



# Journal of the Senate

Number 10—Regular Session

Tuesday, April 4, 2000

## CONTENTS

|   |               |
|---|---------------|
| Bills on Third Reading . . . . .                  | 360           |
| Call to Order . . . . .                           | 360           |
| Co-Sponsors . . . . .                             | 381           |
| Committee Substitutes, First Reading . . . . .    | 372           |
| House Messages, Final Action . . . . .            | 381           |
| House Messages, First Reading . . . . .           | 366, 367, 373 |
| Introduction and Reference of Bills . . . . .     | 369           |
| Motions . . . . .                                 | 368           |
| Motions Relating to Committee Meetings . . . . .  | 368           |
| Motions Relating to Committee Reference . . . . . | 368           |
| Reports of Committees . . . . .                   | 368           |
| Senate Pages . . . . .                            | 381           |
| Special Guests . . . . .                          | 360           |
| Special Presentation . . . . .                    | 360           |

## CALL TO ORDER

The Senate was called to order by President Jennings at 9:00 a.m. A quorum present—38:

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

Excused: Senator Diaz-Balart

## PRAYER

The following prayer was offered by Colonel Michael Day, Pastor, St. Vincent's Episcopal Church, St. Petersburg:

O Lord our Governor, bless the leaders of our land that we may be a people at peace among ourselves and a blessing to the other nations of the earth.

To our Governor and the Senators assembled here, give wisdom and grace in the exercise of their duties. To those who make our laws in this State, its cities and towns, give courage, wisdom and foresight to provide for the needs of all our people and to fulfill our obligations in the community of other states and nations.

To all, give understanding and integrity that human rights may be safeguarded and justice served. Teach our people to rely on your strength and to accept their responsibilities to their fellow citizens that they may elect trustworthy leaders and make wise decisions for the well-being of our society and that we may serve you faithfully in our generation and honor your holy name.

Lord God, keep this nation and state under your care and give grace to us, your servants. Bless the soldiers of the Florida Army and Air National Guard. Grant that they may serve with honor and provide for the security and well-being of our state.

We ask that you grant these our prayers, for yours is the kingdom and you are exalted as head above all. Amen.

## HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the Chamber and an Honor Guard of the Florida National Guard from St. Augustine marched into the chamber bearing flags of the United States of America and the State of Florida.

The Honor Guard included the following members: Sergeant Major Roger Williams; Corporal Dan Harris; Master Sergeant Emilo Gelfenstein; Staff Sergeant Steadman Pottinger; and Specialist Jeff Beck.

## SPECIAL GUEST

The President recognized Major General Ronald O. Harrison, Adjutant General of Florida, and other members of the Florida National Guard who were present in the gallery.

## PLEDGE

Senate Pages Phillip Bray of Old Town and Carla Crowe of Live Oak, led the Senate in the pledge of allegiance to the flag of the United States of America.

## BILLS ON THIRD READING

**SB 2200**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2000, and ending June 30, 2001, to pay salaries, and other expenses, Outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—as amended March 30 was read the third time by title.

On motion by Senator Burt, further consideration of **SB 2200** as amended was deferred.

**CS for SB 2202**—A bill to be entitled An act implementing the 2000-2001 General Appropriations Act; providing legislative intent; providing that specified funds are to be allocated based on equity and are not subject to the provisions of s. 394.908, F.S.; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2000-2001 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; amending s. 409.905, F.S.; prescribing conditions upon which an adjustment in a hospital's inpatient per diem rate may be based; authorizing the Departments of Children and Family Services, Management Services, Labor and Employment Security, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the General Appropriations Act or the WAGES Act; amending s. 39.3065, F.S.; providing for the sheriffs of Broward County and Seminole County to provide child protective investigative services; amending s. 1, ch. 99-219, Laws of Florida; extending flexibility to implement reorganization of the Department of Children and Family Services until July 1, 2001; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and associated budget and a certain percentage of salary rate

between budget entities and providing requirements with respect thereto; providing that billing agent consulting services related to certain Medicaid provider agreements not be considered billing agent services; requiring the Agency for Health Care Administration to develop a reimbursement schedule; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; revising the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 86, ch. 93-213, Laws of Florida, as amended; deferring repayment requirements for certain funding provided to the state NPDES program; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 403.1826, F.S.; providing authority of the Department of Environmental Protection to waive requirements related to water pollution control and sewage treatment grants; amending s. 216.181, F.S.; providing authority to the Department of Transportation to facilitate the transfer of personnel to the turnpike headquarters facility in Orange County; providing for the transfer of tangible personal property from the Department of Business and Professional Regulation to the College of Veterinary Medicine at the University of Florida; providing legislative intent concerning funds appropriated for the San Carlos Institute; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; providing for future repeal of various provisions; providing for audit and transfer of specified funds relating to law enforcement programs transferred to St. Johns River and Tallahassee Community Colleges; amending s. 240.2605, F.S.; requiring the Board of Regents to rank certain donations; requiring presidents of universities in the State University System to provide lists of certain donations; requiring the Board of Regents to submit a report; requiring the Board of Regents to rank such donations; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for programs within state agencies; providing that the performance measures and standards are linked to appropriations in the General Appropriations Act; providing an effective date.

—as amended March 30 was read the third time by title.

On motion by Senator Casas, further consideration of **CS for SB 2202** as amended was deferred.

**CS for SB 1026**—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, 121.052, 121.053, 121.055, 121.081, 121.091, 121.1115, 121.1122, 121.031, and 121.121, F.S.; prescribing the method for calculating average final compensation; providing that members employed in a regularly established position shall be vested after 5 years of creditable service; providing that any terminated, inactive member must be actively employed in a covered position for 1 calendar year or more on or after the bill's effective date to achieve vested status with 5 years of service; providing for employer contribution rate increases to each membership class; adding to the Special Risk Class of membership certain aerial firefighting surveillance positions; upgrading service credit for certain years for special risk members; providing for funding of changes to the definition of average final compensation from the assets of the Florida Retirement System Trust Fund in an amount and manner sufficient to maintain actuarial soundness; providing for employer contribution rate decreases to each membership class; providing for the development of a rate stabilization mechanism; providing for funding of the 1999 actuarial experience study from excess assets of the Florida Retirement System Trust Fund; adding assistant state attorneys, assistant statewide prosecutors, and assistant public defenders to the Senior Management Service Class of the system; providing a legislative declaration of an important state interest; providing an appropriation; providing effective dates.

—as amended March 30 was read the third time by title.

On motions by Senator Silver, **CS for SB 1026** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 60**—A bill to be entitled An act relating to the tax on intangible personal property; amending s. 199.032, F.S.; reducing the rate of such tax; amending s. 199.033, F.S.; reducing the rates of the tax on securities in a Florida Futures Investment Fund to conform; amending s. 199.185, F.S.; exempting accounts receivable from the tax as of a specified date; deleting an exemption from the tax to conform; amending s. 199.023, F.S.; amending the definition of the term "beneficial interest"; amending s. 199.052, F.S.; relieving trustees of specified obligations; deleting a distinction between Florida-situs trusts and foreign-situs trusts; amending the obligations of Florida residents who have a beneficial interest in a trust; imposing obligations on certain agents other than trustees; exempting certain banks and savings associations from specified responsibilities; providing that a bank's or savings association's management or control of certain intangible personal property may not be used as the basis for imposing the tax; relieving Florida investment advisors of specified obligations; amending s. 199.175, F.S.; amending, for purposes of determining taxable situs, the definition of the term "any person domiciled in this state"; amending s. 199.183, F.S.; exempting from the tax certain intangible personal property that is owned, managed, or controlled by a trustee of a trust; amending s. 218.25, F.S.; providing additional assurance to holders of bonds secured by shared funds; providing an effective date.

—as amended March 30 was read the third time by title.

On motions by Senator Lee, **CS for SB 60** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

|                 |                     |             |          |
|-----------------|---------------------|-------------|----------|
| Madam President | Cowin               | King        | Rossin   |
| Bronson         | Diaz de la Portilla | Kirkpatrick | Saunders |
| Brown-Waite     | Dyer                | Klein       | Scott    |
| Burt            | Forman              | Kurth       | Sebesta  |
| Campbell        | Geller              | Latvala     | Silver   |
| Carlton         | Grant               | Laurent     | Sullivan |
| Casas           | Hargrett            | Lee         | Thomas   |
| Childers        | Holzendorf          | McKay       | Webster  |
| Clary           | Horne               | Myers       |          |

Nays—3

|       |      |          |
|-------|------|----------|
| Jones | Meek | Mitchell |
|-------|------|----------|

**SB 64**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing shall be exempt from such tax; specifying a period during which the taxes collected from the sale of clothing shall be used to augment funding of grants and aid for adult and children's mental health services; defining the term "clothing" for purposes of the exemption; exempting sales at certain locations from the tax exemption; providing for rules; specifying a period during which the sale of school supplies is exempt from the sales tax; specifying a period during which the taxes collected from the sale of school supplies shall be used to augment funding of grants and aid for adult and children's mental health services; defining the term "school supplies" for purposes of the exemption; providing for rules; providing an appropriation; providing an effective date.

—as amended March 30 was read the third time by title.

On motions by Senator Cowin, **SB 64** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

|                 |                     |          |          |
|-----------------|---------------------|----------|----------|
| Madam President | Diaz de la Portilla | Klein    | Saunders |
| Bronson         | Dyer                | Kurth    | Scott    |
| Brown-Waite     | Forman              | Latvala  | Sebesta  |
| Burt            | Geller              | Laurent  | Silver   |
| Campbell        | Grant               | Lee      | Sullivan |
| Carlton         | Hargrett            | McKay    | Thomas   |
| Casas           | Holzendorf          | Meek     | Webster  |
| Childers        | Horne               | Mitchell |          |
| Clary           | Jones               | Myers    |          |
| Cowin           | King                | Rossin   |          |

Nays—None

**CS for SB 388**—A bill to be entitled An act relating to taxation; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for sales or leases to all organizations exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code; removing specific exemptions for military museums, homes for the aged, nursing homes, and hospices, religious, charitable, and scientific institutions, state theater contract organizations, Coast Guard auxiliaries, athletic event sponsors, and the Gasparilla Distance Classic Association, and revising the exemptions for religious organizations, organizations providing special benefits to minors, veterans' organization headquarters, educational institutions, works of art, and citizen support organizations, to conform; amending s. 212.084, F.S.; providing for application of provisions relating to temporary exemption certificates to newly organized organizations exempt under s. 501(c)(3); repealing s. 196.195(4), F.S., relating to proof of nonprofit status; repealing s. 196.196(1)(c), F.S., relating to determining whether property is being used for a charitable, religious, scientific, or literary purpose; amending ss. 212.0821, 212.084, 376.3072, 403.715, 414.029, 496.404, and 564.02, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motions by Senator Horne, **CS for SB 388** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for SB 770 and SB 286**—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.501, F.S.; reducing the surcharges on liquor, wine, cider, and beer sold for consumption on the premises; providing an exemption from the surcharge to certain nonprofit organizations; amending s. 561.121, F.S.; increasing the portion of the surcharge which is transferred to the Children and Adolescents Substance Abuse Trust Fund; providing an effective date.

—was read the third time by title.

On motions by Senator Latvala, **CS for CS for SB 770 and SB 286** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

|                 |             |          |          |
|-----------------|-------------|----------|----------|
| Madam President | Brown-Waite | Campbell | Casas    |
| Bronson         | Burt        | Carlton  | Childers |

|                     |             |          |          |
|---------------------|-------------|----------|----------|
| Clary               | Holzendorf  | Laurent  | Sebesta  |
| Cowin               | Horne       | Lee      | Silver   |
| Diaz de la Portilla | Jones       | McKay    | Sullivan |
| Dyer                | King        | Meek     | Thomas   |
| Forman              | Kirkpatrick | Myers    | Webster  |
| Geller              | Klein       | Rossin   |          |
| Grant               | Kurth       | Saunders |          |
| Hargrett            | Latvala     | Scott    |          |

Nays—1

Mitchell

**SB 932**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.18(5), F.S., which imposes an additional annual registration fee on dealers who have taxable sales or purchases of \$30,000 or more, and s. 212.20(6)(d), F.S., which provides for deposit of the proceeds of such fees in the Solid Waste Management Trust Fund; amending ss. 212.20, 218.65, and 288.1169, F.S.; for the sole purpose of conforming cross-references; providing an effective date.

—was read the third time by title.

On motions by Senator Sebesta, **SB 932** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 1070**—A bill to be entitled An act relating to taxation; amending s. 95.091, F.S.; specifying the time period within which the Department of Revenue and Department of Business and Professional Regulation may determine and assess the amount of certain taxes, penalties, or interest due beginning July 1, 2002; conforming a cross-reference; amending s. 106.265, F.S.; providing that the Florida Elections Commission, rather than the Department of Revenue, shall have responsibility for collecting civil penalties for violation of ch. 104 or ch. 106, F.S.; amending ss. 175.111, 185.09, F.S.; removing a requirement that insurers subject to a premium tax for a municipal or special district firefighter pension plan or a municipal police pension plan file an annual premium receipt report with the Division of Retirement; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information regarding such reports with the Department of Management Services and to share certain identifying information with the Department of Highway Safety and Motor Vehicles; amending s. 203.01, F.S.; authorizing the Department of Revenue to require quarterly, semiannual, or annual returns for the tax on gross receipts for utility services under certain conditions; amending ss. 206.09, 206.095, F.S.; authorizing the department to suspend a requirement for certain reports from carriers transporting, or terminal operators handling, motor fuel and similar products, under certain conditions; amending s. 212.051, F.S.; including specialty chemicals and bioaugmentation products within the exemption for equipment and machinery used for pollution control in connection with the manufacture of items of tangible personal property for sale; providing definitions; amending s. 212.08, F.S.; providing an exemption for use of a specified percentage of nonresidual fuel to produce electrical or steam energy; applying the exemption for certain repair and labor charges to an additional SIC Industry Major Group Number; providing that such exemption is remedial; amending s. 212.06, F.S.; clarifying the exemption from the indexed tax on manufactured asphalt for asphalt used for government public works projects; specifying that the exemption includes federal projects; amending s. 213.015, F.S., relating to the Taxpayer's Bill of Rights; providing a right to be treated in a professional

manner by the Department of Revenue; providing a right to an explanation for the reason for audit selection; amending s. 213.21, F.S., relating to conferences; specifying the circumstances under which a taxpayer is deemed to have shown reasonable cause for noncompliance when relying on written advice from the Department of Revenue; repealing s. 213.235(6), F.S., which relates to application of the annual rate of interest applicable to tax payment deficiencies as determined under that section; amending s. 213.27, F.S.; authorizing the department to contract with public or private vendors to develop and implement a voluntary system for sales and use tax collection and administration; providing for compensation; requiring reports; providing for application of provisions of ch. 212, F.S., to system users; providing for maintenance of confidentiality of certain information; providing a penalty; amending s. 220.62, F.S.; adding savings association holding companies to the definition of the term "savings association"; providing that section 1 of chapter 98-187, Laws of Florida, applies retroactively to certain term obligations; providing effective dates.

