



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Jennings at 2:00 p.m. A quorum present—38:

Madam President	Dawson-White	Kirkpatrick	Rossin
Bronson	Forman	Klein	Saunders
Brown-Waite	Geller	Kurth	Scott
Burt	Grant	Latvala	Sebesta
Campbell	Gutman	Laurent	Silver
Carlton	Hargrett	Lee	Sullivan
Casas	Holzendorf	McKay	Thomas
Childers	Horne	Meek	Webster
Clary	Jones	Mitchell	
Cowin	King	Myers	

PRAYER

The following prayer was offered by Willie L. Taylor, President, Southeastern Conference of Seventh Day Adventists, Altamonte Springs:

O God, the fact that you are the great lawgiver is no debate whatsoever and you have given it unto us to represent one of the great pieces of property on this planet—the great state of Florida—its laws, its issues, and its concerns.

Help us as we discuss, as we meet, as we debate, and as we pass laws that we will remember fairness and honesty. In our dealings, help us to understand that we represent people whom we may never see, we may never know. I pray that you will help us to understand that higher than the highest human thought can reach is your ideal for us. Be with us. Give us the wisdom, give us the dispatch, give us the understanding that we need as we begin our session this afternoon. We thank you. In your name, we pray. Amen.

PLEDGE

Senate Pages Paul Eckert of DeLand and Carmella Trimarchi of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McKay, by two-thirds vote **CS for SB 1496** was withdrawn from the Committee on Fiscal Policy; **CS for SB 1234** was withdrawn from the Committee on Agriculture and Consumer Services; and **CS for SB 2162** was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jones, by two-thirds vote **SB 1852** and **SB 2096** were withdrawn from the committees of reference and further consideration.

On motion by Senator Gutman, by two-thirds vote **SB 820** was withdrawn from the committees of reference and further consideration.

On motion by Senator Kurth, by two-thirds vote **SB 1562** was withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator McKay, a deadline of 5:00 p.m. Monday, April 12, was set for filing amendments to Bills on Third Reading to be considered Tuesday, April 13.

BILLS ON THIRD READING

CS for CS for SB 662—A bill to be entitled An act relating to expedited permitting; providing legislative intent with respect to creating a statewide one-stop permitting system; amending s. 14.2015, F.S.; deleting provisions authorizing the Office of Tourism, Trade, and Economic Development to make recommendations to the Legislature on improving permitting procedures; amending s. 288.021, F.S.; authorizing the appointment of certain economic development liaisons; creating s. 288.109, F.S.; requiring that the Department of Management Services establish a One-Stop Permitting System using the Internet; providing requirements for the system; requiring that the department develop a protocol for adding state agencies and counties to the One-Stop Permitting System; specifying the various state agencies to be provided access to the system; requiring a permit that is filed using the One-Stop Permitting System to be approved or denied within a specified time; providing for a temporary waiver of the permit fee for applications filed using the One-Stop Permitting System; providing for a permit fee reduction under certain conditions; creating s. 288.1092, F.S.; creating the One-Stop Permitting System Grant Program within the Department of Management Services; providing for grant moneys to be awarded to counties certified as Quick Permitting Counties; providing requirements for the use of grant moneys; creating s. 288.1093, F.S.; creating the Quick Permitting County Designation Program within the Department of Management Services; providing criteria under which the department may designate a county as a Quick Permitting County; creating s. 288.1095, F.S.; requiring that the Office of Tourism, Trade, and Economic Development, Enterprise Florida, Inc., and state agencies provide information on the One-Stop Permitting System and the Quick Permitting Counties; repealing ss. 403.950, 403.951, 403.952, 403.953, 403.954, 403.955, 403.9551, 403.956, 403.957, 403.958, 403.959, 403.960, 403.961, 403.9615, 403.962, 403.963, 403.964, 403.965, 403.966, 403.967, 403.968, 403.969, 403.970, 403.971, 403.972, F.S., relating to the Florida Jobs Siting Act; amending s. 403.973, F.S.; providing that certain projects located in certain counties may be certified as eligible for expedited permitting; requiring that the Office of Tourism, Trade, and Economic Development delegate certain responsibilities to a county designated as a Quick Permitting County; requiring a memorandum of agreement for projects that qualify for expedited review; providing requirements for such memoranda of agreement; deleting obsolete provisions; providing an appropriation; appropriating funds to offset reduced revenues resulting from implementing the One-Stop Permitting System; providing an effective date.

—as amended April 7 was read the third time by title.

MOTION

On motion by Senator Carlton, the rules were waived to allow the following amendment to be considered:

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

Amendment 1 (543262)—On page 11, lines 1, 20, 23, 24 and 26; and on page 12, line 4, before “*permit*” insert: *development*

On motion by Senator Carlton, **CS for CS for SB 662** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Madam President	Dawson-White	Kirkpatrick	Rossin
Bronson	Forman	Klein	Saunders
Brown-Waite	Geller	Kurth	Scott
Burt	Grant	Latvala	Sebesta
Campbell	Gutman	Laurent	Silver
Carlton	Hargrett	Lee	Sullivan
Casas	Holzendorf	McKay	Thomas
Childers	Horne	Meek	Webster
Clary	Jones	Mitchell	
Cowin	King	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

CS for CS for SB 252—A bill to be entitled An act relating to workforce development; directing the Division of Statutory Revision to designate certain sections of the Florida Statutes as part XI, relating to Workforce Development; transferring, renumbering, and amending s. 446.601, F.S.; conforming cross-references; deleting provisions governing services of One-Stop Career Centers; revising components of the state’s workforce development strategy; transferring, renumbering, and amending s. 446.604, F.S.; providing for the state’s One-Stop Career Center customer service delivery strategy; specifying partners; providing for oversight and operation of centers by regional workforce development boards and center operators; providing for transfer of responsibilities; providing for assigning and leasing of employees; providing for employment preference; providing for memorandums of understanding and sanctions; providing for electronic service delivery; authorizing Intensive Service Accounts and Individual Training Accounts and providing specifications; transferring, renumbering, and amending s. 288.9620, F.S.; providing for membership of the Workforce Development Board pursuant to federal law; providing for committees; requiring financial disclosure; authorizing the board as the Workforce Investment Board; specifying functions, duties, and responsibilities; providing for sanctions; providing for carryover of funds; requiring a performance measurement system and reporting of such; transferring, renumbering, and amending s. 446.602, F.S.; providing for membership of regional workforce development boards pursuant to federal law; prohibiting certain activities that create a conflict of interest; providing for transition; providing for performance and compliance review; correcting organizational name references; requiring a local plan; providing for oversight of One-Stop Career Centers; authorizing local committees; establishing high skills/high wages committees; transferring, renumbering, and amending s. 446.607, F.S.; conforming cross-references; providing for consolidated board membership requirements; transferring, renumbering, and amending s. 446.603, F.S.; conforming cross-references; expanding the scope of the Untried Worker Placement and Employment Incentive Act; abrogating scheduled repeal of program; creating s. 288.9956, F.S.; providing principles for implementing the federal Workforce Investment Act of 1998; providing for a 5-year plan; specifying funding distribution; creating the Incumbent Worker Training Program; providing program requirements; requiring a report; authorizing the Workforce Development Board to contract for administrative services related to federal funding; specifying contractual agreements; providing for indemnification; providing for settlement authority; providing for compliance with federal law; providing for workforce development review; providing for termination of state set-aside; creating s. 288.9957, F.S.; requiring designation of the Florida Youth Workforce Council; providing for membership and duties; providing for allocation of funds; creating s. 288.9958, F.S.; requiring appointment of the Employment, Occupation, and Performance Information Coordinating Committee; providing for membership and duties; providing for services and staff; creating s.

288.9959, F.S.; requiring appointment of the Operational Design and Technology Procurement Committee; providing for membership and duties; providing for services and staff; amending s. 288.901, F.S.; conforming a cross-reference; amending s. 288.902, F.S.; deleting an obsolete cross-reference; amending s. 414.026, F.S.; conforming a cross-reference; repealing s. 446.20, F.S., which provides for administration of responsibilities under the federal Job Training Partnership Act; repealing s. 446.205, F.S., which provides for a Job Training Partnership Act family drop-out prevention program; repealing s. 446.605, F.S., which provides for applicability of the Workforce Florida Act of 1996; repealing s. 446.606, F.S., which provides for designation of primary service providers; providing for severability; providing an effective date.

—as amended April 7 was read the third time by title.

On motion by Senator Kirkpatrick, **CS for CS for SB 252** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Madam President	Dawson-White	Kirkpatrick	Rossin
Bronson	Forman	Klein	Saunders
Brown-Waite	Geller	Kurth	Scott
Burt	Grant	Latvala	Silver
Campbell	Gutman	Laurent	Sullivan
Carlton	Hargrett	Lee	Thomas
Casas	Holzendorf	McKay	Webster
Childers	Horne	Meek	
Clary	Jones	Mitchell	
Cowin	King	Myers	

Nays—None

CS for CS for SB 256—A bill to be entitled An act relating to the WAGES Program; amending s. 402.305, F.S.; prohibiting the factoring of specified individuals in calculating staff-to-children ratio; creating s. 414.0265, F.S.; providing for a Work and Gain Economic Self-sufficiency fiscal agent; specifying conditions; creating s. 414.0267, F.S.; establishing a program for matching grants; providing for administration; amending s. 414.027, F.S.; revising requirements for the annual state plan; modifying payment structure; amending s. 414.028, F.S.; conforming cross-references; deleting obsolete provisions; providing funding for local WAGES coalitions through contract with the Office of Tourism, Trade, and Economic Development; providing for revocation of a local coalition charter; providing for reassignment of duties; specifying use of funds; amending s. 414.030, F.S.; correcting an organizational name reference; eliminating a cap on the number of WAGES Program employment projects to be identified; specifying that the role of the WAGES Program Employment Project Coordinator includes other WAGES employment opportunities; authorizing the commitment and coordination of resources; providing for suspension of certain criteria and requirements; encouraging agency resolution of barriers to such projects; authorizing waiver of economic development incentive criteria; specifying a limit to funds allocated; authorizing the award of reasonable administrative costs associated with such projects; specifying contract terms; requiring creation of a WAGES Program Employment Implementation Team; authorizing the Governor to declare a WAGES employment emergency; providing for use of certain emergency management powers and other powers; creating s. 414.035, F.S.; requiring expenditures of funds under Temporary Assistance for Needy Families to be in accordance with federal provisions; requiring certification of fiscal controls; creating s. 414.045, F.S.; establishing a cash assistance program; designating applicable groups; amending s. 414.055, F.S.; conforming organizational name references; amending s. 414.065, F.S.; conforming organizational name references; excluding English language proficiency from education time limits; authorizing a local WAGES coalition to assign certain additional educational activities as work requirements; providing for an adjustment in the regional-participation requirement; requiring participants with medical limitations to be assigned appropriate work activities; providing for work activity exemption under certain circumstances; deleting obsolete provisions; amending s. 414.085, F.S.; excluding certain payments from consideration in determining grant amounts; amending s. 414.095, F.S.; deleting obsolete provisions; authorizing shelter obligations under certain circumstances; conforming organizational name references; amending s. 414.105, F.S.; revising limitations on extended eligibility for temporary cash assistance; deleting obsolete provisions; creating s. 414.151, F.S.; establishing a diversion program

