring that all interviews with a child who is the subject of a report alleging abuse be audio-recorded or videotaped; amending s. 415.504, F.S.; providing additional requirements for an anonymous report of child abuse or neglect; amending s. 415.505, F.S.; requiring that the department show cause prior to a court order authorizing the department to examine and interview a child; amending s. 415.51, F.S.; providing for the name of a person who reports child abuse or neglect and a copy of the department's file on

the case to be released to certain alleged perpetrators upon order of the court; amending s. 415.513, F.S.; providing a civil cause of action for a person falsely named as a perpetrator against the person who made the false report; amending s. 933.18, F.S.; deleting a provision authorizing a law enforcement officer to remove a child from a private dwelling; amending s. 985.211, F.S., relating to the release of a child from custody; conforming cross-references to changes made by the act; amending s. 985.215, F.S.; providing for the detention hearing for a child to be held by means of closed-circuit television; amending s. 39.415, F.S.; limiting the compensation awarded to an attorney appointed to represent a child's parent or guardian at an emergency shelter hearing; amending s. 57.111, F.S.; providing an award of attorney's fees to a prevailing parent; amending s. 61.16, F.S.; allowing an award of attorney's fees for a successful motion to gain access to the department's file; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Judiciary—

**SB 550**—A bill to be entitled An act relating to adoption; amending s. 39.01, F.S.; providing factors for the court to consider in determining whether a minor child has been abandoned; amending s. 39.47, F.S.; providing requirements for filing a petition for adoption with the court; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions in this state; amending s. 63.032, F.S.; revising definitions; defining the terms "adoption entity," "unlocated parent," and "unidentified parent"; creating s. 63.037, F.S.; exempting adoption proceedings that result from a termination of parental rights from certain provisions of ch. 63, F.S.; creating s. 63.38, F.S.; providing criminal penalties for committing certain fraudulent acts; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption under certain circumstances; amending s. 63.082, F.S.; revising requirements for executing a consent to an adoption; providing additional disclosure requirements; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the birth parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a minor is legally available for adoption; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; creating s. 63.088, F.S.; providing requirements for identifying and locating a person who is required to consent to an adoption; providing requirements for the notice; providing requirements for conducting a diligent search for such person whose location is unknown; requiring that an unlocated or unidentified person be served notice by constructive service; providing that failure to respond or appear constitutes grounds to declare the minor available for adoption; creating s. 63.089, F.S.; providing procedures for the proceeding to declare a minor available for adoption; specifying the matters to be determined; providing for procedures following a judgment; providing for records to be made part of the subsequent adoption; amending s. 63.092, F.S.; revising requirements for a report to the court of the intended placement of a minor for adoption and for the preliminary home study; amending s. 63.097, F.S.; revising requirements for the court in approving specified fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing that prior approval of fees and costs does not obligate the birth parent to relinquish a minor for adoption; amending s. 63.112, F.S.; revising requirements for the information that must be included in a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S., relating to the final home investigation; conforming provisions to changes made by the act; amending s. 63.132, F.S.; revising requirements for the report of expenditures and receipts which is filed with the court; amending s. 63.142, F.S.; specifying circumstances under which a judgment declaring a minor available for adoption is void; providing for an evidentiary hearing to determine the minor's placement following a motion to void such a judgment; amending s. 63.165, F.S.; requiring that copies of a petition for adoption and the social and medical history be included in the state registry of adoption information; requiring that the Department of Children and Family Services maintain such information for a specified period; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S., relating to prohibitions and penalties with respect to adoptions; conforming provisions to changes made by the act; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing an effective date.

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

By Senator Klein—

**SB 552**—A bill to be entitled An act relating to juries; amending s. 40.015, F.S.; providing a method for establishing jury districts, boundaries; providing an effective date.

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

By Senator Burt—

**SB 554**—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing a third-degree-felony penalty for a third or subsequent conviction for driving under the influence; increasing present fines and penalties to conform; amending s. 921.0022, F.S.; conforming provisions in the sentencing guidelines; providing an effective date.

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

By Senator Forman—

**SB 556**—A bill to be entitled An act relating to the confidentiality of taxpayers' applications to repay their delinquent personal property taxes in installments; providing for future review and repeal; providing a justification for this exemption from public records provisions; providing a contingent effective date.

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

By Senator Forman—

**SB 558**—A bill to be entitled An act relating to taxation; creating s. 197.4155, F.S.; authorizing county tax collectors to implement an installment payment program for delinquent personal property taxes; providing conditions under which the program is available to delinquent personal property taxpayers; providing requirements for applying for participation in the program; providing a deadline for filing such an application; providing for a tax collector to prescribe an installment payment plan within a specified time period; allowing flexibility; prescribing limitations upon the duration of an installment plan; providing that tax warrants must not be enforced in certain circumstances; authorizing a tax collector to use all legally available enforcement methods if taxes due under an installment plan are not paid in full; amending s. 197.432, F.S.; revising requirements for calculating the rate of interest on void tax certificates; prohibiting holders of tax certificates from contacting property owners and demanding payment without the approval of the Department of Revenue; amending s. 197.472, F.S.; specifying the amount of interest earned when a tax certificate is redeemed and eliminating a mandatory minimum charge; amending s. 197.172, F.S., relating to interest on tax certificates, to conform; creating s. 213.68, F.S.; specifying the garnishment authority and procedures applicable to counties that self-administer the local option tourist development tax; providing an effective date.

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

By Senator Bronson—

**SB 560**—A bill to be entitled An act relating to determination of millage; amending s. 200.065, F.S.; authorizing taxing authorities to adopt the tax levies and budgets of their dependent special taxing districts by single votes, unless a member of the public requests a separate discussion and vote for the tax levy or budget of any such district; providing an effective date.

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



By Senators Kirkpatrick, Holzendorf, Brown-Waite, Williams, Gutman and Crist—

**SB 562**—A bill to be entitled An act relating to medical examiners; amending s. 406.06, F.S.; providing additional grounds for the suspension of medical examiners; amending s. 406.075, F.S.; providing penalties for disciplinary violations; amending s. 406.11, F.S.; specifying medical examiners' duties regarding autopsies; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Kurth—

**SB 564**—A bill to be entitled An act relating to higher education; amending s. 240.299, F.S.; providing reporting requirements for university direct-support organizations; amending s. 240.311, F.S., relating to rules of the State Board of Community Colleges; requiring a community college district board of trustees to annually evaluate the college president; amending s. 240.324, F.S.; providing an additional requirement for the accountability plan for community colleges; amending ss. 240.331, 240.3315, F.S.; prescribing membership of boards of directors and executive committees of community college direct-support organizations and statewide community college direct-support organizations; restricting activities of such direct-support organizations; providing reporting requirements for such organizations; amending s. 240.3335, F.S.; removing the authority of a board of directors of a center of technology innovation to acquire, lease, or sublease property; amending s. 240.363, F.S.; providing restrictions upon the transfer of funds to a direct-support organization; providing an effective date.

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

By Senator Grant—

**SB 566**—A bill to be entitled An act relating to trust funds; creating the "Rhea Chiles Health Care Education Trust Fund"; providing for the administration of the trust fund; providing an appropriation; providing a conditional effective date.

—was referred to the Committee on Ways and Means.

By Senator Dudley—

**SB 568**—A bill to be entitled An act relating to alcohol and substance abuse treatment programs; amending s. 394.76, F.S.; clarifying provisions that specify the ratio of local matching funds required to support certain state-funded community alcohol and substance abuse treatment programs if the required level of local funding is not provided in the General Appropriations Act or in the bill implementing the General Appropriations Act; providing an effective date.

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

By Senator Dudley—

**SB 570**—A bill to be entitled An act relating to assessments on health care entities; amending s. 395.701, F.S.; exempting outpatient radiation therapy services provided by certain hospitals from the annual assessment on net operating revenues of such hospitals; amending s. 395.7015, F.S.; exempting freestanding radiation therapy centers from the annual assessment on net operating revenues of certain health care entities; providing an effective date.

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

By Senator Dudley—

**SB 572**—A bill to be entitled An act relating to the death sentence; amending s. 922.10, F.S.; requiring that the Department of Corrections contract with a private vendor for the purpose of carrying out executions;

providing for the vendor to designate the executioner; providing an effective date.

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

By Senator Meadows—

**SB 574**—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 420.5099, F.S.; requiring that the corporation allocate a portion of low-income housing tax credits under the Internal Revenue Code to projects involving qualified nonprofit organizations; providing responsibilities of such organizations; defining such organizations; providing applicability to certain previously approved projects and requiring compliance; providing a retroactive effective date.

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

By Senator Ostalkiewicz—

**SB 576**—A bill to be entitled An act relating to special districts; requiring each special district that has the power to levy taxes or special assessments to elect the members of its governing body; prescribing requirements for such elections; providing for expiration of terms of office of present, nonelected district governing body members; providing an effective date.

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

By Senator Ostalkiewicz—

**SB 578**—A bill to be entitled An act relating to special districts; requiring certain special districts to conduct a referendum on their continued existence and certify the results to the Legislature; requiring certain special districts to obtain the approval of their electors before imposing or raising taxes; providing an effective date.

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

By Senator Ostalkiewicz—

**SB 580**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for a portion of the purchase price of a new or used car or light truck; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senators Childers and Clary—

**SB 582**—A bill to be entitled An act relating to parking permits for the disabled; amending s. 320.0848, F.S.; specifying persons eligible for such permits; providing an effective date.

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

By Senator Silver—

**SB 584**—A bill to be entitled An act relating to criminal history background checks; providing legislative intent; creating s. 943.083, F.S.; providing that certain religious, charitable, scientific, educational, athletic, or service institutions or organizations or local governmental entities with volunteers or employees or applicants for employment working with, or having regular unsupervised access to, children, elderly persons, or individuals with disabilities may make certain requirements

upon such volunteers, employees, or applicants; providing that the volunteer, employee, or applicant may be required to agree to the release of investigative records, provide fingerprints and other information necessary for criminal history records checks by the Department of Law Enforcement and Federal Bureau of Investigation, agree to notification by the department to the institution or organization or local governmental entity regarding certain previous convictions, under specified circumstances, or attend a training program; providing for fees for requested records checks; authorizing additional positions within the department in excess of the total number of authorized positions provided in the appropriation acts; providing for funding from the Law Enforcement Operating Trust Fund; providing an effective date.

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

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By Senator Silver—

**SB 586**—A bill to be entitled An act relating to felony offenses; amending s. 782.051, F.S.; revising the elements of the offense of committing a felony that causes bodily injury to provide that if a person who perpetrates or attempts to perpetrate certain enumerated felony offenses and who commits, aids, or abets an intentional act that could, but does not, cause the death of another, the person commits a first-degree felony; providing for ranking such offense under the Criminal Punishment Code based on the felony offense committed; providing an effective date.

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

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By Senator Silver—

**SB 588**—A bill to be entitled An act relating to the unlawful possession of a firearm; amending s. 790.22, F.S.; providing an enhanced penalty for the unlawful possession of a firearm by a minor; requiring that a minor who commits such offense serve a mandatory period of detention in a secure detention facility in addition to certain other sanctions; providing requirements for the community service that a court orders a minor to perform as a sanction for unlawfully possessing a firearm or for committing an offense that involves the use or possession of a firearm; providing an effective date.

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

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By Senator Silver—

**SB 590**—A bill to be entitled An act relating to property crimes; amending s. 810.011, F.S.; defining the term "curtilage"; amending s. 810.09, F.S.; removing references to unenclosed curtilage from the offense of trespass on property other than a structure or conveyance; amending s. 812.014, F.S.; removing reference to unenclosed curtilage from the offense of theft from a dwelling; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senators Brown-Waite, Cowin and Latvala—

**SB 592**—A bill to be entitled An act relating to water management; creating the Lake Panasoffkee Restoration Council; providing for its membership, powers, and duties; requiring the Southwest Florida Water Management District to provide staff for the council and to award contracts subject to an appropriation of funds; providing an effective date.

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

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By Senator Brown-Waite—

**SB 594**—A bill to be entitled An act relating to veterans' homes, including the Veterans' Domiciliary Home of Florida and the Veterans' Nursing Home of Florida; amending s. 296.02, F.S.; providing definitions; amending s. 296.03, F.S.; including extended congregate care in

the types of care offered by the domiciliary home; amending s. 296.06, F.S.; revising prerequisites to eligibility for admission to the domiciliary home; amending s. 296.08, F.S.; conforming a cross-reference; amending s. 296.09, F.S.; replacing the term "member" with the term "resident"; revising the list of information about each resident which is to be kept in the general register; amending ss. 296.04, 296.07, 296.10, 296.11, 296.12, 296.13, 296.14, 296.15, 296.16, 296.34, 296.37, 296.38, F.S.; replacing the term "member" with the term "resident"; amending s. 296.36, F.S.; amending the residency requirement for admission into the Veterans' Nursing Home of Florida; providing an effective date.

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

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By Senator McKay—

**SB 596**—A bill to be entitled An act relating to battery; creating s. 784.078, F.S.; defining "facility" and "employee"; defining the offense of battery of facility employee by throwing, tossing, or expelling certain fluids or materials on an employee of a correctional facility of the state or local government or a secure facility operated and maintained by the Department of Corrections or the Department of Juvenile Justice or other facility employee, so as to cause or attempt to cause such employee to come into contact with the fluid or material; providing penalties; providing for placement of an offender on a management meal program under specified circumstances; amending s. 921.0022, F.S.; providing for ranking the offense of battery of a facility employee for purposes of the Criminal Punishment Code offense severity ranking chart; providing an effective date.

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

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**SB 598**—Not referenced.

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By Senator Hargrett—

**SB 600**—A bill to be entitled An act relating to solid waste management; amending s. 403.707, F.S.; providing conditions for issuing permits; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

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By Senators Bronson and Klein—

**SB 602**—A bill to be entitled An act relating to bulk transfers; creating s. 726.202, F.S.; specifying certain bulk transfers as fraudulent under certain circumstances; providing criteria; providing requirements; specifying liability; providing an effective date.

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

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By Senator Lee—

**SB 604**—A bill to be entitled An act relating to DUI vehicle impoundment; amending s. 316.193, F.S.; providing for impoundment of vehicles during the period of probation; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Hargrett—

**SB 606**—A bill to be entitled An act relating to suspension or revocation of driver's licenses; amending s. 322.28, F.S.; providing suspension or revocation of driver's licenses not to be concurrent with imprisonment; providing for an effective date.

—was referred to the Committee on Transportation.

By Senator Ostalkiewicz—

**SB 608**—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; updating references to the United States Internal Revenue Code for purposes of the corporate income tax; providing for retroactive effect; providing an effective date.

—was referred to the Committee on Ways and Means.

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By Senator Crist—

**SJR 610**—A joint resolution proposing an amendment to Section 8, Article IV of the State Constitution, relating to clemency.

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

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By Senator Crist—

**SB 612**—A bill to be entitled An act relating to admissions to sporting events; amending s. 212.04, F.S.; exempting from taxation admissions to certain collegiate tournament games and baseball all-star games; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; Commerce and Economic Opportunities; and Community Affairs.

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By Senator McKay—

**SB 614**—A bill to be entitled An act relating to education; creating a public-private partnership pilot program for students who have disabilities; providing intent and definitions; providing eligibility requirements for private schools, nonprofit organizations, and home education program parents; providing for flexibility in educating students; providing for payment of funds; requiring certain funds to be sent to a direct-support organization for specified use; providing student eligibility; providing for rules; requiring the Department of Education to establish a choice-information center; requiring legislative review; requiring reports; providing for severability; providing an effective date.

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

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By Senator McKay—

**SB 616**—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; providing for payment into pretax annuities for accumulated sick leave to certain employees of district school systems; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may earn for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; providing for community college district boards of trustees to adopt rules allowing payment for unused sick leave into pretax annuities; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing an effective date.

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

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By Senator Brown-Waite—

**SB 618**—A bill to be entitled An act relating to regional planning councils; amending s. 186.504, F.S.; prescribing membership in the councils; providing an effective date.

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

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By Senator Grant—

**SB 620**—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 2, 3, and 4, ch. 97-077, Laws of Florida; providing for a Second Chance Scholars award; providing eligibility requirements; providing amount of awards; providing renewal requirements; providing an effective date.

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

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By Senator Meadows—

**SB 622**—A bill to be entitled An act relating to the practice of professional biology; creating ch. 485, F.S., to provide for regulation of such practice; providing purpose; specifying requirements for practice; providing for exemptions from regulation; providing definitions; creating the Board of Professional Biologists within the Department of Business and Professional Regulation; providing rulemaking authority; requiring development of a test; providing for a code of ethics; providing for fees; providing for disposition of moneys collected; requiring preparation and submission of a proposed budget; providing licensure requirements; providing requirements for licensure by endorsement; providing requirements for temporary licenses; providing requirements for renewal of a license; requiring notification to the department of address of primary place of practice; providing for continuing education requirements; providing for reactivation from inactive status; requiring a certificate of authorization for a corporation, partnership, association, or person practicing under a fictitious name to practice or offer to practice professional biology; providing for an official seal and the requirements for use thereof; prohibiting certain acts and providing penalties therefor; specifying acts that constitute grounds for disciplinary action and providing penalties therefor; requiring the reporting of criminal violations for prosecution; providing effect of the chapter locally; providing construction; providing for grandfathering; amending s. 20.165, F.S.; placing the board within the Division of Professions of the department; providing an effective date.

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

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By Senator Silver—

**SB 624**—A bill to be entitled An act relating to enhanced penalties for certain felony offenses; amending s. 775.084, F.S.; revising the requirements for the court with respect to sentencing a defendant as a habitual felony offender or a habitual violent felony offender; providing an effective date.

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

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By Senators Silver and Dyer—

**SB 626**—A bill to be entitled An act relating to timeshare plans; amending s. 721.03, F.S.; revising language with respect to the scope of the chapter; providing for certain rules; amending s. 721.06, F.S.; revising language with respect to contracts for the purchase of timeshare periods; amending s. 721.07, F.S.; revising language with respect to public offering statements; providing a time period for amendments that add a new component site to an approved multisite timeshare plan; amending s. 721.075, F.S.; deleting language with respect to certain incidental benefits offered by a developer; amending s. 721.09, F.S.; revising language with respect to reservation agreements; providing for cancellation of such agreements under certain circumstances; amending s. 721.13, F.S.; revising language with respect to management; amending s. 721.15, F.S.; revising language with respect to assessments for common expenses; amending s. 721.18, F.S.; revising a time period with respect to the filing of certain information concerning exchange programs; amending s. 721.26, F.S.; authorizing the imposition of penalties with respect to certain rules; creating part III of chapter 721, F.S.; creating the "Timeshare Lien Foreclosure Act"; providing legislative purpose; providing definitions; providing qualifications of trustees and appointment of successor trustees; providing for disclosure and acknowledgment; providing for conditions to the exercise of the power of sale by a trustee; providing for the manner of delivery of notice of default and intent to sell; providing for notice of sale; providing for publication of notice of sale; providing for trustee's certificate of compliance; providing

for the manner of sale; providing for the effect of the trustee's sale; providing for the issuance of a trustee's deed; providing for the disposition of the proceeds of sale; providing for the form and effect of the trustee's deed; providing for the application of the part; providing an effective date.

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

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By Senator Williams—

**SB 628**—A bill to be entitled An act relating to Medicaid provider fraud; amending s. 409.910, F.S.; limiting the scope of liability for which Medicaid benefits must be repaid; amending s. 624.424, F.S.; conforming a cross-reference; barring certain civil actions; providing for retroactive application; providing an effective date.

—was referred to the Committee on Rules and Calendar.

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By Senator Lee—

**SB 630**—A bill to be entitled An act relating to culpable negligence; amending s. 784.05, F.S.; providing that a person commits the offense of exposing another to personal injury through culpable negligence, when such person knowingly has permitted the person's dog to run at large as a "pack of dogs," as defined, and the pack of dogs inflicts significant personal injury; providing penalties; providing that a person commits the offense of exposing another to personal injury through culpable negligence when such person knowingly has permitted the person's dog to run at large as a pack of dogs and the death of any person occurs from injury inflicted by the pack of dogs; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Ostalkiewicz—

**SB 632**—A bill to be entitled An act relating to professions, occupations, and businesses; prohibiting specified state agencies from penalizing a person for violating specified regulations of which the person had no knowledge; prohibiting such agencies from enforcing regulations applicable to the collection of taxes or to professions, occupations, or businesses when specified conditions are met; providing a defense for enforcement actions in specified circumstances; providing an effective date.

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

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By Senator Ostalkiewicz—

**SB 634**—A bill to be entitled An act relating to taxation of intangible personal property; amending s. 199.023, F.S.; excluding accounts receivable from the definition of "intangible personal property"; amending ss. 199.103, 199.185, F.S., to delete references to accounts receivable; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senators Ostalkiewicz, Lee, Myers, Cowin and Grant—

**SB 636**—A bill to be entitled An act relating to taxation of homes for the aged; amending s. 196.1976, F.S.; providing that the provisions of s. 196.1975, F.S., relating to the ad valorem tax exemption for nonprofit homes for the aged, are severable, rather than nonseverable; creating s. 196.1977, F.S.; providing an exemption for each apartment in certain continuing care facilities occupied by a person who makes the apartment his or her permanent home and who is not eligible for homestead exemp-

tion; providing procedures and requirements; providing legislative intent; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Community Affairs.

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By Senators Ostalkiewicz, Williams, Harris and Clary—

**SB 638**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the activities and industries to which the exemption for electricity used in certain manufacturing and related operations applies; specifying a threshold for use of electricity to qualify for exemption; deleting a requirement relating to separate metering of such electricity; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By the Committee on Regulated Industries—

**SB 640**—A bill to be entitled An act relating to telecommunications; providing legislative intent relating to local telecommunications services; providing an effective date.

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

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By Senator Rossin—

**SB 642**—A bill to be entitled An act instructing the Division of Statutory Revision to make necessary changes to conform the Florida Statutes to the name change of the Department of Health and Rehabilitative Services and the divestiture of programs of the former department to other departments or agencies; repealing s. 372.6672, F.S., relating to alligator management and trapping programs; repealing s. 409.9125, F.S., relating to Medicaid alternative service networks; providing an effective date.

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

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By Senators Silver and Dudley—

**SB 644**—A bill to be entitled An act relating to investment securities and leases under the Uniform Commercial Code; revising chapter 678, F.S.; revising part I, relating to general matters; providing a short title; providing definitions; providing rules for determining whether certain obligations and interests are securities or financial assets; providing for acquisition of security or financial assets or interests; providing for notice of adverse claim; providing for control of certain securities; providing for effect of certain actions; providing for warranties in direct holding; providing for warranties in indirect holding; providing for applicability of law; providing clearing corporation rules; providing for creditor's legal process; providing for inapplication of statute of frauds; providing for evidentiary rules concerning certificated securities; providing for nonliability to adverse claimant under certain circumstances; providing for securities intermediary as purchaser for value; revising part II, relating to issue and issuer; providing a definition of issuer; providing for issuer's responsibilities and defenses; providing for notice; specifying staleness as notice of defect or defense; providing effect of issuer's restriction on transfer; providing for effect of unauthorized signatures; providing for completion or alteration of security certificates; providing rights and duties of issuer with respect to registered owners; providing for effect of signature of certain persons; providing for issuer's liens; specifying conditions of overissue; revising part III, relating to transfer of certificated and uncertificated securities; providing for delivery of certain securities; providing for rights of purchaser; providing for protected purchasers; providing for indorsement; providing for certain instructions; providing for effect of guaranteeing certain actions; providing purchaser's right to certain requisites; revising part IV, relating to registration; providing duties of issuer to register transfers; requiring certain assurance of effectiveness of certain actions; providing for demand that issuer not register transfer; providing for liability for wrongful registration; providing for replacement of certain certificates; providing for obligation to

notify issuer of certain certificates; providing for authenticating certain persons; revising part V, relating to security entitlements; providing for securities accounts; providing for acquisition of security entitlement from a securities intermediary; providing for assertion of adverse claim against entitlement holder; providing for property interest of entitlement holder in certain assets; providing duties of securities intermediary; providing for certain rights of purchaser of security entitlement; providing priority among security interests and entitlement holders; amending s. 679.103, F.S.; providing for perfection of security interests relating to investment property; amending ss. 679.105 and 679.106, F.S., to conform; creating s. 679.115, F.S.; providing for perfection of security interests in certain investment properties; providing definitions; providing criteria; providing procedures; creating s. 679.116, F.S.; providing for perfection of security interests arising in purchase or delivery of financial interests; amending ss. 679.203, 679.301, 679.302, 679.303, 679.304, 679.305, 679.306, 679.309, and 679.312, F.S., to conform; amending ss. 671.105, 671.206, 674.104, and 675.114, F.S., to conform; providing for applicability; amending s. 680.1031, F.S.; redefining the terms "consumer lease" and "finance lease"; amending s. 680.1041, F.S.; revising language with respect to other statutes to which leases are subject; amending s. 680.303, F.S.; revising language with respect to the alienability of a party's interest under a lease contract or of a lessor's residual interest in goods; amending s. 680.304, F.S.; revising language with respect to the subsequent lease of goods by the lessor; amending s. 680.307, F.S.; revising language with respect to priority of liens arising by attachment or levy on security interests in and other claims to goods; amending s. 680.309, F.S.; revising language with respect to lessor's and lessee's rights when goods become fixtures; creating s. 680.32, F.S.; providing that nothing in chapter 680, F.S., prevents subordination by agreement by any person entitled to priority; amending s. 680.501, F.S.; revising language with respect to the procedure governing default; amending s. 680.503, F.S.; revising language with respect to modification or impairment of rights and remedies; amending s. 680.507, F.S.; revising language with respect to proof of market rent; amending s. 680.508, F.S.; revising language with respect to lessee's remedies; amending s. 680.516, F.S.; revising language with respect to the effect of acceptance of goods, notice of default, the burden of establishing default after acceptance, and notice of claim or litigation to persons answerable over; amending s. 680.518, F.S.; revising language with respect to cover and substitute goods; amending s. 680.519, F.S.; revising language with respect to lessee's damages for nondelivery, repudiation, default, or breach of warranty in regard to accepted goods; amending s. 680.523, F.S.; revising language with respect to lessor's remedies; amending s. 680.524, F.S.; revising language with respect to lessor's right to identify goods to lease contract; amending s. 680.525, F.S.; revising language with respect to lessor's right to possession of goods; amending s. 680.527, F.S.; revising language with respect to lessor's rights to dispose of goods; amending s. 680.528, F.S.; revising language with respect to lessor's damages for nonacceptance or repudiation; amending s. 680.529, F.S.; revising language with respect to lessor's action for rent; amending s. 680.532, F.S.; revising language with respect to lessor recovery for loss of residual interest; providing for the application of the act; repealing ss. 610.011, 610.021, 610.031, 610.041, 610.051, 610.061, 610.071, 610.081, 610.091, 610.101, 610.111, and 610.112, F.S., relating to the Uniform Act for Simplification of Fiduciary Security Transfers; repealing ss. 678.101, 678.102, 678.103, 678.104, 678.105, 678.106, 678.107, 678.108, 678.201, 678.202, 678.203, 678.204, 678.205, 678.206, 678.207, 678.208, 678.301, 678.302, 678.303, 678.304, 678.305, 678.306, 678.307, 678.308, 678.309, 678.310, 678.311, 678.312, 678.313, 678.314, 678.315, 678.316, 678.317, 678.318, 678.319, 678.320, 678.321, 678.401, 678.402, 678.403, 678.404, 678.405, 678.406, 678.407, 678.408, F.S., relating to investment securities under the Uniform Commercial Code; providing an effective date.

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

By Senators Gutman, Horne, Klein and Diaz-Balart—

**SB 646**—A bill to be entitled An act relating to sexually violent predators; creating s. 916.30, F.S.; providing a short title; providing legislative findings and intent with respect to the civil commitment of sexually violent predators; creating s. 916.31, F.S.; defining terms; creating s. 916.32, F.S.; requiring the Department of Children and Family Services or the Department of Corrections to notify the Attorney General and a multidisciplinary team prior to the release from custody of a person alleged to be a sexually violent predator; providing immunity from liability for certain persons; requiring the Secretary of Children and Family Services to establish a multidisciplinary team to review the records of persons alleged to be sexually violent predators; requiring that the team report to the Attorney General; requiring the Governor to appoint a

prosecutor's review committee upon the request of the Attorney General; providing for the review committee to assist the Attorney General in determining if a person is a sexually violent predator; creating s. 916.33, F.S.; providing for the Attorney General to file a petition alleging that a person is a sexually violent predator; creating s. 916.34, F.S.; requiring that the court determine if the petition sets forth sufficient grounds for determining probable cause; authorizing the court to order that the respondent be taken into custody upon a preliminary determination of probable cause; providing for a probable-cause hearing; creating s. 916.35, F.S.; providing for a trial on the issue of whether the respondent is a sexually violent predator; providing for the respondent to be assisted by counsel and experts upon request; providing for a jury trial at the request of the respondent or the Attorney General or upon a motion of the court; creating s. 916.36, F.S.; providing the standard of proof for determining whether the respondent is a sexually violent predator; providing for an appeal; providing for a person determined to be a sexually violent predator to be committed to the Department of Children and Family Services; authorizing the Department of Children and Family Services to enter into an agreement with the Department of Corrections for the confinement of sexually violent predators; providing a procedure if the respondent has been found incompetent to stand trial; creating s. 916.37, F.S.; providing that it is a second-degree felony to escape while in lawful custody prior to or following commitment as a sexually violent predator; creating s. 916.38, F.S.; providing for certain confidential information and records to be released to the Department of Children and Family Services, the Department of Corrections, and the Attorney General; providing an effective date.

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

By Senators Kirkpatrick, Sullivan and Forman—

**SB 648**—A bill to be entitled An act relating to state purchasing; requiring the Department of Management Services to develop and publish guidelines for state agencies with respect to the purchase of computer mainframes; establishing minimum requirements; providing an effective date.

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

By Senator Clary—

**SB 650**—A bill to be entitled An act relating to Medicaid; amending s. 409.912, F.S.; allowing the Agency for Health Care Administration to provide certain types of services for the Healthy Start program; amending s. 383.011, F.S.; directing the agency to seek a federal waiver for the Healthy Start program; providing an effective date.

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

By Senator Turner—

**SB 652**—A bill to be entitled An act relating to minority business enterprises; amending s. 287.09451, F.S.; requiring certain persons doing business with the state to submit a minority business development plan; providing that failure to submit a plan disqualifies a person from bidding on state contracts for a period of time; providing an effective date.

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

By Senator Turner—

**SB 654**—A bill to be entitled An act relating to school pesticide safety; creating s. 232.365, F.S.; providing definitions; requiring a school pest management plan; requiring notification to students, parents, and staff of pesticide application; providing notice requirements; requiring a school pesticide registry; requiring records and reports; providing an effective date.

—was referred to the Committee on Education.

By Senator Turner—

**SB 656**—A bill to be entitled An act relating to education; amending s. 233.061, F.S.; encouraging school districts to provide instruction in the history of labor and business; providing an effective date.

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

By Senator Turner—

**SB 658**—A bill to be entitled An act relating to veterans; creating s. 320.08405, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop, in cooperation with the Department of Veterans' Affairs, taglets honoring each military branch; providing for a fee; providing for applications; providing for the disposition of fees; providing an effective date.

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

By Senator Turner—

**SB 660**—A bill to be entitled An act relating to education; providing that state-funded education and care programs for infants and toddlers must foster brain development; requiring an evaluation and a report; providing an effective date.

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

By Senator Turner—

**SB 662**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.001, F.S.; revising a definition; amending s. 790.06, F.S.; revising conditions precedent to the issuance of a license to carry a concealed weapon or firearm; requiring the denial or revocation of a license under specified circumstances; providing an additional condition under which a license shall be suspended or revoked pursuant to ch. 120, F.S.; expanding provisions relating to areas upon which concealed weapons or firearms shall not be carried; increasing the penalty for violation; amending s. 790.065, F.S., relating to sale and delivery of firearms; including a specified misdemeanor penalty within conditions which constitute conditional nonapproval of a licensee; providing for suspension of a specified time limitation under certain conditions; revising procedure to provide for issuance of a nonapproval number to potential buyers prohibited from owning a firearm; providing a time limit within which specified records shall be destroyed; repealing s. 790.065(13), F.S., as created by chapter 89-191, Laws of Florida; nullifying the scheduled repeal of s. 790.065, F.S., on the effective date of federal law which provides access to national criminal history information and requires national criminal history checks on potential buyers or transferees on firearms; repealing s. 790.065(14), F.S., as created by chapter 93-197, Laws of Florida; nullifying the scheduled repeal of s. 790.065, F.S., on October 1, 1999; amending s. 790.0655, F.S.; revising provisions relating to the mandatory 3-day waiting period between the purchase and delivery of a handgun; providing a penalty; creating s. 790.0657, F.S.; providing for regulation of the sale of firearms at gun shows; providing definitions; requiring that persons promoting the sale of firearms in the state through gun shows register with the Florida Department of Law Enforcement; requiring the promoter of any gun show at which firearms are being sold to be a firearms dealer; requiring all sales and transfers of firearms at a gun show to be subject to background check provisions of s. 790.065, F.S.; providing a first-degree misdemeanor penalty for the sale or transfer of a firearm within 1,000 feet of a gun show by specified unauthorized persons; requiring gun show promoters to pay a fee to defray the cost of firearm purchase program services; providing an appropriation to fund such services; amending s. 790.08, F.S.; authorizing the submission of seized handguns to the Florida Department of Law Enforcement; requiring the department to forward serial numbers of seized handguns to the Federal Bureau of Alcohol, Tobacco, and Firearms for specified tracing and identification purposes; amending s. 790.10, F.S.; increasing the penalty for improper exhibition of dangerous weapons or firearms; amending s. 790.115, F.S., relating to the prohibition against possessing or discharging weapons or firearms on school property; clarifying language relative to a specified exception; amending s. 790.17, F.S.; providing that a person may not knowingly or willfully rent, barter, lend, or give a firearm to a minor; providing a penalty;

increasing the penalty for sale or transfer of a firearm to a minor; amending s. 790.22, F.S.; revising penalty requirements for offenses involving possession of a firearm by a minor under 18 years of age; amending s. 790.23, F.S.; providing an additional condition which constitutes unlawful ownership or possession of specified firearms or weapons; amending s. 790.25, F.S.; providing additional exclusions from the protections of provisions governing lawful ownership, possession, and use of firearms and other weapons; including correctional officers among persons who may lawfully own, possess, and use firearms and other weapons; amending s. 790.256, F.S.; requiring the Department of Children and Family Services to prepare specified public service announcements; amending s. 790.27, F.S.; increasing the penalty for selling, delivering, or possessing any firearm on which the manufacturer's or importer's serial number has been unlawfully altered or removed; amending s. 790.33, F.S.; authorizing the option of any county to require handgun registration and reporting of handgun title transfers; providing an effective date.

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

By Senator Horne—

**SB 664**—A bill to be entitled An act relating to Duval County; providing that specified general law supersedes special acts applicable to Duval County with respect to school district personnel; providing for certain employees to retain rights under special acts; providing an effective date.

Proof of publication of the required notice was attached.

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

By the Committee on Transportation—

**SB 666**—A bill to be entitled An act relating to WAGES program transportation; amending s. 234.01, F.S.; authorizing school districts to provide transportation for WAGES participants; amending s. 234.211, F.S.; providing for reimbursement of school districts; amending s. 341.041, F.S.; establishing responsibilities of the Department of Transportation with respect to transit services for WAGES participants; amending s. 341.052, F.S.; relating to duties of public transit block grant recipients to coordinate with local WAGES coalitions regarding transportation services; deleting duplicative provisions; amending s. 414.026, F.S.; revising membership of the WAGES Program State Board of Directors; amending s. 414.20, F.S.; clarifying transportation options available to local WAGES coalitions to assist WAGES participants; creating s. 414.225, F.S.; providing for the provision of transitional transportation for former WAGES participants; amending s. 427.013, F.S.; providing for the duties of the Commission for the Transportation Disadvantaged regarding WAGES transportation; amending s. 427.0155, F.S.; providing for the duties of community transportation coordinators regarding WAGES transportation; amending s. 427.0157, F.S.; providing for the duties of the local coordinating boards regarding WAGES transportation; providing an effective date.

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

By Senator Crist—

**SB 668**—A bill to be entitled An act relating to violent offenders; amending s. 945.092, F.S.; providing that a habitual violent felony offender or violent career criminal may not be placed in a work-release program or confined in a minimum security facility; providing an effective date.

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

By Senators Crist, Williams and Campbell—

**SB 670**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk

member"; amending s. 121.0515, F.S.; adding to the Special Risk Class of membership certain emergency medical technicians and paramedics; providing legislative intent; providing an effective date.

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

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By Senator Horne—

**SB 672**—A bill to be entitled An act relating to evidence; amending s. 90.803, F.S.; providing additional exceptions to the prohibition against hearsay evidence; providing an effective date.

—was referred to the Committee on Rules and Calendar.

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By Senator Latvala—

**SB 674**—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S.; revising provisions which regulate the conduct of bingo; providing findings and intent; providing definitions; providing for administration and enforcement by the Division of Pari-mutuel Wagering and county sheriffs and municipal police; providing powers and duties of the division; requiring an annual report; providing requirements for the conduct of bingo by charitable organizations, associational organizations, and authorized organizations; requiring such organizations to obtain a license or certificate; providing an exception; requiring lessors of premises for the conduct of bingo to be licensed; providing requirements relating to such lessors; providing application requirements for licenses and certificates; providing for fees; providing for processing of applications by the division; specifying license and certificate time periods; providing conditions under which licenses or certificates may be suspended or revoked; providing restrictions on use of the proceeds; providing requirements for deposit of proceeds; requiring reports; providing minimum standards for the conduct of bingo; providing for administrative fines and criminal penalties; specifying that the act does not prevent any county from adopting the same or stricter regulations; providing an effective date.

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

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By Senator Ostalkiewicz—

**SB 676**—A bill to be entitled An act relating to state government; providing legislative intent; providing duties of procuring agencies relating to procurement contracts; imposing certain duties on the Comptroller; providing application; providing an effective date.

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

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By Senator Bronson—

**SB 678**—A bill to be entitled An act relating to guidelines for fair treatment of victims and witnesses in the justice system; allowing specified state agencies to participate in crime-prevention and educational activities; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 680**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for the sale of performance-enhancing or growth-enhancing products for livestock; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Ostalkiewicz—

**SB 682**—A bill to be entitled An act relating to the state lottery; amending s. 24.115, F.S.; providing for reducing prize amounts to certain persons who receive public assistance under certain circumstances; providing for deducting overpayments from public assistance payment under certain circumstances; providing for agency responsibility for identifying certain recipients of public assistance; providing for disposition of remainders of lottery prizes under certain circumstances; providing immunity from liability to state agencies under certain circumstances; defining "public assistance"; amending s. 414.28, F.S.; conforming provisions relating to public assistance payments; providing reporting requirements; providing an effective date.

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

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By Senator Meadows—

**SB 684**—A bill to be entitled An act relating to state government; creating a Science Advisory Board; providing for qualifications and appointment of members; providing for expenses; providing duties of the board with respect to risk impact statements prepared by agencies and risk assessment issues; providing administrative duties of the Economic and Demographic Research Division of the Joint Legislative Management Committee; providing an appropriation; providing an effective date.

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

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By Senator Williams—

**SB 686**—A bill to be entitled An act relating to homestead property; amending s. 222.01, F.S.; providing that a statement declaring property to be a homestead for purposes of exemption from forced sale must be filed in person with the clerk of the circuit court; providing an effective date.

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

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By Senator Gutman—

**SB 688**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.06, F.S.; providing definitions; authorizing the designation of seaport duty-free zones by counties that contain certain deepwater ports; providing an exemption from the sales and use tax for certain items purchased within a seaport duty-free zone by passengers on a sea cruise ship who reside outside this state; providing procedures; providing penalties for making a fraudulent statement for the purpose of tax evasion; providing for inapplicability of the exemption to certain commodities; providing penalties for failing to remove property from the state if the tax was not paid; authorizing a business that operates a sea cruise ship to issue cruise arrival-departure cards; requiring records to be kept; providing a mandatory fine for issuing a false or fraudulent arrival-departure card for the purpose of tax evasion; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Williams—

**SB 690**—A bill to be entitled An act relating to concurrency on the Florida Interstate Highway System; amending s. 163.3180, F.S.; directing the Department of Transportation to lower the level-of-service standard on certain segments of the system within the jurisdiction of a local government under certain circumstances; providing an effective date.

—was referred to the Committee on Transportation.

By Senators Grant, Rossin, Sullivan and Casas—

**SB 692**—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that a person is guilty of driving under the influence when any amount of certain chemical or controlled substances is present in blood or urine regardless of the presence of alcohol; providing a defense; providing an effective date.

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

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By Senator Grant—

**SB 694**—A bill to be entitled An act relating to racketeering; amending s. 895.02, F.S.; redefining the term “racketeering activity” to include certain acts of lewdness or assignation; providing a penalty; providing an effective date.

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

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By Senator Grant—

**SB 696**—A bill to be entitled An act relating to public exhibition of violent video games; providing a short title; providing definitions; prohibiting the public showing, display, or other exhibition in specified places of video games containing graphic violence; prohibiting a person who operates a place of business where video games containing graphic violence are shown, displayed, or exhibited from knowingly permitting or allowing any person under 18 years of age to patronize, visit, or loiter in such place of business; providing penalties; providing for deposit of fines in the Public Medical Assistance Trust Fund for use for a certain purpose; providing for proof of age to be required of a prospective video game observer at the place of business; providing a defense to prosecution under specified provisions; providing that a person who operates such place of business may seek a declaratory judgment from a court of appropriate jurisdiction on whether a video game contains graphic violence; providing an effective date.

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

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By Senator Ostalkiewicz—

**SB 698**—A bill to be entitled An act relating to antique vessels; amending s. 327.25, F.S.; deleting a requirement for the registration of an antique vessel; providing an effective date.

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

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By Senator Grant—

**SB 700**—A bill to be entitled An act relating to education; amending s. 236.081, F.S., relating to funds for operation of schools; providing funding for extension of the school year; providing an effective date.

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

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By Senators Grant, Casas, Latvala and Lee—

**SB 702**—A bill to be entitled An act relating to elections; providing a short title; providing a statement of legislative intent; amending s. 104.271, F.S.; expanding applicability of the prohibition against making false or malicious charges against, or false statements about, candidates; eliminating the requirement of actual malice in the prohibition against making false statements about candidates and providing for personal liability with respect thereto; clarifying and providing penalties; providing an effective date.

—was referred to the Committees on Executive Business, Ethics and Elections; Criminal Justice; and Ways and Means.

By Senator Klein—

**SB 704**—A bill to be entitled An act relating to limited liability companies; amending s. 220.02, F.S.; revising legislative intent; providing application; amending s. 220.03, F.S.; revising a definition; amending s. 220.13, F.S.; redefining the term “taxable income” as applied to limited liability companies to exclude income of certain limited liability companies; amending s. 608.406, F.S.; revising criteria for limited liability company names; amending s. 608.471, F.S.; exempting certain limited liability companies from the corporate income tax; providing for classifying certain limited liability companies or members or assignees of a member of a limited liability company for certain taxation purposes; providing an effective date.

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

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By Senator Sullivan—

**SB 706**—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; revising provisions relating to high school graduation credit requirements; providing for early graduation; amending s. 236.081, F.S., relating to funds for operation of schools; providing for calculation of full-time equivalent student membership for students who graduate early; providing an effective date.

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

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By Senator Grant—

**SB 708**—A bill to be entitled An act relating to alcohol and other substance abuse testing of a delinquent child; amending s. 985.231, F.S., relating to powers of disposition in delinquency cases; providing that the court may order a delinquent child placed in a community control or aftercare program to submit to random testing for alcohol or controlled substances; providing that the order may be made at the disposition or pursuant to the filing of a petition alleging violation of the conditions of the child’s community control or aftercare supervision; reenacting s. 985.31(3)(e), F.S., relating to serious or habitual offenders, and s. 985.311(3)(e), F.S., relating to intensive residential treatment program for offenders less than 13 years of age, to incorporate said amendment in references; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Silver—

**SB 710**—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 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. 319.30, F.S.; conforming a cross-reference; providing an effective date.

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

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By Senator Bronson—

**SB 712**—A bill to be entitled An act relating to municipalities; amending s. 166.021, F.S.; providing legislative findings; authorizing municipi-



pal governing bodies to expend public funds to attract and retain business enterprises; specifying that such use of public funds constitutes a public purpose and defining the economic development activities that qualify as such public purpose; providing an effective date.