—as amended March 30 was read the third time by title.

On motions by Senator Horne, **CS for SB 1070** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**SB 1072**—A bill to be entitled An act relating to tax administration; amending s. 220.03, F.S.; updating references to the Internal Revenue Code for corporate income tax purposes; providing a retroactive effective date.

—was read the third time by title.

On motions by Senator Horne, **SB 1072** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for CS for SB 1258**—A bill to be entitled An act relating to money laundering; creating s. 311.12, F.S.; providing for minimum standards for seaport security; providing for development and implementation of a statewide seaport security plan and local seaport security plans; providing for inspections of seaports to determine compliance with minimum seaport security standards and reporting of results of inspections performed; providing for a fingerprint-based criminal-history check of applicants for employment and current employees at certain seaports; amending s. 560.103, F.S.; limiting the definition of the term "authorized vendor" as used in the Money Transmitters' Code to businesses located in this state; creating s. 560.1073, F.S.; providing a

criminal penalty for making or filing with the department certain false or misleading statements or documents; amending s. 560.111, F.S.; deleting requirement that violation must be knowing; adding usury to prohibited acts; amending s. 560.114, F.S.; expanding the department's disciplinary authority; deleting requirement that certain prohibited acts be knowingly or willfully committed; adding other acts subject to disciplinary action; providing that each money transmitter is responsible for any act of its authorized vendors if the money transmitter should have known of the act; amending s. 560.117, F.S.; providing the circumstances under which the department must give notice prior to bringing disciplinary action; providing for an administrative fine; amending s. 560.118, F.S.; revising requirements for examinations, reports, and audits of money transmitters; providing a criminal penalty for violations of the section; amending s. 560.123, F.S.; revising standards for graduated penalties involving currency or payment instruments under the Florida Control of Money Laundering in Money Transmitters Act; providing that the common law corpus delicti rule does not apply to prosecutions under the Money Transmitters' Code; amending s. 560.125, F.S.; providing graduated criminal penalties; increasing fines; providing for a civil penalty; providing that the corpus delicti rule, as specifically designated, does not apply; amending s. 560.205, F.S.; requiring the submission of fingerprints by applicants for registration under the Payment Instruments and Funds Transmission Act; amending s. 560.211, F.S.; providing a criminal penalty for violating or failing to comply with recordkeeping requirements; amending s. 560.306, F.S.; providing standards for qualifying for registration under the Check Cashing and Foreign Currency Exchange Act; amending s. 560.310, F.S.; providing a criminal penalty for violating or failing to comply with recordkeeping requirements; amending s. 655.50, F.S.; revising standards for graduated penalties involving monetary instruments under the Florida Control of Money Laundering in Financial Institutions Act; providing that the corpus delicti rule, as specifically designated, does not apply; amending s. 893.145, F.S.; redefining the term "drug paraphernalia"; amending s. 893.147, F.S.; providing a criminal penalty for transportation of drug paraphernalia; amending s. 895.02, F.S.; expanding the definition of the term "racketeering activity"; amending s. 896.101, F.S.; redefining the terms "transaction" and "financial transaction"; defining the terms "knowing" and "petitioner"; revising elements of the offense to include avoidance of a money transmitter's registration requirement; providing that specific circumstances do not constitute a defense to a prosecution; providing for graduated criminal penalties, fines, and civil penalties; providing for temporary injunctions; providing for seizure warrants; providing for immunity from liability arising from lawful actions taken to comply with a warrant; providing that the corpus delicti rule, as specifically designated, does not apply; amending s. 896.103, F.S.; conforming a statutory cross-reference; creating ss. 896.104, 896.105, 896.106, 896.107, F.S.; providing definitions; providing graduated criminal penalties for evading reporting or registration requirements in specific financial transactions; providing for fines and civil penalties; providing exceptions for undercover law enforcement purposes; providing for fugitive disentitlement; authorizing law enforcement agencies to provide informant rewards, subject to certain requirements; amending s. 921.0022, F.S.; adding specified monetary transaction offenses to the Criminal Punishment Code ranking chart; providing for 15 FTE and \$1,600,000 from State Transportation Fund to Department of Transportation, Office of Motor Carrier Compliance, to create contraband interdiction team; specifying composition of FTE positions; specifying purpose of contraband interdiction teams; requiring the Department of Transportation to seek additional funding from federal grants and forfeiture proceedings; authorizing the Department of Transportation to amend its budget; providing for an effective date.

—as amended March 30 was read the third time by title.

On motions by Senator Brown-Waite, **CS for CS for CS for SB 1258** as amended was passed and by two-thirds vote immediately 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            | Diaz de la Portilla | Horne       | Laurent |
| Campbell        | Dyer                | Jones       | Lee     |
| Carlton         | Forman              | King        | McKay   |
| Casas           | Geller              | Kirkpatrick | Meek    |

|          |          |          |         |
|----------|----------|----------|---------|
| Mitchell | Saunders | Silver   | Thomas  |
| Myers    | Scott    | Sullivan | Webster |
| Rossin   | Sebesta  |          |         |

Nays—None

**SB 1256**—A bill to be entitled An act relating to public records exemptions; creating s. 311.13, F.S.; exempting specified information relating to seaports from public records requirements; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motions by Senator Brown-Waite, **SB 1256** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for SB 1262**—A bill to be entitled An act relating to the confidentiality of information concerning investigations conducted under the Money Transmitters' Code; amending s. 560.129, F.S.; providing that information concerning investigations or examinations conducted by the Department of Banking and Finance are confidential and exempt from disclosure under the public records law; deleting certain restrictions placed on access to hearings, proceedings, and related documents of the department; revising certain limitations on the disclosure of consumer complaints and other information concerning an investigation or examination; deleting certain limitations placed on the disclosure of reports prepared by, or for the use of, the Department of Banking and Finance; providing for the disclosure of records or information to certain parties approved by the department to conduct examinations; providing a finding of public necessity; providing an effective date.

—was read the third time by title.

On motions by Senator Brown-Waite, **CS for CS for SB 1262** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**SB 1260**—A bill to be entitled An act relating to trust funds; creating s. 339.082, F.S.; creating the Federal Law Enforcement Trust Fund within the Department of Transportation; providing for sources of funds; exempting the trust fund from various service charges; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; amending s. 932.7055, F.S., relating

to duties of the department with respect to the deposit of certain moneys, to conform; providing an expiration date and a contingent effective date.

—was read the third time by title.

On motions by Senator Brown-Waite, **SB 1260** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for CS for HB 75**—A bill to be entitled An act relating to nitrous oxide; amending s. 877.111, F.S.; prohibiting the unlawful distribution of nitrous oxide; providing a third degree felony penalty for violation; providing an effective date.

—was read the third time by title.

On motions by Senator Bronson, **CS for CS for HB 75** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB's 1400 and 1224**—A bill to be entitled An act relating to sexual predators and sexual offenders; amending s. 775.21, F.S.; revising the definition of the term "conviction" to include a conviction in another jurisdiction; clarifying the definition of the term "temporary residence" to include an out-of-state address; revising criteria under which an offender may be designated as a sexual predator; expanding scope of persons required to register as sexual predators; revising criteria for exemption from registration requirements; expanding the information required to be provided for registration purposes; requiring that the Department of Corrections or custodian of a local jail notify the Department of Law Enforcement if a sexual predator escapes from custody, absconds from supervision, or dies; requiring a sexual predator to report a legal name change; deleting a current exemption from registration for sexual predators whose civil rights are restored; requiring that a sexual predator report in person to the sheriff or the Department of Law Enforcement prior to changing a place of residence; revising criteria under which a court may remove an offender's designation as a sexual predator; revising verification procedures; revising provisions granting certain agencies and personnel immunity from civil liability for the release of information concerning sexual predators; revising penalties; providing legislative findings with respect to the designation of sexual offenders; amending s. 943.0435, F.S.; revising the definitions of the terms "sexual offender" and "conviction"; revising criteria under which an offender is required to register as a sexual offender; revising reporting requirements for sexual offenders; expanding the information to be

provided for registration purposes; revising verification procedures; deleting current exemption from lifetime registration if sexual offender has civil rights restored; revising provisions granting certain agencies and personnel immunity from civil liability for the release of information concerning sexual offenders; amending s. 944.606, F.S., relating to reporting requirements for sexual offenders upon release; revising definitions of the terms "convicted" and "sexual offender"; expanding the information required to be provided for notification purposes; requiring that the Department of Corrections notify the Department of Law Enforcement if a sexual offender escapes, absconds, or dies; amending s. 944.607, F.S., relating to notification to the Department of Law Enforcement of information on sexual offenders; revising the definitions of the terms "sexual offender" and "convicted"; correcting a reference to refer to the Department of Law Enforcement; clarifying requirements that a sexual offender report his or her temporary residence; expanding the information required to be provided for notification purposes; providing an effective date.

—was read the third time by title.

On motions by Senator Bronson, **CS for SB's 1400 and 1224** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**SB 838**—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; requiring certain persons convicted of burglary to submit blood specimens for DNA analysis; requiring persons on probation, community control, or other supervision for any offense who are required to provide blood samples to provide them even without a court order requiring it; providing for enforcement; reenacting s. 810.02, F.S., relating to burglary; providing an effective date.

—as amended March 30 was read the third time by title.

On motions by Senator Bronson, **SB 838** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 1266**—A bill to be entitled An act relating to victims; creating the Task Force on Victims of Self-Inflicted Crimes within the Executive Office of the Governor; providing for membership of the task force; requiring the task force to review the problems of victims of self-inflicted crimes and propose solutions to remediate this behavior; requiring the task force to hold a specified number of public meetings; providing requirements for a written report by the task force; providing for

members of the task force to be reimbursed for travel and per diem expenses; authorizing the task force to employ an executive director; abolishing the task force after a specified date; providing an appropriation; providing an effective date.

—as amended March 30 was read the third time by title.

On motions by Senator McKay, **CS for SB 1266** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB's 1192 and 180**—A bill to be entitled An act relating to juvenile justice; amending s. 784.075, F.S., relating to third degree felony penalty for battery on a juvenile probation officer; conforming cross-references; amending s. 984.09, F.S.; providing conforming provisions; amending s. 984.225, F.S.; revising requirements for placement of a child in a staff-secure shelter; amending s. 984.226, F.S.; providing for physically secure settings for children in need of services; authorizing the Department of Juvenile Justice to establish physically secure settings; providing for a waiver of a child's right to counsel at court appearances; authorizing a court to place a child in a physically secure setting under prescribed circumstances; requiring the department to verify to the court that a bed is available; providing duration of stay in a physically secure setting; providing for court review of a child's placement; providing grounds for transfer of jurisdiction of the child to the Department of Children and Family Services; amending s. 985.201, F.S.; extending court jurisdiction over certain children for certain purposes; extending court jurisdiction over juveniles released from a commitment program prior to age 21; amending s. 985.207, F.S.; authorizing law enforcement to take a child into custody under certain circumstances; amending s. 985.211, F.S.; requiring a probable cause affidavit or written report to be made within a time certain; requiring such affidavit or report to be filed with the clerk of the circuit court within a time certain; amending s. 985.213, F.S.; revising provisions relating to the risk assessment workgroup; revising provisions relating to the risk assessment instrument for purposes of detention care placement; amending s. 985.215, F.S.; authorizing detention of a child for failure to appear at certain court hearings; requiring law enforcement agencies to complete and present certain investigations to a state attorney within a time certain; providing for increased holding times for children charged with offenses of certain severity; deleting references to assignment centers; amending s. 985.216, F.S.; prescribing punishment for contempt of court by a delinquent child or a child in need of services; amending s. 985.219, F.S.; requiring law enforcement agencies to act upon subpoenas and serve process within a certain time; amending s. 985.231, F.S., to conform; amending s. 985.233, F.S.; revising conditions under which adult sanctions may be imposed; creating the Juvenile Arrest and Monitor Unit, a pilot program in Orange County; prescribing the duration and purpose of the program; providing duties of the Orange County Sheriff's Office and the Department of Juvenile Justice; requiring the sheriff's office to contract with the University of Central Florida to conduct a study of the program's effectiveness and results; providing an effective date.

—was read the third time by title.

On motions by Senator Webster, **CS for SB's 1192 and 180** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

**CS for SB 1196**—A bill to be entitled An act relating to juvenile justice; amending s. 20.316, F.S.; revising the duties of the Secretary of Juvenile Justice; abolishing the offices of the Deputy Secretary for Operations and the Assistant Secretary of Programming and Planning; establishing various programs within the department; creating juvenile justice operating circuits; revising the boundaries of the department's service districts to conform to the boundaries of the judicial circuits; amending ss. 984.09 and 985.216, F.S., relating to alternative sanctions coordinators; deleting references to county juvenile justice councils; amending s. 985.03, F.S.; defining the term "conditional release" to mean the supervision and treatment services formerly known as aftercare; defining the term "probation" to mean the legal status formerly known as community control; revising and deleting definitions to conform to other changes made by the act; amending ss. 985.309, 985.31, and 985.311, F.S.; revising the minimum period for certain juveniles to participate in a boot camp, a serious or habitual juvenile offender program, or an intensive residential treatment program; amending ss. 20.19, 39.0015, 216.136, 232.19, 288.9957, 419.001, 744.309, 784.075, 790.22, 938.17, 948.51, 984.03, 984.05, 984.086, 984.10, 985.04, 985.06, 985.2066, 985.207, 985.215, 985.226, 985.227, 985.228, 985.23, 985.231, 985.233, 985.305, 985.308, 985.312, 985.3141, 985.315, 985.316, 985.317, 985.401, 985.404, 985.405, 985.406, 985.411, 985.4145, 985.415, 985.416, 985.417, F.S.; conforming provisions to changes made by the act; creating s. 985.4135, F.S.; creating juvenile justice circuit boards and juvenile justice county councils; providing for membership, duties, and procedures; providing that certain members of district juvenile justice boards and county juvenile justice councils may complete their terms; repealing s. 985.413, F.S., relating to district juvenile justice boards; repealing s. 985.414, F.S., relating to county juvenile justice councils; requiring the department to provide technical assistance to facilitate transition to circuit boards and county councils; providing for repeal; authorizing the Executive Office of the Governor to establish salaries for positions within the Department of Juvenile Justice at specified rates; providing effective dates.

—as amended March 30 was read the third time by title.

On motions by Senator Brown-Waite, **CS for SB 1196** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

On motion by Senator Lee, consideration of **CS for SB 722** was deferred.

**SB 1548**—A bill to be entitled An act relating to the prosecution of juveniles; amending s. 985.227, F.S.; requiring that the state attorney prosecute a juvenile between certain ages as an adult if the juvenile is charged with a specified violent felony and possessed a firearm or destructive device during the commission of the felony or discharged a firearm or destructive device during the commission of the felony which resulted in death or great bodily harm; providing for a juvenile convicted under the act to be sentenced as an adult; providing an effective date.

—as amended March 30 was read the third time by title.