for victims of domestic violence; creating s. 414.1521, F.S.; establishing a diversion program to strengthen Florida's families; providing for determining eligibility for the program; authorizing the Healthy Families Florida program or the department to establish additional criteria for services or one-time payments under the program; providing that participation in the program does not preclude eligibility for other assistance; creating s. 414.159, F.S.; establishing a teen parent and pregnancy prevention diversion program; providing for eligibility for services under the program; providing that participation in the program does not preclude eligibility for other assistance; creating s. 414.1525, F.S.; establishing an early exit incentive program; amending s. 414.155, F.S.; conforming organizational name references; revising standards regarding the relocation assistance program; amending s. 414.20, F.S., relating to support services; providing for the provision of care for certain dependent children so that the parent may accept or continue employment or participate in work activities; conforming organizational name references; creating s. 414.201, F.S.; establishing a program for dependent care for families with children with special needs; providing requirements for eligibility; providing that implementation of the program is subject to an appropriation; requiring compliance with certain federal requirements; providing a time limitation on the receipt of assistance; amending s. 414.22, F.S.; conforming organizational name references; creating s. 414.223, F.S.; authorizing the development of a list of post-secondary courses to promote job retention and advancement; authorizing Retention Incentive Training Accounts; prescribing eligible expenditures through such accounts; requiring performance monitoring and a report; reserving funds; amending s. 414.225, F.S.; revising provisions relating to transportation; amending s. 414.23, F.S.; conforming organizational name references; amending s. 414.37, F.S.; deleting obsolete reference; amending s. 414.44, F.S.; conforming organizational name reference; amending s. 414.45, F.S.; deleting obsolete language; amending s. 414.70, F.S.; providing conditions for inclusion in a demonstration project; providing for work activity requirements and penalties for failure to comply; amending s. 288.063, F.S.; providing for WAGES transportation projects; authorizing the Office of Tourism, Trade, and Economic Development to develop an expedited process; amending s. 250.10, F.S.; requiring the Adjutant General to administer a life preparation program and job readiness services; providing appropriations of TANF funds; amending s. 414.085, F.S.; requiring that income security payments be excluded as income except as required by federal law; repealing s. 414.25, F.S., relating to exemptions from leased real property requirements; repealing s. 414.43, F.S., relating to special needs allowances for families with disabled members; repealing s. 414.55, F.S., relating to implementation of the program; requiring compliance with s. 216.181, F.S.; providing an effective date.

—as amended April 7 was read the third time by title.

On motion by Senator Kirkpatrick, **CS for CS for SB 256** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Madam President	Dawson-White	Kirkpatrick	Rossin
Bronson	Forman	Klein	Saunders
Brown-Waite	Geller	Kurth	Scott
Burt	Grant	Latvala	Sebesta
Campbell	Gutman	Laurent	Silver
Carlton	Hargrett	Lee	Sullivan
Casas	Holzendorf	McKay	Thomas
Childers	Horne	Meek	Webster
Clary	Jones	Mitchell	
Cowin	King	Myers	

Nays—None

Vote after roll call:

Yea—Diaz-Balart

CS for SB 1150—A bill to be entitled An act relating to military base retention; amending s. 288.980, F.S.; providing legislative intent; providing for the role of the Florida Defense Alliance; providing funding; removing a limitation on the amount of a grant under the Florida Military Installation Reuse Planning and Marketing Grant Program; increasing a grant limitation with respect to the Florida Defense Planning Grant Program; reducing the amount of matching funds required under

certain grant programs; creating the Retention of Military Installations Program; providing eligibility criteria; providing a cap on the payment of administrative expenses from certain grants; providing an appropriation; providing an effective date.

—as amended April 7 was read the third time by title.

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

Amendment 1 (044774)—On page 6, line 30, after “10 years” insert: *or a joint military command in a constitutional charter county as defined in s. 125.001(1)*

On motion by Senator Clary, **CS for SB 1150** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Madam President	Dawson-White	King	Myers
Bronson	Diaz-Balart	Kirkpatrick	Rossin
Brown-Waite	Forman	Klein	Saunders
Burt	Geller	Kurth	Scott
Campbell	Grant	Latvala	Sebesta
Carlton	Gutman	Laurent	Silver
Casas	Hargrett	Lee	Sullivan
Childers	Holzendorf	McKay	Thomas
Clary	Horne	Meek	Webster
Cowin	Jones	Mitchell	

Nays—None

CS for CS for SB 940—A bill to be entitled An act relating to eminent domain; creating s. 73.015, F.S.; requiring presuit negotiation before an action in eminent domain may be initiated under ch. 73, F.S., or ch. 74, F.S.; providing requirements for the condemning authority; requiring the condemning authority to give specified notices; requiring a written offer of purchase and appraisal and specifying the time period during which the owner may respond to the offer before a condemnation lawsuit may be filed; providing procedures; allowing a business owner to claim business damage within a specified time period; providing circumstances under which the court must strike a business-damage defense; providing procedures for business-damage claims; providing for non-binding mediation; requiring the condemning authority to pay reasonable costs and attorney's fees of a property owner; allowing the property owner to file a complaint in circuit court to recover attorney's fees and costs, if the parties cannot agree on the amount; providing that certain evidence is inadmissible in specified proceedings; amending s. 73.092, F.S.; deleting provisions relating to attorney's fees for business-damage claims; amending ss. 127.01, 166.401, F.S.; restricting the exercise by counties and municipalities of specified eminent domain powers granted to the Department of Transportation; repealing ss. 337.27(2), 337.271, 348.0008(2), 348.759(2), 348.957(2), F.S., relating to limiting the acquisition cost of lands and property acquired through eminent domain proceedings by the Department of Transportation, the Orlando-Orange County Expressway Authority, or the Seminole County Expressway Authority, or under the Florida Expressway Authority Act, and relating to the notice that the Department of Transportation must give to a fee owner at the inception of negotiations to acquire land; amending s. 479.15, F.S.; prescribing duties of local governments with respect thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Carlton, **CS for CS for SB 940** was passed and certified to the House. The vote on passage was:

Yeas—38

Madam President	Childers	Grant	Klein
Bronson	Clary	Hargrett	Kurth
Brown-Waite	Cowin	Holzendorf	Latvala
Burt	Dawson-White	Horne	Laurent
Campbell	Diaz-Balart	Jones	Lee
Carlton	Forman	King	McKay
Casas	Geller	Kirkpatrick	Meek

Mitchell	Saunders	Silver	Thomas
Myers	Scott	Sullivan	Webster
Rossin	Sebesta		

Nays—None

Consideration of **CS for SB 154** and **SB 8** was deferred.

On motion by Senator Laurent, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment(s) to HB 775 and requests that the Senate recede, or failing to recede, that a conference committee be appointed.

John B. Phelps, Clerk

HB 775—A bill to be entitled An act relating to civil actions; creating s. 40.50, F.S.; providing for instructions to juries after the jury is sworn in; providing for the taking of notes under certain circumstances; providing for written questions; providing for final instructions; amending s. 44.102, F.S.; requiring that the court require mediation in certain actions for monetary damages; amending s. 44.104, F.S.; providing for voluntary trial resolution upon the agreement of parties to a civil dispute; providing for the appointment and compensation of a trial resolution judge; providing guidelines for conducting a voluntary trial resolution; providing for enforcement and appeal; amending s. 57.105, F.S.; revising conditions for award of attorney's fees for presenting unsupported claims or defenses; authorizing damage awards against a party for unreasonable delay of litigation; authorizing the court to impose additional sanctions; amending s. 768.79, F.S.; providing for the applicability of offers of judgment and demand of judgment in cases involving multiple plaintiffs; providing that subsequent offers shall void previous offers; providing that prior to awarding costs and fees the court shall determine whether the offer was reasonable under the circumstances known at the time the offer was made; amending s. 57.071, F.S.; providing criteria under which expert witness fees may be awarded as taxable costs; providing for expedited trials; amending s. 768.77, F.S.; deleting a requirement to itemize future damages on verdict forms; amending s. 768.78, F.S.; providing for discussion of structured settlements; conforming provisions relating to alternative methods of payment of damage awards to changes made by the act; correcting a cross reference; amending s. 95.031, F.S.; imposing a 12-year statute of repose on actions founded upon violations of chapter 517; imposing a 12-year statute of repose on actions brought to recover for harm caused by products with a specified expected useful life; exempting certain categories of products from the statute of repose; imposing variable repose periods based on specific warranties by the manufacturer; providing an exception for certain injuries; providing for tolling under particular circumstances; specifying the date by which certain actions must be brought or be otherwise barred by the statute of repose; amending s. 90.407, F.S.; providing limitations on the admissibility of subsequent remedial measures; providing exceptions; creating s.768.044, F.S.; requiring the finder of fact, in certain product defect actions, to consider circumstances that existed at the time of manufacture; amending s. 95.11,F.S.; deleting a 5 year limit on commencing actions founded on chapter 517; creating s. 768.1256,F.S.; providing a government rules defense with respect to certain products liability actions; providing for a rebuttable presumption; creating s. 768.0705, F.S.; providing limitations on premises liability for a person or organization owning or controlling an interest in a business premises; providing an exception; providing for a presumption against liability for convenience businesses under specified circumstances; amending s. 768.075, F.S.; delineating the duty owed to trespassers by a person or organization owning or controlling an interest in real property; providing definitions; providing for the avoidance of liability to discovered and undiscovered trespassers under described circumstances; providing immunity from certain liability arising out of the attempt to commit or the commission of a felony; creating s. 768.725,