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

By Senator Forman—

**SB 714**—A bill to be entitled An act relating to health quality assurance; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; requiring background screening for an applicant for licensure of certain laboratories; authorizing the use of certain body hair for drug testing; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending s. 381.026, F.S.; requiring that a patient's bill of rights be made available by a facility that provides emergency services or outpatient services; amending s. 381.0261, F.S.; requiring that a patient's bill of rights includes additional information; creating s. 381.60225, F.S.; requiring background screening for an applicant for certification to operate an organ procurement organization, a tissue bank, or an eye bank; amending s. 383.302, F.S., relating to the regulation of birth centers; revising definitions to reflect the transfer of regulatory authority from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; amending s. 383.305, F.S.; requiring background screening for an applicant for licensure of a birth center; amending ss. 383.308, 383.309, 383.31, 383.312, 383.313, 383.318, 383.32, 383.324, 383.325, 383.327, 383.33, 383.331, F.S., relating to the regulation of birth centers; conforming provisions to reflect the transfer of regulatory authority to the Agency for Health Care Administration; amending s. 390.015, F.S.; requiring background screening for an applicant for licensure of an abortion clinic; amending s. 391.206, F.S.; requiring background screening for an applicant for licensure to operate a pediatric extended care center; amending s. 393.063, F.S., relating to developmental disabilities; providing a definition; amending s. 393.067, F.S.; requiring background screening for an applicant for licensure to operate an intermediate care facility for the developmentally disabled; amending s. 394.4787, F.S., relating to the regulation of mental health facilities; conforming a cross-reference to changes made by the act; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 394.67, F.S., relating to community alcohol, drug abuse, and mental health services; revising definitions; amending s. 394.875, F.S.; requiring background screening for an applicant for licensure of a crisis stabilization unit or residential treatment facility; amending ss. 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903, 394.904, 394.907, F.S., relating to the regulation of mental health facilities; conforming provisions to reflect the transfer of regulatory authority to the Agency for Health Care Administration; amending s. 395.002, F.S., relating to hospital licensing and regulation; providing definitions; creating s. 395.0055, F.S.; requiring background screening for an applicant for licensure of a facility operated under ch. 395, F.S.; amending s. 395.0163, F.S.; requiring that the agency review plans and specifications for certain outpatient facilities; amending s. 395.0193, F.S.; revising certain requirements for peer review of physicians; providing requirements for reporting disciplinary actions to the agency; authorizing the agency to levy administrative fines; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; amending s. 395.0199, F.S.; requiring background screening for an applicant for registration as a utilization review agent; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed hospital facilities are capable of serving as shelters only for patients, staff, and the families of staff; providing for applicability; providing for a report by the agency to the Governor and Legislature; transferring, renumbering, and amending ss. 626.941, 626.942, 626.943, 626.944, 626.945, F.S., relating to the regulation of health care risk managers; conforming provisions to reflect the transfer of regulatory authority from the Department of Insurance to the Agency for Health Care Administration; providing for the Health Care Risk Manager Advisory Council to be appointed by the Director of Health Care Administration; amending s. 395.401, F.S.; providing for certain reports relating to charity care and formerly made to the Health Care Board to be made to the agency; amending s. 395.602, F.S., relating to rural hospitals; conforming a cross-reference to changes made by the

act; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending s. 400.051, F.S.; conforming a cross-reference; amending s. 400.071, F.S.; requiring background screening for an applicant for licensure of a nursing home; amending s. 400.411, F.S.; requiring background screening for an applicant for licensure of an assisted living facility; amending ss. 400.414, 400.417, 400.4174, 400.4176, F.S., relating to the regulation of assisted living facilities; providing additional grounds for denial, revocation, or suspension of a license; requiring background screening for employees hired on or after a specified date; amending ss. 400.461, 400.462, F.S., relating to the regulation of home health agencies; conforming a cross-reference; revising definitions; amending s. 400.464, F.S.; revising licensure requirements for home health agencies; specifying services that are exempt from the licensure requirements; amending s. 400.471, F.S.; requiring background screening for an applicant for licensure of a home health agency; revising requirements for license renewal; amending s. 400.474, F.S.; providing penalties for operating a home health agency without a license; amending s. 400.484, F.S.; providing a schedule for the agency to use in imposing fines for various classes of violations; amending s. 400.487, F.S.; revising requirements for patient assessment and services; amending s. 400.491, F.S.; revising requirements for maintaining patient records; amending s. 400.497, F.S.; revising requirements for the agency in establishing minimum standards; amending s. 400.506, F.S.; requiring background screening for an applicant for licensure of a nurse registry; amending s. 400.509, F.S.; requiring background screening for an applicant for registration as a service provider who is exempt from licensure; amending s. 400.512, F.S.; revising screening requirements for home health agency personnel; amending s. 400.555, F.S.; requiring background screening for an applicant for licensure of an adult day care center; creating s. 400.5572, F.S.; requiring background screening for employees of an adult day care center hired on or after a specified date; amending s. 400.606, F.S.; requiring background screening for an applicant for licensure of a hospice; amending s. 400.619, F.S.; revising background screening requirements for an applicant for licensure of an adult family care home; providing screening requirements for designated relief persons; amending s. 400.702, F.S.; deleting a requirement that certain intermediate-level care facilities accept only certain low-income residents who receive subsidized housing vouchers; amending s. 400.801, F.S.; requiring background screening for an applicant for licensure of a home for special services; amending s. 400.805, F.S.; requiring background screening for an applicant for licensure of a transitional living facility; amending ss. 408.05, 408.061, 408.062, 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provisions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673, 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; amending ss. 409.905, 440.13, 455.654, F.S., relating to mandatory Medicaid services, medical services and supplies, and referring health care providers; conforming cross-references to changes made by the act; amending ss. 458.331, 459.015, 461.013, 468.505, F.S., relating to disciplinary action against certain medical professionals and activities exempt from regulation; updating provisions and conforming cross-references; amending s. 483.101, F.S.; requiring background screening for an applicant for licensure of a clinical laboratory; amending s. 483.106, F.S., relating to a certificate of exemption; correcting terminology; amending s. 483.30, F.S.; requiring background screening for an applicant for licensure of a multiphasic health testing center; amending ss. 641.55, 766.1115, F.S., relating to internal risk management programs and contracts with governmental contractors; updating provisions and conforming cross-references to changes made by the act; repealing ss. 395.403(9), 407.61, 408.003, 408.072, 408.085, 455.661, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, budget reviews of comprehensive inpatient rehabilitation hospitals, and designated health care services; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing appropriations and authorizing positions; providing effective dates.

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

By Senator Forman—

**SB 716**—A bill to be entitled An act relating to exemptions from ad valorem taxation; amending s. 196.012, F.S.; amending the definition of the term "educational institution," as used in ch. 196, F.S.; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Hargrett—

**SB 718**—A bill to be entitled An act relating to obtaining property by false personation; amending s. 817.02, F.S.; providing that obtaining property by false personation is a second-degree felony; providing penalties; providing an effective date.

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

By Senators Hargrett and Holzendorf—

**SB 720**—A bill to be entitled An act relating to the Beverage Law; amending s. 561.15, F.S.; providing licensure requirements; providing an effective date.

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

By Senator Dudley—

**SB 722**—A bill to be entitled An act relating to certified nursing assistants; amending s. 400.211, F.S.; providing that nursing assistants who work in nursing home facilities are subject to federal criminal records checks by the Federal Bureau of Investigation as part of certification requirements; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Hargrett—

**SB 724**—A bill to be entitled An act relating to traffic offenses; amending s. 318.18, F.S.; limiting the amount for court costs imposed for non-criminal traffic offenses; specifying what constitutes court costs; providing an effective date.

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

By Senator Sullivan—

**SB 726**—A bill to be entitled An act relating to health care contracts; amending s. 627.419, F.S.; providing that health insurance policies or other health services contracts that provide certain benefits must pay for the services of advanced registered nurse practitioners; providing an effective date.

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

By Senator Brown-Waite—

**SB 728**—A bill to be entitled An act relating to residential real property; requiring notification of entitlement to homestead tax exemption; providing a civil penalty; providing an effective date.

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

By Senator Dudley—

**SB 730**—A bill to be entitled An act relating to prison inmates; amending s. 440.15, F.S.; providing that workers' compensation benefits for inmates are payable to the state; prohibiting inmates from receiving public assistance benefits; providing an effective date.

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

By Senator Grant—

**SB 732**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for sales or leases to the Gasparilla Distance Classic Association, Inc., in specified circumstances; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Bronson—

**SB 734**—A bill to be entitled An act relating to petroleum fuel measuring devices; amending s. 525.07, F.S.; providing for the repair and adjustment of such devices by meter mechanics; providing for notification of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Diaz-Balart—

**SB 736**—A bill to be entitled An act relating to Miami-Dade Community College, Dade County; designating the district board of trustees of the college as a special district for a specified period; providing application of certain provisions of general law; authorizing the board to levy up to 1 mill ad valorem tax per year for 10 years; providing for assessment and collection; providing legislative intent with respect to state funding for Miami-Dade Community College; prohibiting establishment of certain differentiated fees; providing for a referendum; providing an effective date.

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

By Senator Dudley—

**SJR 738**—A joint resolution proposing an amendment to Section 4, Article VII of the State Constitution, relating to taxation of real property; authorizing the partial-year assessment of real property.

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

By Senator Dudley—

**SB 740**—A bill to be entitled An act providing equity in taxation; providing for partial-year assessments of real property for purposes of ad valorem taxation; providing legislative intent; amending s. 192.001, F.S.; providing definitions; creating s. 192.039, F.S.; providing for partial-year real property assessments; providing formulas for calculating

ad valorem taxes to be levied on real property that is assessed for a partial year; requiring such properties and the tax thereupon to be included in computing rolled-back millage under s. 200.065, F.S.; amending s. 192.042, F.S.; amending the standards for calculating just value to conform to the provisions for partial-year assessment of real property; providing for sharing the costs of implementing partial-year assessments; creating s. 193.078, F.S.; providing for notice of substantially destroyed property; amending s. 193.114, F.S.; amending provisions relating to the preparation of assessment rolls, to conform to this act; amending s. 195.027, F.S.; providing for the Department of Revenue to adopt rules concerning returns for property that is subject to partial-year assessment; amending s. 196.011, F.S.; amending provisions relating to the annual application for the homestead tax exemption, to conform; amending s. 197.3635, F.S.; amending provisions relating to requirements for a combined notice of ad valorem taxes and non-ad valorem assessments, to conform; creating s. 197.3645, F.S.; providing criteria that must be met before a separate notice may be mailed for partial-year ad valorem taxes; amending s. 200.065, F.S., relating to computing the "rolled-back rate," to conform; creating s. 200.0701, F.S.; providing for notice of partial-year assessment to be delivered to taxpayers; allowing the notice, at the discretion of the property appraiser, to be separate or combined with the notice required in s. 200.069, F.S.; providing for the date of initial application of this act; amending s. 212.08, F.S.; conforming a crossreference; amending ss. 163.387, 197.102, 197.122, F.S.; amending provisions relating to redevelopment trust funds, definitions used in ch. 197, F.S., and provisions relating to tax liens, to provide for the date on which a tax lien attaches if the lien relates to property on which partial-year assessment is imposed; providing a contingent effective date.

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

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By Senators Clary and Diaz-Balart—

**SB 742**—A bill to be entitled An act relating to sponsored research and development; amending s. 220.15, F.S.; providing that certain property and payroll associated with sponsored research and development at a state university will be disregarded in calculating apportionment of adjusted federal income and that such research will not, alone, cause a corporation to incur state income tax liability; authorizing the Department of Revenue to adopt rules; requiring a report; providing an effective date.

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

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By Senators Holzendorf and Thomas—

**SB 744**—A bill to be entitled An act relating to fictitious names; amending s. 865.09, F.S.; prohibiting use of a fictitious name for certain purposes; providing a penalty; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senator Williams—

**SB 746**—A bill to be entitled An act relating to confidentiality of records and meetings of the Florida Automobile Joint Underwriting Association; amending s. 627.311, F.S.; providing exemptions from public records requirements for underwriting files, open claim files, audit records for a specified time, matters reasonably encompassed in privileged attorney-client communications, licensed proprietary information made confidential by contract, certain employee medical records and employee assistance programs records, certain negotiation information for a specified time, minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding claims files for a specified time; providing requirements regarding sharing of confidential records; providing an exemption from public meetings requirements for meetings during which underwriting files or open claims files are discussed; providing requirements regarding such closed meetings and records thereof; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Williams—

**SB 748**—A bill to be entitled An act relating to private corporations; amending s. 155.40, F.S.; providing that a private corporation that leases a public hospital or public health care facility is not a person acting on behalf of such entity and subject to the open records and meetings law under certain circumstances; providing a finding of public purpose; providing future repeal; providing an effective date.

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

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By Senator Klein—

**SB 750**—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; deleting a provision that prohibits the court from sentencing a person convicted of driving under the influence to a term of probation which is concurrent with the period during which the person's vehicle is impounded or immobilized; providing an effective date.

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

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By Senator Klein—

**SB 752**—A bill to be entitled An act relating to building designations; designating the first Lifelong Learning Center to be constructed at Florida Atlantic University for use by the Lifelong Learning Society as the "Barry and Florence Friedberg Lifelong Learning Center"; directing the Board of Regents to erect suitable markers; providing an effective date.

—was referred to the Committee on Education.

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By Senator Williams—

**SB 754**—A bill to be entitled An act relating to public employee retirement systems; creating the Public Employees Portable Retirement Option Act; providing legislative purpose; providing definitions; providing for administration of the plan; providing for eligibility; providing for readmission; providing for management; providing reporting requirements; providing an effective date.

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

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By Senator Klein—

**SB 756**—A bill to be entitled An act relating to Alzheimer's disease and related disorders; amending s. 430.502, F.S.; establishing an additional memory disorder clinic; revising authority of the Department of Elderly Affairs with respect to contracts for specialized model day care programs at such clinics; providing an effective date.

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

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

**SB 758**—A bill to be entitled An act relating to the State University System; amending s. 240.207, F.S.; providing terms of office for members of the Board of Regents; amending s. 240.209, F.S.; requiring confirmation of persons appointed as Chancellor of the State University System after a date certain; authorizing universities to increase tuition and matriculation fees within certain limits; deleting a restriction on the faculty appointment of former university presidents; providing an effective date.

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

By the Committee on Commerce and Economic Opportunities; and Senators Harris and Klein—

**SB 760**—A bill to be entitled An act relating to economic development; amending s. 14.2015, F.S.; revising the reporting requirements of the Office of Tourism, Trade, and Economic Development relating to permits and rules; authorizing the Office of Tourism, Trade, and Economic Development to coordinate establishment of a one-stop permit registry; amending s. 212.097, F.S.; clarifying the definition of a “new business” under the Urban High-Crime Area Job Tax Credit Program; amending s. 212.098, F.S.; clarifying the definition of a “new business” under the Rural Job Tax Credit Program; amending s. 288.075, F.S.; specifying that the prohibition against contracting with entities that have requested confidentiality of certain economic development information does not apply to a public officer or employee or an economic development agency employee acting in his or her official capacity; amending s. 288.095, F.S.; establishing a cap on the total amount of the state share of tax refunds that may be approved for a single fiscal year under the tax refund programs for qualified defense contractors, qualified target industry businesses, and brownfield redevelopment; amending s. 288.1045, F.S.; conforming the limitation on the amount of tax refunds approved for payment under the qualified defense contractor tax refund program to the amount appropriated by the Legislature for such refunds; correcting references relating to program administration; amending s. 288.90151, F.S.; revising the matching private funding requirements for Enterprise Florida, Inc.; providing for partial release of funds placed in reserve under specified circumstances; providing an effective date.

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

By the Committee on Commerce and Economic Opportunities—

**SB 762**—A bill to be entitled An act relating to workforce development; transferring and amending s. 288.9620, F.S.; providing legislative findings; creating the Workforce Development Board within Enterprise Florida, Inc.; providing for a board of directors and for officers and employees; providing duties of the board and of its board of directors; providing for reports and audits; requiring measures and standards of workforce development strategy; transferring and amending ss. 446.601, 446.602, 446.603, 446.604, 446.605, 446.606, 446.607, F.S.; conforming terminology and cross-references; amending s. 288.902, F.S.; deleting an obsolete cross-reference; providing an effective date.

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

By Senator Turner—

**SB 764**—A bill to be entitled An act relating to small businesses; amending ss. 235.31, 287.093 F.S.; authorizing a county, municipality, community college, or district school board to allocate certain funds for construction contracts with small businesses and for contracts with small businesses for personal property or services; providing an effective date.

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

By Senator Diaz-Balart—

**SB 766**—A bill to be entitled An act relating to insurance; creating s. 626.2816, F.S.; requiring continuing education course providers and instructors to be approved by the Department of Insurance; providing for the adoption of rules; amending s. 626.601, F.S.; providing for the department to investigate alleged improper conduct by customer representatives and continuing education course providers and instructors; amending s. 626.681, F.S.; providing for administrative fines in addition to other penalties for certain licensees, appointees, and other persons; increasing an administrative penalty; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz-Balart—

**SB 768**—A bill to be entitled An act relating to sureties; amending s. 648.442, F.S.; authorizing the Department of Insurance to establish a form for the affidavit and statement required under s. 903.14, F.S., relating to the amount and source of any security or consideration for a surety bond; prescribing a statement to be included on indemnity agreements; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz-Balart—

**SB 770**—A bill to be entitled An act relating to firefighter and forestry firefighter training and certification programs; amending s. 633.35, F.S.; providing for the issuance of a special certificate for administrative and command heads; providing guidelines for certain reexaminations; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senators Gutman and Brown-Waite—

**SB 772**—A bill to be entitled An act relating to criminal mischief; amending s. 806.13, F.S.; authorizing the court to aggregate the value of damage to separate properties in determining the sentence for an offense of criminal mischief in which the damage occurred during one scheme or course of conduct; providing an effective date.

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

By Senator Gutman—

**SB 774**—A bill to be entitled An act relating to drivers' licenses; amending s. 322.34, F.S.; specifying what constitutes knowledge, for purposes of determining whether a person has committed the crime of driving with a drivers' license that has been suspended, canceled, or revoked; providing an effective date.

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

By Senator Clary—

**SB 776**—A bill to be entitled An act relating to physician assistant certification; amending s. 458.347, F.S.; exempting applicants from a practical examination requirement; providing guidelines for the translation of the examination into other languages; providing for examinations to be administered at specified intervals, providing an effective date.

—was referred to the Committee on Health Care.

By Senator Gutman—

**SB 778**—A bill to be entitled An act relating to controlled substances; creating s. 893.133, F.S.; providing inferences that may be drawn from the possession of specified amounts of cocaine, marijuana, heroin, amphetamine, or methamphetamine with respect to intent to deliver or sell such substance; providing an effective date.

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

By Senator Gutman—

**SB 780**—A bill to be entitled An act relating to felony offenders; amending s. 775.084, F.S.; providing that for purposes of sentencing an offender as a violent career criminal, a habitual felony offender, or a habitual violent felony offender, placement of the offender on community

control without an adjudication of guilt is considered a prior conviction under certain circumstances; providing an effective date.

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

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By Senator Gutman—

**SB 782**—A bill to be entitled An act relating to offenses involving the obstruction of law enforcement; amending s. 843.08, F.S.; reclassifying or increasing the penalties for the offenses of falsely assuming or pretending to be, or falsely personating, an officer of the Florida Highway Patrol, Game and Fresh Water Fish Commission, Department of Environmental Protection, Department of Transportation, or Department of Corrections, a correctional probation officer, sheriff or deputy sheriff, state attorney or assistant state attorney, statewide prosecutor or assistant statewide prosecutor, state attorney investigator, coroner, police officer, lottery special agent or lottery investigator, beverage enforcement agent or watchman, member of the Parole Commission or administrative aide or supervisor employed by the commission, or any personnel or representative of the Department of Law Enforcement; providing that such false assumption or pretense is a felony of the second degree; providing that such false personation during the course of the commission of a felony is a felony of the first degree; providing that such false personation during the commission of a felony which results in the death or personal injury of another human being is a felony of the first degree punishable by life imprisonment; providing penalties; amending s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart; removing a nonconforming reference; providing for ranking of the offenses; providing an effective date.

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

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By Senator Gutman—

**SB 784**—A bill to be entitled An act relating to weapons and firearms; amending s. 790.001, F.S.; redefining the term “concealed firearm” to include a provision that defines when a firearm carried in a motor vehicle is considered concealed; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Gutman—

**SB 786**—A bill to be entitled An act relating to the offense of trespass; amending s. 810.08, F.S.; providing an enhanced penalty for trespass in a structure or conveyance if the offender commits an assault or battery upon any person in the structure or conveyance; providing an effective date.

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

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By Senators Klein, Diaz-Balart, Crist, Dudley, Horne, Silver, Lee, Kirkpatrick, Dyer and Holzendorf—

**SB 788**—A bill to be entitled An act relating to sexual predators; creating the “Jimmy Ryce Involuntary Civil Commitment for Sexually Violent Predators’ Treatment and Care Act”; 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 the person’s evaluation; 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, evaluation, and taking such person into custody; creating s. 916.35, F.S.; providing for trial on the issue of whether a 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.; providing that the Department of Children and Family

Services is responsible for specified evaluation and treatment costs; creating s. 916.41, F.S.; providing for notice to victims; creating s. 916.42, F.S.; providing severability; creating s. 916.43, 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.

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By Senators Crist and Latvala—

**SB 790**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating an Everglades River of Grass license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

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By Senators Latvala, Myers, Gutman, Bronson, Casas and Campbell—

**SB 792**—A bill to be entitled An act relating to dental insurance coverage; creating ss. 627.4295 and 627.65755, F.S., and amending ss. 627.6471, 627.6472, 641.31, F.S.; requiring health insurance policies and contracts to provide coverage for general anesthesia and hospitalization for certain persons under certain circumstances; providing an effective date.

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

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By Senator Dudley—

**SB 794**—A bill to be entitled An act relating to the offense of fleeing or attempting to elude a law enforcement officer; amending s. 316.1935, F.S.; providing that it is a third-degree felony for the operator of a vehicle to fail to stop the vehicle when so directed by a law enforcement officer or to attempt to elude such officer; providing that, following an order by a law enforcement officer to stop, it is a second-degree felony for a person to cause the law enforcement officer to engage in a vehicle pursuit, regardless of the speed of the pursuit; providing that the offense of aggravated fleeing or eluding a law enforcement officer is a second-degree felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; revising the ranking of such offenses to conform to changes made by the act; providing an effective date.

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

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By Senator Silver—

**SB 796**—A bill to be entitled An act relating to health maintenance organizations; requiring a health maintenance organization to reimburse providers of covered services for services provided to the organization’s members; providing guidelines for such reimbursement; providing penalties for noncompliance; providing for interest on overdue claims payments; providing an exception for good faith disputes over the legitimacy of claims or the amount of reimbursement; providing an effective date.

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

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By Senator Silver—

**SB 798**—A bill to be entitled An act relating to sexual offenses against children; amending s. 415.504, F.S., relating to mandatory reports of child abuse or neglect; requiring the Department of Children and Family Services to report within a specified period each alleged juvenile offense involving a child victim under 16 years of age to the appropriate law enforcement agency having jurisdiction over the offense; reenacting s.

415.503, F.S., relating to penalties relating to abuse reporting, to incorporate said amendment in a reference; amending s. 794.05, F.S., relating to unlawful sexual activity with certain minors; prohibiting any person at least 21 years of age from engaging in sexual activity with a person 16 or 17 years of age; redefining "sexual activity" to include certain penetration by an object; providing an exception for acts between married persons; providing for nonapplicability of specified provisions to certain persons who have had the disabilities of nonage removed; prohibiting certain acts against a child under 16 years of age, or forcing or enticing a child to commit any such act, involving handling, fondling, or assaulting a child in a lewd, lascivious, or indecent manner, actual or simulated sexual intercourse, deviate intercourse, sexual bestiality, masturbation, sadomasochistic abuse, actual lewd exhibition of genitals, or conduct which simulates sexual battery; prohibiting specified acts of sexual activity upon a child under 16 years of age, or lewd or lascivious acts in the presence of the child; providing penalties; providing that the victim's lack of chastity, prior sexual conduct, or consent is not a defense; providing an exception for maternal breastfeeding; requiring establishment of paternity and providing offender's child support liability, under specified circumstances; repealing s. 800.04, F.S., relating to lewd, lascivious, or indecent assault or act upon or in the presence of a child; amending s. 27.365, F.S., relating to Florida Prosecuting Attorneys Association, s. 90.4025, F.S., relating to admissibility of paternity determination, s. 382.356, F.S., relating to protocol for sharing certain birth control information, s. 409.2355, F.S., relating to programs for prosecution of males over age 21 who commit certain offenses involving girls under age 16, s. 411.243, F.S., relating to Teen Pregnancy Community Initiative, s. 775.082, F.S., relating to penalties, s. 775.084, F.S., relating to violent career criminals, habitual felony offenders, and habitual violent felony offenders, s. 775.0877, F.S., relating to criminal transmission of HIV, s. 775.15, F.S., relating to time limitations, s. 775.21, F.S., relating to sexual predators, s. 787.01, F.S., relating to kidnapping, s. 787.02, F.S., relating to false imprisonment, s. 787.025, F.S., relating to luring or enticing a child, s. 827.04, F.S., relating to contributing to the delinquency or dependency of a minor, s. 914.16, F.S., relating to limits on interviews of certain child abuse and sexual abuse victims, s. 921.0022, F.S., relating to the Criminal Punishment Code offense severity ranking chart, s. 943.0435, F.S., relating to reporting requirements for sex offenders, s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, s. 943.059, F.S., relating to court-ordered sealing of criminal history records, s. 944.606, F.S., relating to notification upon release of sexual offenders, s. 944.607, F.S., relating to certain notification of information on sex offenders, s. 947.1405, F.S., relating to conditional release program, s. 948.03, F.S., relating to terms and conditions of probation or community control, s. 948.06, F.S., relating to violation of probation or community control, and s. 985.03, F.S., relating to definitions with respect to ch. 985, F.S., relating to delinquency, to conform references to said repeal of s. 800.04, F.S.; amending s. 827.01, F.S.; redefining "caregiver" with respect to ch. 827, F.S., relating to abuse of children; amending s. 827.03, F.S., relating to abuse, aggravated abuse, and neglect of a child; redefining "child abuse"; prohibiting failure by a caregiver to report known or suspected child abuse within a specified time period to the appropriate law enforcement agency having jurisdiction over the offense; providing penalties; reenacting s. 415.5018(4)(b), F.S., relating to family services response system, and s. 787.04(5), F.S., relating to certain offenses of removing minors from state or concealing minors, to incorporate said amendment in references; amending s. 827.071, F.S., relating to sexual performance by a child; prohibiting possession, with intent to promote, of a videotape, video laser disc, audiotape, compact disc, computer diskette, or computer hard drive which in whole or in part includes any sexual conduct by a child, and providing that possession of three or more copies of same is prima facie evidence of intent to promote; providing penalties; reenacting s. 772.102(1)(a), F.S., relating to definition of "criminal activity", s. 794.024(1), F.S., relating to unlawful disclosure of identifying information, s. 895.02(1)(a), F.S., relating to definition of "racketeering activity," and s. 934.07, F.S., relating to authorized interception of wire, oral, or electronic communications, to incorporate said amendments in references; providing an effective date.

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

By Senator Grant—

**SB 800**—A bill to be entitled An act relating to workers' compensation; amending s. 440.092, F.S.; specifying special requirements for compensability with respect to officers who are going to or coming from work in law enforcement or corrections vehicles; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Crist—

**SB 802**—A bill to be entitled An act relating to the health of inmates in the state correctional system; amending s. 944.09, F.S.; requiring that the Department of Corrections adopt rules for monitoring the purchases made by inmates from the commissary or canteen; requiring the department to prohibit an inmate from purchasing items that are contrary to a restricted diet prescribed by a physician; requiring that the department add additional time to an inmate's sentence if an inmate makes a prohibited purchase; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Crist—

**SB 804**—A bill to be entitled An act relating to political campaigns; amending s. 106.15, F.S.; prohibiting the use of state-owned aircraft by any person for campaign purposes; providing a penalty; amending s. 921.0012, F.S.; establishing violations under offense level 4 of the felony sentencing guidelines; providing an effective date.

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

By Senator Dudley—

**SB 806**—A bill to be entitled An act relating to records of the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 498.047, F.S.; providing an exemption from public records requirements for information relative to an investigation by the division under the Florida Uniform Land Sales Practices Law for a specified period; providing for continued exemption for certain information relative to such investigation under certain conditions; authorizing certain disclosure of such information; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Grant—

**SB 808**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for certain radio stations and other organizations that conduct religious activities; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Silver—

**SB 810**—A bill to be entitled An act relating to the International Motorsports Museum facility; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to such facility; creating s. 288.11695, F.S.; providing for certification of such facility by the Office of Tourism, Trade, and Economic Development; providing requirements for certification; requiring the International Motorsports Museum facility to contribute certain advertising; terminating or abating funding under certain circumstances; providing for use of the funds distributed to the museum; providing for audits by the Department of Revenue; providing for periodic recertification; requiring applicants for certification to contract with the Department of Labor and Employment Security to hire WAGES program participants; providing contract requirements; requiring a report; amending ss. 218.65, 288.1169, F.S.; conforming cross-references; providing an effective date.

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

By Senators Dyer, Latvala, Williams, Brown-Waite, Diaz-Balart and Forman—

**SB 812**—A bill to be entitled An act relating to clean air; creating ss. 252.934, 252.935, 252.936, 252.937, 252.938, 252.939, 252.940, 252.941, 252.942, 252.944, 252.945, F.S.; providing for the Florida Accidental Release Prevention and Risk Management Planning Act; providing a short title and purpose; defining terms; directing the Department of Community Affairs to seek delegation from the U.S. Environmental Protection Agency to implement the Accidental Release Prevention Program under the federal Clean Air Act; providing for funding and fees; providing enforcement authority; providing penalties; authorizing the department to conduct inspections and audits; providing for tort liability; providing for a start-up loan; providing an effective date.

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

By Senators Dyer, Latvala, Williams, Brown-Waite, Diaz-Balart and Forman—

**SB 814**—A bill to be entitled An act relating to public records; creating s. 252.943, F.S.; providing an exemption from public records for information provided by a stationary source subject to the Accidental Release Prevention Program under the federal Clean Air Act; providing an expiration date; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Horne—

**SJR 816**—A joint resolution proposing amendments to Section 10 of Article V and Section 4 of Article VI of the State Constitution relating to judicial terms and term limitations.

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

By Senator Horne—

**SB 818**—A bill to be entitled An act relating to fire prevention and control; amending s. 633.537, F.S.; changing expiration and renewal of certificates of competency for fire protection contractors from an annual to a biennial basis; revising continuing education requirements and providing transitional continuing education requirements, to conform; amending s. 633.524, F.S.; increasing the renewal fee, to conform; amending s. 633.60, F.S., relating to engaging in the business or acting in the capacity of a contractor of automatic fire sprinkler systems, to conform; providing an effective date.

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

By Senator Kurth—

**SB 820**—A bill to be entitled An act relating to skateboarding and rollerblading activities; creating s. 316.0085, F.S., providing legislative purpose; providing definitions; providing limitations on liability with respect to governmental entities and public employees with respect to persons who participate in skateboarding or rollerblading activities on property owned or leased by the governmental entity; providing exceptions; providing for liability of independent concessionaires or other persons or organizations for certain injuries or damages; providing for the assumption of certain risks; providing for the effect of certain insurance; providing an effective date.

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

By Senator Williams—

**SB 822**—A bill to be entitled An act relating to vehicles used by state agencies; requiring a report from agency inspectors general on employee use of state motor vehicles; amending s. 287.16, F.S., relating to the powers of the Division of Motor Pool of the Department of Management Services; authorizing the division to operate a centralized vehicle leasing program; providing for the deposit of lease payments; specifying the use of lease payments; requiring a report to be submitted biennially to agency inspectors general; amending s. 287.17, F.S.; providing definitions; providing criteria to be followed by an agency head in assigning a state-owned motor vehicle to an employee; providing an effective date.

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

By Senator Williams—

**SB 824**—A bill to be entitled An act relating to state planning and budgeting; amending s. 216.011, F.S.; defining the terms “disincentive” and “incentive” for purposes of budgeting and state fiscal affairs; amending s. 216.0166, F.S.; revising guidelines and requirements for state agencies to submit performance-based budget requests; providing for inclusion of incentives and disincentives in budget documentation; amending s. 216.0172, F.S.; revising the schedule for submission of performance-based program budget legislative budget requests; amending s. 216.0235, F.S.; requiring additional information to be included in program budget instructions; amending s. 216.031, F.S.; revising information to be contained in legislative budget requests; amending s. 216.163, F.S.; prescribing additional incentives and disincentives that may be included in the Governor’s recommended budget; amending s. 186.021, 186.022, F.S.; revising requirements for state agency strategic plans; amending s. 121.051, F.S.; conforming a cross-reference to changes made by the act; repealing s. 186.031, F.S., relating to the annual report by the Governor in his capacity as chief planning and budgeting officer of the state; providing an effective date.

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

By the Committee on Natural Resources—

**SB 826**—A bill to be entitled An act relating to solid waste management; amending s. 403.705, F.S.; providing for a solid waste diversion goal; amending s. 403.706, F.S.; providing that a county’s solid waste management and recycling program must be designed to meet the diversion goal; deleting language relating to a solid waste reduction goal and its requirements; deleting the requirement that certain counties must provide an opportunity to recycle; deleting the provision that allows the Department of Environmental Protection to reduce or modify the solid waste reduction goal under certain circumstances; deleting certain penalties for counties not meeting solid waste reduction goal provisions; amending s. 403.7095, F.S.; providing criteria that counties must meet in order to be eligible for recycling incentive grants; deleting obsolete provisions; providing that the Legislature must review the provisions of s. 403.7095, F.S., relating to recycling grants prior to October 1, 2002; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

By Senator Cowin—

**SB 828**—A bill to be entitled An act relating to access to the courts for vulnerable elders; providing legislative findings and intent; defining the term “elder”; requesting the Judicial Management Council or another court committee to evaluate the accessibility of the courts to elders and make recommendations to improve the responsiveness of the courts; providing an effective date.

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

By Senators Cowin, Brown-Waite and Grant—

**SB 830**—A bill to be entitled An act relating to homestead tax exemptions; amending s. 196.011, F.S.; deleting requirements for social security numbers to be included on applications for homestead exemptions; providing an effective date.

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

By Senators Kirkpatrick, Sullivan and Forman—

**SB 832**—A bill to be entitled An act relating to information resources management; amending s. 186.021, F.S.; providing that certain information resources management projects are not required in agency strategic plans; amending s. 216.181, F.S.; providing that certain information resource management projects are not subject to the mandatory notice and review requirements for amendments to agencies' original approved operating budgets; amending s. 186.022, F.S.; providing that certain coordinating councils and boards are required to develop annual performance reports; amending s. 282.3063, F.S.; modifying the date for submission of the Agency Annual Information Resources Management Report; amending s. 282.310, F.S.; modifying the date by which the State Annual Report on Information Resources Management must be developed; requiring the inclusion of specified information within the report; amending s. 282.3091, F.S.; authorizing members of the State Technology Council to appoint designees to serve on their behalf; amending s. 282.404, F.S.; removing the chair of the Geographic Information Advisory Council as an ex officio member of the Geographic Information Board; requiring the chair to attend all meetings of the Geographic Information Board on behalf of the council; amending s. 215.96, F.S.; providing a technical correction; providing an effective date.

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

By Senator Gutman—

**SB 834**—A bill to be entitled An act relating to gambling equipment; creating s. 849.2315, F.S.; directing the Department of Business and Professional Regulation to make certain rules; requiring manufacturers to be bonded and to place a registration number on equipment manufactured; providing for administrative and criminal penalties; providing an effective date.

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

By Senator Gutman—

**SB 836**—A bill to be entitled An act relating to the state lottery; amending s. 24.105, F.S., relating to player activated vending machines; requiring a certain number of clerks to be on duty at certain lottery retailer locations; amending s. 24.111, F.S.; deleting the requirement that the Department of the Lottery lease all instant vending machines for a specified initial evaluation period; providing an effective date.

—was referred to the Committee on Regulated Industries.

**SR 838**—Not referenced.

By Senator Bronson—

**SB 840**—A bill to be entitled An act relating to timber management; amending s. 253.034, F.S.; requiring the Division of Forestry of the Department of Agriculture and Consumer Services to assess the feasibility of managing timber in land management plans; providing for the reimbursement of management services performed by the division; amending s. 259.035, F.S.; requiring the Land Acquisition and Management Advisory Council to consider timber management as a feasible multiple-use strategy; amending s. 373.591, F.S.; specifying circumstances under which the land managing agency must provide an expla-

nation to the management review team concerning the management of lands; providing an effective date.

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

By Senator Campbell—

**SB 842**—A bill to be entitled An act relating to the subsidized adoption program for the special needs child; amending s. 409.166, F.S.; amending the definition of the term "special needs child"; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

By Senator Hargrett—

**SB 844**—A bill to be entitled An act relating to commercial motor vehicles; amending s. 316.091, F.S.; providing that on specified highways certain commercial vehicles may drive only in certain lanes; amending s. 316.302, F.S.; adopting federal motor carrier safety regulations; amending s. 316.545, F.S.; prescribing the penalty for operating an overweight or improperly registered commercial vehicle; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Hargrett—

**SB 846**—A bill to be entitled An act relating to the Department of Transportation; amending s. 334.044, F.S.; authorizing the department to regulate the transfer of storm water to the right-of-way as a result of changes to adjacent property; amending s. 337.105, F.S.; authorizing the department to suspend a consultant from awards of department contracts for specified good cause; amending s. 339.0805, F.S.; authorizing the department to suspend or revoke the certification of a disadvantaged business enterprise for specified good cause; providing an effective date.

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

By Senator Turner—

**SB 848**—A bill to be entitled An act relating to art therapy; providing for regulation of the practice of art therapy under chapter 491, F.S., relating to clinical social work, marriage and family therapy, and mental health counseling; amending s. 491.002, F.S.; providing intent; amending s. 491.003, F.S.; revising and providing definitions; amending s. 491.004, F.S.; renaming the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling as the the Board of Clinical Social Work, Marriage and Family Therapy, Art Therapy, and Mental Health Counseling; increasing board membership to provide for appointment of an art therapist member; amending s. 491.0045, F.S.; providing for registration of art therapist interns; amending s. 491.0046, F.S.; providing for provisional licensure; amending s. 491.005, F.S.; providing licensure requirements; amending s. 491.006, F.S.; providing for licensure by endorsement; amending s. 491.012, F.S.; providing penalties with respect to the use of certain titles and terms and with respect to unlicensed practice; amending s. 491.014, F.S.; conforming a cross-reference; amending s. 491.0149, F.S.; requiring the display of license at each practice location; requiring the use of certain professional titles on promotional materials; amending ss. 20.43, 61.20, 90.503, 397.311, 397.405, 456.32, 468.1295, 490.00515, 490.014, 627.668, F.S., relating to the Department of Health, social investigations when child custody is in question, a definition of "psychotherapist," a definition of "private practitioner," certain exemptions from licensure, definitions of "healing arts" and "practitioner of the healing arts," a ground for disciplinary action relating to impairment as a speech-language pathologist or audiologist, exemptions from public records applicable to psychologists, exemptions from regulation as a psychologist, and optional insurance coverage for mental and nervous disorders, respectively, to provide applicability to art therapists and other conforming changes; providing an effective date.

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



By Senator Turner—

**SB 850**—A bill to be entitled An act relating to public records and meetings; amending s. 491.0047, F.S.; providing for application of public records exemptions in ss. 455.621(2) and (10) and 455.707(3)(e) and (5)(a), F.S., to certain information concerning art therapists, registered art therapist interns, and provisional art therapists; providing for application of the public meetings exemption in s. 455.621(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Forman—

**SB 852**—A bill to be entitled An act relating to condominiums; amending s. 718.115, F.S.; authorizing condominium households receiving supplemental security income or food stamps to discontinue cable television service without fees, penalties, or service charges; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senators Williams, Brown-Waite, Kirkpatrick and Cowin—

**SB 854**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Florida Sheriffs Youth Ranches license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

By Senator Sullivan—

**SB 856**—A bill to be entitled An act relating to funding for beach management; amending s. 161.091, F.S.; providing for funding of the state's beach management plan through the Ecosystem Management and Restoration Trust Fund; providing that designated funds be deposited in the trust fund and that funds in the trust fund be used to fully implement the beach management plan prior to being used for any other purpose; amending s. 201.15, F.S.; providing for appropriation of certain documentary stamp tax revenues to the trust fund for purposes of beach preservation and repair; providing an effective date.

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

**SR 858**—Not referenced.

By Senator Kirkpatrick—

**SB 860**—A bill to be entitled An act relating to voyeurism; creating s. 810.14, F.S.; prohibiting a person from entering onto real property without authorization for the purpose of secretly observing the occupant of a building or structure; providing a penalty; providing an effective date.

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

By Senator Kirkpatrick—

**SB 862**—A bill to be entitled An act relating to educational technology; requiring the consolidation and publication of educational technology related statutes and rules; requiring establishment of a technological standard for schools and development of a plan for its implementation; providing requirements for technological upgrades and school design; providing allowable capital expenditures; requiring the pursuit of

federal and other funds; requiring establishment of a Technology Services and Products Bank and providing purposes thereof; requiring development of a plan to provide information programs to venues outside the classroom; providing an effective date.

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

By Senator Meadows—

**SB 864**—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.011, F.S.; authorizing the granting of exemption under certain circumstances to property entitled to a charitable exemption for the 1994 tax year for which application was not timely filed; providing for canceling outstanding tax certificates on, and taxes assessed against, such property and for refunding any such taxes that have been paid; providing for expiration; providing an effective date.

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

By Senator Meadows—

**SB 866**—A bill to be entitled An act relating to professional sports franchises; amending s. 288.1162, F.S.; providing for certification of a retained spring training franchise facility by the Office of Tourism, Trade, and Economic Development, upon determination that certain requirements have been met; providing the uses that such facility may make of funds provided pursuant to s. 212.20, F.S.; increasing the number of facilities that may be certified under that section; providing for the creation and maintenance of amateur sports fields by certified applicants; providing that an applicant certified as a retained spring training franchise facility is required to have a contract with the Department of Labor and Employment Security for the hiring of WAGES participants; providing contract requirements; providing for an annual report on the extent of WAGES hiring by the applicant; amending s. 212.20, F.S.; providing for a monthly distribution of a portion of the revenues of the tax on sales, use, and other transactions to a certified retained spring training franchise facility for a specified period; providing an effective date.

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

By Senator Meadows—

**SB 868**—A bill to be entitled An act relating to building codes; establishing a single statewide building code for governing the design, construction, code enforcement, erection, alteration, modification, maintenance, and demolition of the public and private built environment.

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

By Senator Meadows—

**SB 870**—A bill to be entitled An act relating to public records and meetings; amending s. 491.106, F.S.; providing for application of public records exemptions in ss. 455.621(2) and (10) and 455.707(3)(e) and (5)(a), F.S., to certain information concerning licensed master social workers and licensed bachelor social workers; providing for application of the public meetings exemption in s. 455.621(4), F.S., to proceedings of a probable cause panel with respect to investigations concerning such practitioners; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Kirkpatrick—

**SB 872**—A bill to be entitled An act relating to game and fishing licenses; amending s. 370.0605, F.S.; deleting a short-term saltwater

fishing license; amending s. 372.16, F.S.; revising the license fee for private game preserves and farms; amending s. 372.561, F.S.; providing for the value of a universal form or stamp; amending s. 372.57, F.S.; revising age categories for certain licenses; creating s. 372.579, F.S.; authorizing the Game and Fresh Water Fish Commission to establish processing fees; amending s. 372.661, F.S.; revising the license fee for a private hunting preserve; amending s. 372.672, F.S.; providing an additional purpose for the use of funds from the Florida Panther Research and Management Trust Fund; amending s. 372.674, F.S.; authorizing the use of the Florida Panther Research and Management Trust Fund for environmental education projects; amending s. 372.87, F.S.; revising the license fee for possessing venomous reptiles; amending s. 372.921, F.S.; revising licenses and fees for the exhibition of wildlife; amending s. 372.922, F.S.; revising licenses and fees for the personal possession of wildlife; providing an effective date.

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

By Senators McKay, Dudley, Rossin, Ostalkiewicz, Lee and Campbell—

**SB 874**—A bill to be entitled An act relating to civil actions; creating s. 40.50, F.S.; specifying certain rights of jurors; authorizing discussions among jurors; authorizing jurors to take notes; authorizing certain information to be provided to jurors; authorizing jurors to submit written questions to the court and to witnesses; amending s. 44.102, F.S.; requiring that the court require mediation in certain actions for monetary damages; requiring the completion of mediation before trial is set in certain civil actions; amending s. 57.105, F.S.; revising conditions under which attorney's fees may be imposed against a party and the party's attorney for presenting unsupported claims or defenses; entitling an opposing party to strike certain claims or defenses raised by a party who has been sanctioned in a specified number of actions within a specified period for presenting unsupported claims or defenses; authorizing the court to impose additional sanctions or requirements; authorizing damage awards against a party who takes specified actions for the purpose of delay; amending s. 90.803, F.S.; revising the requirements under which former testimony may be allowed at trial as an exception to the prohibition against hearsay evidence; amending s. 95.031, F.S.; limiting the period during which an action may be brought for product liability; providing for application; creating s. 768.096, F.S.; providing an employer with a presumption against negligent hiring under specified conditions in an action for civil damages resulting from an intentional tort committed by an employee if the employer conducts a preemployment background investigation; prescribing the elements of such background investigation; specifying that electing not to complete the background investigation does not constitute a failure to use reasonable care in hiring an employee; amending s. 768.095, F.S.; revising the conditions under which an employer is immune from civil liability for disclosing information regarding an employee to a prospective employer; creating s. 768.098, F.S.; providing that a business owner or operator is immune from liability under certain circumstances for an intentional tort by a third party against an invitee; providing for an exception; providing that, under certain circumstances, a state agency or political subdivision may be held liable to the same extent as a private person for failure to provide adequate security or police protection; creating s. 768.36, F.S.; prohibiting a plaintiff from recovering damages if the plaintiff was more than a specified percentage at fault due to the influence of an alcoholic beverage or drugs; creating s. 768.725, F.S.; providing for evidentiary standards for an award of punitive damages; amending s. 768.73, F.S.; requiring certain findings for, and providing for reduction of, subsequent punitive damage awards under specified circumstances; requiring that a specified percentage of an award for punitive damages be paid to the state; requiring the Department of Banking and Finance to collect the payments of such awards; providing for attorney's fees for the claimant to be based on the entire award of punitive damages; creating s. 768.781, F.S.; providing for terms in certain contracts for an attorney's services; requiring that notice be sent to each allegedly responsible party; providing requirements for a pre-suit response and settlement offer; amending s. 768.79, F.S.; authorizing the court to consider whether a proposal was reasonably rejected when considering entitlement to and the amount of an award of attorney's fees; repealing s. 768.81(5), F.S., relating to the applicability of joint and several liability to actions in which the total amount of damages does not exceed a specified amount; providing legislative findings and intent with respect to the regulation of legal advertising; creating s. 877.023, F.S.; regulating the content of advertisements for legal services; providing a penalty; specifying that the provisions do not abrogate certain other laws, codes, ordinances, rules, or penalties; requiring the clerk of court to report certain information on negligence

cases to the Office of the State Court Administrator; providing for severability; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator McKay—

**SB 876**—A bill to be entitled An act relating to medicaid third-party liability; providing intent concerning the application of certain amendments; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator McKay—

**SB 878**—A bill to be entitled An act relating to medical malpractice; providing intent concerning the application of such laws; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Clary—

**SB 880**—A bill to be entitled An act relating to barbering and cosmetology; amending ss. 476.114 and 476.124, F.S.; revising provisions relating to examination for licensure as a barber; repealing s. 476.134, F.S., relating to time, place, and subjects of examination; amending s. 476.144, F.S.; revising requirements for a restricted license to practice barbering; amending s. 477.013, F.S.; defining the terms "hair wrapping" and "photography studio salon"; amending s. 477.0132, F.S.; providing registration requirements for hair wrappers; providing requirements for hair braiding and hair wrapping outside a cosmetology salon or specialty salon; amending s. 477.0135, F.S.; exempting photography studio salons from licensure as a cosmetology salon or specialty salon and providing requirements with respect thereto; amending s. 477.019, F.S.; revising provisions relating to applicants for licensure by examination; providing continuing education requirements for cosmetologists and cosmetology specialists; providing for privatization of such continuing education; exempting hair braiders and hair wrappers from such continuing education requirements; repealing s. 477.022, F.S., relating to examinations; amending s. 477.026, F.S.; providing registration fees for hair wrappers; amending s. 477.0263, F.S.; authorizing the performance of cosmetology services in a photography studio salon; providing an effective date.

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

By Senators Sullivan, Myers, Dudley, Gutman, Forman, Klein, Bronson, Latvala, Harris, Crist, Turner and Rossin—

**SB 882**—A bill to be entitled An act relating to funding for beach management; amending s. 161.091, F.S.; providing for funding of the state's beach management plan through the Ecosystem Management and Restoration Trust Fund; providing that designated funds be deposited in the trust fund and that funds in the trust fund be used to fully implement the beach management plan prior to being used for any other purpose; amending s. 201.15, F.S.; providing for appropriation of certain documentary stamp tax revenues to the trust fund for purposes of beach preservation and repair; providing an effective date.

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

By Senator Clary—

**SB 884**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; revising provisions which authorize imposition of an additional tax to pay debt service on bonds issued to finance construction or renovation of a professional sports

franchise facility or convention center; removing a condition on use of tax revenues for a convention center; providing an effective date.

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

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By Senator Bronson—

**SB 886**—A bill to be entitled An act relating to political advertisements; creating s. 106.1433, F.S.; providing requirements for use of manipulated images in political advertisements; providing definitions; providing penalties; providing an effective date.

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

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By Senator Bronson—

**SB 888**—A bill to be entitled An act relating to sales and use tax exemptions; amending s. 212.08, F.S.; exempting certain flight training facilities from the sales and use tax; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Bronson—

**SB 890**—A bill to be entitled An act relating to ad valorem taxation; amending s. 196.012, F.S.; defining certain training facilities as educational institutions for purposes of tax exemptions; providing an effective date.

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

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By Senator Rossin—

**SB 892**—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; providing for methadone maintenance treatment; amending s. 397.501, F.S.; providing for appropriate use of methods and techniques for controlling aggressive clients; providing rulemaking authority relating to the use of such methods and techniques; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

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By Senator Rossin—

**SB 894**—A bill to be entitled An act relating to amphitheatres; requiring that amphitheatres located on or adjacent to fairgrounds be subject to all local noise ordinances; providing an effective date.