On motion by Senator Brown-Waite, further consideration of **SB 1548** as amended was deferred.

**SENATOR SEBESTA PRESIDING**

**THE PRESIDENT PRESIDING**

The Senate resumed consideration of—

**SB 2200**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2000, and ending June 30, 2001, to pay salaries, and other expenses, Outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—which was previously considered this day.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**FIRST READING**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed HB 2145, as amended, and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Committee on General Appropriations and Representative Pruitt and other(s)—

**HB 2145**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2000, and ending June 30, 2001, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Committee on Budget.

Pending further consideration of **SB 2200** as amended, on motion by Senator Burt, by two-thirds vote **HB 2145** was withdrawn from the Committee on Budget.

On motion by Senator Burt, by two-thirds vote **HB 2145**, a companion measure, was substituted for **SB 2200** as amended and by two-thirds vote read the second time by title.

Senator Burt moved **Amendment 1** which was adopted.

Pursuant to Rule 7.6, **Amendment 1** which was the content of **SB 2200**, constituted an entirely new bill and was not published in the Journal.

On motions by Senator Burt, by two-thirds vote **HB 2145** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

|                 |          |                     |            |
|-----------------|----------|---------------------|------------|
| Madam President | Carlton  | Diaz de la Portilla | Hargrett   |
| Bronson         | Casas    | Dyer                | Holzendorf |
| Brown-Waite     | Childers | Forman              | Horne      |
| Burt            | Clary    | Geller              | Jones      |
| Campbell        | Cowin    | Grant               | King       |

|             |         |          |          |
|-------------|---------|----------|----------|
| Kirkpatrick | Laurent | Mitchell | Scott    |
| Klein       | Lee     | Myers    | Sebesta  |
| Kurth       | McKay   | Rossin   | Silver   |
| Latvala     | Meek    | Saunders | Sullivan |

Nays—None

Vote after roll call:

Yea—Webster

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The Senate resumed consideration of—

**CS for SB 2202**—A bill to be entitled An act implementing the 2000-2001 General Appropriations Act; providing legislative intent; providing that specified funds are to be allocated based on equity and are not subject to the provisions of s. 394.908, F.S.; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2000-2001 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; amending s. 409.905, F.S.; prescribing conditions upon which an adjustment in a hospital's inpatient per diem rate may be based; authorizing the Departments of Children and Family Services, Management Services, Labor and Employment Security, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the General Appropriations Act or the WAGES Act; amending s. 39.3065, F.S.; providing for the sheriffs of Broward County and Seminole County to provide child protective investigative services; amending s. 1, ch. 99-219, Laws of Florida; extending flexibility to implement reorganization of the Department of Children and Family Services until July 1, 2001; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer some positions and associated budget and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; providing that billing agent consulting services related to certain Medicaid provider agreements not be considered billing agent services; requiring the Agency for Health Care Administration to develop a reimbursement schedule; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; revising the expiration date of the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 86, ch. 93-213, Laws of Florida, as amended; deferring repayment requirements for certain funding provided to the state NPDES program; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; providing for deposit and use of such fees; amending s. 403.1826, F.S.; providing authority of the Department of Environmental Protection to waive requirements related to water pollution control and sewage treatment grants; amending s. 216.181, F.S.; providing authority to the Department of Transportation to facilitate the transfer of personnel to the turnpike headquarters facility in Orange County; providing for the transfer of tangible personal property from the Department of Business and Professional Regulation to the College of Veterinary Medicine at the University of Florida; providing legislative intent concerning funds appropriated for the San Carlos Institute; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; providing for future repeal of various provisions; providing for audit and transfer of specified funds relating to law enforcement programs transferred to St. Johns River and Tallahassee Community Colleges; amending s. 240.2605, F.S.; requiring the Board of Regents to rank certain donations; requiring presidents of universities in the State University System to provide lists of certain

donations; requiring the Board of Regents to submit a report; requiring the Board of Regents to rank such donations; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for programs within state agencies; providing that the performance measures and standards are linked to appropriations in the General Appropriations Act; providing an effective date.

—which was previously considered this day.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed HB 2147, as amended, and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Committee on General Appropriations and Representative Pruitt and other(s)—

**HB 2147**—A bill to be entitled An act implementing the 2000-2001 General Appropriations Act; providing legislative intent; providing for allocation of moneys provided for workforce development and providing for budget amendment when a program is moved; making certain findings regarding funds for the San Carlos Institute; amending s. 240.384, F.S.; requiring an audit and the transfer of certain funds relating to certain transferred criminal justice training programs; amending s. 240.2605, F.S.; requiring the Board of Regents to rank certain donations; requiring presidents of universities in the State University System to provide lists of certain donations; amending s. 11.13, F.S.; limiting compensation paid by a Florida governmental entity to a legislator during any legislative session; amending s. 409.9115, F.S.; specifying how the Agency for Health Care Administration shall make payments for the Medicaid disproportionate share program for mental health hospitals; requiring the Agency for Health Care Administration to use a specified disproportionate share formula, specified audited financial data, and a specified Medicaid per diem rate in fiscal year 2000-2001 for qualifying hospitals; amending s. 409.9116, F.S.; providing a formula for rural hospital disproportionate share payments; creating s. 409.9119, F.S.; creating a disproportionate share program for children's hospitals; providing formulas governing payments made to hospitals under the program; providing for withholding payments from a hospital that is not complying with agency rules; amending s. 216.181, F.S.; authorizing the Department of Children and Family Services and the Department of Health to advance certain moneys for certain contract services; directing the Agency for Health Care Administration to include health maintenance organization recipients in the county billing for a specified purpose; authorizing the Departments of Children and Family Services, Revenue, Management Services, and Health and the Agency for Health Care Administration to transfer positions and funds to comply with the 2000-2001 General Appropriations Act or the WAGES Act; amending s. 402.3015, F.S.; providing eligibility guidelines for subsidized child care; amending s. 39.3065, F.S.; providing for the Broward County Sheriff to provide child protective investigative services; requiring Healthy Families Florida service providers to furnish participants with certain disclaimers and documentation; prohibiting disclosure of certain records by such providers; providing for disposal of records after a specified period; amending s. 409.912, F.S.; extending additional responsibilities of the Agency for Health Care Administration in fostering cost-effective purchasing of health care; amending s. 287.084, F.S.; allowing consideration of certain vendors in a request for proposals relating to telemedicine by the Glades School District; authorizing the Department of Law Enforcement to use certain moneys to provide meritorious-performance bonuses for employees, subject to approval; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening a facility of the commission or the department; authorizing the Department of Legal Affairs to transfer certain funds between trust funds; providing for reimbursement for purchase of retirement credit by employees of the public defender; restricting releases of juvenile justice prevention funds; amending s. 216.181, F.S.; authorizing the Department of Transportation to transfer salary rate to the turnpike budget entity to facilitate

transferring personnel to the turnpike headquarters facility in Orange County; amending s. 252.373, F.S.; providing for use of funds of the Emergency Management, Preparedness, and Assistance Trust Fund to improve, and increase the number of, disaster shelters in the state and improve local disaster preparedness; restricting release of economic development tools funds and requiring reversion at end of fiscal year; amending s. 212.20, F.S.; providing for use of moneys allocated to the Solid Waste Management Trust Fund; amending s. 403.7095, F.S., relating to the solid waste management grant program; requiring a specified level of funding for counties receiving solid waste management and recycling grants; providing for allocation of funds for innovative programs to address recycling practices and procedures; amending s. 373.59, F.S.; requiring release of certain moneys by the Secretary of Environmental Protection to water management districts, upon request; authorizing the Department of Agriculture and Consumer Services to use certain funds for expenses associated with its administrative and regulatory powers and duties; requiring transfer of certain property by the Department of Business and Professional Regulation to the University of Florida; providing for future repeal of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing applicability to other legislation; providing performance measures and standards for individual programs within state agencies; providing that the performance measures and standards are directly linked to the appropriations made in the 2000-2001 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing an effective date.

—was referred to the Committee on Fiscal Policy.

Pending further consideration of **CS for SB 2202** as amended, on motion by Senator Casas, by two-thirds vote **HB 2147** was withdrawn from the Committee on Fiscal Policy.

On motion by Senator Casas, by two-thirds vote **HB 2147**, a companion measure, was substituted for **CS for SB 2202** as amended and by two-thirds vote read the second time by title.

Senator Casas moved **Amendment 1** which was adopted.

Pursuant to Rule 7.6, **Amendment 1** which was the content of **CS for SB 2202**, constituted an entirely new bill and was not published in the Journal.

On motions by Senator Casas, by two-thirds vote **HB 2147** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

|                 |                     |             |          |
|-----------------|---------------------|-------------|----------|
| Madam President | Diaz de la Portilla | Kirkpatrick | Rossin   |
| Bronson         | Dyer                | Klein       | Saunders |
| Brown-Waite     | Forman              | Kurth       | Scott    |
| Burt            | Geller              | Latvala     | Sebesta  |
| Campbell        | Grant               | Laurent     | Silver   |
| Carlton         | Hargrett            | Lee         | Sullivan |
| Casas           | Holzendorf          | McKay       | Webster  |
| Childers        | Horne               | Meek        |          |
| Clary           | Jones               | Mitchell    |          |
| Cowin           | King                | Myers       |          |

Nays—None

**MOTION**

Senator Burt moved that provisions of Rule 2.19 be waived to allow Senate Budget Conferees on **HB 2145** and **HB 2147** the latitude to deal with additional issues which may develop in conference. The motion was adopted.

The Senate resumed consideration of—

**SB 1548**—A bill to be entitled An act relating to the prosecution of juveniles; amending s. 985.227, F.S.; requiring that the state attorney prosecute a juvenile between certain ages as an adult if the juvenile is charged with a specified violent felony and possessed a firearm or destructive device during the commission of the felony or discharged a

firearm or destructive device during the commission of the felony which resulted in death or great bodily harm; providing for a juvenile convicted under the act to be sentenced as an adult; providing an effective date.

—which was previously considered this day.

Senators Brown-Waite, Bronson, King, Latvala, Laurent and Campbell offered the following amendment which was moved by Senator Brown-Waite and adopted by two-thirds vote:

**Amendment 1 (093234)(with title amendment)**—On page 3, lines 2-4, delete those lines and insert: *of age at the time the alleged offense was committed, and who has at least one prior felony delinquency adjudication or at least one felony conviction or at least one adjudication withheld for a felony which resulted in a juvenile residential commitment, the state attorney shall file an information if the child has been charged with an offense listed in s. 755.087(2)(a)1.a.-p.*

And the title is amended as follows:

On page 1, line 6, after “juvenile” insert: has a prior record and

On motions by Senator Brown-Waite, **SB 1548** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

|                 |                     |             |          |
|-----------------|---------------------|-------------|----------|
| Madam President | Clary               | Kirkpatrick | Myers    |
| Bronson         | Cowin               | Klein       | Rossin   |
| Brown-Waite     | Diaz de la Portilla | Kurth       | Saunders |
| Burt            | Dyer                | Latvala     | Scott    |
| Campbell        | Geller              | Laurent     | Sebesta  |
| Carlton         | Grant               | Lee         | Silver   |
| Casas           | Horne               | McKay       | Sullivan |
| Childers        | King                | Mitchell    | Webster  |

Nays—5

|          |            |       |      |
|----------|------------|-------|------|
| Forman   | Holzendorf | Jones | Meek |
| Hargrett |            |       |      |

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator McKay, the rules were waived and the Committee on Governmental Oversight and Productivity was granted permission to add **SB 2472**, **SB 2474**, **SB 1420** and **CS for SB 1334** to the agenda at the meeting on April 5.

**MOTIONS**

On motion by Senator McKay, a deadline of 5:00 p.m. this day was set for filing amendments to Bills on Third Reading to be considered Wednesday, March 5.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Jones, by two-thirds vote **SB 22** was withdrawn from the committees of reference and further consideration.

On motion by Senator Mitchell, by two-thirds vote **SB 1804** was withdrawn from the committee of reference and further consideration.

On motion by Senator Grant, by two-thirds vote **SB 1500** was withdrawn from the committee of reference and further consideration.

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 5, 2000: **SB 2316**, **CS for SB 168**, **CS for CS for SB 352**, **CS for SB 680**, **CS for SB 326**, **CS for SB 1074**, **SB 1302**, **SB 1578**, **SB 370**, **SB 428**, **CS for CS for SB 134**, **SB 88**, **SB 136**, **SB 268**, **CS for SB's 276 and 394**, **SB 208**, **SB 156**, **CS for SB 210**, **SB 300**, **SB 828**, **CS for SB 1560**, **CS for SB**

930, SB 2150, CS for SB 2028, CS for SB 120, CS for SB 2158, SB 794, SB 294, SB 1042, CS for SB 1066, SB 1118

Respectfully submitted,  
*John McKay*, Chairman

The Committee on Rules and Calendar submits the following bills to be placed on the Consent Calendar for Wednesday, April 5, 2000: CS for SB 2304, SB 902, CS for SB 106, SB 114, CS for SB 746, SB 958, CS for SB 94, SB 1318, CS for CS for SB 890, SB 58, SB 150, SB 86, SB 184, SB 172, SB 122, CS for CS for SB 714, CS for SB 154, CS for SB 2130, CS for SB 1230, CS for SB 1250

Respectfully submitted,  
*John McKay*, Chairman

The Committee on Fiscal Resource recommends a committee substitute for the following: SB 1806

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

The Committee on Fiscal Resource recommends committee substitutes for the following: SB 400, SB 1078, SB 1366, SB 1648

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1680

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

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator King—

**SB 2586**—A bill to be entitled An act relating to the Special Disability Trust Fund; declaring legislative intent to enact legislation with respect to the fund; providing an effective date.

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

By Senator Kirkpatrick—

**SB 2588**—A bill to be entitled An act relating to economic development; amending s. 220.191, F.S.; redefining the term “qualifying project”; limiting the application of the capital investment annual tax credit; revising qualification standards for such credits; revising certain application procedures; establishing minimum standards for application guidelines; amending s. 288.1088, F.S.; revising procedures related to the award of funds to certain target industries from the Quick Action Closing Fund; providing an effective date.

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

By Senator Dawson—

**SB 2590**—A bill to be entitled An act relating to vehicles for hire; defining terms; requiring chauffeurs to obtain permits from the Department of Business and Professional Regulation; requiring operators of vehicles for hire to obtain a certificate of public conveyance from that department; requiring all vehicles for hire to have a vehicle-for-hire permit issued by the Department of Highway Safety and Motor Vehicles; establishing license requirements and guidelines for both permits and the certificate; providing fees; providing penalties; providing for the

distribution of fees; requiring the establishment of tax class codes; requiring annual safety inspections; providing insurance requirements; exempting certain vehicles for hire from registration requirements; requiring mandatory alcohol or drug testing; preempting certain local ordinances; providing an effective date.