F.S.; providing for evidentiary standards for an award of punitive damages; amending s. 768.72, F.S.; revising provisions with respect to claims for punitive damages in civil actions; requiring clear and convincing evidence of gross negligence or intentional misconduct to support the recovery of such damages; providing definitions; providing criteria for the imposition of punitive damages with respect to employers, principals, corporations, or other legal entities for the conduct of an employee or agent; providing for the application of the section; amending s. 768.73, F.S.; revising provisions with respect to limitations on punitive damages; providing monetary limitations; providing an exception with respect to intentional misconduct; providing for the effect of certain previous punitive damages awards; providing for the application of the section; creating s. 768.736, F.S.; providing that ss. 768.725 and 768.73, F.S., relating to punitive damages, do not apply to intoxicated defendants; amending s. 768.81, F.S.; providing for the apportionment of damages on the basis of joint and several liability when a party's fault exceeds a certain percentage; limiting the applicability of joint and several liability based on the amount of damages; providing for the allocation of fault to a nonparty; requiring that such fault must be proved by a preponderance of the evidence; amending s. 324.021, F.S.; providing the lessor of a motor vehicle under certain rental agreements shall be deemed the owner of the vehicle for the purpose of determining liability for the operation of the vehicle within certain limits; providing for the liability of the owner of a motor vehicle who loans the vehicle to certain users; limiting the liability of employers in a joint employment relationship under specific circumstances; providing exceptions and limitations; creating s. 768.735, F.S.; providing that ss. 768.72(2)-(5), 768.725, and 768.73, F.S., relating to punitive damages, are inapplicable to specified causes of action; limiting the amount of punitive damages that may be awarded to a claimant in certain civil actions involving abuse or arising under ch. 400, F.S.; amending s. 400.023(1), F.S., limiting the recovery of attorney fees; providing that an attorney may receive additional fees from his or her client; providing for severability; creating s. 768.737, F.S., providing for application of punitive damages statutes to arbitration; requiring the Office of Program Policy Analysis and Governmental Accountability to contract with an actuarial firm to conduct an actuarial analysis of expected reductions in judgments and related costs resulting from litigation reforms; specifying the basis and due date for the actuarial report; providing an effective date.

On motion by Senator Laurent, the Senate refused to recede from the Senate amendments and acceded to the request for a conference committee. The action of the Senate was certified to the House.

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 304** was deferred.

On motion by Senator Saunders, the Senate resumed consideration of—

SB 756—A bill to be entitled An act relating to elections; amending s. 230.10, F.S.; providing for the election of school board members in a nonpartisan election; amending s. 105.031, F.S.; providing for qualifying for nonpartisan office; amending s. 105.035, F.S.; providing an alternative method of qualifying for nonpartisan candidates; eliminating the requirement for an undue burden oath; amending s. 105.041, F.S.; revising ballots for nonpartisan candidates; amending s. 105.051, F.S.; providing for determination of election for nonpartisan candidates; amending s. 105.061, F.S.; providing for the electors that are eligible to vote for nonpartisan candidates; amending s. 105.08, F.S.; providing for reporting of contributions and expenditures for nonpartisan candidates; amending ss. 99.061, 101.141, 101.151, 101.251, 230.061, 230.105, F.S.; conforming provisions; repealing s. 105.09, F.S., relating to endorsement of judicial candidates by partisan organizations; repealing s. 230.08, F.S., relating to nomination of candidates for school board; amending s. 228.053, F.S.; correcting a cross-reference; providing an effective date.

—which was previously considered April 6. Pending **Amendment 1** by the Committee on Ethics and Elections was adopted.

Senator Saunders moved the following amendment which was adopted:

Amendment 2 (460268)—On page 2, delete lines 1-4 and insert:

230.10 Election of board by districtwide vote.—*Notwithstanding any provision of local law or any county charter*, the election of members of the school board shall be by vote of the qualified electors of the entire district *in a nonpartisan election as provided in chapter 105*. Each candidate for school board member shall, at

Senator Latvala moved the following amendment which was adopted:

Amendment 3 (354064)(with title amendment)—On page 3, delete lines 27-31 and insert: qualifying officer shall forward all filing fees to the *chief financial officer* Department of Revenue for deposit in the *Elections Commission Trust* General Revenue Fund. The election assessment shall be deposited into the

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: directing filing fees for nonpartisan candidates to the Elections Commission Trust Fund;

Pursuant to Rule 4.19, **SB 756** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lee, by two-thirds vote **HB 125** was withdrawn from the Committee on Ethics and Elections.

On motion by Senator Lee—

HB 125—A bill to be entitled An act relating to candidates for public office; amending s. 99.012, F.S.; requiring a subordinate officer, deputy sheriff, or police officer seeking public office to resign or take a leave of absence, depending on certain circumstances relating to the office sought; providing an effective date.

—a companion measure, was substituted for **SB 866** and read the second time by title.

Pursuant to Rule 4.19, **HB 125** was placed on the calendar of Bills on Third Reading.

On motion by Senator Laurent—

SB 2200—A bill to be entitled An act relating to elections; amending s. 106.17, F.S.; prohibiting state agencies from soliciting pledges or authorizing or conducting polls or surveys relating to candidacies for public office; exempting polls or surveys conducted by institutions of higher learning for research purposes; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2200** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

CS for CS for SB 864—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 20.325, F.S.; specifying the divisions in the Fish and Wildlife Conservation Commission; transferring the duties of the Marine Fisheries Commission assigned to the Board of Trustees of the Internal Improvement Trust Fund to the commission; transferring the duties of the Game and Fresh Water Fish Commission to the Fish and Wildlife Conservation Commission; transferring certain duties of the Department of Environmental Protection, Division of Marine Resources and Division of Law Enforcement, to the Fish and Wildlife Conservation Commission; amending s. 20.255, F.S.; providing for the organization and powers of the Department of Environmental Protection; providing for a transition advisory committee to determine the appropriate number of support service personnel to be transferred; amending s. 206.606, F.S.; revising the distribution of funds; amending s. 259.101, F.S.; providing for the sale of conservation lands; amending s. 370.0603, F.S.; establishing the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission; amending s. 370.0608, F.S.; revising the use of license fees by the Fish and Wildlife Conservation Commission; amending s. 370.16; transferring certain activities related to oysters and shellfish to the Fish and Wildlife Conservation Commission; amending s. 370.26, F.S.; transferring certain activities related to aquaculture to the Fish and Wildlife

Conservation Commission; amending s. 932.7055, F.S.; providing for funds to be deposited into the Forfeited Property Trust Fund; amending ss. 20.055, 23.21, 120.52, 120.81, 163.3244, 186.003, 186.005, 229.8058, 240.155, 252.365, 253.05, 253.45, 253.75, 253.7829, 253.787, 255.502, 258.157, 258.397, 258.501, 259.035, 259.036, 282.1095, 282.404, 285.09, 285.10, 288.021, 288.975, 316.640, 320.08058, 327.02, 327.25, 327.26, 327.28, 327.30, 327.35215, 327.395, 327.41, 327.43, 327.46, 327.48, 327.70, 327.71, 327.731, 327.74, 327.803, 327.804, 327.90, 328.01, 339.281, 341.352, 369.20, 369.22, 369.25, 370.01, 370.021, 370.028, 370.06, 370.0605, 370.0615, 370.062, 370.063, 370.0805, 370.081, 370.092, 370.093, 370.1107, 370.1111, 370.12, 370.13, 370.14, 370.1405, 370.142, 370.1535, 370.17, 370.31, 372.001, 372.01, 372.0215, 372.0222, 372.0225, 372.023, 372.025, 372.03, 372.051, 372.06, 372.07, 372.071, 372.072, 372.0725, 372.073, 372.074, 372.105, 372.106, 372.12, 372.121, 372.16, 372.26, 372.265, 372.27, 372.31, 372.57, 372.5714, 372.5717, 372.5718, 372.574, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.667, 372.6672, 372.672, 372.673, 372.674, 372.70, 372.701, 372.7015, 372.7016, 372.72, 372.73, 372.74, 372.76, 372.761, 372.77, 372.7701, 372.771, 372.85, 372.86, 372.87, 372.88, 372.89, 372.901, 372.911, 372.912, 372.92, 372.921, 372.922, 372.97, 372.971, 372.98, 372.981, 372.99, 372.9901, 372.9903, 372.9904, 372.9906, 372.991, 372.992, 372.995, 373.453, 373.455, 373.4595, 373.465, 373.466, 373.591, 375.021, 375.311, 375.312, 376.121, 378.011, 378.036, 378.409, 380.061, 388.45, 388.46, 403.0752, 403.0885, 403.413, 403.507, 403.508, 403.518, 403.526, 403.527, 403.5365, 403.7841, 403.786, 403.787, 403.9325, 403.941, 403.9411, 403.961, 403.962, 403.972, 403.973, 487.0615, 581.186, 585.21, 597.003, 597.004, 597.006, 784.07, 790.06, 790.15, 828.122, 832.06, 843.08, 870.04, 943.1728, F.S.; conforming provisions to the State Constitution and this act; repealing s. 370.0205, F.S., which provides for the use of citizen support organizations; repealing s. 370.025, F.S., which provides policies for the Marine Fisheries Commission; repealing s. 370.026, F.S., which provides for the creation of the Marine Fisheries Commission; repealing s. 370.027, F.S., which provides for rulemaking authority; repealing s. 372.021, F.S., which provides for the powers of the Game and Fresh Water Fish Commission; repealing s. 372.061, F.S., which provides for meetings of the Game and Fresh Water Fish Commission; repealing s. 373.1965, F.S., which creates the Coordinating Council on the Restoration of the Kissimmee River Valley and Taylor Creek-Nubbins Slough Basin; repealing s. 373.197, F.S., which provides direction for the Kissimmee River Valley and Taylor Creek-Nubbins Slough Basin restoration project; repealing s. 403.261, F.S., which provides for the repeal of rulemaking jurisdiction over air and water pollution; creating s. 403.0611, F.S.; providing for the use of citizen support organizations; creating s. 406.0613, F.S.; providing authorization for publications; creating s. 403.0614, F.S.; providing for the administration of Department of Environmental Protection grant programs; amending ss. 161.031, 161.36, 252.937, 309.01, 370.023, 370.03, 370.0607, 370.0609, 370.061, 370.07, 370.071, 370.08, 370.0821, 370.10, 370.103, 370.135, 370.143, 370.15, 370.151, 370.153, 370.1603, 370.172, 370.18, 370.19, 370.20, 370.21, 372.107, 376.15, 823.11, F.S.; conforming provisions to the State Constitution and this act; authorizing the executive Office of the Governor to transfer funds when necessary because of the reorganization made by this act, after prior consultation with specified legislative committees; providing an effective date.

—was read the second time by title.