—was referred to the Committee on Community Affairs.

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By Senator Campbell—

**SB 896**—A bill to be entitled An act relating to antitrust claims; creating s. 542.195, F.S.; providing that an indirect purchaser may claim an injury under ch. 542, F.S., or part II, ch. 501, F.S., for an unlawful overcharge for goods or services; providing that passing an unlawful overcharge to others is a partial or complete defense; authorizing the court to consolidate cases, apportion damages, and delay disbursement of damages; providing for the defendant to receive a setoff against damages under certain circumstances; providing for proving and apportioning damages in a class action; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Burt—

**SB 898**—A bill to be entitled An act relating to postconviction proceedings in capital cases; repealing Rule 3.852, Florida Rules of Criminal Procedure, relating to the production of records in postconviction proceedings in capital cases; providing a contingent effective date.

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

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By Senator McKay—

**SB 900**—A bill to be entitled An act relating to sales at flea markets; requiring persons selling certain products to have authorization from the manufacturer or distributor; providing a definition; providing penalties; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

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By Senator McKay—

**SB 902**—A bill to be entitled An act relating to Florida Life and Health Guaranty Association assessments; amending s. 631.718, F.S.; revising a provision providing a preferential rate of assessment for insurance companies that issue certain annuity contracts; providing an effective date.

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

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By Senator Gutman—

**SB 904**—A bill to be entitled An act relating to education; creating a pilot program to increase the number of school counselors; providing for grant allocations; requiring an evaluation; providing an effective date.

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

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By Senator Cowin—

**SB 906**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.185, F.S.; providing an exemption from the taxes for accounts receivable; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Gutman—

**SB 908**—A bill to be entitled An act relating to the death sentence; amending s. 921.141, F.S.; providing conditions under which a sentence of death may not be overturned; providing an effective date.

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

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By Senator Gutman—

**SB 910**—A bill to be entitled An act relating to false identification; prohibiting a person from assuming the identity of another person and thereby causing an economic loss or legal disability; providing penalties; authorizing any person who suffers such economic loss or legal disability to apply to the court for an order to correct certain records; prohibiting a person who has been arrested or lawfully detained from giving a false name or false identification to a law enforcement officer or jail personnel; providing penalties; providing an enhanced penalty if any person suffers

an economic loss or legal disability due to the offense; defining the term "economic loss"; providing an effective date.

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

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By Senators Diaz-Balart, Horne and Crist—

**SB 912**—A bill to be entitled An act relating to school funding; amending s. 236.081, F.S.; reducing the aggregate required-local-effort milage rate; providing a minimum base student allocation for FY 1998-1999; providing an effective date.

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

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By Senator Forman—

**SB 914**—A bill to be entitled An act relating to the sentencing of capital felons; amending ss. 921.141, 921.142, F.S.; providing for a separate proceeding to determine whether a defendant accused of or convicted of a capital felony is mentally retarded; prescribing the penalty to be imposed if the defendant is determined to be mentally retarded; amending s. 924.07, F.S.; providing that the state may appeal a determination that a defendant is mentally retarded; providing an effective date.

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

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By Senator Bronson—

**SB 916**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing exemptions from the tax for aquaculture purposes; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Gutman—

**SB 918**—A bill to be entitled An act relating to patient records; amending s. 395.3025, F.S.; deleting a requirement that patient records be disclosed upon court subpoena in a criminal action unless otherwise prohibited; requiring that patient records be disclosed to a state attorney's office upon certain conditions; authorizing charges for providing such disclosure; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator Gutman—

**SB 920**—A bill to be entitled An act relating to accident reports; amending s. 316.066, F.S.; providing that motor vehicle accident reports are not privileged or confidential; providing that such reports may be used in trials and administrative hearings; providing an effective date.

—was referred to the Committees on Transportation and Judiciary.

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By Senator Forman—

**SB 922**—A bill to be entitled An act relating to employee organizations; amending s. 447.303, F.S.; limiting deductions by employers of dues of certain employee organizations under certain circumstances; providing exceptions; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By Senator Sullivan—

**SB 924**—A bill to be entitled An act relating to nonpublic postsecondary education institutions; amending s. 246.021, F.S.; clarifying the definition of the term "college"; amending s. 246.031, F.S.; revising requirements relating to members of the State Board of Independent Colleges and Universities; amending s. 246.041, F.S.; deleting or correcting obsolete references; amending s. 246.084, F.S., relating to colleges receiving an authorization; revising certain requirements; providing for exemption from certain requirements; revising provisions relating to oversight of the review and collection of data for purposes of determining compliance; amending ss. 246.085, 246.121, F.S.; prescribing agencies whose accreditation will be recognized by the state; correcting obsolete references; amending s. 246.31, F.S., relating to the Institutional Assessment Trust Fund; conforming provisions; providing an effective date.

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

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By Senator Lee—

**SB 926**—A bill to be entitled An act relating to eradication of agricultural pests; prescribing additional duties of the Department of Agriculture and Consumer Services and the Department of Health with respect to programs of emergency application of pesticide for eradication of plant pests; requiring studies of pesticides and of health issues relating to their use; requiring development of a system for informing the public of such programs and requiring public and other notice of certain programs of pest eradication; providing for information to be furnished to health-care providers; providing an effective date.

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

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By Senator Campbell—

**SB 928**—A bill to be entitled An act relating to Law Day; creating s. 683.22, F.S.; designating "Law Day" and "Law Week"; providing an effective date.

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

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By Senator Campbell—

**SB 930**—A bill to be entitled An act relating to notification of an escaped prisoner; amending s. 960.001, F.S.; requiring that a state correctional facility, county jail, juvenile detention facility, or residential commitment facility immediately notify the sentencing judge of an escaped offender; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Brown-Waite—

**SB 932**—A bill to be entitled An act relating to regulation of professionals; amending s. 455.624, F.S.; specifying health care professionals for whom failure to wear certain identification while offering services to the public is grounds for disciplinary action; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator Harris—

**SB 934**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; including steam within the exemption for electricity used in certain manufacturing and related operations; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Harris—

**SB 936**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; including certain nonprofit corporations that make and distribute recordings to blind or visually impaired persons within the definition of “religious institutions” for tax exemption purposes; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Harris—

**SB 938**—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; providing that the form for motor vehicle registration and renewal must include language permitting a voluntary contribution to the Florida Mothers Against Drunk Driving, Inc.; providing for the distribution of such contributions; providing an effective date.

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

By Senator Harris—

**SB 940**—A bill to be entitled An act relating to minority business enterprises; amending s. 287.0943, F.S.; providing a presumption for certain certification purposes; providing an exclusion; amending s. 288.703, F.S.; revising definitions; specifying application; providing an effective date.

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

By Senator Campbell—

**SB 942**—A bill to be entitled An act relating to voluntary trial resolution; creating s. 44.1051, F.S.; permitting the written agreement by two or more parties in a civil dispute to submit the controversy to binding voluntary trial resolution in lieu of litigation when no constitutional issue is involved; providing duties of the clerk of the court and guidelines relating to application for voluntary trial resolution; providing for fees; providing for tolling of statutory limitations period; providing for court appointment of a member of The Florida Bar to act as trial resolution judge; providing qualifications and authority of trial resolution judge; providing for subpoenas and court orders compelling attendance and production of certain evidence; providing for hearing and appeal; providing for applicability of the Florida Evidence Code; providing for issuance and enforcement through contempt powers of court orders carrying out the trial resolution judge’s decision; providing for nonapplicability of voluntary trial resolution to certain disputes involving child custody, visitation, or support or rights of third parties not participating in voluntary trial resolution; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

**SB 944**—A bill to be entitled An act relating to motor vehicle airbags; providing a short title; providing definitions; providing requirements on sales, replacement, or installation of airbags; providing penalties; providing an effective date.

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

By Senator Campbell—

**SB 946**—A bill to be entitled An act relating to guardians ad litem; amending ss. 61.401 and 61.403, F.S.; providing that the guardian ad litem and the child’s attorney need not be the same person; providing

that guardians ad litem who are attorneys in good standing with The Florida Bar may act as their own attorneys; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

**SB 948**—A bill to be entitled An act relating to homicide; amending ss. 782.071, 782.072, F.S.; increasing the penalties imposed for committing the offense of vehicular homicide or vessel homicide; increasing the penalties imposed for committing vehicular homicide or vessel homicide and failing to give information and render aid when the offender knew, or should have known, that the accident occurred; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; conforming references to changes made by the act; providing an effective date.

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

By Senator Campbell—

**SB 950**—A bill to be entitled An act relating to grand juries; amending s. 905.01, F.S.; increasing the number of persons serving on grand juries; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Grant—

**SB 952**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for certain business records used in a prelitigation offer in an eminent domain proceeding; providing an expiration date; providing a finding of public necessity; providing a contingent effective date.

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

By Senator Grant—

**SB 954**—A bill to be entitled An act relating to community colleges; amending s. 240.353, F.S.; revising standards for calculating instruction units in community colleges; providing an effective date.

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

By Senator Latvala—

**SB 956**—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; prescribing the divisions within the department; providing an effective date.

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

By Senator Harris—

**SB 958**—A bill to be entitled An act relating to termination of parental rights; amending s. 39.464, F.S.; providing an additional ground for termination of parental rights due to chronic history of abuse of drugs, controlled substances, or alcohol; defining the term “chronic”; providing an effective date.

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

By Senator Harris—

**SB 960**—A bill to be entitled An act relating to campaign financing; amending s. 106.08, F.S.; providing a limitation on contributions made by a corporation and its subsidiary corporations; providing an effective date.

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

By Senator Grant—

**SB 962**—A bill to be entitled An act relating to educational facilities; amending ss. 239.117, 240.35, F.S.; allowing community colleges to bond capital improvement fees for technology enhancement, maintenance, improvement, and renovation of educational facilities; providing an effective date.

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

By Senator Lee—

**SJR 964**—A joint resolution proposing an amendment to Section 17 of Article I of the State Constitution relating to excessive punishment.

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

By Senator Lee—

**SB 966**—A bill to be entitled An act relating to postsecondary education; creating the “Drug-Free Postsecondary Education Act”; providing definitions; requiring suspension for a specified period by a public educational institution of a student convicted of any offense involving the sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; providing for forfeiture by the student of certain academic credit otherwise earned or earnable; requiring the public educational institution to revoke credit under certain circumstances; requiring denial for a specified period of state financial aid to a student of a nonpublic educational institution who is convicted of any offense involving the sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; requiring the nonpublic educational institution to agree to comply with the provisions for denial of financial aid in order to be eligible to have its students receive certain state funds; requiring any applicant for state financial aid to state in the application whether he or she has been convicted of the offense of sale, manufacture, distribution, possession, use, or trafficking of a controlled substance listed in Schedule I, II, or III of s. 893.03, F.S.; providing for construction; prohibiting failure to disclose information of such conviction or making a false statement regarding such information on the application for state financial aid; providing penalties; requiring the Department of Corrections to provide a list no less often than quarterly of all persons convicted of such offenses who are under the supervision of the department pursuant to a sentence of probation or community control; providing for severability; providing an effective date.

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

By Senator Lee—

**SB 968**—A bill to be entitled An act relating to the General Appropriations Act; providing a short title; amending s. 216.178, F.S.; requiring the reporting in the General Appropriations Act of certain information relating to household income and the funding of state government; providing applicability; providing an effective date.

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

By Senator Meadows—

**SB 970**—A bill to be entitled An act relating to the educational property tax exemption; amending s. 196.198, F.S.; providing circumstances in which land is considered to be property owned by an educational institution; providing an effective date.

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

By Senator Dudley—

**SB 972**—A bill to be entitled An act relating to condominiums; amending s. 718.103, F.S.; defining the terms “master association”, “master declaration”, and “multi-condominium association”; amending s. 718.111, F.S.; providing methods for the transfer of title to real property; providing methods for the purchase of a land lease or recreation lease; providing methods for the granting, modification, or movement of an easement; providing that the definition of the term “building” for purposes of hazard insurance is not applicable to master associations; providing for financial reporting requirements; providing for the commingling of reserve and operating funds; amending s. 718.112, F.S.; providing that the administration, quorum and voting requirements, unit owner meetings, budget meetings, annual budgets, assessments, and recall of board members of an association may be governed by a master declaration, declaration of condominium, articles of incorporation, or bylaws of the association; providing special conditions for master associations; authorizing master associations to collect assessments annually; amending s. 718.113, F.S.; authorizing improvements to association property by master declaration, declaration of condominium, articles of incorporation, or bylaws; exempting master associations from hurricane shutter specifications; amending s. 718.114, F.S.; providing for the exercise of association powers through a master declaration, declaration of condominium, articles of incorporation, or bylaws; amending s. 718.115, F.S.; providing that telecommunication services may be considered a common expense; amending s. 718.116, F.S.; revising assessments; amending s. 718.501, F.S.; providing procedures for the investigation of violations and the imposition of fines by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation; amending s. 721.05, F.S.; conforming a statutory cross-reference; providing an effective date.

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

By Senator Grant—

**SB 974**—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; expanding the definition of the term “practice of the profession of pharmacy”; creating s. 465.188, F.S.; authorizing and providing requirements for a pharmacist to initiate or modify drug therapy and therapeutic management; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Grant—

**SB 976**—A bill to be entitled An act relating to small business employment incentives; providing for issuing tax credit vouchers; requiring the Department of Revenue to develop forms and procedures; limiting the availability of the credit vouchers; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Gutman—

**SB 978**—A bill to be entitled An act relating to trust funds; creating the Crime Stoppers Trust Fund; providing for administration of the fund; providing for termination; providing for review; providing an effective date.

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

By Senator Forman—

**SB 980**—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; making certain types of animal exhibitions a crime; providing an effective date.

—was referred to the Committee on Agriculture.

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By Senator Kurth—

**SB 982**—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; and Ways and Means.

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By Senator Harris—

**SB 984**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.02, F.S.; providing a definition of “self-propelled farm equipment,” “power-drawn farm equipment,” “power-driven farm equipment,” and “forest”; amending s. 212.08, F.S.; revising application of the partial exemption for self-propelled or power-drawn farm equipment; including power-driven farm equipment within such exemption; reducing the rate of tax on such equipment; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Bronson—

**SB 986**—A bill to be entitled An act relating to environmental mitigation; amending s. 373.4137, F.S.; authorizing the Department of Transportation to include an inventory of habitats impacted by projects in the adopted work program; providing uses for specified funding; providing that preliminary approval of a mitigation plan is not a decision affecting substantial interests; revising funding provisions through future fiscal years; authorizing the amendment of mitigation plans; deleting obsolete provisions; providing an effective date.

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

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By Senator Dyer—

**SB 988**—A bill to be entitled An act relating to candidates for public office; amending s. 99.012, F.S.; removing a requirement that certain subordinate officers, deputy sheriffs, or police officers must take a leave of absence without pay during the period in which he or she is a candidate for public office; providing an effective date.

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

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**SR 990**—Not referenced.

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By Senator Crist—

**SB 992**—A bill to be entitled An act relating to government procurement of personal property and services; amending s. 287.133, F.S.; redefining the term “public entity,” for purposes of denying persons convicted of public entity crimes the right to bid on or accept contracts with public entities, to include the Legislature; creating s. 287.0015, F.S.; requiring

the Legislature to procure commodities and services in conformity with the public-bidding requirements applicable to the executive branch; providing an effective date.

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

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By Senator Grant—

**SB 994**—A bill to be entitled An act relating to insurance; amending s. 624.316, F.S.; deleting certain rulemaking authority of the Department of Insurance relating to insurer compliance; amending s. 626.9541, F.S.; excluding certain notices from a definition of the term “complaint” for purposes of determining an insurer’s failure to maintain records of complaints; amending s. 627.7275, F.S.; modifying coverage requirements and premiums relating to motor vehicle property damage liability; amending s. 627.736; specifying where an independent medical examination of a claimant may be conducted; repealing s. 627.736(4)(f), F.S., relating to medical payments coverage; repealing s. 627.9126, F.S., relating to the requirement that insurers file liability insurance reports; repealing s. 627.913, F.S., relating to the requirement that insurers file product liability insurance reports; providing that an insurer may place the entire amount of the coverage into the court registry for distribution to claimants; providing an effective date.

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

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By Senator Crist—

**SB 996**—A bill to be entitled An act relating to pretrial release; creating the “Citizen’s Right-to-Know Act”; requiring each chief county judge and chief circuit judge to prepare a register that contains information regarding the cases and criminal defendants who are released on pretrial release; requiring that the register be available to the public; providing requirements for updating the register; specifying information to be contained in the register; requiring each chief county judge and chief circuit judge to file an annual report with the Office of the State Courts Administrator; requiring that such report be available to the public; specifying information to be contained in the report regarding the number of defendants who are released on pretrial release under specified circumstances; providing an effective date.

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

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By Senator Myers—

**SB 998**—A bill to be entitled An act relating to smoking on or near school property; amending s. 386.212, F.S., which prohibits persons under 18 from smoking tobacco in or near a public or private elementary, middle, or secondary school during certain hours; removing the age limitation and time limitation on such prohibition; providing that persons under 18 who violate said prohibition shall be punished in the same manner as for violation of s. 569.11(1), F.S., which prohibits possession of any tobacco product by a person under 18, and that persons 18 and older who violate said prohibition shall be punished as provided in s. 386.208, F.S., which provides the penalty for smoking in public places or meetings; amending s. 386.208, F.S., to conform; amending s. 322.056, F.S., which provides for mandatory revocation or suspension of, or delay of eligibility for, driver’s licenses for persons under 18 who violate s. 569.11, F.S., to include violation of s. 386.212, F.S.; amending s. 569.12, F.S., which provides for enforcement and the form of citation for violation of s. 569.11, F.S., to include violation of s. 386.212, F.S.; amending s. 569.19, F.S., which requires an annual report on violations of s. 569.11, F.S., to include violations of s. 386.212, F.S.; providing an effective date.

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

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By Senator Myers—

**SB 1000**—A bill to be entitled An act relating to advertisement of real property with delinquent taxes; amending ss. 197.402 and 197.403, F.S.; reducing the number of times such advertisement must be made; providing an effective date.

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

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By the Committee on Natural Resources—

**SB 1002**—A bill to be entitled An act relating to financial matters; amending s. 215.20, F.S.; reducing the 7-percent service charge for the cost of general government which is deducted from the proceeds of the county fuel tax and from the Local Option Fuel Tax Trust Fund; requiring the transfer of funds to the Aquatic Plant Control Trust Fund; providing for a study by the Department of Revenue of motor fuel taxes collected at marinas; providing an effective date.

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

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By Senator Bronson—

**SB 1004**—A bill to be entitled An act relating to rulemaking authority with respect to the regulation of the citrus industry; amending s. 601.10, F.S.; requiring the Department of Citrus to provide a list of forms that it uses; amending s. 601.61, F.S., relating to the bond requirements of citrus fruit dealers; allowing the Florida Citrus Commission to prescribe certain terms of producer contracts; providing an effective date.

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

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By the Committee on Natural Resources—

**SB 1006**—A bill to be entitled An act relating to water quality; amending s. 373.453, F.S.; specifying priority consideration for surfacewater improvement and management plans; amending s. 381.0065, F.S.; providing requirements to be imposed in areas determined to be nutrient-impaired to improve water quality; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to adopt rules for stricter permitting and enforcement requirements in nutrient-impaired coastal waters; creating s. 403.0863, F.S.; providing special requirements in nutrient-impaired coastal waters and surfacewater improvement and management areas; providing criteria for establishing by rule procedures for determining that coastal waters are nutrient-impaired; amending s. 403.1835, F.S.; providing a priority for funding from the sewage treatment facilities revolving loan program for facilities located within the geographic area encompassed by a plan adopted pursuant to s. 373.456, F.S.; amending s. 403.804, F.S.; providing for calculating maximum load for certain constituents for a specific watercourse and water body; requiring the Secretary of Environmental Protection to approve the maximum load calculation after notice of agency action pursuant to ch. 120, F.S., and limiting the point of entry for a challenge to the calculation; authorizing the department to adopt rules establishing procedures for pollutant trading in areas where a maximum load calculation has been approved; creating s. 514.095, F.S.; authorizing the Department of Health to adopt rules for bacteriological sampling of beach waters and issue health advisories; providing an effective date.

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

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By the Committee on Natural Resources—

**SJR 1008**—A joint resolution proposing an amendment to Section 14 of Article VII of the State Constitution, relating to bonds for pollution

control and abatement and other water facilities, decreasing debt service requirements for the bonds.

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

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By Senator Bronson—

**SB 1010**—A bill to be entitled An act relating to agriculture; creating s. 570.191, F.S.; creating the Agricultural Emergency Eradication Trust Fund; prescribing its uses; defining what constitutes an "agricultural emergency"; providing an effective date.

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

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By Senator Gutman—

**SB 1012**—A bill to be entitled An act relating to mental health; creating the "Robert Newman and Stuart Simon Act"; amending s. 394.463, F.S.; providing for court hearings on requests for ex parte orders for involuntary examination of mentally ill persons; providing for findings; providing for rescission of orders under certain circumstances; providing for release of persons being held for examination; providing penalties; prohibiting the administration of certain drugs during examinations; prohibiting certain activities related to involuntary examination orders; amending s. 394.4599, F.S.; requiring receiving facilities to provide notice to parents or guardians of minors being held for examination; providing an effective date.

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

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By Senator Gutman—

**SB 1014**—A bill to be entitled An act relating to road designation; designating the Gratigny Parkway in Dade County as the "Marlins Expressway"; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Silver—

**SB 1016**—A bill to be entitled An act relating to court funding for new programs; amending s. 43.28, F.S.; providing that counties are not obligated to pay certain personnel costs related to court programs; providing an effective date.

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

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By Senator Gutman—

**SB 1018**—A bill to be entitled An act relating to corporate income tax; creating s. 220.185, F.S.; providing findings and purpose; authorizing a credit against such tax equal to a percentage of the costs of rehabilitation of a historic building used for commercial purposes; providing limitations; requiring certification that the property was used for a commercial purpose; providing for carryover of the credit; providing eligibility requirements for historic buildings and improvements thereto; providing application requirements; requiring a resolution by the local government; providing duties of the Division of Historical Resources, Department of State, and Department of Revenue regarding administration and monitoring of exemptions; amending s. 220.02, F.S.; providing order of credits against the tax; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; Community Affairs; and Commerce and Economic Opportunities.



By Senator Ostalkiewicz—

**SB 1020**—A bill to be entitled An act relating to administrative procedure; creating s. 120.571, F.S., the “Agency Accountability Act”; providing for liability upon an agency that has made a determination affecting the substantial interests of a party based on a grossly negligent assessment of material facts, under specified circumstances; providing for agency liability for actual damages and attorney’s fees incurred by the party suffering financial harm as a result of the determination; providing for waiver of sovereign immunity; specifying applicability; providing an effective date.

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

By Senator Ostalkiewicz—

**SJR 1022**—A joint resolution proposing an amendment to Section 10 of Article V of the State Constitution relating to terms of justices and judges.

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

By Senator Hargrett—

**SB 1024**—A bill to be entitled An act relating to false reports of abuse or neglect of a child; amending s. 415.513, F.S.; providing for investigation by the Department of Law Enforcement of possible false reports; providing for law enforcement entities to handle certain reports of abuse or neglect during the pendency of such an investigation; providing procedures; specifying the penalty for knowingly and willfully making, or advising another to make, a false report; providing for state attorneys to report annually to the Legislature the number of complaints that have resulted in informations or indictments; amending s. 415.5131, F.S.; increasing the maximum amount of the administrative fine that may be imposed for knowingly and willfully making, or counseling another to make, a false report; providing an effective date.

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

By Senator Williams—

**SB 1026**—A bill to be entitled An act relating to workers’ compensation; amending s. 440.13, F.S.; providing that the fee schedules adopted under chapter 440, F.S., are the maximum fees allowed under a workers’ compensation managed care arrangement; specifying circumstances under which an additional fee may be paid to a health care provider as part of a risk-sharing arrangement; revising requirements for the Agency for Health Care Administration in adopting practice parameters; amending s. 440.134, F.S.; providing definitions; prohibiting the agency from adopting rules that give a preference to any type of organization; providing additional procedures for handling informal and formal grievances; providing certain time limitations; requiring that a workers’ compensation managed care arrangement notify its employees of the right to file a petition for benefits with the Division of Workers’ Compensation of the Department of Labor and Employment Security; providing an effective date.

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

By Senator Gutman—

**SB 1028**—A bill to be entitled An act relating to hiring, leasing, or obtaining personal property or equipment with intent to defraud; amending s. 812.155, F.S.; prescribing acts that constitute prima facie evidence of intent to defraud; providing authorized means for demand

for return; requiring notice on rental agreements; providing penalties; providing an effective date.

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

By Senator Horne—

**SB 1030**—A bill to be entitled An act relating to state government; creating s. 11.074, F.S.; amending s. 120.54, F.S.; requiring consideration of the impact of legislation and rulemaking on families; requiring impact statements; providing an effective date.

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

By Senators Rossin and Myers—

**SB 1032**—A bill to be entitled An act relating to special districts; amending s. 189.4042, F.S.; specifying procedures for merger or dissolution of independent special districts created by a county or municipality; amending s. 189.405, F.S.; revising the amount of the filing fee and the number of required signatures on petitions in provisions which specify how candidates for the governing board of certain single-county and multicounty special districts shall qualify; amending s. 189.429, F.S., and s. 15, ch. 97-256, Laws of Florida, which require special districts, including fire control districts, to submit draft codified charters to the Legislature; revising the deadline and requirements for such codification; providing that the Legislature may adopt a schedule for codification; amending s. 215.425, F.S.; authorizing extra compensation for special district employees pursuant to resolution; amending s. 191.006, F.S., relating to powers of independent special fire control districts, to conform; providing effective dates.

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

By Senator Horne—

**SB 1034**—A bill to be entitled An act relating to the Public Service Commission; amending s. 367.081, F.S.; prohibiting the commission from considering prospective future contributions-in-aid-of-construction for certain purposes; providing construction; requiring the commission to approve rates for certain services under certain circumstances; providing construction; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Brown-Waite—

**SB 1036**—A bill to be entitled An act relating to emergency management planning; amending s. 20.43, F.S.; defining responsibilities of the county health departments in providing assistance to local special needs units or shelters; amending s. 252.355, F.S.; revising provisions relating to registration of persons requiring special needs assistance in emergencies; amending ss. 400.497, 400.610, and 408.034, F.S.; providing minimum requirements for home health agency and hospice comprehensive emergency management plans; providing for plan review by the local emergency management agency and other specified entities; requiring the adoption of rules establishing plan components and standards for care and services to be provided in emergency evacuation and sheltering; providing an effective date.

—was referred to the Committees on Health Care and Community Affairs.

By Senators Brown-Waite, Forman, Casas and Dudley—

**SB 1038**—A bill to be entitled An act relating to boards and councils regulating health-related professions; amending ss. 458.307, 458.347,

459.004, 459.022, 460.404, 461.004, 463.003, 464.004, 465.004, 466.004, 467.004, 468.1135, 468.1665, 468.205, 468.354, 468.506, 468.703, 468.801, 480.035, 483.805, 483.901, 484.003, 486.023, 490.004, 491.004, F.S.; adding two lay, consumer members to the Board of Medicine, the Council on Physician Assistants, the Board of Osteopathic Medicine, the Board of Chiropractic, the Board of Podiatric Medicine, the Board of Optometry, the Board of Nursing, the Board of Pharmacy, the Board of Dentistry, the Council of Licensed Midwifery, the Board of Speech-Language Pathology and Audiology, the Board of Nursing Home Administrators, the Board of Occupational Therapy Practice, the Advisory Council on Respiratory Care, the Dietetics and Nutrition Practice Council, the Council of Athletic Training, the Board of Orthotists and Prosthetists, the Board of Massage Therapy, the Board of Clinical Laboratory Personnel, the Advisory Council of Medical Physicists, the Board of Opticianry, the Board of Physical Therapy Practice, the Board of Psychology, and the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling; providing for the appointment of such new members; providing an effective date.

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

By Senator Hargrett—

**SB 1040**—A bill to be entitled An act relating to the tax on sale, use, and other transactions; amending s. 212.07, F.S.; defining the terms “agricultural commodity,” “farmer,” and “livestock” for purposes of determining applicability of the taxes imposed under ch. 212, F.S.; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Holzendorf—

**SB 1042**—A bill to be entitled An act relating to education; creating the School Readiness Commission to serve as an advisory body to the State Board of Education and other state agencies on matters that relate to school readiness; providing for the commission to be assigned to the Executive Office of the Governor for administrative purposes; providing for the Governor to appoint the members of the commission; providing for the members to be approved by the State Board of Education and confirmed by the Senate; requiring the commission to appoint an executive director; providing for payment of per diem and travel expenses of commission members; establishing duties of the commission; requiring the commission to prepare a system for measuring school readiness; specifying objectives to be measured by such system; requiring the commission to contract with an independent entity to evaluate the measurement system; requiring the commission to make recommendations to the Governor and the State Board of Education; providing an effective date.

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

By Senator Williams—

**SB 1044**—A bill to be entitled An act relating to hospitals; creating s. 395.3036, F.S.; providing that a private corporation that leases a public hospital or other public health care facility is not acting on behalf of the entity that owns the facility for purposes of statutory and constitutional public records requirements unless specified conditions are met; providing an effective date.

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

By Senator Bronson—

**SB 1046**—A bill to be entitled An act relating to rulemaking authority with respect to the regulation of the citrus industry; creating s. 601.9918, F.S.; authorizing the Florida Citrus Commission to refer to

national or state requirements in rules relating to issuance and use of symbols, certification marks, service marks, and trademarks; amending s. 601.10, F.S.; authorizing the Department of Citrus to adopt a rule listing forms to be used in conducting its business; providing an effective date.

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

By Senator Clary—

**SB 1048**—A bill to be entitled An act relating to hurricane preparedness; providing that the Legislature intends to modify the laws relating to the Florida Hurricane Catastrophe Fund; providing an effective date.

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

By Senator Rossin—

**SB 1050**—A bill to be entitled An act relating to family safety; creating s. 20.44, F.S.; creating the Department of Family Safety contingent upon adoption of an alternative budgeting process by the Legislature; providing for the department’s mission, purposes, responsibilities, and organizational structure; directing the secretary of the department to appoint a Statewide Family Safety Advisory Board and to encourage the privatization of services; creating the Human Services Commission to study the organizational structure of the Department of Children and Family Services and the Department of Family Safety and to report its findings to the Governor and the Legislature; creating s. 402.401, F.S.; providing for competency-based training for child protection staff; creating s. 415.5145, F.S.; providing for the family safety quality assurance and improvement process; providing for the effectiveness of rules; providing for the substitution of parties in interest in certain judicial or administrative proceedings; providing an appropriation; providing effective dates.

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

By Senator Lee—

**SB 1052**—A bill to be entitled An act relating to rulemaking authority of the Florida Public Service Commission; authorizing the Florida Public Service Commission to adopt rules relating to purchasing, to ensuring adequate ownership of real property upon which a water and wastewater utility is located, and to notification when a water and wastewater utility changes its name; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Dudley—

**SB 1054**—A bill to be entitled An act relating to rulemaking authority of the Department of Business and Professional Regulation; amending s. 718.112, F.S.; providing requirements relating to association meetings; amending s. 718.301, F.S.; providing rulemaking authority for requirements relating to the transition of a condominium; amending s. 718.501, F.S.; providing rulemaking authority for requirements relating to the creation, merger, and termination of condominiums; providing rulemaking authority for requirements relating to the dissolution of condominium associations; amending s. 718.502, F.S.; providing certain requirements prior to the closure on any contract for sale or lease of over 5 years; providing rulemaking authority for requirements relating to filing and review programs and timetables; substituting the term “buyer” for the term “purchaser”; amending s. 718.503, F.S.; providing requirements relating to the closure of a transaction for the purchase of a condominium unit; substituting the term “buyer” for the term “purchaser”; amending s. 718.504, F.S.; substituting the term “buyer” for the term “purchaser”; amending s. 718.506, F.S.; substituting the term “buyer” for the term “purchaser”; creating s. 718.621, F.S.; providing

rulemaking authority for requirements relating to condominium conversion; providing an effective date.

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

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By Senator Kurth—

**SB 1056**—A bill to be entitled An act relating to financial matters; amending s. 18.10, F.S., which provides requirements for deposit and investment of state money; revising the standards that certain corporate obligations and state and local government obligations must meet to be qualified for such investment; authorizing investment in certain foreign bonds and certain convertible debt obligations of corporations domiciled in the United States; providing an effective date.

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

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By Senator Lee—

**SB 1058**—A bill to be entitled An act relating to solid waste management; amending s. 403.7045, F.S.; authorizing the Department of Environmental Protection to allow recycling and reuse of ash residue which meets department standards adopted by rule; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Silver—

**SB 1060**—A bill to be entitled An act relating to health facilities authorities; amending s. 154.209, F.S.; authorizing authorities to finance certain accounts receivables; providing an effective date.

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

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By Senator Campbell—

**SB 1062**—A bill to be entitled An act relating to railroad-highway grade crossings; amending s. 351.034, F.S.; prohibiting a train, railroad car, or engine from blocking a railroad-highway grade crossing for a certain time; providing an effective date.

—was referred to the Committee on Transportation.

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By Senator Campbell—

**SB 1064**—A bill to be entitled An act relating to illegal aliens; amending s. 287.012, F.S.; providing that, to be a “qualified bidder” with respect to providing personal property or services, a person must comply with any contract conditions prohibiting the employment of illegal aliens, as defined; amending s. 287.057, F.S.; requiring that invitations to bid, requests for proposal, and contracts shall contain notice specifying that contracts with a contractor who knowingly employs illegal aliens shall be subject to unilateral cancellation; providing an effective date.

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

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By Senator Lee—

**SB 1066**—A bill to be entitled An act relating to landscape designers; amending s. 581.011, F.S.; defining the term “landscape designer”; amending s. 581.031, F.S.; authorizing the Department of Agriculture and Consumer Services to issue and suspend the registration of landscape designers; providing for the adoption of rules; amending s.

581.035, F.S.; preempting regulatory authority over landscape designers to the department; amending s. 581.131, F.S.; prohibiting landscape designers from providing services without a valid reregistration; providing standards for the registration of landscape designers; providing exceptions; amending s. 581.141, F.S.; providing authority for the suspension or revocation of a landscape designer’s registration; providing for fines; providing an effective date.

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

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By Senator Lee—

**SB 1068**—A bill to be entitled An act relating to sales by itinerant merchants; defining the term “itinerant merchant”; requiring that an itinerant merchant retain the invoice or receipt for any merchandise intended for resale; specifying information to be included on the invoice or receipt; requiring that an itinerant merchant retain an invoice or receipt for a specified period following sale of the merchandise; providing that failure to produce the invoice or receipt upon the request of a law enforcement officer is prima facie evidence that the merchandise is stolen; providing for confiscation of stolen merchandise until proof of purchase is provided; providing for a sworn affidavit to constitute proof that merchandise is not stolen merchandise; providing a penalty; providing that selling or offering for sale stolen merchandise constitutes the offense of dealing in stolen property; providing an effective date.

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

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By Senators Sullivan, Williams, Horne, Cowin and Latvala—

**SB 1070**—A bill to be entitled An act relating to medical malpractice insurance; amending s. 766.301, F.S.; clarifying legislative intent; amending s. 766.302, F.S.; modifying definitions; amending s. 766.304, F.S.; providing exclusive jurisdiction of administrative law judges in claims filed under ss. 766.301-766.316, F.S.; providing a limitation on bringing a civil action under certain circumstances; amending s. 766.316, F.S.; providing hospitals and physicians with alternative means of providing notices to obstetrical patients relating to the no-fault alternative for birth-related neurological injuries; prescribing conditions under which notice need not be given; providing an effective date.

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

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By Senators Rossin, Crist, Williams and Latvala—

**SB 1072**—A bill to be entitled An act relating to punishment of capital felons; amending s. 921.141, F.S., relating to further proceedings to determine sentence of death or life imprisonment for capital felonies; providing additional aggravating circumstances to be weighed by the court; providing for an aggravating circumstance that the capital felony was committed when the victim had an injunction for protection against domestic violence or repeat violence in effect against the defendant; providing for an aggravating circumstance that the defendant inflicted multiple physical injuries upon the victim; providing for an aggravating circumstance that the defendant mutilated or dismembered the victim’s dead body or sexually or grossly abused the victim’s dead body, during or after commission of the capital felony; providing for an aggravating circumstance that the victim of a homicide had asked that his or her life be spared; providing an effective date.

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

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By Senator Silver—

**SB 1074**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “special

risk member" to include any member employed as an assistant state attorney; providing an effective date

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

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By Senator Silver—

**SB 1076**—A bill to be entitled An act relating to advanced registered nurse practitioners; amending s. 893.02, F.S.; authorizing such practitioners to prescribe controlled substances under certain circumstances; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator McKay—

**SB 1078**—A bill to be entitled An act relating to life-prolonging techniques; amending s. 401.45, F.S., providing additional grounds for withholding or withdrawing life-prolonging techniques from a patient by a medical technician or paramedic; providing an effective date.

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

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By Senator Silver—

**SB 1080**—A bill to be entitled An act relating to jai alai permitholders; amending s. 550.01215, F.S.; allowing any jai alai permitholder to apply, during a specified period, for licensure to conduct performances in fiscal year 1998-1999; requiring the Division of Pari-mutuel Wagering to issue the license within a specified period of time; amending s. 550.09511, F.S.; qualifying the provision that jai alai permitholders should pay their fair share of taxes on pari-mutuel wagering; providing that the amount of taxes on handle and admissions which is imposed on such a permitholder should not exceed the permitholder's operating earnings and that permitholders may apply any excess amount against future taxes due; defining the term "operating earnings"; providing an effective date.

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

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By Senator Ostalkiewicz—

**SB 1082**—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.09, F.S.; prescribing liability for the tax when a renewal note increases the unpaid balance or the original face amount of an original contract and obligation; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Latvala—

**SB 1084**—A bill to be entitled An act relating to marine resources; amending s. 370.021, F.S.; providing additional penalties for violations involving buying saltwater products from an unlicensed seller or the sale of saltwater products by an unlicensed seller; authorizing the suspension, revocation, or denial of renewal of licenses for specified major violations involving finfish, shrimp, marine life species, crawfish, stone crabs, and blue crabs; requiring clerks of courts to certify the final disposition of specified court proceedings to the Department of Environmental Protection; amending s. 370.07, F.S.; authorizing the sharing of wholesale saltwater products dealer reports with other states under specified conditions; providing civil penalties for violation of recordkeeping and reporting requirements; prohibiting a licensed retail dealer or a licensed restaurant from buying saltwater products from any person other than a licensed wholesale or retail dealer; repealing s. 370.08(7), F.S., relating to the use of gear and other equipment; repealing s.

370.0821(3), F.S., relating to the use of nets in St. Johns County; repealing s. 370.11(2) and (3), F.S., relating to the length of saltwater fish and the use of nets to harvest shad; repealing s. 370.1125, F.S., relating to the harvest of permits; repealing s. 370.114, F.S., relating to the taking of corals and sea fans; repealing s. 370.135(2) and (3), F.S., relating to the harvest and sale of blue crabs; repealing s. 370.15(2) and (3), F.S., relating to the harvest of shrimp; repealing s. 370.151(2), F.S., relating to the Tortugas shrimp beds; repealing s. 370.153(4)(c), (d), and (e) and (5)(b) and (d), F.S., relating to the harvest of shrimp in Clay, Duval, Nassau, Putnam, Flagler, and St. Johns Counties; repealing s. 370.156, F.S., relating to the Florida East Coast Shrimp Bed; repealing s. 370.157, F.S., relating to the harvest of shrimp in the Cedar Key closed area; providing an effective date.

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

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By Senator Latvala—

**SB 1086**—A bill to be entitled An act relating to natural resource management; amending s. 370.021, F.S.; redesignating the Division of Administration of the Department of Environmental Protection as the Division of Administrative and Technical Services; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Bronson—

**SB 1088**—A bill to be entitled An act relating to agriculture emergencies; amending s. 206.605, F.S.; distributing municipal tax on motor fuel to the Agricultural Emergency Eradication Trust Fund; amending s. 206.606, F.S.; distributing fuel sales tax deposited in the Fuel Tax Collection Trust Fund to the Agricultural Emergency Eradication Trust Fund; amending s. 206.608, F.S.; distributing State Comprehensive Enhanced Transportation System Tax deposited in the Fuel Tax Collection Trust Fund to the Agricultural Emergency Eradication Trust Fund; amending s. 336.025, F.S.; distributing local option fuel tax to the Agricultural Emergency Eradication Trust Fund; providing appropriations; providing a contingent effective date.

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

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By Senator Forman—

**SB 1090**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.185, F.S.; increasing the exemption from the first mill of the annual tax granted to natural persons; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Latvala—

**SB 1092**—A bill to be entitled An act relating to workers' compensation; amending s. 440.15, F.S.; providing a method for calculating workers' compensation benefits based on the aggregate amount of those benefits and other specified benefits payable to the employee; providing that certain supplemental payments are not workers' compensation benefits; providing an effective date.

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

By Senator Grant—

**SB 1094**—A bill to be entitled An act relating to motor vehicle financial responsibility; amending s. 324.021, F.S.; revising the definition of the term “motor vehicle”; increasing financial responsibility limits with respect to bodily injury or death in a single accident; creating s. 324.023, F.S.; requiring proof of financial responsibility for bodily injury or death; amending s. 324.031, F.S.; increasing limits for proof of financial responsibility for for-hire transportation vehicle certificates of self-insurance; amending s. 324.161, F.S.; increasing the amount required for a surety bond or deposit for proof of financial responsibility; amending s. 324.171, F.S.; revising the required threshold limit for self-insurers; amending ss. 316.646 and 627.733, F.S., to conform to the act; providing an effective date.

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

By Senator Williams—

**SB 1096**—A bill to be entitled An act relating to sport shooting ranges; providing definitions; providing exemption from civil liability and criminal prosecution for owners and users of sport shooting ranges with respect to noise pollution resulting from the operation of the range under certain circumstances; exempting sport shooting ranges from specified rules and regulations; prohibiting certain nuisance actions against sport shooting ranges; providing for the continued operation of sport shooting ranges under specified circumstances; providing an effective date.

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

By Senator Bronson—

**SB 1098**—A bill to be entitled An act relating to road designations; designating a portion of State Road 528 in Brevard County as the “Kennedy Space Center Highway”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Forman—

**SB 1100**—A bill to be entitled An act relating to sports programs; requiring the Department of Environmental Protection to establish the Smoke-free Youth Sports Program to provide grant funds to acquire or develop facilities for use by sports programs operated in a tobacco-free environment; providing for funding the grant program from moneys received by the state in settlement of a specified court action; requiring the Department of Environmental Protection to adopt rules for selecting governmental entities to receive grant funds; requiring that any facility funded under the program be subject to an ordinance that prohibits the use of tobacco on the premises of the facility; requiring an entity that receives grant funds to present a health education program to children who participate in sports activities; requiring that the Science Center Consortium of Florida, Inc., the Department of Education, and the Department of Children and Family Services develop the health education program; providing for development costs of the health education program to be funded by moneys received by the state in settlement of a specified court action; providing an effective date.

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

By Senator Forman—

**SB 1102**—A bill to be entitled An act relating to sewage treatment; amending s. 381.00655, F.S.; excluding certain onsite sewage treatment and disposal systems from the requirement to connect with an available central sewerage system; providing an effective date.

—was referred to the Committees on Community Affairs and Natural Resources.

By Senator Campbell—

**SB 1104**—A bill to be entitled An act relating to motor vehicle damage disclosure; requiring manufacturers to disclose to dealers certain damage to new motor vehicles; requiring dealers to disclose such damage to buyers; providing manufacturers’ liability with respect to damage occurring before motor vehicles are delivered to dealers; providing buyers’ remedies for failure to make required disclosures; providing dealers’ remedies for failure of manufacturers to make required repairs; providing definitions; providing an effective date.

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

By Senator Silver—

**SB 1106**—A bill to be entitled An act relating to release of employee information by employers; amending s. 768.095, F.S.; expanding provisions relating to employer immunity from liability and disclosure of information regarding former employees to include immunity from liability for current employers and disclosure of information with respect to current employees; providing specified requirements of employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer or correctional officer; providing requirements with respect to an authorization to release information; providing a penalty for non-compliance; providing an effective date.

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

By Senator Williams—

**SB 1108**—A bill to be entitled An act relating to insurance; amending s. 627.410, F.S.; exempting commercial inland marine risk policies from a requirement that policy forms be filed with the Department of Insurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz-Balart—

**SB 1110**—A bill to be entitled An act relating to postsecondary education; expressing an intention to revise laws governing the authority of educational institutions to confer baccalaureate degrees.

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

By Senator Forman—

**SB 1112**—A bill to be entitled An act relating to road designations; designating a portion of N.W. 167th Street in Miami Lakes as “Zuly Reyes Road”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senators McKay and Latvala—

**SB 1114**—A bill to be entitled An act relating to contaminated site rehabilitation tax credits; creating s. 199.1055, F.S.; providing for a contaminated site rehabilitation tax credit against the intangible personal property tax; authorizing the Department of Revenue to adopt rules; amending s. 220.02, F.S.; providing for an additional cross-reference; creating s. 220.1845, F.S.; providing for a contaminated site rehabilitation tax credit against the corporate income tax; authorizing the Department of Revenue to adopt rules; creating s. 376.30714, F.S.; providing for a partial tax credit for the rehabilitation of drycleaning solvent contaminated sites and brownfield sites contaminated with hazardous substances; providing for the Department of Environmental Pro-

tection to determine eligibility for such partial credits; specifying what the application must contain; providing for a nonrefundable review fee; requiring the taxpayer to submit to the Department of Revenue the Department of Environmental Protection's letter of approval and other specified documents; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Forman—

**SB 1116**—A bill to be entitled An act relating to health insurance; amending s. 627.6484, F.S.; providing limitations on applications for insurance under certain circumstances; deleting requirements and criteria for a market assistance plan; amending s. 627.6486, F.S., to conform; amending s. 627.6492, F.S.; exempting certain insurers from certain assessments under certain circumstances; providing an exception; providing requirements; providing an effective date.

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

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By Senator Lee—

**SB 1118**—A bill to be entitled An act relating to motor vehicle inspections; amending s. 325.203, F.S.; changing the effective date of an exemption of new vehicles from inspection; extending the time new vehicles may be exempt; providing an effective date.

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

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By Senator Diaz-Balart—

**SB 1120**—A bill to be entitled An act relating to postsecondary education; expressing an intention to revise laws governing the authority of educational institutions to confer baccalaureate degrees.

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

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By Senator Forman—

**SB 1122**—A bill to be entitled An act relating to day care facilities; creating the "Jeremy Fiedelholz Safe Day Care Act"; amending s. 402.319, F.S.; increasing a penalty for violations relating to licensure or operation of a day care facility or family day care home; providing a penalty for making other misrepresentations to certain persons regarding such licensure or operation or for violations relating to the staff-to-children ratio or the number of children at the facility; amending s. 921.0022, F.S.; providing for ranking of violations on the offense severity ranking chart; providing an effective date.

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

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By Senator Grant—

**SB 1124**—A bill to be entitled An act relating to education; expressing an intention to revise laws related to articulation among specified educational entities.

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

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By Senator Grant—

**SB 1126**—A bill to be entitled An act relating to school improvement and education accountability; amending ss. 229.592 and 230.23, F.S.;

providing for the organization of Florida Distinguished Educator School Improvement Teams; providing for technical assistance and training for schools operating under an assistance and intervention plan; providing for the use of Florida Distinguished Educator School Improvement Teams to assist in the development and implementation of school improvement plans and assistance and intervention plans; providing an effective date.