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

By Senator Campbell—

**SB 2592**—A bill to be entitled An act relating to rules of evidence; amending s. 794.022, F.S.; providing for certain rules of evidence applicable to the criminal prosecution of the crime of sexual battery to apply in any civil action brought under the Florida Civil Rights Act against the perpetrator or alleged perpetrator of such crime; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

**SB 2594**—A bill to be entitled An act relating to mortgage-foreclosure proceedings; providing for expedited procedure under certain conditions; providing that a hearing and an adjudication that requested attorney’s fees are reasonable are not necessary under certain conditions; providing that attorney’s fees when provided in a note or mortgage constitute liquidated damages; providing an effective date.

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

By Senator Campbell—

**SB 2596**—A bill to be entitled An act relating to education; creating s. 228.60, F.S.; providing for the Commissioner of Education to make annual recommendations to the Legislature relating to funding Florida Offsite Learning Grants; providing the purposes of such grants; prohibiting the use of specified sources to fund such grants; providing for the commissioner to appoint a review panel to assist in reviewing grant applications; requiring the provision of a public forum; requiring the commissioner to include funding recommendations in the Department of Education’s annual budget request; requiring a contract between the department and each grant recipient; requiring each grant recipient to submit an annual report to the department; requiring each recipient to have an annual postaudit of its financial accounts conducted and to submit a copy to the department; providing for rulemaking by the department.

—was referred to the Committees on Education and Fiscal Policy.

By Senator Brown-Waite—

**SB 2598**—A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise the laws administered by the Department of Juvenile Justice; providing an effective date.

—was referred to the Committees on Criminal Justice and Fiscal Policy.

By Senator Holzendorf—

**SB 2600**—A bill to be entitled An act relating to capital punishment; prohibiting seeking or imposing a sentence of death when the sentence was sought on the basis of race; providing guidelines for determining whether race was improperly used as a consideration; prescribing responsibility of the court; providing a burden of proof in such allegations; providing an effective date.

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

By Senator Silver—

**SB 2602**—A bill to be entitled An act relating to the Holocaust Victims Insurance Act; expressing the legislative intent to revise the Holocaust Victims Insurance Act; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senator Sebesta—

**SB 2604**—A bill to be entitled An act relating to teacher recruitment and retention; creating provisions relating to financial incentives to promote teacher recruitment and retention; requiring the Department of Education to award funds for tuition reimbursement to certain instructional personnel; requiring the department to award financial bonuses to certain instructional personnel; prohibiting funds awarded pursuant to this act from being included in calculations of retirement benefits; requiring an appropriation; amending s. 231.173, F.S.; revising requirements for the certification of out-of-state teachers; revising requirements for specialization coverages for out-of-state teachers; providing an effective date.

—was referred to the Committees on Education and Fiscal Policy.

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By Senator Lee—

**SB 2606**—A bill to be entitled An act relating to health care; expressing the legislative intent to create the West Central Florida Regional Health Care Authority to manage and approve the expenditure of state and regional appropriations to Tampa General Hospital; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

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By Senator Casas—

**SB 2608**—A bill to be entitled An act relating to trust funds; re-creating the Historic Pensacola Preservation Board Operating Trust Fund within the Department of State without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committee on Fiscal Policy.

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By Senator Forman—

**SB 2610**—A bill to be entitled An act relating to health care; creating the Senior Pharmaceutical Assistance Act; requiring the Department of Elderly Affairs to establish a program to enable senior residents to receive state funds to pay for prescription drugs; providing enrollment periods; providing conditions; providing qualifications; requiring the department to inform the public; requiring county property appraisers to provide information; providing an advisory panel; providing membership and duties; providing guidelines for drugs to be considered eligible for payment under the program; providing for enrollee assessments and copayments; providing for future legislative review; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

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By Senator Sebesta—

**SB 2612**—A bill to be entitled An act relating to health care; amending s. 216.136, F.S.; creating the Mandated Health Insurance Benefits and Providers Estimating Conference; providing for membership and duties of the conference; providing duties of legislative committees that have jurisdiction over health insurance matters; amending s. 395.1055,

400.474, 455.624, F.S.; prohibiting billing an HMO subscriber for services covered by the HMO; providing responsibility for enforcing that prohibition against physicians and against hospitals and nursing homes; amending s. 408.7056, F.S.; amending the membership of the statewide provider and subscriber assistance panel; providing that certain decisions are subject to a review hearing under s. 120.574, F.S.; requiring physicians and hospitals to post a sign and provide a statement informing patients about the toll-free health care hotline; amending s. 624.215, F.S.; providing that certain legislative proposals must be submitted to and assessed by the Mandated Health Insurance Benefits and Providers Estimating Conference, rather than the Agency for Health Care Administration; amending guidelines for assessing the impact of a proposal to legislatively mandate certain health coverage; providing prerequisites to legislative consideration of such proposals; amending s. 641.50, F.S.; providing a health maintenance organization subscriber's bill of benefits; consolidating principles of protection found in the law, including those relating to quality of care and access to care; amending s. 641.51, F.S.; requiring that only licensed medical doctors can deny coverage on behalf of an HMO; providing the basis for such a denial; requiring the HMO to include with the notification of an adverse determination information concerning the appeal process; amending s. 641.511, F.S.; providing for review by an independent external review entity of an HMO's decision to deny coverage; providing qualifications of such entities; providing rulemaking authority; allowing small-employer carriers to exclude certain mandated health benefits from a health insurance policy, certificate, or contract; requiring reduced rates on policies, certificates, or contracts that bear such exclusions; requiring a notice to holders of such policies, certificates, or contracts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; and Fiscal Policy.

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By Senator Dawson—

**SB 2614**—A bill to be entitled An act relating to the testing of inmates for HIV; creating s. 944.6025, F.S.; defining the term "HIV test"; requiring the Department of Corrections to perform an HIV test on inmates following commitment to a correctional facility and at the request of a physician; requiring that such a test be performed before an inmate is released; requiring that the department provide additional services prior to an inmate's release; requiring that the Department of Corrections notify the county health department where the inmate will reside when an inmate who has received a positive HIV test result is released unexpectedly; providing an effective date.

—was referred to the Committees on Criminal Justice and Fiscal Policy.

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By Senator Dawson—

**SB 2616**—A bill to be entitled An act relating to hate crimes; amending s. 775.085, F.S.; including gender within a list of prejudices considered to be an element of a hate crime; providing an effective date.

—was referred to the Committees on Criminal Justice and Fiscal Policy.

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By Senator Diaz-Balart—

**SB 2618**—A bill to be entitled An act relating to state procurement; amending s. 287.094, F.S.; revising provisions relating to minority business enterprise programs; providing for revoking the certification of certain minority businesses under certain circumstances; providing exceptions; prohibiting agencies from denying contractors, firms, or individuals an opportunity to compete in public procurement of commodities and services under certain circumstances; providing for filing of certain complaints; providing procedures and requirements; providing a penalty for certain discrimination; amending s. 287.0943, F.S.; requiring the Office of Supplier Diversity to accept certain businesses as certified minority businesses for certain purposes under certain circumstances; revising criteria for certification of minority business enterprises; requiring businesses to comply with state licensing requirements for certain certification; providing for review or audit of certain businesses

under certain circumstances; providing for random reviews or audits of certain business by the Office of Supplier Diversity; authorizing the Auditor General to review or audit certain minority businesses for certain purposes; transferring the Minority Business Advocacy and Assistance Office from the Department of Labor and Employment Security to the Department of Management Services and renaming the office as the Office of Supplier Diversity; amending s. 287.09451, F.S., to conform to such transfer and renaming; amending s. 288.703, F.S.; revising certain definitions; creating s. 287.134, F.S.; providing definitions; prohibiting certain entities or affiliates from bidding on certain contracts; prohibiting public entities from accepting certain bids from, awarding certain contracts to, or transacting business with certain entities; requiring invitations to bid, requests for proposals, and certain written contracts to contain notice of provisions; providing requirements, procedures, and limitations for determinations of discrimination by certain entities; providing for notice and administrative hearings; providing for nonapplication to certain activities; amending ss. 17.11, 255.102, 287.012, 287.042, 287.057, and 287.9431, F.S., to conform; providing an effective date.

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

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By Senator Hargrett—

**SB 2620**—A bill to be entitled An act relating to health care; requiring entities that provide pharmacy benefits, as defined, to provide beneficiaries with a card containing specified information about the provider and the benefits; providing for rulemaking by the Department of Insurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By Senator Cowin—

**SB 2622**—A bill to be entitled An act relating to child welfare; amending s. 383.011, F.S.; providing for the Department of Health to develop and implement a public awareness campaign and hotline through which certain pregnant teens may receive information with respect to their pregnancies; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

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By Senator Myers—

**SB 2624**—A bill to be entitled An act relating to trauma services; creating s. 395.4001, F.S.; providing definitions; amending s. 395.401, F.S.; deleting definitions; revising minimum components for local and regional trauma services system plans; amending s. 395.4015, F.S.; revising minimum components for state regional trauma system plans; providing for a statewide inclusive trauma system; amending s. 395.4045, F.S.; revising requirements relating to trauma transport protocols; providing for uniform protocols; revising requirements relating to the trauma scoring system and rules related thereto; revising requirements relating to trauma transport protocols and rules related thereto; providing medical responsibility and accountability for trauma victims during interfacility trauma transfer; requiring the Department of Health to adopt and enforce certain rules; amending s. 395.405, F.S.; providing rulemaking and enforcement authority; amending ss. 395.4025, 395.50, 322.0602, and 440.13, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committee on Health, Aging and Long-Term Care.

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By Senator Myers—

**SJR 2626**—A joint resolution proposing the repeal of Section 16 of Article III of the State Constitution, relating to legislative apportionment, and the creation of Section 10 of Article II of the State Constitution to prescribe reapportionment standards and procedures.

—was referred to the Committee on Rules and Calendar.

By Senator Myers—

**SB 2628**—A bill to be entitled An act relating to rulemaking authority of the Department of Health (RAB); amending s. 154.011, F.S., relating to primary care services; requiring the department to adopt certain rules developed by the State Health Officer; amending s. 154.06, F.S.; requiring the adoption of rules with respect to fees for services rendered through county health departments; amending s. 381.003, F.S., relating to prevention and control of communicable diseases and acquired immune deficiency syndrome; authorizing rules governing procedures for managing diseases; amending s. 381.004, F.S., relating to testing for human immunodeficiency virus; providing additional rulemaking authority; amending s. 381.0051, F.S., relating to family planning services; providing for rules administering the provision of such services; amending s. 381.0056, F.S., relating to the school health services program; authorizing the department to adopt rules in cooperation with the Department of Education; amending s. 381.0057, F.S.; providing requirements for the services provided by school health programs; amending s. 381.006, F.S., relating to public health; providing additional rulemaking authority; amending s. 381.0062, F.S., relating to the regulation of water systems; providing additional requirements for obtaining an exemption from the department; amending s. 381.0065, F.S.; redefining the term “onsite sewage treatment and disposal system”; providing additional rulemaking authority; revising requirements for sewage treatment and disposal systems; amending s. 381.0072, F.S.; requiring the department to adopt additional rules with respect to food service protection; amending s. 381.0086, F.S.; requiring the department to adopt additional rules with respect to the health and safety of migrant farm workers; amending s. 381.0098, F.S.; prohibiting the transfer of a permit for a biomedical waste facility or a biomedical waste transporter; providing requirements for a permit application; amending s. 381.0101, F.S., relating to environmental health professionals; providing additional rulemaking authority with respect to standards for certification; amending s. 381.0203, F.S.; authorizing the department to adopt rules governing pharmacy services; amending s. 381.89, F.S.; authorizing the department to issue a stop-use order against a tanning facility; amending s. 383.011, F.S., relating to maternal and child health programs; providing additional rulemaking authority; amending s. 383.14, F.S.; providing for rules governing screening for metabolic disorders, hereditary disorders, and environmental risk factors; amending s. 383.19, F.S.; providing for rules governing perinatal intensive care centers; amending s. 383.216, F.S.; revising requirements for prenatal and infant health care coalitions; providing additional rulemaking authority; amending s. 384.33, F.S.; authorizing rules governing screenings and investigations to control the spread of sexually transmitted diseases; amending s. 385.207, F.S., relating to care and assistance of persons with epilepsy; providing additional rulemaking authority; amending s. 391.026, F.S., relating to the Children’s Medical Services Act; requiring the department to adopt rules to administer the act; amending s. 392.66, F.S.; requiring the department to adopt rules to administer the Tuberculosis Control Act; amending ss. 395.401, 395.402, F.S.; requiring the department to adopt rules governing the procedures for establishing a trauma agency and for performance evaluations; requiring the department to establish the number of trauma centers within each service area; amending s. 401.35, F.S.; requiring the department to adopt rules governing medical transportation services; amending s. 403.862, F.S.; authorizing the department to adopt rules governing water systems; amending s. 404.056, F.S., relating to environmental radiation standards and programs; providing additional rulemaking authority; amending s. 404.22, F.S.; authorizing the department to adopt rules governing the operation of radiation machines and components; amending s. 489.553, F.S., relating to septic tank contracting; providing additional rulemaking authority; amending ss. 491.006, 491.0145, F.S., relating to clinical, counseling, and psychotherapy services; providing for nonrefundable application fees; amending s. 499.003, F.S.; defining the terms “distribute or distribution” for purposes of ch. 499, F.S., relating to the Florida Drug and Cosmetic Act; amending s. 499.005, F.S.; prohibiting charging certain fees or dispensing certain drugs; amending s. 499.0054, F.S.; prohibiting certain labels or advertisements; amending s. 499.01, F.S.; providing additional requirements for closing an establishment permitted under the Florida Drug and Cosmetic Act; amending s. 499.0121, F.S.; providing additional requirements for a vehicle that contains prescription drugs; amending s. 499.0122, F.S., relating to medical oxygen and veterinary legend drugs; providing additional rulemaking authority; amending s. 499.013, F.S., relating to manufacturers of drugs, devices, and cosmetics; exempting manufacturers of a device for a specific patient from certain requirements; requiring that manufacturers maintain certain records; amending ss. 499.015, 499.024, 499.03, F.S.; providing certain limitations on

the registration of products or drugs; conforming cross-references to changes made by the act; amending s. 499.05, F.S.; requiring the department to adopt additional rules to administer the Florida Drug and Cosmetic Act; amending s. 499.701, F.S., relating to the regulation of ether; providing additional rulemaking authority; amending s. 501.122, F.S.; requiring the department to adopt rules governing radiation surveys; amending s. 513.05, F.S., relating to mobile home and recreational vehicle parks; providing additional rulemaking authority; amending s. 514.021, F.S.; authorizing the department to adopt rules governing public swimming and bathing facilities; amending s. 766.1115, F.S., relating to the Access to Health Care Act; providing for rules governing services and procedures; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Rules and Calendar.

By Senator Myers—

**SB 2630**—A bill to be entitled An act relating to resort taxes; amending s. 2, ch. 67-930, Laws of Florida, as amended; increasing the maximum rate of the resort tax; requiring a super-majority vote of the governmental entity's governing body and referendum approval before the tax may be increased above a certain rate; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Resource.