Senator Bronson moved the following amendments which were adopted:

Amendment 1 (093812)—On page 71, delete lines 1-22 and insert:

Section 1. Paragraph (b) of subsection (1), of section 320.08058, Florida Statutes, 1998 Supplement, as amended by section 7 of chapter 98-414, Laws of Florida, and subsections (5), (18), (19), and (25) of that section are amended to read:

320.08058 Specialty license plates.—

(1) MANATEE LICENSE PLATES.—

(b) The manatee license plate annual use fee must be deposited into the Save the Manatee Trust Fund, created within the *Fish and Wildlife Conservation Commission* Department of Environmental Protection. The funds deposited in the Save the Manatee Trust Fund may be used only for manatee-related environmental education; manatee research; facilities, as provided in s. 370.12(4)(5)(b); and manatee protection and recovery.

Amendment 2 (184202)—On page 124, line 30, delete “department” and insert: *commission department*

Amendment 3 (754486)—On page 127, delete lines 6-10 and insert: filed with the *Fish and Wildlife Conservation Commission Department of Environmental Protection* at the time of renewal of the license.

(c) The *commission department* is authorized to reduce the fees for licenses under this section for residents of those states with which the *commission department* has entered into reciprocal

Amendment 4 (062186)—On page 129, lines 7 and 15; and on page 130, lines 4 and 7, delete “Game and Freshwater Fish” and insert: *Fish and Wildlife Conservation Game and Freshwater Fish*

Amendment 5 (282444)—On page 177, delete lines 26-29 and insert: according to the trap reduction schedule. *Until July 1, 1999*, the *Department of Environmental Protection department* shall then issue the number of trap tags authorized by the *Marine Fisheries Commission commission*, as requested, and a revised statement of certificates held. *Beginning July 1, 1999*, the *Fish and Wildlife Conservation Commission* shall annually issue the number of trap tags authorized by the *commission's* schedule, as requested, and a revised statement of certificates held.

Amendment 6 (881438)—On page 298, line 29, after “373.1965,” insert: *373.197*,

Amendment 7 (690858)—On page 302, delete lines 22-24 and insert:

Section 220. Section 403.0614, Florida Statutes, is created to read:
403.0614 Administration of department grant programs.—

Amendment 8 (664842)—On page 332, line 27, delete “section 370.15” and insert: section 370.151

Amendment 9 (171656)—On page 343, line 3, delete “*Executor*” and insert: *Executive*

Amendment 10 (974700)—On page 348, line 8, after “*Wildlife*” insert: *Conservation*

MOTION

On motion by Senator Kirkpatrick, the rules were waived to allow the following amendment to be considered:

Senators Latvala and Kirkpatrick offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 11 (174798)—On page 10, line 30 through page 11, line 23, delete those lines and insert:

(a) ~~*\$6.30*~~ *\$7.55* million shall be transferred to the Department of Environmental Protection in each fiscal year ~~and the transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. \$1.25 million of the amount transferred shall be deposited annually in the Marine Resources Conservation Trust Fund and must be used by the department to fund special projects to provide recreational channel marking, public launching facilities, and other boating-related activities. The department shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where, due to the number of vessel registrations, insufficient financial resources are available to meet total water resource needs. The remaining proceeds of the annual transfer shall be deposited in the Aquatic Plant Control Trust Fund to and must be used for aquatic plant management, including nonchemical control of aquatic weeds, research into nonchemical controls, and enforcement activities. Beginning in fiscal year 1993-1994, the department shall allocate at least \$1 million of such funds to the eradication of melaleuca.~~

(b) ~~*\$2.5*~~ *\$1.25* million shall be transferred to the State Game Trust Fund in the *Fish and Wildlife Conservation Game and Fresh Water Fish* Commission in each fiscal year. The transfers must be made in equal monthly amounts beginning on July 1 of each fiscal year. *The commission shall annually determine where unmet needs exist for boating-related activities, and may fund such activities in counties where, due to*

~~*the number of vessel registrations, insufficient financial resources are available to meet the total water resource needs, and must be used for recreational*~~

Pursuant to Rule 4.19, **CS for CS for SB 864** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Brown-Waite—

SB 934—A bill to be entitled An act relating to the Coastal Zone Protection Act; amending s. 161.54, F.S.; redefining the term “substantial improvement”; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 934** was placed on the calendar of Bills on Third Reading.

CS for CS for SB's 834, 1140 and 1612—A bill to be entitled An act relating to nursing home facilities; creating s. 400.0078, F.S.; requiring the Office of State Long-Term Care Ombudsman to establish a statewide toll-free telephone number; amending s. 400.022, F.S.; providing immediate access to residents for representatives of the Office of the Attorney General; creating s. 400.0225, F.S.; directing the Agency for Health Care Administration to contract for consumer satisfaction surveys for nursing home residents; providing procedures and requirements for use of such surveys; amending s. 400.0255, F.S.; defining terms relating to facility decisions to transfer or discharge a resident; providing procedures, requirements, and limitations; requiring notice to the agency under certain circumstances; providing for review of a notice of discharge or transfer by the district long-term care ombudsman, upon request; specifying timeframes; amending s. 400.071, F.S.; providing additional requirements for licensure and renewal; providing a certificate-of-need preference for Gold Seal licensees; creating s. 400.118, F.S.; directing the agency to establish a quality assurance early warning system; providing for quality-of-care monitoring; providing duties of monitors; excluding certain information from discovery or introduction in evidence in civil or administrative actions; providing for rapid response teams; amending s. 400.121, F.S.; authorizing the agency to require certain facilities to increase staffing; authorizing such facilities to request an expedited interim rate increase; providing a penalty; amending s. 400.141, F.S.; providing requirements for appointment of a medical director; providing for resident use of a community pharmacy and for certain repackaging of prescription medication; providing for immunity from liability in the administration of repackaged medication; revising conditions for encouraging facilities to provide other needed services; requiring public display of certain assistance information; authorizing Gold Seal facilities to develop programs to provide certified nursing assistant training; amending s. 400.162, F.S.; revising procedures and policies regarding the safekeeping of residents' property; amending s. 400.19, F.S., relating to the agency's right of entry and inspection; providing a time period for investigation of certain complaints; amending s. 400.191, F.S.; revising requirements for provision of information to the public by the agency; amending s. 400.215, F.S.; providing for nursing home employees to work on a probationary basis upon meeting certain minimal screening requirements; authorizing certain employers direct access to databases for employment screening; requiring notification within a specified time of approval or denial of a request for an exemption from employment disqualification; amending s. 400.23, F.S.; abolishing the Nursing Home Advisory Committee; revising the system for evaluating facility compliance with licensure requirements; eliminating ratings and providing for standard or conditional licensure status; directing the agency to adopt rules to provide minimum staffing requirements for nursing homes and to allow certain staff to assist residents with eating; increasing the maximum penalty for all classes of deficiencies; creating s. 400.235, F.S.; providing for development of a Gold Seal Program for recognition of facilities demonstrating excellence in long-term care; establishing a Panel on Excellence in Long-Term Care under the Executive Office of the Governor; providing membership; providing program criteria; providing for duties of the panel and the Governor; providing for agency rules; providing for biennial relicensure of Gold Seal Program facilities, under certain conditions; amending s. 400.241, F.S.; making it unlawful to warn a nursing home of an unannounced inspection; amending s. 408.035, F.S.; providing certificate-of-need review criteria for Gold Seal facilities; creating s. 408.909, F.S.; requiring that the Agency for Health

Care Administration implement a pilot project for establishing teaching nursing homes; specifying requirements for a nursing home facility to be designated as a teaching nursing home; requiring that the agency develop additional criteria; authorizing a teaching nursing home to be affiliated with a medical school within the State University System; providing for annual appropriations to a teaching nursing home; providing certain limitations on the expenditure of funds by a teaching nursing home; amending s. 468.1755, F.S.; providing for disciplinary action against a nursing home administrator who authorizes discharge or transfer of a resident for a reason other than provided by law; amending ss. 394.4625, 400.063, and 468.1756, F.S.; conforming cross-references; reenacting ss. 468.1695(3) and 468.1735, F.S.; incorporating the amendment to s. 468.1755, F.S., in references thereto; providing for funding for recruitment of qualified nursing facility staff; creating a panel on Medicaid reimbursement; providing membership and duties; requiring reports; providing for expiration; requiring a study of factors affecting recruitment, training, employment, and retention of qualified certified nursing assistants; requiring a report; repealing s. 400.29, F.S., relating to an agency annual report of nursing home facilities; providing an appropriation; providing effective dates.

—was read the second time by title.

Senator Meek moved the following amendment which failed:

Amendment 1 (395328)(with title amendment)—On page 7, between lines 9 and 10, insert:

Section 5. (1) *A health care entity must not take any retaliatory action against any person because the person:*

(a) *Discloses or threatens to disclose an activity, policy, procedure, action, or failure to act on the part of the employer or another employer with whom there is a business relationship which the employee reasonably believes is in violation of a federal, state, or local law, rule, ordinance, declaratory ruling, standard, professional or ethical code, contract provision, or subscriber or membership agreement, or is incompatible with a clear mandate of public policy.*

(b) *Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any alleged violation of a federal, state, or local law, rule, regulation, ordinance, declaratory ruling, standard, professional or ethical code, contract provision, or subscriber or membership agreement, or into any alleged incompatibility with a clear mandate of public policy.*

(c) *Objects to or refuses to participate in any activity, policy, or practice that the employee reasonably believes:*

1. *Is in violation of a federal, state, or local law, rule, regulation, ordinance, declaratory ruling, standard, professional or ethical code, contract provision, or subscriber or membership agreement, or is incompatible with a clear mandate of public policy; or*

2. *Is fraudulent or criminal.*

(2) *Upon a violation of any of the provisions of this section, an aggrieved person may, within 3 years, institute a civil action in a court of competent jurisdiction. Upon the application of any party, a jury trial shall be directed to try the validity of any claim under this section as specified in the suit. All remedies available in common law tort actions are available to prevailing plaintiffs. These remedies are in addition to any legal or equitable relief provided by law. Interest on any damages awarded must be awarded at the prevailing rate. The court may also order:*

(a) *A temporary, preliminary, or permanent injunction to restrain continued violation of this section;*

(b) *The reinstatement of the employee to the same position held before the retaliatory action or to an equivalent position;*

(c) *The reinstatement of full fringe benefits and seniority rights;*

(d) *Compensatory damages, including compensation for lost wages, benefits, and other remuneration;*

(e) *The payment by the employer of reasonable costs, including expert witness fees and attorney's fees;*

(f) *Punitive damages; or*

(g) *An assessment of a civil fine of not more than \$1,000 for the first violation of this section and not more than \$5,000 for each subsequent violation, which must be paid to the State Treasurer for deposit into the General Revenue Fund.*

(3) *Health care entities shall post and keep posted, in conspicuous places on their premises where notices to employees and applicants for employment are customarily posted, a notice to be prepared or approved by the Secretary of the Department of Labor and Employment Security, setting forth excerpts from or summaries of the pertinent provisions of this section and information pertaining to the filing of a charge under this section.*