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

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By Senator Grant—

**SB 1128**—A bill to be entitled An act relating to arrest; amending s. 901.02, F.S.; prescribing additional conditions under which an arrest warrant may be issued; providing an effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Grant—

**SB 1130**—A bill to be entitled An act relating to notaries public; amending s. 117.01, F.S.; clarifying provisions relating to appointment of a notary public; increasing the amount of the bond required of a notary public; providing requirements for a resigning notary public; amending s. 117.03, F.S.; deleting obsolete language; amending s. 117.04, F.S.; providing for acknowledgements by a notary; creating s. 117.045, F.S.; providing for solemnizing rites of marriage by a notary; limiting fees; amending s. 117.05, F.S.; providing that the official seal and certificate of commission are the exclusive property of the notary public; providing a criminal penalty for unlawful possession of a notary public official seal or papers; specifying the elements of a notarial certificate; revising provisions relating to identification; deleting specified circumstances under which a signature may not be notarized; revising provisions relating to copying certain documents; requiring a notary public to make reasonable accommodations to provide notarial services to disabled persons; amending s. 117.10, F.S.; conforming a cross-reference; amending s. 117.103, F.S.; providing that a notary public's commission is not required to be filed with the clerk of the circuit court; providing for certification of the commission from the Secretary of State; amending s. 117.107, F.S.; revising certain provisions relating to prohibited acts; providing a civil penalty; amending s. 117.20, F.S.; providing for electronic notarizations; amending ss. 11.03, 475.180, 713.08, 713.13, 713.135, 713.245, 727.104, 732.503, and 747.051, F.S.; revising certain forms; providing an effective date.

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

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By Senator Gutman—

**SB 1132**—A bill to be entitled An act relating to the Department of Management Services; amending s. 20.22, F.S.; revising the organizational structure of the department relating to labor organizations; amending ss. 110.109, 110.112, F.S.; revising reporting requirements; amending s. 110.1165, F.S.; providing a statute of limitations on filing certain actions; amending s. 110.123, F.S.; redefining the term "full-time state employee"; amending s. 110.1245, F.S.; revising reporting requirements; increasing the cap on meritorious service awards; amending s. 110.131, F.S.; revising the terms and conditions of other-personal-services employment; amending s. 110.181, F.S.; providing the fiscal agent for the Florida State Employees' Charitable Campaign need not reimburse costs under specified conditions; amending s. 110.201, F.S.; providing for a report; amending s. 110.205, F.S.; providing for the designation of Senior Management Service positions; amending s. 110.235, F.S.; deleting a requirement for a report; amending s. 110.503, F.S.; allowing agencies to incur expenses to recognize the service of volunteers; amending s. 110.504, F.S.; providing a limitation on volunteer awards; amending s. 215.196, F.S.; revising the organizational structure of the department relating to the Architects Incidental Trust Fund; amending ss. 255.249, 255.25, 255.257, F.S.; revising the threshold for leased space facility requirements; amending s. 255.503, F.S.; providing for the closing of facilities in emergency situations; amending s. 267.075, F.S.; revising the membership of The Grove Advisory Council; amending

s. 272.18, F.S.; revising the membership of the Governor's Mansion Commission; amending s. 272.185, F.S.; revising the organizational structure of the department relating to maintenance of the Governor's Mansion; amending s. 281.07, F.S.; revising the organizational structure of the department relating to the capitol police; amending s. 282.111, F.S.; revising the organizational structure of the department relating to the statewide system of regional law enforcement communications; amending s. 287.042, F.S.; revising the organizational structure of the department relating to the purchasing of goods and services; amending s. 287.057, F.S.; revising the organizational structure of the department relating to the procurement of insurance; amending ss. 287.16, 287.18, F.S.; revising the organizational structure of the department relating to motor vehicles, watercraft, and aircraft; amending s. 365.171, F.S.; designating the director of the statewide emergency telephone number "911"; amending ss. 401.021, 401.027, F.S.; designating the director of the statewide telecommunications system of the regional emergency medical service; amending s. 446.604, F.S.; providing for Government Services Direct to be included in the plan for One-Stop Career Centers; amending s. 447.208, F.S.; providing for the determination of attorney's fees in certain cases; providing an effective date.

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

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By Senators Bronson, Latvala, Brown-Waite, Williams, Grant, Kurth, Thomas, Dyer, Silver, Crist, Harris, Jones, Cowin, Kirkpatrick, Burt, Holzendorf, Rossin, Lee, McKay, Forman, Clary, Horne, Meadows, Klein, Hargrett and Gutman—

**SB 1134**—A bill to be entitled An act relating to public records; amending s. 828.30, F.S.; providing an exemption from public records requirements for specified information contained in a rabies vaccination certificate; authorizing disclosure to certain public agencies and to other persons under certain conditions; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Agriculture and Regulated Industries.

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By Senator Campbell—

**SB 1136**—A bill to be entitled An act relating to workers' compensation; creating the "Florida No-fault Workers' Compensation and Employer Liability Act"; providing a short title; providing legislative intent; authorizing election of provisions of the act in lieu of application of chapter 440, F.S.; providing for notice of election; providing for revocation of election; providing for notice to employees; specifying application of certain definitions; specifying benefits payable to employees; providing criteria; providing for certain periodic medical evaluations; specifying accidental death and dismemberment insurance coverage; requiring continuation of coverage for employees under certain circumstances; specifying employer duties to employees; providing for tort exemptions; providing for employer's defenses; providing for coworker immunity; providing for notice of claims; limiting certain defenses by employers under certain circumstances; specifying procedures for filing and responding to claims; limiting expert witness testimony under certain circumstances; providing for determination of comparative negligence under certain circumstances; authorizing the Department of Insurance to adopt rules requiring proof of insurance or financial responsibility; providing for implementation and administration with reference to certain provisions of the Workers' Compensation Law relating to waiver of exemption, notice of exemption or acceptance, and waiver of exemption or acceptance, coverage, specified activities within the course of employment, drug-free workplaces, coercion of employees, benefits as lien against assets, misrepresentation, fraudulent activities, security for benefits, compensation for injuries when third parties are liable, benefits notice, effect of unconstitutionality, proceedings against the state, pooling liabilities, self-insured public utilities, local government pools, administrative procedures, rulemaking, and coverage; providing application to the Department of Insurance; authorizing the department to adopt rules; providing penalties; providing an effective date.

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

By Senator Campbell—

**SB 1138**—A bill to be entitled An act relating to pawnbroking and secondhand dealers; amending s. 539.001, F.S.; revising recordkeeping requirements for pawnbrokers to provide that the sheriff or the director of the department of public safety is designated as the central repository for copies of all pawnbroker transaction forms collected by the appropriate law enforcement official in the county; providing for submission of pawnbroker transaction forms to the sheriff or public safety director upon request; amending s. 538.04, F.S.; providing for electronic transfer of transactions of secondhand goods; authorizing the appropriate law enforcement agency to provide a secondhand dealer with a computer and necessary equipment for the electronic transfer of transactions of secondhand goods; providing procedures with respect to the electronic transfer of transactions of secondhand goods; amending s. 812.022, F.S.; revising provisions relating to evidence of theft or dealing in stolen property; providing an effective date.

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

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By Senator Campbell—

**SB 1140**—A bill to be entitled An act relating to elections; amending s. 99.092, F.S.; prescribing filing fees and assessments for federal office; amending s. 106.08, F.S.; prescribing limitations on political contributions; prohibiting candidates from accepting specified contributions; providing an effective date.

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

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By Senator Gutman—

**SB 1142**—A bill to be entitled An act relating to courses of study and instructional materials; amending s. 233.061, F.S.; including the study of Hispanic contributions to the the United States in required public school instruction; amending s. 233.34, F.S.; revising provisions relating to the purchase of instructional materials not on the state-adopted list; providing an effective date.

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

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By Senator Gutman—

**SB 1144**—A bill to be entitled An act relating to the rulemaking authority of the Department of Management Services and other agencies; creating s. 110.1085, F.S.; requiring the department to adopt rules to implement a review and performance planning system to assess employee performance; amending s. 110.1095, F.S.; directing the department to adopt rules for training programs; amending s. 110.201, F.S.; authorizing agencies to prescribe penalties for misconduct; amending s. 110.207, F.S.; prohibiting positions from being filled before they have been classified; amending s. 110.227, F.S.; directing the department to adopt a grievance procedure for career service employees; amending s. 216.262, F.S.; providing rulemaking authority; amending s. 272.18, F.S.; providing rulemaking authority; providing an effective date.

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

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By Senator Williams—

**SB 1146**—A bill to be entitled An act relating to rulemaking authority; providing legislative intent with respect to laws governing agency rulemaking authority; providing an effective date.

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

By Senator Rossin—

**SB 1148**—A bill to be entitled An act relating to the Commission on Government Accountability to the People; amending s. 286.30, F.S.; expanding the duties of the commission; providing that the executive director is the chief administrative officer of the commission; authorizing the executive director to appoint staff members and employees of the commission; authorizing the commission to contract for goods and services and to accept government and private resources to pay costs and to implement its program; providing an effective date.

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

By Senator Rossin—

**SB 1150**—A bill to be entitled An act relating to appropriations; providing for an annual appropriation to be made in the General Appropriations Act to compensate Glades County and the City of Pahokee for ad valorem taxes lost due to the construction of a private correctional facility in that county; providing for repeal of the act; providing an effective date.

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

By Senator Rossin—

**SB 1152**—A bill to be entitled An act relating to the developmentally disabled and mentally ill persons' umbrella trust fund; amending s. 402.175, F.S.; revising duties of the Department of Children and Family Services with respect to such fund; authorizing the department to act as trustee; providing definitions; requiring annual accounting; providing for rules; providing an effective date.

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

By Senator Dyer—

**SB 1154**—A bill to be entitled An act relating to toll facilities; amending s. 338.155, F.S.; exempting certain law enforcement officers from toll payments when in official vehicles on official business; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Dyer—

**SB 1156**—A bill to be entitled An act relating to affordable housing; amending s. 420.0005, F.S.; clarifying application of certain provisions to the State Housing Fund; amending s. 420.0006, F.S.; specifying an additional requirement for contracts with the Florida Housing Finance Corporation; providing duties of the Comptroller relating to certain advances to the corporation; amending s. 420.503, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.504, F.S.; providing for alternative public notice; providing the corporation with limited benefits of sovereign immunity; deleting a definition; amending s. 420.5061, F.S.; providing that the corporation is a state agency for purposes of the state allocation pool for private activity bonds; amending s. 420.507, F.S.; including services within certain procurement requirement provisions; authorizing the corporation to mortgage certain property; deleting a budget limitation on certain programs; providing additional powers of the corporation; amending s. 420.5087, F.S.; clarifying application of the state fiscal year; amending s. 420.5088, F.S.; expanding availability of certain program funds; amending s. 420.5089, F.S.; deleting a requirement for certain program fund loan commitments under certain circumstances; amending s. 420.509, F.S.; clarifying application of provisions for public sale of corporation bonds; amending s. 420.511, F.S.; revising requirements for the corporation's business plan for affordable housing; amending s. 420.512, F.S.; limiting application of a term for certain

purposes; amending s. 420.528, F.S.; clarifying application to the corporation's fiscal year; amending s. 420.9071, F.S.; correcting a cross reference; clarifying application to the corporation's fiscal year; amending ss. 420.9073 and 420.9079, F.S.; clarifying application to the state fiscal year; repealing s. 420.504(8), F.S., relating to certain liability of members of the board of directors of the corporation; providing an effective date.

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

By Senator Dyer—

**SB 1158**—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; providing an additional requirement for school district receipt of lottery funds; amending s. 229.58, F.S.; providing a name requirement for school advisory councils and providing council responsibilities and duties; providing for certain council review; providing for the use of funds; amending s. 229.592, F.S., relating to school improvement and education accountability; conforming provisions relating to release of funds to school districts; requiring notice of certain deficiency; amending s. 230.23, F.S., relating to school board duties; providing requirements for school improvement plans; requiring local-level decisionmaking policies; providing an effective date.

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

By Senator Dyer—

**SB 1160**—A bill to be entitled An act relating to school district expenditures; amending s. 237.081, F.S.; requiring the inclusion of specified information in the advertisement of a school board's tentative budget; providing an effective date.

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

By Senators Kirkpatrick, Sullivan and Forman—

**SB 1162**—A bill to be entitled An act relating to computers; creating s. 14.025, F.S., relating to the Governor; recognizing the potential computer problems that may occur in state agencies due to the date change necessitated by the year 2000; authorizing the Governor to reassign resources in the event of a likely computer failure; authorizing the Administration Commission to reassign resources if an agency headed by the Governor and Cabinet or a Cabinet officer is likely to experience a computer failure; requiring the reassignment of resources to conform with the law governing budget amendments; requiring the reassignment of personnel to conform with the law governing employee interchanges; requiring legislative approval if a reassignment of resources is necessary for more than 90 days; authorizing legislative veto of the reassignment of state resources; providing for repeal of the powers granted to the Governor; amending ss. 112.24 and 112.27, F.S., relating to employee interchange programs; clarifying that state agencies may exchange employees; creating s. 282.4045, F.S.; providing legislative findings relating to the adequacy of the state's actions to prevent year 2000 computer failures; protecting the state and units of local government against legal actions that result from a year 2000 computer date calculation failure; providing an effective date.

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

By Senator Clary—

**SB 1164**—A bill to be entitled An act relating to rulemaking authority with respect to professional regulation; amending s. 475.17, F.S.; authorizing the Florida Real Estate Commission to adopt rules requiring written evidence to establish good character; amending s. 475.25, F.S.; authorizing the Florida Real Estate Commission to adopt rules concerning the advertising of property or services and extending certain time limits for licensees on probation; amending s. 475.182, F.S.; making



brokers responsible for salespersons' compliance with renewal requirements and allowing the Florida Real Estate Commission to adopt related rules; amending s. 489.115, F.S.; providing for the adoption of rules relating to continuing education requirements by the Construction Industry Licensing Board; amending s. 489.1195, F.S.; authorizing the Construction Industry Licensing Board to adopt rules defining the qualifications for financially responsible officers; amending s. 492.105, F.S.; authorizing the Board of Professional Geologists to determine acceptable geology education; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 1166**—A bill to be entitled An act relating to district school board members and school superintendents; amending ss. 230.202, 230.303, and 230.321, F.S.; limiting salary increases for district school board members and school superintendents; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 1168**—A bill to be entitled An act relating to local government planning; creating s. 163.3182, F.S.; requiring each district school board to meet annually with the board of county commissioners and with municipal governing bodies to plan for educational facilities; providing for notice; requiring a report; providing for arbitration; providing a penalty; providing an effective date.

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

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By Senator Myers—

**SB 1170**—A bill to be entitled An act relating to public hospital meetings and records; amending s. 395.3035, F.S.; defining "strategic plan" for purposes of provisions which provide for the confidentiality of such plans and of meetings relating thereto; providing an exemption from open meetings requirements for meetings at which such plans are modified or approved by the hospital's governing board; providing for future review and repeal; providing conditions for the early release of transcripts of meetings at which such plans are discussed; providing a finding of public necessity; providing an effective date.

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

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By Senator Myers—

**SB 1172**—A bill to be entitled An act relating to residential swimming pools; creating ch. 515, F.S., the Florida Residential Swimming Pool Barriers Act; providing legislative findings and intent; providing definitions; providing requirements for residential swimming pool barriers; providing penalties; providing for rules; providing exemptions; providing for a drowning prevention education program; providing an effective date.

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

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By Senator Lee—

**SB 1174**—A bill to be entitled An act relating to trust funds; creating the Investment Fraud Restoration Trust Fund within the Department of Banking and Finance; providing for sources of moneys and purposes;

providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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

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By Senator Lee—

**SB 1176**—A bill to be entitled An act relating to rulemaking authority of the Department of Environmental Protection with respect to phosphogypsum management; requiring the Department of Environmental Protection to adopt rules to ensure that phosphogypsum stack systems are operated to meet critical safety standards by January 1, 1999; providing an effective date.

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

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By Senator Forman—

**SB 1178**—A bill to be entitled An act relating to guardianship; amending s. 744.369, F.S.; extending the time to review certain reports; authorizing random field audits; amending s. 744.702, F.S.; providing legislative intent to establish the Statewide Public Guardianship Office; directing the Department of Elderly Affairs to provide certain services and support; creating s. 744.7021, F.S.; providing for the Statewide Public Guardianship Office within the Department of Elderly Affairs; providing for an executive director and oversight responsibilities; requiring submission of a guardianship plan and yearly status reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court; requiring the office to develop a training program; authorizing demonstration projects; providing for rules; amending s. 744.703, F.S.; providing for the executive director to establish offices of public guardian and to appoint public guardians; providing for transfer of oversight responsibility from the chief judge of the circuit to the office; providing for the suspension of public guardians, as specified; amending s. 744.706, F.S.; providing for the preparation of the budget of the Statewide Public Guardianship Office; amending s. 744.707, F.S.; revising language with respect to procedures and rules to include reference to the Statewide Public Guardianship Office; amending s. 744.708, F.S.; revising language with respect to reports and standards; amending s. 744.709, F.S.; providing that surety bonds can be purchased from funds appropriated to the Statewide Public Guardianship Office; amending s. 744.1085, F.S.; revising language with respect to professional guardians to include reference to the Statewide Public Guardianship Office; amending s. 744.3135, F.S.; providing a procedure for obtaining fingerprint cards and for maintaining the results of certain investigations; amending s. 28.241, F.S.; providing for funds for public guardians; providing an effective date.

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

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By Senator Forman—

**SB 1180**—A bill to be entitled An act relating to public records exemptions; creating s. 744.7081, F.S.; providing an exemption from public records requirements for certain records requested by the Statewide Public Guardianship Office; providing for review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

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By Senators Latvala and Scott—

**SB 1182**—A bill to be entitled An act relating to charter schools; creating s. 228.0561, F.S.; providing for the distribution of funds from the Charter Schools Capital Outlay Trust Fund; providing eligibility requirements; providing duties of the Commissioner of Education; authorizing the use of funds for certain capital outlay purposes of charter

schools; requiring a legislative budget request for appropriations from the Charter Schools Capital Outlay Trust Fund; amending ss. 235.2155, 235.216, F.S., relating to the School Infrastructure Thrift Program Act; deleting authorization for awards related to the operation of charter schools; providing a contingent effective date.

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

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By Senator Latvala—

**SB 1184**—A bill to be entitled An act relating to trust funds; creating the Charter Schools Capital Outlay Trust Fund; providing for administration by the Department of Education; providing for sources of moneys and purposes; providing for annual carryover of moneys; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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

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By Senator Kirkpatrick—

**SB 1186**—A bill to be entitled An act relating to State University System faculty members; providing for confidentiality of records relating to promotion, reemployment, and tenure; providing an exemption from the public meetings law for proceedings relating to the promotion, reemployment, or tenure of faculty members; providing for legislative review and future repeal; providing a statement of public necessity; providing an effective date.

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

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By Senator Rossin—

**SB 1188**—A bill to be entitled An act relating to investigation of cases involving adult abuse, neglect, and exploitation; amending s. 415.102, F.S.; redefining the term “closed without classification” and defining the term “self-neglect”; amending s. 415.1045, F.S.; providing duties when a case is determined to be self-neglect; amending s. 415.1055, F.S.; revising requirements for notification regarding the classification of reports alleging abuse, neglect, and exploitation; amending s. 415.1065, F.S.; providing guidelines for retaining records of reports of self-neglect; amending s. 415.1102, F.S.; deleting reference to self-neglect; amending s. 430.205, F.S.; revising circumstances under which elderly persons must receive primary consideration of community-care-for-the-elderly services; providing an effective date.

—was referred to the Committee on Children, Families and Seniors.

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By Senator Clary—

**SB 1190**—A bill to be entitled An act relating to building codes; establishing a single statewide building code for governing the design, construction, code enforcement, erection, alteration, modification, maintenance, and demolition of the public and private built environment.

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

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By Senator Clary—

**SB 1192**—A bill to be entitled An act relating to medicaid third-party liability; providing intent concerning the application of certain amendments; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Gutman—

**SB 1194**—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; creating the Workforce Development Estimating Conference; providing duties and principals; amending s. 229.551, F.S.; revising duties of the Commissioner of Education with respect to common course designation and numbering; revising membership and duties of the Articulation Coordinating Committee; amending s. 236.081, F.S.; providing funding for the co-enrollment of secondary students; amending s. 239.105, F.S.; revising terms defined for the purposes of vocational, adult, and community education; amending s. 239.115, F.S.; prescribing additional courses that will be considered “workforce development education” or “workforce development programs”; providing funding guidelines for programs for disabled students and for other programs; requiring an annual audit of the Florida Workforce Development Education Fund; amending s. 239.117, F.S.; conforming terminology to changes made by the act; providing standards for fee schedules, revenues, and courses of study with respect to literacy completion points; amending s. 239.229, F.S.; conforming terminology to changes made by the act; providing for standards and accountability with respect to literacy completion points; amending s. 239.249, F.S.; providing duties of the Jobs and Education Partnership with respect to degree education courses and programs; amending s. 239.301, F.S.; revising provisions relating to adult general education and to educational programs for disabled adults; amending s. 240.115, F.S.; providing for the statewide articulation of workforce development courses and programs; amending s. 240.301, F.S.; conforming terminology to changes made by the act; amending s. 240.35, F.S.; providing applicability of provisions relating to student fees to non-college-credit courses; exempting certain persons from registration, matriculation, and laboratory fees; amending s. 240.359, F.S.; providing for allocating funds to community colleges for college-preparatory programs and degree vocational education programs; requiring the Commissioner of Education to study issues relating to workforce development and report to the Legislature; creating s. 240.3345, F.S.; providing for the creation of charter colleges by community colleges; providing limitations, duties, and eligibility requirements; authorizing adoption of rules; providing for renewal or termination of charters; providing for revenues; creating s. 240.524, F.S.; prescribing conditions under which community colleges may award baccalaureate degrees; amending s. 240.147, F.S.; providing duties of the Postsecondary Education Planning Commission with respect to community college baccalaureate degrees; amending s. 240.301, F.S.; revising the mission of community colleges to account for the authorization to award baccalaureate degrees; amending s. 240.311, F.S.; prescribing duties of the State Board of Community Colleges with respect to charter colleges and community college baccalaureate degrees; amending s. 240.319, F.S.; prescribing powers of community college boards of trustees with respect to offering baccalaureate degrees; amending s. 232.2466, F.S.; revising requirements for the college-ready diploma; amending s. 240.1163, F.S.; providing requirements for school districts and community colleges with respect to weighting dual enrollments; amending s. 240.321, F.S.; prescribing additional content for notice given to students by community college boards of trustees; amending s. 240.4097, F.S.; requiring application deadlines for postsecondary student assistance grants; amending s. 246.013, F.S.; revising requirements for institutions to participate in the common course designation and numbering system; amending ss. 239.117, 240.235, F.S.; exempting certain persons from registration, matriculation, and laboratory fees; amending s. 240.319, F.S.; requiring community colleges to operate on a 5-day work week; amending s. 246.207, F.S.; requiring specified moneys to be transferred to the Institutional Assessment Trust Fund; providing an effective date.

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

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By Senator Forman—

**SB 1196**—A bill to be entitled An act relating to health care for low-income persons; providing legislative intent with respect to access to health care services for low-income employees of small employers and self-employed individuals; providing definitions; authorizing community health purchasing alliances in a specified county to contract, under a pilot project, with provider networks for clinic-based health care services for low-income employees of small employers, self-employed individuals, and dependents of low-income employees and self-employed individuals;

requiring the Agency for Health Care Administration to adopt rules for eligibility requirements and for administrative and accounting standards; requiring the Department of Insurance to adopt by rule requirements for licensure, financial reserves, and financial solvency; providing an effective date.

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

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By Senator Forman—

**SB 1198**—A bill to be entitled An act relating to law enforcement officers; creating ss. 943.1721 and 943.1722, F.S.; requiring basic skills training and continued employment training for law enforcement officers relating to elderly persons; providing an effective date.

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

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By Senator Meadows—

**SB 1200**—A bill to be entitled An act relating to education; amending s. 229.58, F.S.; revising provisions relating to membership of school advisory councils; providing an effective date.

—was referred to the Committee on Education.

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By Senator Latvala—

**SB 1202**—A bill to be entitled An act relating to brownfields redevelopment; amending s. 376.77, F.S.; correcting a cross-reference; amending s. 376.79, F.S.; redefining terms and defining the term “secretary”; amending s. 376.80, F.S.; providing that closed military bases may be designated as brownfield areas; clarifying the job-creation criteria for the designation of a brownfield site; clarifying certain terms; amending s. 376.81, F.S.; deleting a duplicative provision relating to the issuance of no-further-action orders; amending s. 376.82, F.S.; providing clarification regarding the eligibility of certain brownfield sites; clarifying the provisions relating to the job creation eligibility criteria; providing liability protection for properties acquired by local or state governments under certain conditions; amending s. 376.83, F.S.; correcting a cross-reference; amending s. 288.106, F.S.; providing that the wage requirement criteria may be waived for a designated brownfield area; requiring the Director of the Office of Tourism, Trade, and Economic Development to approve certain wage requirement waiver requests; amending s. 288.107, F.S.; defining the terms “brownfield area” and “brownfield site”; providing legislative intent regarding the inefficient use of public facilities and services in brownfield areas; creating the Brownfield Areas Loan Guarantee Program; creating the Brownfield Areas Loan Guarantee Council; providing duties and membership; providing that not more than \$5 million of the investment earnings on the investment of the minimum balance of the Nonmandatory Land Reclamation Trust Fund in a fiscal year shall be at risk at any time on one or more loan guarantees, or as loan loss reserves; requiring lenders seeking loan guarantees from the council to follow certain specified procedures; limiting the circumstances under which a lender may file a claim for a loss pursuant to the guaranty; providing the council with certain rulemaking authority; authorizing the council to receive certain funds; requiring the council to file an annual report to the Legislature; providing for future legislative review; amending s. 288.9602, F.S.; providing for the redevelopment of brownfield areas to be included in the declaration of findings regarding economic development; amending s. 288.9605, F.S.; expanding the powers and duties of the Florida Development Finance Corporation to authorize the corporation to make determinations regarding participation in certain partnerships and agreements concerning the redevelopment of brownfield areas and the guaranty of revenue bonds, loan guarantees, or loan loss reserves; requiring the Board of Regents to establish a Center for Brownfield Rehabilitation Assistance in the Environmental Sciences and Policy Program in the College of Arts and Sciences at the University of South Florida; specifying the purpose and duties of the center; amending s. 163.3187, F.S.; providing that local government comprehensive plan amendments directly related to proposed redevelopment of designated brownfield areas may be approved without regard to

certain statutory limits on the frequency of amendments to the local comprehensive plan; providing legislative findings and intent regarding lienholders on brownfield property; providing that certain counties and municipalities may apply for designation of an enterprise zone encompassing a brownfield pilot project under certain circumstances; providing an effective date.

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

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By Senator Latvala—

**SB 1204**—A bill to be entitled An act relating to brownfield redevelopment; creating the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund to be administered by the Office of Tourism, Trade, and Economic Development; authorizing the office to make loans for brownfield site rehabilitation; specifying loan terms and interest rates; providing rulemaking authority; providing a contingent effective date.

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

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By Senator Crist—

**SB 1206**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.11, F.S.; revising provisions which require dealers who paid \$100,000 or more in tax in the prior year to make estimated tax payments; reducing the percentage used to calculate estimated tax liability over a specified period and repealing said percentage January 1, 2004; providing that certain dealers engaged in the sale of boats, motor vehicles, or aircraft may, in lieu of making estimated tax payments, remit the tax for sales of \$100,000 or more within a specified period; providing an effective date.

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

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By Senator Crist—

**SB 1208**—A bill to be entitled An act relating to water management districts; amending s. 373.503, F.S.; requiring a vote of the electors in each district before ad valorem taxes may be levied; providing an effective date.

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

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By Senator Crist—

**SB 1210**—A bill to be entitled An act relating to stalking offenses; amending s. 784.048, F.S.; providing for court revocation for a specified period of the driver’s license of a person who has used a motor vehicle in the course of committing stalking or aggravated stalking; providing for forfeiture as contraband of such motor vehicle; providing for booting or immobilization of the vehicle for a specified period; providing for forfeiture of personal property used in the course of committing the stalking or aggravated stalking; amending s. 932.701, F.S., relating to definitions with respect to the Florida Contraband Forfeiture Act; redefining the term “contraband article,” to conform to changes made by the act; reenacting s. 932.703, F.S., relating to forfeiture of contraband articles, to incorporate the amendment to s. 932.701, F.S., in references; providing an effective date.

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

By Senator Crist—

**SB 1212**—A bill to be entitled An act relating to contracting; amending ss. 489.127, 489.531, F.S.; providing for similar penalties for unlicensed violations with respect to construction contracting and electrical contracting; providing for additional penalties for certain violations; providing an effective date.

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

By Senator Crist—

**SB 1214**—A bill to be entitled An act relating to offenders under correctional supervision; amending s. 948.03, F.S., relating to probation and community control; requiring probationers and community controllees on supervision for controlled substance violations or certain firearm offenses to submit to random searches without a warrant; prohibiting a probationer or community controllee from having “contact,” as defined, with the victim unless authorized by the court; reenacting s. 947.23(6), F.S., relating to action of Parole Commission upon arrest of parolee, s. 948.001(5), F.S., relating to definition of “probation” with respect to chapter 948, F.S., and s. 958.03(4), F.S., relating to definition of “probation” with respect to specified provisions in chapter 958, F.S., to incorporate said amendment in references; amending s. 948.06, F.S., relating to violations of probation or community control; authorizing law enforcement officers and probation or community control officers to search without a warrant, or request search without a warrant of, the person, residence, or property of probationers and community controllees under certain circumstances; prohibiting the exclusion or suppression of evidence from trials for subsequent offenses by offenders on probation, community control, or parole, or from hearings for violation of probation, community control, or parole, under certain circumstances when there was reasonable suspicion to believe that at the time of the search the offender violated the law or the terms of probation, community control, or parole; providing an exception with respect to offenders on probation, community control, or parole for substance violations or certain firearms offenses; prohibiting the exclusion or suppression of evidence from hearings for violation of supervision of offenders on probation, community control, or parole for controlled substance violations or certain firearm offenses when such exclusion or suppression is based solely on insufficient suspicion or reason to believe a violation by the offender occurred, under certain circumstances; reenacting s. 948.01(9), (11)(b), and (13)(b), F.S., relating to circumstances when a court may place a defendant on probation or into community control, and s. 958.14, F.S., relating to violation of probation or community control program, to incorporate said amendment in references; providing an effective date.

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

By Senator Crist—

**SB 1216**—A bill to be entitled An act relating to corrections; requiring a state correctional institution, or the Department of Corrections acting in its behalf, to seek reimbursement for costs of incarceration of a prisoner, including certain medical and dental expenses, which have not been reimbursed as otherwise provided by law; specifying order of sources of reimbursement; providing for deduction of the costs from the prisoner’s cash account, placement of a lien against the account or the prisoner’s other personal property, or reimbursement from the proceeds of the prisoner’s insurance policy, health care corporation proceeds, or other source; providing that the lien may be carried over to future incarceration under certain circumstances; requiring the prisoner to cooperate with such reimbursement efforts; providing for sanctions in case of willful refusal to cooperate, including placement of a lien against the prisoner’s cash account or other personal property and ineligibility to receive gain-time; providing an effective date.

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

By Senator Crist—

**SB 1218**—A bill to be entitled An act relating to driver’s license revocations; amending s. 322.26, F.S.; providing for permanent revocation of a driver’s license for murder resulting from the operation of a motor vehicle and for vehicular homicide; amending s. 322.271, F.S.; providing for petition for reinstatement under certain circumstances; eliminating the option to apply for reinstatement if a person is convicted of 4 or more DUI violations; creating s. 322.275, F.S.; providing for the authority of the court to authorize reinstatement of a permanently revoked driver’s license; amending s. 322.28, F.S.; revising provisions with respect to the period of suspension or revocation; conforming current provisions to the act; creating s. 322.283, F.S.; providing for the commencement of the period of suspension or revocation for incarcerated offenders; providing for notification to the Department of Highway Safety and Motor Vehicles; amending s. 322.34, F.S.; providing that the element of knowledge with respect to the suspension, revocation, cancellation, or disqualification is satisfied when certain notice is sent; creating s. 322.341, F.S.; providing penalties for driving while a license is permanently revoked; providing an effective date.

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

By Senator Crist—

**SB 1220**—A bill to be entitled An act relating to certified public accountants; creating s. 473.3065, F.S.; establishing the Certified Public Accountant Education Minority Assistance Program; providing for scholarships to eligible students; providing for the funding of scholarships; requiring Board of Accountancy rules; providing a penalty for certain violations; creating an advisory council to assist in program administration; providing an effective date.

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

By Senator Scott—

**SB 1222**—A bill to be entitled An act relating to road designations; designating a portion of State Road A1A in the towns of Ocean Ridge and Manalapan in Palm Beach County as a state historic and scenic highway; providing definitions; prohibiting the expenditure of state funds for certain purposes; providing for the application of the act; directing the Division of Historical Resources to provide for the erection of suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Scott—

**SB 1224**—A bill to be entitled An act relating to electric utilities; expressing legislative intent relating to chapters 366 and 403, Florida Statutes; providing an effective date.

—was referred to the Committees on Regulated Industries and Natural Resources.

By Senator Thomas—

**SB 1226**—A bill to be entitled An act relating to road designation; designating that portion of State Road 71 extending through Port St. Joe (known as 5th Street) as “Cecil G. Costin, Sr. Boulevard”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senators Brown-Waite, Myers, Bankhead, Burt and Silver—

**SB 1228**—A bill to be entitled An act relating to children’s health care; amending s. 409.904, F.S.; providing for children under specified ages who are not otherwise eligible for the Medicaid program to be eligible for optional payments for medical assistance; amending s. 409.9126, F.S.; making the Children’s Medical Services network available to certain children who are eligible for the Florida Kids Health program; revising provisions to reflect the transfer of duties to the Department of Health; creating s. 409.810, F.S.; providing a short title; creating s. 409.811, F.S.; providing definitions; creating s. 409.812, F.S.; creating and providing the purpose for the Florida Kids Health program; creating s. 409.813, F.S.; specifying program components; specifying that certain program components are not an entitlement; creating s. 409.8135, F.S.; providing for program enrollment and expenditure ceilings; creating s. 409.814, F.S.; providing eligibility requirements; creating s. 409.815, F.S.; establishing requirements for health benefits coverage under the Florida Kids Health program; creating s. 409.816, F.S.; providing for limitations on premiums and cost-sharing; creating s. 409.817, F.S.; providing for approval of health benefits coverage as a condition of financial assistance; creating s. 409.818, F.S.; providing for program administration; specifying duties of the Department of Children and Family Services, the Department of Health, the Agency for Health Care Administration, the Department of Insurance, and the Florida Healthy Kids Corporation; authorizing application for federal waiver for alternative coverage; transferring, renumbering, and amending s. 154.508, F.S., relating to outreach activities to identify low-income, uninsured children; creating s. 409.820, F.S.; requiring that the Department of Health develop standards for quality assurance and program access; establishing performance measures and standards for the Florida Kids Health program; providing an appropriation; providing for application of the act to certain contracts between providers and the Florida Healthy Kids Corporation; providing an effective date.

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

By Senators Brown-Waite, Myers, Bankhead, Burt and Silver—

**SB 1230**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information provided by applicants to the Florida Kids Health program; providing an exemption for certain information obtained through quality assurance activities and patient satisfaction surveys; providing for future review and repeal; providing findings of public necessity; providing a contingent effective date.

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

By Senator Brown-Waite—

**SB 1232**—A bill to be entitled An act relating to rulemaking authority of the Agency for Health Care Administration; amending s. 408.08, F.S.; authorizing the agency to adopt rules under which health care facilities may be granted extensions of deadlines for filing certain reports; providing an effective date.

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

By Senators Dudley and Burt—

**SJR 1234**—A joint resolution proposing an amendment to Section 2 of Article V of the State Constitution, relating to rules of practice and procedure.

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

By Senators Burt and Dudley—

**SJR 1236**—A joint resolution proposing an amendment to Section 17 of Article I of the State Constitution relating to excessive punishments.

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

By Senators Dudley and Burt—

**SJR 1238**—A joint resolution proposing an amendment to Section 9 of Article X of the State Constitution, relating to repeal of criminal statutes, to provide that the term “punishment” is limited in its application and does not include a method of executing the death penalty.

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

By Senators Burt and Dudley—

**SJR 1240**—A joint resolution proposing an amendment to Section 10 of Article I of the State Constitution, relating to prohibited laws, to direct the courts how to decide whether a law is an ex post facto law.

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

By Senator Forman—

**SB 1242**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 427.011, F.S.; amending definitions; amending s. 427.012, F.S.; revising the membership of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising the purpose and responsibilities of the commission; providing for rulemaking; amending s. 427.0135, F.S.; revising the duties and responsibilities of agencies that purchase transportation disadvantaged services; amending s. 427.015, F.S.; revising the function of the metropolitan planning organization or designated official planning agency in coordinating transportation for the transportation disadvantaged; amending s. 427.0155, F.S.; revising the powers and duties of community transportation coordinators; creating s. 427.0156, F.S.; providing for the membership of local coordinating boards; providing duties of the chairperson of a multicounty board; amending s. 427.0157, F.S.; revising the powers and duties of local coordinating boards; amending s. 427.0159, F.S.; revising the administration and statement of purpose for funds in the Transportation Disadvantaged Trust Fund; providing for the creation of and standards for a grant distribution formula; amending s. 427.016, F.S.; revising procedures for the expenditure of funds for the transportation disadvantaged; providing an effective date.

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

By Senator Burt—

**SB 1244**—A bill to be entitled An act relating to legal process; amending s. 48.031, F.S., relating to service upon a sole proprietorship; providing that substitute service may be made upon person in charge of the business at the time of service, under specified circumstances; amending s. 48.183, F.S.; providing for service of process in an action for possession of residential premises; amending s. 48.27, F.S.; providing for application and fee for inclusion on list of certified process servers; authorizing certain service when a civil action has been filed in a circuit or county court in the state; amending s. 55.03, F.S., relating to docketing and indexing of civil process generally; revising provisions relating to rate of interest; providing an exception from certain docketing and indexing or collection requirements when rate of interest is not on the face of the process, writ, judgment, or decree; amending s. 56.27, F.S., relating to payment to execution creditor of money collected; providing for payment to a junior writ of certain surplus moneys collected; amending s. 56.28, F.S.; requiring written demand by plaintiff as a condition for officer’s

liability to pay over within 10 days certain moneys collected; providing an effective date.

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

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By Senator Burt—

**SB 1246**—A bill to be entitled An act relating to the Department of Elderly Affairs; amending s. 20.41, F.S.; providing findings; providing powers and duties; revising the responsibility of the area agencies' boards; providing for board membership; providing for the appointment of board executive directors; providing for audits and exemption from chapter 120, F.S.; establishing service areas for the department; providing for reviews and requiring a report to the Legislature; providing for the conversion of existing agencies; providing for the continuation of certain contracts; providing an effective date.

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

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By Senator Burt—

**SB 1248**—A bill to be entitled An act relating to public records; providing exemptions from public records requirements for information identifying the person administering the lethal injection during execution of the death sentence; providing for future review and repeal; providing a finding of public necessity; amending s. 945.10, F.S., relating to confidential information of the Department of Corrections, to conform; providing a contingent effective date.

—was referred to the Committee on Criminal Justice.

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By Senator Burt—

**SB 1250**—A bill to be entitled An act relating to motor vehicle specialty license plates; amending s. 320.08053, F.S.; revising language with respect to requirements for requests to establish specialty license plates; amending s. 320.08056, F.S.; revising language with respect to specialty license plates to provide criteria for the discontinuance of the issuance of an approved plate; amending s. 320.08062, F.S.; revising language with respect to an annual required audit or report; revising language with respect to annual use fees of special license plates; providing an effective date.

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

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By Senator Burt—

**SB 1252**—A bill to be entitled An act relating to ad valorem taxation; amending s. 192.001, F.S.; restricting applicability of the definition of the term "computer software"; providing an effective date.

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

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By Senator Grant—

**SB 1254**—A bill to be entitled An act relating to vehicular homicide; amending s. 782.071, F.S.; redefining the offense of "vehicular homicide" to include the killing of an unborn quick child by any injury to the mother which would be vehicular homicide if it resulted in the death of the mother; providing penalties; reenacting ss. 921.0012(3)(h) and 960.03(3), F.S., relating to the offense severity ranking chart and the definition of "crime" with respect to the Florida Crimes Compensation Act, respectively, to incorporate said amendment in references; amend-

ing s. 921.0012, F.S., relating to the offense severity ranking chart, to conform terminology; providing an effective date.

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

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By Senator Harris—

**SB 1256**—A bill to be entitled An act relating to inland navigation districts; amending s. 374.976, F.S.; authorizing districts to enter into cooperative agreements with the Federal Government and participate with the U.S. Army Corps of Engineers in waterway maintenance projects and anchorage management programs; authorizing districts to enter into ecosystem management agreements with the Department of Environmental Protection; providing matching fund exceptions; amending s. 403.061, F.S.; providing a supplemental process for the issuance of joint coastal permits and environmental resource permits; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Harris—

**SB 1258**—A bill to be entitled An act relating to infant health care; amending ss. 383.14, 383.318, and 467.019, F.S.; providing requirements for screening of infants born in the state for controlled substances and human immunodeficiency virus (HIV) infection; providing duties of the Department of Health, birth centers, and midwives; requiring adoption of rules; deleting an exemption from infant health screening requirements; providing an effective date.

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

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By Senator Harris—

**SB 1260**—A bill to be entitled An act relating to the construction of the Florida Statutes; amending s. 1.01, F.S.; redefining the term "veteran"; providing an effective date.

—was referred to the Committee on Community Affairs.

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By Senator Harris—

**SB 1262**—A bill to be entitled An act relating to small business financial assistance; creating s. 288.95155, F.S.; creating the Florida Small Business Technology Growth Program; requiring the technology development board of Enterprise Florida, Inc., to administer and manage the program; requiring the board to establish a separate account in the Florida Technology Research Investment Fund for certain purposes; specifying sources of moneys in the account; providing program purposes; providing criteria for awards of assistance from the program; requiring the board to annually report on the fiscal status of the program and account; providing an effective date.

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

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By Senator Forman—

**SB 1264**—A bill to be entitled An act relating to traumatic brain injury; creating s. 402.09, F.S.; requiring the Department of Children and Family Services to provide services, in certain circumstances, to individuals who have sustained traumatic brain injury; providing for rules; providing an effective date.

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

By Senators Forman and Kirkpatrick—

**SB 1266**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Barry University license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

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By Senator Thomas—

**SB 1268**—A bill to be entitled An act relating to trust funds; providing legislative intent to create a trust fund for the deposit of tobacco lawsuit settlement moneys; providing an effective date.

—was referred to the Committee on Ways and Means.

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By Senator Thomas—

**SB 1270**—A bill to be entitled An act relating to public funds; providing legislative intent to adopt guidelines for the use of tobacco lawsuit settlement moneys; providing an effective date.

—was referred to the Committee on Ways and Means.

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By Senator Ostalkiewicz—

**SJR 1272**—A joint resolution proposing an amendment to Section 12 of Article V of the State Constitution relating to recall of justices and judges.

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

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By Senator Ostalkiewicz—

**SB 1274**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing that the tax on the sale of an automobile or truck for personal use shall be reduced for a 3-year period; providing for review; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Ostalkiewicz—

**SM 1276**—A memorial requesting the United States Congress to prepare and submit to the states an amendment to the United States Constitution prohibiting federal courts from ordering a state to levy or increase taxes.

—was referred to the Committee on Rules and Calendar.

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By Senator Ostalkiewicz—

**SM 1278**—A memorial to the Congress of the United States, requesting that a balanced budget amendment to the United States Constitution be submitted to the states for ratification.

—was referred to the Committee on Rules and Calendar.

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By Senator Latvala—

**SB 1280**—A bill to be entitled An act relating to water management; amending s. 373.59, F.S.; correcting cross-references; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Latvala—

**SB 1282**—A bill to be entitled An act relating to the lead-acid battery fee; amending ss. 403.717 and 403.7185, F.S.; specifying that the fee applies to new or remanufactured lead-acid batteries sold at retail; providing an effective date.

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

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By Senator Silver—

**SB 1284**—A bill to be entitled An act relating to collection of court costs and fines; creating s. 938.30, F.S.; providing for supplementary proceedings for enforcement of court-ordered payment of financial obligations in criminal cases; providing for examination under oath regarding a person's ability to pay financial obligations in a criminal case; providing for service or actual notice of orders to appear; providing for taking of testimony; providing for orders that nonexempt property in the hands of another be applied toward satisfying an obligation; providing for a judgment of civil lien; providing for applicability of the Uniform Fraudulent Transfer Act in certain collection matters; providing for payment schedules; providing for civil contempt sanctions for failure to appear or comply with certain orders; providing for specified enforcement costs and fees to be assessed; providing for attorney's fees; providing for the use of special masters; providing for construction; permitting use of the new provisions in addition to or in lieu of other provisions of law; providing for certain court orders; providing an effective date.

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

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By Senator Silver—

**SB 1286**—A bill to be entitled An act relating to regulation of professions and occupations; amending ss. 455.225, 455.621, F.S., relating to disciplinary proceedings for boards within the Department of Business and Professional Regulation and the Department of Health, respectively; providing for confidentiality while an investigation is active; authorizing disclosure within a specified period after a determination regarding probable cause; authorizing disclosure of an active investigation under certain circumstances; providing an effective date.

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

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By Senator Silver—

**SB 1288**—A bill to be entitled An act relating to public lodging establishments; amending s. 509.215, F.S.; revising firesafety requirements for specified public lodging establishments; deleting obsolete language; amending s. 509.242, F.S.; revising classifications for public lodging establishments; providing that such classifications are for licensing purposes only; providing classification for "home stay inn"; amending s. 553.895, F.S.; removing obsolete firesafety requirements for public lodging establishments within the Florida Building Codes Act; providing an effective date.

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

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By Senator Silver—

**SB 1290**—A bill to be entitled An act relating to driver's licenses; amending s. 322.12, F.S.; requiring tests of certain elderly drivers at designated intervals; amending s. 322.121, F.S.; basing license reexaminations on point assessments; amending s. 322.18, F.S.; providing for a 3-year license for certain drivers; amending s. 322.21, F.S.; revising the fee for certain original or renewal driver's licenses; providing an effective date.

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

By Senator Gutman—

**SB 1292**—A bill to be entitled An act relating to controlled substances; amending s. 893.12, F.S.; deleting the requirement that a copy of the record of the destruction of seized controlled substances be sent to the Drug Enforcement Administration; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Gutman—

**SB 1294**—A bill to be entitled An act relating to agricultural sales; amending s. 570.55, F.S.; revising the "Florida Avocado, Mango, Lime, and Tomato Sales Law" to the "Florida Tropical or Subtropical Fruit and Vegetables Sales Law"; revising provisions to apply to tropical or subtropical fruit and vegetables; prescribing use of certain containers in shipping or distribution; providing an exception; increasing a penalty; amending s. 603.161, F.S.; revising a definition; increasing a penalty; providing an effective date.

—was referred to the Committee on Agriculture.

By Senator Gutman—

**SB 1296**—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; authorizing insurers to contract with preferred providers to provide personal injury protection benefits; providing for a reduced premium rate; providing coverage; providing an election form; providing a presumption; authorizing the Department of Insurance to adopt rules; providing definitions; specifying procedures; providing an effective date.