By Senators Myers, Childers, Casas, Bronson, Silver and King—

**SB 2632**—A bill to be entitled An act relating to nursing homes; amending s. 400.141, F.S.; requiring the offering of influenzae vaccinations to nursing home residents and employees; requiring the offering of pneumonia vaccinations to nursing home residents; providing for rulemaking; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Fiscal Policy.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Fiscal Resource and Senator Cowin—

**CS for SB 400**—A bill to be entitled An act relating to educational facilities; amending s. 235.435, F.S.; authorizing school districts to qualify construction projects for funding under the Special Facility Construction Account by using the school capital outlay surtax in lieu of the maximum millage against their nonexempt assessed property value; specifying funding eligibility of certain projects; providing an effective date.

By the Committee on Fiscal Resource and Senator Carlton—

**CS for SB 1078**—A bill to be entitled An act relating to local option tourist taxes; amending s. 125.901, F.S.; authorizing the appointment of an alternate delegate member for a county governing body to a council on children's services; amending ss. 125.0104, 212.0305, F.S.; providing that a county that elects to assume responsibility for audit and enforcement with respect to the local option tourist development tax, area of critical state concern tourist impact tax, or convention development taxes may use certified public accountants in administering its duties; providing for application of confidentiality and penalty provisions to such agents; amending s. 213.053, F.S.; providing for information sharing; amending s. 212.055, F.S.; providing a distribution of proceeds from the Local Government Infrastructure Surtax to be used solely for county detention facilities under certain circumstances; providing definitions; providing an effective date.

By the Committee on Fiscal Resource and Senator Klein—

**CS for SB 1366**—A bill to be entitled An act relating to tax administration; amending s. 120.80, F.S.; providing for the court to award attorney's fees and costs, as specified, when a taxpayer contests an assessment of tax, penalty, or interest or the denial of a refund with respect to any tax imposed under ch. 212, F.S., under the Administrative Procedure Act; amending s. 213.21, F.S.; specifying the time period within which the Department of Revenue shall issue a notice of decision when a taxpayer contests such an assessment, penalty, or interest or refund denial using informal conference procedures; providing an effective date.

By the Committee on Fiscal Resource and Senator Kurth—

**CS for SB 1648**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.12, F.S.; providing that, when a dealer's records are adequate but voluminous and the Department of Revenue statistically samples those records to determine the dealer's tax liability, overpayments shall be projected over the entire audit period, and the tax liability reduced or refund made as necessary; providing intent; providing an effective date.

By the Committee on Governmental Oversight and Productivity—

**CS for SB 1680**—A bill to be entitled An act relating to Cabinet reorganization; amending s. 20.15, F.S.; designating the head of the Department of Education; creating divisions and designating directors; amending s. 229.012, F.S.; providing for the State Board of Education; providing for a chairman; abolishing the Board of Regents and the State Board of Community Colleges; amending s. 229.021, F.S.; establishing a meeting date; amending s. 229.053, F.S.; providing for general powers of the board; amending s. 229.512, F.S.; establishing powers of the Commissioner of Education; creating s. 229.5121, F.S.; establishing the powers and duties of the Superintendent of Public Instruction; amending s. 229.551, F.S.; delegating educational management authority to the State Board of Education; amending s. 229.555, F.S.; delegating educational planning responsibility to the State Board of Education; amending s. 229.559, F.S.; providing powers to the Superintendent of Public Instruction; amending s. 229.565, F.S.; requiring the Superintendent of Public Instruction to develop performance standards; amending s. 229.57, F.S.; delegating powers to the Superintendent of Public Instruction; amending s. 229.58, F.S.; delegating powers to the Superintendent of Public Instruction; amending s. 229.59, F.S.; requiring the State Board of Education to adopt rules for implementing educational improvement projects; authorizing the State Board of Education to distribute grant funds; amending s. 229.591, F.S.; deleting authority of the Commissioner of Education relating to school improvement and education accountability; amending s. 229.592, F.S.; delegating school improvement and education accountability to the State Board of Education and the Superintendent of Public Instruction; amending s. 229.595, F.S.; requiring the State Board of Education to identify employability skills; amending s. 229.601, F.S.; delegating responsibility for the career education program to the State Board of Education; amending s. 229.602, F.S.; revising the Florida private sector and partnership act; amending s. 229.603, F.S.; providing for distribution of funds by the State Board of Education; repealing ss. 229.75, 229.76, F.S.; repealing a requirement that department offices be located in the offices of the Commissioner of Education; amending s. 229.8021, F.S.; providing for the State Board of Education to appoint members of the board of directors of direct-support organizations; amending s. 229.805, F.S.; requiring that the State Board of Education adopt rules; amending s. 229.8051, F.S.; requiring the State Board of Education to adopt rules relating to the public broadcasting program system; amending s. 240.115, F.S.; delegating responsibility for the articulation agreement; amending s. 240.1163, F.S.; authorizing the State Board of Education to approve dual enrollment agreements; amending s. 240.117, F.S.; authorizing the State Board of Education to specify college credit courses for college-preparatory skill area; amending s. 240.118, F.S.; requiring the State Board of Education to report to the Governor on the performance of first-time-in-postsecondary education students; amending s. 240.124, F.S.; authorizing the State Board of Education to define and establish fee levels; amending s. 240.125, F.S.; authorizing the State Board of Education to establish a Trust Fund for Postsecondary Cooperation; amending s. 240.132, F.S.; deleting authority of the Board of Regents related to disruptive activities at state universities; amending s. 240.133, F.S.; prescribing authority relating to

expulsion and discipline; amending s. 240.134, F.S.; deleting authority of the Board of Regents and the State Board of Community Colleges relating to religious observances; amending s. 240.145, F.S.; housing the Postsecondary Planning Commission in the Division of Administration; amending s. 240.147, F.S.; requiring the State Board of Education to review and approve instructional centers; amending s. 240.152, F.S.; deleting authority of the Board of Regents and the State Board of Community Colleges related to disabled persons; amending s. 240.153, F.S.; authorizing the State Board of Education to adopt rules related to disabled persons; amending s. 240.155, F.S.; requiring the State Board of Education to adopt campus master plans; amending s. 240.2011, F.S.; striking a reference to the Board of Regents; creating s. 240.2012, F.S.; establishing boards of trustees for each university in the State University System; creating s. 240.2014, F.S.; providing that university boards of trustees are corporate bodies; creating s. 240.2016, F.S.; delegating authority to university boards of trustees; amending s. 240.203, F.S.; delegating to the State Board of Education authority over the State University System; repealing s. 240.205, F.S.; eliminating the Board of Regents; repealing s. 240.207, F.S.; eliminating requirements for members of the Board of Regents; amending s. 240.209, F.S.; designating the Chancellor as the Director of the Division of Universities; eliminating powers and duties of the Board of Regents; amending s. 240.2093, F.S.; providing for powers of the State Board of Education relating to issuance of bonds; amending s. 240.2095, F.S.; delegating program approval authority to the State Board of Education; amending s. 240.2097, F.S.; requiring the State Board of Education to adopt rules related to limited access status criteria; amending s. 240.2099, F.S.; requiring the Division of Universities and the Division of Community Colleges to adopt a student advising system; amending s. 240.2111, F.S.; requiring university boards of trustees to adopt rules for employee recognition programs; amending s. 240.2112, F.S.; requiring university boards of trustees to implement incentive efficiency programs; amending s. 240.301, F.S.; striking a reference to the State Board of Community Colleges; amending s. 240.3031, F.S.; striking a reference to the State Board of Community Colleges; repealing s. 240.305, F.S.; eliminating the State Board of Community Colleges; repealing s. 240.307, F.S.; eliminating requirements for members of the State Board of Community Colleges; repealing s. 240.309, F.S.; eliminating meeting requirements; amending s. 240.311, F.S.; designating the Commissioner of Community Colleges; amending s. 240.313, F.S.; providing for appointment of community college boards of trustees; amending s. 240.317, F.S.; striking a reference to the State Board of Community Colleges; amending s. 240.319, F.S.; requiring the State Board of Education to evaluate community college presidents; amending s. 246.031, F.S.; assigning the State Board of Independent Colleges and Universities to the Division of Administration; amending s. 246.041, F.S.; providing for the Bureau of Student Financial Assistance in the Division of Administration; amending s. 246.205, F.S.; assigning the State Board of Nonpublic Career Education to the Division of Administration; establishing the Educational Governance Transition Task Force; designating duties; amending s. 411.01, F.S.; housing the Florida Partnership for School Readiness in the Division of Administration; providing an effective date.

By the Committee on Fiscal Resource and Senator McKay—

**CS for SB 1806**—A bill to be entitled An act relating to the Olympic Games; providing definitions; stating that the purpose of the act is to provide assurances and commitments necessary for the United States Olympic Committee and the International Olympic Committee to select a host city for the Olympic Games; providing legislative findings; creating the Olympic Games Guaranty Account within the Economic Development Trust Fund for purposes of insuring against financial losses resulting from the games; requiring an operational entity to obtain security of a specified amount; requiring that the local organizing committee provide security of a specified amount; providing for funding the Olympic Games Guaranty Account; providing for funds to remain in the account and be invested by the State Board of Administration; providing for termination of the account if the candidate city is not selected to host the Olympic Games; providing for transfer of funds to the General Revenue Fund; requiring the local organizing committee to provide financial statements to the state; requiring the operational entity to review applications from local organizing committees; providing application requirements; providing requirements for review; authorizing the operational entity to enter into certain joinder agreements with the United States Olympic Committee or the International Olympic Committee; authorizing additional state agencies to assist in planning for the games and

enter into contracts and agreements; providing that the act does not obligate the state to pay for or fund any building or facility; providing an effective date.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed HB 1011, HB 1013, CS for HB 4011, CS for HB 4015, CS for HB 4017, HB 4021, CS for HB 4023, CS for HB 4025, CS for HB 4027, HB 4035, CS for HB 4039, HB 4049, CS for HB 4051, HB 4055, HB 4057, HB 4063; has passed as amended CS for HB 311, CS for HB 331, CS for HB 4003, CS for HB 4005, CS for HB 4007, CS for HB 4009, HB 4013, HB 4019, CS for HB 4029, CS for HB 4031, HB 4033, HB 4041, CS for HB 4043, CS for HB 4045, CS for HB 4047, HB 4053, HB 4059, HB 4061; has passed by the required Constitutional three-fifths vote of the membership HB 627, HJR 1921, HB 1997, HB 1999, HB 2001 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Committee on Election Reform and Representative Flanagan and others—

**HB 1011**—A bill to be entitled An act relating to absentee ballots; amending s. 97.021, F.S.; revising the definition of "absent elector" to remove the "for cause" requirements; amending s. 101.657, F.S.; revising a cross reference, to conform; amending s. 101.64, F.S.; modifying absentee ballot certificates; amending s. 101.65, F.S.; modifying instructions to absent electors; amending s. 101.68, F.S.; modifying information that must be included on an absentee ballot; amending s. 101.647, F.S.; prescribing information that an absent elector's designee must include with an absentee ballot; amending s. 101.694, F.S.; deleting certain printing specifications for envelopes sent to federal postcard applicants for absentee ballots; amending s. 104.047, F.S.; prohibiting the offer, provision, or receipt of a pecuniary or other benefit for witnessing an absentee ballot except as provided by law; providing penalties; deleting a prohibition against persons witnessing more than five ballots in an election; repealing s. 101.685, F.S., relating to absentee ballot coordinators; providing effective dates.

—was referred to the Committee on Ethics and Elections.

By the Committee on Election Reform and Representative Flanagan and others—

**HB 1013**—A bill to be entitled An act relating to voter registration; repealing s. 97.056, F.S., relating to in-person voting requirements for certain persons who register by mail; amending s. 97.071, F.S.; deleting procedures for mailing voter registration identification cards; amending s. 97.1031, F.S.; revising cross references, to conform; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By the Committees on Regulated Services; Rules and Calendar; and Representative Bitner—

**CS for HB 4011**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 210.10, F.S., relating to general powers of the Division of Alcoholic Beverages and Tobacco; correcting an obsolete cross reference; amending ss. 210.151, 210.1605, 210.405, and 210.51, F.S.; revising provisions relating to initial temporary permits and renewal of permits to separate provisions relating solely to cigarettes from those relating to other tobacco products; correcting terminology; repealing s. 550.72, F.S., relating to a feasibility study of state or municipal ownership of Hialeah Park; amending

s. 552.093, F.S.; deleting a provision that allowed persons holding a valid explosives license or permit for the period 1976-1977 to be issued a license or permit without taking a competency examination; providing an effective date.

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

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By the Committees on Real Property and Probate; Rules and Calendar; and Representative Byrd—

**CS for HB 4015**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 28.15, F.S., relating to transfer of records from the former superior courts to the circuit courts; repealing ss. 55.08, 55.09, and 55.101, F.S., relating to conditions under which judgments and decrees entered prior to a certain date or under certain former provisions of law become liens; repealing s. 74.121, F.S., relating to the effective date and applicability of ch. 65-369, Laws of Florida, which related to eminent domain proceedings; repealing s. 95.022, F.S., relating to the effective date of and a saving clause for ch. 74-382, Laws of Florida, which related to limitations of actions; repealing s. 196.011(13), F.S., relating to charitable organizations that failed to timely file for exemption from ad valorem taxation for the 1994 tax year; repealing s. 198.331, F.S., relating to the applicability of certain lien provisions to the estates of decedents dying after a certain date; repealing s. 689.18(6), F.S., relating to cancellation of reverter language in conveyances of real property; repealing s. 692.101(4), F.S., relating to conveyances of real property by or to unincorporated churches; repealing s. 694.01, relating to conveyances of real property executed under Spanish law; repealing s. 695.20, F.S., relating to the recording of specified contracts for the purchase of real property; repealing s. 696.04, F.S., relating to the recording of certain contracts for deed; amending ss. 696.02 and 696.03, F.S.; correcting cross references, to conform; amending s. 718.401, F.S.; deleting an applicability provision relating to condominium-leasehold litigation commenced prior to a specified date; repealing s. 718.622, F.S., relating to conversions to condominium in process on the effective date of the Roth Act; repealing s. 719.203(6), F.S., relating to construction warranties on cooperatives existing prior to a specified date; amending s. 719.401, F.S.; deleting an applicability provision relating to cooperative-leasehold litigation commenced prior to a specified date; providing an effective date.