(4) *As used in this section, the term:*

(a) *"Health care entity" means any governmental, nonprofit, or for-profit employer in the health care industry, including health care facilities, carriers, and any other public or private entity whose main source of revenue is derived from the provision of health care supplies or services to patients, health care facilities, or health care carriers. The term also includes those federal, state, or local agencies whose responsibilities include oversight of health care or health care entities. This term includes any individual, partnership, association, corporation, or any person or group of persons, all branches of federal or state government, counties and municipalities, or any other political subdivision of the state, or any authority, commission, or board, or any other agency or instrumentality thereof.*

(b) *"Person" includes any employee, former employee, consumer, provider, independent contractor, job applicant or bidder, individual, partnership, association, corporation, public body, or group of persons.*

(c) *"Public body" means:*

1. *The United States Congress, the State Legislature, or any elected local governmental body, or any member or employee thereof;*

2. *Any federal, state, or local judiciary, or any member or employee thereof, or any grand or petit jury;*

3. *Any federal, state, or local regulatory, administrative, or public agency or authority, or instrumentality thereof;*

4. *Any federal, state, or local law enforcement agency, prosecutorial office, or police or peace officer;*

5. *Any federal, state, or local department of an executive branch of government; or*

6. *Any division, board, bureau, office, committee, or commission of any of the public bodies described in this paragraph.*

(d) *"Retaliatory action" means the discharge, suspension, or demotion or other adverse change in the person's wages, benefits, or terms or conditions of employment. The term includes actions, failures to act, threats, intimidations, and the cancellation of or refusal to renew a contract.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 13, after the semicolon (;) insert: prohibiting health care entities from taking retaliatory action against any person who discloses unlawful acts of the entity or its employees; providing definitions; providing a cause of action for aggrieved persons; authorizing specified court actions; requiring health care entities to provide notice on their premises that such retaliatory action is not permitted;

Senator Meek moved the following amendment:

Amendment 2 (025672)—On page 58, line 16, after the first comma (,) insert: *representatives of CNA unions,*

Senator Bronson moved the following substitute amendment:

Amendment 3 (044644)—On page 58, line 16, after the first comma (,) insert: *currently employed certified nursing assistants,*

On motion by Senator Clary, further consideration of **CS for CS for SB's 834, 1140 and 1612** with pending **Amendment 3** was deferred.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 926

MOTION

On motion by Senator McKay, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Tuesday, April 13.

The bill with committee substitute attached was referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 8, 1999: CS for CS for SB 304, SB 756, SB 866, SB 2200, CS for CS for SB 864, SB 934, CS for CS for SB's 834, 1140 and 1612, SB 1084, CS for SB 1902, CS for SB 2100, CS for SB 284, SB 750, SB 242, CS for CS for SB 660, SB 1642, SB 976, SB 1214, SB 1076, CS for SB 244, CS for SB's 54 and 902, CS for SB's 286, 722 and 1074, SB 730, CS for SB 738, CS for SB 912, SB 1178, CS for SB 748, CS for SB 370, CS for SB 772, SB 1182, SB 936, SB 1866, CS for SB 336, SB 330, SB 1292, SB 1816, SB 148, CS for SB 276, CS for CS for SB 980, SB 1020, CS for SB 1238, SB 1472, CS for SB 1978, CS for SB 1326, SB 1144, CS for SB 1168, CS for SB 814, SB 1312, CS for SB 982, CS for SB 1306, SB 874, CS for SB 1606, SB 1832, CS for SB 1162, CS for SB 1070, CS for SB 340, SB 1036, CS for SB 298, CS for SB 724, CS for CS for SB 386, SB 2568, SB 280, SB 1018, SB 1266, SB 282, SB 1538, SB 2018, CS for SB 1314, CS for CS for SB 972

The Committee on Education recommends a committee substitute for the following: SB 1290

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

The Committee on Agriculture and Consumer Services recommends committee substitutes for the following: SB 1878, SB 2292, SB 2408

The Committee on Children and Families recommends a committee substitute for the following: SB 2314

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 260, SB 1572, SB 1674

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1370

The Committee on Education recommends committee substitutes for the following: SB 1504, SB 2186

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 356, CS for SB 1594, SB 2280

The Committee on Transportation recommends committee substitutes for the following: SB 2174, SB 2306

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

Respectfully submitted,
John McKay, Chairman

The Committee on Children and Families recommends the following pass: SB 1732

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 2600 with 1 amendment

The Committee on Regulated Industries recommends the following pass: CS for SB 1148

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1684

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2448

The Committee on Transportation recommends a committee substitute for the following: SB 1196

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

The Committee on Fiscal Policy recommends the following pass: CS for SB 896, CS for SB 1646 with 1 amendment, SB 1794 with 1 amendment

The Committee on Judiciary recommends the following pass: CS for SB 2068

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1800

The bill with committee substitute attached was referred to the Committee on Health, Aging and Long-Term Care under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 2294, SB 2402

The bills with committee substitutes attached were referred to the Committee on Agriculture and Consumer Services under the original reference.

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 2162

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

The Committee on Education recommends a committee substitute for the following: SB 1994

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

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1200, SB 1444

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Commerce and Economic Opportunities; and Senators Kirkpatrick and Hargrett—

CS for SB 260—A bill to be entitled An act relating to economic development in urban communities; creating 414.224, F.S.; creating the Retention Enhancing Communities Initiative; providing for the identification of communities; requiring solicitation of proposals; providing for the selection of RECI participants by the WAGES Program State Board of Directors; providing for RECI elements; requiring the Governor to designate a coordinator; establishing a center for community excellence; providing appropriations for RECI elements; providing restrictions of funds; providing for monitoring and reporting; creating s. 220.185, F.S.; creating the State Housing Tax Credit Program; providing legislative findings and policy; providing definitions; providing for a credit against the corporate income tax in an amount equal to a percentage of the eligible basis of certain housing projects; providing a limitation; amending s. 250.10, F.S.; requiring the Adjutant General to administer a life-preparation program and job-readiness services; creating s. 290.0069, F.S.; directing the Office of Tourism, Trade, and Economic Development to designate a pilot project area within an enterprise zone; providing qualifications for such area; providing that certain businesses in such area are eligible for credits against the tax on sales, use, and other transactions and corporate income tax; providing for computation of such credits; providing application procedures and requirements; providing rulemaking authority; requiring a review and report by the Office of Program Policy Analysis and Government Accountability; providing for future repeal and revocation of such designation; providing an extended period for certain businesses to claim enterprise-zone tax incentives; authorizing amendments to the boundaries of an enterprise zone in a community with a brownfield pilot project; creating s. 420.5093, F.S.; providing for allocation of state housing tax credits and administration by the Florida Housing Finance Corporation; providing for an annual plan; providing application procedures; providing that neither tax credits nor financing generated thereby may be considered income for ad valorem tax purposes; providing for recognition of certain income by the property appraiser; creating s. 420.630, F.S.; creating the Urban Homesteading Act; creating s. 420.631, F.S.; providing definitions; creating s. 420.632, F.S.; authorizing housing authorities or nonprofit community organizations appointed by the housing authority to operate a program to make foreclosed single-family housing available to purchase by certain qualified buyers; creating s. 420.633, F.S.; providing eligibility requirements for entering into a homestead agreement to acquire such housing; creating s. 420.634, F.S.; providing an application process; providing requirements for deeding the property to the qualified buyer; creating s. 420.635, F.S.; providing for the Department of Community Affairs to make loans to qualified buyers, contingent upon an appropriation; providing requirements for the loan agreement; providing an effective date.

By the Committee on Governmental Oversight and Productivity—

CS for SB 356—A bill to be entitled An act relating to retirement; creating s. 121.36, F.S.; creating an optional retirement program for employees who are regular members of the Florida Retirement System; providing eligibility criteria; defining terms; providing that employees may participate in the optional retirement program in lieu of participating in the Florida Retirement System; providing for retention of retirement service credits; providing for transfer of the present value of accrued benefits under the Florida Retirement System; providing requirements for electing the optional program; providing for contributions to the optional program; prescribing vesting requirements; providing for payment of benefits; providing for the Division of Retirement of the Department of Management Services to administer the program; prescribing criteria for selecting investment providers and products and for investment options and products; providing for performance reviews; prescribing contract requirements; requiring that the State Board of Administration provide advice and assistance to the division and review proposals; providing for compliance with federal revenue laws; amending s. 112.363, F.S.; excluding participants from eligibility for certain health insurance subsidies; prescribing standards for contracts and descriptive materials; providing that the act fulfills an important state interest; amending s. 121.021, F.S.; modifying definitions to provide for

6-year graded vesting for all members; amending ss. 112.363, 121.0515, 121.052, 121.053, 121.055, 121.081, 121.091, 121.1115, 121.1122, 121.121, F.S., to conform; providing for increases in contribution rates to fund the act; directing the statute editors to adjust contribution rates as set forth in the Florida Statutes; providing a contingency for implementation of the program; increasing the employer contribution rate for members of the Regular Class of the Florida Retirement System; providing an effective date.

By the Committee on Regulated Industries and Senator Cowin—

CS for SB 926—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.091, F.S.; requiring utilities to notify local governing bodies of the filing of an application for rate change; requiring the Florida Public Service Commission to grant petitions to intervene which are filed by local governing bodies; providing an effective date.

By the Committee on Transportation and Senator Mitchell—

CS for SB 1196—A bill to be entitled An act relating to aeronautics; creating the Commission on the Future of Aeronautics and Space in Florida; providing for qualifications and appointment of members; directing the commission to study and make recommendations regarding specified areas relating to aeronautics and aerospace in the state; requiring reports; providing an effective date.

By the Committee on Regulated Industries and Senator Sullivan—

CS for SB 1200—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.031, F.S.; providing that the tax on the lease or rental of or license in real property does not apply when the property is a public or private street or right-of-way or certain improvements located on such property used by a utility or franchised cable television company for utility, television, or communication purposes; defining the term "utility"; providing an effective date.