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

By Senator Gutman—

**SB 1298**—A bill to be entitled An act relating to tourism; amending s. 288.1221, F.S.; revising legislative intent; amending s. 288.1222, F.S.; clarifying a definition; amending s. 288.1223, F.S.; clarifying meeting and vice chair election provisions; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By Senator Bankhead—

**SB 1300**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 110.108, 110.123, 120.57, 154.04, 215.196, 216.292, 217.045, 217.11, 230.23, 255.102, 255.249, 255.25, 255.25001, 255.253, 255.254, 255.255, 255.257, 255.258, 255.31, 255.45, 255.451, 255.502, 255.503, 255.504, 255.505, 255.506, 255.507, 255.508, 255.509, 255.51, 255.511, 255.513, 255.514, 255.515, 255.517, 255.518, 255.52, 255.521, 255.522, 255.523, 265.001, 265.002, 265.2865, 272.03, 272.04, 272.05, 272.06, 272.07, 272.08, 272.09, 272.12, 272.121, 272.122, 272.124, 272.16, 272.185, 273.055, 281.02, 281.03, 281.04, 281.05,

281.06, 281.08, 281.09, 282.102, 282.103, 282.104, 282.105, 282.1095, 282.111, 283.30, 283.32, 284.33, 287.012, 287.017, 287.022, 287.032, 287.042, 287.045, 287.055, 287.056, 287.057, 287.058, 287.073, 287.083, 287.09451, 287.131, 287.15, 287.16, 287.161, 287.19, 288.15, 288.18, 318.21, 334.0445, 364.515, 365.171, 376.10, 395.1031, 401.013, 401.015, 401.018, 401.024, 403.7065, and 946.515, Florida Statutes, pursuant to the directive of the Legislature in s. 4, ch. 97-296, Laws of Florida, to substitute a reference to the Department of Management Services for all references in the Florida Statutes to any division, bureau, or other unit of the Department of Management Services, except for references to the Division of Administrative Hearings, the Division of Retirement, or commissions.

—was referred to the Committee on Rules and Calendar.

By Senator Bankhead—

**SB 1302**—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 20.19, 20.316, 26.012, 27.02, 27.151, 27.52, 39.01, 39.40, 39.403, 39.408, 39.41, 39.452, 39.454, 49.011, 95.11, 228.041, 230.2316, 230.23161, 230.335, 232.17, 232.19, 239.117, 240.235, 240.35, 253.025, 316.003, 316.635, 318.143, 318.21, 397.6758, 397.706, 409.145, 409.1685, 409.2564, 409.803, 415.107, 415.5015, 415.503, 415.5086, 415.51, 419.001, 743.0645, 744.309, 784.075, 790.22, 790.23, 877.22, 921.0012, 921.0022, 938.17, 943.0515, 943.0585, 943.059, 944.401, 948.51, 958.04, 958.046, 960.001, 984.03, 984.04, 984.05, 984.071, 984.10, 984.15, 984.16, 984.20, 984.21, 984.22, 984.225, 984.226, 984.23, 984.24, 985.03, 985.213, 985.214, 985.218, 985.231, and 985.306, F.S., to conform to the directive of the Legislature in section 122 of chapter 97-238, Laws of Florida, to incorporate the reorganization of the content of chapter 39, F.S., into chapters 39, 984, and 985, F.S., as provided in chapter 97-238; correcting cross-references.

—was referred to the Committee on Rules and Calendar.

By Senator Grant—

**SB 1304**—A bill to be entitled An act relating to property insurance; amending s. 627.701, F.S.; limiting hurricane deductibles in personal lines residential policies to deductibles for other risks unless the policyholder elects a higher deductible; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Kurth—

**SB 1306**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Protect Wild Dolphins license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

By Senator Hargrett—

**SB 1308**—A bill to be entitled An act relating to domestic violence; amending s. 741.28, F.S.; modifying the definition of "Family or household member" for purposes of determining domestic violence; providing an effective date.

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

By Senator Hargrett—

**SB 1310**—A bill to be entitled An act relating to false personation; amending s. 817.02, F.S.; providing that obtaining property by false personation is a second-degree felony; providing penalties; creating s.



817.021, F.S.; providing that it is unlawful to give a false name or false identification to an arresting officer or jail personnel; providing penalties; providing for correcting public records pertaining to a person who has been adversely affected by an individual's giving a false name or false identification; providing an effective date.

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

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By Senator Hargrett—

**SB 1312**—A bill to be entitled An act relating to motor vehicle repair liens; amending s. 713.585, F.S.; requiring that a notice of claim of lien for performing labor on a motor vehicle include an itemized invoice; providing for rejection of an application for transfer of title if such an invoice is not filed with the application and there has been an attempt to improperly charge storage charges; providing an effective date.

—was referred to the Committees on Judiciary and Transportation.

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By Senators Bronson and Grant—

**SB 1314**—A bill to be entitled An act relating to capital investment tax credits; creating s. 220.191, F.S.; providing definitions; providing for a credit against the corporate income tax for certain capital costs; providing requirements; providing limitations; providing for certification of eligibility by the Office of Tourism, Trade, and Economic Development; providing duties of the Department of Revenue; authorizing the office to develop certification guidelines and application materials; providing an effective date.

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

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By Senator Holzendorf—

**SB 1316**—A bill to be entitled An act relating to eligible surplus lines insurers; amending s. 626.918, F.S.; prohibiting the Department of Insurance from approving certain forms; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senator Grant—

**SB 1318**—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.003, F.S.; providing that the location of the State Athletic Commission shall be in Tampa; amending s. 548.007, F.S.; revising applicability of the Joe Lang Kershaw Act; amending s. 548.008, F.S.; clarifying language with respect to prohibited toughman and badman competitions; amending s. 548.026, F.S.; revising language with respect to the duration of licenses issued under the act; amending s. 548.043, F.S.; revising provisions regulating weights, classes, and gloves; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 1320**—A bill to be entitled An act expressing legislative intent to revise the laws relating to distance learning.

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

By Senator Rossin—

**SB 1322**—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.

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By Senator Rossin—

**SB 1324**—A bill to be entitled An act relating to insurance, creating the "Equity in Prescription Insurance and Contraceptive Coverage Act"; providing definitions; requiring health insurance plans that provide benefits for prescription drugs and devices and benefits for outpatient services to provide coverage for persons needing contraceptive drugs or devices or outpatient contraceptive services; prohibiting extraordinary surcharges; prohibiting health insurance plans from other specified discriminatory practices; providing for enforcement by the Department of Insurance; authorizing the department to adopt rules; providing an effective date.

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

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By Senator Rossin—

**SB 1326**—A bill to be entitled An act relating to security deposits; amending s. 83.49, F.S.; providing that certain security deposits must be placed in interest-bearing accounts; providing for the deposit of interest into the State Housing Trust Fund; providing for the use of such funds; providing an effective date.

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

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By Senator Burt—

**SB 1328**—A bill to be entitled An act relating to postconviction capital collateral proceedings; requesting that the Division of Statutory Revision designate part IV of ch. 27, F.S., as "Capital Collateral Representation"; amending s. 27.702, F.S.; deleting a requirement that specifies the time for the capital collateral regional counsel to commence the representation of a person sentenced to death; creating s. 27.710, F.S.; requiring that the Justice Administrative Commission maintain a registry of attorneys in private practice who are available to be appointed to represent defendants in postconviction capital collateral proceedings; authorizing the commission to obtain names of attorneys who may register for appointment; providing eligibility requirements for appointment as counsel in postconviction capital collateral proceedings; providing for appointment of an attorney selected from the registry; providing that more than one attorney may not be appointed at any one time to represent a capital defendant; creating s. 27.711, F.S.; requiring that an attorney appointed to represent a capital defendant file a notice of appearance; providing a schedule of fees to which the attorney is entitled for specified appearances and representations; providing that such fees constitute the exclusive means of compensation for such representation; authorizing compensation as provided by federal law under certain circumstances; authorizing the use of investigative services and the payment of fees for such services; providing that by accepting appointment to represent a capital defendant the attorney agrees to continue such representation until the defendant's sentence is reversed, reduced, or carried out; limiting the number of capital defendants that an attorney may represent; prohibiting a claim of ineffective assistance of counsel based on an action by the attorney who represents a capital defendant; prohibiting the attorney from representing the capital defendant in certain other proceedings; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Burt—

**SB 1330**—A bill to be entitled An act relating to the administration of capital cases; requiring that the Secretary of State establish a regional records repository for each capital collateral regional office; requiring that the public defender, law enforcement agencies, the state attorney, and the Department of Corrections copy and deliver records to the records repository which pertain to a capital case; providing requirements for notifying the Attorney General upon delivery of such records to the repository; requiring that the Attorney General request records from certain additional persons and agencies; providing requirements for sealing confidential records and records that are exempt from disclosure under the Public Records Law; prohibiting such records from being opened without a court order; prohibiting the capital collateral regional counsel or private counsel from requesting the production of public records in a capital case until after reviewing records held by the records repository; requiring that the capital collateral regional counsel or private counsel provide the personnel and equipment for copying records held at the repository; providing for resolving certain disputes with respect to the production of records; specifying circumstances under which the Secretary of State may destroy records held by a repository; amending s. 27.702, F.S.; requiring that the capital collateral regional counsel or private counsel notify the Commission on the Administration of Justice in Capital Cases and the trial court of pleadings filed in capital cases; requiring that a notice of hearing be filed with each pleading; requiring that the trial court expedite the hearings in capital cases; repealing s. 27.708(3), F.S., relating to requests for records in capital cases; providing an appropriation; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Latvala—

**SB 1332**—A bill to be entitled An act relating to rulemaking authority with respect to law enforcement (RAB); amending s. 112.193, F.S.; authorizing public employers to adopt rules establishing eligibility requirements and application procedures and other matters relating to service awards; providing an effective date.

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

By Senator Latvala—

**SB 1334**—A bill to be entitled An act relating to rulemaking authority of the Department of Environmental Protection (RAB); amending s. 403.061, F.S.; authorizing the adoption of rules on quality-assurance requirements for environmental data submitted to the department; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Latvala—

**SB 1336**—A bill to be entitled An act relating to rulemaking authority with respect to asbestos removal (RAB); amending s. 376.60, F.S.; authorizing the Department of Environmental Protection to establish a fee schedule by rule; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Latvala—

**SB 1338**—A bill to be entitled An act relating to rulemaking authority with respect to land acquisition (RAB); amending s. 259.035, F.S.; authorizing the Land Acquisition and Management Advisory Council to establish multiple lists of projects selected for acquisition each year; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Latvala—

**SB 1340**—A bill to be entitled An act relating to rulemaking authorization with respect to vessel safety (RAB); amending s. 327.02, F.S.; defining the term “marker”; amending s. 327.41, F.S.; clarifying and conforming provisions to existing federal requirements; removing obsolete reference to an abolished federal advisory panel; providing an exemption from submerged lands lease requirements for safety and navigation markers; amending s. 327.46, F.S.; clarifying and conforming provisions to existing federal requirements; repealing s. 327.40, F.S., relating to uniform waterway markers; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Diaz-Balart—

**SB 1342**—A bill to be entitled An act relating to rulemaking authority of the Division of Workers' Compensation (RAB); amending ss. 440.05, 440.13, 440.16, 440.185, 440.191, 440.20, 440.40, 440.42, 440.49, 440.59, F.S.; extending rulemaking authority to the Division of Workers' Compensation; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz-Balart—

**SB 1344**—A bill to be entitled An act relating to workers compensation; amending s. 440.49, F.S.; authorizing the Special Disability Trust Fund to make an offer, deny a claim, or request further information; providing an effective date.

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

By Senator Diaz-Balart—

**SB 1346**—A bill to be entitled An act relating to rulemaking authority with respect to occupational safety and health (RAB); amending s. 442.005, F.S.; authorizing rulemaking for the Division of Workers' Compensation regarding employee injuries resulting in death; amending s. 442.006, F.S.; authorizing rules for Division of Workers' Compensation investigations; amending s. 442.008, F.S.; authorizing rules for the Division of Workers' Compensation relating to recordkeeping responsibilities for public-sector employers; amending s. 442.009; authorizing rules for the Division of Workers' Compensation relating to right of entry to places of employment; amending s. 442.20, F.S.; authorizing rulemaking for the Division of Safety for annual reports, workplace-safety programs for clients of help-supply-services companies, adopting federal standards; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Brown-Waite—

**SB 1348**—A bill to be entitled An act relating to rulemaking authority of the Agency for Health Care Administration (RAB); amending s. 440.134, F.S.; directing the agency to adopt rules relating to workers' compensation managed care arrangements; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Williams—

**SB 1350**—A bill to be entitled An act relating to mortgage lenders (RAB); amending s. 494.0065, F.S.; authorizing a one-time transfer of ownership, control, or certain voting power of a licensed mortgage lender by an ultimate equitable owner under certain circumstances; providing an exception for intrafamilial transfers; providing requirements; provid-

ing for denial of the transfer under certain circumstances; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senators Rossin and Sullivan—

**SB 1352**—A bill to be entitled An act relating to investment of public funds (RAB); repealing s. 215.455, F.S., relating to the loan of securities; amending s. 215.515, F.S.; deleting provisions relating to review of charges for investment services of the State Board of Administration; amending s. 215.47, F.S.; revising list of eligible securities; authorizing the loan of securities or investments under specified conditions; amending s. 215.835, F.S.; prescribing rulemaking authority of the Division of Bond Finance and State Board of Administration; amending ss. 159.825, 218.407, F.S.; prescribing rulemaking authority of the State Board of Administration; creating s. 218.412, F.S.; providing rulemaking authority to the State Board of Administration; providing an effective date.

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

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By Senator Klein—

**SB 1354**—A bill to be entitled An act relating to the prosecution of juveniles as adults; amending s. 985.227, F.S.; providing for a juvenile to be prosecuted as an adult if the juvenile is charged with grand theft of a motor vehicle; reenacting s. 985.21(4)(e), F.S., relating to the state attorney's authority to prosecute a juvenile as an adult, to incorporate the amendment to s. 985.227, F.S., in a reference thereto; providing an effective date.

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

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By Senator Harris—

**SB 1356**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing conditions under which certain nonprofit organizations are qualified as charitable institutions for tax exemption purposes; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senators Grant, Holzendorf, Horne, Clary, Cowin, Diaz-Balart, Latvala, Dyer, Silver, Casas, Klein, Kurth, Kirkpatrick, Turner, Williams, Sullivan, Rossin, Crist, Harris, Forman, Thomas, Meadows, Lee, Burt, Bronson, McKay and Dudley—

**SB 1358**—A bill to be entitled An act relating to postsecondary education; amending s. 110.131, F.S.; deleting the requirement that the Board of Regents comply with recordkeeping and reporting requirements for other-personal-services employment; amending s. 235.055, F.S.; deleting authority of the Board of Regents to construct facilities on leased property and enter into certain leases; amending s. 235.195, F.S.; modifying provisions relating to joint-use facilities; amending s. 240.1201, F.S.; classifying specified Canadian military personnel as residents for tuition purposes; amending s. 240.147, F.S.; correcting a cross-reference; amending s. 240.205, F.S.; revising the acquisition and contracting authority of the Board of Regents; amending s. 240.209, F.S.; authorizing procedures to administer an acquisition program; authorizing the Board of Regents to sell, convey, transfer, exchange, trade, or purchase real property and related improvements; providing requirements; amending s. 240.214, F.S.; revising provisions relating to the State University System accountability process; amending s. 240.227, F.S.; revising the acquisition and contracting authority of university presidents; authorizing adjustment of property records and disposal of certain tangible personal property; amending s. 243.151, F.S.; providing a procedure under

which a university may construct facilities on leased property; amending s. 287.012, F.S.; excluding the Board of Regents and the State University System from the term "agency" for purposes of state procurement of commodities and services; repealing ss. 240.225, 240.247, 240.4988(4), 287.017(3), F.S., relating to delegation of authority by the Department of Management Services to the State University System, eradication of salary discrimination, Board of Regents' rules for the Theodore R. and Vivian M. Johnson Scholarship Program, and applicability of purchasing category rules to the State University System; amending s. 240.2475, F.S., relating to the State University System equity accountability program; requiring each state university to maintain an equity plan to increase the representation of women and minorities in faculty and administrative positions; providing for the submission of reports; requiring the development of a plan for achievement of equity; providing for administrative evaluations; requiring the development of a budgetary incentive plan; providing for an appropriation; amending s. 240.3355, F.S., relating to the State Community College System equity accountability program; requiring each community college to maintain a plan to increase the representation of women and minorities in faculty and administrative positions; providing contents of an employment accountability plan; requiring the development of a plan for corrective action; providing for administrative evaluations; providing for submission of reports; requiring the development of a budgetary incentive plan; providing an effective date.

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

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By Senator McKay—

**SB 1360**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing that an exemption from the tax applies to machinery and equipment purchased for use in phosphate severance, mining, or processing operations under specified conditions; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator McKay—

**SB 1362**—A bill to be entitled An act relating to pest control; amending ss. 482.021, 487.021, and 500.03, F.S.; clarifying definitions of "pest control," "pesticide or economic poison," "pesticide," and "pesticide chemical" with respect to the application or use of plain water; providing an effective date.

—was referred to the Committee on Agriculture.

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By Senator Klein—

**SM 1364**—A memorial to the Congress of the United States, urging the Congress to act on an amendment to the Constitution of the United States relating to the rights of crime victims.

—was referred to the Committee on Rules and Calendar.

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By Senator Klein—

**SB 1366**—A bill to be entitled An act relating to motor vehicles; amending s. 521.004, F.S.; modifying the disclosure form for a motor vehicle lease; amending s. 681.102, F.S.; modifying definitions applicable to motor vehicle sales warranties; providing an effective date.

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

By Senator Gutman—

**SB 1368**—A bill to be entitled An act relating to the Miami River; establishing the Miami River Commission; providing purposes; providing for a policy committee, a managing director, and a working group; specifying membership of the committee; providing powers and duties of the committee; requiring a report; providing an appropriation; providing an effective date.

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

By Senator Holzendorf—

**SB 1370**—A bill to be entitled An act relating to funeral directing, embalming, and direct disposition; amending s. 470.002, F.S.; expanding the definition of the term “legally authorized person”; amending s. 470.006, F.S.; revising a provision relating to licensure as an embalmer by examination, to clarify applicability of the internship requirement; amending s. 470.0085, F.S., relating to the embalmer apprentice program; authorizing an extension of apprenticeship for certain students working in funeral establishments; amending s. 470.009, F.S.; reorganizing provisions relating to licensure as a funeral director by examination, to clarify applicability of the internship requirement; amending ss. 470.015 and 470.018, F.S.; providing for inclusion of a required course on human immunodeficiency virus and acquired immune deficiency syndrome in the board-approved course on communicable diseases for renewal of funeral director and embalmer licenses and renewal of registration of direct disposers; amending s. 470.024, F.S.; authorizing operation of visitation chapels and establishing criteria therefor; providing licensing limitations with respect to colocated facilities; requiring the relicensure of funeral establishments whose ownership has changed; amending s. 470.029, F.S.; providing a filing date for monthly reports on final dispositions; amending s. 470.0301, F.S.; providing requirements for registration of centralized embalming facilities, including biennial renewal and applicable fees; providing for an annual inspection fee; creating s. 470.0315, F.S.; providing for the storage, preservation, and transportation of human remains; creating s. 470.0355, F.S.; providing for the identification of human remains; amending s. 470.036, F.S.; extending disciplinary actions to certain registrants and licensees; providing an effective date.

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

By Senator Williams—

**SB 1372**—A bill to be entitled An act relating to insurance; amending ss. 624.425, 624.428, 624.478, 626.112, F.S.; requiring agents to be appointed; amending s. 624.501, F.S.; clarifying application of fees for title insurance agents; amending s. 626.022, F.S.; providing for applicability of ch. 626, F.S.; amending s. 626.051, F.S.; revising the definition of the term “life agent”; defining the term “variable contract agent” and prescribing requirements for soliciting or selling variable life insurance, variable annuity contracts, and other indeterminate value contracts; amending s. 626.062, F.S.; conforming a cross-reference; amending ss. 626.141, 626.171, 626.181, 626.211, 626.221, 626.266, 626.281, 626.311, 626.511, 626.521, 626.561, 626.611, 626.621, 626.641, 626.651, 626.727, 626.730, 626.732, 626.733, 626.877, F.S.; including customer representatives within and deleting claims investigators from application of certain provisions; excluding solicitors; authorizing the department to secure a credit and character report on certain persons; providing limits; providing requirements of the department; amending s. 626.451, F.S.; requiring law enforcement agencies, the state attorney’s office, and court clerks to notify the department of agents found guilty of felonies; amending s. 626.201, F.S.; providing for interrogatories before reinstatement; amending s. 626.321, F.S.; authorizing certain entities that hold a limited license for credit life or disability insurance to sell credit property insurance; authorizing persons who hold a limited license for credit insurance to hold certain additional licenses; amending s. 626.331, F.S.; requiring licensure of certain agents for certain appointments; providing that an appointment fee is not refundable; amending s. 626.342, F.S.; prohibiting furnishing supplies to certain agents; amending s. 626.541,

F.S.; specifying names and addresses required of certain personnel of corporations; amending s. 626.592, F.S.; revising provisions relating to designation of primary agents; amending s. 626.601, F.S.; authorizing the department to initiate investigation of agents under certain conditions; amending s. 626.681, F.S.; providing for administrative fines in addition to certain actions; increasing such fines; amending s. 626.691, F.S.; authorizing the department to place certain persons on probation in addition to suspending, revoking, or refusing to renew a license or appointment; creating s. 626.692, F.S.; providing for restitution under certain circumstances; amending s. 626.7351, F.S.; specifying additional qualifications for a customer representative’s license; amending s. 626.739, F.S.; specifying a temporary license as general lines insurance agent; amending s. 626.741, F.S.; authorizing the department to issue a customer representative license to certain persons; providing a limitation; providing procedures for agent licensure of certain persons under certain circumstances; providing for cancellation of a nonresident agent’s license; amending ss. 626.792, 626.835, F.S.; providing procedures for issuing a resident agent’s license to certain persons; amending s. 626.837, F.S.; clarifying conditions of placing certain excess or rejected risks; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8417, F.S.; revising the qualifications for licensure as a title insurance agent; amending s. 626.8418, F.S.; increasing the amount of the deposit or bond of a title insurance agency; specifying that the bond of a title insurance agency must be posted with the department and must inure to the benefit of damaged insurers and insureds; amending ss. 626.8437, 626.844, F.S.; clarifying application of grounds for refusal, suspension, or revocation of license or appointment; amending s. 626.8443, F.S.; providing additional limitations on activities during suspension or after revocation of a license; amending s. 626.852, F.S.; providing for applicability; amending s. 626.869, F.S.; requiring certain continuing education courses; clarifying requirements of such courses; amending s. 626.8695, F.S.; providing for notice to the department; requiring designation of primary adjuster on forms prescribed by the department; amending s. 626.872, F.S.; prohibiting the department from issuing a temporary adjuster’s license to certain persons; amending s. 626.873, F.S.; providing procedures for licensing certain persons as resident adjusters; providing for cancellation of nonresident adjuster’s license; amending s. 626.875, F.S.; prescribing time for keeping adjusters’ records; amending s. 626.916, F.S.; requiring surplus lines agents to provide specified information; amending s. 626.922, F.S.; requiring surplus lines agents to perform certain duties relating to evidence of insurance; amending s. 626.928, F.S.; increasing bonds for surplus lines agents; amending ss. 626.927, 626.9271, 626.929, 626.935, 626.944, F.S.; requiring appointment in addition to licensure of certain persons; amending s. 627.745, F.S.; clarifying a provision related to final examination; revising administration of the mediation program; amending s. 634.011, F.S.; revising a definition; amending ss. 634.171 and 634.420, F.S.; clarifying application of accountability provisions; amending s. 634.317, F.S.; providing for responsibility and accountability of sales representatives; amending s. 642.036, F.S.; deleting requirement that the addresses of certain agents be filed with the department; repealing s. 626.112(6), F.S., relating to licensing of claims investigators; repealing s. 626.532, F.S., relating to insurance vending machine licenses; repealing s. 626.857, F.S., relating to the definition of “claims investigator”; providing an effective date.

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

By Senator Campbell—

**SB 1374**—A bill to be entitled An act relating to education; creating the “Florida Maximum Class Size Goals Act”; providing intent; providing goals relating to class size in certain grade levels; providing for funding; providing for review of statutory mandates; requiring annual reports and a study based on class size reductions; providing an effective date.

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

By Senator Campbell—

**SB 1376**—A bill to be entitled An act relating to discharging firearms in public; amending s. 790.15, F.S.; reclassifying from a misdemeanor of the first degree to a felony of the third degree the offense of knowingly discharging a firearm in any public place, on or over the right-of-way of a paved public road, highway, or street, or over occupied premises; providing penalties; providing enhanced penalties for habitual offenders; providing exceptions; conforming a reference; providing an effective date.

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

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By Senator Burt—

**SB 1378**—A bill to be entitled An act relating to law enforcement; amending s. 943.03, F.S.; requiring the Department of Law Enforcement to develop and maintain, in consultation with the Criminal and Juvenile Justice Information Systems Council, an information system in administrative support of the state criminal and juvenile justice system; amending s. 20.315, F.S.; providing for maintenance by the Department of Corrections of an offender-based information system; amending s. 20.316, F.S.; conforming terminology relating to development by the Department of Juvenile Justice of a juvenile justice information system; removing a provision requiring a report by the department to the council; amending s. 186.022, F.S., relating to state agency strategic plans; providing for review by the Executive Office of the Governor of recommendations of the council; amending s. 282.1095, F.S., relating to the state agency law enforcement radio system; reducing the membership of the Joint Task Force on State Agency Law Enforcement Communications to eliminate a representative of the council; amending s. 282.111, F.S., relating to the statewide system of regional law enforcement communications; removing a provision requiring certain consultation by the Division of Communications with the council; amending s. 318.18, F.S., relating to civil penalties; redesignating regional criminal justice assessment centers as criminal justice selection centers; amending s. 943.031, F.S., relating to the Florida Violent Crime Council; conforming cross-references; amending s. 943.08, F.S.; deleting obsolete provisions; requiring the council to review proposed plans and policies for the information system of the specified agencies to assist in facilitating the standardization, sharing, and coordination of criminal and juvenile justice data and other specified data; requiring the council to make recommendations to specified agencies; requiring recommendations regarding the installation and operation of the Florida Criminal Justice Intranet Service Network, of which the department will be the custodial manager, and specifying its functions; requiring recommendations concerning installation and operation of such a statewide network in each judicial circuit; providing legislative intent that future equipment capable of certain technologies within the specified entities be compatible with certain standards; amending s. 943.135, F.S.; allowing law enforcement officers who are also elected or appointed public officials to maintain certification in a special status while holding office; amending s. 943.256, F.S.; providing for the regional criminal justice assessment centers, which are directed by a postsecondary public school or a criminal justice agency, to be redesignated as criminal justice selection centers; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 1380**—A bill to be entitled An act relating to education; creating s. 228.0561, F.S.; authorizing charter conversion municipal subdistricts; providing requirements for operation; providing for areas of municipal jurisdiction; providing an effective date.

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

By Senator Forman—

**SB 1382**—A bill to be entitled An act relating to the operation of vehicles or vessels while under the influence; amending s. 316.193; providing for impoundment or immobilization of a vehicle; providing for impoundment of other vehicles owned by the defendant; providing circumstances for dismissal of the impoundment or immobilization order; amending s. 327.35, F.S.; providing for impoundment or immobilization of a vessel; providing for impoundment or immobilization of other vessels owned by the defendant; providing circumstances for dismissal of a court's impoundment or immobilization order; amending s. 327.352, F.S., providing a civil penalty for refusal to submit to chemical testing; providing an effective date.

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

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By Senator Forman—

**SB 1384**—A bill to be entitled An act relating to animals; creating s. 828.35, F.S.; providing requirements for the rabies vaccination of ferrets; providing exemptions; providing for rabies vaccination certificates; providing for quarantine according to rules; providing a penalty; providing an effective date.

—was referred to the Committee on Agriculture.

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By Senator Harris—

**SB 1386**—A bill to be entitled An act relating to economic development; expressing the legislative intent to foster economic development.

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

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By Senator Horne—

**SB 1388**—A bill to be entitled An act relating to taxation; amending ss. 95.091, 193.062, 193.063, 194.192, 197.172, 199.052, 199.057, 199.062, 199.133, 199.185, 199.282, 201.16, 201.17, 205.053, 212.02, 212.05, 212.06, 212.08, 212.12, 213.04, 220.211, 220.222, 220.34, 220.723, 220.737, 220.801, 220.809, 221.02, F.S.; creating ss. 199.252, 199.2825, 212.125, 220.8051, F.S.; amending certain statutes of limitation; eliminating the tolling of the statute of limitations for specified causes; prescribing circumstances for the tolling of the statute of limitations as a result of administrative or judicial proceedings; limiting the period for which additional penalties and interest may be imposed; prescribing dates for filing returns for specified taxes; increasing the maximum length of time for which an extension to file a tangible-personal-property tax return may be granted; postponing the regular filing deadline for certain tax returns; amending certain interest rates on delinquent taxes and on penalties; providing interest on refunds owed to taxpayers and setting the interest rate thereon; exempting from the tax imposed under s. 199.133, F.S., certain documents pertaining to transfers in conjunction with a dissolution of marriage; prescribing a maximum amount for the intangibles tax on certain obligations; increasing the amounts of certain exemptions from the annual and nonrecurring taxes on certain property; allowing extensions of deadlines for providing certain annual tax information reports; increasing the minimum amount of taxes that must be owed before a tax return must be filed; allowing an extension of the deadline by which a corporation must elect to pay the annual tax on behalf of its stockholders and specifying conditions for making such election; exempting taxpayers from paying certain taxes upon a showing of reasonable cause, for so long as the reasonable cause applies; providing exceptions to payment of certain taxes or penalties; allowing certain penalties to be waived; providing for payment on interest by the state with respect to overpayments of taxes; prescribing limitations upon the assessment of back taxes; prescribing penalties for failing to pay taxes; providing exemptions from specified taxes; providing for the establishment of a cost-price amount for the purpose of sales and use taxation; limiting the aggregate amount of certain penalties

that may be imposed; providing that a federal extension of the deadline for paying certain taxes acts as a state extension, under specified conditions; deleting the requirement to pay interest on certain penalties; providing for credits for emergency excise taxes to be carried over; amending s. 236.081, F.S.; reducing the aggregate required-local-effort millage rate; providing a minimum base student allocation for fiscal year 1998-1999; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senator Horne—

**SB 1390**—A bill to be entitled An act relating to pollution control; creating s. 403.08701, F.S.; restricting authority of the Department of Environmental Protection to issue permits for construction of facilities for disposal, storage, or treatment of hazardous waste in Duval County; restricting locations in Duval County where hazardous waste transfer facilities may be owned, operated, or constructed; providing application to pending permits and proposed transfer stations; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senators Rossin, Klein and Meadows—

**SB 1392**—A bill to be entitled An act relating to the local option tourist development tax; amending s. 125.0104, F.S.; revising provisions which authorize imposition of an additional tax to pay debt service on bonds issued to finance construction or renovation of a professional sports franchise facility or convention center; authorizing use of tax revenues for operation and maintenance of a convention center for a specified period; providing an effective date.

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

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By Senator Harris—

**SB 1394**—A bill to be entitled An act relating to elections; amending s. 106.07, F.S.; requiring political candidates who raise campaign funds during a legislative session to file weekly reports; providing an effective date.

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

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By Senators Sullivan, Crist, Lee, Diaz-Balart, Williams, Holzendorf, Kirkpatrick, Bronson, Brown-Waite, Forman, Harris, Ostalkiewicz, Klein, Thomas, McKay and Grant—

**SB 1396**—A bill to be entitled An act relating to greenways and trails; amending s. 110.501, F.S.; redefining the term “volunteer”; amending s. 260.012, F.S.; providing additional declarations of legislative intent; creating s. 260.0125, F.S.; providing for the rights and benefits of private landowners who designate land for use as a greenway or trail; amending s. 260.013, F.S.; defining the term “designated” or “designation”; amending s. 260.014, F.S.; requiring the written consent of a landowner to designation of land as part of the statewide system of greenways and trails; amending s. 260.0141, F.S.; providing examples of what is not considered a designation of land; amending s. 260.016, F.S.; providing rulemaking authority for the Department of Environmental Protection; providing for the process of designation of lands; providing incentives for landowners; amending s. 260.018, F.S.; providing circumstances under which the identification of specified lands may not be recognized as greenways or trails; providing an effective date.

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

By Senator Meadows—

**SB 1398**—A bill to be entitled An act relating to municipal special assessments; amending s. 170.201, F.S.; providing an exemption from any special assessment levied by a municipality to fund emergency medical services for property owned or occupied by a governmentally financed, insured, or subsidized housing facility used primarily for persons who are elderly or disabled; providing an effective date.

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

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By Senator Brown-Waite—

**SB 1400**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.461, F.S.; providing liability for unpaid taxes, penalty, and interest if an owner of property classified as agricultural fails to notify the property appraiser when the property becomes ineligible for such classification; providing an effective date.

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

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By Senators Latvala, Silver, Lee, Clary, Bronson, Childers and Meadows—

**SB 1402**—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; providing an additional duty of the Secretary of State; amending s. 97.021, F.S.; revising the definition of absent elector; amending s. 97.041, F.S.; providing that holders of a homestead exemption may be registered only in the county and precinct in which is located the property for which the homestead exemption has been granted; providing an exception; amending s. 97.052, F.S.; requiring that certain information relating to homestead exemptions be included in the uniform statewide voter registration application; requiring that the last four digits of the applicant’s social security number and the applicant’s driver license number be included in the uniform statewide voter registration application; amending s. 97.053, F.S.; requiring that the last four digits of the applicant’s social security number be included on a voter registration application for the application to be complete; creating s. 97.056, F.S.; requiring persons who register by mail to vote in person the first time; providing exceptions; amending s. 97.071, F.S.; providing for the mailing of a registration identification card to the voter; amending s. 98.015, F.S.; providing an additional duty of the supervisor of elections; creating s. 98.0975, F.S.; requiring the division to compare information in the central voter file with other computer databases; amending s. 98.461, F.S.; revising the contents of the precinct register; amending s. 98.471, F.S.; requiring a voter to show a picture identification at the polls; amending s. 101.62, F.S.; restricting telephone requests for absentee ballots; revising the methods of delivery of absentee ballots; amending s. 101.64, F.S.; revising the Voter’s Certificate; providing reasons for voting absentee; requiring additional information of a witness; creating s. 101.645, F.S.; requiring persons witnessing absentee ballots to be certified by the supervisor of elections; providing for removal of a name of a certified witness for cause; creating s. 101.647, F.S.; providing for the return of absentee ballots; amending s. 101.65, F.S.; revising the instructions to absent electors to conform; creating s. 101.657, F.S.; providing for in-person absentee voting; creating s. 101.66, F.S.; requiring absent electors to personally vote the ballot; providing exceptions; amending s. 101.68, F.S., relating to canvassing of absentee ballots; revising the requirement for legal ballots; requiring the supervisor of elections to notify certain absent electors whose ballots were rejected; creating s. 104.047, F.S.; providing penalties for offenses relating to absentee ballots and voting; amending s. 104.012, F.S.; increasing the penalty for interfering with registration and for altering a voter registration application; amending s. 104.013, F.S.; increasing the penalty for the unauthorized use, possession, or destruction of a voter registration identification card; amending s. 104.031, F.S.; increasing the penalty for making a false declaration to secure assistance in voting; amending s. 104.045, F.S.; increasing the penalty for corruptly influencing voting; amending s. 104.0515, F.S.; increasing the penalty for interfering with voting rights; amending s. 104.081, F.S.; increasing the penalty for employers who threaten employees regarding voting; amending s. 104.24,

F.S.; increasing the penalty for a person who fraudulently uses the name of another in voting; amending s. 104.42, F.S.; authorizing the supervisor of elections to investigate fraud in registration and voting; creating s. 104.45, F.S.; disqualifying candidates and public officers from holding office upon a finding of guilt for certain violations; amending s. 114.01, F.S., relating to vacancy in office, to conform; amending s. 117.05, F.S.; requiring a notary public to witness an absentee ballot at no charge; amending ss. 106.25, 106.26, 106.265, 106.27, F.S.; authorizing the Florida Elections Commission to investigate violations of chapter 104, F.S.; providing procedures; providing for civil penalties; providing an appropriation; providing effective dates.

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

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By Senators Brown-Waite, Dudley, Williams and Clary—

**SB 1404**—A bill to be entitled An act relating to the Coastal Zone Construction Act; amending s. 161.54, F.S.; redefining the term “substantial improvement”; providing an effective date.

—was referred to the Committee on Community Affairs.

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By Senator Clary—

**SB 1406**—A bill to be entitled An act relating to workers’ compensation; amending s. 440.05, F.S.; authorizing the Division of Workers’ Compensation of the Department of Labor and Employment Security to approve and revoke certificates of exemption; amending s. 440.105, F.S.; providing penalties; providing a time limitation for bringing an action under s. 440.105(4), F.S.; amending s. 440.107, F.S.; authorizing the division to obtain employer work records and issue subpoenas to compel the attendance of witnesses and the production of documents; providing limited immunity for witnesses; providing a penalty; providing an effective date.

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

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By Senator Clary—

**SB 1408**—A bill to be entitled An act relating to public records; creating s. 440.108, F.S.; providing an exemption from public records requirements for certain information obtained in administering the Workers’ Compensation Law; providing for the applicability of confidentiality provisions; authorizing the furnishing of information under certain conditions; providing penalties for violations; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

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By Senator Brown-Waite—

**SB 1410**—A bill to be entitled An act relating to rulemaking authority with respect to health care professionals (RAB); amending s. 455.707, F.S.; requiring that rules of the Department of Health governing treatment programs for impaired practitioners include requirements for the continued care and monitoring of a professional; amending s. 466.036, F.S.; authorizing the Department of Health to require that an applicant for a certificate to operate a dental laboratory provide additional information; amending s. 467.006, F.S.; specifying a minimum age for licensure as a midwife; amending s. 467.012, F.S.; providing additional requirements for continuing education programs for licensed midwives; providing that a midwife may fulfill a portion of the requirement for continuing education by performing pro bono services; providing record-keeping requirements; providing requirements for providers of continuing education programs; amending s. 467.013, F.S.; providing requirements for placing a license to practice midwifery on inactive status and

for reactivating such a license; amending ss. 467.0135, 467.019, F.S.; providing for the Department of Health to adopt rules with respect to the payment of fees by midwives and recordkeeping requirements; amending s. 491.007, F.S.; exempting a certified master social worker from certain requirements for continuing education; amending s. 491.0145, F.S.; providing requirements for the examination for designation as a certified master social worker; authorizing the department to adopt rules with respect to certification requirements; providing an effective date.

—was referred to the Committee on Health Care.

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By Senator Dyer—

**SB 1412**—A bill to be entitled An act relating to Medicaid third-party liability; amending s. 409.910, F.S.; clarifying legislative intent as to certain amendments enacted by ch. 94-251, Laws of Florida; providing definitions; providing for judicial review of certain fees; recognizing the remedial intent of ch. 94-251, Laws of Florida; providing an effective date.

—was referred to the Committee on Rules and Calendar.

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By Senator Dyer—

**SB 1414**—A bill to be entitled An act relating to title insurance agents and agencies; amending s. 626.8411, F.S.; providing that s. 626.572, F.S., relating to rebating does not apply to title insurance agents and agencies; providing for retroactive effect; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senators Gutman and McKay—

**SB 1416**—A bill to be entitled An act relating to insurance; amending s. 626.112, F.S.; prohibiting a person from transacting health insurance unless licensed and appointed; amending s. 626.321, F.S.; providing that a full-time salaried employee of a common carrier or of a transportation ticket agency that rents or leases motor vehicles who holds a limited insurance license may write motor vehicle liability insurance providing coverage greater than the standard liability limits provided by a lessor in its lease to a person renting or leasing a motor vehicle from the licensee’s employer; amending s. 627.410, F.S.; providing that the forms of certain health insurance policies or applications need not be approved by the Department of Insurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senators Meadows, Casas, Gutman, Turner and Klein—

**SB 1418**—A bill to be entitled An act relating to the state lotteries; creating s. 24.1153, F.S.; authorizing the assignment of certain prizes pursuant to a court order and providing requirements therefor; providing for the securing of funds offset for child support payments or debts owed to a state agency; exempting the Department of the Lottery from liability upon payment of an assigned prize; authorizing a fee to defray the administrative expenses associated with such assignments; providing circumstances under which such court orders may no longer be issued; amending ss. 24.115 and 24.118, F.S., relating to payment of prizes and unlawful assignment or transfer of a right to claim a prize, to conform; providing an effective date.

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

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By Senator Meadows—

**SB 1420**—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; redefining the terms “intermediate

care facility for the developmentally disabled" and "residential habilitation center"; amending s. 393.0651, F.S.; revising criteria for the placement of clients; amending s. 393.067, F.S.; providing for the licensure of facilities as intermediate care facilities for the mentally retarded; amending s. 393.068, F.S.; deleting legislative recognition of deinstitutionalization; amending s. 393.12, F.S.; revising conditions for the appointment of a guardian advocate; repealing ss. 393.165 and 393.166, F.S., which provide legislative findings and provide for licensure of facilities under the Intermediate Care Facility for the Developmentally Disabled Program; providing an effective date.

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

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By Senator Gutman—

**SB 1422**—A bill to be entitled An act relating to workers' compensation; amending s. 20.171, F.S.; creating the Workers' Compensation Appeals Commission within the Department of Labor and Employment Security; providing for its membership, terms, powers, and duties; amending s. 440.02, F.S.; redefining the terms "wages" and "catastrophic injury"; amending s. 440.05, F.S.; providing that specified persons may not be exempt; amending s. 440.09, F.S.; requiring findings by a psychiatrist for specific coverage; providing a rebuttable presumption; amending s. 440.10, F.S.; revising exemptions from liability; amending s. 440.107, F.S.; increasing civil penalties against employers; amending s. 440.13, F.S.; providing for medical treatment in a managed care arrangement; providing for costs associated with independent medical examinations; amending s. 440.134, F.S.; defining the terms "informal grievance," "formal grievance," and "certified case manager"; authorizing employers who self-insure to opt out of mandatory managed care arrangements; providing procedures for managed care arrangement grievances; revising compliance procedures; amending s. 440.14, F.S.; revising criteria for determination of pay; amending s. 440.15, F.S.; providing for eligibility for permanent total disability, temporary total disability, permanent impairment, and wage-loss benefits; establishing a system for wage-loss benefits; revising compensation for temporary partial disability; amending s. 440.191, F.S.; requiring employees to provide additional notice when seeking benefits; amending s. 440.192, F.S.; revising procedures for resolving benefit disputes; amending s. 440.20, F.S.; removing a process for denying compensability and the corresponding notice; providing procedures for approving or disapproving lump-sum settlements; amending s. 440.34, F.S.; revising criteria for attorney's fees; creating s. 440.595, F.S.; authorizing the Division of Workers' Compensation to administer oaths and subpoena witnesses and materials; creating s. 440.596, F.S.; creating a nonprofit corporation to be known as the Florida Workers' Compensation Management Board, Incorporated; providing for its membership, terms, powers, and duties; providing an effective date.

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

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By Senator Rossin—

**SB 1424**—A bill to be entitled An act relating to student fees; amending ss. 239.117, 240.235, 240.35, F.S.; providing a fee exemption for certain postsecondary students; providing an effective date.

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

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By Senator Hargrett—

**SB 1426**—A bill to be entitled An act relating to transportation; creating s. 316.0815, F.S.; providing public transit vehicles right of way when reentering traffic flow; amending s. 337.403, F.S.; authorizing the Department of Transportation to participate in the cost of clearing and grubbing with utilities prior to construction of a transportation facility; amending s. 479.01, F.S.; redefining the terms "commercial or industrial zone" and "unzoned commercial or industrial area" for the purposes of the laws regulating outdoor advertising; providing criteria for an unzoned commercial or industrial area; amending s. 479.16, F.S.; providing

a permit exemption for certain outdoor advertising signs; providing an effective date.

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

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By Senator Lee—

**SB 1428**—A bill to be entitled An act relating to campaign financing; amending s. 106.011, F.S.; modifying definitions of the terms "political committee," "contribution," and "expenditure"; amending s. 106.04, F.S.; prohibiting committees of continuous existence from making certain expenditures; providing an effective date.

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

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By Senators Lee, Bronson, Clary, Grant, Horne, Dudley, Cowin, Diaz-Balart and Ostalkiewicz—

**SB 1430**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Choose Life license plate; providing for the distribution of annual use fees received from the sale of such plates; providing a contingent effective date.

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

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By Senator Brown-Waite—

**SB 1432**—A bill to be entitled An act relating to the delivery of health care services; redesignating part III of ch. 641, F.S., as part IV, and creating a new part III of ch. 641, F.S., the "Provider-Sponsored Organization Act"; providing legislative findings and purposes with respect to certain federal requirements for authorizing provider-sponsored organizations in this state to provide health care coverage to Medicare beneficiaries under the Medicare Choice plan; providing definitions; exempting provider-sponsored organizations from certain provisions of the Florida Insurance Code; requiring the incorporation of any provider-sponsored organization doing business in this state; prohibiting a provider-sponsored organization from transacting insurance business other than the offering of Medicare Choice plans; providing for determining the types of activities that require licensure by the Department of Insurance; requiring that a provider-sponsored organization obtain a certificate of authority from the department; specifying conditions precedent to issuance or maintenance of a certificate of authority; providing surplus requirements for a provider-sponsored organization that offers the Medicare Choice plan; requiring that a provider-sponsored organization deposit a specified amount into the Rehabilitation Administrative Expense Fund of the Department of Insurance; requiring that a provider-sponsored organization maintain a valid health care provider certificate; specifying circumstances under which the department may suspend a provider-sponsored organization's authority to enroll new subscribers; providing contract requirements; authorizing the department to impose administrative penalties in lieu of suspension or revocation of a certificate; providing requirements for any acquisition, merger, or consolidation of a provider-sponsored organization; requiring that a provider-sponsored organization file an annual report; providing penalties; requiring examinations by the department; providing for civil remedies and injunctive relief; providing for the payment of a judgment by a provider-sponsored organization; specifying the delinquency proceedings that are the sole means of liquidating, reorganizing, rehabilitating, or conserving a provider-sponsored organization; providing filing fees; providing for the application of other laws; authorizing the Division of Insurance Fraud of the department to investigate violations of part III of ch. 641, F.S.; prohibiting certain unfair practices in a provider-sponsored contract with respect to exposure to the human immunodeficiency virus infection and related matters; providing requirements for contracts and advertisements used by a provider-sponsored organization; providing marketing standards and requirements; providing requirements for provider-sponsored contracts, certificates, and member



handbooks; requiring a provider-sponsored organization to make certain disclosures to prospective enrollees; requiring coverage for mammograms; providing requirements with respect to the treatment of breast cancer and followup care; providing requirements for contracts between a provider-sponsored organization and a provider of health care services; prohibiting a provider-sponsored organization from using certain words descriptive of the insurance business; providing requirements for assets, liabilities, and investments of a provider-sponsored organization; requiring the Department of Insurance to adopt rules; providing certain limitations on the payment of dividends by a provider-sponsored organization; specifying prohibited activities; providing penalties; requiring that an agent who solicits contracts and performs other activities be licensed and appointed as a health insurance agent; prohibiting certain unfair methods of competition and unfair or deceptive acts or practices; authorizing the department to conduct examinations and investigations; providing for administrative hearings; authorizing the department to issue cease and desist orders and impose penalties; providing for appeals of a department order; providing penalties for violating a cease and desist order; providing that an action by the department does not abrogate the right to other relief; amending s. 641.227, F.S.; providing for deposits into the Rehabilitation Administrative Expense Fund by a provider-sponsored organization; providing for reimbursements; amending s. 641.316, F.S., relating to fiscal intermediary services; providing for application to provider-sponsored organizations; amending ss. 641.47, 641.48, 641.49, 641.495, F.S., relating to definitions, purpose and application, and certification requirements; providing for certain provisions regulating health care services to apply to provider-sponsored organizations; amending s. 641.51, F.S.; providing requirements for provider-sponsored organizations in requiring second medical opinions; amending s. 641.512, F.S.; requiring that a provider-sponsored organization obtain accreditation; amending s. 641.513, F.S.; providing requirements for provider-sponsored organizations in providing emergency services and care; amending s. 641.515, F.S.; authorizing the Agency for Health Care Administration to adopt rules with respect to services performed for a provider-sponsored organization; amending s. 641.54, F.S.; providing requirements for a provider-sponsored organization in making referrals; amending s. 641.59, F.S.; providing requirements for psychotherapeutic services; amending s. 641.60, F.S.; providing for a managed care program to include a provider-sponsored organization for purposes of the Statewide Managed Care Ombudsman Committee; providing an effective date.