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

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By the Committees on Judiciary; Rules and Calendar; and Representative Byrd—

**CS for HB 4017**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing ss. 13.90-13.996, F.S., relating to the Florida Legislative Law Revision Council; repealing s. 16.58(2)(g), F.S., relating to a pilot project of the Florida Legal Resource Center to provide court reporting services to state agencies; repealing ss. 25.074 and 25.081, F.S., relating to the Supreme Court's assignment of circuit and county court judges to geographical areas and the seal of the Supreme Court; repealing s. 27.0055, F.S., relating to official court reporters; amending s. 34.01, F.S.; eliminating obsolete provisions relating to actions at law subject to jurisdiction of the county courts; repealing s. 35.09, F.S., relating to seals of the district courts of appeal; repealing s. 46.015(4), F.S., relating to applicability of provisions relating to release of parties to written releases or covenants not to sue executed after a certain date; repealing s. 46.051(6)(b), F.S., relating to applicability of provisions relating to joinder of products liability insurers to causes of action accruing on or after a certain date; repealing s. 57.111(6)(b), F.S., relating to applicability of the Florida Equal Access to Justice Act; repealing s. 60.02, F.S., relating to jurisdiction of chancery courts to enjoin against destruction of timber and removal of logs; repealing s. 68.091(2), F.S., relating to severability of the provisions of the Florida False Claims Act; repealing s. 92.55(1), F.S., relating to findings and a request of the Supreme Court to amend applicable rules of procedure to conform with

statutory provisions to protect the interests of children or persons with mental retardation as witnesses in criminal, civil, or juvenile proceedings; repealing s. 112.3217(4), F.S., relating to applicability to existing contracts of provisions prohibiting contingency fees; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Sublette—

**HB 4021**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 14.025, F.S., relating to the Governor's powers for year 2000 computer remediation; repealing s. 16.60(5), F.S., relating to a report by the Attorney General to the Legislature on the public records mediation program; repealing s. 23.140, F.S., relating to the Southern Growth Policies Agreement; repealing s. 110.1235, F.S., relating to employer notice of insurance eligibility to employees who retire, the provisions of which are published elsewhere in statutes; amending s. 240.209, F.S.; deleting a cross reference, to conform; providing an effective date.

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

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By the Committees on Governmental Rules and Regulations; Rules and Calendar; and Representative Sublette—

**CS for HB 4023**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 120.536, F.S.; deleting obsolete provisions relating to agency review of rules exceeding rule-making authority under law; amending s. 120.695, F.S.; deleting obsolete provisions relating to the review of agency rules for designation of those for which violation would be considered minor and subject to a notice of noncompliance as first enforcement action; providing an effective date.

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

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By the Committees on Family Law and Children; Rules and Calendar; and Representative Byrd—

**CS for HB 4025**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 39.824(1), F.S., relating to adoption of rules of juvenile procedure by the Supreme Court to implement pt. X, ch. 39, F.S., relating to guardians ad litem and guardian advocates; repealing s. 61.043(2), F.S., relating to informational questionnaires required upon filing for dissolution of marriage; repealing s. 61.182, F.S., relating to the Child Support Depository Trust Fund; repealing s. 409.2559, F.S., relating to the requirement to establish and operate a state disbursement unit by a specified date; repealing ss. 741.03055 and 741.03056, F.S., relating to review of premarital preparation courses, creation of pilot programs, development and use of an informational questionnaire, and creation of a curriculum; repealing s. 753.004, F.S., relating to supervised visitation projects; providing an effective date.

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

By the Committees on Agriculture; Rules and Calendar; and Representative Constantine—

**CS for HB 4027**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing ss. 506.01-506.05, F.S., relating to regulation on the use of stamped or marked containers and baskets; repealing ss. 506.14-506.18, F.S., relating to regulation of the sale or distribution of milk products in marked bottles, cans, or crates; repealing ss. 506.29-506.45, F.S., the Florida Milk and Ice-cream Container Law; amending s. 506.519, F.S.; revising a reference, to conform; repealing ch. 523, F.S., relating to regulation of naval stores; repealing ch. 544, F.S., relating to combinations against Florida meats; repealing s. 570.541, F.S., relating to the Racing Quarter Horse Advisory Council; repealing ss. 588.07 and 588.08, F.S., relating to the prohibition against stakes and the right to land not in issue at trial; repealing s. 593.114(3)(b), F.S., relating to applicability of provisions concerning the validity of assessments under the Florida Boll Weevil Eradication Law; repealing ch. 602, F.S., relating to citrus canker disease; repealing s. 616.21(2)-(4), F.S., relating to the Agricultural and Livestock Fair Council; amending ss. 616.001 and 616.15, F.S.; deleting references, to conform; repealing s. 698.10, F.S., relating to chattel mortgages filed or recorded prior to a certain date; repealing s. 865.04, F.S., relating to a prohibition against the false packing of provisions; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; and Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Bradley—

**HB 4035**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 20.23, F.S.; deleting an obsolete deadline for implementation of certain internal management provisions by the Assistant Secretary for Finance and Administration of the Department of Transportation; repealing s. 74.121, F.S., relating to the effective date and applicability of ch. 65-369, Laws of Florida, relating to eminent domain proceedings; repealing s. 315.14, F.S., relating to the public purposes of the 1959 Port Facilities Financing Law; repealing s. 316.540, F.S., relating to weight and size requirements for certain pre-1949 vehicles; amending s. 316.550, F.S.; deleting a cross reference, to conform; repealing s. 321.05(6)(b), F.S., relating to the expiration of authority for the Florida Highway Patrol to adopt safety rules; repealing s. 331.352, F.S., relating to applicability limitations on powers of the Spaceport Florida Authority; repealing s. 332.04, F.S., relating to validation of acquisition of property for airports; repealing s. 332.10, F.S., relating to airports on water bottoms; repealing s. 332.115(4), F.S., relating to plans for the Brevard-Orange corridor with respect to rail transportation of passengers and freight; repealing s. 335.03, F.S., relating to recommendations to the Federal Government for interstate highway routes; repealing s. 336.11, F.S., relating to ratification of county actions to close, vacate, and abandon roads; repealing s. 339.081(2), F.S., relating to the Working Capital Trust Fund of the Department of Transportation; amending s. 339.135, F.S.; deleting an obsolete provision relating to identification and funding of advanced right-of-way acquisition projects in the tentative work program; repealing s. 344.01, F.S., relating to a declaration of benefit to state of certain roads, highways, and bridges built prior to June 21, 1929; repealing s. 344.08, F.S., relating to obligations of counties and special road and bridge districts with respect to bonds outstanding on June 21, 1929, which were issued for construction of roads and bridges; repealing s. 479.27(4), F.S., relating to a report on implementation of the highway beautification and tourism promotion pilot project; providing an effective date.

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

By the Committees on Children and Families; Rules and Calendar; and Representative Arnall—

**CS for HB 4039**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 397.94(2) and (3)(a), F.S., relating to plans for implementation of the children's substance abuse information and referral network and integration thereof with the child and adolescent mental health information and referral network; repealing s. 402.175, F.S., relating to the umbrella trust fund for developmentally disabled and mentally ill persons; repealing s. 402.3058, F.S., relating to exemption from fingerprinting requirements for summer camp personnel, the provisions of which are published elsewhere in statutes; repealing s. 402.33(10)(a), F.S., relating to review by the Department of Children and Family Services and the Department of Health of services provided to clients to ensure that fees assessed therefor conform to law; repealing s. 402.72(3), F.S., relating to evaluation of and a report to the Legislature on the effectiveness and efficiency of contracting functions in each service district of the Department of Children and Family Services; repealing ss. 409.501-409.506, F.S., relating to the Florida Financial Assistance for Community Services Act of 1974; amending s. 430.204, F.S.; deleting a reference, to conform; amending s. 409.942, F.S.; deleting provisions relating to the pilot portion of the electronic benefit transfer program of the Department of Children and Family Services; repealing s. 411.204, F.S., relating to handicap prevention and early childhood assistance program evaluation design and conduct and independent third-party evaluation; amending ss. 397.901 and 411.01, F.S.; revising cross references, to conform; amending s. 411.222, F.S.; deleting provisions relating to intra-agency and interagency coordination through the Office of Prevention, Early Assistance, and Child Development of the Department of Education and of the former Department of Health and Rehabilitative Services; amending ss. 230.2303, 383.14, 391.304, 402.281, 402.305, 402.3052, 402.45, 402.47, and 411.221, F.S.; revising references, to conform; repealing s. 411.232(4) and (5), F.S., relating to implementation and evaluation of the Children's Early Investment Program; repealing s. 414.35, F.S., relating to adoption of rules by the Department of Children and Family Services for administration of emergency assistance programs delegated to the department; repealing s. 414.38(10), F.S., relating to an evaluation of the local work experience and job training pilot program for noncustodial parents; amending s. 414.70, F.S.; deleting obsolete provisions relating to an evaluation of certain drug-testing and drug-screening demonstration projects; repealing s. 28, ch. 96-403, Laws of Florida; terminating the Board of Regents task force that examined and reported on the optimal organizational structure for the delivery of social services; providing an effective date.

—was referred to the Committees on Children and Families; Ethics and Elections; and Rules and Calendar.

By the Committee on Rules and Calendar; and Representative Crist—

**HB 4049**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 984.226(6), F.S., relating to preliminary and final reports to the Legislature on the pilot program for physically secure facilities for children in need of services; repealing s. 985.303(9), F.S., relating to severability of provisions involving neighborhood restorative justice; repealing s. 985.307, F.S., relating to juvenile assignment centers; amending ss. 985.209 and 985.215, F.S.; deleting references, to conform; providing an effective date.

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

By the Committees on Corrections; Rules and Calendar; and Representative Crist—

**CS for HB 4051**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 775.13(4), F.S., relating

to registration of certain convicted felons; amending s. 943.325, F.S.; revising a cross reference, to conform; repealing s. 944.1053, F.S., relating to certain agreements or contracts for correctional facilities or county detention facilities and the applicability of ch. 86-183, Laws of Florida, thereto, which provision is published elsewhere in statutes; amending s. 945.215, F.S.; deleting a provision relating to repayment of a sum appropriated in fiscal year 1996-1997 from the Inmate Welfare Trust Fund for correctional work programs; amending s. 947.03, F.S.; deleting provisions relating to tenure and removal of members of the Parole Commission serving on a specified date; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Lynn—

**HB 4055**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 239.5142, F.S., relating to a standard fee implementation schedule for instruction in certificate career education and continuing workforce education; repealing s. 239.5143, F.S., relating to a report on implementation of ch. 98-58, Laws of Florida, relating to workforce development; repealing s. 239.5144, F.S., relating to the Employment Taskforce for Adults with Disabilities; repealing s. 240.209(3)(g), F.S., relating to development by the Board of Regents of the plan to transfer State University System employees from career service status; amending ss. 240.147, 240.296, and 240.531, F.S.; revising cross references, to conform; repealing s. 240.262(3), F.S., relating to a deadline for submission of university antihazing policies for review; repealing s. 240.326(3), F.S., relating to a deadline for submission of community college antihazing policies for review; repealing s. 240.40208(4), F.S., relating to implementation of the Bright Futures Scholarship Program; repealing s. 240.6055, F.S., relating to access grants for community college graduates; amending s. 246.041, F.S.; revising a cross reference, to conform; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Pruitt—

**HB 4057**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 216.0154, F.S., relating to the assessment of trends and conditions affecting the need for capital facilities; repealing s. 216.0162, F.S., relating to the monitoring and evaluation of the capital facilities planning and budgeting process; repealing s. 216.0315, F.S., relating to the requirement of a separate fiscal category for international programs in the budgets of state agencies that have such programs; providing an effective date.

—was referred to the Committees on Fiscal Policy; and Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Byrd—

**HB 4063**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 766.106(13), F.S., relating to applicability of provisions establishing presuit requirements for medical malpractice claims; repealing s. 768.151, F.S., relating to temporary revival of waiver of sovereign immunity authorized under ch. 69-116, Laws of Florida, for certain causes of action; repealing s. 768.27, F.S., relating to the effective date and applicability of the Florida Wrongful Death Act; repealing s. 768.30, F.S., relating to the effective dates and applicability of provisions governing waiver of sovereign immunity in tort actions;

repealing s. 960.296, F.S., relating to construction and severability of provisions governing civil restitution liens; providing an effective date.

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

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By the Committee on Insurance and Representative Waters—

**CS for HB 311**—A bill to be entitled An act relating to industrial insured captive insurers; amending s. 628.903, F.S.; specifying requirements for industrial insureds of an industrial insured captive insurer; providing an additional requirement for industrial insured captive insurers; providing an effective date.

—was referred to the Committee on Banking and Insurance.

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By the Committee on Community Affairs and Representative Greenstein—

**CS for HB 331**—A bill to be entitled An act relating to local government code enforcement; amending s. 162.09, F.S.; authorizing local government code enforcement boards to sue to recover the amount of a money judgment on a lien plus interest; exemption certain property from application of certain money judgment provisions; amending s. 162.10, F.S.; providing for a prevailing party to recover all costs, including attorney's fees, in an action for a money judgment on a lien; amending s. 162.12, F.S.; providing an alternative location for posting certain notices; limiting application of actions for money judgments to fines levied after a certain date; providing an effective date.

—was referred to the Committee on Comprehensive Planning, Local and Military Affairs.

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By the Committees on Education/K-12; Rules and Calendar; and Representative Lynn—

**CS for HB 4003**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 228.0855, F.S., the "Florida Model School Consortia Act of 1985"; repealing s. 228.087, F.S., relating to summer camp programs in mathematics, science, and computers; repealing s. 228.0875, F.S., relating to the Governor's Summer Colleges residential programs; repealing s. 228.088, F.S., relating to utilization of security programs at high schools and secondary schools; repealing s. 228.201, F.S., relating to a prohibition on mandatory screening or testing for sickle-cell trait; repealing s. 228.502, F.S., the Education Success Incentive Program; repealing s. 229.021, F.S., relating to meeting dates of the State Board of Education; repealing s. 229.52, F.S., relating to the clearinghouse for information on educational programs of value to the economic development of the state; repealing s. 229.551(3)(c), F.S., relating to development of an educational evaluation program; repealing s. 229.602(9), F.S., the Mathematics and Science Partnership Program; repealing s. 229.603, F.S., the Instructional Technology Grant Program; repealing ss. 229.6054 and 229.6055, F.S., relating to intent and encouragement with respect to international education programs; repealing s. 229.6058, F.S., the school readiness pilot program; repealing s. 229.78, F.S., relating to expenditure of funds for maintenance of the Department of Education; repealing ss. 229.8055, 229.8056, and 229.8058, F.S., relating to the Florida Environmental Education Act, the Office of Environmental Education, and the Advisory Council on Environmental Education; amending ss. 112.324, 372.072, 403.4131, and 589.277, F.S.; deleting references, to conform; repealing s. 230.2215, F.S., relating to the state plan for school board member professional development; amending s. 228.053, F.S.; deleting a cross reference, to conform; repealing s. 230.23162, F.S., relating to transfer of the Alternative Education Institute to the Department of Management Services; repealing s. 230.303(2), F.S., relating to the salaries of certain school superintendents; repealing s. 231.002(2), F.S., relating to review and reporting associated with improving teacher quality; repealing s. 235.001, F.S., the short title of the Educational Facilities Act;

repealing ss. 235.436, 235.437, 235.438, and 235.4391, F.S., relating to full school utilization programs; providing an effective date.