By the Committee on Education and Senator Horne—

CS for SB 1290—A bill to be entitled An act relating to education; amending s. 228.041, F.S.; defining "juvenile justice provider" and "school year for juvenile justice programs"; amending s. 228.051, F.S., relating to the organization and funding of required public schools; requiring the public schools of the state to provide instruction for youth in Department of Juvenile Justice programs; amending s. 228.081, F.S.; requiring the development and adoption of a rule articulating expectations for education programs for youth in Department of Juvenile Justice programs; requiring the development of model contracts for the delivery of educational services to youth in Department of Juvenile Justice programs; requiring the Department of Education to provide training and technical assistance; requiring the development of model procedures for transitioning youth into and out of Department of Juvenile Justice programs; requiring the development of model procedures regarding education records; requiring the Department of Education to provide, or contract for the provision of, quality assurance reviews of all juvenile justice education programs; amending s. 229.57, F.S.; revising provisions relating to the statewide assessment program to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs; requiring the Department of Education to develop and implement assessment tools to be used in juvenile justice programs; amending s. 229.58, F.S.; authorizing the establishment of district advisory councils for juvenile justice education programs; amending s. 229.592, F.S.; revising provisions relating to the implementation of the state system of school improvement and education accountability to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs; deleting obsolete language; amending s. 230.23, F.S., relating to powers and duties of the school board; revising provisions relating to school improvement plans and public disclosure to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs; amending s.

230.23161, F.S., relating to educational services in Department of Juvenile Justice programs; providing legislative intent; requiring the Department of Education to serve as the lead agency; requiring the Department of Education and the Department of Juvenile Justice to designate a coordinator to ensure department participation in certain activities; requiring student access to GED programs; requiring certain funding; revising provisions relating to compulsory school attendance; requiring the development of an academic improvement plan for certain students; providing requirements regarding academic records; requiring provisions for the earning and transfer of credits; providing funding requirements; revising provisions relating to quality assurance standards; requiring the Department of Juvenile Justice site visit and the education quality assurance site visit to take place during the same visit; requiring the establishment of minimum standards; requiring the State Board of Education to adopt rules establishing sanctions for performance below minimum standards; revising requirements regarding an annual report; creating s. 235.1975, F.S., relating to cooperative development of educational facilities in juvenile justice programs; requiring a review and analysis of existing facilities; requiring the development and submission of a plan; requiring the Department of Juvenile Justice to provide certain information to school districts and the Department of Education regarding new juvenile justice facilities; providing an appropriation; providing requirements regarding planning and budgeting; amending s. 237.34, F.S.; requiring each district to expend at least 90 percent of the funds generated by juvenile justice programs on the aggregate total school costs for such programs; amending s. 985.401, F.S.; requiring the Juvenile Justice Accountability Board to study the extent and nature of education programs for juvenile offenders; amending s. 985.413, F.S.; revising the duties of district juvenile justice boards; requiring the development and submission of a plan for education programs in detention centers; amending s. 985.404, F.S., relating to the administration of the juvenile justice continuum; correcting a cross-reference; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Gutman—

CS for SB 1370—A bill to be entitled An act relating to solid waste; requiring local governments providing solid-waste-management services to be subject to the same requirements as private companies; providing for the applicability of the Florida Antitrust Act; providing procedures for the displacement of private solid-waste-management companies; providing a definition; providing exclusions; amending s. 171.062, F.S.; providing for the disposition of solid-waste franchises or contracts in areas that are annexed; providing an effective date.

By the Committee on Regulated Industries and Senator Jones—

CS for SB 1444—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 561.01, F.S.; defining the term "historic structures"; amending s. 561.20, F.S.; providing for the issuance of special alcoholic beverage licenses to certain hotels and motels with no fewer than 10 and no more than 25 guest rooms in municipalities within constitutionally chartered counties which are within a specified population range; revising the definition of a specialty center to include specified shopping malls; limiting consumption of alcoholic beverages within specialty centers; providing an effective date.

By the Committee on Education and Senator Horne—

CS for SB 1504—A bill to be entitled An act relating to education; providing intent for certain high schools designated New Millennium High Schools; requiring certain components of a vocational program called the Florida Tech Prep Pathway; requiring certain activities of staff identified by schools and local business enterprises; providing requirements for students to enroll in certain programs; requiring procedures and certification of tech prep pathway programs; providing for documentation by the Department of Education; creating the Sunshine Technical Skills Certificate; providing requirements; requiring certain schools to be selected as pilot projects; providing duties of the Department of Education and the schools; requiring certain programs and career-development activities to assist counselors at certain high schools; amending ss. 228.041, 229.601, 229.602, 231.121, F.S.; changing

a personnel classification title; amending s. 231.1725, F.S.; imposing certain requirements for initial certification and recertification of certain personnel; amending s. 236.081, F.S.; providing for funding of certain programs; prohibiting for certain courses and programs from being reported for funding or from being substituted for other courses or programs; amending s. 239.121, F.S.; changing a personnel classification title; providing for certain professional-development activities; amending s. 239.229, F.S.; providing certain responsibilities for school boards and superintendents; repealing s. 233.068, F.S., which relates to job-related vocational instruction; providing an effective date.

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

CS for SB 1572—A bill to be entitled An act relating to the creation of the Rural Infrastructure Fund; creating s. 288.0655, F.S.; creating the Rural Infrastructure Fund within the Office of Tourism, Trade, and Economic Development; providing for a specified annual deposit into the Economic Development Trust Fund in support of the Rural Infrastructure Fund; prescribing the purpose and uses of the Rural Infrastructure Fund; directing the office to develop guidelines relating to administration of grants under the Rural Infrastructure Fund; specifying that certain appropriations are not subject to reversion; amending s. 320.20, F.S.; requiring the annual deposit of a specified amount of motor vehicle registration funds into the Economic Development Trust Fund in support of the Rural Infrastructure Fund; prescribing the manner in which such funds may be used in support of bonds or other debt instruments; specifying that certain debts related to the Rural Infrastructure Fund shall not constitute a general obligation of the state; prohibiting diversion of such rural infrastructure funds; providing a contingent effective date.

By the Committees on Governmental Oversight and Productivity; Criminal Justice; and Senator Campbell—

CS for CS for SB 1594—A bill to be entitled An act relating to juvenile justice; amending s. 435.04, F.S.; adding to the list of offenses that will prohibit the employment of a person subject to Level 2 screening standards; amending s. 943.0515, F.S.; requiring the Criminal Justice Information Program to retain the criminal history records of minors who are committed to a maximum-risk residential program; amending s. 960.001, F.S.; authorizing state agencies to expend funds for crime prevention and educational activities; amending ss. 984.03, 985.03, F.S.; redefining the term "delinquency program" to delete references to furlough programs; defining the term "aftercare" for purposes of ch. 985, F.S.; providing for minimum-risk nonresidential programs to be used for the aftercare placement of juveniles; amending ss. 39.0132, 985.04, F.S.; requiring the department to disclose to school officials that a student has a history of criminal sexual behavior with other juveniles; conforming cross-references; amending ss. 985.207, 985.208, F.S., relating to conditions under which a juvenile may be detained; adding a reference to home detention; deleting references to violation of furlough; amending s. 985.212, F.S.; providing for fingerprint records and photographs of juveniles to be submitted to the Department of Law Enforcement; amending s. 985.231, F.S.; providing for an adjudicated delinquent juvenile to be placed in postcommitment community control rather than in an aftercare program under certain circumstances; limiting the period that a juvenile may be placed on home detention with electronic monitoring; amending s. 985.308, F.S.; deleting the Department of Legal Affairs' rulemaking responsibilities for sexual abuse intervention networks; amending s. 985.316, F.S.; providing legislative findings and intent; providing for the delivery of aftercare services to a juvenile released from a residential commitment program; deleting requirements for juveniles released on furlough; amending s. 985.404, F.S., relating to the juvenile justice continuum; providing for release of a juvenile into an aftercare program; amending s. 985.406, F.S.; providing additional qualifications for the program staff of the Department of Juvenile Justice and its providers; requiring competency-based examinations; creating s. 985.4145, F.S.; defining the term "direct-support organization"; authorizing such an organization to use property and facilities of the Department of Juvenile Justice; requiring the Secretary of Juvenile Justice to appoint a board of directors for the direct-support organization; requiring an annual audit of the organization; amending s. 985.415, F.S.; revising the procedures for submittal and selection of

Community Juvenile Justice Partnership Grants; amending s. 985.417, F.S., relating to the transfer of children from the Department of Corrections to the Department of Juvenile Justice; deleting references to the furlough of a child convicted of a capital felony; creating s. 985.421, F.S.; providing for the Department of Juvenile Justice's creation and use of a welfare account local fund; amending ss. 419.001, 784.075, 984.05, 985.227, 985.31, 985.311, 985.312, F.S.; conforming cross-references to changes made by the act; amending s. 985.234, F.S.; providing the time within which an order involving a child may be appealed; providing an effective date.

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

CS for SB 1674—A bill to be entitled An act relating to economic development; providing legislative findings and declarations with respect to the global competition that is encountered by the state in attracting certain high-impact business facilities; creating the Florida Economic Development Closing Fund within the Office of Tourism, Trade, and Economic Development; requiring Enterprise Florida, Inc., to evaluate and recommend high-impact facilities eligible for a payment of moneys from the fund; providing eligibility criteria; requiring that such payments be approved by the Governor, following approval by the President of the Senate and the Speaker of the House of Representatives; providing certain requirements for the contract awarding moneys from the fund; requiring Enterprise Florida, Inc., to validate contractor performance; providing for a report to the Governor, President of the Senate, and the Speaker of the House of Representatives; providing that certain funds are not subject to reversion; providing an appropriation; providing a contingent effective date.

By the Committee on Commerce and Economic Opportunities; and Senators Meek, Dawson-White, Jones and Dyer—

CS for SB 1684—A bill to be entitled An act relating to property and services procurement; amending s. 240.205, F.S.; requiring that the Board of Regents comply with the minority business enterprise program; amending s. 240.227, F.S.; requiring that university presidents comply with the minority business enterprise program; amending s. 287.012, F.S.; redefining the terms "agency" and "office"; creating s. 287.085, F.S.; providing for price preferences in historically underutilized business zones; creating s. 287.086, F.S.; creating a small business enterprise program with goals, incentives, and size standards; amending s. 287.0943, F.S.; revising certification criteria for certain minority business enterprises; amending s. 287.09431, F.S.; providing for flexibility in statewide reciprocal certification agreements; amending s. 287.09451, F.S.; creating the Commission on Small Business and Economic Development composed of the Governor, two persons appointed by the President of the Senate, and two persons appointed by the Speaker of the House of Representatives; renaming the Minority Business Advocacy and Assistance Office as the Small Business and Economic Development Office; revising procedural requirements for property and services expenditure percentages for specified minorities; requiring the office to develop procedures to establish dollar goals by procurement category for certain agencies; providing an expiration date; providing for the appointment of a Minority Business Ombudsman; creating a mentor and protegee program; creating s. 287.09452, F.S.; establishing the Small and Minority Business Management and Technical Assistance Program; providing state purposes; providing for participation; providing program criteria and requirements; providing duties of the Small Business and Economic Development Office; authorizing the office to engage in certain financial activities for program purposes; requiring a report; creating s. 287.0946, F.S.; authorizing the Small Business and Economic Development Office to establish a linked-deposit program for minority and small business enterprises; providing an expiration date; amending s. 290.0075, F.S.; extending the expiration date of the enterprise-zone linked-deposit program; amending ss. 17.11, 255.102, 287.042, 287.057, 287.0947, 288.703, F.S.; conforming provisions; amending s. 288.707, F.S.; providing for additional members of the Florida Black Business Investment Board; amending s. 288.901, F.S.; providing for an additional member of the board of directors of Enterprise Florida, Inc.; amending s. 288.9015, F.S.; providing for Enterprise Florida, Inc., to include small and minority businesses in certain programs; amending s. 288.905, F.S.; revising duties of the board of directors of Enterprise

Florida, Inc., to include small, black-owned, and minority-owned businesses; amending s. 288.906, F.S.; clarifying the contents of the annual report of Enterprise Florida, Inc.; amending s. 288.9412, F.S.; providing for an additional member of the International Trade and Economic Development Board; amending s. 288.9414, F.S.; including minority-owned businesses within certain export assistance programs; amending s. 288.9611, F.S.; specifying a member of the capital development board; amending s. 288.9613, F.S.; including small and minority-owned businesses within the purposes of the capital development board; amending s. 288.9614, F.S.; including small and minority-owned businesses within certain authorized programs; providing an effective date.