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

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By Senator Latvala—

**SB 1434**—A bill to be entitled An act relating to rulemaking authority with respect to environmental permitting (RAB); creating s. 161.0315, F.S.; providing authority to adopt rules relating to coastal construction; amending s. 161.053, F.S.; providing for adoption of rules establishing exemptions for certain activities that have no adverse effect on the coastal system; amending s. 403.813, F.S.; clarifying authority to implement certain exemptions without adoption of rules; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Latvala—

**SB 1436**—A bill to be entitled An act relating to rulemaking authority with respect to water treatment facilities (RAB); creating s. 403.095, F.S.; directing the Department of Environmental Protection to classify water and wastewater treatment facilities and staffing requirements by rule; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Latvala—

**SB 1438**—A bill to be entitled An act relating to rulemaking authority with respect to aquatic preserves (RAB); amending s. 258.42, F.S.; pro-

viding authority for the Board of Trustees of the Internal Improvement Trust Fund to consider the cumulative impact of activities on aquatic preserves and the impact of activities on manatees and other listed species; providing that the board may adopt and enforce stricter standards, regulations, and orders of local governments when the standards are related to ch. 258, F.S., and are approved by the board; amending s. 258.43, F.S.; providing authority for the board to develop rules regarding the impact of activities on manatees and other listed species and the cumulative impact of activities on aquatic preserves; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Latvala—

**SB 1440**—A bill to be entitled An act relating to rulemaking authority with respect to marine resources (RAB); authorizing rulemaking and enforcement for preventing improper uses of state buffer preserves; providing penalties; amending s. 370.06, F.S.; authorizing rulemaking for issuance of special-activities licenses; amending s. 370.12, F.S.; authorizing rulemaking for issuance of special permits for conservation of marine turtles; amending s. 370.25, F.S.; authorizing rulemaking for inspection and approval of artificial-reef-construction materials; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Latvala—

**SB 1442**—A bill to be entitled An act relating to regional water supply authorities; amending s. 120.52, F.S.; providing that a member government is not considered a party in administrative proceedings under certain conditions; amending s. 373.1963, F.S.; revising criteria for governance of authorities and member governments under interlocal agreements; repealing a process for review of the modification of a consumptive use permit; amending s. 682.02, F.S.; providing for the arbitration of controversies concerning water use; amending s. 768.28, F.S.; allowing an authority to indemnify its member governments; declaring legislative intent to supersede other laws; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

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By Senator Ostalkiewicz—

**SB 1444**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; defining the term “advertising agency”; exempting from the tax certain purchases by advertising agencies; providing for retroactive applicability in certain circumstances; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

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By Senators Ostalkiewicz, Grant, Williams and Myers—

**SB 1446**—A bill to be entitled An act relating to health insurance coverage for employees of small businesses; amending s. 627.6699, F.S., the “Employee Health Care Access Act”; providing limitations on coverage that must be included under health benefit plans issued by small business carriers; providing an effective date.

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

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**SR 1448**—Not referenced.

By Senators Bankhead, Lee, Clary, Hargrett, Sullivan, McKay, Crist and Cowin—

**SB 1450**—A bill to be entitled An act relating to intangible personal property taxes; amending s. 199.023, F.S.; defining the terms “ministerial function” and “processing activity” for purposes of ch. 199, F.S.; amending s. 199.052, F.S.; increasing the minimum amount of annual intangible personal property tax which a person may be required to pay; providing taxable status of intangible personal property held by a trust for which a bank or savings association acts as trustee or as an agent other than a trustee; providing responsibilities of Florida residents with a beneficial interest in a trust for which a bank or savings association acts as trustee; providing taxable status of assets purchased by, and property managed by, an investment adviser under specified conditions; repealing a provision relating to returns filed by banking organizations; amending s. 199.175, F.S., relating to taxable situs; conforming provisions; amending s. 199.185, F.S.; exempting accounts receivable arising out of a trade or business from intangible personal property taxes and providing a schedule for implementing the exemption; providing a full, rather than partial, exemption from the annual tax for banks and savings associations; exempting insurers from the annual tax; repealing provisions relating to exemptions for international banking transactions and real estate mortgage investment conduits; repealing s. 199.104, F.S., which provides a credit against the annual tax for banks and savings associations; repealing s. 220.68, F.S., which provides a credit against the franchise tax imposed on banks and savings associations based on intangible tax paid; amending s. 199.282, F.S.; revising the penalty for late filing of an annual intangible tax return; providing a limitation on combined delinquency and late filing penalties; revising the penalty for omitting or undervaluing property on an annual return; amending s. 199.292, F.S.; revising the distribution of intangible tax revenues; amending s. 220.02, F.S., relating to order of credits against the corporate income tax or franchise tax, ss. 213.053 and 213.054, F.S., relating to information regarding the exemption for international banking transactions, and s. 624.509, F.S., relating to the insurance premium tax; conforming provisions; providing application; providing effective dates.

—was referred to the Committee on Ways and Means.

By Senator Dudley—

**SB 1452**—A bill to be entitled An act relating to rulemaking authority of the Department of Business and Professional Regulation (RAB); authorizing the Department of Business and Professional Regulation to adopt rules; providing an effective date.

—was referred to the Committee on Regulated Industries.

**SR 1454**—Not referenced.

By the Committee on Transportation—

**SB 1456**—A bill to be entitled An act relating to transportation; amending s. 163.3191, F.S.; authorizing the Department of Community Affairs to grant an extension of the Evaluation and Appraisal Report submission from local governments in order to coordinate planning efforts with Metropolitan Planning Organizations; amending s. 339.155, F.S.; providing planning factors to be considered in the Florida Transportation Plan; amending s. 339.175, F.S.; providing planning factors to be considered in Metropolitan Planning Organization transportation plans; providing for the creation of planning goals; creating the Land-Use Transportation Planning Reconciliation Committee; providing for its membership and duties; amending s. 341.043, F.S.; providing for the creation of the Strategic Intermodal Transportation and Economic Development Planning Council within the Department of Transportation; providing an effective date.

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

By Senators Latvala, Burt and Bankhead—

**SB 1458**—A bill to be entitled An act relating to coastal redevelopment; amending s. 163.335, F.S.; providing legislative intent for the scope of activities included in community redevelopment; amending s. 163.340, F.S.; redefining the terms “blighted area,” “community redevelopment,” and “community redevelopment area”; creating s. 163.336, F.S.; providing legislative intent; providing for the geographical location of a pilot project; providing for pilot project administration; providing exemptions to certain coastal construction requirements; providing for the scheduled expiration of these provisions; providing an effective date.

—was referred to the Committees on Natural Resources and Community Affairs.

By Senator Forman—

**SB 1460**—A bill to be entitled An act relating to amusement rides; amending s. 616.242, F.S.; providing safety standards for amusement rides; providing for owner responsibility; providing scope; providing definitions; requiring adoption of specified standards and rules; prohibiting the operation of amusement rides without a permit and affidavit of compliance; providing for testing of amusement rides; requiring inspections; providing fees; providing insurance requirements; providing exemptions; prescribing inspections standards for amusement rides; authorizing employees of the Department of Agriculture and Consumer Services to inspect and investigate; requiring owners to inspect amusement rides; providing for the training of employees of amusement rides; prohibiting specified bungy operations; providing fees; providing for denial, suspension, and revocation of permits and inspection certificates; providing for issuance of orders, enforcement, and penalties; amending ss. 212.08, 570.46, 616.13, F.S.; conforming provisions; providing an effective date.

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

By Senator Gutman—

**SB 1462**—A bill to be entitled An act relating to retirement funds; amending and revising the provisions of ss. 175.071, 185.06, F.S.; revising investment provisions to permit municipalities greater investment latitude to make foreign investments; providing for general powers and duties of the board of trustees; providing an effective date.

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

By Senator Dudley—

**SJR 1464**—A joint resolution proposing amendments to Sections 3 and 10 of Article V of the State Constitution relating to election of supreme court justices and judges of a district court of appeal.

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

By Senator Dudley—

**SB 1466**—A bill to be entitled An act relating to liens; amending s. 255.05, F.S.; revising provisions with respect to the bond of a contractor constructing public buildings; providing an expedited time period for certain claims; providing for protection for contractors and surety under certain circumstances; providing for written statements to the contractor with respect to the nature of labor or services performed under certain circumstances; amending s. 713.06, F.S.; revising provisions with respect to liens of persons not in privity; providing for protection of contractors and surety under certain circumstances; amending s. 713.16, F.S.; authorizing the contractor to serve a demand for copy of contract and statements of account under certain circumstances; amending s. 713.20, F.S.; revising the waiver or release of liens form; amending

s. 713.23, F.S.; providing for a shortened timeframe for the commencement of certain actions to enforce a claim against the payment bond; providing a form; providing for discharge; creating s. 713.235, F.S.; providing for waivers of right to claim against a payment bond; providing forms; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Silver—

**SB 1468**—A bill to be entitled An act relating to public employee retirement systems and plans; amending s. 112.66, F.S.; revising information that must be contained in a notice of denial of benefits; providing an effective date.

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

By Senator Silver—

**SB 1470**—A bill to be entitled An act relating to public records; amending s. 112.656, F.S.; providing for confidentiality of certain records of public employees' retirement systems and plans; providing findings of public necessity; providing an effective date.

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

By Senator Silver—

**SB 1472**—A bill to be entitled An act relating to bail bond agents and runners; amending s. 648.44, F.S.; increasing the criminal penalty for certain prohibited acts; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Williams—

**SB 1474**—A bill to be entitled An act relating to emergency medical transportation services; amending s. 401.25, F.S.; providing that certain municipalities may issue the certificate of public convenience and necessity required for licensure as a basic or advanced life support service; providing an effective date.

—was referred to the Committees on Health Care and Community Affairs.

By Senator Silver—

**SB 1476**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; revising language with respect to periods of operation for certain permitholders; amending s. 550.0951, F.S.; providing that no admission tax shall be imposed on any free passes or complimentary cards for admission to pari-mutuel events; revising the tax on handle for thoroughbred racing; amending s. 550.5251, F.S.; revising the hours of operation for thoroughbred racing permitholders; amending s. 550.6305, F.S.; revising language with respect to intertrack wagering and guest track payments; providing a procedure when required payments are not made; providing recovery for the nondefaulting party; amending s. 550.2625, F.S.; revising language with respect to the purse requirements for certain horseracing events; reenacting s. 550.2625(2)(e), F.S., relating to the sum of purse accounts used for Florida Owners' Awards; repealing s. 550.09515, F.S., relating to thoroughbred horse taxes and abandoned interest in permit for nonpayment of taxes; repealing s. 550.2425, F.S., relating to a racing laboratory at horse racetrack facilities; repealing s. 550.615(11), F.S., relating to certain thoroughbred permitholders who conduct intertrack wagering; repealing s. 550.655, F.S., relating to backside medical and health benefits;

amending ss. 550.26352, 550.334, and 550.3551, F.S.; conforming cross-references to the act; providing an effective date.

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

By Senators Silver, Gutman, Dudley, Dyer, Holzendorf, Childers, Forman, Meadows, Kurth, Hargrett, Clary, Crist and Kirkpatrick—

**SB 1478**—A bill to be entitled An act relating to insurance; providing a short title; amending s. 215.555, F.S.; revising definitions; excluding the Fair Access to Insurance Requirements Plan from application of reimbursement contract requirements; defining "insurer" for purposes of certain revenue bonds; providing for deactivation of the Residential Property and Casualty Joint Underwriting Association and termination of the association's plan of operation under certain circumstances; providing for additional assessments and augmented assessments for certain purposes; providing for appropriating certain moneys in the Florida Hurricane Catastrophe Fund to the Department of Community Affairs for certain purposes; amending s. 626.916, F.S.; authorizing certain surplus lines insurers to remove and insure policies from the Residential Property and Casualty Joint Underwriting Association and the Florida Windstorm Underwriting Association under certain circumstances; providing procedures and limitations; requiring reinsurance; prohibiting eligibility for windstorm coverage for certain risks; amending s. 627.0629, F.S.; requiring the Department of Insurance to adopt certain credits for use by insurers in certain rate filings under certain circumstances; clarifying the application of certain discounts for mobile home owner's insurance rate filings; requiring insurers to implement certain discounts or rate differentials for mobile home insurance premiums; providing criteria; requiring the department to adopt certain credits used by insurers for certain residential property insurance policies; providing requirements; authorizing the establishment of the Blue Ribbon Homes Program for certain purposes; providing priority for evaluations and mitigation funds for certain applicants; authorizing the department to develop and adopt certain actuarial methodologies for certain purposes; authorizing the department to enter into contracts for such development; providing criteria; amending s. 627.0651, F.S.; specifying use of certain underwriting rules for motor vehicle insurance; amending s. 627.351, F.S.; proscribing coverage by the Florida Windstorm Underwriting Association for certain persons and properties; revising criteria and requirements for the association's plan of operation to provide windstorm coverage; requiring the Florida Windstorm Underwriting Association and the Residential Property and Casualty Joint Underwriting Association to allow insurers to remove packages of policies from the association; providing criteria and requirements for packaging; providing procedures, requirements, and limitations on removal of such policies; providing for assignments of policies from the association under certain circumstances; imposing assignment fees; providing requirements and limitations for such assignments; providing exceptions; providing definitions; authorizing the department to adopt rules; authorizing the department to require revisions or amendments to certain plans; amending s. 627.3513, F.S.; clarifying a definition; providing construction; amending s. 627.3515, F.S.; revising requirements for the department's market assistance plan; specifying additional criteria and requirements for such plan; providing for assignment or placement of policies under the plan; providing limitations; providing definitions; providing powers of the department; providing for transferring plan funding obligations from the Residential Property and Casualty Joint Underwriting Association to the FAIR Plan; amending s. 627.3516, F.S.; revising the principal entities responsible for creating a residual property insurance market coordinating council; revising council membership; creating s. 627.3518, F.S.; establishing the Florida Access to Insurance Requirements (FAIR) Plan; providing purposes; providing definitions; creating the Florida FAIR Plan Association; providing for operation and membership; requiring insurers to participate in the association; providing requirements; providing for assessments; providing for additional assessments under certain circumstances; authorizing local governments to issue bonds under certain circumstances; providing procedures and requirements; requiring property insurance rate filings under certain circumstances; providing requirements; declaring the FAIR Plan to be a political subdivision; exempting the plan from the corporate income tax; protecting financial characteristics of the association; requiring the association to contract with the Florida Hurricane Catastrophe Fund for

certain purposes; requiring the association to develop and adopt a plan of operation; providing for department approval of the plan; providing for amending the plan; specifying requirements for the plan; requiring certificates of eligibility for coverage; providing procedures, criteria, and standards; providing for levy of market equalization surcharges by the plan; amending s. 627.4091, F.S.; prohibiting insurers from canceling or nonrenewing residential policies without notice; providing requirements for such notice; amending s. 627.4133, F.S.; providing additional requirements relating to notices of cancellation or nonrenewal; requiring insurers to offer coverage for certain replacement property under certain circumstances; creating s. 627.4138, F.S.; providing restrictions on cancellation or nonrenewal of residential coverage; providing legislative findings; requiring insurers to reduce rates after deactivation of the Residential Property and Casualty Joint Underwriting Association; providing an exception; providing procedures; requiring insurers' rate filings to reflect certain savings; authorizing the Department of Insurance to adopt rules; providing appropriations; repealing s. 627.062(6), F.S., relating to arbitration of certain rate filings; repealing s. 627.0628, F.S., relating to contract provisions for illegal occupation; providing severability; amending ss. 624.4071, 626.918, 626.932, 626.9325, and 626.9541, F.S.; correcting cross-references; providing an effective date.

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

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By Senators Silver, Gutman and Forman—

**SB 1480**—A bill to be entitled An act relating to public records exemptions; amending s. 627.351, F.S.; providing for confidentiality of certain insurance policies; amending s. 627.3518, F.S.; providing for confidentiality of certain information relating to the FAIR Plan; providing legislative intent, findings, and declarations; providing a contingent effective date.

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

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By Senator Williams—

**SB 1482**—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; revising notice and time requirements in rule adoption procedures; revising the procedure for modification or withdrawal of proposed rules; amending s. 120.541, F.S.; revising notice procedures for a statement of estimated regulatory costs; amending s. 120.545, F.S.; providing notice requirements for committee review of rules; amending s. 120.55, F.S.; providing for rule publication requirements; amending s. 120.56, F.S.; revising procedures for challenging proposed rules; providing an effective date.

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

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By Senator Williams—

**SB 1484**—A bill to be entitled An act relating to district school boards; expressing the legislative intent to revise the powers and duties of such boards.

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

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By Senators Williams and Thomas—

**SB 1486**—A bill to be entitled An act relating to juvenile offenders; amending s. 985.309, F.S.; authorizing a county or municipality to operate a boot camp pursuant to legislative appropriation; providing for the boot camp to be supervised by the sheriff; requiring that a juvenile between specified years of age who has committed a felony be placed in a boot camp program; providing that such requirement is not subject to a plea negotiation if placement is available in a boot camp; amending s. 985.313, F.S.; requiring that a juvenile of a specified age or older be

committed to a maximum-risk residential program if the juvenile has committed any felony and has been committed to a commitment program on at least one other occasion for committing certain specified felonies; providing that such commitment is not subject to a plea negotiation; amending s. 985.226, F.S.; requiring that the court transfer a juvenile for prosecution as an adult if the juvenile has been adjudicated on two or more previous occasions for committing certain specified felonies; providing that such transfer is not subject to a plea negotiation; providing an effective date.

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

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By Senator Kirkpatrick—

**SB 1488**—A bill to be entitled An act relating to federal designations for Florida land or water bodies; restricting authority to apply for federal designations to the Legislature and the Cabinet; providing an effective date.

—was referred to the Committee on Natural Resources.

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By Senator Williams—

**SB 1490**—A bill to be entitled An act relating to motor vehicles; directing the Department of Highway Safety and Motor Vehicles to establish two alternative-fuel-vehicle pilot projects; imposing a fee on the registration of motor vehicles; creating a trust fund; directing the legal entities for the Florida Gold Coast Clean Cities Coalition and the Florida Suncoast Clean Cities Coalition to perform certain duties relating to the pilot projects; providing for the use of trust fund moneys; authorizing a future fee increase; providing an effective date and termination date.

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

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By Senator Hargrett—

**SB 1492**—A bill to be entitled An act relating to the transportation disadvantaged (RAB); amending s. 427.011, F.S.; revising definitions; amending s. 427.012, F.S.; revising the membership of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising the purpose and responsibilities of the commission; amending s. 427.0135, F.S.; revising the duties and responsibilities of agencies that purchase transportation disadvantaged services; amending s. 427.015, F.S.; revising the function of the metropolitan planning organization or designated official planning agency in coordinating transportation for the transportation disadvantaged; amending s. 427.0155, F.S.; revising the powers and duties of community transportation coordinators; amending s. 427.0157, F.S.; revising the powers and duties of local coordinating boards; amending s. 427.0159, F.S.; revising provisions with respect to the Transportation Disadvantaged Trust Fund; amending s. 427.016, F.S.; revising provisions with regard to the expenditure of funds for the transportation disadvantaged; conforming provisions; providing an effective date.

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

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By Senator Williams—

**SB 1494**—A bill to be entitled An act relating to parking permits for persons who have disabilities; amending s. 320.0848, F.S.; clarifying who may certify a person as having disabilities that entitle the person to receive such a permit; amending the prerequisites to renewing such a permit; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Gutman—

**SB 1496**—A bill to be entitled An act relating to public records; creating s. 440.594, F.S.; providing an exemption from public records requirements for records and reports revealing the identity of employers and employees in complying with workers' compensation coverage requirements; providing an expiration date; providing a finding of public necessity; providing a contingent effective date.

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

By Senators Forman and Campbell—

**SB 1498**—A bill to be entitled An act relating to the use of motor vehicles by persons who have disabilities; amending s. 316.1955, F.S.; amending standards for accessible parking spaces and parking access aisles; providing violations; providing penalties; amending s. 316.1958, F.S.; providing that a special motor vehicle license plate or parking permit issued by another state, district, or country is invalid with respect to a person who must have a Florida vehicle registration; amending s. 316.1964, F.S.; amending circumstances in which vehicles are exempt from paying parking fees and penalties; amending s. 318.18, F.S.; increasing the amount of the fine for illegally parking in a parking space for disabled persons; amending procedures for dismissing such fines and for distributing the proceeds of such fines; amending s. 320.0842, F.S.; amending prerequisites to qualifying for a free license plate as a veteran who uses a wheelchair due to a service-connected disability; amending s. 320.0843, F.S.; amending provisions related to license plates for wheelchair users; amending s. 320.0848, F.S.; amending provisions relating to the issuance of disabled parking permits; amending prerequisites; providing for replacement permits; providing for alternatives; amending requirements for the design of temporary permits; providing for a hearing concerning false statements or misleading information on applications; providing penalties for unlawfully displaying a disabled parking permit; providing additional grounds for confiscation of a disabled parking permit; providing for recordkeeping related to confiscation; requiring a hearing after a specified number of confiscations from a single permitholder; providing for revoking the privilege of applying for a disabled parking permit; providing procedures related to confiscations and revocations; providing an effective date.

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

By Senator Campbell—

**SB 1500**—A bill to be entitled An act relating to energy performance contracting; amending s. 489.145, F.S.; providing legislative findings; redefining the terms "agency," "energy conservation measure," "energy savings," "guaranteed energy savings contract," and "qualified provider"; revising procedures for contracting; establishing criteria for energy performance contracts; authorizing the Department of Management Services to provide technical assistance; providing an effective date.

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

By Senator Campbell—

**SB 1502**—A bill to be entitled An act relating to passengers of vehicles; amending s. 316.2015, F.S.; prohibiting persons from riding on the exterior of a passenger vehicle or the bed of a pickup truck or flatbed truck; providing penalties; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Ostalkiewicz—

**SB 1504**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption for

food and drinks; providing definitions; providing an exemption for certain foods, drinks, and other items provided to customers on a complimentary basis by a dealer who sells food products at retail; providing an exemption for foods and beverages donated by such dealers to certain organizations; revising provisions relating to the technical assistance advisory committee established to provide advice in determining taxability of foods and medicines; providing membership requirements; directing the Department of Revenue to develop guidelines for such determination and providing requirements with respect thereto; providing for use of the guidelines by the committee; providing for determination of the taxability of specific products by the department; authorizing the department to develop a central database with respect thereto; providing an effective date.

—was referred to the Committees on Ways and Means Subcommittee E (Finance and Tax); Ways and Means; and Commerce and Economic Opportunities.

By Senator Latvala—

**SB 1506**—A bill to be entitled An act relating to marine resources; amending s. 370.06, F.S.; providing qualifications for the issuance of a marine life endorsement on a saltwater products license; providing for a moratorium on the issuance of endorsements; providing for the transfer and reissuance of endorsements; providing for a report; amending s. 370.0608, F.S.; revising the distribution of funds collected from the sale of recreational saltwater fishing licenses; amending s. 370.092, F.S.; authorizing the Marine Fisheries Commission to adopt rules specifying geographic or temporal prohibitions on the possession of specified nets; providing for the content of the rules; directing the Marine Fisheries Commission to adopt rules prohibiting the simultaneous possession of gill or entangling nets with any designated species that has been harvested with such a net; providing for the content of the prohibitions; providing penalties; amending s. 370.093, F.S.; revising criteria for illegal use of nets; authorizing the Marine Fisheries Commission to adopt rules implementing s. 370.093, F.S.; amending s. 370.142, F.S.; providing for a surcharge to be assessed upon the initial transfer of a transferable crawfish trap certificate outside the original transferor's immediate family; prohibiting the lease of lobster trap certificates after July 1, 1998; providing additional penalties for violations relating to traps; providing for the continuation of the Marine Fisheries Commission notwithstanding its scheduled abolition; providing an effective date.

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

By Senator Latvala—

**SB 1508**—A bill to be entitled An act relating to public accountancy; amending s. 473.302, F.S.; providing definitions; amending s. 473.303, F.S.; revising provisions relating to membership on probable cause panels of the Board of Accountancy; amending s. 473.306, F.S.; providing conditions under which the board may adopt an alternative licensure examination for persons licensed to practice public accountancy or its equivalent in a foreign country; providing for appointment of an Educational Advisory Committee for purposes of maintaining proper educational qualifications for licensure of certified public accountants; amending s. 473.308, F.S.; revising licensure requirements relating to public accountancy experience outside this state; amending s. 473.309, F.S.; providing additional requirements for a partnership, corporation, or limited liability company to practice public accountancy in this state; amending s. 473.3101, F.S.; providing requirements for the licensure of sole proprietors and other legal entities; amending s. 473.312, F.S.; providing for appointment of a Continuing Professional Education Advisory Committee for purposes of maintaining proper continuing education requirements for renewal of licensure of certified public accountants; amending s. 473.313, F.S.; providing continuing education requirements for the reactivation of certain licenses; amending ss. 473.319, 473.3205, F.S.; revising provisions relating to contingency fees, commissions, and referral fees; amending s. 473.322, F.S.; providing certain requirements for persons attesting or offering to attest as experts; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Latvala—

**SB 1510**—A bill to be entitled An act relating to notices of tax levies; amending s. 200.065, F.S.; revising the notice that must be published by taxing authorities other than school districts if they tentatively adopt a millage rate in excess of 100 percent of the rolled-back rate; redesignating the document as a notice of tax levy, rather than a notice of proposed tax increase; providing an effective date.

—was referred to the Committees on Community Affairs; Ways and Means Subcommittee E (Finance and Tax); and Ways and Means.

By Senator Latvala—

**SB 1512**—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; providing grounds for denial or revocation; requiring an application fee; requiring an annual certification fee; providing procedures; providing guidelines for making investments; providing for a premium tax credit; providing limitations; providing for allocation of credits; providing for an annual tax credit; authorizing the Department of Revenue to audit records of certified capital companies; providing for distributions from certified capital companies; providing for decertification; providing procedures; providing for transferability of unused premium tax credit; providing for reports to the Governor and Legislature; authorizing the Department of Banking and Finance to adopt rules; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer certain provisions of the "Certified Capital Company Act;" providing appropriations; providing an effective date.

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Transportation and Senator Childers—

**CS for SB 2**—A bill to be entitled An act for the relief of David Kelley and the Estate of Alto Kelley; providing an appropriation as compensation for injuries and damages sustained as a result of the negligence of the Department of Transportation; providing an effective date.

By the Committee on Transportation and Senator Forman—

**CS for SB 28**—A bill to be entitled An act providing for the relief of Frank Roster; providing an appropriation to reimburse him for injuries suffered due, in part, to the negligence of the Department of Transportation; providing an effective date.

By the Committee on Education and Senator Kirkpatrick—

**CS for SB 86**—A bill to be entitled An act relating to education; requiring academic enrichment activities for specified students; requiring an evaluation of student academic progress; providing conditions that require a funding shift; providing an effective date.

By the Committee on Judiciary and Senators Grant, Casas, Bronson and Kirkpatrick—

**CS for SB 92**—A bill to be entitled An act relating to eminent domain; amending s. 73.0511, F.S.; providing for a written offer of compensation to fee owners as part of the prelitigation notice; providing for an exchange of appraisals; requiring the governmental condemning authority to notify onsite business operators; providing for access to confidential business records; amending s. 73.071, F.S.; providing criteria for compensation by jury; repealing s. 337.27(2), F.S., relating to the exercise of

the power of eminent domain by the Department of Transportation; amending s. 73.092, F.S.; revising attorney's fee guidelines for eminent domain proceedings; providing an effective date.

By the Committee on Health Care and Senators Grant, Clary, Sullivan, Casas, Meadows and Kirkpatrick—

**CS for SB 94**—A bill to be entitled An act relating to health care; amending s. 240.5121, F.S.; allowing the Florida Cancer Control and Research Advisory Council either to purchase or to develop a written summary of cancer treatment alternatives for prostate cancer; providing an appropriation to the council for developing or purchasing and for distributing a pamphlet and for developing and implementing an education program on prostate cancer; providing an effective date.

By the Committee on Education and Senator Grant—

**CS for SB 96**—A bill to be entitled An act relating to academic degrees; amending s. 817.567, F.S.; providing for disclosure of unrecognized degrees; providing an effective date.

By the Committee on Transportation and Senator Hargrett—

**CS for SB 110**—A bill to be entitled An act relating to airports; amending s. 330.30, F.S.; exempting certain airports used exclusively for aerial application or spraying of crops on a seasonal basis from a provision of law providing for the approval of airport sites and the licensing of airports; requiring memorandums of understanding; providing an effective date.

By the Committee on Judiciary and Senator Latvala—

**CS for SB 114**—A bill to be entitled An act relating to molders; providing definitions; providing obligations of molders to customers; providing procedures and conditions for acquisition of title to unclaimed molds; creating s. 713.596, F.S.; creating a molder's lien and specifying rights of a molder; providing definitions; providing procedures; providing for application and repeal; providing an effective date.

By the Committee on Children, Families and Seniors; and Senator Holzendorf—

**CS for SB 118**—A bill to be entitled An act relating to confidentiality of identifying information regarding domestic violence victims; creating s. 741.401, F.S.; providing legislative findings and purpose; creating s. 741.402, F.S.; providing definitions; creating s. 741.403, F.S.; providing for creation of the Address Confidentiality Program for Victims of Domestic Violence; providing for certification by the Attorney General of applicants to participate in the program; defining the offense of falsely attesting or knowingly providing false or incorrect information in such program application, and providing penalties therefor; defining the offense of attempting to gain access to a program participant's actual address through fraud, and providing penalties therefor; creating s. 741.404, F.S.; providing for certification cancellation; creating s. 741.405, F.S.; providing authority of state and local agencies and other governmental entities and guidelines relating to use of designated address; creating s. 741.406, F.S.; providing for voting by program participants in the same manner as for absentee voters; prohibiting the supervisor of elections from disclosing certain information except under specified circumstances; providing for appeal by agency of requested waiver; creating s. 741.407, F.S.; prohibiting disclosure of addresses and certain information, except under specified circumstances; requiring immediate written notification by the Attorney General to a program participant with respect to certain disclosure of information; creating s. 741.408, F.S.; providing for certain assistance for program applicants; creating s. 741.409, F.S.; providing for adoption of rules; providing for limitations on an appropriation to fund the program; specifying the maximum percentage for an increase in the general appropriation for subsequent

years; providing for the Attorney General to seek other funds; providing an effective date.

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By the Committee on Community Affairs and Senator Forman—

**CS for SB 124**—A bill to be entitled An act relating to ad valorem tax administration; amending s. 200.065, F.S., which provides requirements for the determination of the millage levied by taxing authorities; revising the form of the notice of tax increase; revising the form of the notice of tax for school capital outlay which must be published by school districts; providing an effective date.

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By the Committee on Community Affairs and Senator Forman—

**CS for SB 140**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from the public records law for certain records furnished pursuant to certain housing assistance programs; providing a statement of public necessity; providing for future review and repeal; providing an effective date.

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By the Committee on Criminal Justice and Senator Campbell—

**CS for SB 154**—A bill to be entitled An act relating to offenses that evidence prejudice; amending s. 775.085, F.S.; providing enhanced penalties for offenses that show evidence of prejudice against the victim, based on the victim's mental or physical disability or advanced age; providing definitions; providing an effective date.

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By the Committee on Governmental Reform and Oversight—

**CS for SB 156**—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 deferral of the competitive contracting process under certain circumstances; limiting the duration of such deferrals; authorizing the department to adopt rules relating to an alternative competitive procurement process; providing intent that the department enter multi-year contracts; providing for procuring services from multiple sources; requiring that the department adopt rules for imposing penalties against a provider that fails to comply with a requirement for corrective action; requiring notice; 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; providing for department liens against certain property constructed or renovated using state funds; authorizing the department to competitively procure any contract under certain circumstances; providing for department contracts to include certain incentives; 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.

By the Committee on Banking and Insurance; and Senator Brown-Waite—

**CS for SB 162**—A bill to be entitled An act relating to the Statewide Provider and Subscriber Assistance Program; amending s. 408.7056, F.S.; providing definitions; revising criteria and procedures for review of grievances against a managed care entity by the statewide provider and subscriber assistance panel; providing for initial review by the Agency for Health Care Administration; providing time requirements for panel hearings and recommendations, and final orders of the agency or the Department of Insurance; providing for notice; providing requirements for expedited or emergency hearings; providing an exemption from the Administrative Procedures Act; providing for requests for patient records; authorizing an administrative fine for failure to timely provide records; providing for furnishing of evidence in opposition to panel recommendations; providing for adoption of panel recommendations in final orders of the agency or department; authorizing imposition of fines and sanctions; requiring certain notice to subscribers and providers of their right to file grievances; providing for summary hearings; providing for administrative procedures; providing for attorney's fees and costs; amending s. 641.511, F.S.; eliminating annual grievance report filing; correcting a cross-reference; providing an appropriation; providing an effective date.

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By the Committee on Judiciary and Senators Meadows, Campbell and Forman—

**CS for SB 176**—A bill to be entitled An act relating to residential tenancies; creating s. 83.565, F.S.; providing for a tenant to repair the premises after notice to the landlord; providing for deduction of the costs of repair from rent due; providing limitations; amending s. 83.60, F.S.; providing for the right of the tenant to repair to be a defense to an action for rent or possession; providing for the payment of certain funds into the registry of the court; amending s. 83.64, F.S.; prohibiting retaliatory actions by the landlord; providing an effective date.

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By the Committee on Transportation and Senators Burt, Forman and Dyer—

**CS for SB 178**—A bill to be entitled An act relating to building designations; naming that portion of the Florida Department of Transportation District Five Headquarters Building in Deland completed March 26, 1993, as the "Ben G. Watts Building"; designating a specified bridge in Pasco County as the "Father Felix Ullrich Bridge"; providing for the erection of markers; providing an effective date.

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By the Committee on Children, Families and Seniors; and Senator Kirkpatrick—

**CS for SB 182**—A bill to be entitled An act relating to early education and child care; creating s. 402.265, F.S.; providing legislative intent; establishing the early education and child care program and providing for optional participation; creating the School Readiness Commission to serve as an advisory body to the State Board of Education and other state agencies on matters relating to school readiness; providing for the commission to be assigned to the Executive Office of the Governor for administrative purposes; providing for oversight; establishing a School Readiness Coordinating Council; providing eligibility for participation in the program; providing performance standards and outcome measures; providing for School Readiness Coalitions; providing for implementation of programs; requiring development of a plan and providing program requirements; requiring a sliding fee scale; providing for funding; requiring a reimbursement rate schedule; providing requirements relating to fiscal agents; providing for vouchers or contracts and an electronic funds transfer system; providing for evaluation and reporting; providing that federal requirements control in the case of conflict; exempting family child care providers from increased standards; repealing s. 411.222(4), F.S., relating to the State Coordinating Council for Early Childhood Services; providing an effective date.

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

**CS for SB 188**—A bill to be entitled An act relating to transitional living facilities for brain-injured and spinal-cord-injured persons; amending s. 400.805, F.S.; providing for the regulation of transitional living facilities; providing for right of entry and inspection; providing for injunctive proceedings; providing for a moratorium on admissions; amending s. 413.49, F.S.; providing duties of transitional living facilities to provide certain therapies and plans; amending s. 413.605, F.S.; providing additional duties of the advisory council on brain and spinal cord injuries; providing an effective date.

By the Committee on Transportation and Senators McKay and Lee—

**CS for SB 190**—A bill to be entitled An act relating to driver's licenses; amending s. 322.18, F.S.; prohibiting the Department of Highway Safety and Motor Vehicles from renewing a driver's license if its records show that the driver is the subject of an outstanding warrant for worthless checks; directing the Department of Law Enforcement to provide the Department of Highway Safety and Motor Vehicles with electronic access; providing circumstances for renewal of license; providing for confidentiality; providing for a fee; providing an effective date.

By the Committee on Criminal Justice and Senators Childers and Lee—

**CS for SB 194**—A bill to be entitled An act relating to title loan transactions; creating the "Florida Title Loan Act"; providing definitions; requiring licensure by the Department of Agriculture and Consumer Services to be in the business as a title loan lender; providing for eligibility for licensure; providing for application; providing for suspension or revocation of license; providing for a title loan transaction form; providing for recordkeeping and reporting and safekeeping of property; providing for title loan charges; providing a holding period when there is a default under the title loan agreement; providing for the disposal of pledged property; providing for disposition of excess proceeds; prohibiting certain acts; providing for the right to redeem; providing for lost title loan transaction forms; providing for a title loan lender's lien; providing for criminal penalties; providing for certain records from the Department of Law Enforcement; providing for subpoenas, enforcement of actions, and rules; providing a fine; providing for investigations and complaints; providing an appropriation; providing legislative intent; repealing s. 538.06(5), F.S., which allows a secondhand dealer to engage in a title loan transaction; repealing s. 538.15(4), (5), F.S., which prohibit certain acts and practices by secondhand dealers; amending ss. 538.03, 538.16, F.S.; deleting references to title loans; providing an effective date.

By the Committee on Health Care and Senators Brown-Waite, Latvala, Bronson, McKay and Grant—

**CS for SB 208**—A bill to be entitled An act relating to nursing home facilities; amending s. 400.121, F.S.; providing for an expedited administrative hearing upon the request of a licensee following an action by the Agency for Health Care Administration to suspend, deny, or revoke a facility's license; creating s. 400.215, F.S.; requiring certain nursing home facilities to investigate the background of their employees and of certain applicants for employment; providing for rescreening; specifying the period for which screenings are to remain valid, subject to certain conditions; authorizing nursing home facility administrators to acknowledge the receipt of background screening reports; requiring employees and applicants to pay the costs associated with background screening investigations; requiring the Department of Health and the Agency for Health Care Administration to determine certain exemptions from disqualification from employment; authorizing rulemaking; providing for applicability; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senators Gutman, Thomas and Williams—

**CS for SB 216**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; authorizing certain persons to participate in the Deferred Retirement Option Program notwithstanding certain restrictions; providing a contingent effective date.

By the Committee on Banking and Insurance—

**CS for SB 226**—A bill to be entitled An act relating to insurance for family day care homes; creating s. 627.70161, F.S.; providing legislative intent; providing definitions; providing an exclusion from liability coverage under residential property insurance policies for losses arising out of the operation of a family day care home; prohibiting cancellation, refusal to renew, or denial of coverage for residential property insurance due to family day care operations; providing exceptions; providing an effective date.

By the Committee on Children, Families and Seniors; and Senator Cowin—

**CS for SB 236**—A bill to be entitled An act relating to the mental health of children and adolescents; creating s. 394.490, F.S.; providing a short title; creating s. 394.491, F.S.; establishing guiding principles for the child and adolescent mental health treatment and support system; creating s. 394.492, F.S.; providing definitions; creating s. 394.493, F.S.; defining target populations for child and adolescent mental health services; providing for fees to be based on a sliding scale according to a family's income; creating s. 394.494, F.S.; providing general performance outcomes for the child and adolescent mental health treatment and support system; creating s. 394.495, F.S.; requiring that the Department of Children and Family Services establish the services to be provided to members of the target populations under the child and adolescent mental health treatment and support system; providing requirements for assessment services; requiring that the system include the local educational multiagency network for emotionally disturbed students; creating s. 394.496, F.S.; providing legislative intent with respect to service planning; providing requirements for services plans; creating s. 394.497, F.S.; specifying requirements for case management services; requiring the department to develop criteria to define the target populations who are assigned a case manager; establishing the Child and Adolescent Interagency System of Care Demonstration Models; specifying the goals and essential elements of the demonstration models; providing for the demonstration models to be governed by a multiagency consortium of state and county agencies; requiring that an oversight body be established to direct a demonstration model; requiring that a mechanism be developed for selecting the children and adolescents who are eligible to participate in a demonstration model; providing for pooled funding of the models; providing requirements for the care management entity that provides services for a demonstration model; requiring a mechanism for measuring compliance with the goals of the demonstration models; providing that in one demonstration model the consortium of purchasers may contract with a network of service providers; requiring that a provider network be identified for each demonstration model; providing requirements for maintaining confidentiality of records; providing application requirements for designation as a demonstration model; providing for evaluation of the demonstration model; requiring state agencies that participate in the demonstration models to adopt rules; authorizing the Agency for Health Care Administration to obtain certain federal waivers; requiring each service district to develop an implementation plan for an information and referral network; repealing ss. 394.50, 394.56, 394.57, 394.58, 394.59, 394.60, 394.61, 394.62, F.S., relating to children's residential and day treatment centers, voluntary and involuntary admission to such centers, records, payment for care and treatment of patients, transfer of patients, discharge of voluntary patients, and age limits; providing an effective date.



By the Committee on Health Care—

**CS for SB 250**—A bill to be entitled An act relating to certificates of need; amending s. 400.071, F.S., relating to nursing home licensure; revising certain requirements for the Agency for Health Care Administration in issuing a certificate of need to a nursing home; deleting provisions expressing legislative preference for certificate-of-need applications that indicate intent to meet certain needs of Medicaid recipients with respect to nursing home services; amending s. 408.034, F.S.; specifying duties and responsibilities of the agency with respect to administering the certificate-of-need program; deleting a reference to the statewide health plan; making conforming and technical revisions; amending s. 408.036, F.S.; exempting from certificate-of-need regulation certain nursing home beds operated by or on behalf of the Department of Veterans' Affairs; excluding the exempted beds from the nursing home bed inventory; amending s. 408.040, F.S., relating to certificate-of-need conditions and monitoring of certificates of need; authorizing the Agency for Health Care Administration to condition issuance of a certificate of need for nursing home beds on an applicant's indication that it will provide a specified number of beds for Medicaid residents; requiring that such condition be stated on the certificate of need; directing the agency to notify the Medicaid program office and the Department of Elderly Affairs of conditions imposed in an area in which a community diversion pilot project is implemented; correcting references to reflect the transfer of the responsibility for administering the certificate-of-need program from the Department of Health and Rehabilitative Services to the Agency for Health Care Administration; establishing a workgroup to study and monitor market and regulatory developments that may affect certain nursing home bed allocations; requiring reports; providing for workgroup termination; providing an effective date.

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By the Committee on Banking and Insurance; and Senators Grant, Myers, Latvala, Forman, Campbell, Kurth, Casas, Rossin, Meadows, Sullivan, Klein and Cowin—

**CS for SB 268**—A bill to be entitled An act relating to health insurance; providing a short title; amending s. 627.668, F.S.; providing that the current requirement for group insurers to offer coverage for mental health conditions does not apply to serious mental illness; creating s. 627.6681, F.S.; requiring group health insurers and health maintenance organizations to provide coverage for serious mental illness; requiring benefits to be the same as for physical illness generally; exempting group health plans or coverage for a small employer, as defined; providing a definition; providing authority for certain manuals to be updated by rule; authorizing an insurer to require services to be provided by an exclusive provider of care; authorizing an insurer to enter into a capitation contract with an exclusive provider of care to provide benefits; providing exemption for coverage; amending ss. 627.6472, 627.6515, 641.31, F.S., relating to exclusive provider organizations, out-of-state groups, and health maintenance contracts; providing requirements for coverage compliance; providing an appropriation; providing a description of state interest; providing an effective date.

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By the Committee on Criminal Justice and Senators Brown-Waite, Sullivan, Grant, Latvala, Williams, Horne, Meadows and McKay—

**CS for SB 276**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S., relating to scheduling of controlled substances for the purpose of penalizing unlawful acts involving controlled substances; deleting references to dextropropoxyphene in its non-dosage forms from Schedule II; adding references to propoxyphene in its nondosage forms to Schedule II; deleting references to gamma-hydroxybutyric from Schedule II; adding references to gamma-hydroxybutyric acid to Schedule II; adding references to ketamine to Schedule III; deleting references to dextropropoxyphene in its dosage forms from Schedule IV; adding references to propoxyphene in its dosage forms to Schedule IV; providing an effective date.

By the Committee on Health Care and Senator Klein—

**CS for SB 290**—A bill to be entitled An act relating to emergency medical services; creating s. 401.272, F.S., providing for paramedics and emergency medical technicians to provide health promotion and wellness activities and blood pressure screenings; providing for paramedics to administer immunizations and requiring the verification and documentation of their qualifications to do so; providing conditions to the provision of such community health care; providing for rulemaking; providing an effective date.

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By the Committee on Community Affairs and Senator Lee—

**CS for SB 302**—A bill to be entitled An act relating to poison control; amending s. 395.1027, F.S., and creating s. 401.268, F.S.; requiring each basic and advanced life support service and air ambulance service to develop and implement a prehospital emergency dispatch protocol with the appropriate regional poison control center; providing that the regional poison control centers shall assume responsibility and liability for calls transferred in accordance with the protocol; providing an effective date.

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By the Committee on Education and Senators Grant, Lee, Kirkpatrick, Meadows and Bronson—

**CS for SB 306**—A bill to be entitled An act relating to educational fees; amending ss. 239.117, 240.235, 240.35, F.S.; revising the effective date of certain fee exemptions that are provided for students who are placed in foster care or in an independent living arrangement or who are adopted from the Department of Children and Family Services; amending s. 240.289, F.S.; authorizing the use of credit card, charge card, and debit card payments for tuition and fees without a service fee or surcharge; providing for retroactive application; providing an effective date.

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By the Committees on Governmental Reform and Oversight; Education; and Senators Grant, Lee, Kirkpatrick, Meadows and Bronson—

**CS for CS for SB 306**—A bill to be entitled An act relating to educational fees; amending ss. 239.117, 240.235, 240.35, F.S.; revising the effective date of certain fee exemptions that are provided for students who are placed in foster care or in an independent living arrangement or who are adopted from the Department of Children and Family Services; providing for retroactive application; providing an effective date.