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

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By the Committees on Business Regulation and Consumer Affairs; Rules and Calendar; and Representative Bitner—

**CS for HB 4005**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 468.4571, F.S., relating to savings clauses applicable to the transition to licensure of athlete agents; amending s. 468.70, F.S.; deleting findings relating to regulation of athletic trainers; amending s. 470.001, F.S.; deleting findings relating to regulation of funeral directing, embalming, and direct disposition; repealing s. 470.0395(1) and (2), F.S., relating to savings clauses applicable to regulation of funeral directing, embalming, and direct disposition; amending s. 471.001, F.S.; deleting findings relating to regulation of engineering; amending s. 472.001, F.S.; deleting findings relating to regulation of surveyors and mappers; repealing s. 472.013(2)(c) and (d), F.S., relating to obsolete education and experience requirements to take the examination for licensure as a surveyor or mapper; repealing ss. 472.039 and 472.041, F.S., relating to the validity of certain land surveyor registrations and the automatic licensure of certain persons as surveyors and mappers; repealing s. 473.306(3)(e) and 473.307, F.S., relating to obsolete experience requirements to be licensed as a certified public accountant; amending s. 473.308, F.S.; deleting cross references, to conform; repealing s. 473.3251, F.S., relating to a saving clause applicable to certain public accountancy licenses; repealing s. 474.219, F.S., relating to saving clauses applicable to regulation of veterinary medical practice; amending s. 475.001, F.S.; deleting findings relating to regulation of real estate brokers, salespersons, and schools; amending s. 475.610, F.S.; deleting findings relating to regulation of real estate appraisers; amending s. 476.024, F.S.; deleting findings relating to regulation of barbers; amending s. 477.012, F.S.; deleting findings relating to regulation of cosmetology practice; amending s. 481.201, F.S.; deleting findings relating to regulation of the practice of architecture; repealing s. 481.209(2)(e), F.S., relating to obsolete experience requirements to take the examination for licensure as an interior designer; repealing s. 481.24, F.S., relating to licensure or transitional licensure of certain interior designers; amending s. 489.101, F.S.; deleting findings relating to regulation of construction contracting; amending s. 489.501, F.S.; deleting findings relating to regulation of electrical and alarm system contracting; repealing s. 489.518(2)(d), F.S., relating to training required to be employed as a burglar alarm system agent; repealing s. 489.537(8)(b), F.S., relating to experience requirements for registration as an alarm system contractor II; amending s. 501.012, F.S.; deleting certain findings relating to regulation of health studios; providing an effective date.

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

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By the Committees on Financial Services; Rules and Calendar; and Representative Bitner—

**CS for HB 4007**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 288.99, F.S.; reiterating a deadline for certification as a certified capital company; deleting obsolete provisions relating to applying for certification as a certified capital company and for an allocation of premium tax credits for potential investors; amending s. 494.008, F.S.; updating an obsolete cross reference relating to administrative penalties and fines; repealing s. 495.171, F.S., relating to the effective date of the 1967 revision of ch. 495, F.S., relating to registration of trademarks and service marks, and the repeal of former provisions; repealing s. 620.9901(1) and (3), F.S., relating to applicability of the Revised Uniform Partnership Act of 1995 over a specified period; repealing ch. 622, F.S., relating to foreign unincorporated associations; amending s. 220.03, F.S.; correcting a cross reference, to conform; repealing s. 657.067, F.S., relating to requirements for approval for conversion of credit unions from federal to state

charter; repealing pt. II, ch. 657, F.S., the Florida Credit Union Guaranty Corporation Act; amending ss. 655.057, 657.001, 657.002, 657.005, 657.008, 657.021, 657.026, 657.031, 657.0315, 657.038, 657.039, 657.043, 657.062, 657.063, 657.064, 657.065, 657.066, and 657.068, F.S.; revising or deleting references, to conform; amending s. 716.02, F.S.; deleting obsolete provisions relating to escheat of funds in the possession of any federal court in and for any district within this state; repealing s. 717.137, F.S., relating to the effect and application of the 1987 revision of ch. 717, F.S., relating to disposition of unclaimed property; providing an effective date.

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

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By the Committees on Insurance; Rules and Calendar; and Representative Bitner—

**CS for HB 4009**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 624.408, F.S.; deleting an obsolete schedule provision relating to the surplus required to be maintained by certain property and casualty insurers; amending s. 627.0628, F.S.; deleting obsolete provisions relating to adoption and revision of hurricane loss projection standards and guidelines; amending s. 627.215, F.S.; deleting an obsolete reporting requirement on the excess profits law; amending s. 627.3511, F.S.; deleting findings relating to the need to reduce the number of Residential Property and Casualty Joint Underwriting Association policies; amending s. 629.520, F.S.; deleting obsolete provisions relating to the authority of limited reciprocal insurers; amending s. 633.41, F.S.; deleting an obsolete provision relating to firefighter certificates of tenure; repealing s. 624.515(2)(b), F.S., relating to applicability of the surcharge on policies of fire, allied lines, or multiperil insurance insuring commercial property; repealing s. 626.9929, F.S., relating to a grace period under the Viatical Settlement Act; repealing s. 627.072(4)(c), F.S., relating to a directive to the Insurance Commissioner on the use of a methodology for establishing rates for workers' compensation and employer's liability insurance; repealing s. 627.706(5), F.S., relating to applicability of sinkhole insurance requirements; repealing pt. XXII, ch. 627, F.S., relating to the Workers' Compensation Insurance Purchasing Alliance; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Bitner—

**HB 4013**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 363.01, F.S., relating to rates charged by telegraph and cable companies; repealing s. 364.025(4)(d), F.S., relating to a report on the amount of support necessary to provide residential basic local telecommunications service to low-income customers; amending s. 364.051, F.S.; deleting provisions relating to a report on the need to extend price caps for basic local telecommunications service; correcting a cross reference; amending s. 364.052, F.S.; deleting obsolete deadlines relating to regulation of small local exchange telecommunications companies; repealing s. 364.057(3), F.S., relating to a limited period of authorization for two-way, intrastate, residential communications services for testing marketing strategies or technical feasibility; amending s. 364.162, F.S.; deleting obsolete provisions relating to negotiations for interconnection and resale agreements; amending s. 364.16, F.S.; correcting a cross reference, to conform; repealing s. 364.245(1), F.S., relating to findings with respect to the use of telecommunications services for unlawful purposes; repealing s. 365.15, F.S., relating to emergency calls over party lines; amending s. 365.171, F.S.; deleting findings relating to the statewide emergency telephone number "911" plan; amending s. 427.704, F.S.; deleting an obsolete deadline for designation of the administrator of the telecommunications access system; amending s. 427.705, F.S.; deleting an obsolete deadline for such

administrator to assume responsibility for distribution of specialized telecommunications devices; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Sublette—

**HB 4019**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 138.10, F.S., relating to exemption from required referendum to change the county seat for counties having constructed a new courthouse within 20 years; repealing s. 142.18, F.S., relating to the duty of county commissioners to adopt forms required by a provision of law that has been repealed; repealing chapter 424, F.S., relating to regulation of limited dividend housing companies; amending ss. 20.18, 420.102, 420.6015, 421.001, 422.001, and 423.001, F.S.; deleting cross references and related definitions, to conform; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; and Rules and Calendar.

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By the Committees on Environmental Protection; Rules and Calendar; and Representative Constantine—

**CS for HB 4029**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 161.163, F.S.; deleting an obsolete deadline for designation of coastal areas to be used by sea turtles for nesting; amending s. 161.56, F.S.; deleting an obsolete deadline for submission to the Administration Commission of lists of local governments having coastal zones which have not provided evidence of adoption of the required building code; repealing s. 376.185, F.S.; relating to budget approval for funding enforcement of the Pollutant Discharge Prevention and Control Act; amending s. 376.11, F.S.; removing a cross reference, to conform; repealing s. 376.303(1)(e), F.S., relating to the Department of Environmental Protection establishing a technical advisory committee to recommend certain legislation; amending s. 376.30714, F.S.; revising a cross reference, to conform; amending s. 376.3071, F.S., and repealing paragraph (6)(c), relating to a loan from the Florida Coastal Protection Trust Fund to provide funding to the Inland Protection Trust Fund; updating provisions relating to reimbursement for cleanup expenses from the Inland Protection Trust Fund; repealing s. 377.02, F.S., relating to the form of the interstate compact to conserve oil and gas; amending s. 378.208, F.S., and repealing subsection (3), relating to financial assurance requirements for phosphate land operators; revising a cross reference, to conform; amending s. 403.085, F.S.; deleting obsolete deadlines and references in provisions requiring certain sanitary sewage disposal treatment plants and industrial plants or facilities to provide for secondary and any ordered advanced waste treatment; amending s. 403.086, F.S.; deleting obsolete deadlines and references in provisions requiring certain sanitary sewage disposal facilities to provide for secondary and any ordered advanced waste treatment; amending s. 403.0872, F.S.; deleting an obsolete deadline relating to the audit of the major stationary source air-operation permit program; repealing s. 403.08851, F.S., relating to implementation of the state National Pollutant Discharge Elimination System (NPDES) Program; repealing s. 403.1826(6)(b), F.S., relating to a temporary waiver from accumulation requirements of the Florida Water Pollution Control and Sewage Treatment Plant Grant Act; repealing s. 403.221, F.S., relating to proceedings pending at the time of adoption of the Florida Air and Water Pollution Control Act; amending s. 403.7046, F.S.; deleting obsolete dates relating to regulation of recovered materials; amending s. 403.703, F.S.; correcting a cross reference; amending s. 403.7049, F.S.; deleting obsolete dates relating to local government determination and notification of the full cost for solid waste management; amending s. 403.706, F.S.; deleting obsolete dates relating to the reduction and weighing of solid waste received by a solid waste management facility; amending s. 403.707, F.S.; deleting an obsolete date relating to solid waste management facility permits; amending s. 403.708, F.S.; deleting

obsolete dates relating to beverage container and packaging requirements; amending s. 403.716, F.S.; deleting obsolete dates relating to training of operators of landfills, waste-to-energy facilities, biomedical waste incinerators, or mobile soil thermal treatment units or facilities; amending s. 403.7186, F.S.; deleting obsolete dates relating to environmentally sound management of mercury-containing devices and lamps; amending s. 403.7191, F.S.; deleting an obsolete date relating to reduction of toxics in packaging; amending s. 403.7192, F.S.; deleting obsolete provisions relating to requirements for manufacturers, sellers, and consumers with respect to batteries; repealing s. 403.7199, F.S., relating to the Florida Packaging Council; amending s. 403.724, F.S.; deleting an obsolete deadline for hazardous waste facilities to comply with financial responsibility requirements; amending s. 403.7265, F.S.; deleting an obsolete deadline for development of the local hazardous waste collection program; amending s. 403.767, F.S.; deleting an obsolete date relating to certification of used oil transporters; amending s. 403.769, F.S.; deleting an obsolete date relating to development of the permitting system for used oil processing facilities; repealing ch. 533, F.S., relating to mining wastes; providing an effective date.

—was referred to the Committees on Natural Resources; and Rules and Calendar.

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By the Committees on Water and Resource Management; Rules and Calendar; and Representative Constantine—

**CS for HB 4031**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 370.031, F.S., relating to a use study of Choctawhatchee Bay; repealing s. 370.033, F.S., relating to intent with respect to obsolete regulation of dredge and fill activities; amending ss. 370.037 and 370.038, F.S.; revising cross references, to conform; repealing s. 370.0805, F.S., relating to the net ban assistance program; amending s. 370.135, F.S.; deleting a provision relating to renewal of active blue crab endorsements in 1998; repealing s. 373.029, F.S., relating to the Southeast River Basins Resources Advisory Board; repealing s. 373.191, F.S., relating to county water conservation projects; amending s. 373.033, F.S.; removing a cross reference, to conform; repealing s. 373.2295(11), F.S., relating to applications for interdistrict transfer and use of groundwater which were pending on a specified date; repealing s. 373.415(3), F.S., relating to development of a groundwater basin resource availability inventory for the Wekiva River Protection Area; providing an effective date.

—was referred to the Committees on Natural Resources; and Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Bradley—

**HB 4033**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 255.043(4), F.S., relating to funds appropriated prior to the effective date of provisions requiring a portion of construction funds to be set aside for acquisition and display of art in newly constructed state buildings; amending s. 267.171, F.S.; deleting obsolete provisions relating to the use of certain funds by the Department of State for historic preservation purposes of the City of St. Augustine; amending s. 267.172, F.S.; deleting obsolete provisions relating to the appropriation of certain funds by the Department of State to not-for-profit organizations established to advance historic preservation in Tallahassee and the Florida Keys, respectively; amending s. 288.012, F.S.; deleting obsolete provisions relating to plans for the disposition, development, and operation of foreign offices; revising cross references; amending s. 288.1223, F.S.; deleting obsolete provisions relating to appointments to the Florida Commission on Tourism; amending s. 288.1224, F.S., and repealing subsection (8), relating to recommendations of the Florida Commission on Tourism to the Legislature for additional funding sources for the long-range objectives of the commission's marketing plan; deleting obsolete provisions relating to a review and report on the commission and its direct-support organization and to initial duties of the commission; repealing s. 509.215(3) and (4), F.S., relating to fire-

safety requirements for public lodging establishments for which construction contracts were let prior to October 1, 1983; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Commerce and Economic Opportunities; and Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Arnall—

**HB 4041**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 393.067(18), F.S., relating to a plan to phase out unlicensed beds in developmental services institutions; repealing s. 393.22(2), F.S., relating to review and identification of programs that have barriers to services for clients based on categorical disabilities and development of a plan to eliminate barriers to appropriate services; repealing ss. 393.31, 393.32, and 393.50, F.S., relating to the extended employment program for developmentally disabled persons; repealing s. 393.063(21) and (22), F.S., relating to the definitions of “extended employee” and “extended employment,” to conform; amending ss. 92.53, 400.464, 914.16, 914.17, and 918.16, F.S.; revising cross references, to conform; repealing s. 393.501(3), F.S., relating to a deadline for adoption of rules on policies and procedures affecting clients or applicants, and their families, under ch. 393, F.S., the Developmental Disabilities Prevention and Community Services Act; repealing s. 397.407(2), F.S., relating to a report to the Legislature on the level of licensure fees needed to cover the cost of regulation of substance abuse service providers; repealing s. 400.4415, F.S., relating to the assisted living facilities advisory committee; repealing s. 419.002, F.S., relating to the statewide registry of licensed community residential homes; repealing s. 430.710, F.S., relating to the long-term care interagency advisory council; repealing s. 142, ch. 95-418, Laws of Florida, relating to the Panel for the Study of Skilled Nursing Care; repealing s. 5, ch. 98-85, Laws of Florida, relating to a workgroup on Medicaid patient access to nursing home beds; providing an effective date.

—was referred to the Committees on Children and Families; and Rules and Calendar.