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

CS for SB 1800—A bill to be entitled An act relating to health insurance; creating the Florida Health Endowment Association as a nonprofit entity to provide insurance coverage to individuals whose health insurance has been involuntarily terminated for reasons other than nonpayment of premiums; providing for the association to be governed by a board of directors; providing membership of the board; providing terms of office; providing for the board members to be reimbursed for expenses; providing immunity from liability for board members and employees of the association; requiring the board to adopt a plan and rules to administer the act; providing additional duties of the board; requiring that the board report to the Governor and Legislature each year; specifying the powers of the board; providing definitions; providing eligibility criteria; providing exceptions; requiring the board to select a plan administrator; specifying the period of service of the administrator; providing duties of the administrator; providing for payment of the administrator for expenses; requiring that the plan offer a renewable policy that provides specified coverage; requiring that the plan offer major medical expense coverage similar to that provided by the state group health insurance program; providing for covered expenses; providing for premiums, deductibles, and coinsurance; requiring that the board establish premium schedules; providing for payment of coverage if the costs exceed the deductible within a policy year; providing an exclusion for preexisting conditions under specified circumstances; providing for other sources of insurance to be primary; providing a cause of action for the association for the recovery of benefits; providing that the provision of health insurance is not an entitlement; providing for coverage to be insured by the Florida Health Endowment Association; authorizing the board to contract with insurers for disease management services; providing tax credits for insurance companies that contribute to the Florida Health Endowment Association; providing for unused tax credits to be claimed by a transferee; providing for the plan to be terminated if it becomes financially infeasible; repealing ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6487, 627.64871, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, Florida Statutes; providing an appropriation; providing a contingent effective date.

By the Committee on Agriculture and Consumer Services; and Senator Jones—

CS for SB 1878—A bill to be entitled An act relating to euthanasia of animals; amending s. 828.058, F.S.; revising requirements for euthanasia of animals; requiring anesthetizing under certain circumstances; providing for procedures required for euthanasia of animals other than dogs and cats; authorizing agents of societies or associations for the prevention of cruelty to animals to humanely destroy an animal under emergency situations; revising requirements for euthanasia technician certification; requiring the presence of at least two persons to perform euthanasia except in emergency situations; specifying methods for confirmation of death; authorizing certified euthanasia technicians to transport sodium pentobarbital for emergency field euthanasia and providing requirements with respect thereto; providing for applicability of provisions relating to cruelty to animals and the penalties attached thereto; repealing s. 828.065, F.S., relating to euthanasia of animals offered or obtained for sale by pet shops, to conform; providing an effective date.

By the Committee on Education and Senator Cowin—

CS for SB 1994—A bill to be entitled An act relating to Workforce Development Education; amending s. 239.105, F.S.; defining the term “literacy completion point”; amending s. 239.115, F.S.; providing for adult general education programs to include courses that lead to a literacy completion point; revising performance output measures for adult general education courses of study; authorizing formulas for the distribution of workforce development education performance funds to provide performance exemptions for new programs; amending s. 239.117, F.S.; revising requirements regarding fee schedules for workforce development education; providing an exemption from fees for certain students; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Kirkpatrick, Mitchell and Bronson—

CS for SB 2162—A bill to be entitled An act relating to local governments; creating s. 163.055, F.S.; creating the Local Government Financial Technical Assistance Program; directing the Comptroller to enter into contracts with program providers to assist small municipalities and independent special districts in financial and administrative matters; directing the Legislative Committee on Intergovernmental Relations to advise the Comptroller and conduct performance reviews of the program; providing an appropriation; providing an effective date.

By the Committee on Transportation and Senator Hargrett—

CS for SB 2174—A bill to be entitled An act relating to land use and transportation planning; amending s. 163.3177, F.S.; providing for coordination of the capital-improvements element with Metropolitan Planning Organizations’ long-range transportation plans; specifying elements of comprehensive plans; amending s. 186.507, F.S.; requiring regional planning councils to plan for intermodal facilities; amending s. 206.46, F.S.; providing funding for the Florida Intrastate Transportation System; amending s. 316.0745, F.S.; requiring the Department of Transportation to provide for the use of traffic-calming techniques; amending s. 338.001, F.S.; creating the Florida Intrastate Transportation System and Plan; amending s. 339.155, F.S.; requiring Regional Planning Councils to address and plan for intermodal facilities and the movement of people and freight in the strategic regional policy plan; amending s. 339.175, F.S.; requiring Metropolitan Planning Organizations’ plans to be consistent with those of adjacent Metropolitan Planning Organizations; authorizing Metropolitan Planning Organizations to share data and technical expertise with local governments; making each Regional Planning Council the forum for cooperative decisionmaking for Metropolitan Planning Organizations within its jurisdiction and responsible for coordinating the Metropolitan Planning Organizations’ long-range plans and the capital-improvement and transportation elements of the comprehensive plan of local governments within its jurisdiction; repealing s. 341.053, F.S., relating to the intermodal program; providing an effective date.

By the Committee on Education and Senator Sullivan—

CS for SB 2186—A bill to be entitled An act relating to education; amending s. 228.0565, F.S.; extending the duration of pilot programs for deregulated public schools; authorizing additional pilot programs; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Campbell—

CS for SB 2280—A bill to be entitled An act relating to the Department of Management Services; amending s. 20.22, F.S.; transferring functions of the Divisions of State Group Insurance and Retirement to the department; abolishing the Florida State Group Insurance Council; amending ss. 110.1227, 110.123, 110.12315, 110.1232, 110.1234, 110.161, 112.05, 112.3173, 112.352, 112.354, 112.356, 112.358, 112.361, 112.362, 112.363, 112.63, 112.64, 112.658, 112.665, 121.025, 121.027, 121.031, 121.051, 121.0511, 121.0515, 121.052, 121.055, 121.071,

121.081, 121.091, 121.101, 121.111, 121.133, 121.135, 121.136, 121.1815, 121.1905, 121.192, 121.193, 121.22, 121.23, 121.24, 121.30, 121.35, 121.40, 121.45, 122.02, 122.03, 122.05, 122.06, 122.07, 122.08, 122.10, 122.12, 122.13, 122.15, 122.16, 122.23, 122.30, 122.34, 122.351, 175.032, 175.111, 175.121, 175.1215, 175.261, 175.341, 175.351, 175.361, 175.401, 185.02, 185.09, 185.10, 185.105, 185.221, 185.23, 185.35, 185.37, 185.50, 189.412, 215.20, 215.28, 215.50, 238.01, 238.02, 238.03, 238.05, 238.07, 238.08, 238.09, 238.10, 238.11, 238.12, 238.14, 238.15, 238.171, 238.181, 238.32, 240.3195, 250.22, 321.17, 321.19, 321.191, 321.202, 321.203, 321.2205, 413.051, 633.382, 650.02, F.S., to conform to the restructuring of the department by this act; requiring executive departments to report information on boards, commissions, and similar entities to the department, along with recommendations for continuance, abolition, or revision; requiring the department to report that information to the Governor and the Legislature; providing an effective date.

By the Committee on Agriculture and Consumer Services; and Senator Forman—

CS for SB 2292—A bill to be entitled An act relating to assistive technology; amending s. 427.802, F.S.; providing definitions; amending s. 427.803, F.S.; requiring the manufacturer to make repairs necessary to conform the device to the warranty; providing notice of the dealer’s and manufacturer’s address and telephone number; providing procedures for filing claims; amending s. 427.804, F.S.; allowing consumers to submit disputes to the Department of Agriculture and Consumer Services; authorizing the department to investigate complaints; creating s. 427.8041, F.S.; providing for registration of dealers, for fees, and for application procedures; providing grounds for refusal or denial of registration; requiring dealers to allow department personnel to enter their places of business; authorizing the department to impose penalties; authorizing the department or the state attorney to bring civil actions for violations of the act; providing for fees and fines collected to be deposited into the General Inspection Trust Fund; authorizing dealers to collect a fee from the consumer at the time of sale or lease of a device; allowing consumers to bring a civil action for violation of the act; requiring record-keeping and retention of records; providing for rulemaking; providing an appropriation; providing an effective date.

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

CS for SB 2294—A bill to be entitled An act relating to the Money Transmitters’ Code; amending s. 560.103, F.S.; providing for the code to include part IV of ch. 560, F.S., as created by the act; redefining the term “money transmitter”; amending s. 560.114, F.S.; providing additional grounds for disciplinary action by the Department of Banking and Finance; providing additional grounds for denial of registration as a money transmitter; providing for the continuation of administrative charges following expiration or surrender of a registration; amending s. 560.125, F.S.; prohibiting an unregistered person from advertising as a money transmitter; amending s. 560.129, F.S.; deleting provisions restricting access to certain hearings, proceedings, and documents; deleting provisions exempting emergency orders from the public records law; amending s. 560.207, F.S.; revising requirements for the registration renewal fee and application; creating part IV of chapter 560, F.S., consisting of ss. 560.400-560.408, F.S.; providing a short title; defining terms; prohibiting a person from engaging in the business of deferred presentment transactions unless the person is registered under the code and pays certain fees; providing for registration applications; providing for registration renewal; providing requirements for deferred presentment transactions; providing disclosure requirements; providing certain limitations on the presentment, deposit, and redemption of a drawer’s check; prohibiting a deferred presentment provider from requiring a drawer to redeem a check before the end of the deferral period; prohibiting certain additional acts or practices; providing that a person who writes a check on a closed account is subject to civil and criminal penalties; limiting the amount of damages a deferred presentment provider may collect on a returned check; requiring a deferred presentment provider to maintain certain books and records; providing an appropriation; providing an effective date.