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

**CS for SB 314**—A bill to be entitled An act relating to the regulation of health care facilities; amending s. 20.42, F.S.; deleting the responsibility of the Division of Health Policy and Cost Control within the Agency for Health Care Administration for reviewing hospital budgets; abolishing the Health Care Board; amending s. 154.304, F.S., relating to health care for indigent persons; revising definitions; amending s. 394.4788, F.S., relating to mental health services; updating provisions relating to duties of the agency formerly performed by the Health Care Cost Containment Board; amending s. 240.4076, F.S.; conforming a cross-reference to changes made by the act; amending s. 395.0163, F.S.; providing exemptions from construction inspections and investigations by the Agency for Health Care Administration for certain outpatient facilities; providing exceptions; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration to adopt rules to assure that, following a disaster, licensed facilities are capable of serving as shelters only for patients, staff, and the families of staff and patients; providing for applicability; providing for a report by the agency to the Governor and Legislature; amending s. 395.401, F.S.; providing for certain reports formerly made to the Health Care Board to be made to the agency; amending s. 395.701, F.S., relating to the Public Medical Assistance Trust Fund; revising definitions; amending ss. 408.05, 408.061, 408.062, 408.063, F.S., relating to the State Center for Health Statistics and the collection and dissemination of health care information; updating provi-

sions to reflect the assumption by the Agency for Health Care Administration of duties formerly performed by the Health Care Board and the former Department of Health and Rehabilitative Services; authorizing the agency to conduct data-based studies and make recommendations; deleting obsolete provisions; amending s. 408.07, F.S.; deleting definitions made obsolete by the repeal of requirements with respect to hospital budget reviews; amending s. 408.08, F.S.; deleting provisions requiring the Health Care Board to review the budgets of certain hospitals; deleting requirements that a hospital file budget letters; deleting certain administrative penalties; amending s. 408.40, F.S.; removing a reference to the duties of the Public Counsel with respect to hospital budget review proceedings; amending ss. 409.2673, 409.9113, F.S., relating to health care programs for low-income persons and the disproportionate share program for teaching hospitals; updating provisions to reflect the abolishment of the Health Care Cost Containment Board and the assumption of its duties by the agency; repealing ss. 395.403(9), 395.806(3), 407.61, 408.003, 408.072, 408.085, F.S., relating to reimbursement of state-sponsored trauma centers, studies by the Health Care Board, appointment of members to the Health Care Board, review of hospital budgets, and budget reviews of comprehensive inpatient rehabilitation hospitals; providing for retroactive application of provisions of the act relating to repeal of review of hospital budgets; amending ss. 381.026, 381.0261, F.S.; requiring distribution of the Florida Patient's Bill of Rights and Responsibilities; providing penalties; repealing s. 395.002(2) and (15), F.S.; deleting definitions of "adverse or untoward incident" and "injury"; amending s. 395.0193, F.S.; revising provisions relating to facility peer review disciplinary actions against practitioners; requiring a report to the Agency for Health Care Administration; providing penalties; amending s. 395.0197, F.S.; revising provisions relating to internal risk management; defining the term "adverse incident"; requiring certain reports to the agency; including minors in provisions relating to notification of sexual misconduct or abuse; requiring facility corrective action plans; providing penalties; renumbering s. 626.941, F.S., relating to the purpose of the health care risk manager licensure program; renumbering and amending s. 626.942, F.S., relating to the Health Care Risk Manager Advisory Council; renumbering and amending s. 626.943, F.S.; providing powers and duties of the agency; renumbering and amending s. 626.944, F.S., relating to qualifications for health care risk managers; providing for fees; providing for issuance, cancellation, and renewal of licenses; renumbering and amending s. 626.945, F.S., relating to grounds for denial, suspension, or revocation of licenses; amending s. 766.101, F.S., relating to medical review committees; adding "physician-hospital organization," "provider-sponsored organization," and "integrated delivery system" to the definition of "medical review committee" or "committee"; amending ss. 394.4787, 395.602, 400.051, 409.905, 440.13, 458.331, 459.015, 468.505, 641.55, 766.1115, F.S.; conforming references and correcting cross-references; transferring the internal risk manager licensure program from the Department of Insurance to the Agency for Health Care Administration; providing an appropriation; providing effective dates.

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By the Committee on Criminal Justice—

**CS for SB 334**—A bill to be entitled An act relating to juvenile justice programs; amending s. 985.401, F.S.; requiring the Juvenile Justice Advisory Board to develop a standard methodology for interpreting outcome-evaluation reports; specifying information to be included; requiring the board to consult with other agencies, providers, and interested parties; requiring the board to report to the Legislature; amending s. 985.404, F.S.; requiring the Department of Juvenile Justice and other agencies to develop a cost-effectiveness model for each commitment program; requiring the department to rank programs and report to the Legislature; authorizing the department to terminate a program that fails to achieve a minimum threshold of effectiveness; requiring that the cost-effectiveness model be consistent with certain requirements for performance-based budgeting; requiring the department to conduct certain evaluations of commitment programs and identify the factors that contribute to various program ratings; providing appropriations; providing an effective date.

By the Committee on Regulated Industries and Senators Clary, Harris, McKay, Williams and Kurth—

**CS for SB 340**—A bill to be entitled An act relating to real estate; amending s. 475.15, F.S.; providing registration and licensing requirements for additional business entities; eliminating a conflicting provision relating to automatic cancellation of the registration of a real estate broker partnership; amending s. 475.17, F.S.; providing additional requirements for licensure as a real estate broker; amending s. 475.183, F.S.; revising the period after which involuntarily inactive licenses expire; revising the time for the required notice to the licensee; amending s. 475.25, F.S.; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; providing that violations of certain standards of the Appraisal Foundation are grounds for the Florida Real Estate Commission to deny, revoke, or suspend the license of, or to fine, real estate brokers or salespersons; reenacting ss. 475.180(2)(b), 475.181(2), 475.22(2), 475.422(2), 475.482(1), F.S., relating to nonresident licenses, licensure, refusal of a broker to comply with certain requests or notices, furnishing of copies of termite and roof inspection reports, and recovery from the Real Estate Recovery Fund, to incorporate the amendment to s. 475.25, F.S., in references thereto; amending s. 475.272, F.S.; deleting a provision that restricts a real estate licensee to operating as a single agent or as a transaction broker; amending s. 475.278, F.S.; revising provisions relating to disclosure of authorized brokerage relationships and the corresponding duties of real estate licensees; creating s. 475.279, F.S.; authorizing signatures transmitted by electronic means or facsimile; amending s. 475.451, F.S.; revising provisions relating to the permitting of instructors for proprietary real estate schools or state institutions; providing permit renewal requirements; revising references relating to examinations; amending s. 475.452, F.S.; providing requirements applicable to advance expenses, commissions, or fees for brokers auctioning real property; amending s. 475.484, F.S.; providing applicability with respect to a conflict with federal law in the disciplining of certain licensees against whom a judgment has been paid from the Real Estate Recovery Fund; creating s. 475.5016, F.S.; granting the department authority to inspect and audit brokers and brokerage offices; amending ss. 475.611 and 475.612, F.S.; redesignating registered appraisers as registered assistant appraisers; amending ss. 475.01, 475.011, 475.616, 475.618, 475.619, 475.620, 475.622, 475.623, 475.626, 475.627, 475.628, 475.629, 475.630, F.S., to conform and correct references; creating s. 475.6145, F.S.; providing for a seal for the Florida Real Estate Appraisal Board to authenticate its proceedings, records, and acts; creating s. 475.6147, F.S.; providing a separate section relating to establishment of fees applicable to the regulation of real estate appraisers; amending s. 475.615, F.S.; revising provisions relating to qualifications for registration, licensure, or certification of appraisers; providing for a charge for application for a change in status of appraisal licensure; amending s. 475.617, F.S.; revising continuing education and experience requirements for real estate appraisers; amending s. 475.624, F.S.; revising a ground for disciplinary action to exempt licensees from the reporting of certain violators; creating s. 475.6295, F.S.; granting the department authority to inspect appraisers and appraisal offices; amending s. 553.991, F.S.; limiting the purpose of the "Florida Building Energy-Efficiency Rating Act" to providing for a statewide uniform system for rating the energy efficiency of buildings; amending s. 553.994, F.S.; deleting the schedule for phasing in the rating system; amending s. 553.996, F.S.; requiring provision of an information brochure to prospective purchasers of certain real property; deleting a provision authorizing such prospective purchasers to receive a rating on the property upon request; providing an effective date.

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By the Committee on Criminal Justice and Senator Burt—

**CS for SB 358**—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S., relating to prohibitions against selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver, controlled substances within 200 feet of the real property comprising a public housing facility; defining "real property comprising a public housing facility"; providing penalties; amending s. 921.022, F.S.; ranking such offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

By the Committee on Criminal Justice and Senators Burt, Klein, Bronson, Campbell, Crist, Gutman, Horne, Turner and Silver—

**CS for SB's 360 and 350**—A bill to be entitled An act relating to execution; amending s. 922.10, F.S.; providing for execution by means of lethal injection if electrocution is held to be unconstitutional; providing legislative intent; providing an effective date.

By the Committee on Health Care—

**CS for SB 364**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S., relating to inspection, examination, and duplication of records; exempting information pertaining to natural persons in health, medical, patient, or health insurance records from the public records law; providing exceptions; amending s. 286.011, F.S., relating to public meetings; exempting from public discussion portions of public meetings during which the contents of health, medical, patient, or health insurance information pertaining to a natural person are considered; providing exceptions; providing justification for exemptions; providing an effective date.

By the Committee on Transportation—

**CS for SB 374**—A bill to be entitled An act relating to motor vehicle emissions inspections; directing the Department of Highway Safety to issue a request for proposals for specified motor vehicle inspection programs; prohibiting the department from entering into a contract for a motor vehicle inspection program; amending s. 325.214, F.S.; setting the fee for inspections; providing an effective date.

By the Committee on Governmental Reform and Oversight; and Senators Williams and Thomas—

**CS for SB 380**—A bill to be entitled An act relating to Florida Retirement System; amending s. 112.363, F.S.; increasing the retiree health insurance subsidy program and the contribution rate; providing for retroactive payment; amending s. 121.011, F.S.; clarifying benefits payable under existing retirement systems; amending ss. 121.052, 121.055, 121.071, F.S.; changing contribution rates for specified classes and subclasses of the Florida Retirement System and for the retiree health insurance subsidy; amending s. 121.091, F.S.; providing for benefit computation using dual normal retirement ages for service in the Senior Management Service Class and Elected State and County Officers' Class; providing for nullification of a joint annuitant designation in the event of dissolution of marriage; providing for purchase of additional service credit using a deceased member's accumulated leave, out-of-state service, or in-state service under certain circumstances; specifying that a member's spouse at the time of death shall be the member's beneficiary under certain circumstances; amending s. 121.122, F.S.; allowing members with renewed membership in the Senior Management Service Class to purchase additional retirement credit for certain postretirement service; amending s. 121.40, F.S.; changing contribution rates for the supplemental retirement plan for the Institute of Food and Agricultural Sciences at the University of Florida; repealing ss. 121.0505, 121.0516, F.S., relating to contribution rates; providing a directive to the reviser with respect to compilation of amendments to contribution rates; providing a finding of important state interest; providing an effective date.

By the Committee on Education and Senator Holzendorf—

**CS for SB 386**—A bill to be entitled An act relating to postsecondary education; amending s. 240.529, F.S.; providing that, beginning in the 1999-2000 academic year, State University System initial teacher preparation programs shall include an optional teacher internship in a socially and economically disadvantaged area; providing that, beginning in the 2000-2001 academic year, State University System initial teacher preparation programs, in partnership with public school districts, shall establish teaching residency programs in disadvantaged areas; provid-

ing for annual stipends for each teacher who has completed such a residency program; providing an effective date.

By the Committee on Education and Senator Holzendorf—

**CS for SB 388**—A bill to be entitled An act relating to education; establishing a study commission to determine the feasibility of creating a residential mathematics and sciences academy; providing for the commission's membership and duties; requiring a report; providing an effective date.

By the Committee on Education and Senator Holzendorf—

**CS for SB 390**—A bill to be entitled An act relating to community colleges; amending s. 240.498, F.S., relating to the Florida Education Fund; establishing the Community Faculty Diversity Program; providing for awarding fellowships; requiring service or repayment; providing requirements of participants' employers; providing an effective date.

By the Committee on Regulated Industries and Senator Clary—

**CS for SB 406**—A bill to be entitled An act relating to land platting; amending s. 177.031, F.S.; defining terms relating to platting; amending s. 177.041, F.S.; requiring plats and replats of subdivisions submitted for approval to be accompanied by a boundary survey of the platted lands; amending s. 177.051, F.S.; revising provisions relating to naming and replatting subdivisions; amending s. 177.061, F.S.; providing requirements for the recording of a plat; amending s. 177.071, F.S.; revising provisions relating to approval of plats by governing bodies; amending s. 177.081, F.S.; requiring plats to be reviewed by a professional surveyor and mapper before approval by a governing body; amending s. 177.091, F.S.; providing requirements for monuments and revising other requirements of plats made for recording; amending s. 177.101, F.S.; providing for the vacation and annulment of prior plats; amending s. 177.141, F.S.; revising provisions relating to affidavits confirming errors on recorded plats; amending s. 177.151, F.S.; revising provisions relating to state plane coordinates; amending ss. 177.021, 177.121, 177.131, 177.132, 177.27, 177.38, F.S.; conforming references; providing an effective date.

By the Committee on Community Affairs and Senator Gutman—

**CS for SJR 408**—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution relating to homestead exemption.

By the Committee on Criminal Justice—

**CS for SB 428**—A bill to be entitled An act relating to criminal justice; amending s. 741.28, F.S.; redefining the term "domestic violence"; amending ss. 741.281, 741.2909, F.S.; requiring that if a person is ordered by the court to attend a batterers' intervention program, the program must be a program certified by the Department of Corrections; providing an exception under certain circumstances; amending s. 775.084, F.S.; authorizing the chief judge of each judicial circuit to establish a court to hear cases against violent career criminals, habitual felony offenders, habitual violent felony offenders, and prison releasee reoffenders; providing an effective date.

By the Committee on Children, Families and Seniors; and Senators Campbell and Forman—

**CS for SB 442**—A bill to be entitled An act relating to forensic client services; amending s. 40.29, F.S., relating to estimated amount of pay for expert witnesses, to conform a reference; amending s. 393.11, F.S.; specifying persons or entities that may file petition for proposed involuntary admission to residential services arising out of ch. 916, F.S., relating to

forensic services; providing for petitions for defendants with autism; revising requirements relating to notice of filing of petition or service of copy of order; prohibiting release from order for involuntary admission except by court order; amending and reorganizing ch. 916, F.S., the Forensic Client Services Act; creating pt. I of ch. 916, F.S.; providing general provisions of the chapter; amending s. 916.105, F.S.; revising legislative intent; amending s. 916.106, F.S.; providing or revising definitions with respect to ch. 916, F.S.; redefining "department" to refer to the Department of Children and Family Services in lieu of the Department of Health and Rehabilitative Services; amending s. 916.107, F.S.; revising state policy with respect to the rights of forensic clients, and conforming terminology; amending and renumbering s. 916.175, F.S., relating to criminal escape by a client; prohibiting escape or attempted escape from a facility or program by a client under specified circumstances, and providing penalties therefor; amending and renumbering s. 916.178, F.S.; prohibiting the introduction of certain articles into or upon, or the taking or attempt to take or send certain articles from, facility grounds, under specified circumstances, and providing penalties therefor; providing for enforcement by institutional security personnel or law enforcement officers; conforming a reference; amending and renumbering s. 916.19, F.S.; providing for client protection and security; renumbering s. 916.20, F.S., relating to departmental rulemaking; creating pt. II of ch. 916, F.S., relating to forensic services for persons who are mentally ill; amending and renumbering s. 916.108, F.S.; providing for evaluation of defendant for competency to proceed or for sanity, under specified circumstances; amending and renumbering s. 916.11, F.S.; revising time limits and guidelines relating to appointment of experts; amending s. 916.12, F.S.; providing duties of examining experts and guidelines with respect to reports on defendant's mental competence to proceed and recommended treatment for defendant to attain competence to proceed; amending s. 916.13, F.S.; providing criteria for involuntary commitment of defendant adjudicated incompetent to proceed due to mental illness; revising duties of the court or the department and guidelines relating to commitment and placement of defendant and filing of reports; amending s. 916.14, F.S.; providing for inapplicability of statute of limitations and of bar against former jeopardy under specified circumstances when defendant is incompetent to proceed; amending s. 916.145, F.S.; revising time limits and guidelines with respect to dismissal of charges against a defendant adjudicated incompetent to proceed; providing for dismissal without prejudice under specified circumstances; amending s. 916.15, F.S., relating to involuntary commitment of defendant adjudicated not guilty by reason of insanity; conforming terminology; providing for mandatory departmental retention and treatment of defendant; reenacting s. 394.467(7)(a), F.S., relating to procedure for continued involuntary placement, to incorporate said amendment in a reference; amending s. 916.16, F.S.; providing for retention of jurisdiction by committing court over a defendant hospitalized as incompetent to proceed or because of a finding of not guilty by reason of insanity or over a defendant placed on conditional release; prohibiting release except by court order in specified circumstances; amending s. 916.17, F.S.; revising procedures and guidelines relating to conditional release and modification of release conditions, including filing requirements for plans for outpatient treatment; creating pt. III of ch. 916, F.S., relating to forensic services for persons who are mentally retarded or autistic; creating s. 916.301, F.S.; providing for appointment of experts who are retardation or autism professionals, under specified circumstances; providing for certain witness fees and evaluator fees as court costs; providing for reimbursement of certain travel and per diem expenses of state employees; creating s. 916.3012, F.S.; providing for determination of incompetence to proceed when the defendant's suspected mental condition is retardation or autism; creating s. 916.302, F.S.; providing for involuntary commitment of defendant determined to be incompetent to proceed due to retardation or autism; requiring the department to notify the court of transfer of a defendant; creating s. 916.3025, F.S.; providing for retention of jurisdiction over certain defendants found incompetent to proceed and ordered into a secure facility for retarded or autistic defendants; prohibiting release except by court order; creating s. 916.303, F.S.; providing for dismissal of charges without prejudice or involuntary admission to residential services or a training program under specified circumstances when the defendant is found incompetent to proceed due to retardation or autism; providing for petitions to continue defendant's placement in a secure facility or program under specified circumstances; creating s. 916.304, F.S.; providing for conditional release based on an approved plan for providing continuing community-based training of defendant; providing for modification of release condi-

tions or termination of jurisdiction under specified circumstances; providing an effective date.

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By the Committee on Transportation and Senators Dyer, Clary and Kirkpatrick—

**CS for SB 476**—A bill to be entitled An act relating to suspension or revocation of driver's licenses; amending s. 322.28, F.S.; deleting certain additional suspension periods imposed for driving with a suspended license or for failing to surrender a driver's license to the Department of Highway Safety and Motor Vehicles upon suspension or revocation; providing suspension or revocation of driver's licenses not to be concurrent with imprisonment; amending s. 322.271, F.S.; authorizing issuance of a driver's license for business purposes to persons with two or more DUI convictions 10 or more years apart; providing an effective date.

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By the Committee on Health Care—

**CS for SB 484**—A bill to be entitled An act relating to public assistance; amending s. 409.908, F.S.; requiring the agency to establish a reimbursement methodology for long-term-care services for Medicaid-eligible nursing home residents; specifying requirements for the methodology; providing legislative intent; amending s. 409.912, F.S.; authorizing the agency to include disease-management initiatives in providing and monitoring Medicaid services; authorizing the agency to competitively negotiate home health services; authorizing the agency to seek necessary federal waivers that relate to the competitive negotiation of such services; amending s. 409.9122, F.S.; specifying the departments that are required to make certain information available to Medicaid recipients; extending the period during which a Medicaid recipient may disenroll from a managed care plan or MediPass provider; deleting authorization for the agency to request a federal waiver from the requirement that a Medicaid managed care plan include a specified ratio of enrollees; amending s. 409.910, F.S.; providing for the distribution of amounts recovered in certain tort suits involving intervention by the Agency for Health Care Administration; requiring that certain third-party benefits received by a Medicaid recipient be remitted within a specified period; amending s. 414.28, F.S.; revising the order under which a claim may be made against the estate of a recipient of public assistance; amending s. 198.30, F.S.; requiring that each circuit judge provide a report of decedents to the Agency for Health Care Administration; providing an effective date.

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By the Committee on Criminal Justice and Senator Silver—

**CS for SB 486**—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 20.201, F.S.; providing additional authority for the executive director of the department with respect to the organization of the department; providing for the department to be reorganized into specified programs; deleting the division structure of the department; amending s. 943.01, F.S.; revising the title of ch. 943, F.S.; amending s. 943.03, F.S., relating to department employees; conforming provisions to changes made by the act; deleting obsolete provisions; requiring the department to develop and maintain an information system; amending s. 943.04, F.S.; redesignating the Division of Criminal Investigation within the department as the Criminal Justice Investigations and Forensic Science Program; providing for supervision of the program; providing additional duties of the department with respect to the operation of the program; amending s. 943.05, F.S.; redesignating the Division of Criminal Justice Information Systems within the department as the Criminal Justice Information Program; providing for supervision of the program; amending s. 943.051, F.S., relating to criminal justice information; conforming provisions to changes made by the act; authorizing the department to enter into contracts; providing that disclosure of confidential information pursuant to such a contract does not waive any requirements of confidentiality; amending s. 943.0515, F.S., relating to criminal history records of minors; conforming provisions to changes made by the act; amending s. 943.052, F.S.; deleting a requirement that certain agencies inform the department of persons incarcerated or released from jail; amending ss. 943.0525, 943.053, 943.055, 943.056, 943.057, 943.08, F.S., relating to criminal justice information,

criminal history records, and the Criminal and Juvenile Justice Information Systems Council; conforming provisions to changes made by the act; amending s. 943.09, F.S.; redesignating the Division of Criminal Justice Standards and Training within the department as the Criminal Justice Professionalism Program; providing for supervision of the program; amending ss. 943.10, 943.133, 943.17, 943.173, 943.25, F.S., relating to definitions, employment qualifications, training programs, examinations, and the Criminal Justice Standards and Training Trust Fund; conforming provisions to changes made by the act; amending s. 943.35, F.S.; deleting the eligibility for state funding for a criminal analysis laboratory; amending s. 938.07, F.S., relating to a fine imposed for driving under the influence; conforming provisions to changes made by the act; repealing ss. 943.26, 943.381, F.S., relating to the Division of Local Law Enforcement Assistance and the Division of Staff Services within the department; providing an effective date.

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By the Committee on Community Affairs and Senator McKay—

**CS for SB 492**—A bill to be entitled An act relating to public notice requirements; amending s. 170.07, F.S.; revising the time for providing written notice of assessment to property owners; amending s. 194.032, F.S.; revising the time in which a value adjustment board hearing must be held; revising the time for notice to a petitioner of the scheduled time of appearance before the board; providing an effective date.

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By the Committee on Criminal Justice and Senator Gutman—

**CS for SB 502**—A bill to be entitled An act relating to court costs to fund law enforcement programs; creating s. 938.06, F.S.; imposing an additional court cost on fines for criminal offenses in county and circuit courts; providing for deposit in the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing for distribution of such funds in the trust fund by the Department of Legal Affairs to counties to support official Crime Stoppers and their programs; amending s. 318.18, F.S.; providing exceptions to limitations on court costs; providing an effective date.

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

**CS for CS for SB 502**—A bill to be entitled An act relating to court costs to fund law enforcement programs; creating s. 938.06, F.S.; imposing an additional court cost on fines for criminal offenses in county and circuit courts; providing for deposit in the Crime Stoppers Trust Fund; amending s. 16.555, F.S.; providing for distribution of such funds in the trust fund by the Department of Legal Affairs to counties to support official Crime Stoppers and their programs; amending s. 318.18, F.S.; authorizing a court cost for noncriminal traffic infractions; providing an effective date.

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By the Committee on Children, Families and Seniors; and Senator Rossin—

**CS for SB 506**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; deleting provisions relating to the release of records of the Department of Children and Family Services which pertain to the investigation of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation or the death of a child as a result of abuse, neglect, or abandonment; amending s. 415.107, F.S., and repealing s. 415.107(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a disabled adult or elderly person as a result of abuse, neglect, or exploitation; amending s. 415.51, F.S., and repealing s. 415.51(1)(b), F.S.; revising provisions relating to release of records in the event of the death of a child as a result of abuse, abandonment, or neglect; creating ss. 381.0022, 402.115, F.S.; providing for the sharing of confidential or exempt information between the Department of Health and the Department of Children and Family Services; providing an effective date.

By the Committee on Criminal Justice and Senators Grant, Brown-Waite, Cowin, Casas and Williams—

**CS for SB 514**—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; revising the period of time after which a sexual predator may petition the court for removal of such designation; requiring that the court make certain determinations following a petition to remove an offender's designation as a sexual predator; requiring that the state attorney be given notice of such petition; authorizing the state attorney to present evidence at the hearing on the petition; authorizing the court to allow a sexual predator to petition the court at a future date; providing an effective date.

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By the Committee on Criminal Justice and Senator Campbell—

**CS for SB 524**—A bill to be entitled An act relating to the offense of murder; amending s. 782.04, F.S.; redefining the offense of capital murder in the first degree to include the act of unlawfully killing a human being while perpetrating, or attempting to perpetrate, the murder of another human being; redefining the offense of second-degree felony murder to include the act of unlawfully killing a human being while perpetrating or attempting to perpetrate the murder of another human being; adding murder to the list of felony offenses which do not constitute third-degree felony murder; reenacting ss. 39.464(1)(d), 435.03(2)(b), 435.04(2)(b), 775.0823(1) and (2), 921.0022(3)(i), 943.325(1), 947.146(3), F.S., relating to the termination of parental rights, screening standards, violent offenses against law enforcement officers and others, the Criminal Punishment Code, blood testing, and the Control Release Authority, to incorporate the amendment to 782.04, F.S., in references thereto; providing an effective date.

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By the Committee on Criminal Justice and Senator Silver—

**CS for SB 586**—A bill to be entitled An act relating to felony offenses; amending s. 782.051, F.S.; revising the elements of the offense of committing a felony that causes bodily injury to provide that if a person who perpetrates or attempts to perpetrate certain enumerated felony offenses and who commits, aids, or abets an intentional act that could, but does not, cause the death of another, the person commits a first-degree felony; providing for ranking such offense under the Criminal Punishment Code based on the felony offense committed; amending s. 921.0022, F.S.; including such offense in the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

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By the Committee on Criminal Justice and Senator Silver—

**CS for SB 590**—A bill to be entitled An act relating to property crimes; amending s. 810.011, F.S.; defining the term "curtilage"; amending s. 810.09, F.S.; removing references to unenclosed curtilage from the offense of trespass on property other than a structure or conveyance; amending s. 812.014, F.S.; defining the term "authorized person"; removing reference to unenclosed curtilage from the offense of theft from a dwelling; providing an effective date.

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By the Committee on Children, Families and Seniors; and Senator Rossin—

**CS for SB 642**—A bill to be entitled An act instructing the Division of Statutory Revision to make necessary changes to conform the Florida Statutes to the name change of the Department of Health and Rehabilitative Services and the divestiture of programs of the former department to other departments or agencies; transferring and renumbering ss. 408.601, 408.602, 408.603, 408.604, F.S.; repealing s. 400.441(1)(a)2.n., F.S., relating to a work study group; repealing s. 402.47, F.S., relating to foster grandparent and retired senior volunteer services; repealing s. 408.601(3), relating to the initial report of Healthy Communities, Healthy People; repealing s. 409.9125, F.S., relating to Medicaid alternative service networks; repealing ss. 411.23, 411.231, 411.232, F.S., the Children's Early Investment Act; providing an effective date.

By the Committee on Judiciary and Senators Silver and Dudley—

**CS for SB 644**—A bill to be entitled An act relating to investment securities and leases under the Uniform Commercial Code; revising chapter 678, F.S.; revising part I, relating to general matters; providing a short title; providing definitions; providing rules for determining whether certain obligations and interests are securities or financial assets; providing for acquisition of security or financial assets or interests; providing for notice of adverse claim; providing for control of certain securities; providing for effect of certain actions; providing for warranties in direct holding; providing for warranties in indirect holding; providing for applicability of law; providing clearing corporation rules; providing for creditor's legal process; providing for inapplication of statute of frauds; providing for evidentiary rules concerning certificated securities; providing for nonliability to adverse claimant under certain circumstances; providing for securities intermediary as purchaser for value; revising part II, relating to issue and issuer; providing a definition of issuer; providing for issuer's responsibilities and defenses; providing for notice; specifying staleness as notice of defect or defense; providing effect of issuer's restriction on transfer; providing for effect of unauthorized signatures; providing for completion or alteration of security certificates; providing rights and duties of issuer with respect to registered owners; providing for effect of signature of certain persons; providing for issuer's liens; specifying conditions of overissue; revising part III, relating to transfer of certificated and uncertificated securities; providing for delivery of certain securities; providing for rights of purchaser; providing for protected purchasers; providing for indorsement; providing for certain instructions; providing for effect of guaranteeing certain actions; providing purchaser's right to certain requisites; revising part IV, relating to registration; providing duties of issuer to register transfers; requiring certain assurance of effectiveness of certain actions; providing for demand that issuer not register transfer; providing for liability for wrongful registration; providing for replacement of certain certificates; providing for obligation to notify issuer of certain certificates; providing for authenticating certain persons; revising part V, relating to security entitlements; providing for securities accounts; providing for acquisition of security entitlement from a securities intermediary; providing for assertion of adverse claim against entitlement holder; providing for property interest of entitlement holder in certain assets; providing duties of securities intermediary; providing for certain rights of purchaser of security entitlement; providing priority among security interests and entitlement holders; amending s. 679.103, F.S.; providing for perfection of security interests relating to investment property; amending s. 679.105, F.S.; conforming the section to changes made by the act; redefining the term "deposit account"; amending s. 679.106, F.S., to conform; creating s. 679.115, F.S.; providing for perfection of security interests in certain investment properties; providing definitions; providing criteria; providing procedures; creating s. 679.116, F.S.; providing for perfection of security interests arising in purchase or delivery of financial interests; amending ss. 679.203, 679.301, 679.302, 679.303, 679.304, 679.305, 679.306, 679.309, 679.312, F.S., to conform; amending ss. 671.105, 671.206, 674.104, 675.114, F.S., to conform; providing for applicability; amending s. 680.1031, F.S.; redefining the terms "consumer lease" and "finance lease"; amending s. 680.1041, F.S.; revising provisions with respect to other statutes to which leases are subject; amending s. 680.303, F.S.; revising provisions with respect to the alienability of a party's interest under a lease contract or of a lessor's residual interest in goods; amending s. 680.304, F.S.; revising provisions with respect to the subsequent lease of goods by the lessor; amending s. 680.307, F.S.; revising provisions with respect to priority of liens arising by attachment or levy on security interests in and other claims to goods; amending s. 680.309, F.S.; revising provisions with respect to lessor's and lessee's rights when goods become fixtures; creating s. 680.32, F.S.; providing that nothing in chapter 680, F.S., prevents subordination by agreement by any person entitled to priority; amending s. 680.501, F.S.; revising provisions with respect to the procedure governing default; amending s. 680.503, F.S.; revising provisions with respect to modification or impairment of rights and remedies; amending s. 680.507, F.S.; revising provisions with respect to proof of market rent; amending s. 680.508, F.S.; revising provisions with respect to lessee's remedies; amending s. 680.516, F.S.; revising provisions with respect to the effect of acceptance of goods, notice of default, the burden of establishing default after acceptance, and notice of claim or litigation to persons answerable over; amending s. 680.518, F.S.; revising provisions with respect to cover and substitute goods; amending s. 680.519, F.S.; revising provisions with

respect to lessee's damages for nondelivery, repudiation, default, or breach of warranty in regard to accepted goods; amending s. 680.523, F.S.; revising provisions with respect to lessor's remedies; amending s. 680.524, F.S.; revising provisions with respect to lessor's right to identify goods to lease contract; amending s. 680.525, F.S.; revising provisions with respect to lessor's right to possession of goods; amending s. 680.527, F.S.; revising provisions with respect to lessor's rights to dispose of goods; amending s. 680.528, F.S.; revising provisions with respect to lessor's damages for nonacceptance or repudiation; amending s. 680.529, F.S.; revising provisions with respect to lessor's action for rent; amending s. 680.532, F.S.; revising provisions with respect to lessor recovery for loss of residual interest; providing for the application of the act; repealing ss. 610.011, 610.021, 610.031, 610.041, 610.051, 610.061, 610.071, 610.081, 610.091, 610.101, 610.111, 671.304(2)(b), F.S., relating to the Uniform Act for Simplification of Fiduciary Security Transfers; repealing ss. 678.101, 678.102, 678.103, 678.104, 678.105, 678.106, 678.107, 678.108, 678.201, 678.202, 678.203, 678.204, 678.205, 678.206, 678.207, 678.208, 678.301, 678.302, 678.303, 678.304, 678.305, 678.306, 678.307, 678.308, 678.309, 678.310, 678.311, 678.312, 678.313, 678.314, 678.315, 678.316, 678.317, 678.318, 678.319, 678.320, 678.321, 678.401, 678.402, 678.403, 678.404, 678.405, 678.406, 678.407, 678.408, F.S., relating to investment securities under the Uniform Commercial Code; providing an effective date.

By the Committee on Criminal Justice and Senators Gutman, Horne, Klein, Diaz-Balart and Cowin—

**CS for SB 646**—A bill to be entitled An act relating to sexually violent predators; amending s. 916.10, F.S.; providing a short title; creating s. 916.30, F.S.; providing a short title; creating s. 916.31, F.S.; providing legislative findings and intent; creating s. 916.32, F.S.; defining terms; creating s. 916.33, 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. 916.34, F.S.; providing for petition to have such person declared a sexually violent predator; creating s. 916.35, F.S.; providing for determination of probable cause, for hearings, and for taking such person into custody; creating s. 916.36, F.S.; providing for trial on the issue of whether such person is a sexually violent predator; creating s. 916.37, F.S.; providing for commitment of a person determined to be a sexually violent predator; creating s. 916.38, F.S.; requiring examinations of persons committed; creating s. 916.39, F.S.; providing for petitions for release; creating s. 916.40, F.S.; authorizing petition for release; creating s. 916.41, F.S.; providing for access to certain records; creating s. 916.42, F.S.; requiring detention and commitment to conform to constitutional requirements; creating s. 916.43, F.S.; providing immunity from civil liability; creating s. 916.44; providing severability; creating s. 916.45, F.S.; providing for retrospective and prospective application; creating s. 916.46, F.S.; providing for notice to victims; creating s. 916.47, F.S.; penalizing escape; creating s. 916.48, F.S.; authorizing subsistence fees and costs; creating s. 916.49, F.S.; providing that the Department of Children and Family Services is responsible for costs; providing an effective date.

By the Committee on Transportation—

**CS for SB 666**—A bill to be entitled An act relating to WAGES program transportation; amending s. 234.01, F.S.; authorizing school districts to provide transportation for WAGES participants; amending s. 234.211, F.S.; providing for reimbursement of school districts; amending s. 341.041, F.S.; establishing responsibilities of the Department of Transportation with respect to transit services for WAGES participants; amending s. 341.052, F.S.; relating to duties of public transit block grant recipients to coordinate with local WAGES coalitions regarding transportation services; deleting duplicative provisions; amending s. 414.026, F.S.; revising membership of the WAGES Program State Board of Directors; amending s. 414.20, F.S.; clarifying transportation options available to local WAGES coalitions to assist WAGES participants; creating s. 414.225, F.S.; providing for the provision of transitional transportation for former WAGES participants; amending s. 427.013, F.S.; providing for the duties of the Commission for the Transportation Disadvantaged regarding WAGES transportation; amending s. 427.0155, F.S.; providing for the duties of community transportation coordinators regarding WAGES transportation; amending s. 427.0157, F.S.; providing

for the duties of the local coordinating boards regarding WAGES transportation; providing an effective date.

By the Committee on Education and Senators Grant, Latvala, Clary, Holzendorf, Meadows, Gutman, Hargrett, Ostalkiewicz, Williams, Dudley, Horne, Klein, Forman, Casas, Bronson, Thomas, Rossin, Harris, Cowin, Brown-Waite, Silver, Lee, Campbell, Turner, Sullivan, Childers, Burt, Myers, Crist, Scott, Dyer and Diaz-Balart—

**CS for SB 758**—A bill to be entitled An act relating to the State University System; amending s. 240.207, F.S.; providing terms of office for members of the Board of Regents; amending s. 240.209, F.S.; revising provisions relating to the selection of the Chancellor; authorizing universities to increase tuition and matriculation fees within certain limits; deleting a restriction on the faculty appointment of former university presidents; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senators Harris and Klein—

**CS for SB 760**—A bill to be entitled An act relating to economic development; amending s. 14.2015, F.S.; revising the reporting requirements of the Office of Tourism, Trade, and Economic Development relating to permits and rules; authorizing the Office of Tourism, Trade, and Economic Development to coordinate establishment of a one-stop permit registry; amending s. 212.096, F.S.; expanding enterprise zone sales tax credit to JTPA or WAGES Program participants not residing in an enterprise zone; requiring documentation; amending ss. 212.097 and 212.098, F.S.; clarifying the definition of a “new business” under the Urban High-Crime Area Job Tax Credit Program and the Rural Job Tax Credit Program; providing that certain call centers or similar customer service operations are eligible businesses under these programs; amending s. 220.03, F.S.; expanding enterprise zone corporate tax credit to JTPA or WAGES Program participants not residing in an enterprise zone; amending s. 220.181, F.S.; requiring documentation; amending s. 288.075, F.S.; specifying that the prohibition against contracting with entities that have requested confidentiality concerning certain economic development information does not apply to a public officer or employee or an economic development agency employee acting in his or her official capacity; amending s. 288.095, F.S.; establishing a cap on the total amount of the state share of tax refunds which may be approved for a single fiscal year under the tax refund programs for qualified defense contractors, qualified target industry businesses, and brownfield redevelopment; amending s. 288.1045, F.S.; conforming the limitation on the amount of tax refunds approved for payment under the qualified defense contractor tax refund program to the amount appropriated by the Legislature for such refunds; correcting references relating to program administration; amending s. 288.106, F.S.; authorizing a reduced employment threshold for expanding businesses in certain rural areas or enterprise zones under the tax refund program for qualified target industry businesses; amending s. 288.1221, F.S.; conforming legislative intent on the time period covered by a tourism promotion marketing plan to the time period covered by the marketing plan prepared by the Florida Commission on Tourism under s. 288.1224, F.S.; amending s. 288.1222, F.S.; revising the definition of “tourist” to clarify that the term applies to a person participating in trade or recreation activities outside the county of permanent residence; amending s. 288.1223, F.S.; eliminating an historical reference to the first meeting of the Florida Commission on Tourism; providing that the commission shall meet at least quarterly; providing that the commission shall elect a vice chairman annually; amending s. 288.1224, F.S.; requiring the Florida Commission on Tourism to establish a standing advisory committee on ecotourism and heritage tourism; prescribing membership of the committee; requiring the tourism commission to incorporate ecotourism and heritage tourism components into its marketing plan; providing legislative findings and intent on ecotourism and heritage tourism; authorizing an ecotourism and heritage tourism promotion grant program; prescribing application procedures, evaluation criteria, eligible uses of funds, and limitations on grant amounts under such program; amending s. 288.90151, F.S.; revising the matching private funding requirements for Enterprise Florida, Inc.; providing for partial release of funds placed in reserve under specified circumstances; amending s. 288.9618, F.S.; limiting the amount of appropriations for the microenterprise program that may be used for administrative expenses; creating s. 288.9958, F.S.; establishing the

PRIDE Job Placement Incentive Program; directing Enterprise Florida, Inc., to examine the current and potential economic development contribution of the biotechnology industry and other health technology industries to this state; requiring Enterprise Florida, Inc., to report to the Legislature on findings and recommendations; providing for designation of an enterprise zone that encompasses a brownfield project under certain circumstances; providing an effective date.

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

The following Executive Orders were filed with the Secretary:

**EXECUTIVE ORDER NUMBER 97-175**

(Executive Order of Reinstatement)

WHEREAS, Avant Brown was suspended from his office as a member of the County Commission of Glades County, Florida, pursuant to Executive Order 97-131, dated April 15, 1997, and

WHEREAS, on April 11, 1997, the Honorable Bruce Colton, State Attorney for the Nineteenth Circuit of Florida, filed an information charging Avant Brown with violating sections 784.045(1)(b) and 787.02, Florida Statutes, which was the basis for his suspension, and

WHEREAS, on June 12, 1997, the charges upon which his suspension was based were reduced to misdemeanors and adjudication was withheld and,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby promulgate the following Executive Order effective immediately:

1. Avant Brown is hereby reinstated to the public office which he held at the time of the above mentioned suspension, to wit: Member of the County Commission of Glades County, Florida.
2. Executive Order 97-131 is hereby revoked and the suspension of Avant Brown is terminated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 16th day of June, 1997.

*Lawton Chiles*  
GOVERNOR



ATTEST:  
*Sandra B. Mortham*  
SECRETARY OF STATE

[Referred to the Committee on Executive Business, Ethics and Elections.]

**EXECUTIVE ORDER NUMBER 97-269**

(Executive Order of Suspension)

WHEREAS, Larry Murphy is presently serving as a member of the City Council of the City of Cape Coral, and

WHEREAS, on August 15, 1997, the Honorable Joseph D'Alessandro, State Attorney for the Twentieth Circuit, filed an Information charging Larry Murphy with one count of battery and one count of resisting or obstructing an officer without violence, and

WHEREAS, it is in the best interest of the residents of the City of Cape Coral and the citizens of the State of Florida that Larry Murphy be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.52, Florida Statutes, allege as follows:

A. Larry Murphy is, and at all times material hereto was, a member of the City Council of the City of Cape Coral.

B. The office of City Council member is within the purview of the suspension powers of the Governor, pursuant to section 112.52, Florida Statutes.

C. The attached information alleges that Larry Murphy committed acts in violation of the laws of the State of Florida, and this information is hereby incorporated by reference as if fully set forth in this executive order.

D. This suspension is predicated upon the attached information, which constitutes misfeasance and/or malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this executive order is hereby promulgated, effective immediately:

Section 1. Larry Murphy is hereby suspended from the public office which he now holds, to wit: Member of the City Council of the City of Cape Coral, Lee County, Florida.

Section 2. Larry Murphy is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 4th day of September, 1997.

Lawton Chiles  
GOVERNOR

ATTEST:  
Sandra B. Mortham  
SECRETARY OF STATE

**EXECUTIVE ORDER NUMBER 97-338**

(Executive Order of Reinstatement)

WHEREAS, Larry Murphy was suspended from his office as a member of the City Council of the City of Cape Coral, Florida, pursuant to Executive Order 97-269, dated September 4, 1997, and

WHEREAS, on August 15, 1997, the Honorable Joseph D'Alessandro, State Attorney for the Twentieth Circuit of Florida, filed an Information charging Larry Murphy with one count of battery and one count of resisting or obstructing an officer without violence, which was the basis for his suspension, and

WHEREAS, on November 20, 1997, a jury found Larry Murphy not guilty of these charges and,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby promulgate the following Executive Order immediately:

1. Larry Murphy is hereby reinstated to the public office which he held at the time of the above mentioned suspension, to wit: Member of the City Council of the City of Cape Coral, Florida.

2. Executive Order 97-269 is hereby revoked and the suspension of Larry Murphy is terminated.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 21st day of November, 1997.

Lawton Chiles  
GOVERNOR

ATTEST:  
Sandra B. Mortham  
SECRETARY OF STATE

**EXECUTIVE ORDER NUMBER 98-12**

(Executive Order of Suspension)

WHEREAS, James Burke is presently serving as a member of the County Commission of Dade County, Florida, and

WHEREAS, the U. S. Attorney for the Southern District of Florida has filed a twelve count indictment by a federal grand jury charging James Burke with money laundering, bribery, conspiracy, and wire fraud, all in violation of the United States Code, and

WHEREAS, it is in the best interest of the residents of the Dade County and the citizens of the State of Florida that James Burke be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth,

NOW, THEREFORE, I, LAWTON CHILES, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine and, for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. James Burke is, and at all times material hereto was, a member of the County Commission of Dade County, Florida.

B. The office of County Commission member is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that James Burke committed acts in violation of the United States Code and this indictment is hereby incorporated by reference as if fully set forth in this executive order.

D. This suspension is predicated upon the attached indictment, which also constitutes misfeasance and/or malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this executive order is hereby promulgated, effective immediately:

Section 1. James Burke is hereby suspended from the public office which he now holds, to wit: County Commissioner, Dade County, Florida.

Section 2. James Burke is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 8th day of January, 1998.