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By the Committees on Health Care Licensing and Regulation; Rules and Calendar; and Representative Arnall—

**CS for HB 4043**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 404.22(5)(c), F.S., relating to adoption of a fee schedule for fiscal year 1981-1982 for registration and inspection of radiation machines; repealing s. 458.349, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 458, F.S., relating to medical practice; repealing s. 459.024, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 459, F.S., relating to osteopathic medicine; repealing s. 461.015, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 461, F.S., relating to podiatric medicine; repealing s. 463.019, F.S., relating to savings clauses applicable to repeal and reenactment in 1986 of ch. 463, F.S., relating to optometry; repealing s. 464.0035, F.S., relating to staggering of initial terms on the joint committee appointed to approve acts of medical diagnosis and treatment, prescription, and operation that are authorized as advanced or specialized nursing practice; repealing s. 464.023, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 464, F.S., relating to nursing; repealing s. 468.804, F.S., relating to the Orthotists and Prosthetists Educational Programs Task Force; repealing s. 484.019, F.S., relating to savings clauses applicable to repeal and reenactment in 1986 of pt. I, ch. 484, F.S., relating to preparing and dispensing of eyeglasses and other optical devices; repealing ss. 499.018, 499.019, 499.02, 499.021, and 499.022, F.S., to abolish the investigational drug program and the Florida Drug Technical Review Panel; repealing s. 499.003(16) and (28), F.S., relating to the definitions of “investigational drug” and “technical panel,” to conform; amending ss. 381.0203, 499.015, 499.024, 499.03, 499.04, 499.041, and 499.067, F.S.;

removing or revising references and related provisions, to conform; repealing s. 499.025(5), F.S., relating to applicability of provisions establishing identification requirements for drug products in finished, solid, oral dosage form; repealing s. 103, ch. 97-261, Laws of Florida, and s. 2, 98-226, Laws of Florida, relating to the task force on the health care practitioner credentialing program; repealing s. 13, ch. 99-332, Laws of Florida, relating to the Task Force on Home Health Services Licensure Provisions; repealing s. 28, ch. 99-394, Laws of Florida, relating to the certified nursing assistant study group; repealing ss. 125 and 175, ch. 99-397, Laws of Florida, relating to the Task Force for the Study of Collaborative Drug Therapy Management and the Task Force on Telehealth; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Rules and Calendar.

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By the Committees on Health Care Services; Rules and Calendar; and Representative Arnall—

**CS for HB 4045**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 154.013, F.S., relating to county primary health care panels; amending s. 154.011, F.S.; deleting a cross reference, to conform; repealing s. 154.12(2), F.S., relating to the legal status of county public health trusts with respect to a repealed provision of law relating to the filing of caveats; repealing s. 381.0408, F.S., relating to the Public Health Partnership Council on Stroke; repealing s. 408.0014, F.S., the Florida Health Access Corporation Act; amending ss. 20.42 and 409.9117, F.S.; deleting references, to conform; repealing s. 408.004, F.S., relating to the Florida Health Plan; repealing ss. 408.002, 408.005, and 408.006, F.S., relating to legislative findings and intent and to development goals and strategies, to conform; amending ss. 408.061, 408.15, 408.301, and 408.704, F.S.; deleting references, to conform; repealing s. 408.01, F.S., relating to the voluntary private health insurance coverage and insurance cost containment program; repealing s. 408.02(9), F.S., relating to a demonstration project on the effectiveness of practice parameters with respect to the costs of defensive medicine and professional liability insurance; repealing s. 408.062(1)(g), F.S., relating to development of an alternative uniform system of financial reporting of gross revenues per adjusted admission; repealing s. 408.30, F.S., relating to an obsolete rule-saving clause for the Health Care Cost Containment Board; repealing s. 408.7071, F.S., relating to development of a standardized claim form for insurers and health care providers licensed in this state and to the committee appointed for such purpose; repealing s. 409.908(12)(c) and (22), F.S., relating to a report on the effect of the resource-based relative value scale fee schedule on utilization of Medicaid services and to implementation of changes in the Medicaid reimbursement methodology for facilities formerly known as ICF/DD facilities; amending s. 409.912, F.S., and repealing paragraph (35)(f), relating to applicability of provisions authorizing a 1997-1998 outpatient specialty services pilot project; deleting an obsolete date and provision relating to requirements under which federally qualified health centers can be Medicaid prepaid plan providers; repealing s. 514.081, F.S., relating to a saving clause applicable to provisions governing construction, modification, and operation of public swimming pools and bathing facilities; amending s. 636.045, F.S.; deleting obsolete provisions relating to minimum surplus requirements for prepaid limited health service organizations; repealing s. 859.03, F.S., relating to wrapping and labeling requirements applicable to the sale of morphine; repealing s. 859.05, F.S., relating to a prohibition on the sale or other disposition of narcotics except by prescription; repealing s. 35, ch. 93-129, Laws of Florida, relating to a work group on rural health care; repealing s. 19, ch. 96-403, Laws of Florida, relating to a task force on the organization and structure of state health programs; repealing s. 3, ch. 98-21, Laws of Florida, relating to a rural hospital redefinition study group; repealing s. 1, ch. 98-305, Laws of Florida, relating to the Prostate Cancer Task Force; repealing s. 4, ch. 99-214, Laws of Florida, relating to a school nurse training study group; repealing s. 6, ch. 99-393, Laws of Florida, relating to an advisory group on submission and payment of health claims; repealing s. 192, ch. 99-397, Laws of Florida, relating to the task force on the funding of the Public Medical Assistance Trust Fund; amending ch. 99-226, Laws of Florida,

relating to the Medicaid Formulary study panel; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Rules and Calendar.

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By the Committees on Crime and Punishment; Rules and Calendar; and Representative Crist—

**CS for HB 4047**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 16.55, F.S., relating to development and distribution of model crime prevention training materials for county and municipal governments; amending s. 27.181, F.S.; deleting obsolete provisions relating to termination of the office of assistant state attorney and creation of the position of assistant state attorney; amending s. 27.58, F.S.; deleting obsolete provisions relating to applicability to existing local laws and ordinances of provisions creating the office of public defender; repealing s. 213.305, F.S., relating to the applicability of penalties provided by ss. 49-98 of ch. 87-6, Laws of Florida, to the failure to pay certain unpaid taxes; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Lynn—

**HB 4053**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 229.121, F.S.; deleting obsolete provisions relating to exchange of land of the State School Fund by the State Board of Education; repealing s. 232.2451(4), F.S., relating to effect and applicability of provisions relating to readiness for postsecondary education and the workplace; repealing s. 232.271(5), F.S., relating to reports to the Legislature on expulsion of students from the classroom; repealing s. 232.36, F.S., relating to sanitation of schools; amending s. 228.053, F.S.; deleting a cross reference, to conform; repealing s. 236.0815, F.S., relating to restrictions on inclusion of certain students within basic programs; repealing s. 236.0817, F.S., relating to allocation of categorical funds to developmental research schools; repealing s. 236.0841, F.S., relating to provision of student enrichment, remedial, and dropout prevention programs; amending s. 232.246, F.S.; deleting a cross reference, to conform; repealing s. 236.092, F.S., relating to mathematics, science, and computer learning laboratories; repealing s. 236.1228, F.S., relating to accountability program grants; amending s. 236.13, F.S.; deleting a cross reference, to conform; repealing ss. 236.1229 and 236.12295, F.S., relating to the Florida School Improvement and Academic Achievement Trust Fund and its grant program; repealing s. 236.145, F.S., relating to reimbursement of residential nonpublic school contracts; amending s. 236.687, F.S.; deleting obsolete implementation provisions of the Florida Maximum Class Size Study Act; repealing s. 236.69, F.S., relating to development of a state plan for use of funds received under Title I of the federal Elementary and Secondary Education Act of 1965, as amended and readopted; repealing s. 238.05(5)(a), F.S., relating to optional membership in the Teachers' Retirement System by persons qualified for retirement under the Judicial Retirement System; providing an effective date.

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

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By the Committee on Rules and Calendar; and Representative Pruitt—

**HB 4059**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 193.621(3), F.S., relating to assessment of certain manufacturing or industrial plants or facilities demolished and reconstructed for pollution control purposes; repealing s.

196.1976, F.S., relating to the severability of ss. 196.1975 and 196.197(1) or (2), F.S., which relate to an ad valorem tax exemption for certain nonprofit homes for the aged, hospitals, nursing homes, and homes for special services; repealing s. 197.448, F.S., relating to cancellation of tax certificates on riparian rights separate from land; repealing s. 199.052(11), F.S., relating to intangible tax return requirements for banking organizations with respect to intangible personal property resulting from international banking transactions; repealing s. 206.435, F.S., relating to remittance of unpaid tax by wholesalers, terminal suppliers, retail dealers, and former special fuel dealers having motor or taxable diesel fuel inventory; amending s. 206.97, F.S.; removing a cross reference, to conform; repealing s. 206.9935(3)(c), F.S., relating to scheduled legislative review of the tax for inland protection; amending s. 211.025, F.S.; deleting an obsolete gas tax rate; amending s. 211.026, F.S.; deleting an obsolete sulfur tax rate; repealing s. 212.0305(3)(g), F.S., relating to authority to employee persons and incur other expenses from funds appropriated therefor for administration of the Convention Development Tax Act; amending s. 213.015, F.S.; revising a cross reference, to conform; amending s. 212.04, F.S.; deleting an exemption from admissions tax imposed but not collected prior to a specified date for any museum or historic building owned by a political subdivision of the state; repealing s. 212.0599, F.S., relating to rules which implement ch. 87-548, Laws of Florida; amending s. 212.08, F.S., and repealing paragraph (hh) of subsection (7), relating to a tax exemption on sales of electric vehicles; deleting an obsolete reporting requirement in a tax exemption provision relating to charges for certain electricity or steam uses; amending s. 414.029, F.S.; revising a cross reference, to conform; amending ss. 212.097 and 212.098, F.S.; deleting obsolete provisions relating to application submission dates; repealing s. 212.20(7), F.S., relating to the use of funds allocated to the Solid Waste Management Trust Fund for the 1999-2000 fiscal year; repealing s. 212.215, F.S., the Fairness in Retail Sales Taxation Act; repealing s. 213.01, F.S., relating to intent with respect to state revenue laws; repealing s. 213.065, F.S., relating to intent with respect to rule adoption to implement ch. 89-171, Laws of Florida; repealing s. 213.066, F.S., relating to rule adoption to implement ch. 92-319, Laws of Florida; amending s. 215.3208, F.S.; deleting obsolete scheduling provisions relating to review of trust funds scheduled for termination; repealing s. 215.821, F.S., relating to effect of adoption of the State Bond Act on the issuance of bonds by state agencies; repealing s. 220.18, F.S., relating to the gasohol development tax incentive credit; repealing ss. 193.076, 193.085(5), and 195.073(4), F.S., relating to notice of expansion, assessment of expansion-related or rebuilt property, and classification of property as prior existing or expanded or rebuilt, respectively, to conform; amending s. 193.077, F.S.; revising a cross reference, to conform; repealing s. 220.188, F.S., relating to the export finance corporation investment credit; amending s. 220.02, F.S., and repealing subsection (6), relating to intent with respect to the gasohol development tax incentive credit; removing cross references, to conform; amending ss. 220.181, 220.182, 220.184, 220.1845, 220.1895, and 220.19, F.S.; revising cross references, to conform; amending s. 220.03, F.S., and repealing paragraphs (1)(dd)-(ff), relating to definitions applicable to provisions governing the export finance corporation investment credit; deleting definitions relating to the gasohol development tax incentive credit; revising a cross reference, to conform; providing effective dates.

—was referred to the Committees on Fiscal Resource; and Rules and Calendar.

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By the Committee on Rules and Calendar; and Representative Sublett—

**HB 4061**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 163.055(1)(a) and (b), F.S., relating to findings with respect to the Local Government Financial Technical Assistance Program; amending s. 265.001, F.S.; deleting obsolete provisions relating to selection of members to the Florida Women's Hall of Fame; repealing s. 272.161(1)(d), F.S., relating to an audit and report to the Legislature on state employee parking in non-state-owned parking lots; repealing s. 287.064(9), F.S., relating to authority of the Department of Law Enforcement for fiscal year 1998-1999 to finance through the Comptroller's consolidated master equipment financing program the purchase of equipment, software, and services for the Florida Crime Information Center; repealing s. 287.084(3), F.S., relating to authority

of the Glades School District for fiscal year 1999-2000 to give consideration to Florida vendors for a pilot program for telemedicine within the district; providing an effective date.

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

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By the Committee on Education Appropriations and Representative Wise and others—

**HB 627**—A bill to be entitled An act relating to trust funds; creating s. 235.21955, F.S.; creating the Lottery Capital Outlay and Debt Service Trust Fund within the Department of Education; providing for sources of funds; providing purposes; providing for annual carryforward of funds; providing for transfer of certain funds to the trust fund; proclaiming that the trust fund is exempt from constitutional termination; providing an effective date.

—was referred to the Committees on Fiscal Policy and Education.

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By the Committee on General Appropriations and Representative Pruitt—

**HJR 1921**—A joint resolution proposing an amendment to Section 19 of Article III of the State Constitution relating to trust funds.

—was referred to the Committees on Fiscal Policy; and Rules and Calendar.

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By the Committee on General Government Appropriations and Representative Sembler—

**HB 1997**—A bill to be entitled An act relating to trust funds; creating s. 589.065, F.S.; creating a Florida Forever Program Trust Fund within the Department of Agriculture and Consumer Services; providing purposes; providing for a source of moneys; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Fiscal Policy.

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By the Committee on General Government Appropriations and Representative Sembler—

**HB 1999**—A bill to be entitled An act relating to trust funds; creating s. 20.3315, F.S.; creating a Florida Forever Program Trust Fund within the Florida Fish and Wildlife Conservation Commission; providing purposes; providing for a source of moneys; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By the Committee on Transportation and Economic Development Appropriations; and Representative Fuller—

**HB 2001**—A bill to be entitled An act relating to trust funds; creating s. 380.5115, F.S.; creating a Florida Forever Program Trust Fund within the Department of Community Affairs; providing purposes; providing for a source of moneys; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Fiscal Policy.

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**RETURNING MESSAGES—FINAL ACTION**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 664.

*John B. Phelps, Clerk*

The bill contained in the foregoing message was ordered enrolled.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 30 was corrected and approved.

**CO-SPONSORS**

Senators Jones—SB 1092; King—SB 904, SB 1858; Saunders—CS for SB 60

**RECESS**

On motion by Senator McKay, the Senate recessed at 12:29 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 5.

**SENATE PAGES**

April 3-7

Bridgette Boody, Valrico; Phillip Bray, Old Town; Melanie Bronson, Satellite Beach; Elliott Carter, Ft. Walton Beach; Yessilyn "Yessi" Comacho, Miami Lakes; Carla Crowe, Live Oak; Allyson Frisard, Orange Park; Brian Graham, Green Cove Springs; Heather Hatch, Branford; Andrea Henderson, Satellite Beach; Eric Hoffman, Tallahassee; Derek Jones, Miami; Lisa Kolinski, Coconut Grove; Heather Riti, Sarasota; Horace Danforth "Dan" Robuck III, Leesburg; Doug Thornton, Tallahassee; Jonathon Weiss, N. Miami Beach; Tanya Zoeller, Miami