By the Committee on Transportation and Senator Hargrett—

CS for SB 2306—A bill to be entitled An act relating to land use and transportation planning; requiring the Department of Community Affairs and the Department of Transportation to submit proposed legislation; providing an effective date.

By the Committee on Children and Families; and Senator Campbell—

CS for SB 2314—A bill to be entitled An act relating to nursing homes and assisted living facilities; amending ss. 400.23, 400.441, F.S.; requiring that rules adopted by the Agency for Health Care Administration and the Department of Elderly Affairs include provisions governing the cooling of facilities; providing an effective date.

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

CS for SB 2402—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; prohibiting as an unfair insurance practice use of certain misleading advertisements; amending s. 626.9551, F.S.; prohibiting any person from engaging in certain acts related to insurance sold in connection with a loan or extension of credit; requiring disclosure of certain information for such transactions; requiring separate documents for policies of insurance for such transactions; prohibiting loan officers who are involved in the loan transaction from soliciting insurance in connection with the same loan, subject to certain exceptions; amending s. 626.592, F.S.; providing that a primary agent need not be designated at each location where an agent conducts certain insurance transactions; creating s. 626.9885, F.S.; requiring financial institutions, as defined, to conduct insurance transactions only through Florida-licensed insurance agents representing certain types of insurers; amending ss. 626.321, 626.730, 629.401, F.S., to conform cross-references; repealing s. 626.988, F.S.; relating to prohibition of insurance activities by persons employed or associated with financial institutions; providing an effective date.

By the Committee on Agriculture and Consumer Services; and Senator Diaz-Balart—

CS for SB 2408—A bill to be entitled An act relating to citrus canker; creating s. 581.1841, F.S.; requiring the Department of Agriculture and Consumer Services to establish emergency procedures for citrus canker removal in residential areas; directing the department to develop and implement a tree canopy-replacement program; providing an effective date.

By the Committee on Regulated Industries and Senator Casas—

CS for SB 2448—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 regulation of a profession or occupation based on the effect of such regulation on job creation or retention; requiring proponents of legislation to regulate a profession or occupation not already regulated to provide additional cost information; amending ss. 455.201, 455.517, F.S.; prohibiting the Department of Business and Professional Regulation and the Department of Health and their regulatory boards from creating any regulation that has an unreasonable effect on job creation or retention or on employment opportunities; providing for evaluation of proposals to increase the regulation of already regulated professions to determine the effect of such regulation on job creation or retention and employment opportunities; amending s. 455.564, F.S.; clarifying continuing education requirements; creating s. 455.2035, F.S.; providing rulemaking authority to the Department of Business and Professional Regulation for the regulation of any profession under its jurisdiction which does not have a regulatory board; creating s. 455.2123, F.S.; authorizing the use of distance learning to satisfy continuing education requirements; creating s. 455.2124, F.S.; authorizing proration of continuing education requirements; amending s. 455.213, F.S.; requiring fingerprint cards with applications for registration, certification, or licensure in certain professions; providing for use of such cards for criminal history record checks of applicants; amending

s. 455.227, F.S.; providing for denial or renewal of a license under certain circumstances; amending s. 468.453, F.S.; applying such fingerprint card requirements to applicants for licensure as an athlete agent; amending s. 475.175, F.S.; applying such fingerprint card requirements to persons applying to take the examination for licensure as a real estate broker or salesperson; amending s. 475.615, F.S.; applying such fingerprint card requirements to applicants for registration, certification, or licensure as a real estate appraiser; amending s. 477.013, F.S.; redefining the terms "cosmetology" and "specialty" and defining the terms "body wrapping" and "skin care services"; amending s. 477.0132, F.S.; requiring registration of persons whose occupation or practice is body wrapping; requiring a registration fee and certain education; amending s. 477.019, F.S.; exempting persons whose occupation or practice is confined solely to body wrapping from certain continuing education requirements; amending s. 477.026, F.S.; providing for the registration fee; amending s. 477.0265, F.S.; prohibiting advertising or implying that skin care services or body wrapping have any relationship to the practice of massage therapy; providing penalties; amending s. 477.029, F.S.; prohibiting holding oneself out as a body wrapper unless licensed, registered, or otherwise authorized under chapter 477, F.S.; providing penalties; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

GUBERNATORIAL APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Central Florida Community College Appointee: Ebitz, Mari-Elain C., Homosassa	05/31/2001
Board of Trustees of Daytona Beach Community College Appointees: Burden, Beatriz H., Daytona Beach Callender, Lynnette J., Palm Coast Mallory, Peter E., New Smyrna Beach Paul, Mary Ann M., DeLand	05/31/2002 05/31/2002 05/31/2001 05/31/2001
Board of Trustees of Florida Community College at Jacksonville Appointee: Winbush, Wyman C., Jacksonville	05/31/2001
Board of Trustees of Lake City Community College Appointees: Landon, Stevie H., Lake City McInnis, Kathryn L., Old Town Richardson, Julia M., Glen St. Mary	05/31/2002 05/31/2001 05/31/2001
Board of Trustees of Lake-Sumter Community College Appointees: Marshall, W. Jon, Bushnell Pruitt, William R., Fruitland Park	05/31/2002 05/31/2002
Board of Trustees of Manatee Community College Appointee: Vogler, Edward, Bradenton	05/31/2001
Board of Trustees of North Florida Community College Appointee: Wilson, Michaelena C., Madison	05/31/2001
Board of Trustees of Okaloosa-Walton Community College Appointee: Campbell, Elizabeth S., DeFuniak Springs	05/31/2001
Board of Trustees of Pasco-Hernando Community College Appointees: Barnette, Thomas E., Brooksville Braak, Judith F., Bayonet Point Gavish, Jeanne M., Brooksville Taylor, Sharon O., Brooksville	05/31/2001 05/31/2002 05/31/2002 05/31/2001
Board of Trustees of Pensacola Junior College Appointees: Carlan, Carol H., Pensacola Goodman, Antoinette L., Pensacola	05/31/2001 05/31/2002

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of St. Johns River Community College Appointees: Steinmetz, Virginia H., Green Cove Springs Stern, Karen R., St. Augustine	05/31/2002 05/31/2001
Board of Trustees of South Florida Community College Appointee: Vickers, Audrey, Lorida	05/31/2002
Board of Trustees of Tallahassee Community College Appointees: Callaway, Donna G., Tallahassee Doster, Russell S., Havana Messersmith, Frank S., Crawfordville Miller, Dolores S., Crawfordville Payne, John A., Tallahassee	05/31/2002 05/31/2002 05/31/2002 05/31/2001 05/31/2001
Board of Trustees of Valencia Community College Appointee: Buchanan, Jerry, Orlando	05/31/2001
Education Standards Commission Appointee: Long, John, Land O'Lakes	09/30/1999
Game and Fresh Water Fish Commission Appointee: Roberts, Edwin P., Pensacola	01/05/2004
Marine Fisheries Commission Appointee: Huffman, H. A., Enterprise	08/01/2002
Postsecondary Education Planning Commission Appointee: Dassler, Brian W., Pembroke Pines	08/31/1999
Governing Board of the Northwest Florida Water Management District Appointees: Estes, Joyce S., Eastpoint Price, Joel R., Tallahassee	03/01/2003 03/01/2000
Governing Board of the South Florida Water Management District Appointee: Thornton, Harkley R., St. Cloud	03/01/2000
Governing Board of the Suwannee River Water Management District Appointee: Everett, Donald R., Jr., Perry	03/01/2003

[Referred to the Committee on Gubernatorial Appointments and Confirmations.]

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES ON SENATE BILLS

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has acceded to the request of the Senate for the appointment of a conference committee for CS for CS for SB's 366 and 382 and SB 708.

The Speaker has appointed the following Representatives to the Conference Committee: Rep. Warner, Chair, and Reps. Lynn, Chestnut, and Logan, Alternate.

John B. Phelps, Clerk

CS for CS for SB's 366 and 382 and SB 708—A bill to be entitled An act relating to school readiness; creating s. 411.01, F.S.; establishing

the Florida Partnership for School Readiness for purposes of administering the School Readiness Program; providing responsibilities and duties of the partnership; providing membership and meeting requirements; providing that the Florida Partnership for School Readiness is subject to public records and public meeting requirements; providing for hiring certain employees; requiring that the partnership prepare a system for measuring school readiness; specifying objectives to be measured by such system; requiring that the partnership contract with an independent entity to evaluate the measurement system; requiring the partnership to make recommendations to the Governor and the State Board of Education; authorizing the partnership to adopt rules; requiring the establishment of school readiness coalitions; specifying services to be provided by the coalitions; providing for designation and approval of a fiscal agent; providing for grants to be provided to coalitions to develop school readiness plans; providing for incentive bonuses to be awarded; providing requirements for school readiness plans; providing for early implementation of a school readiness plan under certain circumstances; providing for parental choice with respect to child care arrangements and payments; providing for evaluation and performance measures; providing responsibility for implementation; providing for parental choice; creating s. 229.567, F.S.; requiring the Department of Education to adopt the school readiness uniform screening developed by the Florida Partnership for School Readiness and to require their use by the school districts; amending s. 216.136, F.S.; creating the School Readiness Program Estimating Conference; requiring the conference to develop estimates and forecasts of students eligible for school readiness programs; specifying the principals of the conference; amending s. 414.026, F.S.; requiring the chairperson of the Florida Partnership for School Readiness to serve on the WAGES Program State Board of Directors; amending s. 411.222, F.S.; abolishing the State Coordinating Council for Early Childhood Services; establishing the State Coordinating Council for School Readiness Programs; requiring the State Coordinating Council for Early Childhood Services to submit a final report; amending s. 624.91, F.S.; requiring the Healthy Kids Corporation to work cooperatively with the Florida Partnership for School Readiness; repealing s. 411.222(4), F.S., relating to the State Coordinating Council for Early Childhood Services; providing an appropriation; providing effective dates.

RETURNING MESSAGES—FINAL ACTION

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment(s) and passed CS for HB 133, as amended.

John B. Phelps, Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 7 was corrected and approved.

CO-SPONSORS

Senators Clary—SB 816; Grant—CS for SB's 1604 and 1618; Kurth—SB 2520

RECESS

On motion by Senator McKay, the Senate recessed at 4:00 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Tuesday, April 13.