Lawton Chiles  
GOVERNOR

ATTEST:  
Sandra B. Mortham  
SECRETARY OF STATE

**[Referred to the Committee on Executive Business, Ethics and Elections.]**

**APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:**

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:



<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy		Appointees: Howton, Drew M., Tampa	07/02/2001
Appointees: Calhoun, Charles H. III, Ponte Vedra	10/31/2001	Joanow, Olga J., Tampa	07/02/2001
Martin, Mirtha Valdes, Heathrow	10/31/2001	Mayor, Ernesto, Jr., Tampa	07/02/2001
Rodriguez, Jose Ramon, Miami	10/31/2000	Shirley, Terrence Michael, Brandon	07/02/1999
		Stagi, Joseph Vincent, Tampa	07/02/2001
Board of Acupuncture		Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling	
Appointee: Black, Emily Winkle, Gainesville	10/31/2001	Appointees: Adejokun-Ojo, Elizabeth Adebisi, Tallahassee	10/31/1999
Board of Architecture and Interior Design		Gray, Susan W., N. Miami Beach	10/31/2000
Appointees: Rosier, Wayne, Tampa	10/31/2001	Hicks, Mary W., Tallahassee	10/31/2000
Shiff, Michael Alan, Parkland	10/31/2001	Landis, Charles E., Delray Beach	10/31/2001
Wirtz, Michael H., Boca Raton	10/31/2001	Sherrard, Peter A. D., Gainesville	10/31/2001
Florida Board of Auctioneers		Regulatory Council of Community Association Managers	
Appointees: Burgess, Donna Jan, Orange Park	10/31/2001	Appointees: Gavalda, Teresa, Miami Lakes	10/31/1998
Dansby, Grace Hopson, Tallahassee	10/31/1999	Grosskopf, John E., West Palm Beach	10/31/2001
Larrua, Herminia M., Miami	10/31/2001	Roschuni, Elliott Joseph, Jacksonville	10/31/1998
Barbers' Board		Florida Communities Trust	
Appointees: McKinney, O. Marie, Pensacola	10/31/2001	Appointees: Perez, Julian Humberto, Miami	01/31/2001
Rosen, Richard Larry, Coral Gables	10/31/2001	Tschinkel, Victoria Jean, Tallahassee	01/31/2001
Florida Black Business Investment Board		State Board of Community Colleges	
Appointees: Carswell, Keith A., Davie	09/30/2001	Appointees: Belton, C. Ronald, Jacksonville	09/30/2002
Gant, Frederick Jerome, Pensacola	09/30/2000	Lang, Joseph Hagedorn, St. Petersburg	09/30/2002
Florida Building Code Administrators and Inspectors Board		Wilson, Alberta K., Rockledge	09/30/2002
Appointees: Alexander, Stanton Malone, Ormond Beach	10/31/2001	Yarber, Matthew Franklin, Port Richey	09/30/1998
Bertolami, Margaret Welmers, Parkland	10/31/2001	Florida Commission on Community Service	
Mount, David Lloyd, Orlando	10/31/1997	Appointees: Bishop, Barney Tipton III, Tallahassee	09/14/2000
Pass, Margaret Collins, Coral Gables	10/31/1998	Bostic, James Donaldson, Ocala	09/14/2000
Board of Building Codes and Standards		Dhonau, Norma Joyce, Ormond Beach	09/14/1999
Appointees: Bassett, Steven Cook, Plantation	12/08/1997	Fine, Helen M. (Pat), Miami	09/14/2000
	12/08/2001	Gerwens, Joseph C., Parkland	09/14/2000
Calpini, John Robert, Tallahassee	03/11/2001	Llorente, Carlos M., Plantation	09/14/2000
Danger, Charles, Miami	01/06/2001	Oliva, Maria Cristina, Miami	09/14/1998
Joyner, Huston N., Jr., Tallahassee	01/30/1999	Shimberg, James Heiman, Jr., Tampa	09/14/1999
Kopczynski, Medard K., Venice	01/09/2001	Tubbs, LeVester, Winter Springs	09/14/2000
Lipka, Leonard Norman, Dania	02/03/1999	Young, George William, Ft. Lauderdale	09/14/2000
McRoy, James E., Tallahassee	02/11/2001	Zipperer, Roberta Herman, Jacksonville	09/14/1999
Mehltretter, James Robert, Tampa	01/13/2001	Board of Trustees of Brevard Community College	
Richardson, Diana B., Miami	02/07/2001	Appointee: Johnson, Eugene Cecil, Satellite Beach	05/31/2001
Walthour, William Sam, Orlando	02/07/2001	Board of Trustees of Broward Community College	
Weeder, Charles E., Winter Haven	04/05/2001	Appointee: Ortis, Frank Carmen, Pembroke Pines	05/31/2001
Capital Collateral Regional Counsel-Northern, Middle & Southern Region		Board of Trustees of Central Florida Community College	
Appointees: Kenny, Peter Warren, Orlando	09/30/2000	Appointees: Donar, Chrysanthia (Sandy) Eileen, Ocala	05/31/2001
Maas, Roger R., Tallahassee	07/31/1997	Hall, Cynthia Arnetta, Homosassa Springs	05/31/2001
Moser, John Wilson III, Valrico	09/30/2000	Mann, Loy Ann Meeks, Chiefland	05/31/2001
Smith, Gregory C., Tallahassee	09/30/2000	Palmer, Whitfield McRory, Jr., Ocala	05/31/1999
Capitol Center Planning Commission		Board of Trustees of Chipola Junior College	
Appointees: Anstis, James H., West Palm Beach	09/30/2001	Appointees: Hudson, Eddie Myron, Westville	05/31/2001
Wallrapp, Ana Rabelo, Tampa	09/30/2001	Odom, John Howard, Marianna	05/31/2001
Board of Chiropractic		Shuler, Gary H., Blountstown	05/31/2001
Appointees: Jenkins, Gene Edgar, Jr., Tallahassee	10/31/2001	Board of Trustees of Daytona Beach Community College	
Serrano, Andrea, Pembroke Pines	10/31/2001	Appointees: Blossom, L. Roland, Daytona Beach	05/31/2001
Florida Citrus Commission			
Appointee: Burke, Martha Roe, Winter Haven	05/31/2000		
Escambia County Civil Service Board			
Appointees: Einbecker, Pauline Godwin, Pensacola	02/09/2001		
Glover, Robert Bryan, Jr., Molino	02/13/2001		
Green, DeVaughn, Pensacola	02/13/2001		
Hillsborough County Civil Service Board			

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Ford, James H., DeLand	05/31/2001	Board of Trustees of Pasco-Hernando Community College	
Gardner, James Edward, Palm Coast	05/31/2001	Appointees: Hobby, Joy Goode, New Port Richey	05/31/1999
Board of Trustees of Edison Community College		McGeehan, Hugh Connell, Spring Hill	05/31/2001
Appointees: Baquero, Washington D., Ft. Myers	05/31/2001	Tillis, Arlen E., New Port Richey	05/31/2001
Peeples, Vernon E., Punta Gorda	05/31/2001	Yant, James Clifford, Spring Hill	05/31/2001
Snow, Marie Fossett, Naples	05/31/2001	Board of Trustees of Pensacola Junior College	
Board of Trustees of Florida Community College at Jacksonville		Appointees: Baker, Richard Robert, Gulf Breeze	05/31/2001
Appointees: Hufstetler, Connie Croom, Fernandina Beach	05/31/2001	Byrd, William E., Pensacola	05/31/2001
Kelley, Howard W., Jr., Jacksonville	05/31/2001	Robertson, Elba W., Milton	05/31/2001
Lockett, Earlene Toby, Jacksonville	05/31/2001	Board of Trustees of Polk Community College	
Mayo, Jimmie L., Fernandina Beach	05/31/1998	Appointees: Brandon, Jack Putnam, Lake Wales	05/31/1998
Board of Trustees of Florida Keys Community College		Ruthven, Joe P., Lakeland	05/31/2001
Appointees: Almeda, Patricia Ann, Big Pine Key	05/31/2001	Tucker, Lottie S., Winter Haven	05/31/2001
Clark, Mona Carlisa, Key West	05/31/2001	Board of Trustees of St. Johns River Community College	
Board of Trustees of Gulf Coast Community College		Appointees: Tuggles, Catherine Solomon, Middleburg	05/31/2001
Appointees: Rice, Lillie Mae, Panama City	05/31/2001	Upchurch, Hamilton Davis, Jr., St. Augustine	05/31/2001
Roberson, Ralph Christian, Port St. Joe	05/31/2001	Wolfenden, John W., Palatka	05/31/2001
Smith, George Houston, Callaway	05/31/2001	Board of Trustees of St. Petersburg Junior College	
Board of Trustees of Hillsborough Community College		Appointee: Hines, Ann Groover, St. Petersburg	05/31/2001
Appointees: Dawson, Warren Hope, Tampa	05/31/2001	Board of Trustees of Santa Fe Community College	
Weatherford, Doris L., Seffner	05/31/2001	Appointees: Hill-Lubin, Mildred Anderson, Gainesville	05/31/2001
Board of Trustees of Indian River Community College		Miller, John M., Starke	05/31/2001
Appointees: Stewart, Ventria Eloise, Port St. Lucie	05/31/2001	Board of Trustees of Seminole Community College	
Thurlow, Thomas Henry, Jr., Stuart	05/31/2001	Appointees: Blacksheare, Edward L., Sanford	05/31/1999
Board of Trustees of Lake City Community College		Moore, Lee Permenter, Sanford	05/31/2001
Appointees: Harvey, Alan, Macclenny	05/31/2001	Board of Trustees of South Florida Community College	
Jones, Susan C., Cross City	05/31/2001	Appointees: Adams, Joyce Armstrong, Avon Park	05/31/2001
Tunsil, Joyce P., Lake City	05/31/2001	Goodman, Sharon Thomas, Arcadia	05/31/2001
Board of Trustees of Lake-Sumter Community College		Livingston, James L., Sebring	05/31/1999
Appointees: Charron, Victor, Clermont	05/31/2001	Board of Trustees of Tallahassee Community College	
Jones, Helen L., Leesburg	05/31/2001	Appointees: May, Fountain Howard, Jr., Quincy	05/31/2001
Wood, Peggy Swain, Wildwood	05/31/2001	Miller, Dolores S., Crawfordville	05/31/2001
Board of Trustees of Manatee Community College		Payne, John Alfred, Tallahassee	05/31/2001
Appointees: Fogarty, Julia Botet, Bradenton	05/31/2000	Board of Trustees of Valencia Community College	
McRae, Johncyna A., Bradenton	05/31/2001	Appointees: Del Hoya, Santiago F., Orlando	05/31/2001
Moore, Robert Leslie, Venice	05/31/2001	Houck, Keith W., Orlando	05/31/2001
Smith, Jan Ellis, Bradenton	05/31/2001	McMillon, Deloris J., Kissimmee	05/31/2001
Board of Trustees of Miami-Dade Community College		Construction Industry Licensing Board	
Appointees: Ibarra, Barbara A., Coral Gables	05/31/2001	Appointees: Barge, James Allen, Tallahassee	10/31/2001
Mendoza, Cristina Lagueruela, Coral Gables	05/31/2001	Karpf, Ronald Melvin, Miami Lakes	10/31/2001
Richardson, Walter Thomas, Miami	05/31/2001	Laird, Robert D., Naples	10/31/2001
Board of Trustees of North Florida Junior College		Maurer, Lauren, Davie	10/31/2001
Appointees: Chandler, Virginia Bridges, Jasper	05/31/2001	Stokes, Susan C., Jupiter	10/31/2001
Twiggs, Alma Keys, Madison	05/31/2001	State of Florida Correctional Medical Authority	
Witt, James (Jimmy) Edward, Mayo	05/31/2001	Appointees: Brown, Marsha Lewis, Tampa	07/01/2001
Board of Trustees of Okaloosa-Walton Community College		Windom, Robert Emerson, Sarasota	09/30/2001
Appointees: Merrifield, Sally R., Paxton	05/31/2001	Board of Cosmetology	
Roser, Elena M., Niceville	05/31/2001	Appointees: Biggett, Earl S., Ft. Myers	10/31/2001
Thornton, William, Ft. Walton Beach	05/31/2001	Blanco, Mary Madonna, Pensacola	10/31/2001
Board of Trustees of Palm Beach Community College		Board of Dentistry	
Appointees: Hand, Homer James, Belle Glade	05/31/2001	Appointees: Douglas, Helen Ann, Pensacola	10/31/2001
James, Elaine Johnson, Royal Palm Beach	05/31/1999	Levine, Phil Jay, Pensacola	10/31/2001
Johnston, Harry A., West Palm Beach	05/31/2001	Ross, Charles Lee, Miami	10/31/2001
Board of Trustees of Florida Development Finance Corporation		Appointee: Serravezza, William James, Orlando	05/02/1998
Appointees: Porter, Diane Margaret, Tallahassee	09/30/2001	Education Practices Commission	

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Raulerson, Phoebe Hodges, Okeechobee	09/30/2001	Ballas, Parascho Peter, Tallahassee	09/08/1999
Education Standards Commission		Betsey, Sam Washington, Jr., Quincy	09/08/2001
Appointees: Harvey-Pratt, Rosa L., Miami	09/30/1999	Knopke, Keenan Lacy, Weston	09/08/2001
Kaupke, Donn V., Flagler Beach	09/30/1999	Quattlebaum, G. Earl, West Palm Beach	09/08/1999
Chairman, Florida Elections Commission		Revitz, Mark Jeffrey, Miami	09/08/1999
Appointee: Crotty, Valerie Moos, Daytona Beach Shores	01/04/1999	Stiegman, Donald Lawrence, Orlando	09/08/2001
Florida Elections Commission		Board of Funeral Directors and Embalmers	
Appointees: Childers, Catherine Lynn, Jacksonville	12/31/2000	Appointees: Garcia, Manuel M., Coral Gables	10/31/2001
Drage, Thomas Brochmann, Jr., Winter Park	12/31/1999	McQueen, John Thomas, St. Petersburg	10/31/1999
McClure, Julie G., Bradenton	12/31/2000	Roberson, Kenneth Loy, Port Charlotte	10/31/1999
Ostrau, Norman M., Plantation	12/31/2000	Rosier, Patricia F., Perry	10/31/2001
Patronis, Jimmy Theo, Jr., Panama City Beach	12/31/1999	Game and Fresh Water Fish Commission	
Electrical Contractors' Licensing Board		Appointees: Adams, James L., Jr., Bushnell	01/04/2001
Appointees: Autrey, Ronald Andrew, Ponte Vedra Beach	10/31/2001	Hedgepeth, Quinton L., Coconut Grove	01/06/2003
Mills, Douglas Hall, Pompano Beach	10/31/2001	Board of Professional Geologists	
Morris, Herbert Kent, Jacksonville	10/31/2001	Appointees: Hutton, Harry Hayes, St. Augustine	10/31/2001
Board of Employee Leasing Companies		Kwader, Thomas, Tallahassee	10/31/2001
Appointees: Goldman, Richard Alan, Bradenton	10/31/1998	Commission on Government Accountability to the People	
Samuels, Robert J., Tampa	10/31/2001	Appointees: Calabro, Dominic Michael, Tallahassee	08/21/2001
Board of Professional Engineers		Haft, Jay Michael, Coral Gables	08/21/1999
Appointees: Anderson, Melvin William, Tampa	10/31/2001	Humphreys, Susan Hostetler, Dunedin	08/21/2000
Miller, R. Gerry, Largo	10/31/2001	Lewis-Brent, Lana Jane, Panama City	08/21/2001
Springstead, John Walton, Ocklawaha	10/31/1997	Palmer, Whitfield McRory, Jr., Ocala	08/21/2001
Board of Directors, Enterprise Florida, Inc.		Board of Hearing Aid Specialists	
Appointee: Simmons, Evett L., Port St. Lucie	07/01/2001	Appointees: Augustus-Fidelia, Vicki Regina, Davie	10/31/2001
Board of Directors, Capital Development Board		Currow, Neal C., Panama City	10/31/2001
Appointees: Aronson, Daniel Holmes, Miami Beach	03/09/2001	Telischi, Fred F., Coral Gables	10/31/2001
Cobb, Sue McCourt, Coral Gables	03/09/2001	Health Care Board	
Serravezza, William J., Orlando	03/09/2001	Appointees: Bozard, John W., Orlando	09/30/1998
Werner, Patricia Ann, Kissimmee	03/09/2000	Brickler, Alexander D., Tallahassee	09/30/2000
Board of Directors, Florida International Trade and Economic Development Board		Broxson, John R., Gulf Breeze	09/30/2000
Appointees: Collins, Leroy Anthony, Treasure Island	11/21/1998	Carr, John Scott, Pensacola	09/30/1999
Gulley, Isay Mae, Clearwater	11/21/2000	High, Joshua, Sunrise	09/30/1998
Sutton, Byron Kent, Windermere	11/21/2000	Mauk, William Harold, Jr., Miami	09/30/2000
Board of Directors, Technology Development Board		Palevsky, Elliott, St. Augustine	09/30/1999
Appointees: Allen, Susan Davis, Tallahassee	06/14/1999	Steigman, Don Stuart, Coral Springs	09/30/2000
Crissey, Relf Seward, Winter Park	06/14/2001	Zervigon-Hakes, Ana Maria, Tallahassee	09/30/1998
Phillips, Winfred Marshall, Gainesville	06/14/2001	Citrus County Hospital Board	
Board of Directors, Workforce Development Board		Appointees: Brannen, Joseph Samuel, Inverness	07/11/2001
Appointees: Apthorp, James W., Tampa	06/05/2001	Henigar, Robert Lee, Crystal River	07/07/2000
Eppard, Renee W., Sarasota	06/05/2001	Langley, Alida V., Floral City	07/05/2001
Hall, Cynthia J., Hialeah	06/05/1999	Board of Trustees of South Lake County Hospital District	
Stewart, Samuel Kenneth, Blountstown	06/05/1998	Appointees: Arnold, Carmen Schoolcraft, Clermont	07/05/2001
Commission on Ethics		Conley, Michael H., Groveland	07/05/2001
Appointees: Batman, Linda McKnight, Altamonte Springs	06/30/1999	Jordan, Lennon D., Mascotte	07/05/2001
Hart, Kenneth R., Tallahassee	06/30/1999	Vander Meer, Jacob Martin, Clermont	07/05/2000
Krathen, David H., Ft. Lauderdale	06/30/1999	Wickham, Donald Cecil, Clermont	07/05/2001
Phelan, Mary Alice Barrett, Jacksonville	06/30/1999	Williams, Ted Eugene, Clermont	07/05/2001
Board of Funeral and Cemetery Services		Florida Housing Finance Agency	
Appointees: Atwood, James W., Port Charlotte	09/08/2001	Appointee: Lydecker, Charles Harvey, Ormond Beach	11/13/2000
		Florida Commission on Human Relations	

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Brooks, Clarethea D. Edwards, Jacksonville	09/30/2001	McIntosh, Lisa Carlisle, Gainesville	10/31/1999
Ofuani, Sharon Louise, Tallahassee	09/30/2001	Thompson, Tina Joann, Lake City	10/31/1997
Sosa, Aristides (Ari), Miami	09/30/2001	Watson, Michele D., Homestead	10/31/2001
State Board of Independent Colleges and Universities		Board of Opticianry	
Appointees: Barker, Robert Hatton, Jr., Winter Park	09/30/2000	Appointees: Mathews, Caroline Walton, Jacksonville	10/31/2001
Brock, Jeanette Weatherbee, Bokeelia	09/30/2000	Rowley, Harry Clayton, Port Orange	10/31/2001
Keiser, Arthur Edward, Parkland	09/30/1998	Board of Optometry	
Mullenix, Joel Harry, Cantonment	09/30/2000	Appointee: Braverman, Howard Joel, Hollywood	10/31/2001
State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools		Board of Orthotists and Prosthetists	
Appointees: Brenner, Scott F., Boca Raton	07/01/2000	Appointees: Bukacheski, Terri Sparber, Miami	10/31/1998
Euliano, Neil R., Winter Springs	07/01/2000	Chayet, Mary Thomas, Pompano Beach	10/31/2000
McCormick, Fenwick Donald, Ocala	07/01/2000	Fletcher, Stephen Barry, Gainesville	10/31/1998
Southeast Interstate Low-Level Radioactive Waste Management Commission		Fredrick, Jeffrey Ryan, Tallahassee	10/31/2000
Appointees: Heber, Sharon L., Whigham, Ga.	Pleasure of Governor	Gallo, Morris Glenn, Ft. Myers	10/31/1999
Hodes, Richard Samuel, Tampa	06/30/1999	Grogan, Dennis Paul, Tampa	10/31/2001
Hunter, Richard Gavin, Tallahassee	06/30/1998	Rumac, Arlene Shelley, Tampa	10/31/1999
Board of Landscape Architecture		Board of Osteopathic Medicine	
Appointees: Buffington, Leonard Wayne, Gainesville	10/31/2001	Appointee: Kaufman, Ronald B., Aventura	10/31/2001
Burmer, Jane Futrell, Tampa	10/31/2001	Parole Commission	
Siegel, Jeffrey Laurence, Lighthouse Point	10/31/1998	Appointee: Henry, Jimmie Lee, Tallahassee	06/30/1998
Governor's Mansion Commission		Board of Pharmacy	
Appointees: Harvey, Mary J. (Jackie), Tallahassee	09/30/2001	Appointees: Fucarino, Daniel Dominic, Tampa	10/31/1999
Wetherell, Thomas Kent, Lamont	09/30/2001	Noble, Daniel Raymond, Wellington	10/31/2001
Marine Fisheries Commission		Noyes, Lucius George, San Mateo	10/31/2001
Appointees: Barsh, Barbara C., Jacksonville	08/01/2001	Stamitoles, Michael W., Pensacola	10/31/1999
Moss, Reginald A. (Tony), Miami	08/01/2001	Wood, Marina Garcia, Hollywood	10/31/2001
Board of Massage Therapy		Board of Physical Therapy Practice	
Appointees: Gran, Austin B., Pensacola	10/31/1998	Appointees: Bello, Barbara Wynne, Coconut Creek	10/31/2001
Harrison, Karen Marie, Lutz	10/31/2001	Candela, Antoinette Carlotti, Orlando	10/31/2001
Board of Medicine		Hoffman, Elizabeth Carper, St. George Island	10/31/1999
Appointees: Acosta-Rua, Gaston Jose, Jacksonville	10/31/1997	Board of Pilot Commissioners	
Cherney, Becky J., Orlando	10/31/2001	Appointees: Buffington, John Michael, Valrico	10/31/2001
Glotfelty, John William, Lakeland	10/31/2001	Fuller, James Walden, Panama City	10/31/2000
Leon, Gustavo G., Miami	10/31/1998	Robas, Victoria Bowen, Fernandina Beach	10/31/2001
Florida Inland Navigation District		Winegeart, James Perrow, Jacksonville	10/31/1997
Appointees: Bunnell, George Pettit, Sebastian	01/09/2001	Pilotage Rate Review Board	
Locker, Laurence D., Pompano Beach	01/09/2001	Appointee: Bentley, Chris Howard, Tallahassee	10/31/2001
Taylor, James Oliver, Pierson	01/09/2001	Jacksonville Port Authority	
Thompson, Pierre Dutasta, St. Augustine	01/09/2001	Appointee: Baker, Edward L'Engle, Jacksonville	09/30/2000
Waddell, Marshall Brent, Jensen Beach	01/09/2001	Tampa Port Authority	
Board of Nursing		Appointee: Gabremariam, Fassil, Tampa	11/25/2001
Appointees: Makransky, Nancy Ann, Middleburg	10/31/1999	Postsecondary Education Planning Commission	
Oles, Cathy Ann, West Palm Beach	10/31/2001	Appointees: Alterman, Richard Charles, Miami	02/04/2001
Streisand, Max M., Lauderhill	10/31/2001	Gillespie, Sally Mae, New Smyrna Beach	02/04/2001
Board of Nursing Home Administrators		Langelier, Maricela Vizcaino, Tampa	08/31/1998
Appointees: Handel, Leo K., Margate	10/31/2001	Plunkett, Karen Linda, Orlando	02/04/2001
Wynn, Alma McKinney, Havana	10/31/2001	Prepaid Postsecondary Education Expense Board	
Board of Occupational Therapy Practice		Appointee: Starling, Bruce Cordell, Orlando	06/30/2000
Appointees: Gonzalez, Yasmin, Wesley Chapel	10/31/2000	Historic Pensacola Preservation Board of Trustees	
Johnson, Judith Head, Lutz	10/31/2000		
Lundelius, Walter Dudley, Sr., Miami	10/31/1998		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Bowden, Jesse Earle, Pensacola	06/30/2001		10/01/2000
Rentz, Lucile (Lucy) Hart, Pensacola	06/30/2001	Silverberg, Jane Esther, Redington Beach	10/01/2000
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		Southwest Florida Regional Planning Council, Region 9	
Appointees: Alvarez, Marcelo A., Miami	09/30/2000	Appointees: Dudley, Sue, Englewood	10/01/1998
Goode, R. Ray, Miami	09/30/2000	Snipes, Carl B., Lehigh Acres	10/01/1998
Board of Psychology		Treasure Coast Regional Planning Council, Region 10	
Appointees: Ames-Dennard, Sharon Renee, Tallahassee	10/31/2001	Appointee: Hartman, Peter C., Stuart	10/01/1999
Schwartz, Pamela Bowen, Cantonment	10/31/2001	State Retirement Commission	
Public Employees Relations Commission		Appointees: Roberts, Dorothy Brooks, Tallahassee	12/31/2001
Appointee: Jackson, Cassandra Kellam, Tallahassee	01/01/2002	Whitelock, Pamela Love, Panama City	12/31/2001
Commission for Purchase from the Blind or Other Severely Handicapped		Wright, Joseph Thomas, Tallahassee	12/31/1999
Appointees: Coloney, Wayne H., Tallahassee	10/01/2001	Director, Division of State Group Insurance	
Furches, Sandra BeVilve, Lake City	10/01/2000	Appointee: Slavin, Charles P., Tallahassee	Pleasure of Governor
Florida Real Estate Appraisal Board		Interim Director, Division of State Group Insurance	
Appointees: Basile, Dennis Edward, Melbourne	10/31/2001	Appointee: Poppell, Ronald Larkin, Havana	Pleasure of Governor
Berry, Marjorie Whitehurst, Ft. Myers	10/31/2000	Board of Trustees of the John and Mable Ringling Museum of Art	
Florida Real Estate Commission		Appointees: Jenkins, Dorothy Chao, Lakeland	12/31/2000
Appointees: Saunders, Dean P., Lakeland	10/31/2001	Johnson, Carolyn Grace, Sarasota	12/31/2000
Stein, Clifford Marshall, Aventura	10/31/2001	Board of Supervisors, Spaceport Florida Authority	
West Florida Regional Planning Council, Region 1		Appointees: Brown, Hugh McNeil, Titusville	06/30/2001
Appointees: Peebles, Bill W., Jr., Ft. Walton Beach	Pleasure of Governor	Fisher, Donna Cowart, Coral Springs	06/30/2001
Wagner, Muriel Wright, Pensacola	Pleasure of Governor	Morris, Ronald Loyd, Ft. Lauderdale	06/30/2000
Apalachee Regional Planning Council, Region 2		Ogden, Thomas, Titusville	06/30/2000
Appointees: Crum, Eloise Nichols, Panacea	10/01/1997	Romjue, Mary Kalen, Rockledge	06/30/2001
Davis, Jim, Tallahassee	10/01/1998	Sharkey, Jeffrey Brian, Tallahassee	06/30/2000
Fleming, Billy R., Port St. Joe	10/01/1998	Williamson, Kenneth E., Ft. Walton Beach	06/30/2000
Gatlin, Manuel R., Blountstown	10/01/1997	Board of Speech-Language Pathology and Audiology	
Kelly, Vivian Davis, Quincy	10/01/1997	Appointee: Heise, Cynthia Dearmin, Lighthouse Point	10/31/2001
Keys, Jimmie Lee, Marianna	10/01/1998	Board of Professional Surveyors and Mappers	
North Central Florida Regional Planning Council, Region 3		Appointees: Armstead, Ralph, Orlando	10/31/2001
Appointees: Blakewood, Stephen Wyman, Gainesville	10/01/2000	Echezabal, Henry Angel, Sr., Tampa	10/31/2001
Deming, William Michael, Perry	10/01/2000	Oliver, Patricia Gail, St. Augustine	10/31/2001
Foister, Billy Ray, Lake Butler	10/01/2000	Florida Commission on Tourism	
Franklin, Lorata Frazier, Madison	10/01/2000	Appointees: Cokes, Solomon A., Jr., Estero	06/30/2001
Hodges, Evan W., Hampton	10/01/2000	Hertz, Arthur Herman, Coral Gables	06/30/2001
McInnis, Kathryn Land, Old Town	10/01/2000	Sanborn, Jack Herrick, Milton	06/30/2001
McPherson, Dale Joseph, Gainesville	10/01/2000	Staed, Thomas W., Daytona Beach	06/30/2001
Philman, Emory James, Bell	10/01/2000	Usina, Elizabeth Kenson, St. Augustine	06/30/2001
East Central Florida Regional Planning Council, Region 6		Interim Secretary of the Department of Transportation	
Appointees: Ervin, Thomas L., Jr., Orlando	10/01/2000	Appointee: Carlile, Leslie Frank, Tallahassee	Pleasure of Governor
Glover, Eleanor Elizabeth, Melbourne Beach	10/01/1999	Chairman of Unemployment Appeals Commission	
Hansel, Lynn R., Titusville	10/01/1998	Appointee: Dyal, Reuben Carson, Tallahassee	06/30/2001
Martinez, Wilfredo, Orlando	10/01/1997	Board of Veterinary Medicine	
Russell, Robin Evans, Orlando	10/01/1997	Appointees: Lightfoot, Teresa Lane, Largo	10/31/2001
Tampa Bay Regional Planning Council, Region 8		Miller, Carol Snyder, Jacksonville	10/31/2001
Appointees: Ayala, Rina P., Dade City	10/01/1997	<b>[Referred to the Committee on Executive Business, Ethics and Elections.]</b>	
	10/01/2000	Board of Regents	
Catalfamo, Joseph J., South Pasadena	10/01/2000	Appointees: Harding, James Raymond, Tallahassee	09/01/1998
Reeves, Frederick Tracy, New Port Richey	10/01/1997		
Romano, Barbara B., Tampa	10/01/1997		

<i>Office and Appointment</i>	<i>For Term Ending</i>
Lindsay, Elizabeth G., Sarasota	01/01/2004
Uhlfelder, Steven Joel, Tallahassee	01/01/2004
<b>[Referred to the Committees on Education; and Executive Business, Ethics and Elections.]</b>	
Environmental Regulation Commission	
Appointees: Bayer, Dennis Knox, Ormond Beach	07/01/1999
Muga, Ricardo D., Brandon	07/01/2001
Nicholson-Choice, Maribel N., Tallahassee	07/01/2001
Rogers, Roy, Lighthouse Point	07/01/2001
Oklawaha Basin Recreation and Water Conservation and Control Authority in Lake County	
Appointees: Modica, James V., Clermont	07/13/2000
Swartz, Gena Medrano, Tavares	07/13/2001
Big Cypress Basin Board of the South Florida Water Management District	
Appointees: Korest, Alan R., Naples	03/01/2000
Richter, Garrett S., Naples	03/01/2000
Governing Board of the Southwest Florida Water Management District	
Appointee: Menendez, Brenda, Tampa	03/01/1998
Alafia River Basin Board of the Southwest Florida Water Management District	
Appointees: Lane, Julian (Jay) B., Jr., Tampa	03/01/2000
Rutenberg, Daniel, Riverview	03/01/2000
Coastal Rivers Basin Board of the Southwest Florida Water Management District	
Appointees: Helie, Kingdon (King), New Port Richey	03/01/2000
Tria, Leonard F., Jr., Weeki Wachee	03/01/1999
West, Margaret Anne, Crystal River	03/01/1999
Hillsborough River Basin Board of the Southwest Florida Water Management District	
Appointees: Griffin, John Phillip, Tampa	03/01/2000
MacKinnon, Ardis L., Tampa	03/01/2000
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District	
Appointee: Romano, Barbara Barritt, Tampa	03/01/2000
Peace River Basin Board of the Southwest Florida Water Management District	
Appointees: Barben, Robert H., Avon Park	03/01/2000
Moore-Bailey, Doris Marie, Lakeland	03/01/2000
Wotitzky, Edward L., Charlotte Harbor	03/01/2000
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District	
Appointees: Updegraff, Ramona Moorefield, Redington Beach	03/01/2000
Welch, David T., St. Petersburg	03/01/2000
Withlacoochee River Basin Board of the Southwest Florida Water Management District	
Appointee: Vogel, John Thomas, San Antonio	03/01/2000
<b>[Referred to the Committees on Natural Resources; and Executive Business, Ethics and Elections.]</b>	
Florida Public Service Commission	
Appointees: Garcia, Jose (Joe) Antonio, Miami Beach	01/01/2002
Jacobs, Ennis Leon, Jr., Tallahassee	01/01/2002
<b>[Referred to the Committees on Regulated Industries; and Executive Business, Ethics and Elections.]</b>	
Greater Orlando Aviation Authority	

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointee: Starling, Alan C., Celebration	04/16/2000
Tampa-Hillsborough County Expressway Authority	
Appointee: Davis, Helen Gordon, Tampa	07/01/2001
Secretary of Transportation	
Appointee: Barry, Thomas Francis, Jr., Tallahassee	Pleasure of Governor
Florida Transportation Commission	
Appointees: Browning, John P., Jr., East Palatka	09/30/2001
Dubbin, Samuel J., Miami	09/30/1999
Kennedy, Arthur Winfred, Ft. Lauderdale	09/30/2001
<b>[Referred to the Committees on Transportation; and Executive Business, Ethics and Elections.]</b>	

**SUPREME COURT OF FLORIDA**

The following certificate was received:

No. 92,389

In Re: CERTIFICATION OF THE NEED FOR ADDITIONAL JUDGES

[February 20, 1998]

KOGAN, C. J.

Under the provisions of article V, section 9 of the Florida Constitution, the Supreme Court of Florida is responsible for certifying its findings and recommendations concerning the need for increasing or decreasing the number of judges required to consider cases filed before the respective courts. We appreciate the fiscal ramifications of certifying the need for new judges and have adopted a policy of doing so only when we are certain that such a need exists. To this end, we have analyzed case filings and evaluated the growth in judicial workload over the past several years. Our analysis has included consideration of a variety of supplemental data related to workload as well. These data and the requests of the various circuit and district courts are being made available to the Legislature through the Office of the State Courts Administrator.

After carefully reviewing requests for a total of 31 new judges, we hereby certify the need for 13 additional circuit judges, 5 additional county judges, and no additional appellate judges, for a total of 18 new judicial positions. A comparison of the requests for new judges filed by the respective courts and the new judges certified as needed for Fiscal Year 1998-99 follows:<sup>1</sup>

	Circuit Court		County Court		
	Request	Certified	Request	Certified	
Circuit Second			Leon	1	1
Third	1	1			
Fourth	1	1	Duval	1	1
Sixth	2	2			
Seventh			Putnam	1	
Ninth	2	1			
Tenth	1	1	Polk	2	1
Eleventh	3				
Twelfth	1	1	Sarasota	1	
Thirteenth	2	1	Hillsborough	2	1
Fifteenth	1		Palm Beach	1	
Seventeenth	2	2	Broward	1	1
Eighteenth	1	1	Brevard	1	
Nineteenth	1	1	Martin	1	
Twentieth	1	1			
Totals	19	13	Totals	12	5

<sup>1</sup>The district courts of appeal did not request additional judges and are not included. Circuit and county courts that did not request additional judges are not included.

This certification is dependent upon receipt of the increase in resources requested in the Fiscal Year 1998-99 Legislative Budget Request for the State Courts System.

The criteria for certification of the need for additional judges in the district courts of appeal are set forth in rule 2.035(b)(2), Florida Rules of Judicial Administration. The Court did not receive any requests for additional judges from the five district courts of appeal. The last new judgeships for the district courts were authorized in 1993. Since that time the numbers of annual filings in each district court have risen steadily. It is forecast that a total of 23,523 cases will be filed in the district courts in 1998, a greater than 27 percent increase since 1993.

The district courts have each addressed increased workload pressures through various means. They have improved internal operating procedures, established central legal research staff to handle selected matters, and assigned senior (retired) judges to hear appeals on a temporary basis. The First District Court of Appeal continues to utilize an appellate pre-briefing conference program combining both mediation and case management, as well as two specialized divisions to handle general and administrative cases respectively. We encourage the district courts to continue to explore and develop alternative and creative means to efficiently and fairly hear the cases brought before them. Such efforts have enabled the district courts to address increases in judicial workload without the continued addition of new appellate judges.

Last year, this Court directed the Judicial Management Council to conduct an in-depth study of workload, jurisdiction and related policy issues for the district courts of appeal. The Council's Committee on Appellate Court Workload and Jurisdiction completed its work in this regard and its report was considered by the full Council in October 1997. Among other recommendations, the Council advised this Court to adopt a new appellate court workload standard of 225 dispositions after submission on the merits per judge and an additional appellate court workload standard of 385 case filings per judge. These standards are significantly higher than the current standard of 250 case filings per judge. These standards reflect the infusion of staff support and other resources over the last decade which have enabled the district courts to keep up with workload increases. The two standards, whether considered separately or together, represent the level at which a district court, presumptively, is in need of additional judicial resources. It is projected that in 1998 the statewide averages for dispositions on the merits per judge and filings per judge will be 209 and 385 respectively.

The Judicial Management Council also considered alternatives to balance workload among the district courts, including redrawing the boundaries of the current districts and creating one or more new districts. The Council recommended that a newly constituted committee consider specific alternatives for additional district courts of appeal. It is our judgment that the certification of additional judges can be withheld until the work of this committee is concluded, prior to the 1999 Legislative Session.

For the foregoing reasons we are, once again, not certifying the need for any additional district court of appeal judgeships. However, we strongly urge the Legislature to fund the budget requests of the district courts of appeal for mediation services, additional senior (retired) judge days, central legal staff attorneys, and computer technology. Funds for the computer upgrade are important, because they will assure that all the appellate courts are year 2000 compliant.

The criteria for certification of the need for judges in trial courts are set forth in rule 2.035(b)(1), Florida Rules of Judicial Administration. Consistent with previous practice, we have placed the greatest weight on quantitative data reflecting the growth and composition of caseloads in the various circuits and counties. We have determined that the most consistent and reliable measure of workload at the trial court level is total case filings per judge. Courts near or above a threshold of 1,865 filings per judge are presumed to be working beyond capacity, though that data alone is not sufficient to either guarantee or preclude a certification of need.

In addition to filings data, other quantitative and qualitative data on factors described in rule 2.035(b)(1)(B), Florida Rules of Judicial Administration, were considered. These criteria include county judge service on

the circuit bench, the availability and use of senior (retired) judges, the availability and use of supplemental hearing officers, the use of alternative dispute resolution, the number of jury trials, the number of hearings involving foreign language interpretations, the geographic size of a circuit, special law enforcement activities, the availability and use of case-related support staff and case management policies and practices, the nature and complexity of cases, and caseload trends. This supplemental information was extremely useful in evaluating the requests of the various trial courts.

After reviewing these factors, we find it necessary to certify the need for 13 additional circuit court judges for Fiscal Year 1998-99, as follows: one additional circuit court judge each for the Third, Fourth, Ninth, Tenth, Twelfth, Thirteenth, Eighteenth, Nineteenth and Twentieth judicial circuits; and two additional circuit court judges each for the Sixth and Seventeenth judicial circuits.

The overall workload of Florida's circuit courts continues to grow at a steady rate. From actual 1993 data through forecasted 1998 data, total filings are projected to increase fourteen percent. Not only are circuit court filings increasing, but also the collective perception of the trial court bench is that many categories of cases being filed are more labor-intensive than in previous years. Changes in the statutes, case law, and court procedures in recent years have necessitated more hearings for various types of cases, mandated priority handling for certain matters, and required judges to render written findings of fact and conclusions of law more frequently. Often these changes cannot be measured in terms of a need for full-time judicial positions in a particular jurisdiction, but instead serve to gradually increase workload across the board.

In formulating their requests, the circuit courts stressed the significant workload impact of reopened cases, variations in the complexity of caseloads, the severity of criminal offenses in their jurisdictions, more numerous and lengthy jury trials, and dramatic increases in self-represented litigants. We gave careful consideration to all such factors in establishing the necessity for additional judgeships not only for courts near or above the threshold, but also for courts which are somewhat below the standard as well. Seven of the courts for which we are currently certifying a need for an additional circuit court judge or judges are forecast to exceed the 1,865 filings per judge threshold in 1998, including the Sixth and Seventeenth judicial circuits, for which we have certified the need for two additional circuit court judgeships. We also certify the need for one additional circuit court judge each to the Fourth, Thirteenth, Eighteenth, and Nineteenth judicial circuits, which are expected to have 1998 workloads slightly below the threshold.

Although we recognize that other circuits which requested judgeships are faced with mounting workload pressures, we continue to limit the number of new judges certified for the circuits and supplement the available judicial resources with senior (retired) judges. We also encourage such circuits to maximize the use of county court judges on temporary assignment to the circuit bench where possible. In addition to the effective and cost-efficient use of senior (retired) judges, trial courts have employed an array of resources and case management strategies including: differentiated case management to consolidate and expedite certain types of cases; the use of general or special masters, child support enforcement hearing officers, and traffic hearing officers; court-ordered mediation or arbitration of family, civil, and selected juvenile matters; and the assignment of trial court law clerks to assist with case reviews, case management, and legal research. This Court encourages the continued use of these alternatives.

One particular alternative, supplemental hearing officers, has received much attention as of late. Child support enforcement hearing officers were authorized from state funds by the 1997 Legislature, a first for Florida's trial courts. This was in response to projected workload increases expected from a new child support enforcement initiative by the Florida Department of Revenue. Studies conducted under the auspices of the Court Statistics and Workload Committee indicate that supplemental hearing officer positions such as these do not generally translate to the equivalent of circuit or county court judges, with the possible exception of traffic hearing officers. Supplemental hearing officers, particularly at the circuit court level, provide predominantly qualitative improvements in court services to litigants. For example, they allow more time to be allocated to each case than busy judicial schedules will often allow. They also streamline the court process for litigants and allow judges to make better use of their time. However, supplemental hearing officers are difficult to allocate on a statewide basis due to the

varied use of, and acceptance for, these staff at the local level. Many judicial matters require the attention of circuit court judges either by rule, statute, custom, or public expectation. While supplemental hearing officers may be an appropriate response to some increases in judicial workload, they are only one of a spectrum of resources that may be applied as the situation demands or is determined by this Court to be appropriate.

As in the circuit courts, caseloads in Florida's county courts continue to increase at a steady rate. County court case filings, not including those categories traditionally excluded from the certification calculus such as worthless checks and civil traffic case filings, increased eight percent from 1994 to 1996. This increase is attributable to growth in both criminal and civil case filings. We considered this increase in evaluating the need for additional county judges. We relied principally on case filings data that were adjusted to include only criminal, civil, driving under the influence, and other criminal traffic cases. As in the past, worthless check cases and civil traffic infractions were not included in the threshold. This is due to the volume of such cases, their limited requirements for judicial attention per case, diversion of large numbers of worthless check cases in selected circuits, and variability in numbers of such cases reported from county to county.

County courts with caseload forecasts at or exceeding 6,114 filings per judge are presumed to be operating at or above capacity. All of the counties for which we certify the need for an additional judge are projected to exceed the 6,114 threshold in 1998. We find it necessary to certify the need for five new county court judges for Fiscal Year 1998-99, one each for Leon, Duval, Polk, Hillsborough, and Broward counties. As with the circuit court judgeships, the decision not to certify the need for an additional county court judge in several counties at or near the threshold was difficult. Such county courts are realizing growing workload pressures and may require relief during the upcoming year. We are committed to providing additional senior (retired) judge days and working with the respective chief judges on other measures to provide relief in those county courts. Their need for additional county court judgeships will be reexamined closely in next year's certification process.

This Court is of the opinion that the serial addition of circuit and county court judges will not in and of itself ensure the increased efficiency and performance of the Florida State Courts System that are expected by the public. We will continue to rely heavily on the allocation of alternative resources as stated in our Fiscal Year 1998-99 Legislative Budget Request for additional senior (retired) judge days, law clerks, automation and other technology, and specialized case management programs.

Full funding of the requests certified in this opinion is absolutely essential if Florida's courts are to fulfill their constitutional mandate to resolve cases in a fair, impartial, and timely manner. Therefore, this Court encourages the Florida Legislature to authorize the judgeships certified herein, effective October 1, 1998.

It is so ordered.

OVERTON, SHAW, HARDING, WELLS, ANSTEAD and PARIENTE, JJ., concur.

Original Proceeding - Certification of Need for Additional Judges

## COMMITTEES OF THE SENATE

(With Revisions)

### Agriculture

Senator Bronson, Chairman; Senator Thomas, Vice Chairman; Senators Hargrett, McKay and Ostalkiewicz

### Banking and Insurance

Senator Diaz-Balart, Chairman; Senator Holzendorf, Vice Chairman; Senators Bankhead, Childers, Clary, Grant, Harris, Rossin, Scott, Sullivan, Thomas and Williams

### Children, Families and Seniors

Senator Rossin, Chairman; Senator Cowin, Vice Chairman; Senators Bankhead, Brown-Waite, Campbell, Forman, McKay, Myers, Sullivan and Turner

### Commerce and Economic Opportunities

Senator Harris, Chairman; Senator Horne, Vice Chairman; Senators Burt, Casas, Diaz-Balart, Dudley, Grant, Gutman, Holzendorf, Jones, Klein, Kurth, Ostalkiewicz, Scott, Thomas and Williams

### Community Affairs

Senator McKay, Chairman; Senator Myers, Vice Chairman; Senators Brown-Waite, Casas, Dudley, Kurth and Meadows

### Criminal Justice

Senator Gutman, Chairman; Senator Bronson, Vice Chairman; Senators Burt, Campbell, Crist, Horne, Klein, Silver and Turner

### Education

Senator Grant, Chairman; Senators Clary, Cowin, Diaz-Balart, Dudley, Dyer, Holzendorf, Horne, Kirkpatrick, Latvala, Lee, Meadows and Sullivan

### Executive Business, Ethics and Elections

Senator Crist, Chairman; Senator Clary, Vice Chairman; Senators Bronson, Childers, Dyer, Hargrett, Kirkpatrick, Latvala, Lee, Meadows and Silver

*Select Subcommittee on Election Integrity:* Senator Latvala, Chairman; Senators Clary, Lee, Meadows and Silver

### Governmental Reform and Oversight

Senator Williams, Chairman; Senator Harris, Vice Chairman; Senators Campbell, Crist, Gutman, Kurth, Rossin, Scott and Turner

### Health Care

Senator Brown-Waite, Chairman; Senator Childers, Vice Chairman; Senators Bankhead, Burt, Casas, Forman, Jones, Klein, Myers and Silver

### Judiciary

Senator Dudley, Chairman; Senator Jones, Vice Chairman; Senators Burt, Campbell, Crist, Grant, Horne, Ostalkiewicz, Rossin, Silver and Williams

### Natural Resources

Senator Latvala, Chairman; Senator Kirkpatrick, Vice Chairman; Senators Bronson, Clary, Cowin, Diaz-Balart, Dyer, Forman, Hargrett, Kurth, McKay, Myers and Sullivan

### Regulated Industries

Senator Scott, Chairman; Senator Gutman, Vice Chairman; Senators Bankhead, Brown-Waite, Casas, Childers, Harris, Holzendorf, Klein, Lee, Meadows and Turner

### Rules and Calendar

Senator Bankhead, Chairman; Senator Diaz-Balart, Vice Chairman; Senators Bronson, Burt, Casas, Childers, Dudley, Dyer, Grant, Hargrett, Horne, Jones, Kirkpatrick, Latvala, McKay, Ostalkiewicz, Rossin, Scott, Silver, Sullivan, Thomas and Williams

### Transportation

Senator Hargrett, Chairman; Senator Lee, Vice Chairman; Senators Cowin, Forman, Jones, Kirkpatrick, Latvala and Ostalkiewicz

### Ways and Means

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

*Subcommittee A (General Government):* Senator Childers, Chairman; Senators Bronson, Casas, Hargrett, Jones, Latvala, Lee and Williams

*Subcommittee B (Education):* Senator Horne, Chairman; Senators Burt, Clary, Cowin, Dyer, Grant, Holzendorf, Kirkpatrick and Scott

*Subcommittee C (Human Services):* Senator Myers, Chairman; Senators Bankhead, Brown-Waite, Forman, Kurth, McKay and Rossin



*Subcommittee D (Criminal Justice):* Senator Silver, Chairman; Senators Campbell, Crist, Dudley, Gutman and Meadows

*Subcommittee E (Finance and Tax):* Senator Ostalkiewicz, Chairman; Senators Diaz-Balart, Harris, Klein, Thomas and Turner

**SELECT COMMITTEES**

**Select Committee on Litigation Reform**

Senator McKay, Chairman; Senators Burt, Campbell, Dudley, Hargrett, Horne, Klein, Kurth, Lee, Ostalkiewicz and Rossin

**Select Committee on Tobacco Settlement Implementation**

Senator Thomas, Chairman; Senator Sullivan, Vice Chairman; Senators Brown-Waite, Burt, Dudley, Dyer, Forman, Holzendorf and Myers

**JOINT COMMITTEES**

**Joint Administrative Procedures**

Senator Williams, Alternating Chairman; Senators Brown-Waite and Dudley

**Joint Information Technology Resources**

Senator Kirkpatrick, Alternating Chairman; Senators Forman and Sullivan

**Joint Legislative Auditing Committee**

Senator Ostalkiewicz, Alternating Chairman; Senators Burt, Gutman, Rossin and Silver

**Joint Legislative Committee on Everglades Oversight**

Senator Latvala, Alternating Chairman; Senators Bronson and Forman

**Joint Legislative Committee on Intergovernmental Relations**  
 Senator Meadows, Alternating Chairman; Senators Clary, Dyer and Horne

**Joint Legislative Management**

Senator Grant, Alternating Chairman; Senators Holzendorf and McKay

**CERTIFICATE RECEIVED**

The Secretary announced that the Minority Party (Democratic) had certified the name of Senator John H. "Buddy" Dyer, Jr. as Minority Leader.

**RECESS**

Pursuant to the motion by Senator Bankhead previously adopted, upon the dissolution of the joint session at 11:58 a.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:15 p.m., Thursday, March 5.

**SENATE PAGES**

March 2-6

Clyde Baker, Jr., Tallahassee; Jennifer Bridges, Lakeland; Caroline Burd, Altamonte Springs; Tom Burket, St. Petersburg; Kristy Calhoun, Crawfordville; Monica L. Cameron, Rockledge; Jacques (Jack) R. Clervil, North Miami Beach; Virginia Elizabeth Guth, Malabar; Alaina Marie Rodriguez, Orlando; Jamaal A. Sanders, Bradenton; David J. Sellers, Crawfordville; Adam Taylor, Parkland; Lydia Anne Veal, Perry; Julian Wood, St. Petersburg